

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 AUGUST 2017**

PRESENT: Administrator – Richard Colley

THE ADMINISTRATOR DECLARED THE MEETING OPEN AT 6.00 PM

REF: CONFIRMATION OF MINUTES

RECOMMENDATION:

That the minutes of the Ordinary Council Meeting held on 25 July 2017 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 TRANSITION OVERVIEW

(499)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the Administrator's Minute be received.

SECTION 5: PLANNING MATTERS

ITEM 5.1 DRAFT SYDENHAM TO BANKSTOWN URBAN RENEWAL CORRIDOR STRATEGY

(500)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The report be received and noted.
2. Council defer making a submission to the Draft Sydenham to Bankstown Urban Renewal Corridor Strategy until after the local government elections to give the new Council an opportunity to consider its approach to its submission.

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SECTION 6: REPORT OF THE GENERAL MANAGER

**ITEM 6.1 REVIEW OF THE OPERATIONAL PLAN TO 30 JUNE 2017 AND JUNE 2017
QUARTERLY BUDGET REVIEW.**

(501) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council endorse the six month review of its 2016-17 Operational Plan as outlined in the report.
2. The June 2017 Quarterly Budget Review be adopted.
3. Council authorise the carryover of \$32.3M of funding to complete certain capital and operating projects commenced throughout the 2016/17 financial year, as outlined in the report.
4. Council apply all rates and charges written off during the year to its rating databases in satisfying its obligation under the Local Government Act 1993 and Local Government (General) Regulation 2005.
5. Council endorse the write-off of sundry debts for the 2016/17 financial year, as outlined in the report.

ITEM 6.2 2017-18 COMMUNITY GRANTS & EVENT SPONSORSHIP PROGRAM

(502) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council approve the distribution of the 2017-2018 Community Grants and Event Sponsorship Program as outlined in Attachment A.

ITEM 6.3 OUTDOOR DINING PROJECT

(503) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council agrees the Belfield Town Centre be the trial location for the outdoor dining project for a period of approximately 12 months.
2. A further report be submitted to Council following the trial period.

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3. In accordance with Section 610E of the Local Government Act, Council publicly exhibit the waiving of outdoor dining fees during the trial period for the Belfield Town Centre.
4. Subject to Item 3, and there being no submissions, Council proceed to implement the waiving of the fees following the public exhibition period.

ITEM 6.4 RELATED PARTY DISCLOSURES POLICY

(504)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council adopt the Draft Related Party Disclosures Policy, as attached.
2. The Draft Policy be referred to Council's external auditor for comment.
3. Subject to Item 2, the General Manager be delegated authority to finalise the policy, as outlined in the report.

ITEM 6.5 TREE PRESERVATION ORDER

(505)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The Draft Bankstown Development Control Plan 2015 Part B11 – Tree Preservation Order and the Draft Canterbury Development Control Plan 2012 Part B3 – Tree Preservation as attached to this report be endorsed and placed on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.
2. At the conclusion of the public exhibition period, a further report be submitted to Council.

ITEM 6.6 ADOPTION OF COUNCIL POLICIES

(506)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council adopt the Policies as outlined in this report.

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ITEM 6.7 LOCAL GOVERNMENT NSW - ANNUAL CONFERENCE AND CONSIDERATION OF MOTIONS

(507) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council endorse the draft motion as detailed in the report.
2. The Mayor be delegated authority to nominate voting delegates for the 2017 LGNSW Conference.
3. The 2017 LGNSW membership subscription be paid and that membership be reviewed again in 2018.

ITEM 6.8 PROPERTY MATTER: CLASSIFICATION OF COUNCIL LAND AT 28 HOMEDALE ROAD BANKSTOWN

(508) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council classifies No. 28 Homedale Road, Bankstown (Lot 102 DP 1228873) as Operational Land, in accordance with the Local Government Act 1993.
2. The Mayor/Administrator and General Manager be delegated authority to complete the possessory title claim (to the land known as No. 26 Homedale Road, Bankstown - Lot 100 DP 1228889) , and execute all relevant documentation under the Common Seal of Council, as required.
3. Council publicly exhibit its proposal to classify the land (No. 26 Homedale Road, Bankstown - Lot 100 DP 1228889) as Operational Land, in accordance with the Local Government Act 1993.
4. A further report be submitted regarding the matter.

ITEM 6.9 PROPOSED NEW LICENCE TO TRINITY GRAMMAR SCHOOL FOR USE OF CANTERBURY PARK TENNIS COMPLEX

(509) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

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1. In principle, Council agree to a new licence being entered into with Trinity Grammar for the use of the tennis courts at Canterbury Park as outlined in the report.
2. Council write to the Minister for Lands regarding the matter for their consideration.
3. Subject to item 2, the Mayor/Administrator and General Manager be delegated authority to undertake negotiations and execute all relevant documentation under the Common Seal of Council, as required.

**ITEM 6.10
(510)**

SALT PAN CREEK RESERVE II STATUS UPDATE

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council note the status of the Salt Pan Creek Reserve II Masterplan in consideration of the impact of the adjacent Riverwood Priority Precinct.
2. Council note the exploration of further options for regional sporting facilities under the Salt Pan Creek Reserve II Masterplan, working closely with the Tip Closure Project.

**ITEM 6.11
(511)**

STRATEGIC ISSUES FACING THE CITY

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council note the strategic issues to be considered by the incoming Councillors.
2. Council note the continuation of Council's involvement with the Cities Leadership Institute.
3. Council endorse the Cities Leadership Institute Exchange, as outlined in the report.

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ITEM 6.12 SOUTH WEST METRO - ALTERNATIVES FOR BANKSTOWN

(512) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council, in collaboration with Transport for NSW (TfNSW) and the Department of Planning and Environment (DoPE) commence development of a masterplan and business case for the undergrounding of the South West Metro at Bankstown.

ITEM 6.13 CODE OF MEETING PRACTICE - AMENDMENT TO STANDING ORDERS OF BUSINESS

(513) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the Standing Orders of Business in the Code of Meeting Practice be amended as detailed in the report.

ITEM 6.14 CASH AND INVESTMENT REPORT AS AT 31 JULY 2017

(514) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The Cash and Investment Report as at 31 July 2017 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

MATTER OF URGENCY

(515) MOVED AND RESOLVED BY THE ADMINISTRATOR

That urgency be permitted and Item 6.15 – Proposed Filming Request – Use of Council Property be considered

ITEM 6.15 PROPOSED FILMING REQUEST - USE OF COUNCIL PROPERTY

(516) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

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1. Council, in principle, agree to the proposed short-term use of the sites, as outlined in the report.
2. Subject to determining the agreed site, the General Manager be delegated to carry out the relevant process, as outlined in the report.

SECTION 7: COMMITTEE REPORTS

ITEM 7.1 MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER ADVISORY COMMITTEE MEETING HELD ON 26 JULY 2017

(517) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the Aboriginal and Torres Strait Islander Advisory Committee meeting held on 26 July 2017 be adopted.

ITEM 7.2 MINUTES OF THE COMMUNITY SAFETY ADVISORY COMMITTEE MEETING HELD ON 12 JULY 2017

(518) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the Community Safety Advisory Committee meeting held on 12 July 2017 be adopted.

ITEM 7.3 MINUTES OF THE CANTERBURY BRANCH AND BANKSTOWN BRANCH TRAFFIC COMMITTEE MEETINGS HELD ON 8 AUGUST 2017

(519) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the recommendations contained in the minutes of the Canterbury Branch Traffic Committee and Bankstown Branch Traffic Committee meetings held on 8 August 2017, be adopted.

SECTION 8: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

Nil

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SECTION 9: MATTERS FOR INFORMATION

ITEM 9.1 REPORT ON DEVELOPMENT APPLICATIONS AND SECTION 96 APPLICATIONS DETERMINED FOR JUNE AND JULY 2017 AND UPDATE ON THE STATUS OF PLANNING RELATED LEGAL MATTERS

(520) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the report be noted.

SECTION 10: QUESTIONS FOR NEXT MEETING

Nil

SECTION 11: CONFIDENTIAL SESSION

(521) 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 in confidential session for the reasons indicated:

Item 11.1 EX0077 - Legal Services Tender

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 T49-17 - Provision of Pound Services - Holding 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.

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 6.18 PM AND
REVERTED BACK TO OPEN COUNCIL AT 6.19 PM**

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**ITEM 11.1
(522)**

EX0077 - LEGAL SERVICES TENDER

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. In accordance with the provisions of the Local Government Act 1993 and Local Government (General) Regulation 2005, the following firms be appointed to Council's Legal Panel

- Bartier Perry
- Hall & Wilcox
- Pikes & Verekers Lawyers
- Lindsay Taylor Lawyers
- Marsdens Law Group
- Clayton Utz
- McCulloch Robertson
- Tress Cox
- Maddocks
- Holman Fenwick Wilan

to provide legal services to Council as detailed in the table in the report, for a period of three years, with the option to extend the contract by a further two years, subject to satisfactory performance of the contractor 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 11.2
(523)**

T49-17 - PROVISION OF POUND SERVICES - HOLDING FACILITIES

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tenders received from Rossmore Vet Pty Ltd (Rossmore Veterinary Hospital), Bass Hill Veterinary Clinic Pty Ltd and VetPartners Australia Pty Ltd for a period of 1 year, with the option to extend the contracts by 4 further periods each of up to 1 year in duration, subject to satisfactory performance of the contractors as determined by the General Manager, for the provision of animal pound services/holding facilities.

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2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution as required.

THE MEETING CLOSED AT 6.20 PM

Minutes confirmed 24 OCTOBER 2017

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Mayor