

ORDINARY COUNCIL MEETING

MINUTES

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

Tuesday, 17 October 2023

Unconfirmed

Minutes of an Ordinary Council Meeting

Held on Tuesday 17 October 2023

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

Commencing at 6.02pm

Present:

Cr Tsirekas	Mayor
Cr Cordaro	Deputy Mayor
Cr Bazouni	Councillor
Cr Di Pasqua	Councillor (via MS Teams, left the meeting at 6.39pm)
Cr Ferguson	Councillor
Cr Jago	Councillor
Cr Little	Councillor (arrived at 6.03pm)
Cr Megna	Councillor
Cr Ruggeri	Councillor

Officers in attendance:

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

NOTES

The meeting commenced at 6.02pm, moved into Closed Session at 6.39pm, resumed in Open Session at 6.47pm and concluded at 6.49pm.

Table of Contents

1	ACKNOWLEDGEMENT OF COUNTRY	4
2	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	4
3	CONFIRMATION OF MINUTES	4
4	DISCLOSURES OF INTERESTS	4
5	MAYORAL MINUTE(S)	5
	Item 5.1 Mayoral Minute - 2023 Mayor's Golf Day and Russell Lea Women's Soccer Club.....	5
6	PUBLIC FORUM	5
7	ITEMS RESOLVED BY EXCEPTION	6
8	EXECUTIVE SERVICES DIRECTORATE REPORTS	6
9	ENVIRONMENT AND PLANNING DIRECTORATE REPORTS	6
	Item 9.1 DA Determinations by the Local Planning Panel and Staff Under Delegation	6
	Item 9.2 Proposed Electric Vehicle charging locations.....	6
10	CITY ASSETS DIRECTORATE REPORTS	7
	Item 10.1 Urban Tree Canopy Strategy Six Monthly Update - January to June 2023	7
	Item 10.2 City of Canada Bay Local Traffic Committee Minutes - 28 September 2023.....	7
11	COMMUNITY CULTURE AND LEISURE DIRECTORATE REPORTS	8
12	CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS	8
	Item 12.1 Annual Pecuniary Interest Returns for Councillors and Designated Persons - 2022-2023	8
	Item 12.2 City of Canada Bay Audit Risk and Improvement Committee - Minutes of Meeting held 19 September 2023.....	8
	Item 12.3 Cash and Investments Report for September 2023	8
13	NOTICES OF MOTION	9
	Item 13.1 Notice of Motion - Cr Cordaro - Walker Street, Rhodes - Pedestrian Traffic Signals Feasibility	9
14	NOTICES OF MOTION OF RESCISSION	9
15	MATTERS OF URGENCY	9
16	QUESTIONS WITH NOTICE	9
17	CONFIDENTIAL MATTERS	10
	Item 17.1 Croker Park Tennis Centre - Lease	10
	Item 17.2 Amendment of Licence Offer - Briars at Greenlees Limited ACN 001 029 545 - Part of Greenlees Park, Corner Wellbank Street and Ian Parade, Concord.....	10
18	CONFIDENTIAL RESOLUTIONS	12

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

Nil

3 CONFIRMATION OF MINUTES

3.1 Minutes of Ordinary Council Meeting held 19 September 2023

RESOLVED 234/23

Moved: Cr Ruggeri

Seconded: Cr Jago

That the minutes of the Ordinary Council Meeting of 19 September 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 Little disclosed a significant non-pecuniary interest in relation to Item 9.2 - Proposed Electric Vehicle charging locations for the reason that:

"I work for the NSW Treasurer".

Councillor Cordaro disclosed a less than significant non-pecuniary interest in relation to Item 9.2 - Proposed Electric Vehicle charging locations for the reason that:

"I own property in one of the precincts".

Councillor Di Pasqua disclosed a significant non-pecuniary interest in relation to Item 9.2 - Proposed Electric Vehicle charging locations for the reason that:

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

Councillor Di Pasqua disclosed a significant non-pecuniary interest in relation to Item 10.2 – City of Canada Bay Local Traffic Committee Minutes – 28 September 2023 for the reason that:

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

Councillor Little disclosed a significant non-pecuniary interest in relation to Item 13.1 - Notice of Motion - Cr Cordaro - Walker Street, Rhodes - Pedestrian Traffic Signals Feasibility for the reason that:

“I work for the NSW Treasurer.”

Councillor Di Pasqua disclosed a significant non-pecuniary interest in relation to Item 13.1 - Notice of Motion - Cr Cordaro - Walker Street, Rhodes - Pedestrian Traffic Signals Feasibility for the reason that:

“I have been named as the Member for Drummoyne in the Motion”.

Councillor Little disclosed a significant non-pecuniary interest in relation to Item 17.2 - Amendment of Licence Offer - Briars at Greenlees Limited ACN 001 029 545 - Part of Greenlees Park, Corner Wellbank Street and Ian Parade, Concord for the reason that:

“I am a long term player of Briars”.

Councillor Tsirekas disclosed a significant non-pecuniary interest in relation to Item 17.2 - Amendment of Licence Offer - Briars at Greenlees Limited ACN 001 029 545 - Part of Greenlees Park, Corner Wellbank Street and Ian Parade, Concord for the reason that:

“I am a close friend to members and a patron of Briars”.

5 MAYORAL MINUTE(S)

ITEM 5.1 MAYORAL MINUTE - 2023 MAYOR'S GOLF DAY AND RUSSELL LEA WOMEN'S SOCCER CLUB

RESOLVED 235/23

Moved: Cr Tsirekas

That Council receive and note the report.

CARRIED

6 PUBLIC FORUM

Note: There were no speakers in public forum.

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 236/23

Moved: Cr Jago

Seconded: Cr Megna

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 September 2023 and 30 September 2023.

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

Against: Nil

CARRIED 9/0

ITEM 9.2 PROPOSED ELECTRIC VEHICLE CHARGING LOCATIONS

Note: Councillor Cordaro disclosed a less than significant, non-pecuniary interest in relation to this item.

Note: At 6.11pm, Councillor Little left the Chamber having disclosed a significant non-pecuniary interest in this item.

Note: At 6.13pm, Councillor Di Pasqua left the meeting (online) declaring a significant non-pecuniary interest due to the proposed motion.

RESOLVED 237/23

Moved: Cr Jago

Seconded: Cr Ferguson

That:

1. Proposals be invited from suppliers to provide Electric Vehicle charging infrastructure at the locations identified in the report; and
-
-

-
2. Following the receipt and assessment of the supplier proposals referred to in 1. above, the proposed locations, where appropriate, be referred to the Traffic Committee for consideration; and
 3. Following 1. and 2. above, public exhibition of the proposals be undertaken; and
 4. Following the public exhibition referred to in 3 above, a report be prepared and submitted to Council.

CARRIED

Note: At 6.15pm, Councillor Little returned to the Chamber and Councillor Di Pasqua returned to the meeting (online.)

10 CITY ASSETS DIRECTORATE REPORTS

ITEM 10.1 URBAN TREE CANOPY STRATEGY SIX MONTHLY UPDATE - JANUARY TO JUNE 2023

RESOLVED 238/23

Moved: Cr Jago

Seconded: Cr Bazouni

That:

1. The Urban Tree Canopy Strategy Six Monthly Update report for the period January to June 2023 be received and noted.
2. Council make representations to the State Government seeking the early release of the current treecanopy cover data.

CARRIED

ITEM 10.2 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 28 SEPTEMBER 2023

Note: At 6.21pm, Councillor Di Pasqua left the meeting (online) having disclosed a significant non-pecuniary interest in this item.

RESOLVED 239/23

Moved: Cr Megna

Seconded: Cr Bazouni

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 28 September 2023, attached to the report, be adopted.

CARRIED

Note: At 6.22pm, Councillor Di Pasqua returned to the meeting (online.)

11 COMMUNITY CULTURE AND LEISURE DIRECTORATE REPORTS

Nil

12 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS**ITEM 12.1 ANNUAL PECUNIARY INTEREST RETURNS FOR COUNCILLORS AND DESIGNATED PERSONS - 2022-2023**

RESOLVED 240/23

Moved: Cr Jago

Seconded: Cr Cordaro

That the tabling of the annual pecuniary interest returns for Councillors and designated persons for 2022-2023 report be noted.

CARRIED

ITEM 12.2 CITY OF CANADA BAY AUDIT RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING HELD 19 SEPTEMBER 2023

RESOLVED 241/23

Moved: Cr Megna

Seconded: Cr Bazouni

That the Minutes of the City of Canada Bay Audit Risk and Improvement Committee meeting held 19 September 2023, as attached to the report, be received and noted.

CARRIED

ITEM 12.3 CASH AND INVESTMENTS REPORT FOR SEPTEMBER 2023

RESOLVED 242/23

Moved: Cr Bazouni

Seconded: Cr Ruggeri

That:

1. The Cash and Investments Report for September 2023, attached to the report, be received and noted.
2. Information contained in the report regarding the financial institutions in which Council invests that offer loans to the fossil fuel industry, be received and noted.

CARRIED

13 NOTICES OF MOTION**ITEM 13.1 NOTICE OF MOTION - CR CORDARO - WALKER STREET, RHODES - PEDESTRIAN TRAFFIC SIGNALS FEASIBILITY**

Note: At 6.23pm, Councillor Little left the Chamber, and Councillor Di Pasqua left the meeting (online) having disclosed significant non-pecuniary interests in this item.

RESOLVED 243/23

Moved: Cr Cordaro

Seconded: Cr Megna

That:

1. Council investigates the feasibility, including budget, of installing traffic lights at the pedestrian crossing on Walker Street at Rhodes with the Consent Authority, Transport for NSW.
2. Should the investigation undertaken in 1 above determine that the signalisation of the pedestrian crossing is feasible, Council:
 - request that the State Member for Drummoyne write to the relevant Government Minister requesting that the project be expedited and funded;
 - write to the relevant Government Minister requesting that the project be expedited and funded.
3. A report be brought back to Council on the outcomes of both 1 and 2 above.

CARRIED

Note: At 6.36pm, Councillor Little returned to the Chamber and Councillor Di Pasqua returned to the meeting (online.)

14 NOTICES OF MOTION OF RESCISSION

Nil

15 MATTERS OF URGENCY

Nil

16 QUESTIONS WITH NOTICE

Nil

17 CONFIDENTIAL MATTERS

RESOLVED 244/23

Moved: Cr Bazouni

Seconded: Cr Ruggeri

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 CROKER PARK TENNIS CENTRE - LEASE

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 17.2 AMENDMENT OF LICENCE OFFER - BRIARS AT GREENLEES LIMITED
ACN 001 029 545 - PART OF GREENLEES PARK, CORNER 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 6.37pm. the Council moved into Closed Session.

ITEM 17.1 CROKER PARK TENNIS CENTRE - LEASE

RESOLVED 245/23

Moved: Cr Jago

Seconded: Cr Cordaro

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 D, DP 18753, also known as 35P Henley Marine Drive, Five Dock be granted to FX Tennis Academy for a period of five years commencing on 1 January 2024, 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

Note: Due to the Mayor, Councillor Tsirekas having disclosed a significant non-pecuniary interest in this Item, the Deputy Mayor, Councillor Cordaro assumed the Chair.

ITEM 17.2 AMENDMENT OF LICENCE OFFER - BRIARS AT GREENLEES LIMITED ACN 001 029 545 - PART OF GREENLEES PARK, CORNER WELLBANK STREET AND IAN PARADE, CONCORD

Note: At 6.39pm, the Mayor, Councillor Tsirekas vacated the Chair, left the Chamber and did not return.

Note: At 6.39pm, Councillor Di Pasqua left the meeting (online) having disclosed a significant non-pecuniary interest in this item and did not return to the meeting.

Note: At 6.39pm, Councillor Little left the Chamber having disclosed a significant non-pecuniary interest in this item.

RESOLVED 246/23

Moved: Cr Ruggeri

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:
 - (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 amended rent for the licence to Briars at Greenlees Limited as described in the report subject to compliance with the public notification provisions of s47 of the Local Government Act 1993.
 3. 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.
 4. 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 a future meeting of Council.

CARRIED

RESOLVED 247/23

Moved: Cr Ruggeri

Seconded: Cr Jago

That the Council resume in Open Session.

CARRIED

Note: At 6.47pm, the Council in Closed Session returned to Open Session.

Note: At 6.47pm, Councillor Little returned to the Chamber.

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 6.49pm.

This is the final page of the minutes comprising 12 pages numbered 1 to 12 of the Ordinary Council Meeting held on Tuesday 17 October 2023 and confirmed on Tuesday 21 November 2023.

Mayor

General Manager