

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

PRESENT: Administrator – Richard Colley
General Manager – Matthew Stewart
Director Assets and Infrastructure (East) – Wayne Cooper
Director Community Services – Andy Sammut
Director City Development – Spiro Stavis
Director City Planning - Scott Pedder
Director Corporate Services - Ken Manoski
Director City Services - Graeme Beattie
Director Assets and Infrastructure (West) - Anthony Vangi
Manager Corporate Services - Adam Brownlee
Acting Manager Development Services – Steve Arnold

APOLOGIES Nil

THE ADMINISTRATOR DECLARED THE MEETING OPEN AT 6.00 PM.

REF: CONFIRMATION OF MINUTES

(44)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the Extraordinary Council Meeting held on 14 June 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 BANKSTOWN TOUCH FOOTBALL ASSOCIATION R U OK? CORPORATE DAY

(45)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council support the request for financial assistance from Bankstown Touch Football Association and provide a donation of \$500.00 and waive the \$285.00 hire fee and these funds be made available from Council's Section 356 Financial Assistance Budget.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

ITEM 4.2 NETBALL NSW STATE AGE CHAMPIONSHIPS

(46) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council support the request for financial assistance from Netball NSW and waive the hire fee of \$5,092 for the upcoming Stage Age Championships.

SECTION 5: PLANNING MATTERS

ITEM 5.1 68 WARUNG STREET, YAGOONA

ALTERATIONS AND FIRST FLOOR ADDITION TO EXISTING SINGLE STOREY DWELLING AND CONVERSION AND EXTENSION TO EXISTING OUTBUILDING FOR USE AS A SECONDARY DWELLING AND CONSTRUCTION OF AN ATTACHED GARAGE

(47) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the application be approved subject to the following conditions.

CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of Development Consent. A Construction Certificate shall not be issued until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.
- 2) Development shall take place in accordance with Development Application No. DA-115/2016, submitted by Mohammad Hussain, accompanied by Drawing No. A01, A02, A03, A04, A08, Issue B, and A09, Issue C, prepared by Milena, dated April 2016 and affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Prior to the release of a Construction Certificate the following conditions MUST be satisfied and nominated fees/contributions/bonds paid:

- 3) The Certifying Authority must ensure that any certified plans forming part of the Construction Certificate are not inconsistent with this Development Consent and accompanying plans.
-

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- 4) A detailed landscape plan prepared by a qualified landscape architect or designer is to be approved prior to the issue of a Construction Certificate. The landscape plan is to be prepared in accordance with the relevant DCP and is to show all features, built structures including retaining walls, irrigation, mulch and natural features such as significant gardens, landscaping, trees, natural drainage lines and rock outcrops that occur within 3 metres of the site boundary. The landscape plan shall consider any stormwater, hydraulic or overland flow design issues where relevant.

- 5) Approval is granted for the removal of the following tree:

| Tree Species | Location |
|---|-------------------|
| <i>Araucaria heterophylla</i> (Norfolk Island Pine) | Northern boundary |

All tree removal works must comply with the *Amenity Tree Industry – Code of Practice, 1998* (Workcover, NSW);

Separate approval shall be obtained to prune or remove trees on adjoining properties or other trees located on the site. Failure to comply with Council's TPO may result in a fine of up to \$100,000.

- 6) A soil erosion and sediment control plan must be prepared by a suitably qualified professional, in accordance with the Bankstown Demolition and Construction Guidelines and Council's Development Engineering Standards, and submitted to the certifying authority for approval prior to the issue of a construction certificate.
- 7) The Council Approved building plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) would affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

Please refer to www.sydneywater.com.au/tapin

For Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN.

Prior to release of a construction certificate Sydney Water must issue either a Building Plan Assessment letter which states that your application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- 8) A Construction Certificate shall not be issued until written proof that all bonds, fees and/or contributions as required by this consent have been paid to the applicable authority.
- 9) A long service levy payment which is 0.35% of the total cost of the work is to be paid to the Building and Construction Industry Long Service Payments Corporation.
- 10) Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Bankstown City Council Section 94A Development Contributions Plan 2009 (Section 94A Plan), a contribution of \$900.00 shall be paid to Council.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Section 94A plan. The contribution is to be paid before the issue of the construction certificate.

Note: The Section 94A Contributions Plans may be inspected at Council's Customer Service Centre, located at Upper Ground Floor, Civic Tower, 66-72 Rickard Road, Bankstown, between the hours of 8.30am-5.00pm Monday to Friday.

- 11) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.
- 12) The developer shall apply for a Work Permit and obtain approval from Council, for the following engineering works in front of the site, within the future Council Road Reserve, at the applicant's expense:
 - a) Drainage connection to Council's system if a new connection is required.
 - b) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
 - c) Repair of any damage to the public road including the footway occurring during development works.
 - d) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: Council is required to prepare a site survey and design in order to determine the necessary information. The developer should make application and payment for the Work Permit at least twenty one (21) days prior to the

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

information being required and prior to the issue of the Construction Certificate. The Work Permit must be approved prior to any works commencing within the Council Road Reserve or on Council's assets.

- 13) The developer shall engage a suitably qualified Engineer to prepare a final stormwater drainage system plan to show the disposal of stormwater from the new development to be connected to the existing drainage system or a new system to be generally in accordance with the requirements of the BASIX Certificate and in accordance with the requirements contained in Council's Development Engineering Standards. The Engineer shall certify that the design and plans comply with Council's Development Engineering Standards and the relevant Australian Standards.
- 14) Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council.

The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by a qualified professional Civil/Structural Engineer. Plans and details prepared and signed by the Engineer are to be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.

All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.

- 15) The development is to be carried out in accordance with the commitments shown on the BASIX Certificate. The BASIX commitments approved with this Development Application are to be reflected in the Construction Certificate plans and specifications. Any proposed changes to the BASIX commitments after the Construction Certificate has been issued will require an updated BASIX Certificate and a new Construction Certificate.
- 16) As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires the developer to obtain a Works Permit and or a Roadway/Footpath Building Occupation Permit prior to issue of any Construction Certificate for this development being issued where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- a) Dig up, disturb, or clear the surface of a public footway or public road,
- b) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- c) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- d) Install utilities in, under or over a public road,
- e) Pump water into a public footway or public road from any land adjoining the public road,
- f) Erect a structure or carry out a work in, on or over a public road
- g) Require a work zone on the public road for the unloading and or loading of vehicles
- h) Pump concrete from within a public road,
- i) Stand a mobile crane within a public road
- j) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
- k) The work is greater than \$25,000.
- l) Demolition is proposed.

The developer shall construct all proposed works within the public road and footway under the supervision and to the satisfaction of Council. The developer shall arrange for necessary inspections by Council whilst the work is in progress.

The developer shall ensure the person or company carrying out the work will carry public liability insurance to a minimum value of twenty million dollars. The developer shall provide proof of the policy, to Council, prior to commencing any work approved by the Work Permit including the Road Opening Permit. The policy must remain valid for the duration of the works.

- 17) A certificate from a professional engineer certifying the structural capacity of the existing building will be appropriate to the building's proposed new use or is capable of supporting the loads imposed by the new structure must be provided to the certifying authority prior to the issue of a construction certificate.
- 18) The existing garage outbuilding must be brought into conformity with the requirements of the Building Code of Australia appropriate to its use as a secondary dwelling. Details of the proposed works must be provided to the certifying authority for assessment prior to the issue of a construction certificate.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION WORKS COMMENCING

- 19) The building / subdivision work in accordance with the development consent must not be commenced until:

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- a. a construction certificate for the building / subdivision work has been issued by the council or an accredited certifier, and
 - b. the person having benefit of the development consent has:
 - i. appointed a principal certifying authority for the building / subdivision work, and
 - ii. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - c. the person having the benefit of the development consent, if not carrying out the building work as an owner-builder, has:
 - i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii. notified the principal certifying authority of any such appointment, and
 - iii. unless the person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - d. the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the building / subdivision work.
- 20) Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.
- 21) The following trees are to be retained and protected as per the conditions below. Failure to comply with these conditions is an offence and may incur a fine or lead to prosecution.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

| Species | Location | Protection Measures |
|---|--|---|
| <i>Eucalyptus amplifolia</i> (Cabbage Gum) | Between the existing driveway (to be retained) and the northern boundary | *TPZ – 7.2 metres, SRZ – 2.9 metres A fenced Tree protection area a minimum of 5.0 metres to the west, 2.3 metres to the south when measured from the middle of the trunk and as bounded by the boundaries of the site shall be installed as per the conditions below. |
| <i>Callistemon viminalis</i> (Bottlebrush) | Council naturestrip forward of the property line | *TPZ – 3.6 metres, SRZ – 2.1 metres A fenced Tree protection area a minimum of 1.5 metres from the middle of the trunk and as bounded by the curb shall be installed as per the conditions below. |

* TPZ (Tree Protection Zone) and SRZ (Structural Root Zone) in metres measured from the centre of the trunk of the tree.

Tree protection measures shall comply with *Australian Standard AS4970-2009 Protection of trees on development sites*, together with the following conditions:

- (a) The tree/s to be retained and protected together with their relevant Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) shall be marked on all demolition and construction drawings.
- (b) All contractors and workers on site shall be briefed on the tree protection and management procedures in place as part of their site induction. A written record of the induction process is to be kept on site.
- (c) A 1.8m chain link wire tree protection fence that complies with Section 4.3 of AS 4970 - 2009, Protection of trees on development sites shall be erected around the above trees to be retained and protected during all approved works. The fence is to be installed prior to demolition / construction, shall not be removed or altered, and is to remain in place for the duration of the site works.
- (d) The applicant will display in a prominent location on the fencing of each protection zone a durable, weather resistant sign having a minimum dimension of 500mm high x 400mm wide of similar design and layout as per Appendix C, *Australian Standard AS4970-2009 Protection of trees on development sites* clearly showing:
 - i. The Development Consent number

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- ii. The name and contact number of the nominated consultant arborist or site manager;
 - iii. Indication that access into the Tree Protection zone is not permitted.
- (e) The above notice is to be in place prior to commencement of demolition or construction.
- (f) Fences are to be inspected on a regular basis to ensure that they are intact, comply with the above standard, installed to the appropriate dimensions and provide effective protection for the tree to be retained.
- (g) The TPZ shall be maintained as per AS4970 - 2009, Section 4.6. Access to the TPZ is permitted to undertake necessary maintenance such as mowing, watering, weed control
- (h) No vehicular access, excavations for construction or installation of services shall be carried out within the fenced Tree Protection Zone.
- (i) All utility services, pipes, stormwater lines and pits shall be located outside the fenced Tree Protection Zone.
- (j) Building materials, chemical storage, site sheds, wash out areas, and similar shall not be located within the fenced Tree Protection Zone.
- (k) Trees marked for retention must not to be damaged or used to display signage, or as fence or cable supports for any reason.
- (l) If any tree roots are exposed during any approved works then roots smaller than 50mm are to be pruned. They shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate). Any roots greater than 50mm are to be assessed by a qualified arborist before any pruning is undertaken. If required, changes in design may need to be considered.
- 22) Suitable erosion and sediment control measures shall be erected in accordance with the plans accompanying the Construction Certificate prior to the commencement of construction works and shall be maintained at all times.
- 23) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
- 24) Prior to the commencement of work, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate.
- 25) Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.
-

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

- 26) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 27) In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- 28) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- a. in the case of work for which a principal certifying is required to be appointed:
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer by which the work is insured under Part 6 of the Act,
 - b. in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

- 29) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a. showing the name, address and telephone number of the principal certifying authority for the work, and
-

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- 30) All demolition activities is to comply with the requirements of Bankstown demolition & construction guidelines – March 2015.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 31) The hours of site works shall be limited to between 7.00am and 6.00pm on weekdays and 7.00am and 1.00pm on Saturdays. No work shall be carried out on Sundays and public holidays, and weekends (Saturdays and Sundays) adjacent to public holidays.
- 32) The building work must be carried out in accordance with the requirements of the Building Code of Australia.
- 33) Prior to the ground floor slab being poured, an identification report by a Registered Surveyor must be submitted to the principal certifying authority verifying that the proposed buildings finished ground floor level and siting to the property boundaries conforms to the approved plans.
- 34) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 35) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 36) If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 37) If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- a. protect and support the adjoining premises from possible damage from the excavation, and
 - b. where necessary, underpin the adjoining premises to prevent any such damage.
- 38) The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by the Principal Certifying Authority (PCA). *Should the developer encounter any existing, live, underground stormwater drainage pipes, which carry flow from upstream properties, the developer must maintain the stormwater flow and re-route the stormwater pipes around the subject building or structures at the developer's expense.*
- 39) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 40) The occupation or use of the building must not be commenced unless an occupation certificate has been issued for the building.
- 41) A final Occupation Certificate shall not be issued until all conditions relating to demolition, construction and site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate.
- 42) Landscaping is to be installed in accordance with the approved landscape plan. All works and methods nominated and materials and plants specified on the approved landscape plan are to be completed prior to the issue of an occupation certificate. The landscaping shall be maintained for the life of the development.
- 43) Lighting must be provided to the entries of the dwellings, driveways and parking areas to promote a high level of safety and security at night and during periods of low light. Lighting provided should be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- 44) The premises must be readily identified from the street with the allocated house numbers. Numbering of the development without Council's written approval is not permitted. An official "house numbering" letter will be sent to the applicant indicating the proposed house numbers of the new development. Note: The house numbers of the development are subject to change depending of the type on subdivision that may occur at a later stage.
- 45) A Copy of the Work Permit Compliance Certificate shall be submitted to the PCA Prior to the issue of the Occupation Certificate.
- 46) The applicant is to plant a minimum of 1 replacement trees as outlined below:
- (a) 1 x tree known to attain a minimum height of 8 metres at maturity on the site.
 - (b) Replacement trees are to be a minimum container size of 75 litres. They shall comply with *NATSPEC Specifying Trees: a guide to assessment of tree quality* (2003) or *Australian Standard AS 2303 – 2015 Tree stock for landscape use* (2003) and be planted and maintained in accordance with Councils standard specification.
 - (c) Tree species used are not to include conifers, palms, Casuarinaceae, or any of the exempted plant species listed under clause 2.4 of Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order.
 - (d) The trees are to be planted no closer than 3.5 metres from the wall of any approved dwelling on the property. Trees/shrubs proposed for planting along the rear boundaries shall be located no closer than 1.0 metres from the rear boundary.
 - (e) All new plantings shall be located so future growth will not be in conflict with electricity wires. Consideration should be given to the location of new electricity poles and wires so that sufficient space is provided.
 - (f) The replacement trees are to be planted prior to the issue of an occupation certificate.
 - (g) The replacement trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order.
 - (h) If the replacement trees are found to be faulty, damaged, dying or dead before being protected by Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order; the tree/s shall be replaced with the same species at no cost to Council.

The Applicant shall contact Council to book an inspection by the Tree Management Officer of the completed tree planting prior to the issue of an occupation certificate. Inspections must be booked at least 5 working days prior to being required.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

ITEM 5.2 4 RIVENOAK AVENUE, PADSTOW

**USE OF EXISTING DWELLINGS AS A PLACE OF PUBLIC WORSHIP (BUDDHIST
MEDITATION TEMPLE) AND ASSOCIATED MONASTERY RESIDENCE**

(48)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the application be approved subject to the following conditions.

CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of Development Consent. A Construction Certificate shall not be issued until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.
- 2) Development shall take place in accordance with Development Application No. DA-643/2015, submitted by Thanh Hung Le, accompanied by Drawing No. 1-7, prepared by HVT Design Pty Ltd, dated 11 October 2015 and affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.

The development plans shall be amended as follows:

- i) The Plan of Management (POM) shall be amended to incorporate the following specific provisions for the management of parking, traffic and noise.
 - a) The attendees are not to congregate on the carpark and the rear and front yard during the service.
 - b) No chanting is to occur outside the building at any time.
 - c) The attendees are to be notified that there shall be no parking on footpaths or blocking driveways of other properties at any time.

A revised POM is to be submitted to Council for approval prior to the issue of the Occupation Certificate.

- 3) The operation of the use under this consent is valid for a period of twelve (12) months from the date on which the use of the premises commences. Upon commencement of the use, the applicant is to forward to Council notice detailing the commencement date of the twelve (12) month period and the proposed conclusion date of the use. At the expiration of this twelve month period, the operation of the development must cease unless further approval has been obtained from Council under the provisions of a new Development Application.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- 4) The premises is restricted to a maximum of fifteen (15) worshippers at any one time and thirty (30) worshippers at special events only.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Prior to the release of a Construction Certificate the following conditions MUST be satisfied and nominated fees/contributions/bonds paid:

- 5) The Certifying Authority must ensure that any certified plans forming part of the Construction Certificate are not inconsistent with this Development Consent and accompanying plans.
- 6) A detailed landscape plan prepared by a qualified landscape architect or designer is to be approved prior to the issue of a Construction Certificate. The landscape plan is to be prepared in accordance with the relevant DCP and is to show all features, built structures including retaining walls, irrigation, mulch and natural features such as significant gardens, landscaping, trees, natural drainage lines and rock outcrops that occur within 3 metres of the site boundary. The landscape plan shall consider any stormwater, hydraulic or overland flow design issues where relevant.
- 7) Approval in accordance with Council's Tree Preservation Order (TPO) is granted to lop or remove only the trees identified to be lopped or removed on the approved plans. Separate approval shall be obtained to prune or remove trees on adjoining properties or other trees located on the site. Failure to comply with Council's TPO may result in a fine of up to \$100,000.
- 8) The car parking area at the rear shall be constructed using an appropriately engineered structural soil or clean washed basalt to ensure that the trees are not unduly affected. The carpark surface is to be laid on existing grade and be no deeper than 150mm. Construction details of the car park shall be submitted with the Construction Certificate.
- 9) A soil erosion and sediment control plan must be prepared by a suitably qualified professional, in accordance with the Bankstown Demolition and Construction Guidelines and Council's Development Engineering Standards, and submitted to the certifying authority for approval prior to the issue of a construction certificate.
- 10) The Council Approved building plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) would affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

Please refer to www.sydneywater.com.au/tapin

For Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN.

Prior to release of a construction certificate Sydney Water must issue either a Building Plan Assessment letter which states that your application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

- 11) A Construction Certificate shall not be issued until written proof that all bonds, fees and/or contributions as required by this consent have been paid to the applicable authority.
- 12) A long service levy payment which is 0.35% of the total cost of the work is to be paid to the Building and Construction Industry Long Service Payments Corporation.
- 13) The existing building must be brought into conformity with Performance Requirement of the Building Code of Australia (BCA), to protect persons using the building, and to facilitate their egress from the building in the event of fire, or to restrict the spread of fire from the building to other buildings nearby. Details indicating compliance with the Performance Requirements of the BCA must be provided to the certifying authority prior to the issue of a construction certificate.
- 14) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.
- 15) A Work Permit shall be applied for and obtained from Council for the following engineering works in front of the site, at the applicant's expense:
 - a) VFC extension at the property boundary.
 - b) Repair of any damage to the public road including the footway occurring during development works.
 - c) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: As a site survey and design is required to be prepared by Council in order to determine the necessary information, payment for the Work Permit should be made at least twenty one (21) days prior to the information being

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

required and must be approved prior to the issue of the Construction Certificate.

- 16) The landscaping area at the driveway must not allow plants to grow higher than 1 metre to keep sight distance clear for motorists exiting the car park. As such the driveway access needs to comply with AS2890.1:2004 – Fig. 3.3 for pedestrian safety.
- 17) The accessible car space, the shared area and bollard must be installed as per AS2890.6:2009.
- 18) The noise attenuation recommendations stated in the Noise Assessment Project No. 150505 Ref: DP 050515 BC ELTR.doc, dated 5 May 2015, prepared by Dukane Pty Ltd shall be strictly adhered to.
- 19) The design, construction and operation of any food preparation areas intended for use to prepare food for persons not utilising residential accommodation on the site shall comply with the following:
 - i. Food Act, 2003;
 - ii. Food Regulation 2004;
 - iii. FSANZ Food Standards Code; and
 - iv. AS 4674:2004 Design, construction and Fitout of Food Premises

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION WORKS COMMENCING

- 20) The building / subdivision work in accordance with the development consent must not be commenced until:
 - a. a construction certificate for the building / subdivision work has been issued by the council or an accredited certifier, and
 - b. the person having benefit of the development consent has:
 - i. appointed a principal certifying authority for the building / subdivision work, and
 - ii. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - c. the person having the benefit of the development consent, if not carrying out the building work as an owner-builder, has:

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii. notified the principal certifying authority of any such appointment, and
 - iii. unless the person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d. the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the building / subdivision work.
- 21) Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.
- 22) The following trees are to be retained and protected as per the conditions below. Failure to comply with these conditions is an offence and may incur a fine or lead to prosecution:

| Species | Location | Protection Measures |
|--------------------------|---|---|
| Trees 4, 9, 10, 11, & 12 | As detailed on Annexure B, Tree Location Plan of the Arboricultural Assessment Report, prepared by Jacksons Nature Works, Author Ross Jackson, dated March 2011 | A Tree Protection Area of a minimum of 2.5 metres from the middle of the trunk and as bounded by the boundary fence shall be installed as per the conditions below. |

Tree protection measures shall comply with *Australian Standard AS4970-2009 Protection of trees on development sites*, together with the following conditions:

- (a) The tree/s to be retained and protected together with their relevant Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) shall be marked on all demolition and construction drawings.
- (b) All contractors and workers on site shall be briefed on the tree protection and management procedures in place as part of their site

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- induction. A written record of the induction process is to be kept on site.
- (c) A 1.8m chain link wire fence that complies with Section 4.3 of AS 4970 - 2009, Protection of trees on development sites shall be erected around the above trees to be retained and protected during all approved works. The fence is to be installed prior to demolition / construction, shall not be removed or altered, and is to remain in place for the duration of the site works.
- (d) The applicant will display in a prominent location on the fencing of each protection zone a durable, weather resistant sign having a minimum dimension of 500mm high x 400mm wide of similar design and layout as per Appendix C, *Australian Standard AS4970-2009 Protection of trees on development sites* clearly showing clearly showing:
- i. The Development Consent number
 - ii. The name and contact number of the site manager;
 - iii. Indication that access into the Tree Protection zone is not permitted.
- (e) The above notice is to be in place prior to commencement of demolition or construction.
- (f) Fences are to be inspected on a regular basis to ensure that they are intact, comply with the above standard, installed to the appropriate dimensions and provide effective protection for the tree to be retained.
- (g) The TPZ shall be maintained as per AS4970 - 2009, Section 4.6. Access to the TPZ is permitted to undertake necessary maintenance such as mowing, watering, weed control
- (h) No vehicular access, excavations for construction or installation of services shall be carried out within the fenced Tree Protection Zone.
- (i) All utility services, pipes, stormwater lines and pits shall be located outside the fenced Tree Protection Zone.
- (j) Building materials, chemical storage, site sheds, wash out areas, and similar shall not be located within the fenced Tree Protection Zone.
- (k) Trees marked for retention must not to be damaged or used to display signage, or as fence or cable supports for any reason.
- (l) If any tree roots are exposed during any approved works then roots smaller than 50mm are to be pruned. They shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate). Any roots greater than 50mm are to be assessed by a qualified arborist before any pruning is undertaken. If required, changes in design may need to be considered.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- 23) Suitable erosion and sediment control measures shall be erected in accordance with the plans accompanying the Construction Certificate prior to the commencement of construction works and shall be maintained at all times.
- 24) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
- 25) Prior to the commencement of work, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate.
- 26) Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.

Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

- 27) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 28) In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- 29) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - a. in the case of work for which a principal certifying is required to be appointed:
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer by which the work is insured under Part 6 of the Act,

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- b. in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

- 30) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifying authority for the work, and
 - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 31) The hours of site works shall be limited to between 7.00am and 6.00pm on weekdays and 7.00am and 1.00pm on Saturdays. No work shall be carried out on Sundays and public holidays, and weekends (Saturdays and Sundays) adjacent to public holidays.
- 32) The building work must be carried out in accordance with the requirements of the Building Code of Australia, the provisions of the relevant Australian Standards and the approved plans.
- 33) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 34) If the soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

must be made for drainage. Separate approval may be required for retaining walls should they be required.

- 35) If an excavation extends below the level of the base of the footings of an adjoining building or a building on an adjoining allotment of land, the person causing the excavation to be made:
- a) if necessary, must underpin and support the building in an approved manner, and
 - b) must, at least 7 days before excavating below the level of the base of the footings of a building give notice of intention to do so to the owner of that building and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - c) must take all precautions to protect all of the structures from damage.

The owner of any affected buildings is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on an adjoining allotment of land.

- 36) The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by the Principal Certifying Authority (PCA).
- 37) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 38) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
- 39) Any lighting of the premises shall be installed in accordance with Australian Standard AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. Flashing, moving or intermittent lights or signs are prohibited. The intensity, colour or hours of illumination of the lights shall be varied at Council's discretion if Council considers there to be adverse effects on the amenity of the area.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 40) The use of a building in accordance with this Development Consent must not be commenced until Council or the PCA has issued an Occupation Certificate for the building and site works.
- 41) A final Occupation Certificate shall not be issued until all conditions relating to demolition, construction and site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate.
- 42) Landscaping is to be installed in accordance with the approved landscape plan. All works and methods nominated and materials and plants specified on the approved landscape plan are to be completed prior to the issue of an occupation certificate. The landscaping shall be maintained for the life of the development.
- 43) The premises must be readily identified from the street with the allocated house numbers. Numbering of the development without Council's written approval is not permitted. An official "house numbering" letter will be sent to the applicant indicating the proposed house numbers of the new development. Note: The house numbers of the development are subject to change depending of the type on subdivision that may occur at a later stage.
- 44) A Copy of the Work Permit Compliance Certificate shall be submitted to the PCA Prior to the issue of the Occupation Certificate.

USE OF THE SITE

- 45) Car parking spaces for six (6) vehicles shall be provided in marked spaces in the manner generally shown on the approved site plan. The car parking spaces, driveways and manoeuvring areas are to be used for employees and visitors vehicles only and not for the storage of new or used materials, finished goods or commercial vehicles.
- 46) The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background $L_{A90, 15min}$ noise level, measured in the absence of the noise source/s under consideration by 5dB(A). The source noise level shall be assess as an $L_{Aeq, 15min}$ and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- 47) The premises is restricted to a maximum of fifteen (15) worshippers at any one time and thirty (30) worshippers at special events only.
- 48) The northern windows on the single storey building must be closed when meditation activities occur.
- 49) Drums/gongs are prohibited from being played within the premises.
- 50) The Plan of Management submitted in support of this application, titled *Plan of Management for Proposed Place of Public Worship – Buddhist Meditation Temple & An Associated Monastery Residence at No. 2-4 Rivenoak Ave Padstow* dated 5 May 2015 and the recommendations stated in the plan, as modified by Condition 2(a) of this consent form part of the development consent.
- 51) The use of the premises shall not give rise to an environmental health nuisance to the adjoining/nearby premises and environment.
- 52) Any activity carried out in accordance with this approval shall not give rise to offensive odour, offensive noise or pollution of air, land or water as defined in the Protection of the Environment Operations Act 1997.
- i. The hours of operation of the use, and the maximum number of worshippers permitted on site at any one time shall be limited as follows:
 - i. Regular Operation: 7.00am to 9.00pm daily with a maximum capacity of 15 visitors.
 - ii. Festivals: Approval is only granted for a maximum of three (3) festivals in one year viz., Chinese New Year, Buddha’s Birthday and Abhidhamma Day. No further festivals shall be held, unless separate approval has been obtained from Council. A maximum capacity of thirty (30) persons applies to any such festivals.
- 53) Bankstown Local Area Command (Police) and surrounding property owners likely to be affected by such events shall be advised of the dates of any festivals to be held, a minimum of two weeks prior to the commencement of any such festival.
- 54) The operation of the premises shall at all times comply with the specific noise attenuation measures contained within the Noise Assessment Project No. 150505 Ref: DP 050515 BC LETR.doc, dated 5 May 2015, prepared by Dukane Pty Ltd.
- 55) The operation of the temple shall be carried out in accordance with the Plan of Management, dated May 2015 contained in Appendix 2 of the Statement
-

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

of Environmental Effects, dated May 2015, prepared by Finline Planning as modified by condition 2(i).

- 56) As part of the Plan of Management, a community consultation procedure with the adjoining residents shall be implemented so that they are informed of special events. In addition, a contact is to be provided at the monastery so that should any complaints arise, the management of the monastery can respond to the issues.
- 57) No drums, PA system or amplified music shall be used during regular service.
- 58) All loading and unloading of goods shall take place in a manner that does not interfere with parking areas, driveways or landscaping.
- 59) There shall be no emissions of noise, smoke, smell, vibration, gases, vapours, odours, dust, particulate matter, or other impurities which are injurious or dangerous to health, or the exposure to view of any unsightly matter or otherwise.
- 60) All waste materials associated with the use shall be stored in containers located either within the building or within the waste bin storage area in accordance with the approved plans. The applicant shall enter into a commercial contract for the collection of wastes and recycling. A copy of the commercial waste and recycling contract shall be lodged with Council and invoices should be available for inspection at any time.
- 61) Instructions concerning procedures to be adopted in the event of an emergency are to be clearly displayed on the premises for both public and the occupier at all times.
- 62) Access to the private areas of the temple shall be restricted to authorised persons only. Lockable doors leading to these areas are essential to ensure they are not accessed without permission.
- 63) No external signage is approved under this development consent. External signage details must be submitted to Council for approval prior to installation.
- 64) The Temple management shall implement a complaint handling procedure. If a noise or traffic complaint is received the complaint should be recorded on a Complaint form. The complaint form should list:
 - i) The name and address of the complainant (if provided).
 - ii) The time and date the complaint was received.
 - iii) The nature of the complaint and the time and date the incident.
 - iv) The name of the person who received the complaint.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- v) Actions taken to investigate the complaint, and a summary of the results of the investigation.
 - vi) Indicate what was occurring at the time the complaint occurred, if possible.
 - vii) Required remedial action.
 - viii) Summary of feedback to the complainant.
- 65) A permanent register of complaints shall be held on the premises, which shall be reviewed monthly by the Temple management to ensure all complaints are being responded to. The complainant should also be notified of the results and actions arising from the investigation.
- 66) The Temple management is to organise and chair a Neighbourhood Liaison Committee, within one (1) month of the commencement of the operation of the Temple. The purpose of the Committee is for the Temple and neighbours to resolve any issues, such as traffic and noise, arising from the use of the temple. The operation of the Committee must ensure:
- (a) The membership of the Neighbourhood Liaison Committee must include residents who live next to and opposite the Temple.
 - (b) The Neighbourhood Liaison Committee must meet at least four times during the first twenty four (24) months of the Temple operating.
 - (c) The Temple management must forward the meeting minutes to Committee members.
 - (d) The Temple management may forward the meeting minutes to Council for information purposes.
 - (e) The Temple management may terminate the Committee once it meets at least four times during the first 24 months of the Temple operating, or may choose to extend the function of the Committee over a longer period of time.

ITEM 5.3

BANKSTOWN DCP 2015 (AMENDMENT NO. 5)

(49)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council adopt Bankstown Development Control Plan 2015 (Amendment No. 5) as shown in Attachment A.
2. Bankstown Development Control Plan 2015 (Amendment No. 5) is to come into effect on the date specified in the public notice and is to apply to any development applications under assessment at the time the amendments come into effect, as well as development applications lodged on or after this date.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

SECTION 6: REPORT OF THE GENERAL MANAGER

**ITEM 6.1 ADOPTION 2016-17 CANTERBURY BANKSTOWN COUNCIL OPERATIONAL PLAN,
BUDGET AND SCHEDULE OF FEES AND CHARGES AND REVISED SECTION 94 PLAN
(FORMER BANKSTOWN LOCAL GOVERNMENT AREA ONLY)**

AN AMENDED REPORT WITH ADDITIONAL ATTACHMENT E WAS TABLED AT THE MEETING.

(50) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Integrated Planning Documentation

In accordance with sections 402 to 406 of the Local Government Act 1993, Council adopt its Operational Plan 2016-17, including the former Canterbury and former Bankstown City Council's:

- Operational Budget;
- Capital Expenditure Program; and
- Council's Revenue Policies, including its Fees and Charges; as attached to this report.

2. Rating & Annual Charges – Former Bankstown Council

2.1 Rating

Subject to the provisions of Sections 404 and 494 of the Local Government Act 1993, an ordinary rate be made and levied for the rating year 1 July 2016 to 30 June 2017 upon the land value of all rateable land within the former city categorised as Residential or Business as detailed in the following table:

| Category / Short Name | Ad-Valorem Rate (cents in \$) | Minimum Rate \$ |
|--|--|----------------------------|
| Residential – Ordinary | 0.287515 | \$582.15 |
| Business – Ordinary | 0.767015 | \$711.85 |
| Bankstown Town Centre Special – see 2.1.1 | 0.132592 | Nil |

2.1.1 Bankstown Town Centre Special Rate

A Bankstown Town Centre Special Rate will be levied on rateable land value of the land delineated on the map and on the list held in Council's offices and described in the Operational Plan, being part of Council's area

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

consisting of properties which formerly comprises the Bankstown Town Centre Local Improvement District which, in Council's opinion the land to be rated benefits, or will benefit from the works, services, facilities or activities; or contributes or will contribute to the need for the works, services, facilities or activities, or has or will have access to the works, services, facilities or activities provided or undertaken or proposed to be undertaken within the part of Council's area.

2.2 Domestic Waste Management Service Charges

Subject to provision of Sections 496, 501, 502 and 504 of the Local Government Act 1993, annual Domestic and Non-Domestic Waste Management Charges be made and levied on a pro-rata quarterly basis for the year 1 July 2016 to 30 June 2017, as follows:

| Type of Charge | Short Name | Annual Charge |
|---|-------------------------------------|----------------------|
| An Annual Domestic Waste Management Service charge per service for each parcel of Rateable Residential land for which a service is available. | Domestic – Waste Management | \$450.00 |
| Each additional service in respect of single dwelling premises. | Domestic Waste Extra Service | \$245.00 |
| Each additional service in respect of multi residential units. | Domestic Waste Extra Strata Service | \$133.00 |
| Each additional service in respect of recycling. | Extra Recycling Service | \$74.00 |
| Each additional service in respect of Greenwaste. | Extra Green Waste Service | \$122.00 |
| Rateable Vacant Land | Domestic Waste Vacant Land | \$127.00 |

2.3 Stormwater Management Service Charges

Council make and levy an annual stormwater management service charge for the Year 1 July 2016 to 30 June 2017 as follows:

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

| Description of Charge | Charge |
|--|---------------|
| Annual residential property charge | \$25.00 |
| Annual residential strata property charge | \$12.50 |
| Annual business property charge per 350 square metres or part there-of for non-vacant business land | \$25.00 |
| Annual business property charge per 350 square metres or part there of surface land area for strata business unit (proportioned to each lot based on unit entitlement) not less than \$5.00. | \$25.00 |
| Mixed Developments – see below | |

2.3.1 Name of the Charge

The Stormwater Management Service Charges for applicable residential and business related land shall be known by the name of -Stormwater Management Charge.

2.3.2 Mixed Developments

- Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property; and
- In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.

2.3.3 Bankstown Airport

- For properties where an ex-gratia payment in lieu of rates is applicable, Council will apply an annual Charge of \$25.00 per property plus an additional \$25 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

2.3.4 Exemptions

- Bowling and Golf Clubs - where the dominant use is open space;
- Council-owned land;

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- Properties zoned: Open space 6(a); Private Recreation 6(b); and Rural.

2.4 Interest Rate on Overdue Rates & Charges

Subject to the provisions of Section 566 of the Local Government Act 1993 the rate of interest charged on overdue rate instalments be set at the maximum rate specified by the Minister for Local Government from time to time. The current rate of interest is 8.0% per annum.

3. Rating & Annual Charges – Former Canterbury Council

3.1 Rating

Subject to the provisions of Sections 404 and 494 of the Local Government Act 1993, an ordinary rate be made and levied for the rating year 1 July 2016 to 30 June 2017 upon the land value of all rateable land within the former city categorised as Residential or Business as detailed in the following table:

| Category / Short Name | Ad-Valorem Rate (cents in \$) | Minimum Rate |
|------------------------------|--------------------------------------|---------------------|
| Ordinary - Residential | 0.2624 | \$652.60 |
| Ordinary - Business | 0.7716 | \$652.60 |

3.2 Domestic Waste Management Service Charges

Subject to provision of Sections 496, 501, 502 and 504 of the Local Government Act 1993, annual Domestic and Non-Domestic Waste Management Charges be made and levied on a pro-rata quarterly basis for the year 1 July 2016 to 30 June 2017, as follows:

| Type of Premises | Short Name | Annual Charge |
|---|---------------------------------|-------------------------------|
| Single dwellings, a granny flat, dual occupancies and villas & townhouses (having and controlling use and storage of own bins). | Domestic Waste Service | \$385.00 |
| Strata units and flats (with 1 or more bedrooms, not being flats owned by charitable or benevolent institutions for the housing of aged, infirm or disabled persons). | Domestic Waste Service | \$385.00 |
| Flats owned by charitable or benevolent institutions for the housing of aged, infirm or disabled persons. | Waste Management – Non Rateable | \$385.00 for each rubbish bin |

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

| | | |
|--|-----------------------------|----------|
| Properties categorised as Business (with or without residential accommodation) | Waste Management – Business | \$385.00 |
| Vacant Land – refers to land that is devoid of buildings and excludes land on which building works are in progress | Domestic Waste - Vacant | \$107.00 |

3.3 Interest Rate on Overdue Rates & Charges

Subject to the provisions of Section 566 of the Local Government Act 1993 the rate of interest charged on overdue rate instalments be set at the maximum rate specified by the Minister for Local Government from time to time. The current rate of interest is 8.0% per annum.

4. Voting of Funds for the City of Canterbury Bankstown

Subject to the provisions of Clause 211(1) of the Local Government (General) Regulation 2005, expenditure be authorised in accordance with the adopted budget and that the funds to cover such expenditure be voted.

5. The Section 94A Development Contributions Plan - Bankstown (Amendment No. 3) for the former Bankstown City Council Local Government Area be adopted.

ITEM 6.2 COMMUNITY CONSULTATION ON THE DRAFT FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN FOR THE MID GEORGES RIVER CATCHMENT

(51) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council endorse the exhibition of the Draft Floodplain Risk Management Study and Plan for the Mid Georges River catchment, including the Waterways and Water Quality Improvement Plan, (Attachment A) for the purposes of undertaking stakeholder and community consultation.

ITEM 6.3 REQUESTS FOR FINANCIAL ASSISTANCE AND DONATIONS

(52) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. A donation of \$500.00 be made to Renae Edmunds of Picnic Point who has been selected to represent Australia at the World Championships for Baton Twirling in Helsingborg, Sweden in August, 2016.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

2. A donation of \$250.00 be made to Oliver Ames of Panania who was selected for the 2016 Trampoline Gymnastics State Team at the Hisense Arena in Melbourne from 31/5/2016 – 03/06/2016.
3. A donation of \$250.00 be made to Zach Torbay of Picnic Point who was selected for the 2016 Trampoline Gymnastics State Team at the Hisense Arena in Melbourne from 31/5/2016 – 03/06/2016.
4. A donation of \$250.00 be made to Blake Parady of East Hills who was selected for the 2016 Trampoline Gymnastics State Team at the Hisense Arena in Melbourne from 31/5/2016 – 03/06/2016.
5. A donation of \$250.00 be made to Carla Tremolada of Condell Park who was selected for the 2016 Trampoline Gymnastics State Team at the Hisense Arena in Melbourne from 31/5/2016 – 03/06/2016.
6. A donation of \$500.00 be made to Dennis Tran of Yagoona who has been selected to represent Australia at the World Junior Ultimate Championships for the Ultimate Frisbee in Poland from 31 July – 6 August, 2016.
7. A donation of \$372.00 be made to Western District Joggers and Harriers who have requested to have the hire fees waived for the use of Mirambeena Regional Park – Lake Gillawarna on Sunday, 17 July 2016 for the Georges River Festival of the Feet.
8. A donation of \$488.00 (equivalent to the hire fee for the use of Paul Keating Park) be made to Youth off the Streets and Mission Australia so that they can host their second youth sleepout to raise awareness for homelessness. The event is being held in Paul Keating Park on 12 August, 2016.
9. A donation of \$79.00 (equivalent to the hire fee for the use of the footpath outside the Smartphones Shop, Revesby) be made to the Smartphones team Revesby who hosted a Balloon Tree event on Wednesday, 18 May, 2016 on the footpath outside their Revesby Store to raise funds for the Children's Hospital at Westmead.
10. A donation of \$372.00 (equivalent to the hire fee 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 6 July, 2016.
11. A donation of \$750.00 be made to the Congregational Christian Church in Samoa-Parish of Sydney Youth Group who staged a musical production of the Lion King at the Bryan Brown Theatre at the BLaKC on 23 April, 2016 and the organisers are asking Council to supplement the production costs of staging the performance.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

ITEM 6.4 AUSTRALIAN AIR LEAGUE REQUEST TO WAIVE COUNCIL RATES FOR 223A BONDS ROAD RIVERWOOD

(53) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. The lease between Council and the Australian Air League (AAL) be varied to remove the requirement for the AAL to pay Council rates.
2. A financial subsidy of \$3919.35 be provided to the AAL to pay for the Council rates already levied on the property.

ITEM 6.5 LOCAL GOVERNMENT NSW REQUEST FOR CONTRIBUTION TO LEGAL COSTS ON BEHALF OF BATHURST REGIONAL COUNCIL

(54) MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council accede to the request by Local Government NSW and contribute the amount of \$2,962.11 (GST incl.) towards legal costs for Bathurst Regional Council.

ITEM 6.6 FREE CAR PARKING AGREEMENTS

(55) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council adopt the classification of the following sites as Operational Land in accordance with s.650 of the Local Government Act 1993, only for the purposes of allowing a Free Car Parking Agreement for:
 - a. No. 753 Hume Highway, Bass Hill (Bass Hill Shopping Centre) and
 - b. No. 25-37 Selems Parade, Revesby (Palm Court Shopping Centre).
2. Council approve entering into a Free Car Parking Agreement as per s.650 (6) of the Local Government Act 1993, with Bass Hill Shopping Centre and Palm Court Shopping Centre, as per the terms detailed in this Report.
3. Council delegate to the General Manager authority to finalise and sign both parking agreements.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

ITEM 6.7 STREET LIGHTING IMPROVEMENT PROGRAM

(56) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. The information be noted.
2. The current memberships of the SLI Program continue and be transferred to Canterbury Bankstown Council.
3. A further report be brought back to Council for consideration to participate in the LED accelerated TF2*20 replacement program and main road trial of LEDs.

ITEM 6.8 CASH AND INVESTMENT REPORT FOR THE PERIOD 13 MAY TO 31 MAY 2016

(57) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. The Cash and Investments Report being for the period from the date of Proclamation (13 May) 2016 to 31 May 2016 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 TRAFFIC COMMITTEE MEETINGS HELD ON 2 MAY 2016 AND 6 JUNE 2016 AND BANKSTOWN TRAFFIC COMMITTEE MEETINGS HELD ON 10 MAY 2016 AND 14 JUNE 2016

(58) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the recommendations contained in the minutes of the Canterbury Traffic Committee meetings held on 2 May 2016 and 6 June 2016 and for the Bankstown Traffic Committee meetings held on 10 May 2016 and 14 June 2016 be adopted.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

**ITEM 7.2 MINUTES OF THE CANTERBURY CITY COUNCIL ARTS AND LIBRARY ADVISORY
COMMITTEE HELD ON 19TH APRIL 2016**

(59) MOVED AND RESOLVED BY THE ADMINISTRATOR

That the recommendations contained in the minutes of the Arts and Library Advisory Committee meeting held on 19 April 2016, be noted.

SECTION 8: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

Nil

SECTION 9: MATTERS FOR INFORMATION

Nil

SECTION 10: QUESTIONS FOR NEXT MEETING

Nil

AT THIS STAGE THE ADMINISTRATOR INDICATED THAT A LATE CONFIDENTIAL ITEM 11.11 - EOI FOR CITY OF CANTERBURY-BANKSTOWN BRAND STRATEGY HAD BEEN SUBMITTED.

MATTER OF URGENCY

(60) MOVED AND RESOLVED BY THE ADMINISTRATOR

That urgency be permitted and Item 11.11 - EOI for City of Canterbury-Bankstown Brand Strategy be considered.

SECTION 11: CONFIDENTIAL SESSION

(61) 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, 11.9, 11.10, 11.11 in confidential session for the reasons indicated:

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

- Item 11.1 T2016-03 SSROC Tender for The Provision of Tree Pruning 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.

- Item 11.2 T2016-05 SSROC Tender for Supply and Delivery of Sodium Hypochlorite (Bulk Liquid Chlorine)

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 T2016-06 SSROC Tender for Supply and Delivery of Agricultural Products

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 WS01 - 15/16 WSROC Tender for the Provision of Mattress Collection and Processing 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.

- Item 11.5 T37-16 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.

- Item 11.6 T40-16 - Provision of Audit 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

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

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

- Item 11.7 Contract 31/2016 - Tender For Pedestrians/Cyclists Shared Path in Foord Avenue, Hurlstone Park

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 Contract 32/2016 - Tender For Traffic Calming and Car Parking Construction Work in Clio Street, Wiley Park

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 11.9 Waste Contracts

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)(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.

- Item 11.10 Property Matter - Morris Iemma Indoor Sports Centre

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 11.11 EOI for City of Canterbury-Bankstown Brand Strategy

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

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

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 6.23 PM.**

ITEM 11.1 **T2016-03 SSROC TENDER FOR THE PROVISION OF TREE PRUNING SERVICES**
(62) **MOVED AND RESOLVED BY THE ADMINISTRATOR**

That –

1. Council accepts tenders from the following companies to form a panel of service providers for tree pruning within the Bankstown area for a period of two (2) years with provision for an extension for two (2) further periods each of up to one (1) year in duration, subject to satisfactory performance as determined by the General Manager for the provision of tree pruning services.
 - a. Asplundh Tree Expert (Australia) Pty Ltd
 - b. BJ's Tipper Hire Pty Ltd trading as BJ's Tree Services
 - c. Sydney Arbor Trees Pty Ltd
 - d. TreeServe Pty Ltd
2. The General Manager be authorised to sign all necessary contract documentation in accordance with Council's resolution as required.
3. SSROC (on behalf of Council) notifies the unsuccessful tenderers in writing and thanks them for tendering.

ITEM 11.2 **T2016-05 SSROC TENDER FOR SUPPLY AND DELIVERY OF SODIUM HYPOCHLORITE**
(63) **(BULK LIQUID CHLORINE)**
MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council accepts the tender received from Ixom Operations Pty Ltd for a period of 3 years, with the option to extend the contract by 2 Years further periods each of up to one (1) year in duration, subject to satisfactory performance of the contractor as determined by the General Manager, for the provision of Supply and Delivery of Sodium Hypochlorite (Bulk Liquid Chlorine).
 2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
-

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

ITEM 11.3 T2016-06 SSROC TENDER FOR SUPPLY AND DELIVERY OF AGRICULTURAL PRODUCTS

(64) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council accepts the tender received from Globe Australia Pty Ltd for a period of three years, with the option to extend the contract by two further periods each of up to one (1) year in duration, subject to satisfactory performance of the contractor as determined by the General Manager, for the provision of Agricultural Products.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.

ITEM 11.4 WS01 - 15/16 WSROC TENDER FOR THE PROVISION OF MATTRESS COLLECTION AND PROCESSING SERVICES

(65) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council accepts the tender received from Resource Recovery Australia for a period of two (2) years, with the option to extend the contract by two (2) further periods each of up to one (1) year in duration, subject to satisfactory performance of the contractor as determined by the General Manager, for the provision of mattress collection and processing 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. WSROC (on behalf of Council) notifies the unsuccessful tenderers in writing and thanks them for tendering.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

ITEM 11.5 T37-16 PROVISION OF POUND SERVICES / HOLDING FACILITIES

(66)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept all tenders received for the provision of Pound/Holding Facilities Services.
2. In accordance with 178(3)(a) of the Local Government (General) Regulation 2005, Council agree to postpone the proposal for the contract, subject to Council determining its requirements for the service, as outlined in the report.
3. Council exercise its option to extend the contract entered into between the former Canterbury City Council and Vet Partners, for the provision of Pound/Holding Facilities Service.
4. Council continue to utilise Transpet Pty Ltd for the provision of Pound/Holding Facilities Services, currently provided for the former Bankstown City Council local government area, as outlined in the report.
5. A further report be prepared and submitted to Council for its consideration, regarding the matter.
6. Council notifies the unsuccessful tenderer in writing and thank them for tendering.

ITEM 11.6 T40-16 - PROVISION OF AUDIT SERVICES

(67)

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Pursuant to Clause 28 of the Local Government (Council Amalgamations) Proclamation 2016 (NSW), Council appoint PricewaterhouseCoopers as its auditor for a period of six years, as outlined in the report.
2. The General Manager be authorised to sign all documentation in accordance with Council's resolution, as required.
3. Council notifies Hill Rogers of its decision, and thank them for their services to the former Canterbury City Council.

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

**ITEM 11.7 CONTRACT 31/2016 - TENDER FOR PEDESTRIANS/CYCLISTS SHARED PATH IN
FOORD AVENUE, HURLSTONE PARK**

(68) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. The tender of KK Civil Engineering for the construction of kerb and gutter, shared path and associated works in Foord Avenue, at a cost of \$224,554.00 (excluding GST) be accepted.
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 CONTRACT 32/2016 - TENDER FOR TRAFFIC CALMING AND CAR PARKING
CONSTRUCTION WORK IN CLIO STREET, WILEY PARK**

(69) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. The tender of KK Civil Engineering for the construction of kerb and gutter, road pavement and associated works in Clio Street at a cost of \$268,245.00 (excluding GST) be accepted.
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 11.9 WASTE CONTRACTS

(70) MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. In accordance with Section 55(3)(i), and pursuant to the legal and probity advice received, Council enter into negotiations with current collection contractors for the waste clean-up and garden waste collection services in the former Bankstown LGA, as outlined in this report;

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

2. Council, in implementing recommendation (1), establish an appropriate governance framework for the discussions; and
3. A further report be bought back to Council regarding the matter.

**ITEM 11.10
(71)**

PROPERTY MATTER - MORRIS IEMMA INDOOR SPORTS CENTRE

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council agree to vary its current licence agreement with the Young Men's Christian Association of Sydney, to reflect the continued operations of the Morris Iemma Indoor Sports Centre (MIISC), for a further period of six (6) months – ending 31 December 2016, and in accordance with the commercial terms, as outlined in the report.
2. Subject to Item 1, the General Manager be delegated authority to effect Council's decision, as outlined in the report.
3. The General Manager write to the relevant Minister administering the site and request that the transfer of ownership of Rotary Park to Council be finalised.
4. A further report be submitted to Council regarding the future use and operations of the MIISC, for Council's consideration

**ITEM 11.11
(72)**

EOI FOR CITY OF CANTERBURY-BANKSTOWN BRAND STRATEGY

MOVED AND RESOLVED BY THE ADMINISTRATOR

That -

1. Council proceeds to selective tender with the following organisations:
 - Frost*collective
 - Landor
 - Generation Alliance Pty Ltd
 - Principals
 - Designworks Australia Pty Ltd
 - Andrew Hoyne Design Pty Ltd
 - Traffic PTY LTD

NEW CITY OF CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 JUNE 2016**

2. The outcome of the Selective Tender be reported back to Council for determination.
3. Council notifies the unsuccessful Respondents in writing and thank them for expressing their interest.

THE MEETING CLOSED AT 6.24 P.M

Minutes confirmed 26 JULY 2016

.....
Administrator