

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2016**

PRESENT: Administrator – Richard Colley
General Manager – Matthew Stewart
Director Planning – Scott Pedder
Director Corporate – Ken Manoski
Director Operations – Anthony Vangi
Director Community Services – Graeme Beattie
Director City Future – James Carey
Executive Director – Simon Manoski
Director People & Performance – Simone Cook
Manager Governance – Brad McPherson
Manager Spatial Planning – Mitch Noble

APOLOGIES Nil

THE ADMINISTRATOR DECLARED THE MEETING OPEN AT 6.00 PM.

REF: CONFIRMATION OF MINUTES

(229)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the Ordinary Council Meeting held on 25 October 2016 be adopted.

SECTION 2: LEAVE OF ABSENCE

Nil

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

Nil

SECTION 4: ADMINISTRATOR MINUTES

ITEM 4.1 CANTERBURY CORRIDOR COLLABORATION

(230)

That the Administrator's Minute be received.

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PUBLIC ACCESS

(231)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That permission be granted to those people who have made the necessary application to address Council for five minutes.

SECTION 5: PLANNING MATTERS

ITEM 5.1

CANTERBURY ROAD CORRIDOR: UPDATE ON PLANNING PROPOSALS

MS BARBARA COOREY ADDRESSED COUNCIL.

MR TODD NEAL (ON BEHALF OF COLIN BIGGERS & PAISLEY LAWYERS) ADDRESSED COUNCIL.

(232)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council note the status of the review of planning controls along Canterbury Road and the revised timeframe to complete the work.
2. Council act on the planning proposals and sites along the Canterbury Road Corridor as outlined in Table 2 of the report.
3. A further update be provided to Council in February 2017.

SECTION 6: REPORT OF THE GENERAL MANAGER

ITEM 6.1

2015-16 ANNUAL FINANCIAL STATEMENTS - FORMER BANKSTOWN AND CANTERBURY COUNCILS

MR DENNIS BANICEVIC (PRICEWATERHOUSECOOPERS, COUNCIL'S EXTERNAL AUDITOR) ADDRESSED COUNCIL.

(233)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council note the 2015/16 Annual Financial Reports and Auditors Report for the former Bankstown City Council and the former Canterbury City Council.

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2. Any submissions received and proposed actions relating to those submissions will be reported back to Council at the next Ordinary Meeting, if required.

ITEM 6.2

QUARTERLY BUDGET REVIEW - PERIOD ENDING 30 SEPTEMBER 2016

(234)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council adopt the September 2016 Quarterly Budget Review, as outlined in the report.
2. Council note the allocation of funding from its New Council Implementation Fund and estimated savings in costs due to the amalgamation, as outlined in the report.

ITEM 6.3

CODE OF CONDUCT FRAMEWORK - SUPPORTING POLICIES

(235)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. In principle, Council adopt the Councillor and Staff Interaction Policy, Gifts and Benefits Policy, Statement of Business Ethics, Public Interest Disclosures Policy and Public Interaction and Meeting Disclosures Policy as attached to this report.
2. The policies be referred to the Independent Commission Against Corruption for comment.
3. Following the Independent Commission Against Corruption Commission's review and subject to there being no suggested changes, the policies be adopted and implemented.
4. Further reports be prepared to consider other subsequent policies that support the Code of Conduct Framework, as required.

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ITEM 6.4 REVIEW OF COUNCIL PARTICIPATION IN CATCHMENT MANAGEMENT COMMITTEES

(236) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council continue as financial member of the Parramatta River Catchment group.
2. Council continue as financial member of the Georges River Combined Councils Committee subject to the inclusion of Salt Pan Creek and a funding reduction for all members as outlined in the report.
3. A further report be presented to Council on its role in the Cooks River Alliance (CRA) based on the issues outlined in the report.
4. The General Manager be authorised to determine appropriate staff representatives as voting delegates to all Catchment Committees, as required.

ITEM 6.5 REQUESTS FOR FINANCIAL ASSISTANCE AND DONATIONS

(237) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. A donation of \$500.00 be made to Nicole Samsa of Greenacre on her selection to represent Australia at the World Junior and Under 23 Bocce Championships which are being held in Monaco from 28 November to 3 December 2016.
2. A donation to the value of \$361.00 (equivalent to the hire fee for the use of Buchanan Oval, Bankstown) be made to Creating Chances for their summer soccer program for boys and girls aged 12-20 years held every Monday Night from 4.00 to 6.00 pm during October 2016 to March 2017.
3. A donation of \$69.00 (equivalent to the hire fee for the use of Court House Reserve) be made to the City of Bankstown RSL Sub-Branch who held a Remembrance Day Service on 11 November 2016.
4. A donation of \$327.00 (equivalent to the hire fee for the use of the Panania Senior, Citizens' Centre) be made to the Panania-East Hills Orchid Society for their 64th Annual Spring Show which was held at the Panania Senior Citizens' Centre on 9 and 10 September 2016.

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ITEM 6.6 OPEN SPACE STRATEGY FOR THE FORMER CITY OF CANTERBURY

(238)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The Open Space Strategy for the former City of Canterbury be placed on Public Exhibition.
2. A further report be submitted to Council at the conclusion of the exhibition period to consider any submissions.

ITEM 6.7 JIM RING RESERVE PLAN OF MANAGEMENT

(239)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the Jim Ring Reserve Plan of Management 2016 (attachment A) be adopted by Council.

**ITEM 6.8 PREPARATION OF MASTERPLAN AND PLAN OF MANAGEMENT TO GUIDE THE
FUTURE USE OF PARRY PARK, PUNCHBOWL**

(240)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council commence the preparation of a site specific Master Plan for Parry Park, Punchbowl.
2. Further reports be submitted to Council regarding the matter, as required.

**ITEM 6.9 EXHIBITION OF MASTER PLAN OPTIONS FOR GOUGH WHITLAM PARK AND
WATERWORTH PARK**

(241)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council endorses and places on public exhibition the Master Plan options as outlined in the report for Gough Whitlam Park and Waterworth Park.

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2. A further report be submitted to Council at the conclusion of the exhibition period to consider any submissions.

ITEM 6.10

PEST ANIMAL MANAGEMENT

(242)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The information be noted.
2. Council in conjunction with the Invasive Species Animals Cooperative Research Centre participate in the 2017 national release of the new strain of Calicivirus.
3. Further reports be submitted to council regarding the matter, as required.

ITEM 6.11

DRAINAGE RESERVE LICENCE FOR 37 BRUCE AVENUE, BELFIELD

(243)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. A new licence be granted to the owner of Unit 5, 17-18 Bruce Avenue, Belfield, to permit the use and occupation of part 37 Bruce Avenue Belfield as outlined in the report.
2. The Administrator and the General Manager are delegated authority to sign all documents under the common seal of Council, as required.

ITEM 6.12

**EXECUTION OF LEASE TO RIVERWOOD COMMUNITY CENTRE LIMITED - 151
BELMORE ROAD NORTH, RIVERWOOD**

(244)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. A lease be entered into with the Riverwood Community Centre Limited on the terms as outlined in the report.
2. The Administrator and General Manager are delegated authority to sign all documents under the common seal of council, as required.

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**ITEM 6.13 RELEASE OF TWO DRAINAGE EASEMENTS - 105 WATTLE STREET, PUNCHBOWL
(245)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council consent to the release of the two easements for drainage at 105 Wattle Street, Punchbowl.
2. The Administrator and General Manager be delegated authority to execute all documents, under the common seal of council, as required for Subdivision Certificate Application No. SUB 324/2016.

**ITEM 6.14 CASH AND INVESTMENT REPORT AS AT 31 OCTOBER 2016
(246)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The Cash and Investments Report as at 31 October 2016 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.
3. In accordance with the Local Government Act 1993 – Investment Order, the former Canterbury Council’s Cash and Investment Policy be amended to permit deposits or investments in an Hour-Glass Investment Facility with the NSW Treasury Corporation, as outlined in the report.

SECTION 7: COMMITTEE REPORTS

**ITEM 7.1 MINUTES OF THE COUNCIL ADVISORY GROUP MEETING HELD ON 25 OCTOBER
(247)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the Minutes of the Council Advisory Group Meeting held on 25 October 2016 be adopted.

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SECTION 8: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

Nil

SECTION 9: MATTERS FOR INFORMATION

ITEM 9.1 CODE OF CONDUCT COMPLAINTS REPORT

(248)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the information be noted.

ITEM 9.2

MINUTES OF THE WSROC ANNUAL GENERAL MEETING HELD ON 20 OCTOBER, 2016 AND MINUTES OF THE WSROC BOARD OF DIRECTORS MEETING HELD ON 20 OCTOBER, 2016.

(249)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The Minutes of the WSROC Annual General Meeting held on 20 October 2016 be noted.
2. The Minutes of the WSROC Board of Directors Meeting held on 20 October 2016 be noted.

ITEM 9.3

DEVELOPMENT APPLICATIONS DETERMINED BY THE INDEPENDENT HEARING AND ASSESSMENT PANEL

(250)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the report be noted.

ITEM 9.4

REPORT ON DEVELOPMENT APPLICATIONS AND SECTION 96 APPLICATIONS DETERMINED AND TO ADVISE OF THE STATUS OF VARIOUS DA RELATED LEGAL MATTERS RELATED FOR OCTOBER 2016.

(251)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the contents of this report be noted.

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SECTION 10: QUESTIONS FOR NEXT MEETING

Nil

SECTION 11: CONFIDENTIAL SESSION

(252) MOVED AND RESOLVED BY THE ADMINISTRATOR

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, 11.5, 11.6, 11.7, 11.8 in confidential session for the reasons indicated:

Item 11.1 Property Matter - 50 Macauley Avenue, Bankstown

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 11.2 Compulsory Acquisition of Land for the Purpose of Constructing an Extension to the M5 Motorway

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 11.3 T68-2016 - Tender for Civil Improvement Works in Pacific Street, Kingsgrove

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 11.4 T12-17 Tender for the Provision of Debt Recovery Services

This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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- Item 11.5 T17-17 - Tender for Lake Gillawarna (North) Water Quality and Natural Area Improvement Project

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 11.6 T18-17 English St Rehabilitation between Wilberforce Rd to Pivetta St, Revesby

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 11.7 T27-17 Provision of Food & Beverage for Council's Leisure, Aquatic, Fitness and Golf Facilities

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 11.8 Property Matter - The Mall Bankstown

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.

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 6.38 PM AND
REVERTED BACK TO OPEN COUNCIL AT 6.40 PM.**

**ITEM 11.1
(253)**

PROPERTY MATTER - 50 MACAULEY AVENUE, BANKSTOWN

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council agrees to acquire 50 Macauley Avenue, Bankstown in accordance with the details as outlined in the report.

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1. Council accepts the tender received from Recoveries & Reconstruction (Aust.) Pty Ltd for a period of three years, with the option to extend the contract by two further periods each of up to one year in duration, subject to satisfactory performance of the contractor as determined by the General Manager, for the provision of Debt Recovery Services.
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.

ITEM 11.5 T17-17 - TENDER FOR LAKE GILLAWARNA (NORTH) WATER QUALITY AND NATURAL AREA IMPROVEMENT PROJECT

(257)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Civil Constructions Pty Ltd for an amount of \$875,250.85 (excluding GST) for Lake Gillawarna (North) Water Quality and Natural Area Improvement Project.
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.

ITEM 11.6 T18-17 ENGLISH ST REHABILITATION BETWEEN WILBERFORCE RD TO PIVETTA ST, REVESBY

(258)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Platinum Civil Pty Ltd for an amount of \$160,729.50 (excluding GST) for the provision of roadworks associated with the rehabilitation of English Street between Wilberforce Road and Pivetta Street, Revesby.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.

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

ITEM 11.7 T27-17 PROVISION OF FOOD & BEVERAGE FOR COUNCIL'S LEISURE, AQUATIC, FITNESS AND GOLF FACILITIES

(259) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tenders received from Coca Cola Amatil, Peter's and Daily Fresh Food Services for the provision of Food & Beverages at Council's Leisure, Aquatic, Fitness and Golf Facilities as outlined in the report for a period of 3 years, with the relevant options to extend the contract, subject to satisfactory performance as determined by the General Manager.
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.

ITEM 11.8 PROPERTY MATTER - THE MALL BANKSTOWN

(260) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. In principle, Council endorse the proposal to proceed to assess the matter, as outlined in the report.
2. The General Manager be delegated authority to pursue the matter, as outlined in the report.
3. A further report(s) be provided to Council regarding matter, as required.

THE MEETING CLOSED AT 6.42 PM.

Minutes confirmed 6 DECEMBER 2016

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Administrator