



## **MEETING OF COUNCIL**

Held in the Council Chambers  
Canada Bay Civic Centre  
1a Marlborough Street, Drummoyne  
on Tuesday, 15 May 2018, commencing at 6.07pm

## **MINUTES**

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

In attendance: Mr P Gainsford (General Manager)  
Mr B Pigott  
Mr J Osland  
Mr T McNamara  
Mr P Edney  
Mr M Wohlfiel  
Ms B Gibson (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**

Cr Ferguson

## **DECLARATIONS OF PECUNIARY INTEREST**

Item 3 - Cr Megna – Mother owns property in vicinity of the area.

Item 17 – Cr Megna - Mother owns property in vicinity of the area.

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

Item 3 - Cr Di Pasqua – Aware of property owner in vicinity of the area.

Item 5 – Cr Di Pasqua – Employed at State Members Electoral Office.

Item 16 – Cr Parnaby – Previously engaged investigator on behalf of employer.

## **CONFIRMATION OF MINUTES**

Council Meeting – 10 April 2018

### **M- 5742            RESOLVED**

(Crs Jago/Ramondino)

THAT the minutes of the Council Meeting of 10 April 2018 be confirmed.

Mayoral Minute 2 was considered out of agenda sequence but has been listed in correct agenda sequence for the sake of clarity.

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### **MM-1            MAYORAL MINUTE: CITY OF CANADA BAY MUSEUM**

### **M- 5743            RESOLVED**

(Cr Tsirekas)

THAT Council supports the important work of the Museum by providing this additional space for the preservation of collections.

**MM-2                    MAYORAL MINUTE: SUPPORT INCLUSIVE PLAY  
WORKER PROGRAM FOR LIVVI'S PLACE FIVE  
DOCK**

Ms R Ho, representing Touched by Olivia, addressed Council.

**M- 5744                RESOLVED**  
(Cr Tsirekas)

1.        THAT the Mayoral Minute be received and noted.
2.        THAT a report regarding the outcome of the program be brought to Council at the conclusion of the project.

**ITEM-1                DEVELOPMENT APPLICATION DETERMINATIONS  
BY THE INDEPENDENT HEARING AND ASSESSMENT  
PANEL AND BY THE STAFF UNDER DELEGATION**

**M- 5745                RESOLVED**  
(Crs Megna/Parnaby)

THAT Council note the information contained in the report.

**ITEM-2                STATION PRECINCT PLANNING PROPOSAL**

Mr D Furlong, representing Plan Urban Services Pty Ltd, addressed Council.

**M- 5746                RESOLVED**  
(Crs Parnaby/Ramondino)

1.        THAT a Voluntary Planning Agreement for uplift above the controls in the Canada Bay Local Environmental Plan 2016 that apply to 1 – 9 Marquet Street and 4 Mary Street, Rhodes be agreed in principle prior to resolving to submit the Planning Proposal to the Department of Planning and Environment for a Gateway Determination.
2.        THAT a probity protocol be developed and implemented to guide the further progress of the IProsperity Planning Proposal.

3. THAT the Planning Proposal submitted by I-Prosperity for land at 1 – 9 Marquet Street and 4 Mary Street, Rhodes be endorsed for submission to the Department of Planning and Environment, subject to the requirements in point 4 of this resolution being submitted.
  4. THAT prior to submission of the Planning Proposal to the Department of Planning and Environment, the applicant is to submit:
    - (a) an updated Planning Proposal that refers to a Floor Space Ratio of 13.06:1 and a maximum Height of Building of 117m.
    - (b) concept plans of the proposed building that illustrate the provision of 343m<sup>2</sup> of land at ground level on the corner of Marquet Street and Mary Street be provided as a partly open/partly covered open space that is to be publically accessible.
    - (c) a Scientific Report providing evidence of like-for-like replacement of solar amenity for any overshadowing of Union Square that also addresses legal, operational, risk and ongoing maintenance and management issues associated with the operation of the heliostat over the life of the building.
    - (d) a Traffic and Transport Assessment that addresses the cumulative impact of planned growth on the Rhodes Peninsula (including the traffic generated by the Planning Proposal) on the operation of the road and transport network and the proposed vehicular access arrangements for the site - the report is to assume that no parking is provided for 93 apartments.
    - (e) a Wind Assessment to identify the impact of the proposed building envelope on the immediate public and private domain and incorporate any mitigation measures or design changes that should be imposed.
    - (f) a SEPP 65 Report that addresses how the design quality principles of SEPP 65 and the Apartment Design Guide will be achieved.
    - (g) a Preliminary Site Investigation carried out in accordance with the Contaminated Land Planning Guidelines that identifies any past or present potentially contaminating activities and provides a preliminary assessment of the extent and nature of site contamination if it exists.
  5. THAT the General Manager be granted delegation to make minor modifications to the Planning Proposal following the receipt of a Gateway Determination.
  6. THAT the Rhodes West Development Control Plan be amended to:
    - (a) reflect the building envelope envisaged by the Planning Proposal;
-

- (b) include development controls that require the following dwelling mix:
    - Studio (0% - 10%),
    - 1 bedroom (0% - 20%),
    - 2 bedroom (50% - 80%) and
    - 3+ bedroom dwellings (10% – 100%).
  - (c) require a maximum floorplate of 900m<sup>2</sup> Gross Floor Area (GFA), excluding the area of wintergardens for the purpose of defining the area of floor plates only.
  - (d) require a number to be determined of dwellings with zero (0) car parking spaces for 1 – 9 Marquet Street and 4 Mary Street, Rhodes, following review by Council’s traffic consultants.
7. THAT should the Planning Proposal receive a Gateway Determination, the draft Rhodes West Development Control Plan and draft Voluntary Planning Agreements be exhibited concurrently with the Planning Proposal.
8. THAT a report be provided to Council advising of the outcome of the public exhibition period for the Planning Proposal, draft Development Control Plan and Voluntary Planning Agreement.

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

**ITEM-3                   SYDNEY METRO WEST - PROPOSED STATIONS  
 WITHIN THE CITY OF CANADA BAY**

At 6.45pm, Councillor Megna declared a pecuniary interest in this matter and left the Meeting.

At 6.45pm, Councillor Di Pasqua declared a non significant and non-pecuniary interest in this matter and left the Meeting.

**M- 5747                   RESOLVED**  
 (Crs Little/Jago)

- 1.       THAT Council puts forward Five Dock as a suitable location for a Sydney Metro Station. Five Dock would be in addition to the station location

previously endorsed by Council at Burwood North within the Parramatta Road Urban Transformation Strategy implementation areas.

2. THAT In-situ Community Consultation session/s be held by Sydney Metro West in Five Dock to obtain community view on a potential metro station in Five Dock.
3. THAT Council give in principle support to a metro station to intercept the T1 Northern Line, to be located at either North Strathfield station or Concord West Station.
4. THAT Sydney Metro West provides further information on any investigation findings for potential station locations at North Strathfield station and Concord West station, to enable Council to support one of these two stations.

(FOR: Crs Little, Jago, Parnaby, Ramondino, Tsirekas and Yap)  
(AGAINST: Nil)

**ITEM-4 NOMINATION OF MEMBER FOR STATE DESIGN REVIEW PANEL**

At 6.47pm, Councillors Di Pasqua and Megna returned to the Meeting.

**M- 5748 RESOLVED**  
(Crs Megna/Jago)

THAT Conrad Johnston be nominated as the City of Canada Bay's representative for the State Design Review Panel.

**ITEM-5 CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 19 APRIL 2018**

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

**M- 5749 RESOLVED**  
(Crs Megna/Parnaby)

THAT the minutes and recommendations of the Canada Bay Local Traffic Committee Meeting of 19 April 2018, be adopted, with the exception of Item 5.5.



**ITEM-5.1 CABARITA PARK - NO PARKING**

**M- 5750 RESOLVED**

(Crs Megna/Parnaby)

THAT 'No Parking' signage is installed in the area to the north of the MIPPS near Cabarita Swimming Centre as detailed in the locality plan.

**ITEM-5.2 WILLIAM STREET, CONCORD - PARKING RESTRICTION REVIEW**

**M- 5751 RESOLVED**

(Crs Megna/Parnaby)

THAT the 'No Parking' in William Street and Denison along the frontages of Cabarita Mortlake Kindy be changed to '1/4P 8am-9.30am, 2.30pm-4pm School Days'.

**ITEM-5.3 SPRING STREET, CONCORD - MIPPS**

**M- 5752 RESOLVED**

(Crs Megna/Parnaby)

THAT a Mobility Impaired Persons Parking Space be installed in Spring Street, Concord out the front of number 8 and the Mobility Impaired Persons Parking Space Register updated accordingly.

**ITEM-5.4 SWAN AVENUE, STRATHFIELD - MIPPS**

**M- 5753 RESOLVED**

(Crs Megna/Parnaby)

THAT a Mobility Impaired Persons Parking Space be installed on the east side of Swan Avenue out the front of number 37, operating '9am-6pm Sunday' and the Mobility Impaired Persons Parking Space Register be updated accordingly.

**ITEM-5.5        GALE STREET, MORTLAKE - BUS ZONE EXTENSION**

**M- 5754        RESOLVED**

(Crs Megna/Parnaby)

THAT this item be deferred for review at the next Traffic Committee Meeting.

**ITEM-5.6        GAUTHORPE STREET, RHODES - DRIVEWAY  
OBSTRUCTION**

**M- 5755        RESOLVED**

(Crs Megna/Parnaby)

THAT a painted island be line marked in Gauthorpe Street, Rhodes adjoining the western side of the western driveway to 10-16 Marquet Street, as detailed in the locality plan.

**ITEM-5.7        FERRY LANE, DRUMMOYNE NO PARKING ZONE**

**M- 5756        RESOLVED**

(Crs Megna/Parnaby)

THAT 'No Parking' restrictions be installed in Ferry Lane, Drummoyne across the driveway of 6 Day Street to the driveway of 2 Renwick Street, as detailed in the locality plan.

**ITEM-5.8        FORTESCUE STREET CHISWICK - WORK ZONE**

**M- 5757        RESOLVED**

(Crs Megna/Parnaby)

THAT the installation of the 'Works Zone 7am-5pm Mon-Sat' in Fortescue Street, Chiswick, outside number 18 Fortescue Street be approved.

**ITEM-5.9 LUDGATE STREET, CONCORD - WORK ZONE**

**M- 5758 RESOLVED**  
(Crs Megna/Parnaby)

THAT the installation of the 'Works Zone 7am-5pm Mon-Sat' in Ludgate Street, Concord, outside number 6 Ludgate Street, be approved.

**ITEM-5.10 TENNYSON ROAD, MORTLAKE - PROPOSED '2P' PARKING**

**M- 5759 RESOLVED**  
(Crs Megna/Parnaby)

THAT '2P 8:30am-6:00pm Mon-Fri, 8:30am-12:30pm Sat' restrictions be installed outside 86-88 and 90A Tennyson Road as detailed in the attached locality plan.

**ITEM-5.11 RIDER BOULEVARD, RHODES - CYCLIST RIGHT TURN BAY**

**M- 5760 RESOLVED**  
(Crs Megna/Parnaby)

1. THAT the installation of the 'Bicycles Prohibited' sign be deferred and that the Bay Bug Representatives meet with Council staff to discuss their concerns and that a further report be put to Traffic Committee if necessary.
2. THAT to further inform future infrastructure requirements, both weekday peak period and weekend peak period traffic modelling be undertaken for Rhodes west incorporating anticipated traffic volume changes as a result of proposed developments.

**ITEM-5.12 HENLEY MARINE DRIVE - INSTALLATION OF DOUBLE LINES**

**M- 5761 RESOLVED**  
(Crs Megna/Parnaby)

THAT double centreline line marking be installed, as per the locality plan.

**ITEM-5.13      LANSDOWNE STREET, CONCORD - INSTALLATION  
OF PAINTED ISLAND**

**M- 5762          RESOLVED**  
(Crs Megna/Parnaby)

THAT a painted island be line marked on Lansdowne Street, Concord adjoining the southern side of the driveway to 9 Lansdowne Street, as detailed in the locality plan.

**ITEM-5.14      MAJORS BAY ROAD, CONCORD - DRIVEWAY  
OBSTRUCTION**

**M- 5763          RESOLVED**  
(Crs Megna/Parnaby)

THAT painted chevrons be line marked across the driveway to 46 Majors Bay Road, Concord, as indicated in the attachment.

**ITEM-6          REVIEW OF LET'S PLAY STRATEGY**

**M- 5764          RESOLVED**  
(Crs Parnaby/Little)

1.      THAT Council undertake a review of the Let's Play Strategy.
2.      THAT a committee be formed to assist the review process, consisting of:
  - The Mayor or his alternative
  - Councillor Little
  - Two community representatives
  - One expert from within the community
  - Relevant Council staff

**ITEM-7            NORTH STRATHFIELD RAIL UNDERPASS PROJECT -  
TRANSFER OF LAND**

**M- 5765            RESOLVED**

(Crs Megna/Jago)

1.     THAT Council receive and note the report.
2.     THAT Council's Common Seal be affixed to the necessary documents relating to this matter and that the Mayor and General Manager be authorised to execute those documents where required.

**ITEM-8            PROPOSED DRAINAGE EASEMENT - 89 FORMOSA  
STREET, DRUMMOYNE**

**M- 5766            RESOLVED**

(Crs Megna/Parnaby)

1.     THAT Council grant the easement over 89 Formosa Street, Drummoyne (Lot 1 DP 432029) to Fire and Rescue NSW, as outlined in the report.
2.     THAT Council authorise the affixing of the Common Seal to all documentation relating to this matter.

**ITEM-9            ACCESS COMMITTEE MINUTES 1 MARCH AND 24  
APRIL 2018**

**M- 5767            RESOLVED**

(Crs Little/Ramondino)

THAT the minutes from the ordinary meetings of the City of Canada Bay Access Committee for 1 March and 24 April 2018 be received and noted.

**ITEM-10          CONCORD WEST ACTION PLAN**

**M- 5768            RESOLVED**

(Crs Megna/Jago)

THAT the Concord West Action Plan be endorsed.

**ITEM-11 REDEVELOPMENT OF CONCORD OVAL**

**M- 5769 RESOLVED**

(Crs Megna/Parnaby)

1. THAT Council proceed with the design and redevelopment of Concord Oval incorporating the Wests Tigers Centre of Excellence and working with all stakeholders using the facilities to take their needs into account.
2. THAT Council proceed with the design and redevelopment of Concord Oval to enable a single management structure for both Five Dock Leisure Centre and the proposed Concord Oval Recreation Centre.
3. THAT the General Manager execute the funding deeds for the Parramatta Road Urban Amenity Improvement Program funding.

**ITEM-12 COMMUNITIES FOR COMMUNITIES**

**M- 5770 RESOLVED**

(Crs Jago/Ramondino)

1. THAT Council enter into a three year Memorandum of Understanding with Communities for Communities for the delivery of Carols in the Park and Lunar New Year.
2. THAT Council increase the Community Sponsorship Program with an additional \$17,000 per annum.

**ITEM-13 AUDIT, RISK AND IMPROVEMENT COMMITTEE  
MEETING MINUTES - 10 APRIL 2018**

**M- 5771 RESOLVED**

(Crs Megna/Parnaby)

THAT the Minutes of the Audit, Risk and Improvement Committee for 10 April 2018 be adopted.

**ITEM-14            THIRD QUARTER BUDGET REVIEW**

**M- 5772            RESOLVED**  
(Crs Megna/Little)

THAT the Third Quarter Review Budget for 2017/18, including the variations as identified in the review of the Budget, be adopted.

**ITEM-15            CASH AND INVESTMENT REPORT FOR APRIL 2018**

**M- 5773            RESOLVED**  
(Crs Megna/Ramondino)

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

**M- 5774            RESOLVED**  
(Crs Megna/Parnaby)

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

At 7.29pm, the meeting went into Closed Session.

**COUNCIL IN CLOSED SESSION**

**ITEM-16            INDEPENDENT INVESTIGATION**

Councillor Parnaby declared a non-significant, non-pecuniary interest in this matter.

**M- 5775            RESOLVED**  
(Crs Jago/Ramondino)

1.    THAT this matter be closed.
2.    THAT Mr Ramanathan be advised, in summary, of the outcome of the investigation.
3.    THAT Council decline forthwith to engage in further correspondence or contact with Mr Ramanathan regarding this matter.

**ITEM-17            PROPOSED ACQUISITION OF PROPERTY - FIVE DOCK**

At 7.40pm, Councillor Megna declared a pecuniary interest in this matter and left the Meeting.

**M- 5776            RESOLVED**  
(Crs Jago/Di Pasqua)

1.     THAT in accordance with the Land Reservation Acquisition Map contained within Canada Bay Council's Local Environmental Plan 2013, Council commence negotiations with the owner of 155 Great North Road, Five Dock to acquire the property by agreement and otherwise as outlined within the above report and to the satisfaction of the General Manager.
2.     THAT a further report be provided to Council in relation to this matter prior to any final negotiations.

**ITEM-18            CONTRACT FOR SALE - 231 VICTORIA ROAD, DRUMMOYNE**

At 7.45pm, Councillor Megna returned to the Meeting.

**M- 5777            RESOLVED**  
(Crs Parnaby/Megna)

1.     THAT Council agree to extend the contract completion date for the disposal of 231 Victoria Road, Drummoyne, based on the terms contained within the report.
2.     THAT the General Manager be delegated authority to finalise and execute any legal documents required in relation to this matter.

**M- 5778            RESOLVED**  
(Crs Megna/Parnaby)

THAT the Council revert back to Open Session.

At 7.54pm the Council in Closed Session returned to Open Session.



**M- 5779            RESOLVED**  
(Crs Jago/Parnaby)

THAT the items discussed in Closed Session be endorsed.

**M- 5780            RESOLVED**

THAT the Director of Planning and Environment and the Director Technical Services and Operations be thanked for their outstanding loyal service to the City of Canada Bay.

THE MEETING CLOSED AT 8.00PM.

CHAIRMAN