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**AUBURN CITY COUNCIL**

MINUTES OF THE  
**ORDINARY MEETING OF COUNCIL**  
HELD IN THE COUNCIL CHAMBERS  
CIVIC PLACE, 1 SUSAN STREET, AUBURN  
ON WEDNESDAY, FEBRUARY 17, 2016  
COMMENCING AT 5.00PM

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**PRESENT**

Interim Administrator – Mr V. May.

**IN ATTENDANCE**

General Manager (Mr M. Brisby), Deputy General Manager Indirect (Mr I. Dencker), Deputy General Manager Direct (Mr H. McNulty), Executive Manager Corporate (Mr B. Cockayne), Executive Manager Planning (Mr G. Francis), Executive Manager Community Development (Ms B. Endycott), Chief Financial Officer (Mr R. Sheridan), Manager Strategy (Ms M. Cologna) and Governance Coordinator (Mr M. Wearne).

**008/16 Disclosure of Interests**

C-27-08/03 MB : MW

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There were no disclosures of interest.

**009/16 Address by Invited Speakers**

C-28-02/03 MB : MW

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The following persons had made application to address the meeting of Council:

<u>Speakers</u>	<u>Item No./Subject</u>
Mr T. Oldfield	015/16 – Notice of Rescission Motion - Adoption of 'Planning Proposal' for South Auburn (PP-3/2013).
Mr G. Campbell	015/16 – Notice of Rescission Motion - Adoption of 'Planning Proposal' for South Auburn (PP-3/2013).
Mrs G. Guy	015/16 – Notice of Rescission Motion - Adoption of 'Planning Proposal' for South Auburn (PP-3/2013).
Ms I. Simms	C001/16 – Notice of Rescission Motion - 13 John Street, Lidcombe.
Mr G. Campbell	C001/16 – Notice of Rescission Motion - 13 John Street, Lidcombe.

***Moved and declared carried by the Interim Administrator:***

- 1. That the report on Invited Speakers be received and the information therein noted.***
- 2. That standing orders be varied to allow each item to be dealt with following the speaker's address.***

**010/16 Public Question Time**

C-28-02/03 MB : MW

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No questions had been received.

**011/16 Notice of Intention to Deal with Matters in Closed Session**

C-28-02/03 MB : MW

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***Moved and declared carried by the Interim Administrator that in respect to the Notice of Rescission Motion for 13 John Street, Lidcombe, the matter be considered in Open Council after Item 015/16 below.***

**012/16 Confirmation of the Minutes of Previous Ordinary Meeting - December 2, 2015**

C-28-02/03 MB : MW

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***Moved and declared carried by the Interim Administrator that the minutes of the previous Ordinary Meeting of Council held on December 2, 2015 be confirmed.***

**013/16 Confirmation of the Minutes of Previous Extraordinary Meeting - January 27, 2016**

C-28-02/03 MB : MW

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***Moved and declared carried by the Interim Administrator that the minutes of the previous Extraordinary Meeting of Council held on January 27, 2016, be confirmed.***

**014/16 Confirmation of the Minutes of Previous Extraordinary Meeting - February 15, 2016**

C-28-02/03 MB : MW

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***Moved and declared carried by the Interim Administrator that the minutes of the previous Extraordinary Meeting of Council held on February 15, 2016 be confirmed.***

**014A/16 Administrator's Minute - Independent Hearing and Assessment Panel (IHAP)**

T-10-06/09 GF : MW

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***Moved and declared carried by the Interim Administrator:-***

- 1. That an Independent Hearing and Assessment Panel (IHAP) be established to consider:
  - a. All development applications ordinarily referred to the Council for a decision.***
  - b. All planning Proposals and make recommendations to the Council with regard to their merits.******
- 2. That the General Manager, in consultation with the Interim Administrator, recommend on membership of the IHAP.***
- 3. That the General Manager prepare the necessary procedures and policy for the operation of the IHAP.***
- 4. That the actions proposed in this minute be referred to the next Ordinary Meeting of Council or an Extraordinary Meeting in the event that the report is ready prior to the scheduled date of the Ordinary Meeting.***

**015/16 Notice of Rescission Motion - Adoption of 'Planning Proposal' for South Auburn (PP-3/2013)**

PP-3/2013 MB : MW

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Mr T. Oldfield, Mr G. Campbell and Mrs G. Guy each in turn, addressed the Interim Administrator on this matter.

***Moved and declared carried by the Interim Administrator that the Council's resolution in Minute No. 289/15 relating to the Adoption of the 'Planning Proposal' for the South Auburn (PP-3/2013), be rescinded.***

***Moved and declared carried by the Interim Administrator:-***

- 1. That Council take no further action in relation to the subject planning proposal and that the General Manager advise the Department of Planning of this decision.***

- 2. That Council ensure that any future planning decisions for the site are undertaken as part of a comprehensive review with particular regard to the zone interface and that this action be deferred until the government's merger proposals are determined.***

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**C001/16      Notice of Rescission Motion - 13 John Street, Lidcombe**  
C-04-07/03      MB : MW

Ms I. Simms and Mr G. Campbell each in turn, addressed the Council on this matter.

***Moved and declared carried by the Interim Administrator that the Council's resolution in Minute No. C015/15 relating to 13 John Street, Lidcombe, be rescinded.***

***Moved and declared carried by the Interim Administrator:-***

- 1. That Council terminate the contract for the purchase of 13 John Street, Lidcombe pursuant to Special Condition 14(I) of the contract as development consent was not issued;***
- 2. That Council take no further action with regard to the sale of the site and any further decision on the future of the site be deferred until the government's merger proposals are determined.***

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**016/16      Matters Determined without Further Debate**  
C-28-02/03      MB : MW

The Interim Administrator considered each item below individually.

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**017/16      Exhibition of Draft Carter Street Precinct Development Contributions Plan 2016**  
T-10-55      MC : EG

***Moved and declared carried by the Interim Administrator:-***

- 1. That Council endorse the Draft Carter Street Precinct Development Contributions Plan 2016 (the draft plan) at Attachment 1 for public exhibition.***
- 2. That the Draft Carter Street Precinct Development Contributions Plan 2016 be publicly exhibited.***
- 3. That Council endorse the scope of the proposed draft Works Program for local and district community infrastructure with the indicative cost estimates shown in Schedule 4 of the draft plan (Attachment 1)***
- 4. That the cost estimates for the proposed Works Program be reviewed and finalised prior to and during the exhibition period, including land valuations for sites to be dedicated within the Carter Street Precinct***
- 5. That Council authorise the Executive Manager Planning may make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the public exhibition of the Draft Plan.***

**6. That the outcomes of the public exhibition be reported back to Council.**

**018/16 Heavy Vehicle Approvals for Selected Roads - Request for Higher Mass Limits Access in Holker Street & Others**

T-28-22 SS : CJ

**Moved and declared carried by the Interim Administrator that Council approve access for heavy vehicles under Higher Mass Limits onto selected Council roads namely:**

- **Newington Road, Silverwater.**
- **Holker Street (between Silverwater Road & Newington Road), Silverwater.**
- **Hall Street (east of St Hilliers Road, Auburn.**
- **Percy Street (north of Boorea Street), Auburn.**

**019/16 December Quarterly Report on the Operational Plan 2015/16**

S-57-34 MC : MW

**Moved and declared carried by the Interim Administrator:-**

- 1. That the information contained in this report be received; and**
- 2. That Council adopt the Operational Plan 2015/16 Progress Report for the Quarter Ending 31 December 2015 in accordance with the Local Government Act 1993 and Local Government (General) Regulations 2005.**

**020/16 Quarterly Budget Review Statements for December 31, 2015**

L-22-04/05 RS : MW

**Moved and declared carried by the Interim Administrator:-**

- 1. That the Quarterly Budget Review Statement for the quarter ended 31 December 2015 be received and the information therein noted.**
- 2. That the December 2015 Quarter Budget Review of revised estimates of income and expenditure for 2015/2016 be hereby noted and approved.**
- 3. That in the future, the General Manager's Credit Card and Fuel Card details be referred to the Interim Administrator for approval as per the accepted industry practice.**

**021/16 Environmental Factors for the Berala Station Upgrade**

R-14-03/04 BC : PV

**Moved and declared carried by the Interim Administrator:-**

- 1. That Council receive and note the advice of Transport NSW in respect to the proposed Upgrade Works at Berala Railway Station.**
- 2. That Council advise Transport NSW that it does not support the option of closing**

***the Berala Railway Station for a period of four weeks during the construction period.***

**022/16 Appointment of Committees and Delegates to External Agencies**

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C-29-01/04 MW : MW

***Moved and declared carried by the Interim Administrator:-***

- 1. That the role of those elected Councillor members previously appointed to the Committees and as representatives to those agencies and entities listed in the subject report be terminated as a consequence of the suspension of the Council.***
- 2. That the interim Administrator (Mr V. May) be noted as a member ipso facto of all of the Committees of Council as listed.***
- 3. That the Interim Administrator (Mr V. May) be hereby appointed as the Council's representative on the Western Sydney Regional Organisation of Councils (WSROC).***
- 4. That the Interim Administrator (Mr V. May) or where applicable his nominee be appointed as the Council's representative on the External Agencies and Entities as otherwise detailed in the subject report.***
- 5. That the respective External Agencies and Entities be advised accordingly.***
- 6. That the Council's Manual of Standard Procedures be amended where necessary to accord with the above resolutions.***

**023/16 Overhead Tree Clearance Works Undertaken by Utility Providers**

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S-10-60 PJF : MP

***Moved and declared carried by the Interim Administrator:-***

- 1. That Council note the contents of the report.***
- 2. That Council continue to pursue regional responses to address these issues through the Western Sydney Regional Organisation of Councils.***
- 3. That Council continue to progress its Street Tree Master Plan with emphasis on identifying suitable future species to grow under power lines.***
- 4. That Council continue to undertake discussions with utility providers to improve the health, structure and amenity of street trees throughout the Auburn Local Government Area and these discussions include the possibility of cost sharing for tree removal and replacement works.***

**024/16 Request to Waive Community Centre and Park Hire Fees for Community Events and Disability Program - Category A Local Non Profit Community Groups**

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S-57-22 BE : PI

***Moved and declared carried by the Interim Administrator:-***

- 1. That Council waive fees for the hire of Auburn Centre for Community Main Hall on Saturday 2 April 2016 and Auburn Botanical Gardens Community Picnic Area on Sunday 10 April 2016 by Auburn Tamil Society as part of the Auburn City Seniors' Week program of events.**
- 2. That Council waive fees for the hire of Auburn Centre for Community Main Hall and Outdoor BBQ area by Sierra Leonean Women's Wan Word Association on Saturday 9 April as part of the Auburn City Seniors Week program of events.**
- 3. That Council waive fees for the hire of Auburn Town Hall by Sri Om Foundation on Saturday 2 April as part of the Auburn City Seniors Week program of events.**
- 4. That Council waive fees for the hire of Auburn Park and Auburn Centre for Community by Kateb Hazara Association for the 2016 Nowruz Festival event on Sunday 3 April 2016.**
- 5. That Council waive fees for the monthly weekend hire of the Auburn Centre for Community Youth Space and Multipurpose Room by the Autism Community Network until the end of December 2016 to establish a support group for families affected by children with autism.**

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**025/16**                      **Peacock Gallery and Auburn Arts Studio Expansion Project**  
C-32-29                      BE : PI

**Moved and declared carried by the Interim Administrator:-**

- 1. That Council accept funding of \$60,000 from the NSW Government towards the cost of the Peacock Gallery expansion project.**
- 2. That Council approve the expenditure of \$200,000 to cover the remaining cost of the Peacock Gallery expansion project.**
- 3. That Council write to the NSW Office of Local Government to request confirmation that the Peacock Gallery expansion project can proceed in accordance with the Guidelines issued under Section 23A of the Local Government Act.**

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**026/16**                      **Minutes of the Heritage Committee Meeting held on December 1, 2015**  
C-29-45                      MC : EG

**Moved and declared carried by the Interim Administrator:-**

- 1. That the minutes of the Heritage Committee meeting held on 1 December 2015 be received and noted;**
- 2. That the Walking Tour of Rookwood Necropolis falling within Heritage Week 2016, guided by the Friends of Rookwood, and cross promoted by Council through the Lifelong Learning Program and monthly newsletters be noted; and**
- 3. That no further action be taken in respect to the additional heritage focused walking tour.**

**027/16 Investment Portfolio Performance as at 31 January 2016**

A-05-01/05 RS : MW

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***Moved and declared carried by the Interim Administrator that the report be received and the information therein noted.***

**028/16 Quarterly Report - Councillor Attendance at Committee Meetings**

C-28-13 MW : MW

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***Moved and declared carried by the Interim Administrator that no further action be taken in respect to the Council decision of 15 August 2012.***

**029/16 Monthly Legal Advice/Instructions Report**

L-08-01/07 MW : MW

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***Moved and declared carried by the Interim Administrator that the report be received and the information therein noted and further, that relevant reporting on legal advisings be provided in conjunction with the Quarterly reports.***

**030/16 Monthly Report on Formal GIPA Applications and Determinations**

IM-01-04 MW : MW

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***Moved and declared carried by the Interim Administrator that no further action be taken in relation to the Council decision of 1 May 2013.***

**031/16 Report on Outstanding Actions from Council Decisions**

C-28-17 MW : MW

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***Moved and declared carried by the Interim Administrator that no further action be taken in respect to the matter as it is the statutory responsibility of the General Manager.***

**032/16 Report on Completed Actions from Council Decisions**

C-28-17 MW : MW

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***Moved and declared carried by the Interim Administrator that the report be received and noted, and no further action be taken in the future.***

There being no further matters, the meeting was closed at 5.58pm.

CONFIRMED:

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**INTERIM ADMINISTRATOR**

DATE: