
MINUTES

of the **City Planning & Environment Committee**
held in the Committee Room, Botany Town Hall
Corner of Edward Street and Botany Road, Botany
on **Wednesday 6 November 2024** at **6.36 pm**

Present

Councillor Scott Morrissey, Chairperson
Councillor Liz Barlow, Deputy Chairperson
The Deputy Mayor, Councillor Heidi Lee Douglas
Councillor Janin Bredehoeft
Councillor Soraya Kassim
Councillor Joe Awada (via audio-visual link)
Councillor Christina Curry

Also present

Councillor Peter Strong
Meredith Wallace, General Manager
Peter Barber, Director City Futures
Rupert Gilroy, Manager - Property
Helen Tola, Manager Governance & Risk
Karen Barrass, Lead Governance
Anh Hoang, Governance Officer
Wolfgang Gill, IT Service Management Officer
Rakshya Rawat, IT Service Management Officer

The Deputy Mayor, Councillor Douglas opened the meeting in the Committee Room, Botany Town Hall, at 6:36 pm.

1 Acknowledgement of Country

The Deputy Mayor, Councillor Douglas affirmed that Bayside Council acknowledges the traditional custodians the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.

2 Apologies, Leave of Absence & Attendance via Audio-Visual Link

Apologies

There were no apologies received.

Leave of Absence

There were no applications for Leave of Absence received.

Attendance Via Audio-Visual Link

Committee Recommendation

Moved by Councillors Curry and Morrissey

That Councillor Awada's attendance at tonight's meeting via audio-visual link be granted.

3 Disclosures of Interest

Councillor Awada

CPE24.037 - CONFIDENTIAL - Proposed planning agreement associated with Development Application DA-2024/10 at 13A Church Avenue, Mascot

Councillor Awada declared that a conflict of duties arises in Item CPE24.037 on the basis he is a delegate on the Sydney Eastern City Planning Panel, and stated he would leave the meeting for consideration and voting on the matter.

4 Minutes of Previous Meetings

[4.1 Minutes of the City Planning & Environment Committee Meeting - 14 August 2024](#)

Committee Recommendation

Moved by Councillors Curry and Barlow

That the Minutes of the City Planning & Environment Committee meeting held on 14 August 2024 be noted

4.2 Business Arising

The Committee notes that the Minutes of the City Planning & Environment Committee of Wednesday 14 August 2024 were received and the recommendations therein were adopted by the Council at its meeting of 28 August 2024.

5 Items by Exception

There were no Items by Exception.

6 Public Forum

There were no speakers for Public Forum.

7 Reports

[CPE24.034 City Planning & Environment Committee - Chairperson and Deputy Chairperson](#)

Committee Recommendation

Moved by Councillors Morrissey and Curry

That the City Planning & Environment Committee elect Councillor Morrissey as Chairperson and Councillor Barlow as Deputy Chairperson up to September 2026.

Note: The Deputy Mayor, Councillor Douglas vacated the Chair and Councillor Morrissey assume the Chair as newly elected Chairperson. The time being 6:40 pm.

[CPE24.035 Post Exhibition Report - Planning Proposal - Wentworth Avenue, Eastlakes \(Land Occupied by Pedestrian Bridge\)](#)

Committee Recommendation

Moved by Councillors Curry and Barlow

- 1 That Council notes the submissions received during exhibition of the Planning Proposal.
- 2 That Council forwards the Local Environmental Plan amendment to the Department of Planning, Housing and Infrastructure for finalisation in accordance with Section 3.36 of the *Environmental Planning and Assessment Act 1979*.

[CPE24.036 Generic Crown Land Plan of Management](#)

Committee Recommendation

Moved by Councillors Kassim and Douglas

That the Crown Land Plan of Management consented to by the Minister be formally adopted by Council.

8 Confidential Reports / Matters

In accordance with Council's Code of Meeting Practice, the Chairperson invited members of the public to make representations as to whether this part of the meeting should be closed to the public.

There were no representations.

Closed Committee Meeting

Committee Recommendation

Moved by Councillors Morrissey and Douglas

- 1 That, in accordance with section 10A (1) of the Local Government Act 1993, the Committee considers the following items in closed Committee Meeting, from which the press and public are excluded, for the reasons indicated:

CPE24.037 CONFIDENTIAL - Proposed planning agreement associated with Development Application DA-2024/10 at 13A Church Avenue, Mascot

In accordance with section 10A (2) (g) of the Local Government Act 1993, the matters dealt with in this report relate to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. It is considered that if the matter were discussed in an open meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That, in accordance with section 11 (2) and (3) of the Local Government Act 1993, the reports, correspondence and other documentation relating to these items be withheld from the press and public.

The meeting moved into closed Committee Meeting, the time being 7:00 pm.

CPE24.037 CONFIDENTIAL - Proposed planning agreement associated with Development Application DA-2024/10 at 13A Church Avenue, Mascot

Councillor Awada had previously declared a conflict of duties, left the meeting for consideration of, and voting on, this item and did not return to the meeting, the time being 7:00 pm.

Committee Recommendation

Moved by Councillors Curry and Bredehoeft

- 1 That the attachment/s to this report be withheld from the press and public as they are confidential for the following reason:

With reference to Section 10(A) (2) (g), of the Local Government Act 1993, the attachment relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. It is considered that if the matter were discussed in an open meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That Council endorses the offer to enter into the Planning Agreement dated 24 September 2024, subject to amendments to include the number of additional workers in the proposed cafe.
- 3 That a Draft Planning Agreement, consistent with the Letter of Offer, be drafted and publicly notified in accordance with legislative requirements.
- 4 That the General Manager or delegate(s) are authorised to negotiate and finalise all documentation necessary following the conclusion of the public notification period, taking into consideration any submissions.
- 5 That authority be delegated to the General Manager to execute all documentation (including the final Planning Agreement) necessary to give effect to this resolution.

Resumption of Open Committee Meeting

Note: Councillor Awada was absent for the voting on this item.

Committee Recommendation

Moved by Councillors Morrissey and Barlow

That, the closed part of the meeting having concluded, the open Committee Meeting resume and it be open to the press and public.

The meeting moved into open Committee Meeting, the time being 7:48 pm.

The Chairperson made public the Committee Recommendations as printed in the Minutes that were made during the closed part of the meeting.

The next meeting will be held in the Committee Room, Botany Town Hall, on Wednesday, 4 December 2024.

The Chairperson closed the meeting at 7:20 pm.