PRESENT: Her Worship the Mayor, Councillor Downey, Councillors Kuskoff, Winterbottom, Nguyen, Waud, Stromborg, Daniel, Asfour, Tadros, Najjar, Parker

APOLOGIES Clr Golledge

HER WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.00 P.M.

REF: CONFIRMATION OF MINUTES
(1096) CLR. STROMBORG:/CLR. KUSKOFF
RESOLVED that the minutes of the Ordinary Council Meeting held on 28 April 2015 be adopted.
- CARRIED

SECTION 2: LEAVE OF ABSENCE
(1097) CLR. DANIEL:/CLR. ASFOUR
RESOLVED that Leave of Absence be granted to Clr Golledge due to personal reasons.
- CARRIED

SECTION 3: DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST
Clr Asfour declared a Less than-Significant, Non-Pecuniary Conflict of Interest in respect of Item 11.1 as he has an association with Outdoor Cleaning Specialists Pty Ltd who are a tenderer in respect of this item.

SECTION 4: MAYORAL MINUTES
ITEM 4.1 2015 MAYORAL CHARITY DINNER
(1098) CLR. DOWNEY
RESOLVED that funds raised from the 2015 Mayoral Charity Dinner which will be held on 4 September 2015 will be donated to Little Wings.
- CARRIED
ITEM 4.2  PADSTOW MOTOR REGISTRY CLOSURE
(1099) CLR. DOWNEY
RESOLVED that the Mayoral Minute be received.

- CARRIED

ITEM 4.3  AUSTRALIAN OBSERVANCE OF THE UN DAY OF VESAK 2015
(1100) CLR. DOWNEY
RESOLVED that Council support the request for financial assistance from Australia’s Vesak celebrations by providing $1,000 towards the theatre hire of the Bryan Brown Theatre. These funds be made available from Council’s Section 356 Financial Assistance Budget.

- CARRIED

ITEM 4.4  TAFE SWSI 21ST STUDENT ACHIEVEMENT AWARDS
(1101) CLR. DOWNEY
RESOLVED that Council support the request for financial assistance from TAFE South Western Sydney Institute seeking assistance in staging its annual Student Achievement Awards and take up a bronze sponsorship at a cost of $1,000. These funds be made available from Council’s Section 356 Financial Assistance Budget.

- CARRIED

ITEM 4.5  COUNCIL AWARDS
(1102) CLR. DOWNEY
RESOLVED that the Mayoral Minute be received.

- CARRIED
ITEM 4.6  
20TH ANNIVERSARY FORBES CUP  
CLR. DOWNEY  
RESOLVED that the Mayoral Minute be received.  
- CARRIED

ITEM 4.7  
NEPAL EARTHQUAKE APPEAL  
CLR. DOWNEY  
RESOLVED that Council support the request for financial assistance from the Nepalese Federal Society Australia to help with relief efforts currently underway in Nepal and donate $500. These funds be made available from Council's Section 356 Financial Assistance Budget.  
- CARRIED

ITEM 4.8  
95TH ANNIVERSARY OF TORCH PUBLISHING  
CLR. DOWNEY  
RESOLVED that Council congratulates Torch Publishing on their 95th Anniversary.  
- CARRIED

ITEM 4.9  
REVIEW OF SECONDARY DWELLING CONTROLS  
CLR. DOWNEY  
RESOLVED that Council write to the Minister for Planning raising our concerns over secondary dwellings and that their intent as granny flats or affordable housing is not being achieved, to the detriment to our local neighbourhood.  
- CARRIED
SECTION 5: PLANNING MATTERS

PUBLIC ACCESS

(1107) CLR. ASFOUR:/CLR. DANIEL

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

- CARRIED

ITEM 5.1 36 SHELLCOTE ROAD, GREENACRE

ADDITION OF YEARS 10, 11 AND 12 STREAMS TO EXISTING SCHOOL AND INCREASE THE NUMBERS OF STUDENTS TO 375 AND NUMBER OF STAFF TO 30. DEMOLISH EXISTING ADMINISTRATION BUILDING AND CONSTRUCT A 3 STOREY SCHOOL BUILDING, LIBRARY AND CARPARK.

MR CHRIS NORTON ON BEHALF OF THE OBJECTORS ADDRESSED COUNCIL.

MR STEPHEN EARP (PLANNING CONSULTANT) ON BEHALF OF THE APPLICANT ADDRESSED COUNCIL.

(1108) CLR. DANIEL:/CLR. NAJJAR

RESOLVED 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.


3) The external glassing of windows in the Acoustic Report SYD2013-1018-R002B Table 6 shall be implemented.
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:

4) 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.

5) A construction management plan is to be prepared and submitted to the Certifying Authority for approval. The plan is to outline the sequencing of the development, and is to address matters including, but not limited to, pedestrian safety, vehicular access, management of car parking, dust suppression, and mitigation of noise impacts during construction.

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) The landscape plan shall include the provision for the replacement of all boundary fencing. A new 1.8m fence with no gaps is to be erected along all side and rear boundaries of the subject allotment at full cost to the developer. The colour of the fence is to complement the development and the fence is to be constructed of lapped and capped timber paling, sheet metal or other suitable material unless the type of material is stipulated in any flood study prepared for the site. The selection of materials and colours of the fence is to be determined in consultation with the adjoining property owners. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.

8) 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.
9) A soil erosion and sediment control plan must be prepared by a suitably qualified professional in accordance with Part E1 Bankstown Development Control Plan 2005 and Development Engineering Standards and submitted to the certifying authority for approval prior to the issue of a construction certificate.

10) The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agent details - see Building and Developing then Quick Check; and
- Guidelines for building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

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) 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 $42,432.00 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.

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) 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.

16) The Construction Certificate plans shall include details of the garbage receptacle area. The garbage receptacle area shall not be visible from the street. The garbage receptacle area shall be located within the building or screened from the street by dense landscaping.

17) Prior to the issue of any Construction Certificate for this development, the applicant must obtain approval from Council for a Site, Pedestrian and Traffic Management Plan. This Plan must address the measures that will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and other requirements as specified below.

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

a) Proposed ingress and egress points for vehicles to and from the construction site;
b) Proposed protection of pedestrians, adjacent to the construction site;
c) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
d) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
e) Proposed measures to be implemented for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
f) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
g) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.

h) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.

i) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.

j) Proposed measures for protection of the environment including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air, noise, land pollution.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site. The applicant will be required to pay for inspections by Council Officers in accordance with Council's adopted fees and charges.

In addition a RMS Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

18) 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 that prior to any Construction Certificate for this development being issued, evidence of lodgement of an application for a Works Permit and or a Roadway/Footpath Building Occupation Permit shall be obtained 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'

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) Connect a road (whether public or private) to a classified road,
d) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
e) Install utilities in, under or over a public road,
f) Pump water into a public footway or public road from any land adjoining the public road,
g) Erect a structure or carry out a work in, on or over a public road
h) Require a work zone on the public road for the unloading and or loading of vehicles
i) Pump concrete from within a public road,
j) Stand a mobile crane within a public road
k) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
l) The work is greater than $50,000.
m) Demolition is proposed.
n) Subdivision is proposed.
o) A Swimming pool is proposed.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

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

For commercial or multi-unit residential developments within the designated CBD or an urban village area, footway design and construction and street tree supply, installation and tree hole detailing shall be as per the Council master plan for that area. Full width footways are to be supplied and installed at full cost to the developer to specification as supplied by Council. Layout plan of pavement to be submitted to Council for approval prior to the issue of the Works Permit.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Council's Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.bankstown.nsw.gov.au
Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than $1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

19) 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.

20) Stormwater runoff from within the property shall be collected and controlled by means of an on site detention system in accordance with Council's Development Engineering Standards. A final stormwater drainage and on site detention system plan, shall be prepared by a qualified professional Civil Engineer in accordance with the above requirements and the requirements contained in Council's Development Engineering Standards. The final stormwater drainage plan shall also be generally in accordance with the concept plan 8337 Stages 2, 3, 4, 5 & 6 prepared by Marline Newcastle Consulting Engineers. The final plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards and the relevant Australian Standards.

21) For internal driveways with a gradient exceeding 10% (1 in 10), longitudinal profiles of all vehicular driveways and ramps shall be submitted for approval by the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate. The maximum grade of the driveway/ramp shall not exceed 20% and shall comply with AS 2890.1. The profile shall be drawn at a reduction ratio of 1 to 20 vertical and horizontal and shall be related to the datum used for the issue of the footway design levels and shall also show the road centre line levels, Council issued footway design levels and gutter levels. Council's Car Clearance Profile in Council's Development Engineering Standards, (Plan No. S 006) shall be used to design the profile.
22) The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "regional road", with every effort to avoid school zones on public roads. The applicant shall nominate the route for approval by Council prior to commencement of any work on the site. An Agreement to Council's satisfaction, signed by the applicant/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site shall be lodged with Council prior to release of any Construction Certificate. All damage must be rectified upon completion of work.

23) The swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with the requirement.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION WORKS COMMENCING

24) 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:
   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.

25) 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.

Tree Removal: On-Site

Approval is granted for the removal of the following trees:

i. Any tree/s growing within the building footprint of the approved structures;

ii. Any tree/s where the base of the trunk of the tree is located within 3 metres of the external wall of an approved dwelling on the same property;

iii. Any declared noxious plant. The applicant, builder and all contractors are to ensure that all noxious plants are properly identified, controlled and/or removed on this site without injury or death of any protected plants;

iv. Any tree species listed under clause 2.7 of Bankstown Development Control Plan 2005 Part E2 – Tree Preservation Order.

v. Any of the following trees:

<table>
<thead>
<tr>
<th>Tree Species</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) <em>Corymbia citriodora</em>, (Lemon scented gum)</td>
<td>Adjoining the current administration building. Garden bed/ rear of the church.</td>
</tr>
<tr>
<td>(1) <em>Melaleuca spp</em></td>
<td></td>
</tr>
<tr>
<td>(1) <em>Callistemon vinminalis</em>, (Weeping Bottlebrush)</td>
<td></td>
</tr>
</tbody>
</table>

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

All other vegetation not specifically identified above, and protected by Councils Tree Preservation Order, is to be retained and protected from construction damage and pruning. The Tree Preservation Order protects trees over 5m in height.

26) 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.
27) 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.

28) 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.

29) A section 73 compliance certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and Developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

30) 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.

31) 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.

32) 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.

33) 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.

34) 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.

35) All demolition work must be carried out in accordance with Australian Standard AS 2601-2001 - The demolition of structures.

36) Where materials containing asbestos cement are to be removed, demolition is to be carried out by licensed contractors who have current WorkCover NSW accreditation in asbestos removal.

37) Hazardous and intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover NSW and the NSW Environment Protection Authority.
CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

38) 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.

39) The building work must be carried out in accordance with the requirements of the Building Code of Australia.

40) 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.

41) 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.

42) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.

43) 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.

44) All boundary fencing behind the building line shall be replaced by a 1.8m high lapped and capped timber or sheet metal fence, or as stipulated in a flood study prepared for the site, or as determined in consultation with the adjoining property owners at the developer's expense. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.

45) 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:

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.
46) 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).

47) A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.

48) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows the 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.

49) All mechanical equipment shall be designed and constructed to meet the standard in accordance with Table 3 of the Acoustic Report SYD2013-1018-R002B.

50) The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

51) The occupation or use of the building must not be commenced unless an occupation certificate has been issued for the building.

52) 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.

53) Thirty four (34) off street car parking spaces shall be provided/maintained for the use of visitor and employees to the premises in accordance with the submitted plans. Such spaces are to be sealed and line marked and maintained.

54) An Emergency Response Management Plan shall be prepared and submitted to Council’s satisfaction. The Plan shall include the following:
a) List of chemicals and maximum quantities to be stored at the site;
b) Identification of potentially hazardous situations;
c) Procedure for incident reporting;
d) Details of spill stations and signage;
e) Containment and clean-up facilities and procedures; and
f) The roles of all staff in the plan and details of staff training.

55) 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.

56) A suitably qualified Professional Civil Engineer shall certify that the driveways, parking bays, and service areas have been constructed in accordance with the approved plans and specifications. Such Certification shall be submitted prior to the issue of the Occupation Certificate or occupation of the site.

57) 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.

58) A registered surveyor shall prepare a Work As Executed Plan, and a suitably qualified Hydraulic Engineer shall provide certification of the constructed on-site stormwater detention system.

The Work As Executed information shall be shown in red on a copy of the approved stormwater plan and shall include all information specified in Council's Development Engineering Standards. The Work As Executed plan shall be submitted to the Hydraulic Engineer prior to certification of the on-site stormwater detention system.

The engineer's certification of the on-site stormwater detention system should be carried out similar to Council's standard form "On-Site Stormwater Detention System - Certificate of Compliance", contained in Council's Development Engineering Standards.

A copy of the Work As Executed Plan and Hydraulic Engineer's Certification shall be submitted to Council for information prior to issue of the final occupation certificate.
59) At the completion of Stage 6 and prior to the issue of the final Occupation Certificate, the developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for “Registration of OSD on title”, as outlined in Council’s Development Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act.

Note: The location of the “On-Site Stormwater Detention System” shall be shown on the plan of subdivision where subdivision is proposed. Where subdivision is not proposed the location of the “On-Site Stormwater Detention System” shall be included on an A4 size site plan attached to the Section 88E Instrument and registered on the title prior to the issue of the final occupation certificate.

The developer shall submit to Council evidence of the final registration of the Restriction and Positive Covenant on the title of the property.

60) A Copy of the Work Permit Compliance Certificate shall be submitted to the PCA Prior to the issue of the Occupation Certificate.

61) The Section 73 compliance certificate under the Sydney Water Act 1994 must be submitted to the principal certifying authority before occupation of the development / release of the plan of subdivision.

62) Tree Planting: On-Site

Tree species used are not to include any of the exempted species listed under clause 2.7 of Bankstown Development Control Plan 2005 Part E2 – Tree Preservation Order.

i. The trees are to be planted no closer than 3.5 metres from the wall of any approved dwelling on the property.

ii. The tree shall have a container size not less than 75 litres, shall comply with NATSPEC Specifying Trees: a guide to assessment of tree quality (2003), and be planted and maintained in accordance with Councils standard specification.

iii. The trees shall to be planted prior to the issue of an occupation certificate.

iv. The trees shall be maintained for the life of the development.

USE OF THE SITE

63) Car parking spaces for thirty four (34) 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.
64) The existing school hours shall be maintained in line with the submitted Statement of Operations prepared by Ken McCarron dated 8 October 2014.

65) All loading and unloading of goods shall take place within the site or from the adjoining service lane in a manner that does not interfere with parking areas, driveways or landscaping.

66) All waste materials associated with the use shall be stored in containers located either within the building or behind screen walls in accordance with the approved plans.

67) The use of the premises shall not contravene the Protection of the Environment Operations Act 1997. The operation of the premise shall be carried out in accordance with the requirement of the NSW EPA, where relevant.

68) Instructions concerning procedures to be adopted in the event of an emergency are to be clearly displayed on the premises for both public and staff information at all times.

69) Any portion of the development used for the storage or sale of food is to be designed, constructed and operated in accordance with the requirements of the Food Act 2003 and Regulations; FSANZ Food Standards Code, AS4674, AS1668 Parts 1 and 2 and the Protection of the Environment Operations Act 1997.

70) Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby public roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard AS 4282-1997 The Control of the Obtrusive Effects of Outdoor Lighting.

71) Vehicular access to and from the site shall be restricted to Shellcote Road only.

72) The Traffic Management Plan is subject to annual review by the school board and Council’s Traffic Engineer and must be adhered to at all times of school operation.

73) The staggered starting and finishing times mentioned in the Statement of Operations, currently stated as 9am and 3pm for primary students and 8:45am and 3:10pm for secondary students, shall remain in place and is subject to review in consultation with Council’s Traffic Engineer.

74) Public address system and chimes shall be limited to designated areas and sound levels shall be reasonable. All systems shall be automatically switched off during weekend and school vacation.
75) Hardball games such as football and the like shall not be carried out within 5m of boundary in the external play area.  
- CARRIED

For:- Clrs Downey, Kuskoff, Najjar, Tadros, Waud, Winterbottom, Daniel, Nguyen and Parker

Against:- Clrs Stromborg and Asfour

ITEM 5.2 9 RIXON STREET, BASS HILL DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF FIVE (5) VILLA HOMES AND ASSOCIATED LANDSCAPING PURSUANT TO THE PROVISIONS OF STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

(1109) CLR. ASFOUR:/CLR. STROMBORG
RESOLVED that the matter be deferred for a site meeting and that a further report be submitted to the next Ordinary Meeting of Council.
- CARRIED

ITEM 5.3 9 GATWOOD CLOSE, PADSTOW USE OF PREMISES AS A PLACE OF PUBLIC WORSHIP AND ASSOCIATED INTERNAL FITOUT

(1110) CLR. DANIEL:/CLR. NAJJAR
RESOLVED 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-78/2015, submitted by Padstow Chinese Congregational Church, accompanied by Drawings, Site Plan, GCP/DA/01, Rev. D, dated 23 April 2015, Ground Floor Plan, GCP/DA/02, Rev. D, dated 23 April 2015 & Mezzanine Floor Plan, GCP/DA/03, Rev. C, dated 12 March 2015, prepared by Elton Consulting 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:

a) Access for persons with disabilities must be provided to the mezzanine level.

Construction Certificate Plans are to be amended to reflect the above requirement.

3) A separate application shall be submitted to Council prior to the erection of any additional signage unless the proposed signage is "exempt development" in accordance with Bankstown DCP 2005 – Part D1.

4) Approval is granted for the use of the building as defined in the submitted Statement of Environmental Effects, prepared by Elton Consulting, dated 2 April 2015. Separate Development Consent for any additional use of the building is required prior to occupation of the premises.

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

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) 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.

7) The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agent details - see Building and Developing then Quick Check; and
- Guidelines for building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.
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) The Construction Certificate plans shall include details of the garbage receptacle area. The garbage receptacle area shall not be visible from the street. The garbage receptacle area shall be located within the building or screened from the street by dense landscaping.

11) Prior to the issue of any Construction Certificate for this development, the applicant must obtain approval from Council for a Site, Pedestrian and Traffic Management Plan. This Plan must address the measures that will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and other requirements as specified below.

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

a) Proposed ingress and egress points for vehicles to and from the construction site;
   b) Proposed protection of pedestrians, adjacent to the construction site;
   c) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
   d) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
   e) Proposed measures to be implemented for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
   f) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
   g) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.
h) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.

i) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.

j) Proposed measures for protection of the environment including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site. The applicant will be required to pay for inspections by Council Officers in accordance with Council's adopted fees and charges.

In addition a RMS Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

12) 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 that prior to any Construction Certificate for this development being issued, a Works Permit and/or a Roadway/Footpath Building Occupation Permit shall be obtained 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'

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) Connect a road (whether public or private) to a classified road,

d) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,

e) Install utilities in, under or over a public road,
f) Pump water into a public footway or public road from any land adjoining the public road,
g) Erect a structure or carry out a work in, on or over a public road
h) Require a work zone on the public road for the unloading and or loading of vehicles
i) Pump concrete from within a public road,
j) Stand a mobile crane within a public road
k) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
l) The work is greater than $50,000.
m) Demolition is proposed.
n) Subdivision is proposed.
o) A Swimming pool is proposed.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

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

For commercial or multi-unit residential developments within the designated CBD or an urban village area, footway design and construction and street tree supply, installation and tree hole detailing shall be as per the Council master plan for that area. Full width footways are to be supplied and installed at full cost to the developer to specification as supplied by Council. Layout plan of pavement to be submitted to Council for approval prior to the issue of the Works Permit.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Council's Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.bankstown.nsw.gov.au
Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than $1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

13) Documentary evidence of Sydney Water's approval of the proposed connection to its drainage system is required to be submitted to the Principal Certifying Authority (PCA) prior to issue of the Construction Certificate. All conditions imposed by Sydney Water shall be strictly complied with and incorporated into the approved drainage plan.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION

14) The building and site work in accordance with the development consent must not be commenced until:

a. a construction certificate for the building 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 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.

15) 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.

16) 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.

17) 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.

18) 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.

19) 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.

20) A sign must be erected in a prominent position on any site on which building 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 is being carried out, but must be removed when the work has been completed.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

21) 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.

22) The building work must be carried out in accordance with the requirements of the Building Code of Australia.

23) 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 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.

24) A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of the internal parking area. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.

25) In order to ensure two way traffic circulation within the carpark, appropriate signage must be installed at the entrance and exit to the driveway. Directional arrows for internal circulation shall be prominently displayed on the pavement on approaches to, and within the carpark.

Line-marking and signage must be provided within the carpark to identify designated pedestrian give-way and priority zones in order to ensure the safety of pedestrians through the carpark. Pedestrian zebra crossings or the like should be provided at locations within the carpark where pedestrians are likely to traverse.

26) All construction works must be approved by a qualified Acoustic Engineer/Consultant to ensure that the completed building is capable of sufficiently attenuating noise in accordance with the relevant EPA day time noise criterion.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

27) The occupation or use of the building must not be commenced unless an occupation certificate has been issued for the building.
28) A final Occupation Certificate shall not be issued until all conditions relating to construction and site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate.

29) Sixty-Five (65) off street car parking spaces shall be provided/maintained for the use of visitor and employees to the premises in accordance with the submitted plans. Such spaces are to be sealed and line marked and maintained.

30) A suitably qualified Professional Civil Engineer shall certify that the parking bays and drop off areas have been constructed in accordance with the approved plans and specifications. Such certification shall be submitted prior to the issue of the Occupation Certificate.

31) 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.

32) 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

33) The development must be carried out in accordance with the Recommendations contained within Part 3 of the Acoustic DA Assessment, Document Reference SYD2015-1018-R001A, dated 10/03/2015 and prepared by Acouras Consultancy.

34) Car parking spaces for sixty-five (65) 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.

35) The hours of operation, activities and maximum number of parishioners of the Church and associated activities shall be generally as follows:

<table>
<thead>
<tr>
<th>Day</th>
<th>Times</th>
<th>Max no of people in attendance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday to Saturday</td>
<td>9am to 5pm (inclusive)</td>
<td>5-10</td>
</tr>
<tr>
<td>Monday to Friday</td>
<td>7.30pm to 9.30pm (inclusive)</td>
<td>30-40</td>
</tr>
<tr>
<td>Sunday</td>
<td>9am to 4pm (inclusive)</td>
<td>350</td>
</tr>
<tr>
<td>Easter Period</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Good Friday</td>
<td>All day</td>
<td>100</td>
</tr>
<tr>
<td>Easter Sunday</td>
<td>All day</td>
<td>450</td>
</tr>
<tr>
<td>Christmas Period</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christmas Day</td>
<td>All day</td>
<td>450</td>
</tr>
</tbody>
</table>
The Church is not permitted to hold any street parades or undertake road closures in association with the above activities.

Activities associated with the Church are to end no later than 9.30pm throughout the week.

Any special events/activities proposed to be held within the premises outside of the approved hours of operation must be notified to Council’s Development Services Branch at least one (1) month in advance of the event and must not be carried out without the written consent of Council in the form of a letter setting out the general terms of approval.

36) All loading and unloading of goods shall take place within the site or from the adjoining service lane in a manner that does not interfere with parking areas, driveways or landscaping.

37) 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.

38) All waste materials associated with the use shall be stored in containers located either within the building or behind screen walls in accordance with the approved plans.

39) All chemicals shall be stored, handled and disposed of in accordance with:
   a) AS 1940 – 2004 The Storage & Handling of Flammable and Combustible Liquids.
   b) NSW EPA ‘Storing and Handling Liquids, Environmental Protection, Participants Manual 2007’.
   c) NSW EPA ‘Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 2004’.

40) All filtration devices for odour control shall be regularly maintained to prevent odour problems.

41) The use of the premises shall not contravene the Protection of the Environment Operations Act 1997. The operation of the premise shall be carried out in accordance with the requirement of the NSW EPA, where relevant.

42) No signs or goods are to be displayed or trading of any description is to be carried out on the public road, public footway, utility service land, customer and/or employee parking area or the driveways or pedestrian walkways outside or in the immediate vicinity of the premises.
43) Instructions concerning procedures to be adopted in the event of an emergency are to be clearly displayed on the premises for both public and staff information at all times.

44) Any portion of the development used for the storage or sale of food is to be designed, constructed and operated in accordance with the requirements of the Food Act 2003 and Regulations; FSANZ Food Standards Code, AS4674, AS1668 Parts 1 and 2 and the Protection of the Environment Operations Act 1997.

45) No external signage is approved under this development consent. External signage details must be submitted to Council for approval prior to installation.

46) Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby public roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard AS 4282-1997 The Control of the Obtrusive Effects of Outdoor Lighting.

47) 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.

- CARRIED

For:- Clrs Kuskoff, Najjar, Stromborg, Waud, Asfour, Daniel and Nguyen
Against:- Clrs Downey, Tadros, Winterbottom and Parker

ITEM 5.4 SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN REVIEW
(1111) CLR. NGUYEN:/CLR. NAJJAR

RESOLVED that

1. Council exhibit Draft Bankstown Section 94A Development Contributions Plan 2009 (Amendment No. 2) as shown in Attachment A.

2. A further report be submitted to Council following the exhibition period.
3. Council endorse the submission to the Department of Planning & Environment seeking a 4% levy in the Bankstown CBD as shown in Attachment B.

4. Council review the levy contribution for other town centres as part of the future Planning Proposals consistent with the Local Area Plans

   - CARRIED

For:- Clrs Downey, Kuskoff, Najjar, Stromborg, Tadros, Waud, Winterbottom, Asfour, Daniel, Nguyen and Parker

Against:- Nil

SECTION 6: REPORT OF THE GENERAL MANAGER

ITEM 6.1 QUARTERLY REPORT ON 2014-2015 BUDGET AND OPERATIONAL PLAN AT 31 MARCH 2015

(1112) CLR. PARKER://CLR. TADROS

RESOLVED that


2. Council allocate Ward Funds as outlined in the report.

   - CARRIED

ITEM 6.2 FIT FOR THE FUTURE - SUBMISSION ON IPART DRAFT METHODOLOGY

(1113) CLR. PARKER://CLR. KUSKOFF

RESOLVED that Council endorse the submission to IPART on its proposed Methodology for Assessment of council’s Fit for the Future Proposals.

   - CARRIED
ITEM 6.3  FIT FOR THE FUTURE - COMMUNITY CONSULTATION STAGE TWO
(1114)  CLR. ASFOUR:/CLR. NAJJAR

RESOLVED that

1. The information be noted.

2. A further report be submitted to Council which will consider council’s Improvement Proposal submission as part of the NSW Government’s Fit for the Future reform package.

3. Council’s final Fit for the Future submission include a boundary adjustment with the Strathfield Local Government Area, generally following the Cooks River and Punchbowl Road, to account for the Enfield Intermodal terminal and the rest of the suburb of Greenacre.

- CARRIED

ITEM 6.4  REQUESTS FOR FINANCIAL ASSISTANCE AND DONATIONS
(1115)  CLR. STROMBORG:/CLR. NAJJAR

RESOLVED that

1. A donation of $250.00 be made to Kalvin Xu of Padstow Heights on his selection to the U17 state team for Australian Junior Volleyball Championships which are being held in Canberra during September, 2015.

2. A donation of $300.00 be made to the East Hills Netball Club so that they can host their major fundraiser of a Family Fun Night on Saturday, 13 June, 2015 at the Panania Diggers RSL Club.

- CARRIED

ITEM 6.5  BIODIVERSITY STRATEGIC PLAN
(1116)  CLR. WINTERBOTTOM:/CLR. NAJJAR

RESOLVED that

1. Council publicly exhibit the draft Biodiversity Strategic Plan 2015-2025.

2. A further report be submitted to Council after the public exhibition period.

- CARRIED
ITEM 6.6  COMMUNITY LAND GENERIC PLAN OF MANAGEMENT AMENDMENTS

(1117)  CLR. TADROS/CLR. NGUYEN
RESOLVED that

1. Council endorse the public exhibition and hearing for the changes to the Community Land Generic Plan of Management 2014.

2. A further report be submitted to Council after the public hearing and exhibition period.

- CARRIED

ITEM 6.7  FREE PARKING AGREEMENT - CHULLORA MARKETPLACE SHOPPING CENTRE

(1118)  CLR. NAJJAR/CLR. NGUYEN
RESOLVED that Council adopt the classification of 355 Waterloo Rd, Greenacre as Operational Land in accordance with s.650 of the Local Government Act, only for the purposes of allowing a Free Car Parking Agreement.

- CARRIED

ITEM 6.8  LOCAL GOVERNMENT REMUNERATION TRIBUNAL - DETERMINATION OF MAYOR AND COUNCILLOR FEES 2015/16

(1119)  CLR. NAJJAR/CLR. KUSKOFF
RESOLVED that

That effective from 1st July 2015 Council adopts the following fees structure, as determined by the Local Government Remuneration Tribunal:

Mayor Additional Fee  $62,090 p.a.
Councillor Fee  $23,370 p.a.

- CARRIED
ITEM 6.9  CASH AND INVESTMENTS REPORT FOR APRIL 2015
(1120) CLR. TADROS:/CLR. PARKER

RESOLVED that

1. The Cash and Investments Report for April 2015 be received and noted.

2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

SECTION 7: COMMITTEE REPORTS

ITEM 7.1  MINUTES OF THE BANKSTOWN ABORIGINAL & TORRES STRAIT ISLANDER ADVISORY COMMITTEE MEETING HELD ON 16 FEBRUARY 2015
(1121) CLR. PARKER:/CLR. NAJJAR

RESOLVED that the recommendations contained in the minutes of the Bankstown Aboriginal & Torres Strait Islander Advisory Committee meeting held on 16 February 2015, be adopted.

- CARRIED

ITEM 7.2  MINUTES OF THE BANKSTOWN HERITAGE COMMITTEE MEETING HELD ON 8 APRIL 2015
(1122) CLR. PARKER:/CLR. NAJJAR

RESOLVED that the Minutes of the Bankstown Heritage Committee Meeting of 8 April 2015 be adopted.

- CARRIED
ITEM 7.3  MINUTES OF THE BANKSTOWN LIBRARY ADVISORY COMMITTEE MEETING HELD ON 23 APRIL 2015

(1123) CLR. PARKER://CLR. NAJJAR

RESOLVED that the recommendations contained in the minutes of the Bankstown Library Advisory Committee meeting held on 23 April 2015, be adopted.

- CARRIED

ITEM 7.4  MINUTES OF THE BANKSTOWN YOUTH ADVISORY COMMITTEE MEETING HELD 4 MAY 2015

(1124) CLR. PARKER://CLR. NAJJAR

RESOLVED that the recommendations contained in the minutes of the Bankstown Youth Advisory Committee Meeting held 4 May 2015, be adopted.

- CARRIED

ITEM 7.5  MINUTES OF THE BANKSTOWN TRAFFIC COMMITTEE MEETING HELD ON 12TH MAY 2015

(1125) CLR. PARKER://CLR. NAJJAR

RESOLVED that the recommendations contained in the Minutes of the Bankstown Traffic Committee meeting held on 12th May 2015, be adopted.

- CARRIED

SECTION 8: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

ITEM 8.1  QUESTIONS WITH NOTICE

(1126) CLR. ASFOUR://CLR. TADROS

RESOLVED that the information be noted.

- CARRIED
ITEM 8.2 REFUGEE WEEK VIGIL 2015
(1127) CLR. NGUYEN:/CLR. ASFOUR

RESOLVED that Council support the VCA’s Refugee Week Vigil with assistance in the road closure process and its attendance on the evening of 20 June 2015, and to further support the efforts of the VCA taking more responsibility in running the vigil I will invite members of the broader community to similarly attend this very special event.

- CARRIED

SECTION 9: MATTERS FOR INFORMATION

Nil

SECTION 10: QUESTIONS FOR NEXT MEETING

REF: BANKSTOWN LOCAL AREA COMMAND - CRIME CATEGORIES

Clr Waud requested clarification regarding recent crime statistics/trends for the Bankstown Local Area Command.

The General Manager responded that the Local Area Command would be briefing Councillors in June.

REF: TRAFFIC SIGNAGE

Clr Stromborg requested that the damaged traffic signage at the roundabout at the intersection of Gibson Avenue/Watson Road, Padstow be repaired.

REF: PROPOSED DEVELOPMENT - MOOREBANK RECYCLING PLANT

Clr Najjar requested Council to lodge a submission regarding the proposed concrete recycling facility in Moorebank.

REF: MOBILE PHONE BASE STATION - 256 CHAPEL ROAD SOUTH, BANKSTOWN

Clr Najjar tabled a letter from Optus notifying the installation of a Mobile Phone base station in Chapel Road South, Bankstown.

The General Manager responded that Council would investigate the matter and prepare a submission if required.
REF: CHESTER HILL/VILLAWOOD - POLLUTION
Clr Nguyen requested Council officers investigate recent odours possibly from burn offs from local plants in the Chester Hill/Villawood area.

REF: LOCKWOOD PARK, CHULLORA
Clr Daniel requested Council investigate the condition of Lockwood Park, Chullora following recent top soiling.

REF: PASSING OF MR LARRY BOURNE
Clr Daniel informed Council of the recent passing of Mr Larry Bourne.

REF: CHESTER HILL CAR PARK
Clr Tadros requested a progress report on the Chester Hill Car Park.

REF: PROPOSED NON SMOKING LEGISLATION
Clr Kuskoff enquired if Council would be enforcing the NSW State Government's non smoking legislation proposed for later this year.

The General Manager advised that Council would not be responsible for enforcing the legislation but may assist the State Government through communicating the legislation to residents and local businesses.

REF: GEORGES RIVER NATIONAL PARK AND SALT PAN CREEK
Clr Kuskoff requested Council to inspect recent litter build ups in the Georges River National Park and Salt Pan Creek area after the recent floods and request the appropriate State Government Authority to clean the area.

CLR STROMBORG RETIRED FROM THE MEETING AT 7.30 PM.

SECTION 11: CONFIDENTIAL SESSION

MATTER OF URGENCY
HER WORSHIP THE MAYOR ASKED FOR A MOTION OF URGENCY TO CONSIDER ONE LATE CONFIDENTIAL REPORT ITEM 11.4 – CBD PROPERTY RENEWAL STRATEGY – OLD LIBRARY SITE.
(1128) CLR. NAJJAR:/CLR. KUSKOFF
RESOLVED that urgency be permitted and that matter 11.4 be considered.
- CARRIED

(1129) CLR. NAJJAR:/CLR. DANIEL
RESOLVED 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 and 11.4 in confidential session for the reasons indicated:

Item 11.1 T31-15 Pavement Cleaning
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 T33-15 Provision of Architectural Services for Yagoona Community Centre
This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 11.3 Property Matter - Cahill Lane, Greenacre
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 11.4 CBD Property Renewal Strategy - Old Library Site
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.
- CARRIED

COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.35 PM AND REVERTED BACK TO OPEN COUNCIL AT 7.54 PM.
ITEM 11.1 T31-15 PAVEMENT CLEANING

CLR ASFOUR DECLARED A LESS THAN-SIGNIFICANT, NON-PECUNIARY CONFLICT OF INTEREST IN RESPECT OF ITEM 11.1 AS HE HAS AN ASSOCIATION WITH OUTDOOR CLEANING SPECIALISTS PTY LTD WHO ARE A TENDERER IN RESPECT OF THIS ITEM.

CLR ASFOUR VACATED THE CHAMBER AT 7.36 PM TAKING NO PART IN THE DEBATE.

(1130) CLR. WINTERBOTTOM:/CLR. KUSKOFF

RESOLVED that

1. Council accept the tendered rates from Hydra-Wash Pty Ltd for the provision of pavement cleaning for a period of three (3) 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 by the contractor as determined by Council.

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 thanks them for tendering.

- CARRIED

CLR ASFOUR RETURNED TO THE MEETING AT 7.37 PM.

ITEM 11.2 T33-15 PROVISION OF ARCHITECTURAL SERVICES FOR YAGOONA COMMUNITY CENTRE

(1131) CLR. WINTERBOTTOM:/CLR. NAJJAR

RESOLVED that

1. Council accepts the tender received from Peter Hunt Architect for an amount of $252,575 (excluding GST), being for the purposes of carrying out the required architectural services, for the new Yagoona Community Centre.

2. The contract include a provisional sum for the purposes of enhancing the surrounding amenities, as outlined in the report.

3. The General Manager be authorised to sign all documents relating to the contract.

4. Council notify in writing the unsuccessful respondents of the results and thank them for their interest and submissions.

- CARRIED
ITEM 11.3  PROPERTY MATTER - CAHILL LANE, GREENACRE
(1132) CLR. NAJJAR::CLR. KUSKOFF

RESOLVED that

1. Council agrees to the sale of part of Cahill Lane, subject to carrying out the required statutory road closure process in accordance with the Roads Act 1993.

2. As part of the process, Council classify the subject land to operational land in accordance with the Local Government Act 1993.

3. The Mayor and General Manager be delegated authority to carry out all necessary functions in relation to item 1 and 2 and sign all required documentation, under the Common Seal of Council, as required.

4. The General Manager be delegated authority to grant land owner’s consent to Noble Toyota for the purpose of lodging their Development Application, subject to the conditions as outlined in the report.

- CARRIED

ITEM 11.4  CBD PROPERTY RENEWAL STRATEGY - OLD LIBRARY SITE
(1133) CLR. WINTERBOTTOM::CLR. DANIEL

RESOLVED that

1. The information be noted.

2. The General Manager be delegated authority to grant land owner’s consent for the purpose of the Compass Centre site owners lodging the required Concept Proposal, which incorporates Council’s Old Library site, as outlined in the report.

3. Following consideration and finalisation of the relevant Concept Proposal, a further report be prepared outlining the property related matters for Council’s consideration, as outlined in the report.

- CARRIED

THE MEETING CLOSED AT 7.55 P.M

Minutes confirmed 23 JUNE 2015

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Mayor