

Motions





Moved by Cr Michael Hawatt

"That in respect of resolution minute number 449 1(1) dated 13 November

That

In respect of the resolution
of minute number ~~449 1(1)~~^{449 1(1)}, the
intent was that the proposed
building at 15-23 Homer St
Eashwood, is to be of
a similar height and steps down
as next door.

Accordingly an appropriate
amendment be made by
the planning department
and be brought back to
Council for consideration
and adoption

1 (1)

1 - 1

Motions

Moved by Cr Michael Hawatt

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Accordingly an appropriate
amendment would be made by
the planning department
and be brought back to
council for consideration
and adoption

That

In respect of the resolution
of minute Number ~~4491(5)~~⁴⁴⁹¹⁽¹⁾, the
intent was that the proposed
building at 15-23 Homer St
Earlwood, is to be of
a similar height and steps down
as next door.

Accordingly an appropriate
amendment be made by
the planning department
and be brought back to
Council for consideration
and adoption

1 (1)

15-23

Moved by Cr Michael Hawatt

"That in respect of resolution minute number 449 1(1) dated 13 November 2014, the intent was that the proposed building at 15-23 Homer Street Earlwood, is to be of similar height and stepping down as next door.

Accordingly an appropriate amendment be made by the planning department and be brought back to council for consideration before sending to Gateway for determination.

- 12 years adverse person

- 250 - Court on Title

- 12 years.

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- Homer
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- 337

- Pressure on
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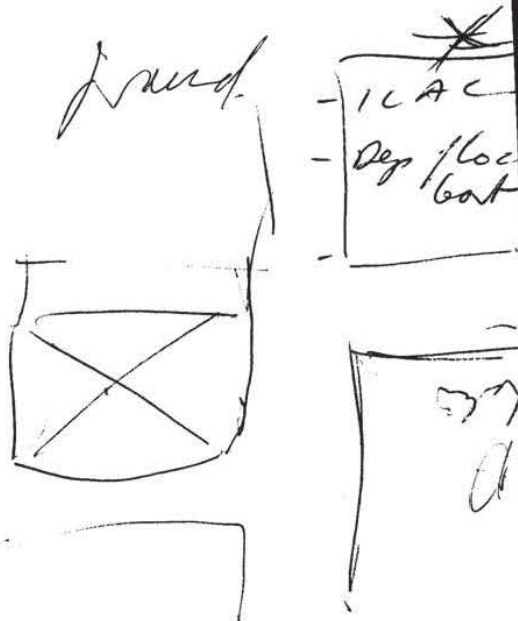
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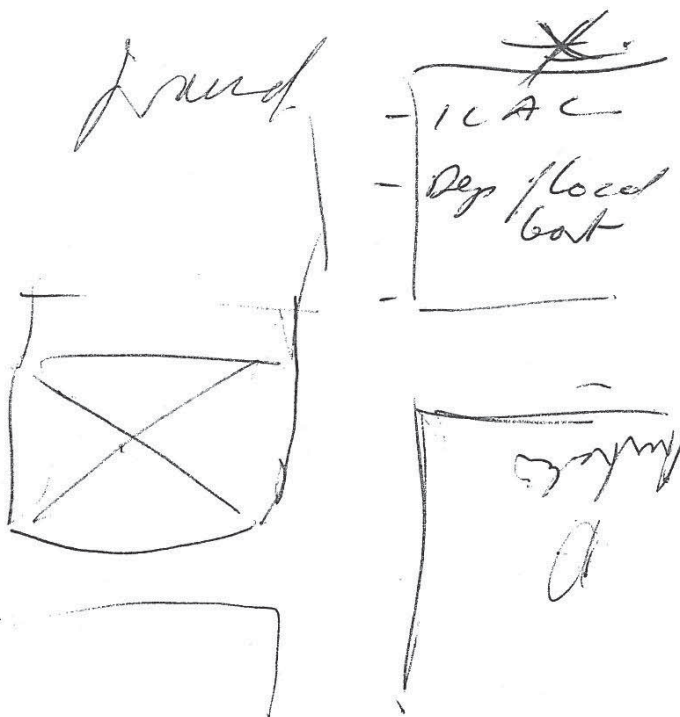
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Handwritten notes:

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14. 27th

Copy of Contact

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Language Centre

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- 1) Get legal
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- 2) legal advice
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- 3) Minutes
- 4) Previous
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- 5) Report
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- 8 The cost
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Town Hall

- 337

o also not do anything
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approval of Council

SPRINKLE THIS **VANILLA SUGAR** TO MAKE YOUR
DAY AS SWEET AS WHAT YOU'VE MADE OURS



benjamin & melissa
08.02.2015

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at 15:00
by
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Manager
of the
Museum
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New
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Wales

1. For a report concerning occupancy and use arrangements for Belmore Sportsground / Peter Moore Field and Tasker Park

That a report be prepared concerning the occupancy and use arrangements for Belmore Sportsground / Peter Moore Field and Tasker Park and related matters including:

- o the chronology of events including meetings associated with the lease arrangements for Belmore Sportsground / Peter Moore Field and Tasker Park
- o the funds contributed by Council since the Bulldogs occupied the grounds in 2011/12
- o all Council expenditure on construction works and ongoing maintenance costs to the date of finalisation of the lease
- o the reasons for the long delay in finalising the lease

2. Provision of audio recordings to councillors

That a copies of the audio recordings of the extraordinary council meetings be provided to Councillor Mark Adler no later than Close Of Business on Friday 27 February 2015, and to any other councillor on request.

3. For transparency with regard to the recruitment process for the new Director Planning

That copies of all items of correspondence to and from the General Manager, Council's lawyers, and Mr Spiro Stavis and all other documents concerning the recruitment of the new Director Planning, including any potential liability and/or payment for breach of the employment contract be provided to all councillors within seven days.

4. Council to approve legal costs

That details of all instructions given to Council's legal representatives and all costs incurred by Council for legal advice relating to the employment status of the General Manager, the motions submitted by Councillors Hawatt and Azzi on 24 December 2015 and the extraordinary meeting

Revocation
5. Revoking delegated authority of General manager

That:

- a) All delegated authority given by Council to the General Manager and Mayor excluding the delegations specified by the Local Government Act be revoked immediately.
- b) Any instructions to legal representatives or costs to be incurred for legal advice must be approved by Council prior to that advice being provided.
- c) No public statements by the Mayor and General Manager or senior staff including media releases and text for inclusion in Council columns in local newspapers be made without approval by Council.

6. Costs associated with legal advice

That a report be prepared concerning details of any costs associated with any personal legal advice that may have been obtained for or on behalf of the General Manager be made available to councillors within seven days of a request being made.

7. Report on roaming/data charges for councillors and senior staff

That a report be prepared showing details of all roaming and data charges for the last five years incurred by the General Manager, senior staff, councillors be provided to Council at the March Council meeting.

8. Independent legal advice concerning validity of meetings

That Council seek independent legal advice concerning the validity of the extraordinary meetings of council held on 27 January 2015 and 13 February 2015.

9. Rulings of Mayor

That urgent advice be sought from the Office of Local Government concerning the validity following rulings of the Mayor at the extraordinary meeting of Council on 13 February:

- o The Mayor's ruling out of order a number of lawful motions including a motion to terminate the employment contract of the General Manager.
- o The Mayor's refusal to put to the meeting dissent motions that were moved to challenge these rulings.

10. For a Forensic audit of the GIPA material obtained by the Sydney Morning Herald

- 1) That a forensic audit be conducted by a suitably qualified independent accounting firm of all the material provided to the Sydney Morning Herald last year as a result of the GIPA application including the Il Buco lunches and other matter raised in articles in the newspaper.
- 2) That the firm be selected from among KPMG, Ernst & Young and PriceWaterhouseCoopers (PwC) following a request for quotation process.
- 3) That the criteria for selection be based on value for money and that the assignment be conducted on a time and materials basis.
- 4) That the General manager and Mayor have no role in either the selection of the firm or management of the assignment except to answer questions and provide any material requested by the firm.
- 5) That all the GIPA material be provided to the firm at the commencement of the assignment
- 6) That the firm be given one month to complete the assignment.
- 7) That the terms of reference for the assignment be:
 - a) Identification of whether or not any items of expenditure were for private purposes
 - b) Identification of any items where expenditure was made without Council authorisation
 - c) Identification of any items which attract Fringe Benefits Tax and if so whether or not this has been paid.
 - d) Identification of any items where the expenditure was not in line with the Council Code of Conduct
 - e) Identification of the individuals who attended the Il Buco lunches and the purpose for their attendance
 - f) Identification of any items where a position on the above criteria cannot be established.
- 8) That the report present findings and recommendations
- 9) That the report be provided directly by the firm to the councillors
- 10) That the firm be invited to address Council on completion of the assignment to advise findings and recommendations.

11. That a report be prepared concerning the roaming/data charges ("bill shock") incurred by Councillor Michael Hawatt, as recently reported in the Daily Telegraph, including all amounts for personal use that Councillor Hawatt may be liable for.

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that a report be prepared for the council (within 14 days) in relation to all allegations raised ~~by former Council members regarding~~ regarding the redevelopment of Council owned land (including Council open air carpark) which is now known as the Langside Centre.

That the report include (but not be limited to).

- all legal advice sought in relation to Council's rights & obligations regarding the Development Consent
- all agreements entered into between Council, the former State Authorities Superannuation Board & or any corporate entity.
- all copies of all reports (including questions with & or without notice to elected & non-elected persons), be provided to Council for the years 1991 to 1999.

• all correspondence between
council & ~~the~~ lawyers, including
details of instructions given.

Procedural Motion (Cr Mark Adler / Clr Ken Nam)

- THAT items 1 and 3 be dealt with cognately in closed session of Council.
- THAT items 4, 5, 6, 7, 8 and 10 be dealt with cognately.
- THAT items 2 and 9 be dealt with separately.

MOTION to go to Closed Council (Clr Mark Adler / Clr Con Vasiliades)

- That Council resolves to move into closed session to consider items 1 and 3.
- Pursuant to Section 10A(1)-(3) of the Local Government Act 1993 the media and public be excluded from the meeting on the basis the business considered is classified as confidential under the provisions of Section 10A(2).
- That any representatives of the Office of Local Government present be invited to witness the closed session of Council.

MOTION to adjourn meeting for five (5) to enable gallery to be cleared (Clr Mark Adler / Clr Michael Hawatt).**MOTION to exclude the General Manager (Clr Mark Adler / Clr Pierre Azzi)**

That the General Manager be excluded from the closed council meeting in accordance with Section 376(3) of the Local Government Act.

Move items 1 and 3 cognately (Clr Mark Adler / Pierre Azzi).**Amendment - employment of General Manager (Clr Ken Nam/ Clr Con Vasiliades)**

That the following clauses precede items 1 and 3 in the motion.

- THAT the General Manager's (Mr Montague) contract be terminated immediately under Clause 10.3.5 and 11.3 of the contract of employment.
- That the General Manager comply immediately with Section 10.1 of his contract.
- That Mr Chris Watson be appointed Acting General Manager until recruitment action to fill the position of General Manager is finalised.

Rescission Motion (Clr Michael Hawatt / Clr Pierre Azzi)

That motions 1 and 3 as cognately considered and as amended be hereby rescinded.

Return to Open Council.

Move motion 2 (Clr Mark Adler / Clr Michael Hawatt).

Withdraw motions 4, 5, 6, 7, 8 and 10 (Clr Mark Adler / Clr Pierre Azzi / Clr Fadwa Kebbe).

Move motion 9 (Clr Mark Adler / Clr Ken Nam).

Amendment to Motion 9 (Clr Pierre Azzi / Clr Con Vasiliades)

That the text "and to seek cancellation of any amount that was not due to the personal use of Councillor Hawatt" be replaced by "and for an investigation into telecommunications roaming bills incurred by any councillor or senior staff member or General Manager over the last five years be conducted and reported to Council".

Additional motion – urgent (Clr Mark Adler / Clr Pierre Azzi)

That the Mayor, General Manager and senior council staff not be allowed to instruct legal professionals (solicitors, barristers, etc) without the prior approval of Council.

337

ThursdayConversationWed 18th

- The following is provided to all Councils within 7 days
- Inspecting Solicitor report by
 - What were the instructions given ^{R Robinson SC.}
 - who did the inspecting solicitor meet with.
 - What was the cost of this legal advice.

assured confirmation to disinvest. attempting to mislead by miscounting

Minutes of the Extraordinary meeting of Canterbury City Council held 27 January 2015

Councillors Present were: The Mayor Cr Brian Robson, Cr Michael Hawatt, Cr Pierre Azzi, Cr Mark Adler, Deputy Mayor Cr Fadwa Kebbe, Cr Karl Saleh, Cr Linda Eisler, Cr Con Vasiliades, Cr Ken Nam.

Officers present were: the General Manager Jim Montague, Director Corporate and Community Services Andy Sammut, Brad McPherson, Director City Works Wayne Cooper, Lia Chinnery.

The meeting opened at 7.30pm.

At the commencement of the meeting the Mayor Cr Robson stated that an ICAC inquiry was in progress and for this reason the meeting could not go ahead. The Mayor Cr Robson then attempted to close the meeting.

Cr Mark Adler moved, seconded by Cr Hawatt moved dissent in the chairperson's ruling and that the meeting continue to be recorded. This motion was carried.

During the course of consideration of the dissent motion the Mayor Cr Robson, Cr Saleh, the General Manager Mr Montague and all council officers left the council chamber. Cr Eisler left her seat and engaged in conversation with people in the gallery.

At around 7.33pm after the Mayor had left the Deputy Mayor Cr Fadwa Kebbe assumed the chair and presided until the meeting was later closed.

Cr Mark Adler moved and Cr Nam seconded:

[1] THAT Council resolves to move into closed session to consider the motions before the meeting.

[2] Pursuant to Section 10A(1)-(3) of the Local Government Act 1993 the media and public be excluded from the meeting on the basis the business is considered classified as confidential under the provisions of Section 10A(2).

This was CARRIED by show of hands (with six councillors voting for the motion).

There was commotion in the gallery and those present did not leave. The meeting then continued.

Cr Adler moved, Cr Vasiliades seconded:

THAT the General Manager be excluded from the meting in accordance with Section 376(3) of the Local Government Act.

The motion was put and CARRIED by show of hands (with six councillors voting for the motion).

Cr Hawatt moved Motion 1 (with parts A, B, C and D). This was seconded by Cr Azzi.

Cr Adler moved and Cr Nam moved the following Amendment:

1. THAT Mr Chris Watson be appointed pursuant to the guidelines of the Division of Local Government as Acting General Manager starting immediately on the same salary as Mr Montague until a permanent occupant is found for the position.
2. That the selection panel referred to in dot point D of the motion be formed at a subsequent meeting.
3. That the General Manager Mr Montague comply immediately with Section 10.1 of his contract.

The amendment was accepted by the movers.

The amended motion was put and CARRIED by show of hands (with six councillors voting for the motion).

Cr Hawatt and Cr Azzi then moved Motion 2 on the paper.

Cr Adler moved an amendment seconded by Cr Nam:

THAT the Acting General Manager seek legal advice as soon as possible concerning the validity of the contract of Mr Stavis and act accordingly.

The amendment was accepted by the movers.

The amended motion was put and CARRIED by show of hands (with six councillors voting for the motion).

Cr Adler moved, Cr AHawatt seconded:

THAT amended Motion 1 be and is hereby rescinded.

The motion was put and LOST by show of hands (with six councillors voting against the motion).

Cr Adler moved, Cr Hawatt seconded:

THAT amended Motion 2 be and is hereby rescinded.

The motion was put and LOST by show of hands (with six councillors voting against the motion).

Cr Hawatt moved, Cr Adler seconded:

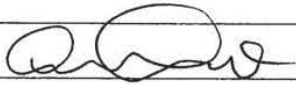


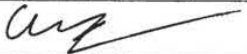

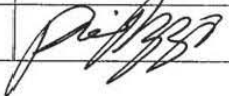
THAT the Mr Chris Watson be contacted immediately and advised of his appointment as Acting General Manager.

The motion was put and CARRIED by show of hands (with six councillors voting for the motion).

Cr Adler then handed to the Deputy Mayor a call for another Extraordinary meeting to consider a number of motions.

The meeting was closed by the Deputy Mayor Cr Kebbe at 7.45pm.

We the undersigned being the majority of Councillors on Canterbury City Council hereby declare that the minutes above are an accurate account of the Extraordinary meeting held 27 January 2015.

Councillor Name	Signature	Date
Cr Michael Hawatt		27/1/15
Cr Mark Adler		27/1/15
Cr Fadwa Kebbe (Deputy Mayor)		27/1/15
Cr Con Vasiliades		27-1-15
Cr Ken Nam		27/01/15
Cr Pierre Azzi		27/1/15

ATTACHMENT - MEETING NOTICE



City of Canterbury

City of Cultural Diversity

Councillors

Notice is hereby given that an Extraordinary Meeting of Canterbury City Council will be held in the Council Chambers, 2nd Floor, 137 Beamish Street, Campsie at 7:30 pm on Tuesday 27 January 2015.

I have called the meeting for the first practicable date at the written request of Councillors Hawatt and Azzi, in accordance with the provisions of Sections 366 of the Local Government Act to consider the following motion:

- 1 (A) The General Manager's (Jim Montague) contract of employment and the General Manager's employment be terminated immediately under Clause 10.3.5 and 11.3 of the contract of employment.
- 1 (B) Council comply with the matters outlined in the confidential motion relating to the contract of employment and the deed of release.
- 1 (C) The General Manager's office (which will fall vacant) be filled immediately by an acting General Manager to be determined at the meeting.
- 1 (D) Pursuant to the Office of Local Government guidelines and the Local Government Act, a selection panel be formed at the meeting for the purpose of interviewing and recommending to Council a person to fill the position of General Manager.
2. We discuss our position in respect of the appointment of the new Director City Planning, Mr Stavits and the subsequent withdrawal of his appointment by the General Manager and take the necessary actions.

Cr Michael Hawatt 24 December 2014
Cr Pierre Azzi 24 December 2014

Disclosure of Interest: Section 451 of the Local Government Act 1993 requires a Councillor who has a pecuniary interest in any matter with which the Council is concerned and who is present at the meeting of the Council or Committee at which the matter is being considered must disclose the interest, and the nature of that interest, to the meeting as soon as practicable. The Councillor is required to leave the Chamber while the matter is being discussed and not return until it has been voted on.

Your attendance is requested.



Cr Brian Robson
MAYOR

12 January 2015

*ATTACHMENT - Call for another Extraordinary Meeting.*Call for Extraordinary Meeting of Canterbury City Council

We the undersigned hereby call for an Extraordinary Meeting of Canterbury City Council to be held to consider the following motions:

- 1) That a selection panel be formed for the purpose of interviewing and recommending to Council a person to fill the position of General Manager.
- 2) That a forensic audit by a suitably qualified independent accounting firm be conducted of Council's current income, assets and expenditure including the lunches at Il Buco restaurant and other expenditure as reported in the Sydney Morning Herald on 12, 13, 14, 20 and 24 January 2015.
- 3) That Council through the Acting General Manager engage an appropriate executive recruitment company to initiate the process for appointment of a new General Manager and that a committee of three councillors and the Mayor be formed to oversee the process.
- 4) That changes to the Fees and Facilities policy be initiated to establish a monetary limit of \$35,000 (incl. GST) on the value of vehicles obtained for use by the Mayor and General Manager with replacement after 20,000 km or two years whichever is the sooner.
- 5) That the mini bar facilities be removed from the office of the General Manager and the Mayor.
- 6) That the publication of the Mayoral column in local newspapers cease forthwith and be replaced by a column issued on behalf of Council and approved by Council.
- 7) That all material provided to the Sydney Morning Herald as a result of the GIPA application be made publicly available via the Council website.
- 8) That the serving of alcoholic beverages before Council meetings cease forthwith.
- (10) That the Optus bill for Councillor Michael Hawatt reported in the Daily Telegraph on 24 January 2015 be investigated to identify any costs due to personal use that Councillor Michael Hawatt may be liable for, and to seek cancellation of any amount that was not due to personal use by Councillor Hawatt.
- (9) That a Code of Conduct investigation be conducted concerning the failure of the Mayor to call the extraordinary meeting in accordance with the timeframe specified in the Act.

Signed:	Date:	Councillor Name:
<i>K M Adley</i>	<i>27/1/15</i>	<i>MARK ADLER</i>
<i>Pier Azz</i>	<i>27/1/15</i>	<i>Pierre Azz</i>
<i>K M Adley</i>	<i>27/1/15</i>	<i>Adrian Kelso</i>

CITY DEVELOPMENT COMMITTEE

13 NOVEMBER 2014

BASIX) 2004 with respect to BASIX Certificate not being amended to reflect the amended design received by Council on 5 August 2014.

5. Pursuant to the provisions of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development does not satisfy the specific objectives contained in the Canterbury Local Environmental Plan 2012 including:
 - a) Clause 5.10: Heritage Conservation
The objectives of this clause is conserve the environmental heritage of Canterbury, and to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.
6. Pursuant to the provisions of Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory in terms of its standard of design and would adversely impact upon the existing and likely future amenity of the locality.
7. The proposed development, pursuant to Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979, is unsatisfactory given the unreasonable overshadowing impacts on adjoining residential development.

Having regard to the abovementioned non-compliance issues and the amenity issues the proposed development is likely to create for occupants of adjoining properties and future occupants of the subject site, pursuant to the provisions of Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, approval of the development application is not in the public interest.

FOR	AGAINST
The Mayor, Councillor Robson	
Councillor Adler	
Councillor Azzi	
Councillor Eisler	
Councillor Hawatt	
Councillor Nam	
Councillor Paschalidis-Chilas	
Councillor Vasiliades	

12 **15-23 HOMER STREET, EARLWOOD: PLANNING PROPOSAL TO REZONE LAND**

FILE NO: T-29-161

Min. No. 449 RESOLVED (Councillors Hawatt/Vasiliades)
THAT

1. A planning proposal be prepared to:
 - i. Amend the maximum building height to be set at the same height as the building next door which is 17 metres.
 - ii. Allow approximately half (21m) of the northern part of the site to accommodate ground level residential uses. The remainder of the site would be required to maintain ground floor commercial floor space, and submitted to the Department of Planning and Environment for a Gateway Determination.
2. If the Planning Proposal receives a Gateway Determination to proceed, then Canterbury Development Control Plan 2012 be amended in draft form so that it will be consistent with the proposed LEP amendment and be exhibited with the planning proposal for public comment.

CITY DEVELOPMENT COMMITTEE**13 NOVEMBER 2014**

3. The results of the public exhibition process be reported to Council.

FOR	AGAINST
Councillor Adler	The Mayor, Councillor Robson
Councillor Azzi	Councillor Eisler
Councillor Hawatt	Councillor Paschalidis-Chilas
Councillor Nam	
Councillor Vasiliades	

13 INDEPENDENT HEARING AND ASSESSMENT REPORT

FILE NO: D-6-9 PT10

Min. No. 450 RESOLVED (Councillors Hawatt/Nam)

THAT the report be noted.

14 9 ROGERS STREET, ROSELANDS: DEMOLITION AND CONSTRUCTION OF AFFORDABLE HOUSING DEVELOPMENT WITH BASEMENT PARKING

FILE NO: 752/9D PT3 & 4

Min. No. 451 RESOLVED (Councillors Hawatt/Vasiliades)THAT development application DA-77/2014 be **APPROVED** subject to the following conditions:

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

1. The following must be submitted to either Council or an Accredited Certifier prior to the issuing of the relevant Construction Certificate:

1.1. Details of:

- Structural Engineering Plan including method of shoring during excavation
- Protection from termites
- Building Specifications
- Fire Safety Schedule
- Landscape Plan
- Hydraulic Plan
- Firewall Separation
- Section 73 Compliance Certificate
- Soil and Waste Management Plan
- Mechanical Ventilation of Basement Carpark (Compliance with Section 4.4 of AS 1668.2)
- BASIX Certification
- Compliance with Disability (Access to Premises – Buildings) Standards 2010.

- 1.2. Payment of the Long Service Leave Levy to the Long Service Leave Corporation or to Council.

- 1.3. Payment to Council of:

CITY DEVELOPMENT COMMITTEE - ITEM 12

13 NOVEMBER 2014

15-23 HOMER STREET, EARLWOOD: PLANNING PROPOSAL TO REZONE LAND (CONT.)

- **Residential accommodation at ground level**

The planning proposal seeks to enable the site to allow residential accommodation at ground level. The current zoning of the land being B1 Neighbourhood Business currently prohibits residential accommodation at the ground floor. Shop top housing is permissible in the B1 neighbourhood business zones. However, the definition of shop top housing prohibits residential accommodation at ground floor.

This aspect of the proposal is only supported in part by allowing a component of the northern part of the site to be able to accommodate ground level residential uses. The remainder of the site would be required to maintain ground floor commercial floor space. The applicant has indicated a willingness to extend the commercial component along the whole of Homer Street frontage to include a component addressing Stafford Walk and the Cooks River Reserve to take advantage of orientation and outlook.

It is concluded that approximately half (21m) of the northern or Cooks River frontage be required to maintain a ground floor commercial presence.

An amendment to the CLEP 2012 would be required to support this change, it is recommended to use the additional permitted clause 2.5 in the LEP.

Canterbury Development Control Plan 2012 (CDCP 2012) Amendment

An amendment to the CDCP 2012 will be required to reflect the recommended heights for the site. Appendix 3.5 Undercliffe Bridge Precinct of the CDCP 2012 currently shows a diagram of the site as having a one and two storey height limit. For consistency purposes this map will need to be modified to reflect the heights in the revised planning proposal.

Conclusion

It is considered that the proposed 18m height is excessive for this location, it could set an undesirable precedent for other B1 zones, and as such cannot be supported.

However, an increase in height over part of the site to 14m does have some merit and can be supported. This partial height increase will enable the site to be redeveloped to an appropriate scale and will enable the site to be developed as a vibrant riverside neighbourhood centre.

Accordingly it is recommended that a Planning Proposal be prepared and submitted to the Department of Planning and Environment for a Gateway Determination.

RECOMMENDATION:**THAT**

1. A planning proposal be prepared to:
 - i. Amend the maximum building height to be set at 14m on part of the land (along Homer Street) and the current maximum height of 10m be retained for the remaining part of the land at 15-23 Homer Street Earlwood.
 - ii. Allow approximately half (21m) of the northern part of the site to accommodate ground level residential uses. The remainder of the site would be required to maintain ground floor commercial floor space, and submitted to the Department of Planning and Environment for a Gateway Determination.

CITY DEVELOPMENT COMMITTEE - ITEM 12

13 NOVEMBER 2014

15-23 HOMER STREET, EARLWOOD: PLANNING PROPOSAL TO REZONE LAND (CONT.)

2. If the Planning Proposal receives a Gateway Determination to proceed, then Canterbury Development Control Plan 2012 be amended in draft form so that it will be consistent with the proposed LEP amendment and be exhibited with the planning proposal for public comment.
3. The results of the public exhibition process be reported to Council.

CITY DEVELOPMENT COMMITTEE - ITEM 12

13 NOVEMBER 2014

15-23 HOMER STREET, EARLWOOD: PLANNING PROPOSAL TO REZONE LAND (CONT.)

While there is merit in allowing a height increase on the subject site so that it relates better to the completed development adjoining to the south, the proposed 18m building form with an approximate FSR of 2:1 on the site is considered to be excessive and out of scale with the predominant built form in the area. This level of development will contrast with the existing predominant building height of three and four storeys in the area. It will also be significantly out of scale with the approved, but yet to be constructed, development at 2-16 Homer (Adora) which is three storeys in height. It is reasonable to pursue a higher built form given the approval and erection of a part four storey development adjoining the subject site at 25-33 Homer Street. However, this should be moderated by an objective of stepping down towards the river.

For these reasons, it is concluded that:

- For that part of any proposed development along the Homer Street frontage, the maximum height should be limited to 14m (which could accommodate four storeys).
- The rest of the site should retain the current maximum height of 10m (which could accommodate a mix of two and three storey buildings).

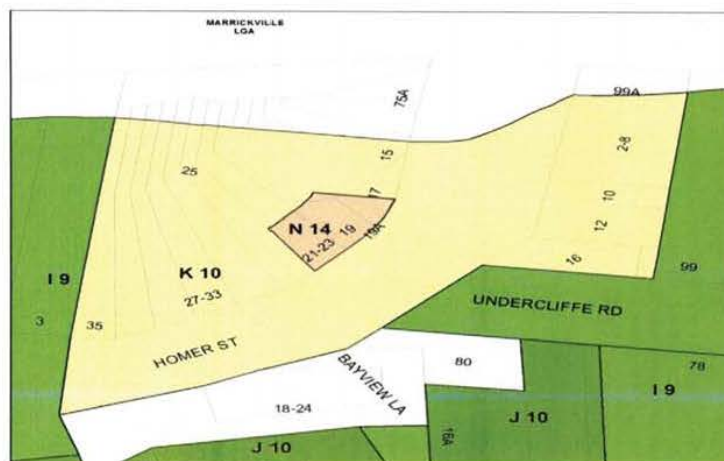


Diagram showing the recommended height for the site

It is important to note that a 14m height limit not be applied to the entire site but only part of the site where it adjoins the building to the south (25-33). This will ensure the required heights can be complied with and a future DA will not seek to attain any increased height over the entire site.

- **Amalgamation**

A key outcome of the planning proposal is that it will enable the site at 21-23 Homer Street to be included in the redevelopment of the site. This site (21-23) has become isolated as a result of the approved development at 15-19 Homer Street. The inclusion of this site (21-23) for redevelopment is important as it will enable the site to be developed as one consolidated lot (15-23). This aspect of the planning proposal is supported as it will remove a site from being potentially isolated and represents a good planning outcome.

That the Mayor, General Manager & council staff (including executive staff) not be permitted to instruct solicitors & or counsel .

That any instruction & or advice to solicitors & or counsel be only conducted by the elected body of canterbury council



City of Canterbury

City of Cultural Diversity

Councillors

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I have called the meeting for the first practicable date at the written request of the Deputy Mayor, Councillor Kebbe, and Councillors Adler and Azzi, in accordance with the provisions of Sections 366 of the Local Government Act to consider the following motions:

1. That a selection panel be formed for the purpose of interviewing and recommending to Council a person to fill the position of General Manager.
2. That a forensic audit by a suitably qualified independent accounting firm be conducted of Council's current income, assets and expenditure including lunches at Il Buco restaurant and other expenditure as reported in the Sydney Morning Herald on 12, 13, 14, 20 and 24 January 2015.
3. That Council through the Acting General Manager engage an appropriate executive recruitment company to initiate the process for appointment of a new General Manager and that the committee of three councillors and the Mayor be formed to oversee the process.
4. That changes to the Fees and Facilities policy be initiated to establish a monetary limit of \$35,000 (incl. GST) on the value of the vehicles obtained for use by the Mayor and General Manager with replacement after 20,000 km or two years whichever is the sooner.
5. That the mini bar facilities be removed from the office of the General Manager and the Mayor.
6. That the publication of the Mayoral column in the local newspapers cease forthwith and be replaced by a column issued on behalf of Council and approved by Council.
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10. That a Code of Conduct investigation be conducted concerning the failure of the Mayor to call the extraordinary meeting in accordance with the timeframe specified in the Act.

The Deputy Mayor, Cr Kebbe	27 January 2015
Cr Mark Adler	27 January 2015
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The Deputy Mayor, Cr Kebbe	27 January 2015
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Cr Pierre Azzi	27 January 2015

1. For a report concerning occupancy and use arrangements for Belmore Sportsground / Peter Moore Field and Tasker Park

That a report be prepared concerning the occupancy and use arrangements for Belmore Sportsground / Peter Moore Field and Tasker Park and related matters including:

- o the chronology of events including meetings associated with the lease arrangements for Belmore Sportsground / Peter Moore Field and Tasker Park
- o the funds contributed by Council since the Bulldogs occupied the grounds in 2011/12
- o all Council expenditure on construction works and ongoing maintenance costs to the date of finalisation of the lease
- o the reasons for the long delay in finalising the lease

2. Provision of audio recordings to councillors

That a copies of the audio recordings of the extraordinary council meetings be provided to Councillor Mark Adler no later than Close Of Business on Friday 27 February 2015, and to any other councillor on request.

3. For transparency with regard to the recruitment process for the new Director Planning

That copies of all items of correspondence to and from the General Manager, Council's lawyers, and Mr Spiro Stavis and all other documents concerning the recruitment of the new Director Planning, including any potential liability and/or payment for breach of the employment contract be provided to all councillors within seven days.

4. Council to approve legal costs

That details of all instructions given to Council's legal representatives and all costs incurred by Council for legal advice relating to the employment status of the General Manager, the motions submitted by Councillors Hawatt and Azzi on 24 December 2015 and the extraordinary meeting

5. Revoking delegated authority of General manager

That:

- a) All delegated authority given by Council to the General Manager and Mayor excluding the delegations specified by the Local Government Act be revoked immediately.
- b) Any instructions to legal representatives or costs to be incurred for legal advice must be approved by Council prior to that advice being provided.
- c) No public statements by the Mayor and General Manager or senior staff including media releases and text for inclusion in Council columns in local newspapers be made without approval by Council.

6. Costs associated with legal advice

That a report be prepared concerning details of any costs associated with any personal legal advice that may have been obtained for or on behalf of the General Manager be made available to councillors within seven days of a request being made.

7. Report on roaming/data charges for councillors and senior staff

That a report be prepared showing details of all roaming and data charges for the last five years incurred by the General Manager, senior staff, councillors be provided to Council at the March Council meeting.

8. Independent legal advice concerning validity of meetings

That Council seek independent legal advice concerning the validity of the extraordinary meetings of council held on 27 January 2015 and 13 February 2015.

9. Rulings of Mayor

That urgent advice be sought from the Office of Local Government concerning the validity following rulings of the Mayor at the extraordinary meeting of Council on 13 February:

- o The Mayor's ruling out of order a number of lawful motions including a motion to terminate the employment contract of the General Manager.
- o The Mayor's refusal to put to the meeting dissent motions that were moved to challenge these rulings.

10. For a Forensic audit of the GIPA material obtained by the Sydney Morning Herald

- 1) That a forensic audit be conducted by a suitably qualified independent accounting firm of all the material provided to the Sydney Morning Herald last year as a result of the GIPA application including the Il Buco lunches and other matter raised in articles in the newspaper.
- 2) That the firm be selected from among KPMG, Ernst & Young and PriceWaterhouseCoopers (PwC) following a request for quotation process.
- 3) That the criteria for selection be based on value for money and that the assignment be conducted on a time and materials basis.
- 4) That the General manager and Mayor have no role in either the selection of the firm or management of the assignment except to answer questions and provide any material requested by the firm.
- 5) That all the GIPA material be provided to the firm at the commencement of the assignment
- 6) That the firm be given one month to complete the assignment.
- 7) That the terms of reference for the assignment be:
 - a) Identification of whether or not any items of expenditure were for private purposes
 - b) Identification of any items where expenditure was made without Council authorisation
 - c) Identification of any items which attract Fringe Benefits Tax and if so whether or not this has been paid.
 - d) Identification of any items where the expenditure was not in line with the Council Code of Conduct
 - e) Identification of the individuals who attended the Il Buco lunches and the purpose for their attendance
 - f) Identification of any items where a position on the above criteria cannot be established.
- 8) That the report present findings and recommendations
- 9) That the report be provided directly by the firm to the councillors
- 10) That the firm be invited to address Council on completion of the assignment to advise findings and recommendations.

11. That a report be prepared concerning the roaming/data charges ("bill shock") incurred by Councillor Michael Hawatt, as recently reported in the Daily Telegraph, including all amounts for personal use that Councillor Hawatt may be liable for.

MOTION 1 (Councillor Mark Adler) - For a Forensic audit of the GIPA material obtained by the Sydney Morning Herald

[Note: Management of the assignment by the Director Corporate Services is proposed to ensure full transparency given the potential conflict of interest of the general Manager and Mayor.]

That a forensic audit be conducted by a suitably qualified independent accounting firm of all the material provided to the Sydney Morning Herald last year as a result of the GIPA application including the Il Buco lunches and any other financial matters raised in the articles in the newspaper including airfares and the Four Seasons hotel incident.

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That the firm be selected from among KPMG, Ernst & Young and PriceWaterhouseCoopers (PwC) or other major independent public accounting firm.

That the assignment be conducted on a time and materials basis.

That the Director Corporate Services be solely responsible for the selection of the firm and management of the assignment including provision of any additional material that may be requested by the firm.

That all the GIPA material be provided to the firm at the commencement of the assignment together with all relevant Council policies.

That the assignment be completed by the April Council meeting.

That the report be provided directly by the firm to the councillors

That the firm be invited to address Council on completion of the assignment on the findings and recommendations.

MOTION 2 (Councillor Mark Adler) – For Progress Reports on Council’s response to Fit for the Future

That a progress report be presented to each Council and Standing Committee meetings starting in March to address all matters related to Council’s response to the Fit For The Future initiative with all items of correspondence received or sent to be appended and details provided of all meetings with stakeholders.

MOTION 3 (Councillor Mark Adler) – For an investigation of Councillor and senior staff telecommunications bills

- a) That a report be prepared concerning the roaming/data charges (“bill shock”) incurred by Councillor Michael Hawatt as recently reported in the Daily Telegraph, including all amounts for personal use that Councillor Hawatt may be liable for.
- b) That a further report to show any similar bills over the last five years that have been incurred by other Councillors and senior staff members including the amount and person involved.

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- That see 337 of the C. G. to
be inter.

- Dismissed & my

- workdays.

- 24.

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27th =

* - Final -

not adopted

* Amend the
meeting

*

* bring
view

* out of
order

- no copy of L. Galt's
Sub. Legal
opinions.

Certificate No. 37391

E Details of any tree preservation order applying to the land

Rockdale Local Environmental Plan 2011 requires development consent to ringbark, cut down, top, lop, remove, injure, or wilfully destroy any tree covered by clause 5.9 [except for those activities referred to in subclauses (5), (6) and (8)].

F Whether or not the land is in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan

The land is not in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan.

G Whether or not a planning agreement entered into under Subdivision 2 of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 currently applies to the land (but only if, where the Council is not a party to the agreement, information about the agreement has been provided to the Council)

No planning agreement currently applies to the land.

H Details of the Annual Noise Exposure Forecast (ANEF) applying to the land

The ANEF affectation of the land is less than 20.

Note: The ANEF level may restrict the development of the land due to the risk of exposure to aircraft noise.

[End of advice under Section 149 (5)]

Handwritten notes:
 - Fred
 - for desks
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 - where 9
 - legal opinion
 - ask for copy

That the Acting Com
seek legal ^{advice} ~~opinion~~ as
to Mr S employment
contract and act as he deems
appropriate
or accordingly

employment contract

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[End of advice under Section 149 (5)]

Prepared for desk
Where 9 legal options with for copy

85kg Category	Born	Nation	Body.Wt	Snatch	Cl & Jk	Total	Date	Where (City, Nation)
Mathieu Marineau	1990	CAN	84.80	151	184	335	18-May	Edmonton, CAN
Steven Kari	1993	PNG	84.81	140	185	325	19-Jan	Sydney, AUS
Vikas Thakur	1993	IND	81.65	144	177	321	8-Jan	Modinagar, IND
Jack Oliver	1991	ENG	83.54	143	170	313	15-Jun	Glasgow, Scotland, GBR
Richard Patterson	1983	NZL	82.25	135	170	305	18-May	Auckland, NZL
Zulkifli Che Ros	1985	MAS	81.40	131	165	296	26-Mar	Kota Kinabalu, MAS
Ben Turner	1984	AUS	83.45	125	165	290	23-Mar	Melbourne, AUS
R.M.R.R. Samarasekara	1985	SRI		123	155	278	10-Feb	Polonnaruwa, SRI
Mesake Ravui *	1990	FIJ	82.80	120	150	270	25-Feb	Suva, FIJ
Graeme Kane	1988	SCO	84.10	120	150	270	15-Jun	Glasgow, Scotland, GBR
Taubena Tatonga	1990	KIR	83.40	120	145	265	25-Feb	Tarawa, KIR
Peter Togagae	1990	SAM	83.32	115	130	245	25-Feb	Apia, SAM
Gian Smit	1990	RSA	84.85	107	137	244	29-Jun	Gauteng, RSA
Owen Satterley		WAL	84.20	105	135	240	2-Mar	Cardiff, Wales, GBR
Sade Fiu	1972	SOL	85.00	100	140	240	25-Feb	Honiara, SOL
Andreas Sawva	1989	CYP	83.94	103	123	226	27-Apr	Cospicua, MLT
Tom Tananag	1992	NRU	84.00	90	120	210	25-Feb	NRU
Jovan Reljic	1988	MLT	83.55	93	116	209	26-Jan	Brindisi, ITA
Dereck Come	1985	SEY		90	110	200	6-Apr	Victoria, SEY
Fani Takau	1990	TGA	84.00	88	105	193	25-Feb	Nuku'Alofa, TGA

94kg Category	Born	Nation	Body.Wt	Snatch	Cl & Jk	Total	Date	Where (City, Nation)
Chandrakant Dadu Mali	1987	IND	92.70	153	190	343	9-Jan	Modinagar, IND
Steven Kari	1993	PNG	93.20	145	195	340	15-Jun	Mont Dore, NCL
Simplice Ribouem	1982	AUS	92.20	150	187	337	23-Mar	Melbourne, AUS
Mathieu Marineau	1990	CAN	87.94	150	186	336	23-Mar	La Prairie, CAN
Peter Kirkbride	1987	SCO	94.00	135	180	315	27-Apr	Cospicua, MLT
Sonny Webster	1994	ENG	92.01	139	171	310	9-May	Lima, PER
Petunu Opeloge	1994	SAM	93.89	130	175	305	25-Feb	Apia, SAM
Saxton Gregory-Hunt	1993	NZL	89.80	135	168	303	20-Apr	Christchurch, NZL
Mohd Faiz Musa	1989	MAS	93.54	131	165	296	9-Jun	Penang, MAS
Joe Vueti *	1979	FIJ	93.10	120	165	285	25-Feb	Suva, FIJ
Teataua Titoa	1981	KIR	92.00	115	155	270	25-Feb	Tarawa, KIR
Jake Davies	1994	WAL	92.94	122	145	267	15-Jun	Glasgow, Scotland, GBR
Terrence Dixie	1983	SEY		122	145	267	6-Apr	Victoria, SEY
Kermit Tieties	1993	RSA	92.70	115	145	260	29-Jun	Gauteng, RSA
Dewage Siripathul	1998	SRI	88.20	110	133	243	1-Jun	Doha, QAT
Mesbah Alabudi	1980	CYP	90.30	110	133	243	27-Apr	Cospicua, MLT
G-son Demaunga	1996	NRU	91.10	95	120	215	25-Feb	NRU
Sione Hamani	1990	TGA	90.00	85	110	195	25-Feb	Nuku'Alofa, TGA
Hayden Farrugia	1995	MLT	85.20	65	90	155	27-Apr	Cospicua, MLT
Junior Ilala	1995	SOL	90.00	40	65	105	25-Feb	Honiara, SOL

KENT
DEMAHER
• Com.

If I'm firm with
employment for reasons which
cannot stand up in a court of law
he shall personally be liable.

There is a contract of employment
and in attempting to repudiate a
contract he is putting himself
in financial liability.

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30th.

Not with the body
the validity
or otherwise of
the meeting
dated 27.12.13
cannot be
moved that the
the motion is
we hereby adopted
vote
passed.

-FOR & THOR
-URGENT
MOT

SUSPENSION
STIMULUS
OF NEW

DEBATE (PROV)
PUBLIC
CONCERN
NOT THAT
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City of Canterbury

City of Cultural Diversity

Councillors

Notice is hereby given that an Extraordinary Meeting of Canterbury City Council will be held in the Council Chambers, 2nd Floor, 137 Beamish Street, Campsie at 2:00 p.m. on Friday 13 February 2015.

I have called the meeting for the first practicable date at the written request of the Deputy Mayor, Councillor Kebbe, and Councillors Adler and Azzi, in accordance with the provisions of Sections 366 of the Local Government Act to consider the following motions:

1. That a selection panel be formed for the purpose of interviewing and recommending to Council a person to fill the position of General Manager.
2. That a forensic audit by a suitably qualified independent accounting firm be conducted of Council's current income, assets and expenditure including lunches at Il Buco restaurant and other expenditure as reported in the Sydney Morning Herald on 12, 13, 14, 20 and 24 January 2015.
3. That Council through the Acting General Manager engage an appropriate executive recruitment company to initiate the process for appointment of a new General Manager and that the committee of three councillors and the Mayor be formed to oversee the process.
4. That changes to the Fees and Facilities policy be initiated to establish a monetary limit of \$35,000 (incl. GST) on the value of the vehicles obtained for use by the Mayor and General Manager with replacement after 20,000 km or two years whichever is the sooner.
5. That the mini bar facilities be removed from the office of the General Manager and the Mayor.
6. That the publication of the Mayoral column in the local newspapers cease forthwith and be replaced by a column issued on behalf of Council and approved by Council.
7. That all material provided to the Sydney Morning Herald as a result of the GIPA application be made publicly available on the Council website.
8. That the serving of alcoholic beverages before Council meetings cease forthwith.
9. That the Optus bill for Councillor Hawatt reported in the Daily Telegraph on 24 January 2015 be investigated to identify any costs due to personal use that Councillor Hawatt may be liable for, and to seek cancellation of any amount that was not due to personal use by Councillor Hawatt.
10. That a Code of Conduct investigation be conducted concerning the failure of the Mayor to call the extraordinary meeting in accordance with the timeframe specified in the Act.

The Deputy Mayor, Cr Kebbe	27 January 2015
Cr Mark Adler	27 January 2015
Cr Pierre Azzi	27 January 2015

2013 COMMONWEALTH WEIGHTLIFTING FEDERATION RANKINGS

Produced by: Michael Noonan,
CWF Statistician, 47 Saitley Street, Spotswood Vic 3015, Australia
mononan@optusnet.com.au

**WOMEN: TOP-25 ABSOLUTE**

as at 30 June

48kg Category	Born	Nation	Body.Wt	Snatch	Cl & Jk	Total	Date	Where (City, Nation)
Ngangbam Soniya Chanu	1980	IND	47.45	77	99	176	6-Jan	Modinagar, IND
Saikhom Mirabai Chanu	1994	IND	47.00	72	93	165	4-May	Lima, PER
Jessica Ruel	1991	CAN	48.00	72	86	158	24-Jun	Isla Margarita, VEN
Amandeep Kaur	1989	IND	47.65	70	81	151	6-Jan	Modinagar, IND
Vivian Lee	1978	AUS	47.75	60	85	145	23-Mar	Melbourne, AUS
Meera Parshram Fakade	1994	IND	47.60	63	80	143	4-May	Lima, PER
Nur Niada Nordin	1988	MAS	47.80	65	78	143	24-Mar	Kota Kinabalu, MAS
Hannah Powell	1992	ENG	45.40	60	80	140	15-Jun	Glasgow, Scotland, GBR
Kathleen Hare	1988	PNG	48.00	62	75	137	11-May	Port Moresby, PNG
Chandrika Tarafdar	1996	IND	43.16	57	78	135	8-Apr	Tashkent, UZB
Nur Ainul Jannah	1988	MAS	46.60	60	75	135	24-Mar	Kota Kinabalu, MAS
Harshdeep Kaur	1994	IND	47.53	60	75	135	23-Jan	Sangli, IND
Amanda Braddock	1989	CAN	47.14	62	70	132	19-May	Edmonton, CAN
Cynthia Barrette	1997	CAN	47.91	59	72	131	2-Mar	Saguenay, CAN
Monalish Sonowal	1995	IND	47.37	53	75	128	23-Jan	Sangli, IND
Mohini Chavan	1999	IND	44.88	55	71	126	23-Jan	Sangli, IND
Carol-Anne Paul	1993	CAN	45.35	54	71	125	23-Mar	La Prairie, CAN
Dipti Saikia	1990	IND	47.80	55	70	125	6-Jan	Modinagar, IND
Komal Kamble	1992	IND	43.30	55	69	124	6-Jan	Modinagar, IND
Rani	1997	IND	44.52	59	65	124	23-Jan	Sangli, IND
Jeenat Billen	2001	CAN	47.40	57	67	124	29-Jun	Surrey, CAN
Dipali Dattatraya Gursale	1996	IND	42.70	57	66	123	28-May	Doha, QAT
Seruwala Malani *	1993	FJI	47.10	55	68	123	25-Feb	Suva, FIJ
Poonam Dalal	1996	IND	43.74	53	69	122	8-Apr	Tashkent, UZB
Siti Zaleha Yusof	1997	MAS	44.62	53	67	120	7-Jun	Penang, MAS
Puja Sabat	2001	CAN	47.80	54	66	120	16-Feb	Port Albem, CAN

53kg Category	Born	Nation	Body.Wt	Snatch	Cl & Jk	Total	Date	Where (City, Nation)
Dika Toua	1984	PNG	52.60	84	110	194	29-Jun	Mont Dore, NCL
Swati Singh	1987	IND	53.00	79	97	176	7-Jan	Modinagar, IND
Tikina Dey	1980	IND	51.80	78	94	172	7-Jan	Modinagar, IND
Azizah Fadzi	1991	MAS	52.58	75	95	170	7-Jun	Penang, MAS
Preeti	1982	IND	52.60	72	97	169	7-Jan	Modinagar, IND
Matsa Santoshi	1994	IND	51.15	71	96	167	7-Jan	Modinagar, IND
H. Shaya Devi	1982	IND	52.75	77	90	167	7-Jan	Modinagar, IND
Kavita Kumari	1987	IND	51.90	75	90	165	7-Jan	Modinagar, IND
Phillipa Hale	1984	NZL	51.20	71	92	163	15-Jun	Auckland, NZL
Tangbi Devi	1992	IND	52.45	70	93	163	7-Jan	Modinagar, IND
Socheata Be	1989	AUS	52.70	70	93	163	23-Mar	Melbourne, AUS
Syarifah Inani Najwa Syed Omar	1990	MAS	52.86	71	91	162	7-Jun	Penang, MAS
Anju Chouhan	1992	IND	52.30	71	86	157	7-Jan	Modinagar, IND
Jessica Ruel	1991	CAN	52.70	71	85	156	2-Feb	Rouyn-Noranda, CAN
Erika Yamasaki	1987	AUS	52.80	70	85	155	18-May	Sunshine Coast, AUS
Joti Mal	1996	IND	52.60	66	87	153	30-May	Doha, QAT
Jo Calvino	1980	ENG	52.70	65	87	152	16-Feb	Newport, England, GBR
Helena Billen	1995	CAN	52.74	66	86	152	19-May	Edmonton, CAN
Taylor Findlay	1993	CAN	52.73	66	85	151	19-May	Edmonton, CAN
Portia Vries	1984	RSA	50.10	64	85	149	29-Jun	Gauteng, RSA
Ketaki Navale	1993	IND	51.95	68	81	149	7-Jan	Modinagar, IND
Yumnam Khomdonbi Chanu	1997	IND	52.76	65	84	149	10-Apr	Tashkent, UZB
Pramila Krisani	1996	IND	51.30	60	88	148	7-Jan	Modinagar, IND
Rupa Hanagandi	1998	IND	51.02	62	85	147	23-Jan	Sangli, IND
Katila Venkata Lakshmi	1992	IND	52.15	62	85	147	7-Jan	Modinagar, IND
Y. Kunjeshwari	1983	IND	52.80	65	82	147	7-Jan	Modinagar, IND

- Public disclosure of
- Code of M. Practice

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point of order

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How do you show
that it was in
reprisal.

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