

# **ORDINARY COUNCIL MEETING**

## **MINUTES**

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

**Tuesday, 16 August 2022**

## **Minutes of an Ordinary Council Meeting**

**Held on Tuesday 16 August 2022**

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

**Commencing at 6.03pm**

### **Present:**

Cr Tsirekas	Mayor (Chairperson)
Cr Di Pasqua	Councillor
Cr Bazouni	Councillor
Cr Cordaro	Councillor
Cr Ferguson	Councillor
Cr Jago	Councillor
Cr Little	Councillor
Cr Megna	Councillor
Cr Ruggeri	Councillor

### **Officers in attendance:**

Mr J Clark	General Manager
Mr R Wolfe	Acting 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 6.03pm, moved into closed session at 8.49pm, resumed in open session at 9.06pm, moved again into closed session at 10.12pm, resumed again in open session at 11.13pm and concluded at 11.18pm.*

## Table of Contents

<b>1</b>	<b>ACKNOWLEDGEMENT OF COUNTRY</b> .....	<b>5</b>
<b>2</b>	<b>APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS</b> .....	<b>5</b>
<b>3</b>	<b>CONFIRMATION OF MINUTES</b> .....	<b>5</b>
<b>4</b>	<b>DISCLOSURES OF INTERESTS</b> .....	<b>5</b>
<b>5</b>	<b>MAYORAL MINUTE(S)</b> .....	<b>6</b>
	Item 5.1 Mayoral Minute - Gym Operations in Mortlake .....	6
	Item 5.2 Mayoral Minute - Commendation of Marlene Barnes .....	7
<b>6</b>	<b>PUBLIC FORUM</b> .....	<b>7</b>
<b>7</b>	<b>ITEMS RESOLVED BY EXCEPTION</b> .....	<b>10</b>
<b>8</b>	<b>EXECUTIVE SERVICES DIRECTORATE REPORTS</b> .....	<b>10</b>
<b>9</b>	<b>COMMUNITY AND ENVIRONMENTAL PLANNING DIRECTORATE REPORTS</b> .....	<b>10</b>
	Item 9.1 DA Determinations by the Local Planning Panel and Staff Under Delegation ....	10
	Item 9.2 Post Exhibition - Planning Proposal - 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock.....	10
	Item 9.3 Community Sharps Policy.....	11
<b>10</b>	<b>CITY SERVICES AND ASSETS DIRECTORATE REPORTS</b> .....	<b>11</b>
	Item 10.1 Majors Bay Reserve Recreation Precinct Masterplan .....	11
	Item 10.2 Draft Planning Agreement for 160 Burwood Road Concord .....	12
	Item 10.3 Grant Opportunity - St Lukes Oval Amenities Building .....	12
	Item 10.4 City of Canada Bay Local Traffic Committee Minutes - 28 July 2022 .....	12
	Item 10.5 Public Spaces Charter .....	13
<b>11</b>	<b>CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS</b> .....	<b>13</b>
	Item 11.1 Cash and Investment Report for July 2022 .....	13
	Item 11.2 Draft 2021-2022 Financial Statements.....	13
	Item 11.3 Special Rate Variation and Updated Draft Long Term Financial Plan .....	14
	Item 11.4 Six Month Report on Progress January to June 2022 .....	15
	Item 11.5 Local Government NSW Conference 2022 - Voting Delegates .....	15
	Item 11.6 Amendment to November 2022 Council Meeting Date .....	15
<b>12</b>	<b>NOTICES OF MOTION</b> .....	<b>16</b>
	Item 12.1 Notice of Motion - 25th Anniversary of NSW Apology to Stolen Generations .....	16
	Item 12.2 Notice of Motion - Stay on Divestment of Council Property .....	17
	Item 12.3 Notice of Motion - Christmas Celebrations.....	17
	Item 12.4 Notice of Motion - Centenary Celebrations for North Strathfield Public School .....	18
	Item 12.5 Notice of Motion - Concord Hospital Car Park.....	18
	Item 12.6 Notice of Motion - Support for Domestic Violence Victims.....	19
	Item 12.7 Notice of Motion - Political Stalls at Council Events .....	19

<b>13</b>	<b>NOTICES OF MOTION OF RESCISSION .....</b>	<b>20</b>
<b>14</b>	<b>MATTERS OF URGENCY .....</b>	<b>20</b>
<b>15</b>	<b>QUESTIONS WITH NOTICE .....</b>	<b>20</b>
<b>16</b>	<b>CONFIDENTIAL MATTERS .....</b>	<b>20</b>
	Item 16.1 Bulk Household Trial.....	21
	Item 16.2 Extension of Existing Licence Agreement - Cintra Park - Wests Tigers.....	21
<b>17</b>	<b>CONFIDENTIAL RESOLUTIONS.....</b>	<b>24</b>

## 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.

### LEAVE OF ABSENCE

Nil.

### APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

## 3 CONFIRMATION OF MINUTES

### 3.1 Minutes of Ordinary Council Meeting held 19 July 2022

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#### RESOLVED 206/22

Moved: Cr Megna

Seconded: Cr Ruggeri

That the minutes of the Ordinary Council Meeting of 19 July 2022 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

**CARRIED**

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## 4 DISCLOSURES OF INTERESTS

Councillor Little disclosed a significant non-pecuniary interest in relation to Item 5.1 - Mayoral Minute - Gym Operations in Mortlake for the reason that:

*"The operator of a business in the subject area is a friend"*

Councillor Ferguson disclosed a pecuniary interest in relation to Item 5.1 - Mayoral Minute - Gym Operations in Mortlake for the reason that:

*“One of the property owners in Mortlake potentially impacted by the matter is a client of the firm I work for and may be a beneficiary”*

Councillor Tsirekas disclosed a significant non-pecuniary interest in relation to Item 9.2 - Post Exhibition - Planning Proposal - 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock and chose to take no part in the discussion and voting on this item for the reason that:

*“I know the family and friends”*

Councillor Di Pasqua disclosed a less than significant non-pecuniary interest in relation to Item 10.4 - City of Canada Bay Local Traffic Committee Minutes - 28 July 2022 for the reason that:

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

Councillor Tsirekas disclosed a pecuniary interest in relation to Item 12.2 - Notice of Motion - Stay on Divestment of Council Property and chose to take no part in the discussion and voting on this item for the reason that:

*“I can’t discuss the current investigation”*

Councillor Little disclosed a less than significant non-pecuniary interest in relation to Item 12.4 - Notice of Motion - Centenary Celebrations for North Strathfield Public School for the reason that:

*“I am a former student, however have no current ties to the school”*

Councillor Cordaro disclosed a less than significant non-pecuniary interest in relation to Item 12.5 - Notice of Motion - Concord Hospital Car Park for the reason that:

*“I have an association with Concord Hospital, in particular I am a member of the clinical council which is a management council of the hospital that has many representatives from different departments in the hospital including a GP representative”.*

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## 5 MAYORAL MINUTE(S)

### ITEM 5.1 MAYORAL MINUTE - GYM OPERATIONS IN MORTLAKE

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*Note: At 6.09pm, Councillor Ferguson having disclosed a pecuniary interest and Councillor Little having disclosed a significant non-pecuniary interest on this item left the chamber.*

#### **RESOLVED 207/22**

Moved: Cr Tsirekas

That Council prepare a planning proposal to amend the Canada Bay Local Environmental Plan 2013 to permit Recreation Facilities Indoor with consent within the R1 General Residential zone.

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

Against: Nil

**CARRIED 7/0**

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*Note: At 6.15pm, Councillors Ferguson and Little returned to the chamber.*

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**ITEM 5.2 MAYORAL MINUTE - COMMENDATION OF MARLENE BARNES**

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**RESOLVED 208/22**

Moved: Cr Tsirekas

That Council note the report.

**CARRIED**

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**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.

*Note: At 6.19pm, the Mayor, Councillor Tsirekas vacated the chair and left the chamber due to having disclosed a significant non-pecuniary interest in Item 9.2 – Post Exhibition – Planning Proposal – 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock.*

*Note: The Deputy Mayor, Councillor Di Pasqua assumed the chair.*

*Note: Councillors were in receipt of a request from the applicant to defer Item 9.2 – Post Exhibition – Planning Proposal – 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock (of which there were various speakers listed to speak.)*

*As a result the Chair requested a suspension of standing orders to deal with Item 9.2.*

**SUSPENSION OF STANDING ORDERS**

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**RESOLVED 209/22**

Moved: Cr Megna

Seconded: Cr Ferguson

That standing orders be suspended to bring forward Item 9.2 - Post Exhibition – Planning Proposal – 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock to be dealt with immediately.

**CARRIED**

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*Note: Item 9.2 – Post Exhibition – Planning Proposal – 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock was considered next.*

**RESUMPTION OF STANDING ORDERS**

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**RESOLVED 210/22**

Moved: Cr Megna

Seconded: Cr Ferguson

That standing orders resume.

**CARRIED**

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*Note: At 6.23pm, the Deputy Mayor, Councillor Di Pasqua vacated the Chair and the Mayor, Councillor Tsirekas returned to the chamber and resumed the chair.*

**Item 10.1 – Majors Bay Reserve Recreation Precinct Masterplan**

The following people addressed Council on this Item:

- Mr Akwasi Agyei
- Mr Anthony (Tony) Solano (Concord Baseball Club Inc.)
- Ms Vicki Habbouchi
- Mr Jim Phillpot
- Mr Mark Dibben (Majors Bay Action Committee)
- Ms Simona Bridge
- Ms Sharon Bolzan.

**SUSPENSION OF STANDING ORDERS**

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**RESOLVED 211/22**

Moved: Cr Di Pasqua

Seconded: Cr Jago

That standing orders be suspended to bring forward Item 10.1 – Majors Bay Reserve Precinct Masterplan to be dealt with immediately.

**CARRIED**

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*Note: Item 10.1 - Majors Bay Reserve Precinct Masterplan was considered next.*



**RESUMPTION OF STANDING ORDERS**

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**RESOLVED 212/22**

Moved: Cr Di Pasqua

Seconded: Cr Jago

That standing orders resume.

**CARRIED**

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**Item 12.3 – Notice of Motion – Christmas Celebrations**

The following people addressed Council on this Item:

- Edel McKenna
- Niamh Foley

**SUSPENSION OF STANDING ORDERS**

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**RESOLVED 213/22**

Moved: Cr Di Pasqua

Seconded: Cr Little

That standing orders be suspended to bring forward Item 12.3 – Notice of Motion – Christmas Celebrations to be dealt with immediately.

**CARRIED**

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*Note: Item 12.3 – Notice of Motion – Christmas Celebrations was considered next.*

**RESUMPTION OF STANDING ORDERS**

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**RESOLVED 214/22**

Moved: Cr Di Pasqua

Seconded: Cr Little

That standing orders resume.

**CARRIED**

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**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**

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**RESOLVED 215/22**

Moved: Cr Cordaro

Seconded: Cr Jago

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 July 2022 and 31 July 2022.

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

Against: Nil

**CARRIED 9/0**

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*Note: Item 9.3 – Community Sharps Policy was considered next.*

**ITEM 9.2 POST EXHIBITION - PLANNING PROPOSAL - 1-7 RAMSAY ROAD AND 5 AND 7 HARRABROOK AVENUE FIVE DOCK**

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**RESOLVED 216/22**

Moved: Cr Megna

Seconded: Cr Ferguson

That consideration of Item 9.2 – Post Exhibition – Planning Proposal – 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock be deferred to the next Ordinary Council Meeting.

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

Against: Nil

**CARRIED 8/0**

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*Note: Following the determination of the matter, the speakers listed for Item 9.2 reserved their right to speak at the next Ordinary Council Meeting when the Item is to be resubmitted to Council.*

*Note: Council, at its meeting of 20 September 2022, confirmed the resolution for item 9.2 above, subject to subject to Item 9.2 - Post Exhibition - Planning Proposal - 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock being amended to read that the Mayor, Councillor Angelo Tsirekas having disclosed a significant non-pecuniary interest for the reason that 'I know the owner and their family'.*

**RESOLVED 246/22**

Moved: Cr Bazouni

Seconded: Cr Ruggeri

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**ITEM 9.3 COMMUNITY SHARPS POLICY**

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**RESOLVED 217/22**

Moved: Cr Jago

Seconded: Cr Bazouni

That Council adopt the Community Sharps Policy attached to the report.

**CARRIED**

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*Note: Item 10.2 – Draft Planning Agreement for 160 Burwood Road, Concord was considered next.*

**10 CITY SERVICES AND ASSETS DIRECTORATE REPORTS**

*Note: A memo dated 16 August 2022 was circulated to all Councillors in relation to Item 10.1 – Majors Bay Reserve Recreation Precinct Masterplan correcting duplicate information within the original report to Council. This correction did not result in any amendment(s) to the Recommendation as printed in the Business Papers. A copy of the memo can be found on Council's website.*

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**ITEM 10.1 MAJORS BAY RESERVE RECREATION PRECINCT MASTERPLAN**

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**RESOLVED 218/22**

Moved: Cr Megna

Seconded: Cr Di Pasqua

That consideration of the matter be deferred to a Councillor Workshop in order to discuss the matters raised by residents in the Public Forum at the Council Meeting, with a subsequent report to be prepared and submitted to the next Ordinary Meeting of Council.

**CARRIED**

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*Note: Resumption of Standing Orders, (Resolution No. 215/22) was considered next.*

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**ITEM 10.2 DRAFT PLANNING AGREEMENT FOR 160 BURWOOD ROAD CONCORD**

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**RESOLVED 219/22**

Moved: Cr Megna

Seconded: Cr Tsirekas

That Council:

1. Place the Draft Planning Agreement for 160 Burwood Road Concord, as shown at Attachment 1 on public exhibition.
2. Note that following consideration of any submissions, the Planning Agreement will be reported back to Council in its final form

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

Against: Nil

**CARRIED 9/0**

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**ITEM 10.3 GRANT OPPORTUNITY - ST LUKES OVAL AMENITIES BUILDING**

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**RESOLVED 220/22**

Moved: Cr Cordaro

Seconded: Cr Bazouni

That Council:

1. Apply for funding under the Multi-Sport Community Facility Fund 2022/2023 (Round 2) for the redevelopment of the St Lukes Oval amenities building on the terms set out in this report.
2. Staff consider revenue opportunities and multipurpose community use in the design of the redevelopment.

**CARRIED**

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**ITEM 10.4 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 28 JULY 2022**

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*Note: Councillor Di Pasqua disclosed a less than significant non-pecuniary interest in relation to this item.*

**RESOLVED 221/22**

Moved: Cr Megna

Seconded: Cr Ferguson

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 28 July 2022, attached to the report, be adopted.

**CARRIED**

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**ITEM 10.5 PUBLIC SPACES CHARTER**

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**RESOLVED 222/22**

Moved: Cr Cordaro

Seconded: Cr Jago

That Council become a signatory to the NSW Public Spaces Charter attached to the report.

**CARRIED**

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**11 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS****ITEM 11.1 CASH AND INVESTMENT REPORT FOR JULY 2022**

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**RESOLVED 223/22**

Moved: Cr Megna

Seconded: Cr Jago

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

**CARRIED**

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**ITEM 11.2 DRAFT 2021-2022 FINANCIAL STATEMENTS**

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**RESOLVED 224/22**

Moved: Cr Jago

Seconded: Cr Ruggeri

That:

1. Council confirms the receipt, certification and referral of the Draft Financial Statements for the year ended 30 June 2022 to Council's external auditor, the Audit Office of NSW, in accordance with section 413 of the Local Government Act 1993.
  2. The Statement by Councillors and Management for the General Purpose Financial Statements be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer, in accordance with Section 413(2)(c) of the Local Government Act 1993.
  3. An electronic copy of the audited financial statements be forwarded to the NSW Office of Local Government no later than 31 October 2022.
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4. The General Manager be authorised to set the date for public presentation of the audited financial statements, and to give public notice of the public presentation in accordance with section 418 of the Local Government Act 1993.

**CARRIED**

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### **ITEM 11.3 SPECIAL RATE VARIATION AND UPDATED DRAFT LONG TERM FINANCIAL PLAN**

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#### **RESOLVED 225/22**

Moved: Cr Jago

Seconded: Cr Cordaro

That:

1. Community engagement on a proposed Special Rate Variation, as detailed in the report, be undertaken with this engagement to commence on Monday 5 September 2022 and conclude on Monday 17 October 2022.
2. A Community Engagement Plan for the proposed Special Rate Variation, as referred to in the report, be developed in accordance with the Council's Community Engagement Strategy.
3. The updated draft Long Term Financial Plan attached to the report be placed on public exhibition from Monday 5 September 2022 to Monday 17 October 2022.
4. That a report on feedback received as a result of the community engagement and public exhibition referred to in 1 and 3 above be prepared and submitted to the Council meeting scheduled for 15 November 2022.

*Note: Councillors Di Pasqua and Megna rose and called for a Division on the Motion.*

*Note: As a result of the Division, the Motion was declared carried.*

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

Against: Crs Little and Ferguson

**DECLARED CARRIED**

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**ITEM 11.4 SIX MONTH REPORT ON PROGRESS JANUARY TO JUNE 2022**

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**RESOLVED 226/22**

Moved: Cr Bazouni

Seconded: Cr Ruggeri

That the six-monthly Report on Progress for the period January to June 2022, attached to the report be received and noted.

**CARRIED**

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**ITEM 11.5 LOCAL GOVERNMENT NSW CONFERENCE 2022 - VOTING DELEGATES**

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**RESOLVED 227/22**

Moved: Cr Cordaro

Seconded: Cr Ruggeri

That:

1. Council nominate the Mayor, Councillor Tsirekas and Councillors Bazouni, Di Pasqua, Jago, Megna as the five (5) voting delegates to accompany the General Manager and the Director Corporate Services and Strategy at the Local Government NSW (LGNSW) annual conference to be held from Sunday 23 October to Tuesday 25 October 2022, at the Crown Plaza, Hunter Valley.
2. Councillor Little be nominated as an alternate delegate in the event that any of the nominated voting delegates are unable to attend the conference.

**CARRIED**

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**ITEM 11.6 AMENDMENT TO NOVEMBER 2022 COUNCIL MEETING DATE**

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**RESOLVED 228/22**

Moved: Cr Little

Seconded: Cr Ruggeri

That the Council Meeting resolved to be held on Tuesday 8 November 2022 be rescheduled to Tuesday 15 November 2022.

**CARRIED**

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**12 NOTICES OF MOTION****ITEM 12.1 NOTICE OF MOTION - 25TH ANNIVERSARY OF NSW APOLOGY TO STOLEN GENERATIONS**

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**RESOLVED 229/22**

Moved: Cr Little

Seconded: Cr Jago

That Council:

1. Seek information and engage with Wangal and local indigenous people through appropriate means, including but not exclusive to the indigenous Land Councils, existing community relationships and public records;
2. Provide information to the community about the different historic Wangal sites in our local area through existing communication platforms;
3. Seek advice during a workshop on the cost of the joint naming of important Indigenous sites in Canada Bay.
4. Invite members of the Indigenous community to a Workshop to advise on meaningful ways our Council can support our indigenous members living in Canada Bay.

**CARRIED**

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**CONFIDENTIAL MATTER**

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*Note: At 8.46pm, the Mayor, Councillor Tsirekas having disclosed a pecuniary interest in this item left the chamber.*

**RESOLVED 230/22**

Moved: Cr Bazouni

Seconded: Cr Ruggeri

That Council moves into closed session to deal with Item 12.2 – Notice of Motion – Stay on Divestment of Council Property, which is classified as confidential under section 10A(2) of the Local Government Act, 1993 for the reasons specified:

**ITEM 12.2 – NOTICE OF MOTION – STAY ON DIVESTMENT OF COUNCIL PROPERTY**

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

**CARRIED**

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*Note: At 8.49pm, Council moved into Closed Session.*

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**ITEM 12.2 NOTICE OF MOTION - STAY ON DIVESTMENT OF COUNCIL PROPERTY**

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**MOTION**

Moved: Cr Little

Seconded: Cr Ferguson

That Council does not divest any Council property until the Commissioner delivers his report.

**LOST**

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**RESOLVED 231/22**

Moved: Cr Jago

Seconded: Cr Little

That the Council resume in Open Session.

**CARRIED**

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*Note: At 9.06pm, the Council in Closed Session returned to Open Session.*

*Note: In accordance with Council's Code of Meeting Practice clauses 14.21 and 14.22 the resolution passed in closed session was made public by the chairperson, displayed on the public screens and livestreamed during a part of the meeting that was webcast.*

*The Deputy Mayor, Councillor Di Pasqua announced that the Motion discussed at Item 12.2 – Notice of Motion – Stay on Divestment of Council Property was lost.*

*Note: At 9.10pm, the Deputy Mayor, Councillor Di Pasqua vacated the Chair and the Mayor, Councillor Tsirekas returned to the Chamber and resumed the chair.*

*Note: Item 12.4 – Notice of Motion – Centenary Celebrations for North Strathfield Public School was considered next.*

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**ITEM 12.3 NOTICE OF MOTION - CHRISTMAS CELEBRATIONS**

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**RESOLVED 232/22**

Moved: Cr Ferguson

Seconded: Cr Jago

That:

1. A Councillor workshop be conducted on additional initiatives Council could take to celebrate Christmas across our LGA.
-

2. A report on the feasibility of the proposals formulated at the Councillor Workshop , including costs and logistics, be prepared and submitted to Council;
- 3 Council supports in principle the installation of a Christmas tree at Concord West, preferably adjacent to or nearby concord West Railway Station.

**CARRIED**

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*Note: Resumption of Standing Orders, (Resolution No. 217/22) was considered next.*

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#### **ITEM 12.4 NOTICE OF MOTION - CENTENARY CELEBRATIONS FOR NORTH STRATHFIELD PUBLIC SCHOOL**

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

#### **RESOLVED 233/22**

Moved: Cr Little

Seconded: Cr Bazouni

That Council:

1. Send a letter acknowledging and congratulating the school community on the centenary year.
2. Work with the school community to discuss ways Council may assist the school in its celebrations.

**CARRIED**

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#### **ITEM 12.5 NOTICE OF MOTION - CONCORD HOSPITAL CAR PARK**

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

#### **RESOLVED 234/22**

Moved: Cr Little

Seconded: Cr Jago

That Council:

1. Seek detailed designs and traffic studies from NSW Health and the Concord Hospital Executive to provide those details to Council and the community.
2. Traffic Committee review the plans to ensure the design will cover the increased population growth as outlined in our CSP and review the number of spaces allocated to health care workers in light of the wait list.
3. Write to the NSW Health Minister seeking a commitment that the new car park will not be privatised.

**CARRIED**

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**ITEM 12.6 NOTICE OF MOTION - SUPPORT FOR DOMESTIC VIOLENCE VICTIMS**

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**RESOLVED 235/22**

Moved: Cr Di Pasqua

Seconded: Cr Little

That:

1. Council contact Escabags for details on pick-up and drop-off locations and discuss potential locations in the Canada Bay area.
2. A report be brought to a Councillor Workshop on the most effective ways Council can support this initiative, including but not limited to, promoting pick-up and drop-off locations and provision of services in our area and publish the contact information of the charity on Council platforms.

**CARRIED**

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**ITEM 12.7 NOTICE OF MOTION - POLITICAL STALLS AT COUNCIL EVENTS**

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**MOTION**

Moved: Cr Jago

Seconded: Cr Little

That Council:

1. On page 10 of its Community Event Policy as most recently adopted on 28/4/2020, removes the section entitled "Political advertising" and replaces it with the following:  
Additional conditions applicable to political stall holders
    - Political stall holders in any Council event may not distribute political materials from any location except within their assigned stall.
    - Political stall holders in any Council event may attach signage on the outside of their stall but may not place it in any location separate to the stall.
  2. Exhibits the revised policy in the community for a period of 28 days and returns it to Council adoption.
- 

*Note: At the request of the Mover, the Motion was withdrawn.*

**MOTION**

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Moved: Cr Jago

Seconded: Cr Ferguson

That Council:

1. On page 10 of its Community Event Policy as most recently adopted on 28/4/2020, the section entitled "Political advertising" be modified by adding the words "party political" before the word "campaigns".
2. Exhibits the revised policy in the community for a period of 28 days and returns it to Council for adoption.

**LOST**

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*Note: On being put to the vote, the Motion was lost.*

**13 NOTICES OF MOTION OF RESCISSION**

Nil.

**14 MATTERS OF URGENCY**

Nil.

**15 QUESTIONS WITH NOTICE**

Nil.

**16 CONFIDENTIAL MATTERS**

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**RESOLVED 236/22**

Moved: Cr Little

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 16.1 BULK HOUSEHOLD TRIAL**

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 EXTENSION OF EXISTING LICENCE AGREEMENT - CINTRA PARK - WESTS TIGERS**

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.

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**

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**ITEM 16.1 BULK HOUSEHOLD TRIAL**

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Moved: Cr Tsirekas

Seconded: Cr Jago

That:

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. Council ceases the bulk household waste trial and returns to the original contract arrangement.
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**AMENDMENT**

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**MOTION**

Moved: Cr Ferguson

Seconded: Cr Little

That

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. Council refers the Rhodes Liberty Grove bulk waste trial to the Rhodes Advisory Committee for advice and consultation with a report on the outcomes to be prepared and submitted to Council.

**LOST**

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*Note: The Amendment was lost and debate resumed on the original Motion.*

**MOTION**

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**RESOLVED 237/22**

Moved: Cr Tsirekas

Seconded: Cr Jago

That:

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. Council ceases the bulk household waste trial and returns to the original contract arrangement
3. That Council refers the decision of Council on the Rhodes Liberty Grove bulk waste trial to the Rhodes Advisory Committee..

**CARRIED**

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*Note: A memo dated 16 August 2022 was circulated to all Councillors in relation to Item 16.2 – Extension of Existing Licence Agreement – Cintra Park – Wests Tigers which included a Confidential market rental assessment dated 8 August 2022.*

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## **ITEM 16.2 EXTENSION OF EXISTING LICENCE AGREEMENT - CINTRA PARK - WESTS TIGERS**

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### **RESOLVED 238/22**

Moved: Cr Bazouni

Seconded: Cr Ruggeri

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. Council, subject to approval of Transport for New South Wales, resolve to grant a deed of variation of sub-licence to Wests Tigers Rugby League Football Pty Ltd based on the terms and conditions contained within this report with the annual rental to be not less than the amount specified at the meeting.
3. The General Manager be delegated authority to finalise any matters in relation to the lease and to execute the agreement on behalf of Council.

**CARRIED**

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### **RESOLVED 239/22**

Moved: Cr Ruggeri

Seconded: Cr Little

That the Council resume in Open Session.

**CARRIED**

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At 11.13pm, 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 11.18pm.

This is the final page of the minutes comprising 24 pages numbered 1 to 24 of the Ordinary Council Meeting held on Tuesday 16 August 2022 and confirmed on Tuesday 20 September 2022.

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Mayor

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General Manager