



MEETING OF COUNCIL

Held in the Council Chambers
Canada Bay Civic Centre
1a Marlborough Street, Drummoyne
on Tuesday, 15 March 2022, commencing at 6.01pm.

MINUTES

Present:

Cr Tsirekas	Mayor
Cr Di Pasqua	Deputy Mayor
Cr Bazouni	Councillor
Cr Cordaro	Councillor
Cr Ferguson	Councillor
Cr Jago	Councillor
Cr Megna	Councillor
Cr Ruggeri	Councillor

In attendance:

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

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WELCOME TO COUNTRY

The City of Canada Bay acknowledges the Wangal clan, one of the 29 tribes of the Eora nation and the traditional custodians of this land.

The City's Council pays respect to Elders past and present and extends this respect to all Aboriginal people living in or visiting the City of Canada Bay.

APOLOGIES AND LEAVE OF ABSENCE

Note: An apology was received on behalf of Councillor Julia Little.

033/22 RESOLVED

(Crs Jago/Ferguson)

THAT the apology for non-attendance received from Councillor Julia Little be accepted and leave of absence be granted.

CARRIED

CONFIRMATION OF MINUTES

Council Meeting – 15 February 2022

034/22 RESOLVED

(Crs Megna/Cordaro)

THAT the minutes of the Council Meeting of 15 February 2022 be confirmed.

CARRIED

DECLARATIONS OF PECUNIARY INTEREST

Item 2 - Sydney Metro West Local Character Statements – Community Engagement 1 Outcomes

The General Manager, John Clark declared a pecuniary interest for the North Strathfield component of this Item for the reason that a family member owns property in that precinct.

Cr Megna declared a pecuniary interest for the Five Dock component of this Item for the reason that family owns property in the Great North Road area.

Cr Ruggeri declared a pecuniary interest for the Five Dock Component of this Item for the reason that Cr Ruggeri's parents own property in the Five Dock area.

Item 3 - Outcomes of Exhibition – Planning Proposal – Miscellaneous Amendments and Canada Bay Development Control Plan Review

Cr Cordaro declared a pecuniary interest for the reason that Cr Cordaro and members of his family own property in the Victoria Road precinct and Cr Cordaro runs a business in that precinct.

Item 20 - Rhodes Recreation Voluntary Planning Agreement

Cr Ferguson declared a pecuniary interest for the reason that a party to the VPA is a client of the company that he works for.

DECLARATIONS OF NON-PECUNIARY INTEREST

Item 2 - Sydney Metro West Local Character Statements – Community Engagement 1 Outcomes:

Cr Di Pasqua declared a less than significant, non -pecuniary interest for the Five Dock component of this Item for the reason that she knows and is aware of property owners in that area.

Item 3 – Outcomes of Exhibition – Planning Proposal – Miscellaneous Amendments and Canada Bay Development Control Plan Review

Cr Tsirekas declared a significant, non-pecuniary interest for the reason that Cr Tsirekas rents a property in the area.

Item 4 - Planning Proposal for 176-184 George Street, Concord West (PP2018/001)

Cr Tsirekas declared a less than significant, non-pecuniary interest for the reason that he knows the applicants.

Cr Ferguson declared a less than significant, non-pecuniary interest for the reason that he knows the applicant.

Item 5 – City of Canada Bay Local Traffic Committee Minutes – 24 February 2022

Cr Di Pasqua declared a less than significant, non-pecuniary interest for the reason that a professional colleague (State Member for Drummoyne) of hers sits on the Traffic Committee.

Cr Ferguson declared a less than significant, non-pecuniary interest for the reason that he lives in Breakfast Point.

Item 7 – Wire Mill Dog Off Leash Trial

Cr Ruggeri declared a significant, non-pecuniary interest for the reason that she has a number of friends who have made representations on the issue.

Item 19 - Issue of a Lease at Drummoyne Pool, 1P Henley Marine Drive, Drummoyne

Cr Tsirekas declared a less than significant, non-pecuniary interest for the reason that he is a player for the club.

Item 20 – Rhodes Recreation Voluntary Planning Agreement

Cr Ferguson declared a less than significant, non-pecuniary interest for the reason that a party to the mediation is a client for the company that he works for.

Cr Tsirekas declared a less than significant, non-pecuniary interest for the reason that he knows the applicant.

Note: Cr Ferguson requested that it be noted that whilst the issue of superannuation is a benefit for all elected councillors, he had received advice from the Director Corporate Services and Strategy that it is not considered a 'pecuniary interest' as the determination of the matter must be made in open Council.

Note: At this stage of the meeting MM2 Mayoral Minute 1st Yaralla Sea Scouts 100th Anniversary was considered.



MM1 MAYORAL MINUTE – SYDNEY METRO WEST: PUBLIC MEETINGS FOR OUR COMMUNITY

035/22 RESOLVED

(Cr Tsirekas)

1. THAT Council invites the Member for Drummoyne, Chambers of Commerce, local residents, community members and representatives of the Sydney Metro West Project to a public meeting near each of the three proposed Metro stations in the City of Canada Bay LGA: Five Dock, North Strathfield, and the proposed station near Concord Oval which is currently referred to by Sydney Metro West as Burwood North.
2. THAT Council communicate detail of the meetings to residents and the local business community once times and locations are finalised.

CARRIED

PROCEDURAL MOTION – AMENDMENT OF STANDING ORDERS

036/22 RESOLVED

(Crs Di Pasqua/Megna)

THAT Standing Orders be suspended to bring forward Public Forum and consideration of Item 7 – Wire Mill Dog Off Leash Trial to permit speakers to address Council on the Item prior to determination by Council.

CARRIED

MM2 MAYORAL MINUTE – 1ST YARALLA SEA SCOUTS 100TH ANNIVERSARY

037/22 RESOLVED

(Cr Tsirekas)

THAT Council congratulate the 1st Yaralla Sea Scouts on their 100th Anniversary.

CARRIED



MM3 MAYORAL MINUTE – DRUMMOYNE OVAL RENEWAL

038/22 RESOLVED

(Cr Tsirekas)

THAT Council continue to work with local sporting clubs to advocate for funding opportunities for the renewal of Drummoyne Oval.

CARRIED

Note: MM1 Mayoral Minute – Sydney Metro West: Public Meetings for Our Community was considered next.

PROCEDURAL MOTION – RESUMPTION OF STANDING ORDERS

039/22 RESOLVED

(Crs Cordaro/Ruggeri)

THAT Standing Orders be resumed.

CARRIED

ITEM 1 DA DETERMINATIONS BY THE LOCAL PLANNING PANEL AND STAFF UNDER DELEGATION

040/22 RESOLVED

(Crs Cordaro/Ruggeri)

THAT Council receive and note the information contained in the report on DA determinations by the Local Planning Panel and Staff under delegation (for the period 1 February 2022 and 28 February 2022).

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED



PROCEDURAL MOTION – ITEM TO BE DEALT WITH IN SERIATIM

041/22 RESOLVED

(Crs Ruggeri/Cordaro)

THAT Item 2 – Sydney Metro West Local Character Statements – Community Engagement 1 Outcomes be dealt with in Seriatim for the three precincts of Five Dock; Concord Oval/Burwood North and North Strathfield.

CARRIED

ITEM 2 SYDNEY METRO WEST LOCAL CHARACTER STATEMENTS - COMMUNITY ENGAGEMENT 1 OUTCOMES

Note: Geoffrey Ashton addressed Council in relation this Item.

Note: At 7.28pm Crs Megna and Ruggeri having declared a pecuniary interest and Cr Di Pasqua having declared a less than significant non-pecuniary interest in the Five Dock component of this Item left the Chambers.

FIVE DOCK

042/22 RESOLVED

(Crs Bazouni/Cordaro)

1. THAT the *draft Local Character Statement* for Five Dock and *draft Planning Study*, submitted as attachments to the report, be placed on public exhibition for a minimum period of 28 days.
2. THAT following the public exhibition period, a report be submitted to Council on the outcome of exhibition and any further action to be taken.

(FOR: Crs Bazouni, Cordaro, Cr Ferguson, Cr Jago, Tsirekas)

(AGAINST: Nil)

(ABSENT: Crs Di Pasqua, Megna and Ruggeri)

CARRIED

Note: At 7.29pm Crs Di Pasqua, Megna and Ruggeri returned to the Chambers.

CONCORD OVAL/BURWOOD NORTH

043/22 RESOLVED

(Crs Ruggeri/Bazouni)

1. THAT the *draft Local Character Statement* for Concord Oval/Burwood North and *draft Planning Study*, submitted as attachments to the report, be placed on public exhibition for a minimum period of 28 days.
2. THAT following the public exhibition period, a report be submitted to Council on the outcome of exhibition and any further action to be taken.

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED

Note: At 7.31pm the General Manager, John Clark having declared a pecuniary interest in the North Strathfield component of this Item left the Chambers.

NORTH STRATHFIELD

044/22 RESOLVED

(Crs Megna/Cordaro)

1. THAT the *draft Local Character Statement* for North Strathfield and *draft Planning Study*, submitted as attachments to the report, be placed on public exhibition for a minimum period of 28 days.
2. THAT following the public exhibition period, a report be submitted to Council on the outcome of exhibition and any further action to be taken.

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Megna, Ruggeri, and Tsirekas)

(AGAINST: Nil)

CARRIED

Note: At 7.33pm the General Manager, John Clark returned to the Chambers.



PROCEDURAL MOTION – AMENDMENT TO STANDING ORDERS

045/22 RESOLVED

(Crs Di Pasqua/Jago)

THAT Standing Orders be suspended to bring forward Items 3, 4 19 and 20.

CARRIED

Note: Item 3 Outcome of Exhibition – Planning Proposal – Miscellaneous Amendments and Canada Bay Development Control Plan Review was considered next.

Note: At 7.36pm the Mayor, Cr Tsirekas having declared a less than significant non-pecuniary interests in Items 4, 19 and 20 and a significant non-pecuniary interest in Item 3, vacated the chair and left the Chambers.

Note: The Deputy Mayor, Cr Di Pasqua assumed the Chair for Items 3, 4, 19 and 20.

Note: At 7.36pm Cr Cordaro having declared a pecuniary interest on this Item left the Chambers.

ITEM 3 OUTCOME OF EXHIBITION - PLANNING PROPOSAL – MISCELLANEOUS AMENDMENTS AND CANADA BAY DEVELOPMENT CONTROL PLAN REVIEW

046/22 RESOLVED

(Crs Ruggeri/Jago)

1. THAT Council note the outcome of the public exhibition of the Planning Proposal – Miscellaneous Amendments and Canada Bay Development Control Plan Review.
2. THAT the Planning Proposal, provided as an attachment to the report, be submitted to the Department of Planning and Environment for finalisation.
3. THAT the draft *Canada Bay Development Control Plan*, provided as an attachment to this report, be adopted and become effective upon the gazettal of the amendments to the *Canada Bay Local Environmental Plan 2013*.
4. THAT authority be granted to the General Manager to make any minor changes to the Planning Proposal and draft Development Control Plan (if

required) prior to finalisation of the Local Environmental Plan.

5. THAT the submitters be advised of Council's determination.

(FOR: Crs Bazouni, Di Pasqua, Jago, Megna and Ruggeri)

(AGAINST: Cr Ferguson)

(ABSENT: Crs Cordaro and Tsirekas)

CARRIED

Note: At 7.43pm Cr Cordaro returned to the Chambers.

ITEM 4 PLANNING PROPOSAL FOR 176-184 GEORGE STREET, CONCORD WEST (PP2018/0001)

Note: The following people addressed Council in relation this Item:

- Helen Deegan
- Alex Harb

047/22 RESOLVED

(Crs Di Pasqua/Cr Jago)

THAT Council defer the matter to the next Ordinary Council Meeting with a Councillor Workshop to be held prior to this.

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Ferguson, Jago, Megna and Ruggeri)

(AGAINST: Nil)

(ABSENT: Cr Tsirekas)

CARRIED

Note: Procedural Motion – Move into Closed Session was considered next (Min No: 062/22).

ITEM 5 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES – 24 FEBRUARY 2022

Note: Crs Di Pasqua and Ferguson declared less than significant, non-pecuniary interests in relation to this Item.



048/22 RESOLVED
(Cr Megna/Ferguson)

THAT the minutes and recommendations of City of Canada Bay Local Traffic Committee meeting of 24 February 2022, attached to the report, be adopted.

CARRIED

ITEM 6 EXTENSION OF HOST ARRANGEMENT – PARRAMATTA RIVER CATCHMENT GROUP

049/22 RESOLVED
(Cr Jago/Ferguson)

THAT Council extend the current agreement to host the PRCG from 30 June 2022 until 30 June 2024.

CARRIED

Note: Item 8 was considered next.

ITEM 7 WIRE MILL DOG OFF LEASH TRIAL

Note: At 6.16pm Cr Ruggeri having declared a significant non-pecuniary interest in this Item and left the Chambers.

Note: The following people addressed Council in relation to Item 7 - Wire Mill Dog Off Leash Trial:

- *Ellen Morgan-Thomas*
- *David Gow*
- *Benjamin Green*
- *Ben Low*
- *Jacki MacCullagh*
- *Anne Ryan*
- *John Small*
- *Rita Smith*
- *Vanessa Szczensy*

MOTION
(Cr Megna/Di Pasqua)



THAT Council defer the matter at this time and that a report be tabled at the next Ordinary Council Meeting to recommend appropriate off-leash times in this location.

Note: At the request of the mover, the Motion was withdrawn.

MOTION

(Crs Megna/Di Pasqua)

1. THAT Council support in principle the off-leash area in Wire Mill Park.
2. THAT Council staff produce a report with proposed times in consultation with both parties for designated off-leash for the next month's Council Meeting.

Note: Cr Jago moved the following addendum to the Motion which was accepted by the mover.

3. THAT a report be prepared and submitted to Council on possible improvements to facilities within Wire Mill Park to assist in moving gatherings of dog owners and dogs away from the apartments.
4. THAT a report be prepared and submitted to Council on potential safety improvements to Lysaght Park dog off-leash area.
5. THAT a report be prepared and submitted to Council on education and enforcement initiatives to encourage responsible dog ownership, including details on dog ownership growth rates.

050/22 RESOLVED

(Crs Megna/Di Pasqua)

1. THAT Council support in principle the off-leash area in Wire Mill Park.
2. THAT Council staff produce a report with proposed times in consultation with both parties for designated off-leash for the next month's Council Meeting.
3. THAT a report be prepared and submitted to Council on possible improvements to facilities within Wire Mill Park to assist in moving gatherings of dog owners and dogs away from the apartments.
4. THAT a report be prepared and submitted to Council on potential safety improvements to Lysaght Park dog off-leash area.
5. THAT a report be prepared and submitted to Council on education and



enforcement initiatives to encourage responsible dog ownership, including details on dog ownership growth rates.

CARRIED

Note: At 7.17pm Cr Ruggeri returned to the Chambers.

Note: Procedural Motion – Resumption of Standing Orders was considered next (Min No: 039/22).

ITEM 8 LYSAGHT PARK – REQUEST FOR AFTERNOON USE ON WEEKENDS

051/22 RESOLVED
(Crs Ruggeri/Ferguson)

THAT Council permits the additional use of Lysaght Park for organised sport on Saturdays and Sundays from 2pm-5pm.

CARRIED

ITEM 9 SIX MONTHLY REPORT ON PROGRESS JULY TO DECEMBER 2021

052/22 RESOLVED
(Crs Ferguson/Jago)

THAT Council receives and notes the six-monthly Report on Progress for the six-month period July to December 2021.

CARRIED

ITEM 10 CASH AND INVESTMENTS REPORT FOR FEBRUARY 2022

053/22 RESOLVED
(Crs Jago/Ruggeri)

THAT the Cash and Investments Report for February 2022 be received and noted.

CARRIED

ITEM 11 PRIVACY MANAGEMENT PLAN - REVIEW

054/22 RESOLVED

(Crs Bazouni/Cordaro)

1. THAT the draft Privacy Management Plan attached to the report be adopted.
2. THAT a copy of the adopted Privacy Management Plan be forwarded to the Information and Privacy Commission of NSW.

CARRIED

ITEM 12 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2022

055/22 RESOLVED

(Crs Cordaro/Megna)

THAT Council nominate Cr Tsirekas and Cr Megna to attend the National General Assembly of Local Government with the General Manager in Canberra (19-22 June 2022).

CARRIED

ITEM 13 CODE OF CONDUCT POLICY REVIEW

056/22 RESOLVED

(Crs Megna/Jago)

1. THAT the draft Code of Conduct attached to the report be placed on public exhibition for 28 days.
2. THAT following the public exhibition period a further report, including details of any submissions, be prepared and submitted to Council with a view to adoption of the Policy.
3. THAT the Gifts and Benefits Policy referred to in the report be rescinded.

CARRIED



Deputy Mayor



General Manager

ITEM 14 COUNCILLOR SUPERANNUATION

057/22 RESOLVED

(Cr Cordaro/Cr Ferguson)

THAT consideration of Councillor superannuation be deferred for a period of 12 months.

CARRIED

**ITEM 15 NOTICE OF MOTION – CR FERGUSON – LOCAL CANAL
NATURALISATIONS AND CLEAN UP**

058/22 RESOLVED

(Crs Ferguson/Cordaro)

1. THAT Council write to Sydney Water to express support for its program of canal naturalisations and to request St Luke's Canal and Dobroyd (Iron Cove Creek) Canal be prioritised.
2. THAT Council contacts Sydney Water's Canal Maintenance Department to request that a thorough clean up of dumped rubbish, building debris and waste from all of Sydney Water owned canals within the City of Canada Bay LGA be undertaken.
3. THAT Council's proposal to renew and naturalise the Massey Park Golf Course Canal be noted and the enhancement of that watercourse welcomed.

CARRIED

**ITEM 16 NOTICE OF MOTION – CR FERGUSON – CITY OF CANADA
BAY COUNCIL AVENUES OF HONOUR**

059/22 RESOLVED

(Crs Ferguson/Jago)

1. THAT Council officers investigate:
 - (i) options to commemorate/re-establish the Avenues of Honour in Cabarita Park and on Concord Road in an appropriate way in consultation with the City of Canada Bay Council Heritage Society and other stakeholders as part of the urban tree canopy program, including estimated costs of such options;



- (ii) the estimated costs and potential funding sources to restore the Drinking Fountains erected on Concord Road (one on Patterson Street and one at Rhodes) which was an important feature in the Concord Road Avenue of Honour, marking the beginning and end of the Avenue.
2. THAT a report be prepared and submitted to Council following completion of the investigations referred to in 1. above.

CARRIED

ITEM 17 NOTICE OF MOTION – CR JAGO – CHANGE OF METRO STATION NAME FROM “BURWOOD NORTH” TO “CONCORD OVAL”

060/22 RESOLVED

(Crs Jago/Ferguson)

1. THAT Council write to the NSW Government, strongly promoting that the Metro station with the current working title of "Burwood North" be given the official name of "Concord Oval".
2. THAT Council produce a brief (e.g. one page) historical explanation of the local area and its name over time, to support its position.
3. THAT in the event of disagreement with the NSW Government on this matter, Council officers prepare a report for submission to Council on options and costs for conducting a local survey and petition in surrounding areas for the preferred station name, and mechanisms to continue to lobby the NSW Government.

CARRIED

ITEM 18 NOTICE OF MOTION – CR DI PASQUA – WEST INVEST FUND

061/22 RESOLVED

(Crs Di Pasqua/Megna)

THAT Council write to the NSW Premier and Treasurer seeking to be included in the WestInvest Funding program.

CARRIED

Note: The close of the Meeting was next.

PROCEDURAL MOTION – MOVE INTO CLOSED SESSION

062/22 RESOLVED

(Crs Jago/Megna)

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

CARRIED

Note: At 8.06pm the meeting went into Closed Session.

PROCEDURAL MOTION – AMENDMENT TO STANDING ORDERS

063/22 RESOLVED

(Crs Jago/Ruggeri)

THAT Standing Orders be suspended to bring forward Item 20 prior to consideration of Item 19 on the agenda.

Note: Item 20 Rhodes Recreation Voluntary Planning Agreement was considered next.

ITEM 19 ISSUE OF A LEASE AT DRUMMOYNE POOL, 1P HENLEY MARINE DRIVE, DRUMMOYNE

064/22 RESOLVED

(Crs Megna/Bazouni)

1. THAT Council grant a licence of the Badanura Room to the Drummoyne Water Polo Club Inc for a term of 20 years, in accordance with the key terms and conditions contained within the Heads of Agreement shown at Attachment 1.
2. THAT the General Manager be delegated authority to approve and finalise any matters in relation to the licence agreement, aligning with the key terms and conditions contained within the Heads of Agreement shown at Attachment 1.
3. THAT the General Manager be delegated authority to execute the licence agreement on behalf of Council.

CARRIED

Note: Procedural Motion – Move Back into Open Session was considered next (Min No: 066/22).

ITEM 20 RHODES RECREATION VOLUNTARY PLANNING AGREEMENT

Note: At 8.07pm Cr Ferguson declared a pecuniary interest on this Item and left the Chambers.

Note: A confidential supplementary report was considered in conjunction with this Item.

065/22 RESOLVED
(Crs Megna/Cordaro)

1. THAT the General Manager be authorised to negotiate and act in accordance with the parameters contained within the Confidential supplementary report.
2. THAT a further report be prepared and submitted to Council on the outcome of the negotiations.

(FOR: Crs Bazouni, Cordaro, Di Pasqua, Jago, Megna and Ruggeri)

(AGAINST: Nil)

(ABSENT: Crs Ferguson and Tsirekas)

CARRIED

Note: At 8.36pm, Cr Ferguson returned to the Chambers.

Note: Item 19 Issue of a Lease at Drummoyne Pool, 1P Henley Marine Drive, Drummoyne was considered next.

PROCEDURAL MOTION – MOVE BACK INTO OPEN SESSION

066/22 RESOLVED
(Crs Jago/Cordaro)

THAT the Council revert back to Open Session

Note: At 8.40pm the Closed Session of Council returned to Open Session



In accordance with clause 14.21 and 14.22 of the Council's Code of Meeting Practice, following consideration of Item 19 chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.

Note: The Mayor, Cr Tsirekas returned to the meeting at 8.40pm and resumed the Chair.

Note: Item 5 City of Canada Bay Local Traffic Committee Minutes - 24 February 2022 was considered next.

THE MEETING CLOSED AT 9.01PM.

CHAIRPERSON

