

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 MAY 2017**

PRESENT: Administrator – Richard Colley

THE ADMINISTRATOR DECLARED THE MEETING OPEN AT 6.00 PM

REF: CONFIRMATION OF MINUTES

(412)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the Ordinary Council Meeting held on 18 April 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 VINNIES CEO SLEEPOUT

(413)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minute be noted and other local business and community leaders be encouraged to register for the Vinnies CEO Sleepout at the Sydney Cricket Ground on 22 June 2017.

ITEM 4.2 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - DETERMINATION OF MAYOR AND COUNCILLOR FEES 2017/18

(414)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That effective from 1 July 2017 Council adopts the following fees structure, as determined by the Local Government Remuneration Tribunal:

Mayor Additional Fee \$84,330 pa

Councillor Fee \$28,950 pa

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ITEM 4.3 TERRY RAPER MEMORIAL BOWLS

(415) MOVED AND RESOLVED BY THE ADMINISTRATOR

That a donation of \$1000 be made to the 2017 Terry Raper Memorial Bowls tournament from Councils Section 356 Financial Assistance Fund.

SUSPENSION OF STANDING ORDERS

(416) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

- 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 6.3, 6.4 and 6.12 be dealt with now.
- iii) Standing Orders then be resumed.

SECTION 6: REPORT OF THE GENERAL MANAGER

ITEM 6.3 SYDENHAM TO BANKSTOWN METRO

MS BARBARA COOREY ADDRESSED COUNCIL IN RESPECT OF ITEMS 6.3 AND 6.4.

(417) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Ms Barbara Coorey be given an extension of one minute to address Council.

(418) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council prepares a formal response to the "Sydney Metro Southwest Environmental Impact Statement" (EIS).
2. Council host a Members of Parliament (MP) level symposium to advocate for a whole of government design led approach to planning and developing the metro and surrounding urban renewal corridor..

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ITEM 6.4 SYDENHAM TO BANKSTOWN URBAN RENEWAL CORRIDOR

(419) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council endorse the Canterbury Cooks River Precinct (focusing on Tasker Park) for the 2017 Priority Precinct funding.
2. Council allocate sufficient resources and funds as part of the quarterly review process to respond to the matters outlined in this report.

**ITEM 6.12 PROPOSED PUBLIC LAND RECLASSIFICATION OF DRAINAGE RESERVES -
AMENDMENT TO CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012**

(420) MR MILTON KODOS ADDRESSED COUNCIL.

MR MILTON KODOS TABLED A PETITION RELATING TO COUNCILS DRAFT DRAINAGE RESERVE POLICY.

MR JOHN LIATSOS ADDRESSED COUNCIL.

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The information be noted.
2. The draft Planning Proposal as shown in the Attachments be endorsed and referred to the Minister to make the necessary changes to Council's Local Environmental Plan.

STANDING ORDERS WERE RESUMED.

SECTION 5: PLANNING MATTERS

ITEM 5.1 HERITAGE INCENTIVES

(421) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council provides in principle support to:
 - 1.1 Establishing a heritage fund covering the entire Canterbury-Bankstown Council area.
 - 1.2 Heritage listed properties in Canterbury-Bankstown being exempt from development application and notification/advertising fees subject to the criteria outlined in this report.

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2. Subject to Item 1, a relevant policy addressing the above be prepared and submitted to Council for its consideration.
3. The extended coverage of the heritage advisory service outlined in this report be adopted.

ITEM 5.2 PREPARATION OF A DEED FOR METRO SITE, 242-258B CANTERBURY ROAD AND 1-13 CLOSE STREET, CANTERBURY

(422) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the General Manager be authorised to enter into a deed to provide a new trigger date and bank guarantee to apply to the dedication of land for road works at the Metro site 242-258B Canterbury Road and 1-13 Close Street, Canterbury.

SECTION 6: REPORT OF THE GENERAL MANAGER

ITEM 6.1 DRAFT 2017-18 OPERATIONAL PLAN, BUDGET AND SCHEDULE OF FEES AND CHARGES

(423) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council note the introduction of the NSW Government's Fire and Emergency Services Levy and calls on the State Government to better inform the community on its impact and Council's role in administering the levy on households.
2. In accordance with Section 405 of the *Local Government Act 1993*, the draft Operational Plan 2017-18, including the draft 2017-18 Budget and draft 2017-18 Schedule of Fees and Charges – Attachment A to the Report – be placed on public exhibition.
3. The proposed Rating and Annual Charges for 2017-18 as outlined in Annexures F and G (forming part of Attachment A to this report) be adopted. The proposal is based on the following.

For areas covered by the former City of Bankstown

- (i) Council's ordinary and special (CBD Infrastructure Improvement) rates for 2017-18 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of

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1.5%, as specified by the Independent Pricing & Regulatory Tribunal (IPART).

- (ii) A Minimum Ordinary Residential Rate of \$590.85 in respect of each separate parcel of rateable land in the City categorised as Residential land.
- (iii) A Minimum Ordinary Business Rate of \$722.50 for each parcel of rateable land in the City categorised as Business.
- (iv) Annual charges from Domestic Waste collection be set at \$485.00 for all Residential properties.
- (v) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition Council continue to provide a further voluntary rebate, which equates to \$40.00 per annum in accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.
- (vi) Annual Charges for Stormwater Management Services as follows:
 - **Residential Properties**
 - Annual Residential Charge of \$25.00 per property.
 - Annual Residential Strata Charge of \$12.50 per property.
 - **Business Properties**
 - Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.
 - **Mixed Development**
 - Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.
 - In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.
 - **Exemptions**

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following exemptions will also apply in managing the service:

 - Council-owned land;
 - Bowling and Golf Clubs - where the dominant use is open space;
 - Properties zoned:
 - Open space 6(a);
 - Private Recreation 6(b); and

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- Rural

- (vii) A maximum rate of interest on overdue rates and charges as specified by the Minister for Local Government.

For areas covered by the former City of Canterbury

- (viii) Council's ordinary rates for 2017-18 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of 1.5%, as specified by the Independent Pricing & Regulatory Tribunal (IPART).
- (ix) A Minimum Ordinary Residential Rate of \$662.35 in respect of each separate parcel of rateable land in the City categorised as Residential land.
- (x) A Minimum Ordinary Business Rate of \$662.35 for each parcel of rateable land in the City categorised as Business.
- (xi) Annual charges from Domestic Waste collection be set at \$420.00 for all Residential and Business properties.
- (xii) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition Council to provide a further voluntary rebate, which equates to \$40.00 per annum in accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.
- (xiii) Annual Charges for Stormwater Management Services as follows:
- **Residential Properties**
 - Annual Residential Charge of \$25.00 per property.
 - Annual Residential Strata Charge of \$12.50 per property.
 - **Business Properties**
 - Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.
 - **Mixed Development**
 - Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.
-

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- In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.

- **Exemptions**

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following exemptions will also apply in managing the service:

- Council-owned land;
- Bowling and Golf Clubs - where the dominant use is open space;
- Properties zoned:
 - Open space 6(a);
 - Private Recreation 6(b); and
 - Rural

(vii) A maximum rate of interest on overdue rates and charges as specified by the Minister for Local Government.

4. A further report be submitted to Council at the conclusion of the exhibition period.
5. The Section 94A Development Contributions Plan – Bankstown (Amendment No. 4) (Attachment B) and the Canterbury Development Contributions Plan 2013 (Amendment No. 1) (Attachment C) be placed on public exhibition.
6. Council's proposed 'Rates and Charges Debt Recovery and Hardship Assistance Policy' (Attachment D) be exhibited for public comment and subsequently reported, following its exhibition.

ITEM 6.2

QUARTERLY BUDGET REVIEW - PERIOD ENDING 31 MARCH 2017

(424)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council adopt the March 2017 Quarterly Budget Review, as outlined in the report.

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ITEM 6.3 **SYDENHAM TO BANKSTOWN METRO**
THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 418 ON PAGE 2
OF THESE MINUTES.

ITEM 6.4 **SYDENHAM TO BANKSTOWN URBAN RENEWAL CORRIDOR**
THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 419 ON PAGE 3
OF THESE MINUTES.

ITEM 6.5 **COUNCIL'S SUBMISSION FOR THE PARLIMENTARY ENQUIRY INTO THE WASTE
DISPOSAL INDUSTRY**

(425) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council endorse the submission to the NSW Parliamentary Enquiry into the Waste Disposal Industry as shown in Attachment A.
2. Council forward a copy of the submission to the NSW Legislative Council.

ITEM 6.6 **COUNCIL POLICIES**

(426) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council endorse the Policies as outlined in the report.
2. Council carry out the relevant public exhibition process and reporting process, as outlined in the report.

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ITEM 6.7 CODE OF MEETING PRACTICE - AMENDMENT TO 2017 SCHEDULE OF COUNCIL MEETINGS

(427) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the amended 2017 Schedule of Council Meetings be adopted as outlined in this report.

ITEM 6.8 REQUESTS FOR FINANCIAL ASSISTANCE AND DONATIONS

(428) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. A donation of \$100.00 be made to Jason Parmaxidis of Picnic Point who was selected to represent NSW at the ACIS Australian Little Athletics National Championships for the Under 13 Shot Put, Discus and Javelin on 22 and 23 April 2017 at Sydney Olympic Park Athletic Centre.
2. A donation of \$100.00 be made to Yehia Hasanen of Bankstown on his selection to the 18th Senior Oceania Karate Championships which were held at the Whitlam Leisure Centre, Liverpool on 7 April 2017.
3. A donation of \$250.00 be made to Natalia Taychouri of Yagoona on her selection to the 2017 Acrobatics State Team. The National Championships will be held from 1 June to 4 June, 2017 at Hisense Arena, Melbourne Park.
4. A donation of \$250 be made to Carla Tremolada of Condell Park on her selection to the 2017 Australian Championships for the Gymnastics NSW Trampoline State Team. The National Championships will be held from 30 May to 4 June, 2017 at Hisense Arena, Melbourne Park.
5. A donation of \$400.00 (equivalent to the hire fee for the use of Salt Pan Creek Reserve Parklands) be made to Club Rivers who hosted a Superhero Charity Walk on Sunday 7 May 2017 within the Salt Pan Creek Reserve Parklands.
6. A donation of \$302.00 (equivalent to the hire fee and waste charges for the use of Neptune Park, Revesby) be made to the organisers of The Bill Crews Cup Family Gala Day which is being held at Neptune Park, Revesby on 5 July 2017.

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7. A donation of \$250.00 be made to the Bankstown District Amateur Football Association Inc who are hosting a barbecue and presentation day at Playford Park, Padstow at the end of the six week "Football4All" program for the three schools in the Bankstown District who cater for children with special needs.

ITEM 6.9 AMENDMENTS TO FEES AND CHARGES - MINOR WORKS ON PRIVATE LAND

(429) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council adopt the proposed fees and charges for the carrying out of works on private land as outlined in this report.

ITEM 6.10 AMENDMENTS TO FEES AND CHARGES - RAMADAN 2017 ACTIVITIES IN LAKEMBA

(430) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council adopt the proposed fees and charges for the Ramadan street stall application.

ITEM 6.11 RELEASE OF TWO DRAINAGE EASEMENTS - 135 MIMOSA ROAD, GREENACRE AND 34 HYDRAE STREET, REVESBY

(431) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council consent to the release of the Drainage Easement at 135 Mimosa Road, Greenacre and Easement for Drainage 34 Hydrae Street, Revesby.

ITEM 6.12 PROPOSED PUBLIC LAND RECLASSIFICATION OF DRAINAGE RESERVES - AMENDMENT TO CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 420 ON PAGE 3 OF THESE MINUTES.

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ITEM 6.13 CASH AND INVESTMENT REPORT AS AT 30 APRIL 2017

(432) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The Cash and Investment Report as at 30 April 2017 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

SECTION 7: COMMITTEE REPORTS

**ITEM 7.1 MINUTES OF THE CANTERBURY BRANCH AND BANKSTOWN BRANCH TRAFFIC
COMMITTEE MEETINGS HELD ON 9TH MAY 2017**

(433) 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 9 May 2017, be adopted.

SECTION 8: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

Nil

SECTION 9: MATTERS FOR INFORMATION

**ITEM 9.1 REPORT ON DEVELOPMENT APPLICATIONS AND SECTION 96 APPLICATIONS
DETERMINED FOR APRIL 2017**

(434) 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

(435)

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 in confidential session for the reasons indicated:

Item 11.1 T80-16 - Tender for Lang Road Cooks River Footbridge Replacement and Associated Works

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.

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 T41-17 - Lifts Upgrade at Civic Tower

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 Legal Matter - 46-47 South Parade Campsie

This report is considered to be confidential in accordance with Section 10A(2)(g) of the Local Government Act, 1993, as it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 6.40 PM AND
REVERTED BACK TO OPEN COUNCIL AT 6.41 PM**

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**ITEM 11.1 T80-16 - TENDER FOR LANG ROAD COOKS RIVER FOOTBRIDGE REPLACEMENT
AND ASSOCIATED WORKS**

(436) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. In accordance with Clause 178 (1) (b) Council declines to accept any tenders received for the design and construction of the Pedestrian Bridge over Cooks River at Lang Road, Hurlstone Park and associated works.
2. In accordance with Clause 178(3)(a) & (b) Council cancel the tender and call for fresh tenders for the required works as outlined in the report.
- 3 Council notifies the tenderers in writing and thanks them for tendering.

ITEM 11.2 T41-17 - LIFTS UPGRADE AT CIVIC TOWER

(437) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Schindler Lifts Pty Ltd for an amount of \$1,461,957.00 (excluding GST) for lifts upgrade at Civic Tower.
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 LEGAL MATTER - 46-47 SOUTH PARADE CAMPSIE

(438) MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The information be noted.
2. The Administrator and the General Manager be delegated authority to address the matter as required.
3. A further report regarding the matter be submitted to Council, as required.

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THE MEETING CLOSED AT 6.42 PM

Minutes confirmed 27 JUNE 2017

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Administrator