

BLACKTOWN CITY COUNCIL

MEETING NO. 954

MINUTES of the **ORDINARY MEETING** of **BLACKTOWN CITY COUNCIL** held virtually and in person on Wednesday, 20 October 2021. The Mayor declared the meeting open at 6.35pm.

PRESENT: Councillor A.J. Bleasdale (Mayor), and Councillors C.J. Quilkey, J.G. Diaz, M. Singh, J.M. Diaz, K.W. Gillies, J.A. Griffiths, F. Brillo, S.K. Benjamin, E.L. Santos, C.V. Israel, B.W. Bunting and P.P. Camilleri.

OFFICERS OF COUNCIL PRESENT: Messrs. Robinson, Rogers, Tsakalos, Belz and Conroy, and Ms. Parkes. Mesdames Knight and Mrs. Riddle, Minute Secretaries.

ACKNOWLEDGEMENT OF COUNTRY

The Mayor then read the following:

Firstly, I acknowledge that the Darug people were the original custodians of the land on which we meet today.

We pay our respects to Elders past and present, and acknowledge the Aboriginal people for their custodianship of this land.

We will work together for a united city that respects this land and values the contribution to our community and culture of all people of Aboriginal and Torres Strait Islander heritage.

MULTI-FAITH PRAYER

It be noted that there was no multi-faith prayer delivered this evening.

APOLOGIES

MOTION (Cr Griffiths/Cr Israel)

That the apologies tendered on behalf of Cr Collins, be received and leave of absence be granted. **CARRIED** 15695

A full copy of the business paper dealt with at this meeting is attached to these Minutes.

CONFIRMATION OF MINUTES

MOTION (Cr Singh/Cr Santos)

That the Minutes of the Ordinary Meeting and Committee of the Whole Meeting of 22 September 2021, copies were circulated to each member on 15 October 2021, be confirmed. **CARRIED** 15696

MAYORAL MINUTES

AD410060 - Mayoral Minute No. 628 - Annual Report awarded Gold at Australasian Reporting Awards F17/4

I am very excited indeed to advise that our 2019/20 Blacktown City Council Annual Report was awarded Gold at Australasian Reporting Awards this month.

Again!

That is five years in a row our Council has achieved a Gold Award.

The report was also selected as a finalist in the Special Award for Work Health and Safety Reporting.

A Gold Award recognises our excellence in annual reporting, high quality coverage and full disclosure of the organisation's core business.

Our report is recognised as a model for similar organisations to follow.

I thank and congratulate all the teams who work with our Finance, Corporate Strategy and Communications and Marketing teams, to produce the highest quality report.

In particular, I thank the following teams: Asset Planning and Support, Environment, People and Culture, Governance and Safety.

My special thanks go to Bianca Devine from Communications and Marketing who, once again, led this project and continues to ensure our reporting is at an international standard.

Very well done!

MOTION (Cr Bleasdale/Cr Singh)

Council receive and note the contents of Mayoral Minute No.628. **CARRIED** 15697

PUBLIC FORUM

1. Mr Joe Kotevich

Re: 45 Hollinsworth Road, Marsden Park - Planning Proposal (PD3.1 – PD410039)

REPORTS FROM OFFICERS

ORD11.1

CL410077 - Donation for charity initiative by Harman Foundation F15/1827

MOTION (Cr Griffiths/Cr Singh)

1. Approve a one-off donation of \$5,000 (\$1,000 from each Wards' Councillor contingency fund) to assist Harman Foundation operate a charity coffee van.
2. Approve the display of Council's logo on the coffee van as a sponsor. **CARRIED** 15698

ORD11.2

CA410031 - Local Traffic Committee minutes - meeting 524 F20/1265

MOTION (Cr Quilkey/Cr Benjamin)

Council receive the minutes and adopt the recommendations of the Local Traffic Committee Meeting No.524 of 5 October 2021, with no exceptions. **CARRIED** 15699

POLICY & STRATEGY COMMITTEE REPORTS - MEETING HELD 13 OCTOBER 2021

(PS3.1 to PS3.7 and PS3.1A and PS3.2A)

MOTION (Cr Griffiths/Cr Bunting)

That the contents of the report be confirmed as a true record of the proceedings of the Committee meeting, the decisions made by virtue of the authority delegated to the Committee under Section 355 be noted and the recommendations, be adopted, and it being noted that PS3.1A and PS3.2A, would be dealt with in Committee of the Whole. **CARRIED** 15700

PLANNING, DEVELOPMENT, HISTORICAL & ASSETS COMMITTEE REPORTS - MEETING HELD 13 OCTOBER 2021 (PD3.1 to PD3.8 and PD3.1A)

MOTION (Cr Israel/Cr Griffiths)

That the contents of the report be confirmed as a true record of the proceedings of the Committee meeting, the decisions made by virtue of the authority delegated to the Committee under Section 355 be noted and the recommendations, it being noted that PD3.1, PD3.2, PD3.3 and PD3.4 require Divisions to be recorded, be adopted, and it being noted that PD3.1A, would be dealt with in Committee of the Whole. **CARRIED** 15701

FINANCE & RESOURCES COMMITTEE REPORTS - MEETING HELD 13 OCTOBER 2021 (FR3.1 to FR3.5 and FR3.1A to FR3.9A)

MOTION (Cr Bunting/Cr Quilkey)

That the contents of the report be confirmed as a true record of the proceedings of the Committee meeting, the decisions made by virtue of the authority delegated to the Committee under Section 355 be noted and the recommendations, with the exception of FR3.2, FR3.4 and FR3.5, be adopted, and it being noted that FR3.1A to FR3.9A inclusive, would be dealt with in Committee of the Whole. **CARRIED** 15702

COMMUNITY SERVICES COMMITTEE REPORTS - MEETING HELD 13 OCTOBER 2021

(CS3.1 and CS3.1A to CS3.3A)

MOTION (Cr Benjamin/Cr Singh)

That the contents of the report be confirmed as a true record of the proceedings of the Committee meeting, the decisions made by virtue of the authority delegated to the Committee under Section 355 be noted and the recommendations, with the exception of CS3.1, be adopted, and it being noted that CS3.1A to CS3.3A inclusive, would be dealt with

in Committee of the Whole. **CARRIED** 15703

PLANNING, DEVELOPMENT, HISTORICAL & ASSETS' REPORT – ITEMS EXCEPTED

PD3.1

PD410039 - 45 Hollinsworth Road, Marsden Park – Planning Proposal LEP-19-0003

MOTION (Cr Griffiths/Cr Israel)

1. Receive and note the contents of this report.
2. Adopt the amended Planning Proposal to include 'hotel or motel accommodation' as an additional permitted use in Appendix 5, Schedule 1 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006.
3. Not support the rezoning of the access driveway servicing Lot 1, DP 1176437, 45 Hollinsworth Drive from SP2 Infrastructure (Local Road) to B5 Business Development.
4. Submit the amended Planning Proposal to the Department of Planning, Industry and Environment for finalisation.
5. Notify the applicant and submitters of Council's decision.
6. Council staff continue to work with the Ahmadiyya Muslim Association Australia to progress wherever possible, the resolution of access from Richmond Road, the provision of reticulated water and sewerage services, the use of the site for administrative and accommodation purposes ancillary to the existing established land use.
7. That Council pursue with the Department of Planning Industry and Environment to consider more broadly the permissibility of hotel/motel accommodation in B5 zones within the Growth Centres SEPP to align with Council's Blacktown Local Environmental Plan.
8. It is noted that Dr Nasir, applicant, was received by the Planning, Development, Historical & Assets Committee meeting between 8.18pm and 8.47pm. **CARRIED** 15704

COUNCIL DIVISION:

Supported: Cr Bleasdale, Cr Griffiths, Cr Israel, Cr Singh, Cr Quilkey, Cr Gillies,
Cr Benjamin, Cr Camilleri, Cr JM Diaz, Cr Brillo and Cr Bunting.
Against: Cr Santos and Cr JG Diaz.
Absent: Cr Collins.

PD3.2

PD410041 - Planning Proposal for realignment of zoning and heritage boundary and rezoning at Clydesdale Estate, Marsden Park LEP-20-0003

MOTION (Cr Griffiths/Cr Israel)

1. Endorse the Planning Proposal at attachment 4 and forward it to NSW Department of Planning, Industry and Environment for a Gateway Determination.
2. Endorse an amendment to Figure 3.6 European cultural heritage of Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (amended October 2020) - Marsden Park Precinct Development Control Plan as at attachment 6. **CARRIED** unanimously. 15705

COUNCIL DIVISION:

Supported: Cr Bleasdale, Cr Griffiths, Cr Israel, Cr Singh, Cr Quilkey, Cr JG Diaz,
Cr Gillies, Cr Benjamin, Cr Camilleri, Cr JM Diaz, Cr Brillo, Cr Bunting and
Cr Santos.
Absent: Cr Collins.

PD3.3

PD410020 - Planning Proposal to amend former Clause 7.1 Flood Planning of Blacktown Local Environmental Plan 2015 F20/1086 and F20/980

MOTION (Cr Griffiths/Cr Israel)

1. Note the recent reforms of the NSW State Government, in particular its inclusion of a new Clause 5.21 Flood planning into all Local Environmental Plans across the State.
2. Note that the introduction of new the Clause 5.21 Flood planning means that the Planning Proposal to amend the former Clause 7.1 Flood planning no longer needs to proceed.
3. Advise the Department of Planning, Industry and the Environment of Council's Resolution not to proceed with its amendment to amend the former Clause 7.1 of the Blacktown Local Environmental Plan 2015. **CARRIED** 15706

COUNCIL DIVISION:

Supported: Cr Bleasdale, Cr Griffiths, Cr Israel, Cr Singh, Cr Quilkey, Cr JG Diaz, Cr Gillies, Cr Benjamin, Cr Camilleri, Cr JM Diaz, Cr Brillo, Cr Bunting and Cr Santos.
Absent: Cr Collins.

PD3.4

PD410034 - Planning Proposal for the Health and Education Precinct LEP-21-0001

MOTION (Cr Griffiths/Cr Israel)

1. Prepare a Planning Proposal to amend Blacktown Local Environmental Plan 2015 for the Blacktown Health and Education Precinct.
2. Forward the Planning Proposal to the Department of Planning, Industry and Environment to request a Gateway determination.
3. Prepare and exhibit an amendment in relation to parking controls within the Blacktown Development Control Plan 2015 for the Blacktown Health and Education Precinct and wider CBD.
4. A further report be presented to Council following public exhibition of the Planning Proposal and Development Control Plan amendment. **CARRIED** 15707

COUNCIL DIVISION:

Supported: Cr Bleasdale, Cr Griffiths, Cr Israel, Cr Singh, Cr Quilkey, Cr JG Diaz, Cr Gillies, Cr Benjamin, Cr Camilleri, Cr JM Diaz, Cr Brillo, Cr Bunting and Cr Santos.
Absent: Cr Collins.

FINANCE & RESOURCES COMMITTEE'S REPORT – ITEMS EXCEPTED

FR3.2

CS410161 - Background information on the naming of Blacktown's parks and reserves 16-14-1/11

MOTION (Cr Bunting/Cr Quilkey)

1. Council note the contents of this report.
2. Council progressively provide on our website the background of the parks and reserves names.
3. That Council consult with the local historical societies for information on the background of the parks and reserves names. **CARRIED** 15708

FR3.4

CS410191 - Christmas and New Year operating arrangements for 2021/22 138-39-2/5

MOTION (Cr Griffiths/Cr Singh)

1. That Council confirm the operational arrangements set out in attachment 1 with the exception that the nursery will open on 18 January 2022 not 11 January 2022 as indicated in attachment 1, and note the granting of Christmas leave in accordance with the Enterprise Agreement.
2. That the 3 Council grant days will occur on Wednesday 29, Thursday, 30 and Friday 31 December 2021.
3. Exceptions to the core leave provisions over the Christmas and New Year period be available only at the discretion of the relevant manager/supervisor.
4. Any staff member directed to remain on duty during the Council grant days be granted time in lieu.
5. Staff attending the various Christmas events, should they occur, be allowed to stand down as required, with the exception of those staff maintaining a minimum service who are directed by their manager/supervisor to remain on duty. Staff who remain on duty will be granted time in lieu.
6. That appropriate notifications concerning the availability of Council facilities/services be made in December 2021. **CARRIED** 15709

FR3.5

CS410187 - Neoblie house, Mount Druitt - proposed lease terms 308049/4

MOTION (Cr Bunting/Cr Griffiths)

1. Approve the key proposed lease terms outlined in paragraph 1 of the Key reasons section of this report.
2. Allocate \$50,000 (excluding GST) from the Historical Buildings Restoration Reserve, for the access road and parking, minor repairs to the Neoblie house (to make it fit for occupation) and any relevant approvals.
3. Approve the Chief Executive Officer or his delegate to complete all documents necessary to finalise the matter.
4. In line with section 55(3)(i) of the *Local Government Act 1993*, Council resolve not to invite tenders for the lease of Neoblie house due to the unavailability of competitive tenderers, as outlined in paragraph 1.c. of the Key reasons section of this report. **CARRIED** 15710

COMMUNITY SERVICES COMMITTEE'S REPORT – ITEMS EXCEPTED

CS3.1

CL410074 - Stormwater Education Strategy 2021/22 - 2024/25 F15/878

MOTION (Cr Benjamin/Cr Singh)

Endorse the Stormwater education strategy 2021/22 to 2024/25 (attachment 1). **CARRIED** 15711

QUESTIONS WITH NOTICE

AD410072 - Questions with Notice answered from Ordinary Meeting of 22 September 2021 F18/1542; R204-03; R325-03; 53-1-37/13

That the Questions with Notice arising from the Ordinary Meeting of 22 September 2021, were noted.

QUESTIONS FOR NEXT MEETING

F17/1755

Cr Benjamin:

I would like a report on the costing for having a footpath on either side of the road?

Nowadays, I see in Cumberland Council that the footpath is very wide in the new areas. The wide footpath is very attractive rather than having a small strip of grass which is very difficult to mow between the kerb and footpath. Having a wider footpath particularly in newer areas is a fantastic idea as it encourages people to walk and especially during the lockdown period there was an increase in people exercising. This would be very useful, especially for residents with scooters. I would like a report on this as well.

Director City Assets: In the newer areas the developers are required to fund the construction of path paving and it can be done by either two ways; a developer construction where they pay a bond or through development contributions. Typically, the paths for pedestrian access are between 1.2m and 1.5m wide and where a cycleway or bike path they are made to be about 2.5m wide with a rolled top kerb and the thickness of the pavement is usually about 125mm.

Mayor: Director City Assets in terms of the additional view footpaths on either side of roads in Blacktown I assume would cost many millions of dollars?

Director City Assets: Through you Mr Mayor, yes typically they are provided on one side but if we were to do two sides that would be a very expensive exercise and that is not part of our policy at the moment.

Cr Benjamin: I would like a report on this matter.

Mayor: We will come back with a report.

34-87-1/7

Cr Griffiths:

Please provide a report on street sweeping in the Blacktown LGA. This is to include a schedule and costs to purchase additional sweeping trucks to cover the growth of the City and this is because we are a greening City where we have multitude of trees being planted and the leaves fall down causing our streets to be littered with debris. We are only sweeping our roads once a year and we are receiving lots of complaints from residents especially in Lalor Park where the older trees have matured.

Mayor: A report will be prepared.

117-10-10/2

Cr Griffiths:

What is Council's policy for trees planted on Council's verge in new estates? The reason I am asking this is because it ties in with my previous question as we are receiving lots of complaints from residents as the trees used to only be 1m high and now they are 40m high and they are breaking our infrastructure in terms of drainage and pulling up residents' driveways and getting into their property and when our officers

go out there it is not our fault. We need to be a responsible Council and have a look at the size of the trees that we put in our verge. A lot of people would prefer a tree such as crepe myrtle then a 40-foot gum tree dismantling the road infrastructure, their property and Council is not liable.

Director City Assets: The information requested will be provided.

117-10-10/2

Cr Singh:

There are a lot of trees that have died on the streets throughout the suburbs. Could I have a report on the strategy to fill those gaps?

Mayor: A report will be prepared.

117-10-10/2

Cr Singh:

Previously we have had a report on toilets in the parks and I would like an update on this matter. Please provide a report on what will be the best strategy going forward.

Mayor: A report will be prepared.

URGENT BUSINESS

Provision of cricket nets for Jonas Bradley Reserve, The Ponds R815-05

Cr Singh sought to move the sum of \$8,500 to be voted from the Ward 1 060 contingency fund for the installation of back stop nets at the cricket pitch at Jonas Bradley Reserve, The Ponds.

This matter is urgent as the construction of the nets at the cricket pitch at the Jonas Bradley Reserve are about to commence and the addition of back stop nets is needed for community safety.

The Mayor **RULED THE MOTION** Urgent Business.

MOTION (Cr Singh/Cr Quilkey)

That the business proposed to be transacted at this meeting is urgent. **CARRIED**
15712

MOTION (Cr Singh/Cr Quilkey)

That the sum of \$8,500 be voted from the Ward 1 060 contingency fund for the installation of back stop nets at the cricket pitch at the Jonas Bradley Reserve.

CARRIED 15713

SUBMISSIONS & ADJOURNMENT INTO CLOSED COUNCIL (7.21pm)

ORD17.1 - AD410073 - Submissions by members of the public regarding confidential items for debate

The Mayor asked the Chief Executive Officer if he had any written representations from the members of the public seeking to remove the Confidentiality of the reports listed in the Committee of the Whole Agenda.

When advised in the negative by the Chief Executive Officer, the Mayor then addressed the Public Gallery and asked if there were any members of the public who wished to make submissions pursuant to Section 10A(4) of the Local Government Act, 1993, as amended, seeking the lifting of the Confidentiality tag of the reports listed in the Committee of the Whole Agenda.

MOTION (Cr Griffiths/Cr Israel)

1. That Council adjourn into closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to Section 10A(4) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A as set out in the Confidential reports.
3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11 of the Local Government Act 1993. **CARRIED** 15714

ORDER OF BUSINESS RESUMED (at 9.00pm)

COMMITTEE OF THE WHOLE INDEX

Exclusion of Press and Public

Confidential Recommendations from Reports from Officers

ORD5.1A

CS410193 - Confidential - C29/2021 - tender to lease telecommunication sites - Alwyn Lindfield Reserve, Jonas Bradley Reserve and Tallawong Oval F21/1667

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. In accordance with clause 178(1)(b) of the *Local Government (General) Regulation 2005*, decline to accept the only tender for the Lease of Telecommunication Sites - C29/2021 due to the submission being deemed as nonconforming.
2. In accordance with 178(3)(e) of the *Local Government (General) Regulation 2005*, enter into negotiations with the only tenderer, Optus Mobile Pty Ltd, for the lease of potential telecommunications facilities at Alwyn Lindfield Reserve, Glenwood, Jonas Bradley Reserve, The Ponds and Tallawong Oval, Blacktown.
3. Authorise the Chief Executive Office or his delegate to negotiate, finalise and execute a lease with Optus Mobile Pty Ltd, based on the key lease conditions approved in previous Council Reports CS400094, CS400105 and CS400143 and summarised under the Context section, paragraph 1 of this report.
4. Executive Corporate Counsel to write to the Office of Local Government advising of Council's decision.
5. In keeping with past Council practice that the funds from the lease be allocated to future projects in those particular Wards.

ORD5.2A

CS410200 - Confidential - Proposed acquisition of lot A in DP 403808, 26 Meroo Street, Blacktown AQ-1133

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Council proceed with the acquisition of lot A in DP 403808 to facilitate the future public recreation area, in accordance with paragraph 4 under the Key reasons section of this report.
2. That all documents necessary to finalise this matter be completed by the Chief Executive Officers or his delegate.
3. In accordance with Section 34 of the Local Government Act 1993, advertising be undertaken of the intention to classify the land as operational in accordance with Section 31 of the Local Government Act 1993. A future report will be presented to the Council if any submissions are received.

Confidential Recommendations from Policy & Strategy Committee

PS3.1A

CS410168 - Confidential - Proposed strategy for the sale of the Animal Holding Facility, Flushcombe Road, Blacktown 145-81-159

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Note the contents of this report.
2. Note that a further report will be presented to Council in early 2022 to establish a minimum disposal price.

PS3.2A

CS410183 - Confidential - COVID-19 preparing for the future F14/1053

Confidential Reason Section 10A(2)(a) – It is recommended that this matter be Confidential under Section 10A(2)(a) of the Local Government Act, 1993, as amended as it relates to personnel matters concerning particular individuals (other than councillors).

RECOMMENDATION

1. Adopt the following policies:
 - a. Medical exemption policy
 - b. Mandatory vaccination for recruitment policy.
2. Endorse the implementation of our 'future work arrangements' communications program.
3. Approve the COVID-19 vaccination requirements, subject to future industrial consideration and staff consultation.
4. Approve for correspondence to be provided to all consultant and contractor agencies seeking to understand their current position and approach in relation to the vaccination of their workers.
5. That the Medical exemption policy be reviewed in line with any changes to the Public Health Order.

Confidential Recommendations from Planning, Development, Historical & Assets Committee

PD3.1A

CA410022 - Confidential - Tender C8/2021 – minor concrete works & concrete path grinding F20/2388

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a

confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Award Contract C8/2021 Parts A and B for minor concrete works) to a panel of 7 contractors as listed below for a 3-year fixed term with 2 x 1-year extension options.
 - Ally Property Services Pty Ltd
 - Convil Group Pty Ltd
 - Georgievski Bros Pty Ltd
 - Jay & LeI Civil Contractors Pty Ltd
 - Mack Civil Pty Ltd
 - Planet Civil Pty Ltd
 - R Line Civil & Concreting Pty Ltd
2. Award Contract C8/2021 Part C for concrete path grinding to the Australian Grinding Company Pty Ltd for a 3-year fixed term with 2 x 1-year extension options.
3. Authorise Director City Assets to execute the contract as the Council's Authorised Officer.

Confidential Recommendations from Finance & Resources Committee

FR3.1A

CT410025 - Confidential - Transformational Projects Program - monthly update no.30 – as at 31 July 2021 F17/1394

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

Council note the attached Transformational Projects Program monthly update no.30 - as at 31 July 2021.

FR3.2A

CT410029 - Confidential - Transformational Projects Program - monthly update no.31 - as at 31 August 2021 F17/1394

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

Council note the attached Transformational Projects Program monthly update no.31 - as at 31 August 2021.

FR3.3A

CS410166 - Confidential - Proposed acquisition of draft lots 2 and 3 being part of lot 2400 in DP 1252017, Aerodrome Drive, Schofields F20/2423

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Council proceeds with the acquisition of draft lots 2 and 3 being part of lot 2400 in DP 1252017, Aerodrome Drive, Schofields for the purpose of future open space and drainage in accordance with paragraph 4 under Key reasons of the report.
2. That all documents necessary to finalise the matter be completed by the Chief Executive Officer or his delegate.

FR3.4A

CS410178 - Confidential - Proposed disposal of part lots 143 and 144, Section 14 in DP 1485, Denmark Road, Riverstone AQ-1131

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Council proceeds with the disposal of parts of lots 143 & 144 Section 14 in DP1485, Denmark Road, Riverstone for the purpose of road upgrade.
2. That all documents necessary to finalise the matter be completed by the Chief Executive Officer or his delegate.

FR3.5A

CS410177 - Confidential - Proposed acquisition of lot 7, Section 27, in DP 1459, William Street, Grantham Farm AQ-992

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Council proceeds with the acquisition of lot 7 Section 27 in DP 1459, William Street, Grantham Farm for the purpose of future open space and drainage in accordance with paragraph 4 under Key reasons of the report.
2. That all documents necessary to finalise the matter be completed by the Chief Executive Officer or his delegate.
3. In accordance with *Section 34 of the Local Government Act 1993*, advertising be undertaken of the intention to classify the land as 'operational' in accordance with *Section 31 of the Local Government Act 1993*. A further report will be presented to the Council, if any submission is received.

FR3.6A

CS410100 - Confidential - Proposed closure and disposal of unused section of Bungalow Road, Plumpton RD136-07

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Approve the sale part of the Bungalow Road reserve, in accordance with paragraph 3 of Key reasons.
2. The Chief Executive Officer, or his delegate, under Power of Attorney to execute all necessary documents, to complete this matter.
3. The net proceeds of the sale to be credited to the Land Projects Internally Restricted Reserve.

FR3.7A

CS410121 - Confidential - Tender C17/2021 - Provision of catering services F21/897

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. That the catering tender, C17/2021 be terminated due to the impact of the COVID-19 pandemic and that a new tender process be conducted in 2022.
2. That the current catering contract be extended up to 30 June 2022 to allow for the new tender process to be completed.

FR3.8A

CS410143 - Confidential - compulsory acquisition of properties required for road widening of Glengarrie Road, Marsden Park F20/1382 (AQ-1091), F20/1383 (AQ-1092), F20/1385 (AQ-1094), F20/1877 (AQ-1109)

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Council proceed with the acquisition of part Lot 2 DP 1264009, Lot 50 DP 1234732, Lot 4 DP 1202472 and Lot 45 DP 262886 to facilitate the construction of road widening of Glengarrie Road, in accordance with paragraph 4 under the key reasons section of this report.
2. That all documents necessary to finalise this matter be completed by the Chief Executive Officer or his delegate.

FR3.9A

CS410186 - Confidential - Proposed acquisition of part of lot 25 in DP 262886, 140 Hollinsworth Road, Marsden Park F18/2600

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section 10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. Council acquire part of lot 25 in DP 262886 to facilitate the construction of Local Drainage, in accordance with paragraph 4 under the Key reasons of this report.
2. That all documents necessary to finalise this matter be completed by the Chief Executive Officer or his delegate.
3. In accordance with Section 34 of the *Local Government Act 1993*, advertising be undertaken of the intention to classify the land as 'operational' in accordance with Section 31 of the *Local Government Act 1993*. A further report will be presented to the Council, if any submission is received.

Confidential Recommendations Confidential Community Services Committee

CS3.1A

CL410076 - Confidential - Proposed novation of the amended and restated alternative waste processing contract F13/932

Confidential Reason Section 10A(2)(c) – It is recommended that this matter be Confidential under Section 10A(2)(c) of the Local Government Act, 1993, as amended 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.

RECOMMENDATION

That this matter be deferred to the next meeting.

CS3.2A

CL410075 - Confidential - Tender C42/2020 Bulky waste and certain operational waste disposal and processing services F20/1527

Confidential Reason Section 10A(2)(c) – It is recommended that this matter be Confidential under Section 10A(2)(c) of the Local Government Act, 1993, as amended 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.

RECOMMENDATION

1. Award Contract C42/2020 Bulky waste disposal and processing to a panel consisting of Bingo Industries Limited, Blacktown Waste Services Pty Ltd and Suez Recycling and Recovery Pty Ltd (for street litter and operational waste only) for a period of 3 years with 2 x 1 year extensions subject to a satisfactory performance.
2. Authorise Chief Executive Officer or delegate to execute the contract.

CS3.3A

CT410030 - Confidential - Basketball in Blacktown City F18/1776

Confidential Reason Section 10A(2)(d) – It is recommended that this matter be Confidential under Section

10A(2)(d) of the Local Government Act, 1993, as amended as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RECOMMENDATION

1. A preferential booking system is introduced to ensure priority is given to all local and not for profit sport groups for court hire at Blacktown Leisure Centre Stanhope and Charlie Lowles Leisure Centre Emerton including the City of Blacktown Basketball Association.
2. The upgrade of the Charlie Lowles Leisure Centre Emerton court flooring and basketball rings and associated backboard system be listed in Council's 2022/2023 Draft Works Improvement Program for future funding consideration should Council's grant application be unsuccessful.
3. Basketball NSW has a vision to build a Basketball Centre of Excellence at May Cowpe Reserve, Rooty Hill (see Attachment 3). Should Council support the Basketball NSW vision, Basketball NSW will pursue funding from the State and Federal Government.
4. Continue to hire out the sportsfield at May Cowpe Reserve, Rooty Hill on a temporary basis only and not make it available as a long-term home for any future sportsfield user group. Short-term allocation will ensure the site can accommodate the ultimate outcome being expanded basketball opportunities for the local community should funding become available.
5. That Council officers continue to discuss with local community groups the feasibility of courts in neighbourhoods as required.
6. That Council write to the State Government to request the upgrade of the basketball court on its land on Rossvale Street, Seven Hills.

Public Submission re Confidential Items

The Mayor then addressed those present, noting that there are no members of the public present and said that he had been advised by the Chief Executive Officer that details of the decisions will be made to the public upon request in accordance with the resolutions made.

MOTION (Cr Griffiths/Cr Israel)

That the Committee of the Whole Agenda and Confidential Recommendations from Reports from Officers, Confidential Recommendations from Policy & Strategy Committee, Confidential Recommendations Planning, Development, Historical & Assets Committee, Confidential Recommendations from Finance & Resources Committee and Confidential Recommendations from Community Services Committee, be received and the decisions (Minute Nos. 8789 & 8790) be noted and the recommendations (Minute Nos. 8791 to 8799 inclusive) be adopted. **CARRIED** 15715

This concluded business and the meeting then closed at 9.01pm.

CONFIRMED on the 3rd day of November 2021.