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## Council Meeting

8/08/2018

Item No	5.1
Subject	<b>Minutes of the Council Meeting - 11 July 2018</b>
Report by	Michael Mamo, Director City Performance
File	SF17/2775

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## Officer Recommendation

That the Minutes of the Council meeting held on 11 July 2018 be confirmed as a true record of proceedings.

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## Present

Councillor Bill Saravinovski, Mayor  
Councillor Joe Awada, Deputy Mayor  
Councillor Liz Barlow  
Councillor Christina Curry  
Councillor Tarek Ibrahim  
Councillor James Macdonald  
Councillor Ed McDougall  
Councillor Scott Morrissey  
Councillor Michael Nagi  
Councillor Vicki Poulos  
Councillor Dorothy Rapisardi  
Councillor Paul Sedrak  
Councillor Andrew Tsounis

## Also Present

Meredith Wallace, General Manager  
Michael McCabe, Director City Futures  
Debra Dawson, Director City Life  
Michael Mamo, Director City Performance  
Colin Clissold, Director City Presentation  
Fausto Sut, Manager Governance & Risk  
Matthew Walker, Manager Finance  
Clare Harley, Manager Strategic Planning  
Samantha Urquhart, Manager Property  
Hayla Doris, Manager Recreation and Community Services  
Karin Targa, Major Projects Director  
Vincenzo Carrabs, Head of Communications & Events  
Matthew Torta, IT Support Officer  
Anne Suann, Governance Officer

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The Mayor opened the meeting in the Council Chambers, Rockdale Town Hall, Level 1, 448 Princes Highway, Rockdale at 7.09 pm.

The Mayor informed the meeting, including members of the public, that the meeting is being video recorded and live streamed to the community via Council's Facebook page, in accordance with Council's Code of Meeting Practice.

## **1 Acknowledgement of Traditional Owners**

The Mayor affirmed that Bayside Council respects the traditional custodians of the land, elders past and present and future leaders, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

## **2 Opening Prayer**

Senior Minister Steve Bryan from St John's Anglican Church in Rockdale opened the meeting in prayer.

## **3 Apologies**

RESOLUTION

Minute 2018/139

Resolved on the motion of Councillors Tsounis and Awada

That the following apologies be received and leave of absence granted:

- Councillor Ron Bezic
- Councillor Petros Kalligas

## **4 Disclosures of Interest**

Councillor Ibrahim declared a Less than Significant Non-Pecuniary Interest in Item 8.3 on the basis that he lives several blocks away from the development, but stated he would remain in the Chamber for consideration and voting on the matter because it won't impact on his property.

## **5 Minutes of Previous Meetings**

### **5.1 Minutes of the Council Meeting - 13 June 2018**

RESOLUTION

Minute 2018/140

Resolved on the motion of Councillors Tsounis and Nagi

That the Minutes of the Council meeting held on 13 June 2018 be confirmed as a true record of proceedings.

## **5.2 Minutes of the Extraordinary Council Meeting - 27 June 2018**

### **RESOLUTION**

Minute 2018/141

Resolved on the motion of Councillors Nagi and Poulos

That the Minutes of the Extraordinary Council meeting held on 27 June 2018 be confirmed as a true record of proceedings.

## **6 Mayoral Minutes**

### **6.1 Mayoral Minute - Recognition of Contribution to Community by Dick Caine**

The Mayor, Councillor Saravinovski, and Councillor Macdonald presented Mr Caine with a Certificate of Recognition for his significant contribution to sport at the Dick Caine Gym and Olympic Pool in Carss Park areas over many decades. The Mayor acknowledged Mr Caine for a lifetime dedicated to coaching many World and Olympic Champions, as well as tireless fundraising activities over the years for a wide range of charities.

### **RESOLUTION**

Minute 2018/142

Resolved on the motion of Councillors Saravinovski

That the Mayoral Minute be received and noted.

### **6.2 Mayoral Minute - Bayside Enterprise Agreement**

The Mayor, Councillor Saravinovski, accompanied by the Member for Rockdale, Mr Stephen Kamper, MP, presented Mayoral Minutes to members of the Union and staff negotiating team who developed the new Bayside Enterprise Agreement.

### **RESOLUTION**

Minute 2018/143

Resolved on the motion of Councillors Saravinovski

- 1 That the Mayoral Minute be received and noted.
- 2 That Council thank the unions and the staff negotiating team for their efforts in achieving the first harmonised salary and employment conditions agreement for an amalgamated council, as listed below:

Members of the Union:

- Graeme Kelly, General Secretary, United Services Union
- Gordon Brock, Director, Local Government Engineers Association
- Ian Robertson, Secretary, The Development and Environmental Professionals' Association

Members of the staff negotiating team:

- Ben Thompson
- Dennis Café
- Pascal Van De Walle
- Ross Santonoceto
- Michael Azzi
- Glenn Ritchie
- Peter Ward
- Kara Adams
- Linda Parkes
- Terri Smeith
- Eric Bohme
- Jan Nash.

### **6.3 Mayoral Minute - Certificate of Recognition, Mr George Lundy, President Pagewood Botany Football Club**

The Mayor, Councillor Saravinovski, and Councillors Curry and Morrissey presented Mr Lundy with a Certificate of Recognition for his significant contribution as a volunteer administrator of the Pagewood Botany Football Club and for the local community youth development.

RESOLUTION

Minute 2018/144

Resolved on the motion of Councillors Saravinovski

That the Mayoral Minute be received and noted.

## **7 Public Forum**

Details associated with the presentations to the Council in relation to items on this agenda can be found in the individual items.

### **8.3 Planning Proposal - Post-Exhibition Report: 75-81 Railway Street, Rockdale**

Councillor Ibrahim had previously declared a Less than Significant Non-Pecuniary Interest.

Mr Giovanni Cirillo, planning consultant from Planning Lab, speaking for the Officer Recommendation, addressed the Council.

#### **RESOLUTION**

Minute 2018/145

Resolved on the motion of Councillors Nagi and Ibrahim

- 1 That, in accordance with Section 3.36(2) of the Environmental Planning and Assessment Act 1979, Council exercise its delegation and make the Local Environmental Plan amendment, as exhibited, for 75-81 Railway Street, Rockdale.
- 2 That Council consider the recommendation of the Bayside Planning Panel on 1 May 2018 to make the amendment to the Rockdale Local Environmental Plan 2011.
- 3 That Council note that a separate report has been tabled in relation to the Voluntary Planning Agreement for the site and that the Voluntary Planning Agreement will be registered on title prior to amendment of the Rockdale Local Environmental Plan 2011 in relation to 75-81 Railway Street, Rockdale.

Division called by Councillors Nagi and Ibrahim

For: Councillors Tsounis, Saravinovski, Sedrak, Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Poulos, McDougall, Macdonald, Barlow and Awada

The Motion was carried.

### **8.4 Voluntary Planning Agreement, 75-81 Railway Street, Rockdale**

#### **RESOLUTION**

Minute 2018/146

Resolved on the motion of Councillors Nagi and Ibrahim

- 1 That Council notes the outcomes of the exhibition of the Voluntary Planning Agreement (VPA) for 75-81 Railway Street, Rockdale.
- 2 That Council adopts an amendment to the VPA as offered by Zoe Holdings Rockdale which results in the delivery of works and land dedication for both Option A and B combined.
- 3 That Council acknowledges the amendment is not required to be notified.

- 4 That the Council authorises the General Manager to finalise the commercial terms associated with the VPA and execute the relevant documentation.

Division called by Councillors Nagi and Ibrahim

For: Councillors Tsounis, Saravinovski, Sedrak, Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Poulos, McDougall, Macdonald, Barlow and Awada

The Motion was carried.

### **8.11 Proposed Off-Leash Dog Areas at Kyeemagh - Community Engagement Outcomes**

Miss Isabella Gale, speaking for the Officer Recommendation, addressed the Council.

Mr Gary Rosenberg, speaking for the Officer Recommendation, addressed the Council.

#### **RESOLUTION**

Minute 2018/147

Resolved on the motion of Councillors McDougall and Nagi

- 1 That Council notes the results of the community consultation regarding the establishment of off-leash dog parks at Lady Robinson's Beach Kyeemagh and Lance Studdert Reserve, Bestic Street Kyeemagh.
- 2 That Council defers the establishment of the off-leash dog area proposed at Lance Studdert Reserve, based on the support of stakeholders responding to survey until such time as a holistic plan can be considered for that park.
- 3 That Council notes the feedback from local residents and others regarding the establishment of an off-leash dog area at Lady Robinson's Beach, Kyeemagh.
- 4 That Council proceeds with a timed (4pm – 10 am daily) off-leash dog area at Lady Robinsons Beach, Kyeemagh, with an allocation of \$180,000 in the Capital Works Program being utilised for this purpose.
- 5 That the Director City Life report to the Sport and Recreation Committee on the operation and compliance of the off-leash area after six months of commencement.

The Mayor, Councillor Saravinovski, and Councillor McDougall, accompanied by the Member for Rockdale, Mr Stephen Kamper, MP, presented a Certificate of Recognition to Bella Gale in recognition of her enthusiastic community commitment to helping improve Council's off-leash dog parks for the benefit of all our residents.

## 8 Reports

### 8.1 Development of a Bayside Local Environmental Plan, Local Strategic Planning Statements and Development Control Plan

#### RESOLUTION

Minute 2018/148

Resolved on the motion of Councillors Tsounis and Nagi

- 1 That Council supports the preparation of the Bayside Local Environmental Plan, Local Strategic Planning Statements and Development Control Plan in accordance with the requirements of the recently amended *Environmental Planning and Assessment Act 1979* and the Eastern City District Plan.
- 2 That Council prepares and implements a comprehensive Stakeholder Engagement Plan to inform the preparation of Bayside Council's new planning framework.

Division called by Councillors Tsounis and Nagi

For: Councillors Tsounis, Saravinovski, Sedrak, Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Poulos, McDougall, Macdonald, Barlow and Awada

The Motion was carried.

### 8.2 Planning Proposal - 119 Barton Street, Monterey

#### MOTION

Motion moved by Councillors Macdonald and Tsounis

- 1 That Council endorse the Planning Proposal for Gateway Determination based on the recommendation of the Bayside Planning Panel dated 1 May 2018.
- 2 That Council submit the draft Planning Proposal for 119 Barton Street, Monterey to the Department of Planning and Environment, for a Gateway Determination, pursuant to section 3.34 of the Environmental Planning & Assessment Act 1979 (EP&A Act).

Division called by Councillors Macdonald and Tsounis

For: Councillors Tsounis and Macdonald

Against: Councillors Saravinovski, Sedrak, Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Poulos, McDougall, Barlow and Awada

The Motion was lost.

**FORESHADOWED MOTION**

Foreshadowed Motion moved by Councillor Nagi and Poulos

That the Planning Proposal for Gateway Determination not be supported.

The Foreshadowed Motion became the Motion.

**MOTION**

Motion moved by Councillor Nagi and Poulos

That the Planning Proposal for Gateway Determination not be supported.

Division called by Councillors Nagi and Poulos

For: Councillors Tsounis, Saravinovski, Sedrak, Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Poulos, McDougall, Macdonald, Barlow and Awada

The Motion was carried.

**RESOLUTION**

Minute 2018/149

Resolved on the motion of Councillors Macdonald and Tsounis

That the Planning Proposal for Gateway Determination not be supported.

**8.5 Stronger Communities Fund Reporting Major Projects****RESOLUTION**

Minute 2018/150

Resolved on the motion of Councillors Nagi and Tsounis

That Council approves the Stronger Communities Fund 6 monthly Major Projects report for the period from 1 January – 30 June 2018 to be submitted to the NSW Office of Local Government.

**8.6 Lever Street Reserve Landscape Masterplan****RESOLUTION**

Minute 2018/151

Resolved on the motion of Councillors Nagi and Sedrak

That Council endorses the Lever Street Reserve Landscape Masterplan as attached to this report.