

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 MARCH 2017**

PRESENT: Administrator – Richard Colley

THE ADMINISTRATOR DECLARED THE MEETING OPEN AT 6.00 PM.

REF: CONFIRMATION OF MINUTES

(352)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the Ordinary Council Meeting held on 28 February 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 NEW CITY BRAND

(353)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council endorse the new City brand.

PUBLIC ACCESS

(354)

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.

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SECTION 5: PLANNING MATTERS

ITEM 5.1 SUBMISSION TO THE DRAFT SOUTH DISTRICT PLAN AND THE DRAFT AMENDMENTS TO THE METROPOLITAN PLAN 'A PLAN FOR GROWING SYDNEY'

MS BARBARA COOREY ADDRESSED COUNCIL.

(355) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council note the submissions received and the proposed updates to Council's submission as outlined in this report.
2. Council endorse the submission to the Draft South District Plan and the Draft Amendments to the Metropolitan Plan '*A Plan for Growing Sydney*' as outlined in this report.

ITEM 5.2 SUBMISSION TO THE DRAFT AMENDMENTS TO THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

(356) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council endorse the submission to the Draft Environmental Planning & Assessment Amendment Bill 2017 as outlined in this report.

SECTION 6: REPORT OF THE GENERAL MANAGER

ITEM 6.1 CBD RENEWAL STRATEGY - OLD LIBRARY SITE

(357) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. The information be noted.
2. The General Manager be delegated authority to continue to both negotiate and/or finalise the matter, as required.
3. The Administrator and the General Manager be delegated authority to sign all documents under the common seal of Council, as required.
4. Further reports regarding the matter be provided to Council, as required.

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- ITEM 6.2** **MANAGEMENT OF THE BLAKC CAFE**
(358) MOVED AND RESOLVED BY THE ADMINISTRATOR
- That -
1. Council does not invite fresh tenders for the lease of the BLaKC as resolved at its meeting on 28 February, 2017.
 2. In accordance with Section 178 (3) of the Local Government (General) Regulation 2005, Council carry out the requirements of the proposed contract itself.
-
- ITEM 6.3** **COMMUNITY ENGAGEMENT POLICY**
(359) MOVED AND RESOLVED BY THE ADMINISTRATOR
- That Council adopt the Community Engagement Policy.
-
- ITEM 6.4** **SEASONAL SPORT FIELD ALLOCATION POLICY**
(360) MOVED AND RESOLVED BY THE ADMINISTRATOR
- That Council adopt the Seasonal Allocation of Sporting Grounds Policy.
-
- ITEM 6.5** **UPDATE TO COUNCIL'S INSTRUMENT OF DELEGATIONS**
(361) MOVED AND RESOLVED BY THE ADMINISTRATOR
- That the Instrument of Delegations, as attached to this report, be adopted.
-
- ITEM 6.6** **PROPOSED SUB-TENANCIES AT BELMORE BOWLING CLUB –
1A LEYLANDS PARADE, 1B EDISON LANE AND 1C EDISON LANE, BELMORE**
(362) MOVED AND RESOLVED BY THE ADMINISTRATOR
- That -
1. Council agrees in principle to Belmore Bowling and Recreation Club Limited entering two sub-tenancies on terms as outlined in this report.

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2. Council seek approval from Minister for Lands, where required.
3. Subject to item 2 (where applicable) the Administrator and the General Manager are delegated authority to finalise the matter and sign all documents under the common seal of Council, as required.

ITEM 6.7 IMPACTS OF M5 EXPANSION / WEST CONNEX AT KINGSGROVE

(363) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council write to Transport for NSW identifying the concerns as outlined in this report.
2. Council request WestConnex undertake further community engagement regarding the matters raised.

ITEM 6.8 REQUEST FOR FINANCIAL ASSISTANCE AND DONATIONS

(364) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. A donation of \$250 be made to Bankstown Sports Swimming Club in support of Thomas Hargreaves of Panania who will be competing at the 2017 Australian Age Championships in Brisbane from 16-21 April, 2017.
2. A donation of \$998 be made to Trilogy Schools (equivalent to the waiving of the hire and waste fees for the use of Playford Park, Padstow) in support of their Mega Fete which is being held at Playford Park on 2 April 2017.

ITEM 6.9 PROPOSAL TO BECOME RESERVE TRUST MANAGER OF CROWN RESERVE 63565 (PICNIC POINT RESERVE)

(365) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council authorise the Application to the Minister responsible for the administration of the Crown Lands Act, to appoint Canterbury Bankstown Council as Reserve Trust Manager for Crown Reserve 63565 at Picnic Point.

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2. The General Manager and Administrator be authorised to sign any relevant documentation, and affix the common seal of Council, as required.

ITEM 6.10

RENEWAL OF LEASE OVER GREENACRE HOTEL CAR PARK

(366)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council authorise the Administrator and General Manager to enter into a variation of lease to extend the current lease for the Greenacre Hotel Car Park for a further period of five years, to 30 June 2022.
2. The Administrator and General Manager be delegated the authority to sign all documentation under the common seal of Council, as required.

ITEM 6.11

BELMORE OVAL SPORTS PRECINCT

(367)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council in principle, support Canterbury Bulldogs application to the State Government to fund the upgrade to the Belmore Sports Complex as outlined in this report.
2. Subject to confirmation of funding, Council work with Canterbury Bulldogs on further project evaluation, final costing and review of community outcomes.
3. Council write to the Crown outlining the project and seek their support.
4. Council commence the preparation of a masterplan for the Belmore Sports and Community Precinct to identify a shared vision and future social and community opportunities.
5. Further report(s) be provided to Council as required.

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**ITEM 6.12
(368)**

PROPERTY MATTER - HURLSTONE PARK BOWLING CLUB

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council endorse to proceed with the matter as outlined in the report.
2. The General Manager be delegated authority to carry out the required steps and finalise relevant documentation as outlined in the report.

**ITEM 6.13
(369)**

INVESTIGATION INTO A DISABILITY RESPITE CENTRE

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. The report on the investigation into the potential establishment of a Disability Respite Centre be noted.
2. Council continues to advocate for additional respite facilities and services to be provided by the NSW Government for Canterbury-Bankstown.

**ITEM 6.14
(370)**

COUNCIL PARTICIPATION IN COOKS RIVER CATCHMENT COMMITTEE

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council pay the 2016-17 membership fee.
2. Council budget and contribute to the 2017- 18 Cooks River Alliance membership, subject to the review and final agreement of fees.
3. Council submit an Expression of Interest for hosting the Alliance beyond 2017.

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ITEM 6.15 CASH AND INVESTMENT REPORT AS AT 28 FEBRUARY 2017

(371) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. The Cash and Investment Report as at 28 February 2017 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

MATTER OF URGENCY

(372) MOVED AND RESOLVED BY THE ADMINISTRATOR

That urgency be permitted and Item 6.16 – Amendments to Fees and Charges be considered.

ITEM 6.16 AMENDMENTS TO FEES AND CHARGES

(373) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council adopt the proposed fees and charges for the Morris lemma Indoor Sports Centre.

SECTION 7: COMMITTEE REPORTS

ITEM 7.1 MINUTES OF THE COUNCIL ADVISORY GROUP MEETING HELD ON 1 MARCH 2017

(374) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the Minutes of the Council Advisory Group Meeting held on 1 March 2017 be adopted.

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**ITEM 7.2 MINUTES OF THE CANTERBURY BRANCH AND BANKSTOWN BRANCH TRAFFIC
COMMITTEE MEETINGS HELD ON 14 MARCH 2017**

(375) 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 14 March 2017, be adopted.

SECTION 8: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

Nil

SECTION 9: MATTERS FOR INFORMATION

ITEM 9.1 MINUTES OF THE SSROC MEETING OF 16 FEBRUARY, 2017

(376) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the SSROC Meeting of 16 February, 2017 be noted.

ITEM 9.2 QUARTERLY PROGRESS REPORT ON THE STRONGER COMMUNITIES FUND

(377) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council note the progress of implementation of the Stronger Communities Fund.

SECTION 10: QUESTIONS FOR NEXT MEETING

Nil

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SECTION 11: CONFIDENTIAL SESSION

(378)

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 in confidential session for the reasons indicated:

Item 11.1 T05-17 Grahame Thomas Practice Wicket Upgrade

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 T35-17 Minor Civil Maintenance Works Panel

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 T38-17 Chapel Road South Rehabilitation (McCauley Avenue to Cambridge Avenue) & Footpath Reconstruction

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 T42-17 Rickard Road & Jacobs St Streetscape Upgrade

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 T44-17 Design Supply and Installation of Heat Pumps System at Max Parker Leisure and Aquatic Centre

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

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would, if disclosed, prejudice the commercial position of the person who supplied it.

- Item 11.6 T45-17 Pedestrian Safety Improvement in South Terrace at East and West Terraces- Bankstown

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 Electrical Service Selective Tender

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 6.22 PM AND
REVERTED BACK TO OPEN COUNCIL AT 6.23 PM.**

**ITEM 11.1
(379)**

T05-17 GRAHAME THOMAS PRACTICE WICKET UPGRADE

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council note that no tender submissions were received for the Grahame Thomas Oval Practice Wicket Area.
2. In accordance with Clause 178(3) (a) of the Local Government (General) Regulation 2005, Council cancel the proposal for the contract.
3. New contracts be prepared and quotations be invited to carry out the works as outlined in the report.

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ITEM 11.2 T35-17 MINOR CIVIL MAINTENANCE WORKS PANEL

(380) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council accepts the tenders received to form a panel of contractors for the provision of minor civil maintenance works for one year, with the option to extend the contract by a further one year, subject to satisfactory performance of the contractors as determined by the General Manager, for the provision of T35-17. The Panel of contractors is as follows:
 1. Adams Concreting and Constructions Pty Ltd
 2. DTE Management Pty Ltd
 3. KJ Civil & Paving Pty Ltd
 4. Stateline Asphalt 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.

ITEM 11.3 T38-17 CHAPEL ROAD SOUTH REHABILITATION (MCCAULEY AVENUE TO CAMBRIDGE AVENUE) & FOOTPATH RECONSTRUCTION

(381) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council accepts the tender received from Ally Civil Pty Ltd for an amount of \$398,541.50 (excluding GST) for Chapel Road Rehabilitation Macauley Avenue to Cambridge Avenue.
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.

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ITEM 11.4 T42-17 RICKARD ROAD & JACOBS ST STREETScape UPGRADE

(382)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council accepts the tender received from KJ Civil & Paving Pty Ltd for an amount of \$660,413.00 (excluding GST) for the Rickard Road and Jacobs Street Streetscape Upgrade.
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 T44-17 DESIGN SUPPLY AND INSTALLATION OF HEAT PUMPS SYSTEM AT MAX PARKER LEISURE AND AQUATIC CENTRE

(383)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council accepts the tender received from Sunlover Heating Pty Ltd for an amount of \$196,250.00 (excluding GST) for the supply, installation, testing and commissioning of heat pump system at Max Parker Leisure and Aquatic Centre.
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 T45-17 PEDESTRIAN SAFETY IMPROVEMENT IN SOUTH TERRACE AT EAST AND WEST TERRACES- BANKSTOWN

(384)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council accepts the tender received from Planet Civil Pty Ltd. for an amount of \$439,243.00 (excluding GST) for the Pedestrian Safety Improvement in South Terrace at East and West Terraces- Bankstown.

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

**ITEM 11.7
(385)**

ELECTRICAL SERVICE SELECTIVE TENDER

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. In accordance with Section 169 of the Regulations, and pursuant to the legal advice received, Council conducts a selective tender to create a panel of service providers, for the provision of Electrical Services to cover the former Canterbury Branch LGA.
2. A report on the outcome of the selective tender be brought back to Council for determination.

THE MEETING CLOSED AT 6.23 P.M

Minutes confirmed 18 APRIL 2017

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Administrator