

ORDINARY COUNCIL MEETING

MINUTES

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

Tuesday, 14 June 2022

Minutes of an Ordinary Council Meeting

Held on Tuesday 14 June 2022

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

Commencing at 6.02pm

Present:

Cr Di Pasqua	Councillor (Deputy Mayor and Chairperson)
Cr Bazouni	Councillor
Cr Cordaro	Councillor
Cr Ferguson	Councillor
Cr Jago	Councillor
Cr Little	Councillor
Cr Megna	Councillor

Officers in attendance:

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

NOTES

The meeting commenced at 6.02pm, moved into closed session at 8.13pm, resumed in open session at 8.44pm and concluded at 8.47pm.

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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

An apology was received on behalf of Councillor Carmela Ruggeri.

LEAVE OF ABSENCE

Nil.

APPLICATIONS FOR LEAVE OF ABSENCE

The General Manager advised that that Mayor, Councillor Angelo Tsirekas has requested an extension to the previous leave of absence granted for the period COB 14 April through to and including 27 May 2022, to cover an extended period from 28 May through to 27 June 2022.

RESOLVED 156/22

Moved: Cr Cordaro

Seconded: Cr Megna

1. That the request for an extension of leave of absence for the Mayor, Councillor Angelo Tsirekas be accepted and that the extension of leave of absence for the period 28 May through to 27 June 2022 be granted.
2. That the apology received from Councillor Carmela Ruggeri be accepted and leave of absence granted.

CARRIED

3 CONFIRMATION OF MINUTES

3.1 Minutes of Ordinary Council Meeting held 17 May 2022

RESOLVED 157/22

Moved: Cr Ferguson

Seconded: Cr Bazouni

That the minutes of the Ordinary Council Meeting of 17 May 2022 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 Ferguson disclosed a pecuniary interest in relation to Item 9.5 - Proposed Memorandum of Understanding between Communities for Communities and Council for provision of major outdoor events for the reason that:

“The Item recommends funding for a community group that the firm I work for provides insurance to”.

Councillor Ferguson disclosed a pecuniary interest in relation to Item 9.6 - Community Funding 2022-2023 for the reason that:

“The Item recommends funding for a community group that the firm I work for provides insurance to”.

Councillor Di Pasqua disclosed a less than significant non-pecuniary interest in relation to Item 10.2 - City of Canada Bay Local Traffic Committee Minutes - 26 May 2022 for the reason that:

“A professional colleague (State Member for Drummoyne) of mine sits on the Traffic Committee”.

PROCEDURAL MOTION – SUSPENSION OF STANDING ORDERS

RESOLVED 158/22

Moved: Cr Little

Seconded: Cr Jago

That standing orders be suspended to bring forward Items 5.4 and 5.3.

CARRIED

Note: At this stage of the meeting Item 5.4 Mayoral Minute – Vale Peter Woods OAM was considered.

PROCEDURAL MOTION – RESUMPTION OF STANDING ORDERS

RESOLVED 159/22

Moved: Cr Little

Seconded: Cr Jago

That standing orders resume.

CARRIED

5 MAYORAL MINUTE(S)**ITEM 5.1 MAYORAL MINUTE - TRAFFIC STUDY - RHODES**

RESOLVED 160/22

Moved: Cr Di Pasqua

THAT a Council workshop be conducted and a subsequent report be prepared and submitted to Council regarding road safety in Rhodes including:

- Investigations that have been undertaken into road safety and pedestrian issues in Rhodes
- What works are currently planned
- What further works may be required
- What action is being undertaken to monitor traffic management around construction sites.

CARRIED

ITEM 5.2 MAYORAL MINUTE – ONGOING REQUIREMENT FOR SPECIAL EVENT FERRIES

RESOLVED 161/22

Moved: Cr Di Pasqua

That Council write to Minister for Transport David Elliott requesting a plan for additional special event ferry services for Vivid Sydney and other major Sydney Harbour events.

CARRIED

Note: Item 6 – Public Forum, was considered next.

Note: Ms Sally Sitou was present at the meeting for Item 5.3 – Mayoral Minute – Federal Member for Reid, and the Chairperson invited Ms Situ to address the meeting.

Note: At the invitation of the Chairperson the following Councillors spoke to the Item:

- *Councillor Stephanie Di Pasqua*
- *Councillor Michael Megna*
- *Councillor Charles Jago*
- *Councillor Julia Little*

ITEM 5.3 MAYORAL MINUTE - FEDERAL MEMBER FOR REID

RESOLVED 162/22

Moved: Cr Di Pasqua

That Council congratulate newly elected Member for Reid, Ms Sally Sitou.

CARRIED

Note: The Procedural Motion, Resumption of Standing Orders (Min No. 159/22) was considered next.

ITEM 5.4 MAYORAL MINUTE - VALE PETER WOODS OAM

BACKGROUND

It is with sadness that I bring to Council's attention the recent passing of Peter Woods OAM.

Peter Woods joined Concord Council in 1977 and served our community for a total of 26 years, including 10 years as Mayor, remaining with the City of Canada Bay for a term following the amalgamation of Drummoyne and Concord Councils.

His time serving our local community will be remembered fondly by many and should be celebrated today and continue to be celebrated for many years to come by this Council.

A tireless and lifelong champion for local causes and our area, Peter worked with councillors across the political divide to realise a vision for the City of Canada Bay we now enjoy.

Among his long list of achievements, Peter was perhaps most proud of his advocacy alongside his fellow councillors for foreshore access for all. This legacy is important to note as it will continue to benefit future generations.

He was a Director on the Board of Directors for the Kokoda Track Memorial Walkway, advocacy for which was another of his local passions.

In addition to Peter's service to our Council and community, his service to local government in NSW, Australia and indeed across the world is unparalleled.

Peter served as President of the Local Government Association of NSW for a record 12-year term until 2002 and spent 15 years as member of the National Executive of the Australian Local Government Association, including two years as Australian President. He was also a member of the Council of Australian Governments.

In these years Peter advocated on a national stage for local government causes far beyond our city limits and his influence on communities and governance did not stop at the national borders.

In 1992, Peter became Executive Vice President of the International Union of Local Authorities Asia Pacific, before serving as President in 1996–2004 in addition to his term as Vice President of the International Union of Local Authorities in the same years. Peter also spent 10 years on the Board of the Commonwealth Local Government Forum until 2004.

In this time Peter worked to celebrate participatory democracy and build better local governments and local government practise in the Asia Pacific and across the world.

Peter was involved with the sponsorship of China into the IULA as a full member in 1998 and it is thanks in part to his advocacy that we now have Taipei and Beijing, South Korea and North Korea, and India and Pakistan sitting at the same table at the IULA Asia Pacific.

As we all know, the closest form of government to the people is local government, so the scale of this global advocacy is remarkable.

Those of us here and indeed all in public life should aspire to his extraordinary service and to his lifelong dedication to his local and international community.

Peter is survived by his wife Joyce, daughter Rebecca and grandson Archie.

I ask Council to join me in a minute's silence to commemorate the passing of this significant figure in our Council's history.

Note: The following Councillors spoke to the Item in honour of Mr Peter Woods OAM:

- Councillor Michael Megna
 - Councillor Andrew Ferguson
 - Councillor Charles Jago
-

RESOLVED 163/22

Moved: Cr Di Pasqua

That Council receive and note the report.

CARRIED

Note: One minutes silence was observed by Council in honour of Mr Peter Woods OAM.

Note: Item 53 – Mayoral Minute – Federal Member for Reid was considered next.

6 PUBLIC FORUM

The Deputy 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.

Item 5.1 – Mayoral Minute – Traffic Study Rhodes

- Mr Rolf Muller addressed Council in support of the motion.

Note: At 7.05pm, Councillor Ferguson left the chamber due to having disclosed a pecuniary interest in Item 9.5 Proposed Memorandum of understanding between Communities for Communities and Council for Provision of Major Outdoor Events.

Item 9.5 – Proposed Memorandum of understanding between Communities for Communities and Council for Provision of Major Outdoor Events

- Mr Eddie Mytowski addressed Council in support of the motion.

Note: At 7.09pm, Councillor Ferguson returned to the chamber.

Item 9.6 – Community Funding 2022-2023

- Mr Serge Derkatch addressed Council in support of the motion.

Item 10.2 – City of Canada Bay Local Traffic Committee Minutes – 26 May 2022

- Mr Geoff Ashton addressed Council against the recommendation of the City of Canada Bay Traffic Committee.

Item 12.1 – Notice of Motion – Step up for Cancer Survivorship

- Ms Cherrie Bullard addressed Council in support of the motion.
-

7 ITEMS RESOLVED BY EXCEPTION

Nil

8 EXECUTIVE SERVICES DIRECTORATE REPORTS

Nil

9 COMMUNITY AND ENVIRONMENTAL PLANNING DIRECTORATE REPORTS**ITEM 9.1 DA DETERMINATIONS BY THE LOCAL PLANNING PANEL AND STAFF UNDER DELEGATION**

RESOLVED 164/22

Moved: Cr Bazouni

Seconded: Cr Little

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 May 2022 and 31 May 2022).

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

Against: Nil

CARRIED 7/0

ITEM 9.2 COMMUNITY ENGAGEMENT STRATEGY

RESOLVED 165/22

Moved: Cr Megna

Seconded: Cr Jago

That:

1. The draft *Community Engagement Policy* and draft *Community Engagement Strategy* attached to the report, be placed on public exhibition.
2. Following the public exhibition period, a further report, including details of any submissions, be submitted to Council.

CARRIED

ITEM 9.3 COMMUNITY SHARPS POLICY

RESOLVED 166/22

Moved: Cr Little

Seconded: Cr Jago

That the draft Community Sharps Policy attached to the report, be placed on public exhibition.

CARRIED

ITEM 9.4 COMMUNITY RECYCLING CENTRE - SHARED SERVICE AGREEMENT

RESOLVED 167/22

Moved: Cr Jago

Seconded: Cr Ferguson

That:

1. Council's General Manager writes to Burwood Council offering an extension of the shared services agreement for the Community Recycling Centre, for a two-year term commencing August 2022, with an option to extend for a further year, subject to agreement by both parties.
2. The General Manager be authorised to execute the formal agreement on behalf of Council.

CARRIED

Note: At 7.29pm, Councillor Ferguson left the chamber due to having disclosed a pecuniary interest in Item 9.5 Proposed Memorandum of understanding between Communities for Communities and Council for Provision of Major Outdoor Events.

ITEM 9.5 PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN COMMUNITIES FOR COMMUNITIES AND COUNCIL FOR PROVISION OF MAJOR OUTDOOR EVENTS.

RESOLVED 168/22

Moved: Cr Jago

Seconded: Cr Bazouni

That:

1. Council enter a one year Memorandum of Understanding with Communities for Communities for delivery of the Carols in the Park (December 2022) and Community Fun Day (June 2023) events.
2. The General Manager be delegated authority to prepare and execute the Memorandum of Understanding on behalf of Council.

CARRIED

Note: At 7.37pm, Councillor Ferguson returned to the chamber.

Note: At 7.38pm, Councillor Ferguson left the chamber due to also having disclosed a pecuniary interest in Item 9.6 - Community Funding 2022-2023.

ITEM 9.6 COMMUNITY FUNDING 2022-2023

RESOLVED 169/22

Moved: Cr Little

Seconded: Cr Cordaro

That:

1. Council approves the recommendation in Attachment 2 for sponsorship under the 2022-2023 Community Sponsorship Program.
2. Council approves the recommendation in Attachment 2 for associated hire fees of Council's facilities for 2022-2023.
3. Write to all applicants to advise the outcome of the 2022-2023 Community Funding Program.

CARRIED

Note: At 7.39pm, Councillor Ferguson returned to the chamber.

10 CITY SERVICES AND ASSETS DIRECTORATE REPORTS

ITEM 10.1 COMMUNITY GRANTS 2022-2023

RESOLVED 170/22

Moved: Cr Megna

Seconded: Cr Little

That:

1. Council consider and approve the recommendations for funding under the 2022-2023 Community Grants Program to a total amount of \$66,753.
2. Funding recipients be invited to attend the City of Canada Bay Community Grants Presentation Ceremony on 21 July 2022.
3. Council write to unsuccessful organisations to provide feedback to assist with the preparation of future applications.

CARRIED

PROCEDURAL MOTION – ITEM TO BE DEALT WITH IN SERIATIM

RESOLVED 171/22

Moved: Cr Di Pasqua

Seconded: Cr Megna

That Item 10.2 City of Canada Bay Local Traffic Committee Minutes – 26 May 2022 be dealt with in two parts.

CARRIED

ITEM 10.2 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 26 MAY 2022

RESOLVED 172/22

Moved: Cr Megna

Seconded: Cr Bazouni

That Items 1, 3, 4, 5, 6 and 7 of the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 26 May 2022, attached to the report, be adopted.

CARRIED

RESOLVED 173/22

Moved: Cr Little

Seconded: Cr Ferguson

That consideration of Item 2 of the City of Canada Bay Local Traffic Committee Minutes – 26 May 2022 titled Barnstaple Road, Five Dock – Angled Parking Expansion and Configuration, be deferred for a Councillor Workshop prior to referral to the City of Canada Bay Traffic Committee to reconsider the existing angled parking in Barnstaple Road adjoining Five Dock Park in conjunction with the design of the proposed bicycle right turn bay on Barnstaple Road which as adopted by Council on 1 December 2020, including potential alternate treatments and how pedestrian access at the location can also be improved.

CARRIED

11 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS**ITEM 11.1 ELECTION TO FILL CASUAL VACANCY ON LGNSW BOARD - NOMINATION OF VOTING DELEGATES**

RESOLVED 174/22

Moved: Cr Megna

Seconded: Cr Jago

That Councillors Di Pasqua, Jago, Little, Cordaro and Megna be nominated as the voting delegates for the election to fill a casual vacancy on the LGNSW Board for the Office of Director (Metropolitan/Urban council.)

CARRIED

ITEM 11.2 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION 2022/23 AND ANNUAL FEE FOR MAYOR AND COUNCILLORS

RESOLVED 175/22

Moved: Cr Little

Seconded: Cr Jago

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 2022 to 30 June 2023 be fixed as follows:

- (a) Councillors at \$21,100 per annum
- (b) Mayor at \$46,010 per annum.

CARRIED

ITEM 11.3 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2022 - DELEGATES

RESOLVED 176/22

Moved: Cr Megna

Seconded: Cr Ferguson

That Council nominate Councillor Di Pasqua (Deputy Mayor), as a substitute for Councillor Tsirekas (Mayor), to attend the National General Assembly of Local Government with Councillor Megna and the General Manager in Canberra (19-22 June 2022).

CARRIED

ITEM 11.4 CASH AND INVESTMENTS REPORT FOR MAY 2022

RESOLVED 177/22

Moved: Cr Little

Seconded: Cr Jago

That the Cash and Investments Report for May 2022 attached to the report be received and noted.

CARRIED

12 NOTICES OF MOTION**ITEM 12.1 NOTICE OF MOTION - STEP UP FOR CANCER SURVIVORSHIP**

RESOLVED 178/22

Moved: Cr Ferguson

Seconded: Cr Little

That Council:

1. Congratulates Concord Hospital's Sydney Cancer Survivorship Centre on its 'Step Up' fundraising initiative.
2. Commits to promoting this annual initiative through appropriate communication mediums.

CARRIED

ITEM 12.2 NOTICE OF MOTION - FEDERAL GOVERNMENT ELECTION - SEAT OF REID

MOTION

That Council:

1. Acknowledges the service of outgoing local federal MP for Reid, Dr Fiona Martin.
 2. Places on record its appreciation of this service over the last 3 years to the residents of Reid and assistance to the City of Canada Bay Council.
 3. Notes the investments during Dr Reid's term in office in local roads, sporting clubs, parks and amenities, and advocacy on behalf of local business and community groups.
 4. Congratulates Sally Sitou on her election as the new Federal MP for Reid and wishes her every success, and commits to working with both her and the local state member for Drummoynes to achieve the best outcome for local residents.
-

Note: The Notice of Motion was withdrawn by Councillor Ferguson as the subject matter was considered at Item 5.3 – Mayoral Minute – Federal Member for Reid.

13 NOTICES OF MOTION OF RESCISSION

Nil

14 MATTERS OF URGENCY

Nil

15 QUESTIONS WITH NOTICE

Nil

16 CONFIDENTIAL MATTERS

RESOLVED 179/22

Moved: Cr Little

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 16.1 PROPERTY ACQUISITION

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.

ITEM 16.2 DIVESTMENT OF 283 CONCORD ROAD, CONCORD WEST

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 8.13pm, the Council moved into Closed Session.

ITEM 16.1 PROPERTY ACQUISITION

RESOLVED 180/22

Moved: Cr Megna

Seconded: Cr Bazouni

1. The 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. That Council authorise the General Manager to acquire the subject land up to the amount specified as detailed within the report.

CARRIED

ITEM 16.2 DIVESTMENT OF 283 CONCORD ROAD, CONCORD WEST

RESOLVED 181/22

Moved: Cr Jago

Seconded: Cr Megna

1. The 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. That Council endorse the sale strategy, including minimum reserve price, as detailed in the report.
3. That a further report be presented and submitted to Council on the outcome of the sale.

CARRIED

RESOLVED 182/22

Moved: Cr Megna

Seconded: Cr Bazouni

That the Council resume in Open Session.

CARRIED

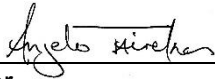
Note: At 8.44pm, the Council in Closed Session returned to Open Session.

17 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 8.47pm.

This is the final page of the minutes comprising 18 pages numbered 1 to 18 of the Ordinary Council Meeting held on Tuesday 14 June 2022 and confirmed on Tuesday 19 July 2022.



Mayor

General Manager