

ORDINARY COUNCIL MEETING

MINUTES

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

Tuesday, 20 June 2023

Minutes of an Ordinary Council Meeting

Held on Tuesday 20 June 2023

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

Commencing at 6.00pm

Present:

Cr Tsirekas	Mayor (<i>via MS Teams</i>)
Cr Di Pasqua	Deputy Mayor (<i>via MS Teams</i>)
Cr Bazouni	Councillor
Cr Cordaro	Councillor (<i>via MS Teams</i>)
Cr Ferguson	Councillor
Cr Jago	Councillor
Cr Little	Councillor (<i>via MS Teams</i>)
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 6.00pm, moved into Closed Session at 7.26pm, resumed in Open Session at 7.51pm and concluded at 7.57pm.

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Note: The Mayor, Councillor Tsirekas; the Deputy Mayor, Councillor Di Pasqua; Councillor Little and; Councillor Cordaro were present on-line via MS Teams

Note: Due to the Mayor, Councillor Tsirekas and the Deputy Mayor, Councillor Di Pasqua being present on-line and unable to Chair the meeting, the General Manager, Mr Clark opened the meeting at 6.00pm and called for nominations for a chairperson for the meeting.

Councillors Tsirekas and Bazouni nominated Councillor Megna.

Councillors Ferguson and Jago nominated Councillor Jago.

There being two nominations, and following an ordinary ballot (show of hands) Councillor Megna was elected Chairperson for the meeting.

Note: At 6.02pm, Councillor Megna assumed the Chair.

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

Nil

Note: Councillor Di Pasqua arrived (on-line) to the meeting at 6.38pm, and left the meeting (on-line) at 7.36pm.

Note: The Mayor, Councillor Tsirekas left the meeting (on-line) at 7.19pm.

3 CONFIRMATION OF MINUTES

3.1 Minutes of Ordinary Council Meeting held 16 May 2023

RESOLVED 131/23

Moved: Cr Tsirekas

Seconded: Cr Cordaro

That the minutes of the Ordinary Council Meeting of 16 May 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 9.2 – Planning Proposal - Removal of 25 Battersea Street, Abbotsford as a Local Heritage Item for the reason that:

“I am elected as the State Member for Drummoyne, and this Item is a State Government matter.”

Councillor Megna disclosed a significant non-pecuniary interest in relation to Item 9.2 – Planning Proposal - Removal of 25 Battersea Street, Abbotsford as a Local Heritage Item for the reason that:

“I am a near neighbour of the applicant.”

Councillor Di Pasqua disclosed significant non-pecuniary interest in relation to Item 10.1 - City of Canada Bay Local Traffic Committee Minutes – 25 May 2023 for the reason that:

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

Councillor Megna disclosed a less than significant non-pecuniary interest in relation to Item 11.1 – Community Grants 2023-24 for the reason that:

“I donate prize money to the Drummoyne Art Society each year, I am a member of the Rotary Club of Drummoyne and am a co-patron of the Rhodes Multicultural Committee.”

Councillor Di Pasqua disclosed a less than significant non-pecuniary interest in relation to Item 11.2 Community Sponsorship 2023-24 for the reason that:

“I am a member of the Associazione Isoli Eolie”

Councillor Megna disclosed a significant non-pecuniary interest in relation to Item 11.2 Community Sponsorship 2023-24 for the reason that:

“I am a board member of the the Associazione Isoli Eolie.”

The Mayor, Councillor Tsirekas disclosed a significant non-pecuniary interest in relation to Item 12.3 – Majors Bay Reserve Synthetic Field - Licence for Use by Canada Bay Football Institute Pty Ltd and Public Access for the reason that:

“The Canada Bay Football Institute assisted with my election campaign.”

Councillor Cordaro disclosed a significant non-pecuniary interest in relation to Item 12.3 – Majors Bay Reserve Synthetic Field - Licence for Use by Canada Bay Football Institute Pty Ltd and Public Access for the reason that:

“The Canada Bay Football Institute assisted with my election campaign.”

Councillor Ruggeri disclosed a significant non-pecuniary interest in relation to Item 12.3 – Majors Bay Reserve Synthetic Field - Licence for Use by Canada Bay Football Institute Pty Ltd and Public Access for the reason that:

“The Canada Bay Football Institute assisted with my election campaign.”

The Mayor, Councillor Tsirekas disclosed a significant non-pecuniary interest in relation to Item 17.3 - Lease - Sienella Pty Ltd t/a Nield Park Café for the reason that:

“I know the lessee.”

SUSPENSION OF STANDING ORDERS

RESOLVED 132/23

Moved: Cr Megna

Seconded: Cr Ruggeri

That standing orders be suspended to bring forward Item 12.1 - Adoption of Delivery Program 2022-2026, Operational Plan 2023-24 and Statement of Revenue, Including Budget and Schedule of Fees and Charges.

CARRIED

Note: Item 12.1 - Adoption of Delivery Program 2022-2026, Operational Plan 2023-24 and Statement of Revenue, Including Budget and Schedule of Fees and Charges was dealt with next.

RESUMPTION OF STANDING ORDERS

RESOLVED 133/23

Moved: Cr Megna

Seconded: Cr Bazouni

That standing orders be resumed.

CARRIED

5 MAYORAL MINUTE(S)

Nil

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.

SUSPENSION OF STANDING ORDERS

RESOLVED 134/23

Moved: Cr Tsirekas

Seconded: Cr Jago

That standing orders be suspended to bring forward Items 9.2 - Planning Proposal - Removal of 25 Battersea Street, Abbotsford as a Local Heritage Item, 11.2 - Community Sponsorship 2023-24 and 12.3 - Majors Bay Reserve Synthetic Field - Licence for Use by Canada Bay Football Institute Pty Ltd and Public Access.

CARRIED

Note: Item 9.2 – Planning Proposal - Removal of 25 Battersea Street, Abbotsford as a Local Heritage Item was dealt with next.

RESUMPTION OF STANDING ORDERS

RESOLVED 135/23

Moved: Cr Megna

Seconded: Cr Bazouni

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 136/23

Moved: Cr Bazouni

Seconded: Cr Cordaro

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 2023 and 31 May 2023.

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

Against: Nil

CARRIED 9/0

Note: Item 9.3 - EV Charging Strategy and Action Plan - Post Exhibition was considered next.

Note: Due to Councillor Megna having disclosed a significant non-pecuniary interests in Items 9.2 – Planning Proposal – Removal of 25 Battersea Street, Abbotsford as a Local Heritage Item and 11.2 – Community Sponsorship 2023-24, Councillor Megna (as Chair) called for nominations from the floor for an acting Chairperson for these two items. Councillors Ruggeri and Megna nominated Councillor Bazouni.

On there being no further nominations, Councillor Bazouni was elected Acting Chairperson (unopposed) for the consideration of Items 9.2 and 11.2 on the Agenda.

Note: At 6.20pm, Councillor Megna vacated the Chair and left the Chamber.

Note: Councillor Di Pasqua disclosed a significant non-pecuniary interest in Item 9.2 – Planning Proposal – Removal of 25 Battersea Street, Abbotsford as a Local Heritage Item (noting that she was not yet present at the meeting (on-line) for this Item). Councillor Di Pasqua disclosed her interests upon entering the meeting.

Note: Councillor Bazouni assumed the Chair.

ITEM 9.2 PLANNING PROPOSAL - REMOVAL OF 25 BATTERSEA STREET, ABBOTSFORD AS A LOCAL HERITAGE ITEM

Note: The following people addressed Council on this item

- Ms Anna McLaurin – Wier Phillips Heritage and Planning (on behalf of the applicant)*
- Mr Philip North - Wier Phillips Heritage and Planning (on behalf of the owner)*

RESOLVED 137/23

Moved: Cr Jago

Seconded: Cr Ferguson

That:

1. The Planning Proposal to remove 25 Battersea Street, Abbotsford as a heritage item in the *Canada Bay Local Environmental Plan 2013*, be refused as the site continues to satisfy:
 - (a) Criterion (a) of the Heritage NSW guideline Assessing Heritage Significance as the property demonstrates the suburbanisation of Abbotsford following improvements in public transport and employment opportunities, which is a significant aspect of the history of the Canada Bay local government area.
 - (b) Criterion (c) as it remains a substantial Inter-War house that makes a notable contribution to the streetscape. The house retains key original features and is an interesting example of a transitional design with both Federation and Inter-War stylistic influences. The late twentieth century addition is sympathetic.
 - (c) Criterion (g) as it remains a good example of a substantial Inter-War house representative of the style of residential development at Abbotsford Point in the Inter-War period.

In Favour: Crs Tsirekas, Bazouni, Cordaro, Ferguson, Jago and Little

Against: Cr Ruggeri

CARRIED 6/1

Note: At 6.31pm Councillor Megna returned to the Chamber and resumed the Chair.

Note: Item 11.1 - Community Grants 2023-24 was dealt with next.

ITEM 9.3 EV CHARGING STRATEGY AND ACTION PLAN - POST EXHIBITION

RESOLVED 138/23

Moved: Cr Jago

Seconded: Cr Ferguson

That:

1. Council adopt the *Electric Vehicle Charging Strategy and Action Plan*, attached to the report.
2. The General Manager be authorised to make minor editorial amendments for clarity or correction of drafting errors to the *Electric Vehicle Charging Strategy and Action Plan*.

CARRIED

ITEM 9.4 ELECTRIC VEHICLE CHARGING INFRASTRUCTURE POLICY

RESOLVED 139/23

Moved: Cr Jago

Seconded: Cr Tsirekas

That:

1. Council endorses the draft *Electric Vehicle Charging Infrastructure Policy*, attached to the report, for public exhibition for a period of at least 28 days.
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2. Following the public exhibition period, a report be prepared and submitted to Council on any submissions received, and any subsequently proposed amendments to the draft *Electric Vehicle Charging Infrastructure Policy*.
 3. Authority be delegated to the General Manager to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft *Electric Vehicle Charging Infrastructure Policy*.

CARRIED

ITEM 9.5 UPDATE TO THE CITY OF CANADA BAY AFFORDABLE HOUSING POLICY

RESOLVED 140/23

Moved: Cr Jago

Seconded: Cr Tsirekas

That the updated *City of Canada Bay Affordable Housing Policy* and *Affordable Housing Management Guideline*, attached to the report, be adopted.

CARRIED

ITEM 9.6 CANADA BAY LOCAL HERITAGE GRANTS PROGRAM 2022/2023

RESOLVED 141/23

Moved: Cr Tsirekas

Seconded: Cr Jago

That:

1. Council notes the completed projects of the 2022/2023 Local Heritage Grants Program.
2. The 2023/24 Local Heritage Grants Program be commenced.

CARRIED

ITEM 9.7 UPDATE TO CLOTHING BIN POLICY

RESOLVED 142/23

Moved: Cr Tsirekas

Seconded: Cr Jago

That Council:

1. Adopt the amended Clothing Bin Policy, attached to the report.
2. Note that an expression of interest process will be undertaken for the clothing bin operators following adoption of the policy.

CARRIED

10 CITY ASSETS DIRECTORATE REPORTS

Note: At 7.16pm, Councillor Di Pasqua left the meeting (on-line) having disclosed a significant non-pecuniary interest in Item 10.1 – City of Canada Bay Local Traffic Committee Minutes – 25 May 2023.

ITEM 10.1 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 25 MAY 2023

RESOLVED 143/23

Moved: Cr Megna

Seconded: Cr Tsirekas

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 25 May 2023, attached to the report, be adopted.

CARRIED

Note: At 7.17pm, Councillor Di Pasqua returned to the meeting (on-line).

ITEM 10.2 CITY OF CANADA BAY COUNCIL FLOOD RISK MANAGEMENT COMMITTEE - MINUTES OF MEETING HELD ON 2 MAY 2023

RESOLVED 144/23

Moved: Cr Tsirekas

Seconded: Cr Jago

That the minutes of the Flood Risk Management Committee meeting held on 2 May 2023, attached to the report, be received and noted.

CARRIED

Note: Item 11.3 - Reconciliation Action Plan - Post Exhibition was considered next.

11 COMMUNITY CULTURE AND LEISURE DIRECTORATE REPORTS

Note: Councillor Megna disclosed a less than significant non-pecuniary interest in relation to Item 11.1 – Community Grants 2023-24.

ITEM 11.1 COMMUNITY GRANTS 2023-24

RESOLVED 145/23

Moved: Cr Tsirekas

Seconded: Cr Jago

That:

1. Council approve the recommendations for funding under the 2023-2024 Community Grants Program to a total amount of \$69,680, as specified in the 2023-2024 Community Grants – Funding Recommendations (Attachment 1).
2. Funding recipients be invited to attend the City of Canada Bay Community Grants Presentation Ceremony on 19 July 2023.
3. Council writes to unsuccessful organisations advising of the outcome of their applications, including the provision of feedback.
4. Council staff undertake a review of the Community Grant Program and Guidelines and present the findings at a Councillor Workshop.
5. Following the workshop referred to in 4 above, a report be prepared and submitted to Council.

CARRIED

Note: Councillor Di Pasqua disclosed a less than significant non-pecuniary interest in relation to Item 11.2 – Community Sponsorship 2023-24 (noting that she was not yet present at the meeting (on-line) for this Item). Councillor Di Pasqua disclosed her interests upon entering the meeting.

ITEM 11.2 COMMUNITY SPONSORSHIP 2023-24

Note: The following person addressed Council on this item

- *Mr Edward Mytowski – Community for Communities*

RESOLVED 146/23

Moved: Cr Tsirekas

Seconded: Cr Ferguson

That:

1. Council approve the recommendations for funding under the 2023-24 Community Sponsorship Program to a total amount of \$131,850, as specified in the 2023-2024 Community Sponsorship – Funding Recommendations (Attachment 1).
2. An additional \$17,735 be allocated to the grants program for 2023-24, to be funded from the Community, Culture & Leisure divisional operational budget, to maintain community funding for Communities for Communities' major events program.
3. Council writes to all applicants to advise the outcome of the 2023-24 Community Sponsorship Program.
4. Council staff undertake a review of the Community Sponsorship Program and present the findings at a Councillor Workshop.
5. Following the workshop referred to in 4 above, a report be prepared and submitted to Council.

CARRIED

Note: At 6.38pm, Councillor Di Pasqua joined the meeting (on-line).

Note: Item 12.3 - Majors Bay Reserve Synthetic Field - Licence for Use by Canada Bay Football Institute Pty Ltd and Public Access was dealt with next.

ITEM 11.3 RECONCILIATION ACTION PLAN - POST EXHIBITION

RESOLVED 147/23

Moved: Cr Jago

Seconded: Cr Tsirekas

That:

1. Council notes the outcome of the public exhibition of the draft Reconciliation Action Plan, provided in the Summary of Submissions, attached to the report as Attachment 1.
2. The draft Reflect Reconciliation Action Plan, attached to the report at Attachment 2, be adopted.

CARRIED

ITEM 11.4 PLACE MANAGMENT FRAMEWORK - POST EXHIBITION

RESOLVED 148/23

Moved: Cr Jago

Seconded: Cr Cordaro

That:

1. Council notes the outcome of the public exhibition of the draft Place Management Framework, provided in the report.
2. The draft Place Management Framework, attached to the report, be adopted.

CARRIED

ITEM 11.5 RHODES COMMUNITY COMMITTEE MEETING MINUTES - 25 MAY 2023

RESOLVED 149/23

Moved: Cr Megna

Seconded: Cr Ferguson

That the minutes of the Rhodes Community Committee meeting held 25 May 2023 be received and noted.

CARRIED

Note: Item 12.2 – Land Classification – 8 Hilts Road, Strathfield was considered next.

12 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS

ITEM 12.1 ADOPTION OF DELIVERY PROGRAM 2022-2026, OPERATIONAL PLAN 2023-24 AND STATEMENT OF REVENUE, INCLUDING BUDGET AND SCHEDULE OF FEES AND CHARGES

RESOLVED 150/23

Moved: Cr Jago

Seconded: Cr Bazouni

That:

1. Council consider the submissions received in response to the public exhibition of the draft Delivery Program 2022-2026 and draft Operational Plan 2023-24, as summarised in Attachment 1 to the report.
 2. The amendments to the documents following exhibition included in Attachment 1 be noted.
 3. Council note that IPART has approved Council's application to increase its general income by a cumulative 32.53% (including the rate peg) through a permanent special variation over 2023-24 to 2026-27 and to increase the minimum rates by a cumulative 45.5% over 2023-24 to 2026-27.
 4. The Delivery Program 2022–2026 and Operational Plan 2023–2024 at Attachment 2, with the budget option incorporating the Special Rate Variation and the amendments in 2 above, be adopted in accordance with Section 404 and 405 of the Local Government Act 1993 (the Act), respectively.
 5. The Schedule of Fees and Charges 2023-24 applying from 1 July 2023 to 30 June 2024 at Attachment 3 in accordance with Sections 535 and 608 of the Act be adopted.
 6. Council make the following ordinary rates and charges in accordance with Section 494 and 535 of the Act:
 - (a) Council's general income is increased by 15.49% in the 2023-24 financial year.
 - (b) **Residential – Ordinary Rate**

An ad valorem rate in the \$ of 0.0646557 with a Minimum Rate of \$879.70.

The Residential – Ordinary Rate is to be applied to all land categorised as Residential throughout the whole City of Canada Bay Local Government Area.
 - (c) **Business – Ordinary Rate**

An ad valorem rate in the \$ of 0.181728 with a Minimum Rate of \$879.70

The Business – Ordinary Rate is to be applied to all land categorised as Business throughout the whole City of Canada Bay Local Government Area.
 - (d) **Residential - Stormwater Management Charge**

A stormwater management service charge amounting to \$25 per residential allotment.

A stormwater management service charge amounting to \$12.50 per residential strata allotment.
 - (e) **Business - Stormwater Management Charge**
-

A stormwater management service charge amounting to \$25 per business allotment per 350m² or part thereof.

For a lot in a strata scheme that is categorised as business - the greater of:

\$5 or

the relevant proportion of the maximum annual charge that would apply to the land subject to the strata scheme if it were a parcel of land categorised as business.

(f) Residential Domestic Waste Management Charge

The standard Domestic Waste Management Charge is set at \$439 for each residential property in the City of Canada Bay Local Government Area with further detail provided in the Schedule of Fees and Charges 2023-24 (Attachment 3).

7. Ordinary Rates and Charges included in 6 above are to be made in respect to the twelve month rating year commencing 1 July 2023 in accordance with Section 534 of the Local Government Act 1993.
8. If the levying of a minimum rate would apply unfairly, or cause hardship to a rateable person who is rateable in respect of two or more separate parcels of land subject to the rate, then it may aggregate the land values of such of the parcels as it determines and levy the rate on the aggregated land values in accordance with sections 548A and 531B of the Local Government Act 1993.
9. An interest rate of 9% per annum on overdue rates and charges for the period 1 July 2023 to 30 June 2024, be adopted in accordance with Section 566(3) of the Act, subject to Council reserving the right to vary the interest chargeable on overdue rates to accord with any variations made to the Act and regulations thereunder.

CARRIED

Note: Resumption of Standing Orders, (Min No 133/23) was considered next.

ITEM 12.2 LAND CLASSIFICATION - 8 HILTS ROAD, STRATHFIELD

RESOLVED 151/23

Moved: Cr Cordaro

Seconded: Cr Jago

That:

1. Council notes that no submissions were received relating to the statutory advertising of an intention to classify 8 Hiltz Road, Strathfield (Lot 2 DP 608034) as Operational land.
2. The land being 8 Hiltz Road, Strathfield (Lot 2 DP 608034) be classified as Operational in accordance with Section 31(2) of the Local Government Act 1993.

CARRIED

Note: The Mayor, Councillor Tsirekas left the meeting (on-line at 7.19pm) and did not return.

Note: Item 12.4 - City of Canada Bay Audit Risk and Improvement Committee - Minutes of Meeting held 30 May 2023 was considered next.

- Note: At 6.47pm, Councillor Megna returned to the Chamber and resumed the Chair.*
- Note: At 6.48pm, Councillor Ruggeri left the Chamber having disclosed a significant non-pecuniary interest in Item 12.3 - Majors Bay Reserve Synthetic Field - Licence for Use by Canada Bay Football Institute Pty Ltd and Public Access.*
- Note: At 6.48pm, Councillor Cordaro left the meeting (on-line) having disclosed a significant non-pecuniary interest in Item 12.3 - Majors Bay Reserve Synthetic Field - Licence for Use by Canada Bay Football Institute Pty Ltd and Public Access..*
- Note: The Mayor, Councillor Tsirekas was no longer present at the meeting, however it is noted that he had previously disclosed a significant non-pecuniary interest in Item 12.3 - Majors Bay Reserve Synthetic Field - Licence for Use by Canada Bay Football Institute Pty Ltd and Public Access.*

ITEM 12.3 MAJORS BAY RESERVE SYNTHETIC FIELD - LICENCE FOR USE BY CANADA BAY FOOTBALL INSTITUTE PTY LTD AND PUBLIC ACCESS

MOTION

Moved: Cr Bazouni

Seconded: Cr Jago

That:

1. The submissions received in response to the public notification of Council's intention to Licence the synthetic field and associated amenities at Majors Bay Reserve to Canada Bay Football Institute Pty Ltd for the purpose of training, match play and associated activities for a term of 5 years, and the related responses contained within the report, be noted.
2. Pursuant to s47A of the Local Government Act 1993, Council enter into a Licence agreement with Canada Bay Football Institute Pty Ltd for a period of 5 years commencing 1 July 2023, subject to the terms and conditions contained in the Heads of Agreement attached to the report, and other details contained within the report.
3. The General Manager be authorised to finalise and execute the Licence agreement referred to in 2 above.

AMENDMENT

Moved: Cr Ferguson

Seconded: Cr Little

That:

1. The submissions received in response to the public notification of Council's intention to Licence the synthetic field and associated amenities at Majors Bay Reserve to Canada Bay Football Institute Pty Ltd for the purpose of training, match play and associated activities for a term of 5 years, and the related responses contained within the report, be noted.
2. Pursuant to s47A of the Local Government Act 1993, Council enter into a Licence agreement with Canada Bay Football Institute Pty Ltd for a period of 3 years commencing 1 July 2023, subject to the terms and conditions contained in the Heads of Agreement attached to the report, and other details contained within the report.
3. The General Manager be authorised to finalise and execute the Licence agreement referred to in 2 above.

LOST

On being put to the vote, the Amendment was lost. The motion was then considered.

RESOLVED 152/23

Moved: Cr Bazouni

Seconded: Cr Jago

That:

1. The submissions received in response to the public notification of Council's intention to Licence the synthetic field and associated amenities at Majors Bay Reserve to Canada Bay Football Institute Pty Ltd for the purpose of training, match play and associated activities for a term of 5 years, and the related responses contained within the report, be noted.
2. Pursuant to s47A of the Local Government Act 1993, Council enter into a Licence agreement with Canada Bay Football Institute Pty Ltd for a period of 5 years commencing 1 July 2023, subject to the terms and conditions contained in the Heads of Agreement attached to the report, and other details contained within the report.
3. The General Manager be authorised to finalise and execute the Licence agreement referred to in 2 above.

CARRIED

Note: Resumption of Standing Orders (Min No. 135/23) was dealt with next.

**ITEM 12.4 CITY OF CANADA BAY AUDIT RISK AND IMPROVEMENT COMMITTEE -
MINUTES OF MEETING HELD 30 MAY 2023**

153/23

Moved: Cr Bazouni

Seconded: Cr Cordaro

That the Minutes of the City of Canada Bay Audit Risk and Improvement Committee meeting held 30 May 2023, as attached to the report, be received and noted.

CARRIED

ITEM 12.5 CASH AND INVESTMENTS REPORT FOR MAY 2023

RESOLVED 154/23

Moved: Cr Jago

Seconded: Cr Cordaro

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

CARRIED

13 NOTICES OF MOTION

Nil

14 NOTICES OF MOTION OF RESCISSION

Nil

15 MATTERS OF URGENCY

Nil

16 QUESTIONS WITH NOTICE

Nil

17 CONFIDENTIAL MATTERS

RESOLVED 155/23

Moved: Cr Jago

Seconded: Cr Bazouni

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 ABORIGINAL CULTURAL HERITAGE STUDY AND MANAGEMENT STRATEGY

This matter is considered to be confidential under Section 10A(2) - (h) of the Local Government Act, as it deals with information concerning the nature and location of a place or an item of Aboriginal significance on community land.

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 17.2 BULKY WASTE COLLECTION SERVICE

This matter is considered to be confidential under Section 10A(2) - (d) (i) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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 17.3 LEASE - SIENELLA PTY LTD T/A NIELD PARK CAFE

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 7.26pm, the Council moved into Closed Session.

ITEM 17.1 ABORIGINAL CULTURAL HERITAGE STUDY AND MANAGEMENT STRATEGY

RESOLVED 156/23

Moved: Cr Bazouni

Seconded: Cr Jago

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:
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
2. Council adopt the Aboriginal Cultural Heritage Study and Management Strategy attached to the report.
3. Copies of the adopted Aboriginal Cultural Heritage Study and Management Strategy be distributed to the Metropolitan Local Aboriginal Land Council and other Aboriginal parties who contributed to the review.
4. The Aboriginal Cultural Heritage Study and Management Strategy be made available on Council's website.

CARRIED

ITEM 17.2 BULKY WASTE COLLECTION SERVICE

RESOLVED 157/23

Moved: Cr Jago

Seconded: Cr Bazouni

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:
 - (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
2. The household bulky waste collection service be in accordance with service design option 2 (Table 3) at the cost included in the report, as follows:
 - a) Up to 4 booked collections per year for single unit dwellings (SUDs) and small apartment buildings; and
 - b) 4 scheduled collections for large multi-unit dwellings (MUDs) per year; and
 - c) 2 additional collections per year to be available for large multi-unit dwellings (MUDs) with eligibility for this service determined by an audit; and
 - d) the additional 2 collections referred to in c) above be trialled in Year 1 of the new service, and be fully subsidised, with a report prepared and submitted to Council prior to the conclusion of Year 1 on the use and ongoing need for the service.
3. The Household Bulky Waste Collection commence on 1 January 2025.
4. The additional cost of the service as outlined in the report be fully subsidised.
5. The associated administration costs referred to in the report be funded from the Waste Reserve.

CARRIED

Note: Councillor Di Pasqua left the meeting (on-line at 7.36pm) and did not return.

Note: The Mayor, Councillor Tsirekas was no longer present at the meeting, however it is noted that he had previously disclosed a significant non-pecuniary interest in Item 17.3 - Lease - Sienella Pty Ltd t/a Nield Park Café.

ITEM 17.3 LEASE - SIENELLA PTY LTD T/A NIELD PARK CAFE

RESOLVED 158/23

Moved: Cr Bazouni

Seconded: Cr Jago

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. A lease over Lot 2 DP 594696, also known as 89P Henley Marine Drive, Rodd Point be
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granted to Sienella Pty Ltd for a period of 3 years commencing on 15 August 2026, subject to the terms contained in the report.

3. The General Manager finalise any matters contained within the report and execute all associated documentation including the lease on behalf of Council

CARRIED

RESUMPTION OF OPEN SESSION

RESOLVED 159/23

Moved: Cr Ruggeri

Seconded: Cr Jago

That the Council resume in Open Session

CARRIED

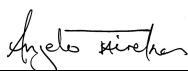
Note: At 7.51pm, the Council in Closed Session returned to Open Session.

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 7.57pm.

This is the final page of the minutes comprising 22 pages numbered 1 to 22 of the Ordinary Council Meeting held on Tuesday 20 June 2023 and confirmed on Tuesday 18 July 2023.



Mayor



General Manager