



**DRAFT COPY ONLY (to be confirmed at Council's Meeting  
Of 19 February 2019.)**

## **MEETING OF COUNCIL**

Held in the Council Chambers  
Canada Bay Civic Centre  
1a Marlborough Street, Drummoyne  
on Tuesday, 4 December 2018, commencing at 6.00pm.

## **MINUTES**

Present: Cr Tsirekas (Mayor)  
Cr Jago (Deputy Mayor)  
Cr Parnaby  
Cr Di Pasqua  
Cr Ferguson  
Cr Little  
Cr Megna  
Cr Ramondino  
Cr Yap

In attendance: Mr Peter Gainsford (General Manager)  
Ms K Loveridge  
Mr S Pedder  
Mr B Pigott  
Ms D Foster (minutes)

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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**

Nil

## **DECLARATIONS OF PECUNIARY INTEREST**

Nil

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

Item 7 - Cr Di Pasqua – employed at State Member's Electoral Office.

## **CONFIRMATION OF MINUTES**

Council Meeting – 13 November 2018

**M- 5960            RESOLVED**  
(Crs Parnaby/Ramondino)

THAT the minutes of the Council Meeting of 13 November 2018 be confirmed.

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## **PUBLIC FORUM**

**M- 5961            RESOLVED**  
(Crs Parnaby/Megna)

THAT Standing Orders be varied to allow the speakers to be heard and the items to be dealt with.

Item 7 was considered out of agenda sequence but is recorded in correct agenda sequence for the sake of clarity.

**MM-1                    MAYORAL MINUTE - LOCAL PLANNING PANEL  
START TIME**

**M- 5962                RESOLVED**  
(Cr Tsirekas)

1.        THAT the Canada Bay Local Planning Panel meeting time be set at 6.00pm.
2.        THAT the Canada Bay Local Planning Panel chair and panel members be advised.

**MM-2                    MAYORAL MINUTE - PARKING IN DRUMMOYNE**

**M- 5963                RESOLVED**  
(Cr Tsirekas)

1.        THAT a parking study be prepared for the Victoria Road centre in Drummoyne, comprising the B4 Mixed Use zone.
2.        THAT the parking study consider:
  - (a)      the current supply and demand for public car parking in Drummoyne;
  - (b)      opportunities for additional car parking and how the available parking can be managed;
  - (c)      other initiatives that can be implemented to reduce the demand for parking (i.e. encouraging walking, cycling and use of public transport).
3.        THAT where a demand for additional parking is demonstrated, a strategic business case be prepared to articulate the likely benefits and costs of providing additional parking.
4.        THAT the study also include discussions with Birkenhead Point to consider opportunities for both parties to implement strategies to improve parking and traffic flow in East Drummoyne.

**ITEM-1            DEVELOPMENT APPLICATION DETERMINATIONS  
BY THE LOCAL PLANNING PANEL AND BY STAFF  
UNDER DELEGATION**

**M- 5964            RESOLVED**  
(Cr. Megna/Di Pasqua)

1.     THAT Council note the information contained in the report.
2.     THAT the Local Planning Panel outcomes be provided to Councillors.

(FOR:                Crs Di Pasqua, Ferguson, Jago, Little, Megna, Parnaby,  
Ramondino, Tsirekas, and Yap)  
(AGAINST:         Nil)

**ITEM-2            CANADA BAY DEVELOPMENT CONTROL PLAN -  
AMENDMENT PART I - CHILD CARE CENTRES**

**M- 5965            RESOLVED**  
(Cr. Megna/Ramondino)

1.     THAT the Canada Bay Development Control Plan, as exhibited and provided in Attachment 1, be adopted by Council.
2.     THAT the amended Development Control Plan come into effect upon the date of notice being provided in a local newspaper.

**ITEM-3            ENVIRONMENT ADVISORY COMMITTEE REPORT**

**M- 5966            RESOLVED**  
(Cr. Ferguson/Little)

THAT the minutes of the meeting of the City of Canada Bay Environment Advisory Committee for 25 October 2018 be received and noted.

**ITEM-4            HOUSING ACCELERATION FUNDING GRANT**

**M- 5967            RESOLVED**

(Crs Di Pasqua/Yap)

1.     THAT Council note the Funding offer, Housing Acceleration Fund Grants Guidelines and Draft Funding Deed and thank the State Government.
2.     THAT Council authorise the General Manager to negotiate with the Department of Planning & Environment regarding the proposed *Concord West – Precinct Acceleration Program* and accept the grant funding offered by the Department of Planning & Environment on suitable terms.
3.     THAT a further report be provided to Council following a decision being made by Infrastructure NSW on the outcome of the detailed business case prepared for the projects.

**ITEM-5            CANADA BAY LOCAL TRAFFIC COMMITTEE  
MINUTES - 15 NOVEMBER 2018**

Councillor Di Pasqua declared a non-pecuniary interest in this matter.

**M- 5968            RESOLVED**

(Crs Megna/Little)

THAT the minutes and recommendations of the Canada Bay Local Traffic Committee meeting of 15 November 2018 be adopted with amendments to Items 5.1 and 5.6..

**ITEM-5.1         RUSSELL LEA - TRAFFIC AND PARKING CHANGES**

**M- 5969            RESOLVED**

(Crs Megna/Little)

1.     THAT following the implementation of the changes, observations and traffic counts be undertaken to determine if and what further works may be required, including consideration to changing the ‘Give Way’ restrictions in Potter Street at McCulloch Street to ‘Stop’:

- Lithgow Street changed to one-way northbound between Whittall Street and Potter Street.
  - Whittall Street changed to one-way eastbound between Speed Avenue and Lithgow Street.
  - ‘No Left Turn 8am-9:30am, 2:30pm-4pm School Days’ restrictions in Speed Avenue at its intersection with Whittall Street.
  - Various parking restrictions.
2. THAT new traffic islands and line marking be installed by Council in McCulloch Street at its intersection with Barnstaple Road, as outlined in the plan.
  3. THAT following the implementation of the changes, observations and traffic counts be undertaken to determine if and what further works may be required including consideration to changing the ‘Give Way’ restrictions in Potter Street at McCulloch Street to ‘Stop’.
  4. THAT a mobile speed sign be installed reminding of 40km speed limit at the start of the 2019 school year.

**ITEM-5.2            SIBBICK STREET, ABBOTSFORD - INSTALLATION OF MOBILITY PERSONS PARKING SPACE (MIPPS).DOCX**

**M- 5970            RESOLVED**  
(Crs Megna/Little)

THAT a Mobility Impaired Persons Parking Space be installed on the east side of Sibbick Street, Abbotsford between Byrne Avenue and Bay Road, as detailed in the locality plan.

**ITEM-5.3            RHODES PARK CARPARK - MIPPS**

**M- 5971            RESOLVED**  
(Crs Megna/Little)

1. THAT two new Mobility Impaired Persons Parking Space be installed, as detailed in the plan.
2. THAT the existing non-compliant Mobility Impaired Persons Parking Space be removed and replaced with two standard parking spaces, as detailed in the plan.



**ITEM-5.4           STUART STREET, CONCORD WEST - WORK  
ZONE.DOCX**

**M- 5972           RESOLVED**  
(Crs Megna/Little)

THAT the installation of the ‘Works Zone 7am-5pm Mon-Sat’ in Stuart Street, Concord West on the side boundary of 231 Queen Street be approved.

**ITEM-5.5           REMOVAL OF MOBILITY PERSONS PARKING SPACE  
(MIPPS)**

**M- 5973           RESOLVED**  
(Crs Megna/Little)

THAT the Mobility Impaired Persons Parking Space in front of 12 Thompson Street, Drummoyne, 45 Fairlight Street, Five Dock and 130A Concord Road, North Strathfield (signage on Shipley Avenue street frontage) be removed.

**ITEM-5.6           WATERVIEW STREET, FIVE DOCK - RELOCATION  
OF CAR SHARE SPACE.DOCX**

**M- 5974           RESOLVED**  
(Crs Megna/Little)

1.     THAT the Car Share space in First Avenue, Five Dock be relocated to Waterview Street as indicated in the plan.
2.     THAT Council staff also review the half hour parking restrictions in Great North Road to assist residents using medical practices in that location.

**ITEM-5.7           GEORGE STREET, NORTH STRATHFIELD - KEEP  
CLEAR**

**M- 5975           RESOLVED**  
(Crs Megna/Little)

THAT ‘Keep Clear’ line marking be installed at the intersection of George Street and George Lane, North Strathfield, as per the plan.

**ITEM-5.8 FLAVELLE STREET & PATTERSON STREET,  
CONCORD - INSTALLATION OF LINEMARKING**

**M- 5976 RESOLVED**  
(Crs Megna/Little)

THAT line marking be installed to prohibit parking on Flavelle Street at its intersection with Patterson Street, as detailed in the plan.

**ITEM-5.9 TRANMERE STREET, DRUMMOYNE - MEDIAN  
ISLAND MODIFICATION.DOCX**

**M- 5977 RESOLVED**  
(Crs Megna/Little)

THAT the existing concrete island in Tranmere Street, Drummoyne, to the north of Day Street, be replaced with concrete rumble bars.

**ITEM-5.10 KENDALL STREET, CABARITA - INTERSECTION  
CONFIGURATION**

**M- 5978 RESOLVED**  
(Crs Megna/Little)

THAT the 'Give Way' line is moved forward and other additional line marking is installed, as detailed in the image.

**ITEM-5.11 SHORELINE DRIVE, RHODES - ROAD CLOSURE FOR  
LUNAR NEW YEAR**

**M- 5979 RESOLVED**  
(Crs Megna/Little)

THAT the Traffic Management Plan for Lunar New Year, including the temporary closure of Shoreline Drive between Gauthorpe Street and Mary Street from 8:30am to 11pm on Saturday 9 February 2019, subject to the Roads and Maritime Services approval.

**ITEM-5.12 HALLIDAY PARK, FIVE DOCK - CAROLS IN THE PARK**

**M- 5980 RESOLVED**

(Crs Megna/Little)

THAT the Traffic Management Plan for Carols in the Park, including the temporary closure of McGrath Avenue between Kerin Avenue and Hill Street from 10am to 11pm on Monday, 17 December 2018, be approved.

**ITEM-5.13 CABARITA PARK, CABARITA - NEW YEARS EVE ROAD CLOSURE**

**M- 5981 RESOLVED**

(Crs Megna/Little)

THAT traffic management measures be implemented on New Year's Eve at Cabarita Park subject to approval from the Roads and Maritime Services and Police.

**ITEM-6 REDEVELOPMENT OF CONCORD OVAL**

**M- 5982 RESOLVED**

(Crs Di Pasqua/Parnaby)

1. Pursuant to section 55(3)(i) of the Act, the Council resolves that a satisfactory result would not be achieved by inviting tenders for the long term lease of the Centre of Excellence at Concord Oval due to the following extenuating circumstances:
  - a. The West Tigers Rugby League Club Limited have attained significant State Government funding to contribute to the capital cost of building the Centre of Excellence as part of the redevelopment of Concord Oval;
  - b. The West Tigers Rugby League Club Limited have had their training and administrative bases at Concord Oval for over fifteen years with an established community presence;
  - c. The West Tigers Rugby League Club Limited have the capability to lead and deliver community programs and initiatives that will benefit the residents of the City of Canada Bay.
2. Council endorse the Direct Lease negotiations Probity Plan

3. Following the execution of the Probity Plan, Council enter into direct negotiations with the Wests Tigers Rugby League Football Club for an Agreement for Lease.
4. Council delegate authority to the General Manager to enter into direct negotiations with the Wests Tigers Rugby League Football Club, and execute an Agreement for Lease with the Wests Tigers Rugby League Football Club.
5. Council delegate authority to the General Manager to make minor alterations to the Probity Plan as required, subject to consultation with Council's independent Probity advisers.

#### **ITEM-7 OFF-LEASH DOG TRIALS**

The following people addressed Council

Ms J Allen, resident  
Ms L Moller, resident  
Mr P Hughes, resident  
Mr G Dodds, resident  
Ms L Robertson, resident

#### **M- 5983 RESOLVED** (Crs Little/Di Pasqua)

1. THAT in light of the conflicting views presented by users of Timbrell Park during the trial and consultation period of the alternative Timbrell Park off-leash area, that Council Officers re-evaluate the issues raised.
2. THAT Council Officers consult further all users of Timbrell Park and determine an appropriate time to hold another 4 month off-leash trial at the designated site.
3. THAT Council Officers provide results of the consultation and trial at Timbrell Park to the community and Council before the end of this financial year for determination.
4. THAT Council endorse an off-leash dog area at Kendall Reserve.
5. THAT Council endorse King George V Park as an off-leash dog park.
6. THAT Council endorse an off-leash dog area at Lower Phoenix Park.

7. THAT Council support the installation of fencing, water and waste facilities at Kendall Reserve, King George V Park and Lower Phoenix Park at the off-leash dog exercise sites used during the recent trials.

**ITEM-8 DRAFT ENTERPRISE RISK MANAGEMENT POLICY**

**M- 5984 RESOLVED**

(Crs Parnaby/Ramondino)

1. THAT Council adopt the draft Enterprise Risk Management Policy, and the draft Policy be advertised for a period of 28 days.
2. THAT a copy of the draft Policy be referred to the Audit Risk and Improvement Committee for their comment.

**ITEM-9 CASH AND INVESTMENT REPORT FOR NOVEMBER 2018**

**M- 5985 RESOLVED**

(Crs Megna/Jago)

THAT the Cash and Investment Report for November 2018 be received and noted.

**ITEM-10 DELEGATIONS - CHRISTMAS/NEW YEAR PERIOD RECESS**

**M- 5986 RESOLVED**

(Crs Jago/Parnaby)

1. THAT subject to the limitations of Section 377 of the Local Government Act, authority be delegated to the General Manager to act in consultation with the Mayor, or in their absence, the persons acting in these roles, to determine those matters that cannot be held over until the first scheduled meeting for Council in 2019.
2. THAT a report on the exercise of these delegations be presented to the first Council Meeting in 2019.

**ITEM-11 NOTICE OF MOTION - CR LITTLE - FERRAGOSTO  
AND CONCORD CARNIVAL**

**M- 5987 RESOLVED**

(Crs Little/Di Pasqua)

1. THAT the Ferragosto Organising Committee make provisions to provide free rides at the 2019 Ferragosto festival.
2. THAT, in light of community expectations and the provision of free rides at the Concord Carnival last year, the Concord Carnival Organising Committee make provisions to provide free rides at the 2019 Carnival.

**ITEM-12 NOTICE OF MOTION - CR LITTLE - COST SHIFTING**

**M- 5988 RESOLVED**

(Crs Little/Jago)

1. THAT Council be provided with a copy of the Local Government NSW report, "Impact of Cost Shifting on Local Government in NSW".
2. THAT Council write to the State and Federal Ministers and shadow Ministers for Local Government seeking a commitment to no new, increased or transferred responsibilities without a corresponding source of revenue.

**M- 5989 RESOLVED**

(Crs Parnaby/Little)

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

At 7.47pm, the meeting went into Closed Session.

## **COUNCIL IN CLOSED SESSION**

### **ITEM-13            CINTRA PARK TENNIS LEASE - 1P GIPPS STREET CONCORD**

#### **M- 5990            RESOLVED** (Crs Megna/Little)

1.     THAT Council provide a lease to Tennis FX based on the terms and conditions as contained within the report.
2.     THAT the General Manager execute the lease agreement under delegated authority.

### **ITEM-14            RHODES RECREATION AND COMMUNITY CENTRE**

#### **M- 5991            RESOLVED** (Crs Parnaby/Little)

1.     THAT Council note the financial challenges the configuration of the Rhodes Recreation and Community Centre provides.
2.     THAT Council consider options for the deletion of the pool, and seek Expressions of Interest from, and not restricted to, licenced community clubs to provide a different mix of community facilities such as community meeting rooms, a health club and spaces for active play such as badminton and table tennis.
3.     THAT Council investigate the opportunities for provision of additional active recreation spaces within Rhodes.
4.     THAT a report be brought back to Council following the Expression of Interest process and prior to consideration of any potential changes to the current Voluntary Planning Agreement, detailing the outcomes of the EOI process and the opportunities identified for additional active recreation spaces within Rhodes.

**ITEM-15            118-128 TENNYSON ROAD, MORTLAKE - REVISED  
VPA OFFER**

**M- 5992            RESOLVED**

(Crs Megna/Parnaby)

1.     THAT Council notes that, in relation to the Development Application for 118-128 Tennyson Road, Mortlake, Council is currently in negotiations with the applicant for development consent as part of the Land and Environment Court Proceedings 2018/170628 which may result in a reduction in the number of apartments proposed.
2.     THAT if agreement is reached as to the grant of development consent, which reflects the reduced number of apartments, Council supports in principle the revised offer to enter into a Voluntary Planning Agreement and the imposition of a condition on any development consent requiring the Developer to enter into that agreement.
3.     THAT the Voluntary Planning Agreement be publicly notified if the Land and Environment Court provides consent to the development.
4.     THAT the General Manager be authorised to finalise any negotiations in relation to the Voluntary Planning Agreement and be authorised to execute the agreement on behalf of Council.

(FOR:                Crs Di Pasqua, Ferguson, Jago, Little, Megna, Parnaby,  
Ramondino, Tsirekas, and Yap)

(AGAINST:        Nil)

**M- 5993            RESOLVED**

(Crs Little/Megna)

THAT the Council revert back to Open Session.

At 8.16pm, the Council in Closed Session returned to Open Session.

**M- 5994            RESOLVED**

(Crs Little/Jago)

THAT the items discussed in Closed Session be endorsed.

THE MEETING CLOSED AT 8.17PM.