

MINUTES

Council Meeting
14 September 2021

Minutes of the Council Meeting of Strathfield Municipal Council held on 14 September 2021, in the Council Chambers, 65 Homebush Road, Strathfield.

COMMENCING: 2pm

PRESENT: Mayor Antoine Doueih
Councillor Matthew Blackmore
Councillor Maryanne Duggan
Councillor Nella Hall (Audio visual link)
Councillor Stephanie Kokkolis
Councillor Karen Pensabene
Councillor Gulian Vaccari

STAFF: Henry Wong, Chief Executive Officer
Anthony Hewton, GM, People, Place and Civic Services
Stephen Clements, Deputy CEO, GM Planning, Environment and Urban Services
Melinda Aitkenhead, Director, Corporate and Financial Services
David McQuade, Governance Manager

1. **OPENING:** The Prayer was read.

2. **RECOGNITION OF TRADITIONAL CUSTODIANS:** The Recognition was read.

3. **APOLOGIES**

Nil.

4. **PECUNIARY INTEREST /CONFLICT OF INTEREST**

Councillor Duggan declared a non-pecuniary/non-significant conflict of interest for *Item 12.1 The Diabetes International Lions Club Forum 4 November 2021 – Councillor Karen Pensabene*. Councillor Duggan is a member of the Burwood/Strathfield Lions.

Councillor Pensabene declared a non-pecuniary/non-significant conflict of interest for *Item 12.1 The Diabetes International Lions Club Forum 4 November 2021 – Councillor Karen Pensabene*. Councillor Pensabene is a member of the Burwood/Strathfield Lions.

5. **CONFIRMATION OF MINUTES**

105/21

RESOLVED: (Vaccari / Kokkolis)

That the minutes of the Ordinary Council Meeting meeting held on 1 June 2021, a copy of which has been furnished to each Councillor, be taken as read and confirmed as a true and correct

record of that meeting and that the Chairman and General Manager be authorised to sign such minutes.

For the Motion: Councillors Blackmore, Doueihi, Duggan, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

Suspension of Standing Orders

106/21

RESOLVED: (Vaccari / Duggan)

That Standing Orders be Suspended to allow consideration of the following matter:

CS3 Mayoral and Deputy Mayoral Election

For the Motion: Councillors Blackmore, Doueihi, Duggan, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

Councillor Hall arrived at the meeting, the time being 2:05pm.

CS3 Mayoral and Deputy Mayoral Election

107/21

RESOLVED: (Vaccari / Duggan)

1. That Council conduct the election of the Mayor and Deputy Mayor by open voting.
2. That Council elect the Mayor for the 2021 term from 14 September 2021 until 4 December 2021.
3. That Council elect the Deputy Mayor for the 2021 term from 14 September 2021 until 4 December 2021.
4. That the Returning Officer conduct the election in accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

For the Motion: Councillors Blackmore, Doueihi, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

Councillors Blackmore, Doueihi, Duggan, Kokkolis, Pensabene and Vaccari were present in person. Councillor Hall was present by audio visual link.

Election of Mayor

The Returning Officer, being the Chief Executive Officer advised that nominations for the position of Mayor had been received for Councillor Blackmore, Councillor Kokkolis and Councillor Pensabene.

An election was carried out by way of open voting method with the following votes being recorded:

Councillor Blackmore

Councillor Blackmore

Councillor Doueihy

Councillor Hall

Councillor Kokkolis

Councillor Kokkolis

Councillor Vaccari

Councillor Pensabene

Councillor Duggan

Councillor Pensabene

Councillors Kokkolis and Pensabene both received two votes each, therefore, in accordance with Clause 12 of Schedule 7 of the *Local Government (General) Regulation 2005* the Returning Officer placed the names of Councillor Kokkolis and Councillor Pensabene in the barrel. Councillor Pensabene name was drawn first and was therefore excluded from the second round of the ballot.

Councillor Pensabene was drawn from the barrel and excluded from the next round.

2nd Ballot

Councillor Blackmore

Councillor Blackmore

Councillor Doueihy

Councilor Hall

Councillor Kokkolis

Councillor Duggan

Councillor Kokkolis

Councillor Pensabene

Councillor Vaccari

The Returning Officer declared **Councillor Kokkolis elected as Mayor** for the 2021 term with the majority of votes.

Election of Deputy Mayor

Councillor Kokkolis withdrew her nomination for the position of Deputy Mayor.

The Returning Officer, being the Chief Executive Officer advised that nominations for the position of Deputy Mayor had been received for Councillor Hall, Councillor Vaccari, Councillor Blackmore and Councillor Pensabene.

An election was carried out by way of open voting method with the following votes being recorded:

Councillor Hall

Councillor Blackmore

Councillor Doueihy

Councillor Hall

Councillor Vaccari

Councillor Kokkolis

Councillor Vaccari

Blackmore

Nil

Pensabene

Councillor Duggan

Councillor Pensabene

Councillors Vaccari and Pensabene both received two votes each, therefore, in accordance with Clause 12 of Schedule 7 of the *Local Government (General) Regulation 2005* the Returning Officer placed the names of Councillor Vaccari and Councillor Pensabene in the barrel. Councillor Pensabene name was drawn first and was therefore excluded from the second round of the ballot.

2nd Ballot

Councillor Hall

Councillor Blackmore

Councillor Doueihy

Councillor Duggan

Councillor Hall

Councillor Pensabene

Councillor Vaccari

The Returning Officer declared **Councillor Hall elected as Deputy Mayor** for the 2021 term with the majority of votes.

Councillor Kokkolis assumed the Chair.

Resumption of Standing Orders

108/21

RESOLVED: (Vaccari / Duggan)

That Standing Orders be resumed.

For the Motion: Councillors Blackmore, Doueihy, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

6. ACKNOWLEDGEMENTS

6.1 Work by Council During Covid-19 Pandemic – Councillor Karen Pensabene

That Council be acknowledged for their work during the Covid-19 pandemic and that the community contact any Councillors or Council for help and support if needed.

7. DEFERRED/OUTSTANDING MATTERS AWAITING REPORT

Nil.

8. MAYORAL MINUTE(S) IN ACCORDANCE WITH COUNCIL'S CODE OF MEETING PRACTICE

Nil.

9. COUNCILLORS' QUESTIONS TO THE MAYOR (SUBMITTED IN WRITING IN ACCORDANCE WITH COUNCIL'S CODE OF MEETING PRACTICE)

Nil.

10. QUESTIONS WITH NOTICE

10.1 Environmental Planning and Assessment Amendment (Infrastructure Contributions Bill) 2021

Mr Stephen Clements, Deputy CEO, GM Planning, Environment & Urban Services advised the meeting that Council had made a submission to LG NSW and that Minutes of the Working Party meetings hosted by LG NSW would be circulated to Councillors. He further advised that a report would be submitted to the October Ordinary Council Meeting on this matter.

11. REPORTS FROM COMMITTEES

11.1 Report from Traffic Committee meeting on 15 June 2021

109/21

RESOLVED: (Pensabene / Vaccari)

That the minutes of the Traffic Committee meeting held on 15 June 2021 be noted and the recommendations be adopted.

For the Motion: Councillors Blackmore, Doueihi, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

11.2 Report from Traffic Committee meeting on 20 July 2021

110/21

RESOLVED: (Pensabene / Vaccari)

That the minutes of the Traffic Committee meeting held on 20 July 2021 be noted and the recommendations be adopted.

For the Motion: Councillors Blackmore, Doueihi, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

11.3 Report from Traffic Committee Meeting on 17 August 2021

111/21

RESOLVED: (Pensabene / Hall)

That the minutes of the Traffic Committee Meeting held on 17 August 2021 be noted and the recommendations be adopted.

For the Motion: Councillors Blackmore, Doueihi, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

12. MOTIONS PURSUANT TO NOTICE

12.1 The Diabetes International Lions Club Forum 4 November 2021 – Councillor Karen Pensabene

MOVED:

That fees be waived for The Diabetes International Lions Club Forum on 4 November 2021 to be held at Strathfield Council Town Hall.

Councillor Duggan declared a non-pecuniary/non-significant conflict of interest and remained in the meeting. Councillor Duggan is a member of Strathfield/Burwood Lions.

Councillor Pensabene declared a non-pecuniary/non-significant conflict of interest and remained in the meeting. Councillor Pensabene is a member of Strathfield/Burwood Lions.

112/21

RESOLVED: (Pensabene / Duggan)

That fees be waived for The Diabetes International Lions Club Forum on 4 November 2021 to be held at Strathfield Council Town Hall.

For the Motion: Councillors Blackmore, Doueihi, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

12.2 Local Government NSW Annual Conference 2021 – Motion – Councillor Karen Pensabene

MOVED:

That Councils in NSW have an important role in land use planning and development approval.

That Councils assess local development and are able to grant approval, with or without conditions, or refuse an application for development.

Local planning controls regulate densities, height, external design and siting, building materials, open space provisions, and the level of developer contribution required to cover physical and/or community infrastructure costs arising from the proposed development.

In 2020 NSW Minister for Energy and Environment, The Hon. Matt Kean likened allowing property developers to be elected as local councillors to “putting Dracula in charge of the bloodbank” due to the planning decisions taken by councils.

In June 2021 the NSW Legislative Council voted to ban property developers from running for local councils; and

Property developers have an innate bias in planning decisions and allowing them to serve as local councillors erodes the ability of councils to make independent decisions on planning matters.

Oppose those working as, or close associates of, property developers, running to be elected to Strathfield Council (property developer and close associate are as defined in the *Electoral Funding Act 2018*); and

For Council to:

1. Submit this motion in support of the adoption of a policy which prohibits property developers from holding office as local councillors in NSW to the LGNSW conference for consideration.
2. Write to the NSW Premier, NSW Opposition Leader, NSW Local Government Minister, NSW Shadow Local Government Minister, NSW Minister for Planning, Shadow Minister for Planning and Independent NSW Members, seeking their commitment to support the *Local Government Amendment (Prohibition of Election of Property Developers) Bill 2021* which is currently before the parliament which seeks to prohibit property developers from holding office as local councillors in NSW.

113/21

RESOLVED: (Pensabene / Duggan)

That Councils in NSW have an important role in land use planning and development approval.

That Councils assess local development and are able to grant approval, with or without conditions, or refuse an application for development.

Local planning controls regulate densities, height, external design and siting, building materials, open space provisions, and the level of developer contribution required to cover physical and/or community infrastructure costs arising from the proposed development;

In 2020 NSW Minister for Energy and Environment, The Hon. Matt Kean likened allowing property developers to be elected as local councillors to “putting Dracula in charge of the bloodbank” due to the planning decisions taken by councils;

In June 2021 the NSW Legislative Council voted to ban property developers from running for local councils; and

Property developers have an innate bias in planning decisions and allowing them to serve as local councillors erodes the ability of councils to make independent decisions on planning matters;

Oppose those working as, or close associates of, property developers, running to be elected to Strathfield Council (property developer and close associate are as defined in the *Electoral Funding Act 2018*); and

For Council to:

1. Submit this motion in support of the adoption of a policy which prohibits property developers from holding office as local councillors in NSW to the LGNSW conference for consideration;
2. Write to the NSW Premier, NSW Opposition Leader, NSW Local Government Minister, NSW Shadow Local Government Minister, NSW Minister for Planning, Shadow Minister for Planning and Independent NSW Members, seeking their commitment to support the *Local Government Amendment (Prohibition of Election of Property Developers) Bill 2021* which is currently before the parliament which seeks to prohibit property developers from holding office as local councillors in NSW.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

Councillor Doueihi left the meeting during discussion of this item, the time being 2:44pm.

12.3 Environmental Planning and Assessment Amendment (Infrastructure Contributions Bill) 2021 – Councillor Karen Pensabene

MOVED:

That Council report to the October Council Meeting and update us on:

1. Council makes a submission to the Parliamentary Enquiry
2. Minutes from the LGNSW forums held in August and September be provided
3. An assessment be made on how much Council will lose if this amendment is passed

4. That the community be informed via online and written communication of the significant impact this would cause for our Council.

114/21

RESOLVED: (Pensabene / Duggan)

That Council report to the October Council Meeting and update us on:

1. Council makes a submission to the Parliamentary Enquiry
2. Minutes from the LGNSW forums held in August and September be provided
3. An assessment be made on how much Council will lose if this amendment is passed
4. That the community be informed via online and written communication of the significant impact this would cause for our Council.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

12.4 Outdoor Exercise Equipment at Strathfield Park – Councillor Nella Hall

MOVED:

That Council staff investigate and provide a report back to Council for options and costings to install outdoor exercise equipment at Strathfield Park similar to that installed at Airey Park and other parks across Strathfield. The report to include the location and footprint of outdoor exercise equipment and whether a car park will be developed.

115/21

RESOLVED: (Hall / Blackmore)

That Council staff investigate and provide a report back to Council for options and costings to install outdoor exercise equipment at Strathfield Park similar to that installed at Airey Park and other parks across Strathfield. The report to include the location and footprint of outdoor exercise equipment and whether a car park will be developed.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

12.5 Cooks River installation of lighting in the vicinity of Anselm Street, Strathfield South – Councillor Nella Hall

MOVED:

That Council staff investigate and provide a report back to Council for options and costings to install lighting along Cooks River Park in the vicinity of Anselm Street, Strathfield South. The report reference Council's Biodiversity Strategy and advice be requested from the Cooks River Alliance.

116/21

RESOLVED: (Hall / Blackmore)

That Council staff investigate and provide a report back to Council for options and costings to install lighting along Cooks River Park in the vicinity of Anselm Street, Strathfield South. The report reference Council's Biodiversity Strategy and advice be requested from the Cooks River Alliance.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

**12.6 Cooks River Corridor - South Strathfield: Water Sensitive Urban Design –
Councillor Maryanne Duggan**

MOVED:

That a Water Sensitive Urban Design strategy be prepared for any commercial or industrial development which may result in a net loss of green space or mature trees along the Cooks River Corridor.

117/21

RESOLVED: (Duggan / Pensabene)

That a Water Sensitive Urban Design strategy be prepared for any commercial or industrial development which may result in a net loss of green space or mature trees along the Cooks River Corridor.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

**12.7 Water Street, South Strathfield: Contaminated Land Management Act 1987 –
Councillor Maryanne Duggan**

MOVED:

That the owners of the property identified as 7-23 Water Street South Strathfield:

1. Engage an accredited site auditor under the NSW site auditor scheme as administered by the EPA under the Contaminated Land Management Act 1987.
2. That the site auditor reports filed with the EPA be made available to the public.

118/21

RESOLVED: (Duggan / Pensabene)

That the owners of the property identified as 7-23 Water Street South Strathfield:

1. Engage an accredited site auditor under the NSW site auditor scheme as administered by the EPA under the Contaminated Land Management Act 1987.
2. That the site auditor reports filed with the EPA be made available to the public.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari
Against the Motion: Nil

13. GENERAL BUSINESS

CEO1 Delivery Program Report January to June 2021

119/21

RESOLVED: (Duggan / Pensabene)

That this report be adopted.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari
Against the Motion: Nil

CEO2 Council Tenders Advertised and Awarded

120/21

RESOLVED: (Vaccari / Blackmore)

That the monthly report of Council tenders advertised and awarded be received and noted.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari
Against the Motion: Nil

CS1 Investment Report - July 2021

121/21

RESOLVED: (Duggan / Pensabene)

That the record of cash investments as at 31 July 2021 be received and noted.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari
Against the Motion: Nil

CS2 Current Status of Council Resolutions

122/21

RESOLVED: (Vaccari / Blackmore)

That the report on the current status of Council resolutions be noted.

For the Motion: Councillors Blackmore, Duggan, Hall, Kokkolis, Pensabene and Vaccari

Against the Motion: Nil

14. MATTERS OF URGENCY IN ACCORDANCE WITH CLAUSE 241 OF THE LOCAL GOVERNMENT GENERAL REGULATION, 2005

Councillor Hall indicated she had Matter of Urgency. The Mayor declared the item not a Matter of Urgency.

15. CLOSED SESSION

Nil.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 3:27pm.

The foregoing Minutes were confirmed at the meeting of the Council of the Municipality of Strathfield on 5 October 2021.

Chairman_____

General Manager_____