



## **MEETING OF COUNCIL**

Held in the Council Chambers  
Canada Bay Civic Centre  
1a Marlborough Street, Drummoyne  
on Tuesday, 15 February 2022, commencing at 6.01pm.

## **MINUTES**

### **Present:**

Cr Tsirekas	Mayor
Cr Di Pasqua	Deputy Mayor
Cr Bazouni	Councillor
Cr Cordaro	Councillor
Cr Ferguson	Councillor
Cr Jago	Councillor
Cr Little	Councillor
Cr Megna	Councillor
Cr Ruggeri	Councillor

### **In attendance:**

Mr J Clark	General Manager
Ms M Cologna	Director Community and Environmental Planning
Ms K Loveridge	Director City Services and Assets
Mr E Hutchings	Director Corporate Services and Strategy
Ms M Lee	Manager Governance and Customer Services

# TABLE OF CONTENTS

## Council Meeting 15 February 2022

### General Manager's Reports

MM 1	Mayoral Minute – Creating Better Access to our Foreshores	4
MM 2	Mayoral Minute – Sustainable Cities Award and Clean Up Australia Day	5
Item 1	DA Determinations by The Local Planning Panel And Staff Under Delegation	5
Item 2	30 Noble Street, Rodd Point (Lot 5, DP20711) Release Of Covenant	5
Item 3	Planning Proposal – Local Character Areas PP2022/0001	6
Item 4	Study of Future Needs for Primary and Secondary School Places Within Canada Bay	7
Item 5	Draft City Of Canada Bay Submission To “A New Approach To Rezonings” Discussion Paper	7
Item 6	Infrastructure Contributions Reform	7
Item 7	Draft Canada Bay Local Infrastructure Contributions Plan	8
Item 8	2021 Mayor’s Golf Day	8
Item 9	Rhodes Community Committee Meeting Minutes – 28 October 2021	9
Item 10	Appointment of Membership to the Sydney Eastern City Planning Panel	9
Item 11	Urban Tree Canopy 6 Monthly Update	9
Item 12	City of Canada Bay Local Traffic Committee Minutes – 10 December 2021	10
Item 13	Progress Update on Concord Oval	10
Item 14	Delegations Review Following 2021 Local Government Elections	10
Item 15	Appointment Of Delegates To External Bodies, Organisations And Committees	11
Item 16	Cash and Investments Report For October, November, December 2021 And January 2022	12
Item 17	Second Quarterly Budget Review October To December 2021	12
Item 18	Redevelopment Of Concord Oval – Funding Arrangements	13

## **WELCOME TO COUNTRY**

The City of Canada Bay acknowledges the Wangal clan, one of the 29 tribes of the Eora nation and the traditional custodians of this land.

The City's Council pays respect to Elders past, present and emerging and extends this respect to all Aboriginal people living in or visiting the City of Canada Bay.

## **APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **DECLARATIONS OF PECUNIARY INTEREST**

Nil

## **DECLARATIONS OF NON-PECUNIARY INTEREST**

Item 12 – Cr Di Pasqua declared a less than significant, non-pecuniary interest for the reason that a professional colleague (State Member for Drummoyne) of hers sits on the Traffic Committee.

## **CONFIRMATION OF MINUTES**

Council Meeting – 11 January 2022

### **08/22 RESOLVED**

(Crs Megna/Di Pasqua)

THAT the minutes of the Council Meeting of 11 January 2022 be confirmed.

CARRIED

## **PROCEDURAL MOTION – AMENDMENT TO STANDING ORDERS**

### **09/22 RESOLVED**

(Crs Megna/Cordaro)

THAT Standing Orders be amended to bring forward Public Forum prior to consideration of the Item MM1 – Mayoral Minute Creating Better Access to Our Foreshores to permit a speaker to address Council on that Item prior to determination by Council.

CARRIED

## **PUBLIC FORUM**

The following person addressed Council:

1. Mr Andrew Honan – representing Canada Bay Bicycle User Group (MM1)

## **PROCEDURAL MOTION – RESUMPTION OF STANDING ORDERS**

### **10/22 RESOLVED**

(Crs Megna/Cordaro)

THAT Standing Orders be resumed.

CARRIED

## **MM 1 MAYORAL MINUTE – CREATING BETTER ACCESS TO OUR FORESHORES**

### **11/22 RESOLVED**

(Cr Tsirekas)

1. THAT Council write to the Member for Reid, Fiona Martin and the Member for Drummoynes John Sidoti, seeking a meeting to discuss opportunities for Federal and State Government support to fund increased connectivity and access to our public foreshore.
2. THAT Council note that the construction of the new regional cycleway will also incorporate a new pedestrian footpath along Lyons Road from the Cintra Park Canal in Concord through to Friend Avenue in Five Dock.

CARRIED

**MM 2 MAYORAL MINUTE – SUSTAINABLE CITIES AWARD AND CLEAN UP AUSTRALIA DAY**

**12/22 RESOLVED**

(Cr Tsirekas)

THAT Council receive and note the Mayoral Minute on the Sustainable Cities Award and Clean Up Australia Day.

CARRIED

**ITEM 1 DA DETERMINATIONS BY THE LOCAL PLANNING PANEL AND STAFF UNDER DELEGATION**

**13/22 RESOLVED**

(Crs Cordaro/Megna)

THAT Council receive and note the information contained in the report on DA determinations by the Local Planning Panel and Staff under delegation (for the period 5 October 2021 to 3 January 2022.)

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Little, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED

**ITEM 2 30 NOBLE STREET, RODD POINT (LOT 5, DP20711) RELEASE OF COVENANT**

**14/22 RESOLVED**

(Crs Megna/Cordaro)

1. THAT the owners of Lot 5, DP 20711 be advised that Council agrees to lifting the single storey covenant subject to their preparing all necessary documentation, and bearing all legal costs involved in having the covenant released.
2. THAT contact be made with the owners of Lots 1, 2, 3, 4 and 6 in DP 20711, advising that it is Council's intention to remove the single storey covenant from their property upon their request, subject to their preparing all necessary documentation, and bearing all legal costs involved in having the covenant released.

3. THAT Council grant delegation to the General Manager to process any requests to extinguish the covenant from the other allotments in this deposited plan (DP20711).

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Little, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED

### **ITEM 3 PLANNING PROPOSAL – LOCAL CHARACTER AREAS PP2022/0001**

#### **15/22 RESOLVED**

(Crs Little/Jago)

1. THAT Council note the advice of the Local Planning Panel on 27 January 2022.
2. THAT the Planning Proposal – Local Character Areas (PP2022/0001), attached to the report, be endorsed for submission to the Department of Planning, Industry and Environment for a Gateway Determination, replacing the Planning Proposal previously endorsed by Council on 20 October 2020.
3. THAT delegation be requested from the Department of Planning, Industry and Environment to manage the plan making process.
4. THAT authority be delegated to the General Manager to make any minor modifications to the Planning Proposal following receipt of a Gateway Determination.
5. THAT should the Planning Proposal proceed to public exhibition, following the consideration of any submissions received, the Planning Proposal be reported to Council for determination.

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Little, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED

**ITEM 4 STUDY OF FUTURE NEEDS FOR PRIMARY AND SECONDARY SCHOOL PLACES WITHIN CANADA BAY**

**16/22 RESOLVED**

(Crs Di Pasqua/Jago)

1. THAT Council not proceed with a Study of future needs for primary and secondary school places in the City of Canada Bay at this time.
2. THAT Council note Council's final submission to the Parliamentary Inquiry into School Infrastructure in Canada Bay LGA attached to the report.
3. THAT the General Manager request School Infrastructure NSW to provide a briefing for Councillors on the analysis of the future need for additional places in the City of Canada Bay and nearby areas, and plans for addressing the need.

CARRIED

**ITEM 5 DRAFT CITY OF CANADA BAY SUBMISSION TO "A NEW APPROACH TO REZONINGS" DISCUSSION PAPER**

**17/22 RESOLVED**

(Crs Jago/Cordaro)

THAT Council endorse the draft submission in response to the NSW Department of Planning, Industry and Environment's discussion paper *A new approach to rezonings*, attached to the report, and forward it to the NSW Department of Planning, Industry and Environment.

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Little, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED

**ITEM 6 INFRASTRUCTURE CONTRIBUTIONS REFORM**

**18/22 RESOLVED**

(Crs Jago/Cordaro)

THAT Council endorses the submissions to the NSW Department of Planning, Industry and Environment and the Independent Planning and Assessment Regulatory Tribunal responding to the Infrastructure Contribution Reform, attached to the report.

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Little, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED

**ITEM 7 DRAFT CANADA BAY LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN**

**19/22 RESOLVED**

(Crs Megna/Di Pasqua)

1. THAT Council adopts the exhibited *draft Canada Bay Local Infrastructure Contributions Plan*, attached to this report.
2. THAT authority be delegated to the General Manager to make minor amendments to the *draft Canada Bay Local Infrastructure Contributions Plan* prior to publication.
3. THAT submitters to the *draft Canada Bay Local Infrastructure Contributions Plan* be notified of Council's decision.

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Little, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED

**ITEM 8 2021 MAYOR'S GOLF DAY**

**20/22 RESOLVED**

(Crs Tsirekas/Megna)

THAT Council endorses the rescheduling of the Mayor's Golf Day to Friday 1 April 2022, and the *Foundation for a Bloody Great Cause* as the recipient of the funds raised at this event.

CARRIED



**ITEM 9 RHODES COMMUNITY COMMITTEE MEETING MINUTES –  
28 OCTOBER 2021**

**21/22 RESOLVED**

(Crs Ferguson/Ruggeri)

THAT the minutes of the Rhodes Community Committee meeting of Thursday 28 October 2021 be received and noted.

CARRIED

**ITEM 10 APPOINTMENT OF MEMBERSHIP TO THE SYDNEY  
EASTERN CITY PLANNING PANEL**

**22/22 RESOLVED**

(Crs Tsirekas/Ruggeri)

1. THAT Council notes the contents of the report on the appointment of membership to the Sydney Eastern City Planning Panel, and the attached revised Operational Procedures.
2. THAT Council nominates Councillors Cordaro and Bazouni to sit on the Sydney Eastern City Planning Panel for a period of three (3) years. Noting that at least one of the two Council nominees are required to have expertise in *planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.*
3. THAT Council reappoint the two alternate members Mr Kevin Hoffman and Mr John Brockhoff as alternate members of the Sydney Eastern City Planning Panel for a period aligning with the appointment of Councillors to the Panel.
4. THAT Council notify the Panels' Secretariat of its decision, including which Councillor nominee has expertise in one of the specified areas.

CARRIED

**ITEM 11 URBAN TREE CANOPY 6 MONTHLY UPDATE**

**23/22 RESOLVED**

(Crs Little/Jago)

THAT Council receive and note the information contained in the Urban Tree Canopy Strategy 6 Monthly Update report.

CARRIED

**ITEM 12 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE  
MINUTES – 10 DECEMBER 2021**

Cr Di Pasqua declared a less than significant, non-pecuniary interest in this Item.

**24/22 RESOLVED**

(Crs Megna/Jago)

That the minutes and recommendations of the City of Canada Bay Local Traffic Committee meeting held on 10 December 2021 be adopted.

CARRIED

**ITEM 13 PROGRESS UPDATE ON CONCORD OVAL**

**25/22 RESOLVED**

(Crs Megna/Jago)

THAT Council receive and note the report and attached Heritage Interpretation Strategy and Project Update November 2021 to Present by Urbis.

CARRIED

**ITEM 14 DELEGATIONS REVIEW FOLLOWING 2021 LOCAL  
GOVERNMENT ELECTIONS**

**26/22 RESOLVED**

(Crs Di Pasqua/Cordaro)

1. THAT subject to the Local Government Act: to the direction and control of the Mayor and Council, and any resolution made from time to time by the Council, John Clark, General Manager, be hereby authorised to exercise the following powers, authorities, duties and functions, namely:
  - (a) To carry on the regular services and operations of the Council within the sums voted by the Council or expenditure thereon, and in accordance with the resolutions of the Council.
  - (b) To control and direct the servants of the Council.
  - (c) To terminate any servant of the Council other than Senior Staff and appoint some person to carry on the work until the next meeting of the Council. In the case of Senior Staff, to consult with Council prior to the suspension of such servant.
  - (d) To authorise the payment of the salaries and wages of the servants of the Council within the sums voted by the Council for expenditure thereon.
  - (e) To give effect to the provisions made by or under the Act and any other Act conferring powers or imposing duties on the Council, and to any

resolution, minute report, or policy which has been passed or adopted by the Council.

- (f) To take such actions and do such acts or things (not inconsistent with the Act or any Act conferring powers or imposing duties on the Council or with any resolution, minute, report, or policy which has been passed or adopted by the Council) as the General Manager deems necessary to generally manage, control and administer the affairs of the Council.
- (g) To approve tenders other than tenders to provide services currently provided by members of staff.

2. THAT the authorities conferred by this resolution be unlimited as to the period during which they may be exercised.
3. THAT, in the absence from duty of the General Manager (which absence shall be notified in writing to the Mayor, all members of the Council and Senior Staff) the powers, authorities, duties and functions herein authorised to be exercised by the General Manager will be exercised by the Council officer nominated by the General Manager and approved by the Mayor from time to time.

CARRIED

## **ITEM 15 APPOINTMENT OF DELEGATES TO EXTERNAL BODIES, ORGANISATIONS AND COMMITTEES**

### **27/22 RESOLVED**

(Crs Di Pasqua/Ruggeri)

1. THAT Council appoint delegates from the City of Canada Bay to the Council committees, and external bodies and organisations listed in the table below for the new Council term.
2. THAT Council note that amended Charters for the Rhodes Community Committee, the City of Canada Bay Access Committee, and the Community Associations Committee, including Councillor representation on those committees, will be the subject of separate reports at a future Council meeting.
3. THAT Council note that the Sydney Regional Planning Panel, including membership, is the subject of a separate report to this Council meeting.
4. THAT the Concord Senior Citizens Committee be formally dissolved.

<b>COUNCIL COMMITTEES</b>	<b>COUNCILLOR DELEGATES</b>
Audit, Risk Improvement Committee	Cr Bazouni, Cr Megna
City of Canada Bay Environmental Advisory Committee	Cr Jago, Cr Cordaro
City of Canada Bay Playgrounds Advisory Committee	Cr Ruggeri, Cr Di Pasqua
City of Canada Bay Traffic Committee	Cr Megna, Cr Cordaro
Drummoyne Community Centre Committee	Cr Little, Cr Ruggeri
Drummoyne Oval Stakeholder Committee	Cr Tsirekas, Cr Di Pasqua
General Manager's Performance Review Panel	Cr Tsirekas, Cr Di Pasqua, Cr Megna
Kokoda Track Memorial Board	Cr Tsirekas
NSW Public Libraries Association	Cr Jago
Parramatta River Catchment Group	Cr Tsirekas, Cr Jago
Southern Sydney Regional Organisation of Councils (SSROC)	Cr Tsirekas, Cr Megna, Alternates - Cr Di Pasqua and Cr Jago

CARRIED

**ITEM 16 CASH AND INVESTMENTS REPORT FOR OCTOBER, NOVEMBER, DECEMBER 2021 AND JANUARY 2022**

**28/22 RESOLVED**

(Crs Megna/Jago)

THAT the Cash and Investments Reports for October, November, December 2021 and January 2022, including the Certification by the Responsible Accounting Officer, be received and noted.

CARRIED

**ITEM 17 SECOND QUARTERLY BUDGET REVIEW OCTOBER TO DECEMBER 2021**

**29/22 RESOLVED**

(Crs Megna/Bazouni)

THAT the Second Quarter Review Budget for 2021/22, including the variations as identified in the report and attachments be adopted.

CARRIED

**PROCEDURAL MOTION – MOVE INTO CLOSED SESSION**

**30/22 RESOLVED**

(Crs Little/Di Pasqua)

THAT the Council consider the balance of this Agenda in Closed Session with the public and press excluded in accordance with Section 10A(2) Of the Local Government Act 1993.

CARRIED

At 7.21pm the meeting went into Closed Session.

**ITEM 18 REDEVELOPMENT OF CONCORD OVAL – FUNDING ARRANGEMENTS**

**31/22 RESOLVED**

(Crs Little/ Jago)

1. THAT Council notes the budget details contained in the report.
2. THAT a further report be prepared and submitted to Council.

CARRIED

**PROCEDURAL MOTION – MOVE BACK INTO OPEN SESSION**

**32/22 RESOLVED**

(Crs Little/Di Pasqua)

THAT the Council revert back to Open Session

CARRIED

At 7.53pm the Closed Session of Council returned to Open Session.

*In accordance with clause 14.21 and 14.22 of the Council's Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.*

THE MEETING CLOSED AT 7.54pm.

CHAIRPERSON

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Page 1 of the Minutes of the Council Meeting of City of Canada Bay Council held on 15 February 2022.

*Angela Walker* Mayor

General Manager *John All*