

ORDINARY COUNCIL MEETING

MINUTES

Held in the Council Chambers, City of Canada Bay Civic Centre, Drummoyne

Tuesday, 16 May 2023

Minutes of an Ordinary Council Meeting

Held on Tuesday 16 May 2023

At the Council Chambers, City of Canada Bay Civic Centre, Drummoyne

Commencing at 6.01pm

Present:

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

Officers in attendance:

Mr J Clark	General Manager
Ms M Cologna	Director Environment and Planning
Mr E Hutchings	Director Corporate Services and Strategy
Ms M Lee	Manager Governance and Customer Services
Mr G Schuettrumpf	Director City Assets
Mr R Wolfe	Director Community, Culture and Leisure

NOTES

The meeting commenced at 6.01pm, moved into Closed Session at 8.44pm, resumed in Open Session at 8.46pm and concluded at 8.48pm.

CONTENTS

1	Acknowledgement of Country	5
2	Apologies and Applications for Leave of Absence by Councillors	5
3	Confirmation of Minutes	5
4	Disclosures of Interests	5
5	Mayoral Minute(s)	7
	Item 5.1 Mayoral Minute - Canada Bay Men's Shed 10th Anniversary	7
	Item 5.2 Mayoral Minute - Emergency Services Levy	7
	Item 5.3 Mayoral Minute - Trove	8
6	Public Forum	8
7	Items Resolved by Exception	9
8	Executive Services Directorate Reports	9
9	Environment and Planning Directorate Reports	9
	Item 9.1 DA Determinations by the Local Planning Panel and Staff Under Delegation	9
	Item 9.2 Draft Planning Agreement Policy and Procedures Manual - Post-Exhibition	10
	Item 9.3 City of Canada Bay draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on Submissions	10
	Item 9.4 Planning Proposal (PP2022/0003) - Recreation Facilities (Indoor) in R1 General Residential Zone - Additional Permitted Use	13
	Item 9.5 City of Canada Bay Environment Advisory Committee Minutes - 27 April 2023	13
10	City Assets Directorate Reports	13
	Item 10.1 City of Canada Bay Local Traffic Committee Minutes - 27 April 2023	13
	Item 10.2 Urban Tree Canopy Strategy Six Monthly Update - July to December 2022	14
	Item 10.3 Response to Council Resolution Regarding Tree Canopy Matters	14
	Item 10.4 City of Canada Bay Playground Advisory Committee - Minutes of Meeting held 10 November 2022	14
11	Community Culture and Leisure Directorate Reports	15
	Item 11.1 City of Canada Bay Culture Plan and Associated Policies	15
	Item 11.2 City of Canada Bay Access and Inclusion Committee Meeting Minutes - 20 April 2023	15
12	Corporate Services and Strategy Directorate Reports	15
	Item 12.1 Gas Easement - 64 Victoria Avenue, Concord West	15
	Item 12.2 National General Assembly of Local Government 2023	16
	Item 12.3 Council Related Development Applications Conflict of Interest Policy	16
	Item 12.4 Third Quarter Budget Review - January to March 2023	16
	Item 12.5 Cash and Investments Report for April 2023	17
	Item 12.6 Local Government Remuneration Tribunal Determination 2023/24	17

13	Notices of Motion	17
	Item 13.1 Notice of Motion - Councillor Little - Step Up for Cancer Survivorship.....	17
	Item 13.2 Notice of Motion - Councillor Ferguson - Abandoned Shopping Trolleys Across Our LGA	18
	Item 13.3 Notice of Motion - Councillor Ruggeri - Boat and Trailer Parking - Campbell Park.....	18
14	Notices of Motion of Rescission	19
15	Matters of Urgency.....	19
16	Questions with Notice.....	19
17	Confidential Matters	19
	Item 17.1 Request for Further Licence of Existing Carpark to Briars at Greenlees Limited - Cnr Wellbank Street and Ian Parade Concord.....	20
18	Confidential Resolutions	21

1 ACKNOWLEDGEMENT OF 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.

2 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

APOLOGIES

Note: An apology were received on behalf of Councillor Little

RESOLVED 075/23

Moved: Cr Jago

Seconded: Cr Ferguson

That the apology received from Cr Little be accepted and leave of absence granted.

CARRIED

3 CONFIRMATION OF MINUTES

3.1 Minutes of Ordinary Council Meeting held 18 April 2023

RESOLVED 076/23

Moved: Cr Megna

Seconded: Cr Ruggeri

That the minutes of the Ordinary Council Meeting of 18 April 2023 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

4 DISCLOSURES OF INTERESTS

Councillor Di Pasqua disclosed a significant non-pecuniary interest in relation to Item 5.2 – Mayoral Minute – Emergency Services Levy for the reason that:

"I am the member for Drummoyne and I am referenced in the report."

Councillor Di Pasqua disclosed a significant non-pecuniary interest in relation to Item 9.3 – City of Canada Bay draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on Submissions for the reason that:

“Sydney metro is a project of a State Government department.”

Councillor Megna disclosed a pecuniary interest in relation to Item 9.3 – City of Canada Bay draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on Submissions for the reason that:

“My family own property in the Five Dock area.”

Councillor Ruggeri disclosed a pecuniary interest in relation to Item 9.3 – City of Canada Bay draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on Submissions for the reason that:

“My family own property in the Five Dock area.”

The General Manager, Mr Clark disclosed a pecuniary interest in relation to Item 9.3 – City of Canada Bay draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on Submissions for the reason that:-

“My family owns property in the North Strathfield precinct.”

The Director Planning and Environment, Ms Cologna disclosed a less than significant non-pecuniary interest in relation to Item 9.3 – City of Canada Bay draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on Submissions for the reason that:

“My daughter does dance classes at the McDonald College, which is within the North Strathfield Metro Precinct.”

Councillor Cordaro disclosed a less than significant non-pecuniary interest in relation to Item 9.3 – City of Canada Bay draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on Submissions for the reason that:

“A relative lives in Henry Street.”

Councillor Di Pasqua disclosed a significant non-pecuniary interest in relation to Item 10.1 - City of Canada Bay Local Traffic Committee Minutes – 27 April 2023 for the reason that:

“In my role as the State Member for Drummoyne I sit on the Traffic Committee.”

Note: Item 15 – Matters of Urgency was considered next.

5 MAYORAL MINUTE(S)**ITEM 5.1 MAYORAL MINUTE - CANADA BAY MEN'S SHED 10TH ANNIVERSARY**

Note: Prior to consideration of this item, the Mayor acknowledged the presence of former Councillor and Deputy Mayor, Jeanette O'Hara.

RESOLVED 077/23

Moved: Cr Tsirekas

That Council receive and note the report.

CARRIED

Note: At 6.15pm Councillor Di Pasqua left the Chamber at 6.15pm having disclosed a significant non-pecuniary interest in Item 5.2 – Mayoral Minute – Emergency Services Levy.

ITEM 5.2 MAYORAL MINUTE - EMERGENCY SERVICES LEVY

RESOLVED 078/23

Moved: Cr Tsirekas

That:

1. Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and the Member for Drummoyne:
 - a) Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community.
 - b) Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's ability to provide essential community services and infrastructure is likely to be significantly eroded.
 - c) Advising that the Government's decision may lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects.
 - d) Calling on the NSW Government to take immediate action to:
 - i. restore the ESL subsidy in 2023/24
 - ii. urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost
 - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
-

2. Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.
3. Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Council's emergency services contribution.

CARRIED

Note: Councillor Di Pasqua returned to the Chamber at 6.23pm.

ITEM 5.3 MAYORAL MINUTE - TROVE

Note: A copy of the Mayoral Minute was circulated to Councillors and was added to the meeting agenda.

RESOLVED 079/23

Moved: Cr Tsirekas

1. That the Mayoral Minute and letter dated 10 May 2023 from The Hon Tony Burke MP, Minister for Employment and Workplace Relations; Minister for the Arts, advising of the continued funding of Trove be received and noted.
2. The Minister be thanked for the continuation of the funding and that Council looks forward to receipt of the funding.

CARRIED

6 PUBLIC FORUM

The Mayor requested each speaker to acknowledge they had been informed that the meeting was to be webcast live and that Council accepts no responsibility for any defamatory comments made.

Note: The speakers spoke at the time of consideration of the respective items on the agenda.

SUSPENSION OF STANDING ORDERS

RESOLVED 080/23

Moved: Cr Jago

Seconded: Cr Cordaro

That standing orders be suspended to bring forward Items 9.3 – City of Canada Bay Draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on

Submissions and 13.2 - Notice of Motion - Councillor Ferguson - Abandoned Shopping Trolleys Across Our LGA.

CARRIED

Note: Item 9.3 - City of Canada Bay draft Planning Studies - North Strathfield, Concord and Five Dock Metro Precincts - Report on Submissions was dealt with next.

PROCEDURAL MOTION – RESUMPTION OF STANDING ORDERS

RESOLVED 081/23

Moved: Cr Cordaro

Seconded: Cr Megna

That standing orders be resumed.

CARRIED

7 ITEMS RESOLVED BY EXCEPTION

Nil

8 EXECUTIVE SERVICES DIRECTORATE REPORTS

Nil

9 ENVIRONMENT AND PLANNING DIRECTORATE REPORTS

ITEM 9.1 DA DETERMINATIONS BY THE LOCAL PLANNING PANEL AND STAFF UNDER DELEGATION

RESOLVED 082/23

Moved: Cr Megna

Seconded: Cr Jago

That Council receive and note the information contained in the report on development application determinations by the Local Planning Panel, and Staff, under delegation for the period 1 April 2023 and 30 April 2023.

In Favour: Crs Tsirekas, Di Pasqua, Bazouni, Cordaro, Ferguson, Jago, Megna and Ruggeri

Against: Nil

CARRIED 8/0

ITEM 9.2 DRAFT PLANNING AGREEMENT POLICY AND PROCEDURES MANUAL - POST-EXHIBITION

RESOLVED 083/23

Moved: Cr Megna

Seconded: Cr Bazouni

That:

1. Council notes the outcome of the public exhibition of the draft *Planning Agreement Policy and Procedures Manual*.
2. The draft *Planning Agreement Policy and Procedures Manual*, attached to the report at Attachment 2, be adopted.
3. The General Manager be delegated authority to make minor edits to the draft *Planning Agreement Policy and Procedures Manual* prior to publication.

In Favour: Crs Tsirekas, Di Pasqua, Bazouni, Cordaro, Ferguson, Jago, Megna and RuggeriAgainst: Nil**CARRIED 8/0**

ITEM 9.3 CITY OF CANADA BAY DRAFT PLANNING STUDIES - NORTH STRATHFIELD, CONCORD AND FIVE DOCK METRO PRECINCTS - REPORT ON SUBMISSIONS

The following people addressed Council in relation to Item 9.3:

Five Dock

- Heather Hilton (representing Five Dock Public School P&C)
- John Jameson

Concord Oval/ Burwood North

- Con Mathioudakis
- Paul Chidiac
- Joe Brongo

North Strathfield

- Jia Lin (representing father)
- Thomas Shi

Note: At 6.35pm Councillor Di Pasqua left the Chamber having disclosed a significant non-pecuniary interest in this item.

Note: At 6.35pm Councillors Ruggeri and Megna left the Chamber having disclosed significant pecuniary interests in relation to the Five Dock component of this item (Part A).

Note: Councillor Cordaro disclosed a less than significant non-pecuniary interest in relation to the Five Dock component of this item (Part A).

PART A: FIVE DOCK**RESOLVED 084/23**

Moved: Cr Tsirekas

Seconded: Cr Cordaro

That:

1. Council note the Report on Submissions, provided at Attachment 1 and Survey Report provided at Attachment 2.
2. The draft Planning Study for Five Dock, provided at Attachment 3, be adopted.
3. A Planning Proposal and draft Development Control Plan be prepared for Five Dock Planning Study Area.

In Favour: Crs Tsirekas, Bazouni, Cordaro, Ferguson and JagoAgainst: Nil**CARRIED 5/0**

*Note: Councillors Ruggeri and Megna returned to the Chamber at 6.53pm.***PART B: CONCORD OVAL/ BURWOOD NORTH****RESOLVED 085/23**

Moved: Cr Ruggeri

Seconded: Cr Ferguson

That:

1. Council note the Report on Submissions, provided at Attachment 1 and Survey Report provided at Attachment 2.
2. The draft Planning Study for Concord Oval/Burwood-North, provided at Attachment 4, be adopted subject to the deletion of potential laneways identified and the inclusion of a notation.

In Favour: Crs Tsirekas, Bazouni, Cordaro, Ferguson, Jago, Megna and RuggeriAgainst: Nil**CARRIED 7/0**

*Note: At 7.21pm, the General Manager left the Chamber having disclosed a significant pecuniary interest in relation to the North Strathfield component of this item (Part C).**Note: The Director Planning disclosed a less than significant non-pecuniary interest in relation to the North Strathfield component of this item (Part C).*

PART C: NORTH STRATHFIELD**MOTION**

Moved: Cr Megna

Seconded: Cr Bazouni

That:

1. Council note the Report on Submissions, provided at Attachment 1 and Survey Report provided at Attachment 2.
 2. The draft Planning Study for North Strathfield, provided at Attachment 5, be adopted.
 3. A Planning Proposal and draft Development Control Plan be prepared for North Strathfield Planning Study Area.
-

AMENDMENT

Moved: Cr Jago

Seconded: Cr Ferguson

That:

1. Council note the Report on Submissions, provided at Attachment 1 and Survey Report provided at Attachment 2.
2. That a report be brought back to Council with further detail on options for sub-precinct 4 within North Strathfield.

In Favour: Cr Jago

Against: Crs Tsirekas, Bazouni, Cordaro, Ferguson, Megna and Ruggeri

LOST 1/6

Note: The Amendment was lost and the Original Motion (Part C: North Strathfield) was considered.

RESOLVED 086/23

Moved: Cr Megna

Seconded: Cr Bazouni

That:

1. Council note the Report on Submissions, provided at Attachment 1 and Survey Report provided at Attachment 2.
2. The draft Planning Study for North Strathfield, provided at Attachment 5, be adopted.
3. A Planning Proposal and draft Development Control Plan be prepared for North Strathfield Planning Study Area.

In Favour: Crs Tsirekas, Bazouni, Cordaro, Ferguson, Jago, Megna and Ruggeri

Against: Nil

CARRIED 7/0

Note: At 7.46pm the General Manager and Councillor Di Pasqua returned to the Chamber.

Note: Item 13.2 - Notice of Motion - Councillor Ferguson - Abandoned Shopping Trolleys Across Our LGA was considered next.

ITEM 9.4 PLANNING PROPOSAL (PP2022/0003) - RECREATION FACILITIES (INDOOR) IN R1 GENERAL RESIDENTIAL ZONE - ADDITIONAL PERMITTED USE

RESOLVED 087/23

Moved: Cr Bazouni

Seconded: Cr Megna

That:

1. Council notes the outcome of the public exhibition.
2. The Planning Proposal, provided as Attachment 1, be endorsed for finalisation.
3. Authority be delegated to the General Manager to make any minor changes to the Planning Proposal (if required) prior to finalisation of the Local Environmental Plan.

In Favour: Crs Tsirekas, Di Pasqua, Bazouni, Cordaro, Ferguson, Jago, Megna and RuggeriAgainst: Nil**CARRIED 8/0**

ITEM 9.5 CITY OF CANADA BAY ENVIRONMENT ADVISORY COMMITTEE MINUTES - 27 APRIL 2023

RESOLVED 088/23

Moved: Cr Jago

Seconded: Cr Megna

That the minutes of the City of Canada Bay Environment Advisory Committee Meeting held 27 April 2023, attached to the report, be received and noted.

CARRIED

10 CITY ASSETS DIRECTORATE REPORTS

Note: Councillor Di Pasqua left the Chamber at 8.15pm having disclosed a less than significant non-pecuniary interest in Item 10.1 – City of Canada Bay Local Traffic Committee Minutes - 27 April 2023.

ITEM 10.1 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 27 APRIL 2023

RESOLVED 089/23

Moved: Cr Megna

Seconded: Cr Jago

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 27 April 2023, attached to the report, be adopted.

CARRIED

Note: At 8.16pm Councillor Di Pasqua returned to the Chamber.

ITEM 10.2 URBAN TREE CANOPY STRATEGY SIX MONTHLY UPDATE - JULY TO DECEMBER 2022

RESOLVED 090/23

Moved: Cr Jago

Seconded: Cr Bazouni

That the Urban Tree Canopy Strategy Six Monthly Update report for the period July to December 2022 be received and noted.

CARRIED

ITEM 10.3 RESPONSE TO COUNCIL RESOLUTION REGARDING TREE CANOPY MATTERS

RESOLVED 091/23

Moved: Cr Jago

Seconded: Cr Bazouni

That:

1. The report in response to the Council resolution of September 2022 on Tree Canopy Matters be received and noted.
2. Options for the conduct of audits of tree removal and replacement on approved duplex developments, as outlined in the report, be the subject of a Councillor Workshop.
3. Following the workshop referred to in 2 above, a further report be prepared and submitted to Council.

CARRIED

ITEM 10.4 CITY OF CANADA BAY PLAYGROUND ADVISORY COMMITTEE - MINUTES OF MEETING HELD 10 NOVEMBER 2022

RESOLVED 092/23

Moved: Cr Jago

Seconded: Cr Di Pasqua

That the Minutes of the Playground Advisory Committee meeting held on 10 November 2022, attached to the report, be received and noted.

CARRIED

11 COMMUNITY CULTURE AND LEISURE DIRECTORATE REPORTS**ITEM 11.1 CITY OF CANADA BAY CULTURE PLAN AND ASSOCIATED POLICIES**

RESOLVED 093/23

Moved: Cr Jago

Seconded: Cr Megna

That:

1. Council endorse the draft Cultural Plan and the associated draft Public Art Strategy, Creative Hoarding Policy, Art Collection Policy, and Community Events Strategy and Policy to be placed on public exhibition for a period of four weeks.
2. A further report be presented to Council, following the exhibition period detailing feedback and any proposed changes to the draft Cultural Plan and the associated draft Public Art Strategy, Creative Hoarding Policy, Art Collection Policy, and Community Events Strategy and Policy.

CARRIED

**ITEM 11.2 CITY OF CANADA BAY ACCESS AND INCLUSION COMMITTEE MEETING
MINUTES - 20 APRIL 2023**

RESOLVED 094/23

Moved: Cr Ruggieri

Seconded: Cr Bazouni

That the minutes of the City of Canada Bay Access and Inclusion Committee Meeting held 20 April 2023, attached to this report, be received and noted.

CARRIED

12 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS**ITEM 12.1 GAS EASEMENT - 64 VICTORIA AVENUE, CONCORD WEST**

RESOLVED 095/23

Moved: Cr Jago

Seconded: Cr Megna

That:

1. Council enters into an Easement Agreement (88B) and Deed of Agreement with Jemena over road reserve adjoining the Victoria Avenue Public School in Concord West, as illustrated in the location map attached to the report, for the purposes of realigning a gas main.
-
-

2. The General Manager be authorised to execute any agreement relating to registration of the Easement.

CARRIED

ITEM 12.2 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2023

RESOLVED 096/23

Moved: Cr Bazouni

Seconded: Cr Ruggeri

That Councillors Megna and Cordaro be nominated as Council's delegate and alternate delegate respectively, to attend the National General Assembly of Local Government with the General Manager, in Canberra from 13-16 June 2023.

CARRIED

ITEM 12.3 COUNCIL RELATED DEVELOPMENT APPLICATIONS CONFLICT OF INTEREST POLICY

RESOLVED 097/23

Moved: Cr Jago

Seconded: Cr Bazouni

That the Council Related Development Applications Conflicts of Interest Policy attached to the report be adopted.

In Favour: Crs Tsirekas, Di Pasqua, Bazouni, Cordaro, Ferguson, Jago, Megna and Ruggeri

Against: Nil

CARRIED 8/0

ITEM 12.4 THIRD QUARTER BUDGET REVIEW - JANUARY TO MARCH 2023

RESOLVED 098/23

Moved: Cr Jago

Seconded: Cr Cordaro

That the Third Quarter Budget Review for 2022/23, including the variations as identified in the report and attachments, be adopted.

CARRIED

ITEM 12.5 CASH AND INVESTMENTS REPORT FOR APRIL 2023

RESOLVED 099/23

Moved: Cr Cordaro

Seconded: Cr Ruggeri

That the Cash and Investments Reports for April 2023 attached to the report be received and noted.

CARRIED

ITEM 12.6 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION 2023/24

RESOLVED 100/23

Moved: Cr Jago

Seconded: Cr Bazouni

That, pursuant to section 248 of the *Local Government Act 1993*, the annual fee for the Mayor and Councillors, payable monthly in arrears, for the period 1 July 2023 to 30 June 2024 be fixed as follows:

- (a) Councillors at \$21,730 per annum
- (b) Mayor at \$47,390 per annum

CARRIED

13 NOTICES OF MOTION**ITEM 13.1 NOTICE OF MOTION - COUNCILLOR LITTLE - STEP UP FOR CANCER SURVIVORSHIP**

RESOLVED 101/23

Moved: Cr Ferguson

Seconded: Cr Cordaro

That Council:

1. Use its communication channels to promote this fundraising initiative at Concord Hospital.
2. Advise the coordinators of the initiative of the in-kind support.

CARRIED

Note: Item 13.3 - Notice of Motion - Councillor Ruggeri - Boat and Trailer Parking - Campbell Park was considered next.

ITEM 13.2 NOTICE OF MOTION - COUNCILLOR FERGUSON - ABANDONED SHOPPING TROLLEYS ACROSS OUR LGA

The following people addressed Council in relation to Item 13.2:

- Wendy Bird
- Rameses Florentino

RESOLVED 102/23

Moved: Cr Ferguson

Seconded: Cr Jago

That:

1. Council note with concern the proliferation of shopping trolleys abandoned across our LGA.
2. A presentation on this matter to include but not be limited to impacts and enforcement options available under the Public Spaces (Unattended Property) Act 2021 and related Regulation, in addition to an update on Council efforts to address this problem, be provided to a future Councillor workshop.
3. Following the Councillor workshop, Council write to the relevant Minister, if needed, detailing deficiencies identified and provide recommendations for improvements in legislation.

CARRIED

Note: Procedural Motion # 81/23 Resumption of Standing Orders was considered next.

ITEM 13.3 NOTICE OF MOTION - COUNCILLOR RUGGERI - BOAT AND TRAILER PARKING - CAMPBELL PARK

RESOLVED 103/23

Moved: Cr Ruggeri

Seconded: Cr Cordaro

1. That Council officers undertake community consultation and prepare a report for the consideration of the Canada Bay Traffic Committee on the following:
 - A. Prohibition or limitation (such as 24 hour parking) of the parking of boats and trailers in the streets surrounding Campbell Park for a trial period, with that period to be determined following consultation with the community and Traffic Committee.
 - B. Provision of 'No Parking' near the pedestrian refuge in Bibby Street to provide a greater line of sight to improve motorist and pedestrian safety.
-

2. That Council investigate the installation of a pedestrian crossing at Bibby Street and report back to Council

CARRIED

14 NOTICES OF MOTION OF RESCISSION

Nil

Note: Item 16 – Questions with Notice was considered next.

15 MATTERS OF URGENCY

MOTION OF URGENCY

RESOLVED 104/23

Moved: Cr Bazouni

Seconded: Cr Ferguson

That as a matter of urgency Council considers a Mayoral Minute in relation to Trove.

CARRIED

Note: The matter was considered urgent and was dealt with as Item 5.3 on the Agenda.

Note: Item 5.1 – Mayoral Minute - Canada Bay Men's Shed 10th Anniversary was considered next.

16 QUESTIONS WITH NOTICE

Nil

17 CONFIDENTIAL MATTERS

RESOLVED 105/23

Moved: Cr Megna

Seconded: Cr Jago

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under section 10A(2) of the *Local Government Act, 1993* for the reasons specified:
-

ITEM 17.1 REQUEST FOR FURTHER LICENCE OF EXISTING CARPARK TO BRIARS AT GREENLEES LIMITED - CNR WELLBANK STREET AND IAN PARADE CONCORD

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Further it is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community.

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the Local Government Act, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the Local Government Act.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the Local Government Act.
4. The resolutions made by the Council in Closed Session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council meeting.

CARRIED

Note: At 8.44pm, the Council moved into Closed Session.

ITEM 17.1 REQUEST FOR FURTHER LICENCE OF EXISTING CARPARK TO BRIARS AT GREENLEES LIMITED - CNR WELLBANK STREET AND IAN PARADE CONCORD

RESOLVED 106/23

Moved: Cr Jago

Seconded: Cr Megna

That:

1. Council is satisfied that, pursuant to Section 10A(2) of the Local Government Act 1993, the information to be received, discussed or considered in relation to this agenda item is:
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
 2. Council approves the granting of a licence to Briars at Greenlees Limited for a period of 10 years for a portion of Crown Land being the existing carpark within the north-eastern corner of Greenlees Park, identified as Lot 7037 DP127135 subject to compliance with the public notice provisions of s47 of the Local Government Act 1993.
 3. The annual fee referred to in 2 above commence at \$18,125 plus GST per annum.
 4. In the event that no submissions are received in response to the public notice process referred to in 2 above, the General Manager be delegated authority to finalise any matters contained within the body of the report and execute the licence on behalf of Council.
-

5. In the event of submission(s) being received in response to the public notice process referred to in 2 above, a further report, including details of such submissions, be prepared and submitted to Council.

CARRIED

RESUMPTION OF OPEN SESSION

RESOLVED 107/23

Moved: Cr Di Pasqua

Seconded: Cr Ruggeri

That the Council resume in Open Session

.CARRIED

Note: At 8.46pm, the Council in Closed Session returned to Open Session.

18 CONFIDENTIAL RESOLUTIONS

In accordance with Council's Code of Meeting Practice clauses 14.21 and 14.22 the resolutions passed in closed session were made public by the chairperson, displayed on the public screens and livestreamed during a part of the meeting that was webcast.

The meeting concluded at 8.48pm.

This is the final page of the minutes comprising 21 pages numbered 1 to 21 of the Ordinary Council Meeting held on Tuesday 16 May 2023 and confirmed on Tuesday 20 June 2023.



Chairperson



General Manager