



MEETING OF COUNCIL

Held in the Council Chambers
Canada Bay Civic Centre
1a Marlborough Street, Drummoyne
on Tuesday, 19 April 2022, commencing at 6.01pm

MINUTES

Present:

| | |
|--------------|--------------|
| 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:

| | |
|----------------|---|
| Ms K Loveridge | Acting General Manager |
| Ms M Cologna | Director Community and Environmental Planning |
| Mr E Hutchings | Director Corporate Services and Strategy |
| Ms M Lee | Manager Governance and Customer Services |

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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 and present and extends this respect to all Aboriginal people living in or visiting the City of Canada Bay.

APOLOGIES AND LEAVE OF ABSENCE

Note: Apologies were received from the General Manager, John Clark.

Note: A request for leave of absence was received from Councillor Angelo Tsirekas for the period COB 14 April 2022 through to and including 27 May 2022.

071/22 RESOLVED

(Crs Megna/Cordaro)

That leave of absence be granted to Councillor Angelo Tsirekas for the period Close of Business 14 April 2022 through to and including 27 May 2022.

CARRIED

DECLARATIONS OF PECUNIARY INTEREST

Nil

DECLARATIONS OF NON-PECUNIARY INTEREST

Item 2 - Planning Proposal for – 176-184 George Street, Concord West (PP2018/0001)

Cr Ferguson declared a less than significant, non -pecuniary interest for the reason that he knows the applicant.

Item 5 - City of Canada Bay Local Traffic Committee Minutes – 31 March 2022

Cr Ruggeri declared a significant, non-pecuniary interest in Item 2 (Barnstaple Road) for the reason that her parents live on Park Road.

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.

Item 9 – Wire Mill Park Dog Off-Leash Update

Cr Ruggeri declared a significant, non-pecuniary interest for the reason that she has a close friendship with people that live nearby.

CONFIRMATION OF MINUTES

Council Meeting – 15 March 2022

072/22 RESOLVED
(Crs Ferguson/Megna)

THAT the minutes of the Council Meeting of 15 March 2022 be confirmed.

CARRIED

Extraordinary Council Meeting – 5 April 2022

073/22 RESOLVED
(Crs Little/Ruggeri)

THAT the minutes of the Council Meeting of 15 March 2022 be confirmed.

CARRIED

PROCEDURAL MOTION – AMENDMENT OF STANDING ORDERS

074/22 RESOLVED
(Crs Little/Megna)

That Standing Orders be varied at Items 2,5, 7 and 9 to permit speakers to address Council on the Item prior to determination by Council.

CARRIED

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

075/22 RESOLVED

(Crs Little/Cordaro)

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 1 March 2022 and 31 March 2022).

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

(AGAINST: Nil)

CARRIED

ITEM 2 PLANNING PROPOSAL FOR – 176-184 GEORGE STREET, CONCORD WEST (PP2018/0001)

Note: Cr Ferguson declared a less than significant, non-pecuniary interest in relation to this Item.

Note: The following person addressed Council in relation to this Item:

- *Helen Deegan*

076/22 RESOLVED

Cr Cordaro/ Cr Ruggeri

1. THAT Council resolve not to withdraw the landowner-initiated planning proposal for 176-184 George Street, Concord West (PP2018/0001).
2. THAT Council request the Department of Planning and Environment to issue a Gateway Determination for the planning proposal for 176-184 George Street, Concord West (PP2018/0001).

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

(AGAINST: Nil)

CARRIED

ITEM 3 RHODES COMMUNITY COMMITTEE – REVISED CHARTER

MOTION

(Crs Little/Ferguson)

1. THAT the draft Rhodes Community Committee Charter 2022 attached to the report (Attachment 1) be adopted.
2. THAT, Council determine Councillor membership (being two councillors, one of which is the Mayor or Councillor nominee) of the Rhodes Community Committee of Council for the new Council term.
3. THAT expressions of interest for membership of the Committee be sought from community members.
4. THAT Councillor nominations for membership of the Committee be received and endorsed at the May 2022 Council Meeting.

Note: Cr Jago moved the following addendum to the Motion which was accepted by the mover.

5. THAT in the terms of reference under membership, the words ‘*up to 4 observers be invited*’, be amended to read ‘*the chair can invite observers*’.
6. THAT for consistency, the wording in relation to the Media contained in the Access and Inclusion Committee Charter be incorporated into the Rhodes Community Committee Charter.

077/22 RESOLVED

(Crs Little/Ferguson)

1. THAT the draft Rhodes Community Committee Charter 2022 attached to the report (Attachment 1) be adopted.
2. THAT Council determine Councillor membership (being two councillors, one of which is the Mayor or Councillor nominee) of the Rhodes Community Committee of Council for the new Council term.
3. THAT expressions of interest for membership of the Committee be sought from community members.
4. THAT Councillor nominations for membership of the Committee be received and endorsed at the May 2022 Council Meeting.
5. THAT in the terms of reference under membership, the words ‘*up to 4 observers be invited*’, be amended to read ‘*the chair can invite observers*’.

6. THAT for consistency, the wording in relation to the Media contained in the Access and Inclusion Committee Charter be incorporated into the Rhodes Community Committee Charter.

CARRIED

ITEM 4 CITY OF CANADA BAY ACCESS AND INCLUSION COMMITTEE REVISED CHARTER

078/22 RESOLVED

(Crs Little/Cordaro)

1. THAT the draft revised Access and Inclusion Committee Charter attached to the report be adopted.
2. THAT Council determine Councillor membership of the Access and Inclusion Committee.
3. THAT expressions of interest for membership of the Committee be sought from community members.
4. THAT Councillor nominations for Membership of the Committee be received and endorsed at the May 2022 Council Meeting.

CARRIED

ITEM 5 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES – 31 MARCH 2022

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

Note: The following person addressed Council in relation to this Item:

- *David Martin*

078/22 RESOLVED

(Crs Little/Megna)

THAT Item 2 – Barnstaple Road, Five Dock – Angled Parking Expansion and Configuration within the City of Canada Bay Local Traffic Committee Minutes – 31 March 2022 be dealt with separately to allow Mr Martin to speak and Cr Ruggeri to participate in discussion and voting on Items 1 and 3-9 within the Minutes.

CARRIED

Note: At 6.23pm, Cr Ruggeri having declared a significant, non-pecuniary interest in relating to Barnstaple Road (Item 2 within the Minutes) of this Item, left the Chambers.

079/22 RESOLVED

(Crs Megna/Little)

1. THAT the Traffic Committee be requested to reconsider Item 2 - Barnstaple Road, Five Dock – Angled Parking Expansion and Configuration within the City of Canada Bay Local Traffic Committee meeting minutes of 31 March 2022 following:
 - i. public consultation
 - ii. a Councillor workshop with relevant technical staff in attendance for discussion prior to the matter being resubmitted to the Traffic Committee.
2. THAT following the completion of the items in part (1) above, a further report be prepared for submission to the Canada Bay Local Traffic Committee.

CARRIED

Note: At 6.47pm, Cr Ruggeri returned to the meeting.

080/22 RESOLVED

(Crs Megna/Ferguson)

THAT the minutes and recommendations with the exception of Item 2 of the City of Canada Bay Local Traffic Committee meeting of 31 March 2022, attached to the report, be adopted.

CARRIED

ITEM 6 HARRY'S SHED COMMITTEE

081/22 RESOLVED

(Crs Megna/Cordaro)

1. THAT Council no longer provides Councillor representation on the Harry's Shed Committee.
2. THAT the Harry's Shed Committee submit an annual report to Council summarising the activities and outcomes of the organisation.

CARRIED

ITEM 7 HENLEY PARK OFF-LEASH AREA REVIEW 2022

Note: The following people addressed Council in relation to this Item:

- *Ekaterina (Kate) Crosby*
- *Peter Crosby*
- *Greg Bergin*
- *Robert Price*

082/22 RESOLVED

(Cr Megna/ Cr Jago)

1. THAT Council defer a decision on further fencing options for Henley Park, for a period of up to 12 months, pending the outcome of the program of education and enforcement of responsible dog ownership across the Canada Bay LGA.
2. THAT tree planting and low level barrier planting be completed around the corner of Pitt Street and Flavelle Street up to a maximum of 25 metres along Pitt Street.
3. THAT a report be prepared and submitted to Council on the fence options for Henley Park, following the program of education and enforcement of responsible dog ownership across the Canada Bay LGA.
4. THAT Council consider the development of a masterplan for Henley Park.

CARRIED

ITEM 8 MILL PARK HEALTH AND FITNESS SPACE – COMMUNITY ENGAGEMENT UPDATE

083/22 RESOLVED

(Crs Little/Megna)

THAT due to significant community opposition and feedback to the proposed Mill Park health and fitness space project, the project be removed from the FY21/22 capital works program, with Council staff to explore alternative nearby locations for a multi-purpose court.

CARRIED

ITEM 9 WIRE MILL PARK DOG OFF-LEASH UPDATE

Note: At 7.23pm, Cr Ruggeri having declared a significant, non-pecuniary interest on this Item, left the Chambers.

Note: The following people addressed Council in relation to this Item:

- *Ellen Morgan-Thomas*
- *Helen Waddell*
- *Hilary Lloyd*
- *Philip Jackson*
- *Simon Fontana*
- *David Gow*

084/22 RESOLVED

Cr Megna/ Cr Cordaro

1. THAT the Wire Mill Park off-leash dog park operating hours be set as follows:
7.00 - 9.00am everyday
5.00 - 7.00pm everyday
2. THAT Council allocate \$63,700 from within the FY21/22 Open Space Planning operational budget to fund the delivery of off-leash dog improvements in Wire Mill Park.
3. THAT a report be prepared and submitted for review by Council after twelve months, providing an update on the functioning of the time restricted off-leash dog operations within Wire Mill Park.

CARRIED

Note: Cr Ruggeri returned to the chamber at 8.13pm

ITEM 10 DRAFT POWELLS CREEK FLOOD STUDY

085/22 RESOLVED

(Crs Ruggeri/Jago)

1. THAT the draft Powells Creek Flood Study attached within the report be placed on public exhibition for 28 days.
2. THAT following the public exhibition period a further report, including details of any submissions, be prepared and submitted to Council.

CARRIED

ITEM 11 PROGRESS UPDATE ON THE LIVING ROOM PROJECT

086/22 RESOLVED

(Crs Cordaro/Ruggeri)

1. THAT Council allocate \$100,000 from savings within the FY21/22 Buildings Renewal capital budget to fund the delivery of detailed design and documentation for the Living Room project development.
2. THAT the detailed design for the Living Room project is brought back to Council for further consideration, prior to lodgement of a development application.

CARRIED

ITEM 12 CASH AND INVESTMENTS REPORT FOR MARCH 2022

087/22 RESOLVED

(Crs Jago/Bazouni)

THAT the Cash and Investments Report for March 2022 be received and noted.

CARRIED

ITEM 13 INVESTMENT POLICY UPDATE

087/22 RESOLVED

(Crs Megna/Jago)

1. THAT Council's Investment Policy be updated to reflect the investment framework outlined in the report.
2. THAT the updated Investment Policy be exhibited for 28 days with a further report, including the outcomes of submissions from the public exhibition, being submitted to the Council meeting of 17 May 2022.

CARRIED

ITEM 14 REDEVELOPMENT OF CONCORD OVAL – LOAN BORROWING

088/22 RESOLVED

(Crs Cordaro/Jago)

1. THAT Council accept the loan for \$15 million from TCorp to fund Council's contribution towards the redevelopment of Concord Oval and indicative interest rates from TCorp detailed in the report with the borrowings to be drawn down before 30 June 2022.
2. THAT Council delegate to the General Manager the authority to accept a revised interest rate from TCorp for the borrowings up to a maximum difference of 0.5%.

CARRIED

ITEM 15 DRAFT COMMUNITY STRATEGIC PLAN – OUR FUTURE 2036

089/22 RESOLVED

(Crs Jago/Ferguson)

1. THAT the draft Community Strategic Plan titled 'Our Future 2036' attached to the report be placed on public exhibition for a period of 28 days in accordance with the requirements in the Local Government Act 1993.
2. THAT the period of exhibition be from 22 April to 20 May 2022.
3. THAT following the public exhibition period a further report, including details of any submissions, be prepared and submitted to Council

CARRIED

ITEM 16 DELIVERY PROGRAM 2022 – 26 AND OPERATIONAL PLAN, BUDGET AND FEES AND CHARGES 2022-23

090/22 RESOLVED

(Crs Jago/Little)

1. THAT the draft Delivery Program 2022-26, (including the Resourcing Strategy documents) and draft Operational Plan 2022-23, including the draft 2022–2023 Budget and draft Statement of Revenue Policy, incorporating the draft Schedule of Fees and Charges, attached to the report be placed on public exhibition for a period of 28 days in accordance with the requirements in the Local Government Act 1993.

2. THAT the period of exhibition be from 22 April - 20 May 2022.
3. THAT a further report be prepared and submitted to Council following the exhibition period.
4. THAT pursuant to S508(2) of the Local Government Act 1993 Council applies for the Additional Special Variation of the maximum allowed of 2.5% with the additional income received, should approval be granted, amounting to \$556,000 for 2022-23 being retained as a permanent adjustment to Council's permissible rating income base into the future.
5. THAT Council note the financial need for the Additional Special Variation income adjustment resulting from the following budgetary pressures:
 - an increasing burden as a result of cost shifting from other levels of government
 - continuing impacts of Covid on revenue and expenditure
 - additional costs of construction, operating and maintaining new assets because of growth and development
 - increasing costs to procure goods and services being consistently higher than rate pegging increases as determined by IPART
 - downward pressure on investment income
 - lower than expected rates growth
6. THAT it be noted that Council has considered the impact of the proposed 2.5% Additional Special Variation rate increase on ratepayers and the community for 2022-23 and for future years as detailed in the report, and considers that the Additional Special Variation, if approved, is reasonable.

CARRIED

**ITEM 17 NOTICE OF MOTION – CR FERGUSON – COUNCIL
SUPPORT FOR ELECTRIC VEHICLES AND EV CHARGING
INFRASTRUCTURE**

091/22 RESOLVED

(Crs Ferguson/Jago)

1. THAT Council supports the development of an Electronic Vehicle Strategy with priority to be given to support for the establishment of both public and private charging facilities.

2. THAT the Strategy include examination of options for facilities to be installed in Council parking lots and encouraging the installation of facilities in all large new commercial and residential developments in our Council area.

CARRIED

ITEM 18 NOTICE OF MOTION – COUNCILLOR FERGUSON – TREE CANOPY IN MORTLAKE AND BREAKFAST POINT AND TENNYSON ROAD STREETScape UPGRADE

092/22 RESOLVED

(Crs Ferguson/Little)

1. THAT a specific action plan to upgrade Tennyson Road Mortlake be developed and submitted to Council for consideration, with the action plan to include options to:
 - a. Increase the tree canopy
 - b. Improve landscaping
 - c. Provide a second pedestrian crossing (subject to the endorsement of the current Mortlake traffic study).
2. THAT a report on opportunities to install an EV charging facility in Mortlake be prepared and submitted to Council for consideration.
3. THAT Council’s recent decision to engage with the Breakfast Point Community Association to discuss options to increase tree canopy in Breakfast Point is welcomed.

CARRIED

PROCEDURAL MOTION – MOVE INTO CLOSED SESSION

093/22 RESOLVED

(Crs Little/Jago)

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

Note: AT 8.49pm the meeting went into Closed Session.

**ITEM 19 PROGRESS UPDATE ON CHARLES HEATH RESERVE
COMMUNITY AND PLAY SPACE PROJECT**

094/22 RESOLVED

(Crs Megna/Jago)

1. THAT Council proceed with the delivery of the Charles Heath Reserve Community and Play Space Project as detailed in the report.
2. THAT Council approve the funding allocation as contained in the body of the report.

CARRIED

**ITEM 20 REDEVELOPMENT OF CONCORD OVAL CONCORD OVAL
– FUNDING ARRANGEMENTS**

095/22 RESOLVED

(Crs Jago/Bazouni)

1. THAT Council note the revised project budget of \$84,575,000 for the redevelopment of Concord Oval.
2. THAT Council approve the funding allocation as contained in the body of the report.

CARRIED

PROCEDURAL MOTION – MOVE BACK INTO OPEN SESSION

096/22 RECOMMENDATION

(Crs Little/Jago)

THAT the Council revert back to Open Session.

CARRIED

Note: At 8.51pm the Council in Closed Session returned to Open Session.

In accordance with clause 14.21 and 14.22 of the Council's Code of Meeting Practice, following consideration of Item 20, chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.

THE MEETING CLOSED AT 8.53PM.

CHAIRPERSON

Deputy Mayor

General Manager