

COUNCIL MEETING

MINUTES OF MEETING

Monday, 5 September 2016

Present

Council Members

Mr Viv May, Administrator

Council Staff

General Manager, Ms G Connolly

Chief Operating Officer, Ms C Todd

Director Assets and Infrastructure, Mr L O'Connor

Director Transformation and Change, Ms M Racomelara

Acting Director Environment and Planning, Mr R Logan

Acting Director Community and Culture, Ms A Murphy

Executive Manager, Ms R Schulz

Internal Auditor, Mr T Gearon

Governance Officer, Ms S Camilleri

Opening

The Administrator, Mr V May opened the meeting at 6.00pm.

Acknowledgement of Country

The Administrator acknowledged the traditional custodians of the land, the Biddegal people.

Apologies

The Administrator, Mr Viv May tendered an apology on behalf of Administrator, Mr John Rayner.

Disclosure of Interest

There were no disclosures of interest made.

PROCEDURAL MOTION

Minute No. 107

Moved and declared carried by the Administrator that standing orders be suspended to enable registered speakers to address Council.

The following registered speakers addressed Council:

- Ms A Selle Item not on the Agenda
Proposed Development Application for 12-22 Woniora Rd, Hurstville
- Mr B Shaw Item CCL075-16 – Cooks River Alliance

PROCEDURAL MOTION

Minute No. 108

Moved and declared carried by the Administrator that standing orders be resumed at 6.16pm.

Minutes of previous meetings

COUNCIL MEETING - 1 AUGUST 2016

Minute No. 109

Moved and declared carried by the Administrator that the Minutes of the Council Meeting held on 1 August 2016 be adopted.

EXTRAORDINARY COUNCIL MEETING - 11 AUGUST 2016

Minute No. 110

Moved and declared carried by the Administrator that the Minutes of the Extraordinary Council Meeting held on 11 August 2016 be adopted.

Environment and Planning

CCL059-16 Status of Compliance with Court Orders - 84D Roberts Avenue, Mortdale
(Report by Manager Building Assessment, Michael Alexander)

Minute No. 111

Moved and declared carried by the Administrator:

- (a) That the report on the status of compliance with Court Orders at 84D Roberts Avenue, Mortdale be received and noted.

CCL060-16 Heritage Grants Program
(Report by Senior Planner, Rebecca Lau)

Minute No. 112

Moved and declared carried by the Administrator:

- (a) That \$50,000 be allocated for a Heritage Grants Program that includes Heritage Building Grants and Heritage Publication Grants to encourage the retention and maintenance of properties with heritage significance, and to promote conservation values within the Georges River LGA.

CCL061-16 2-10 Woniora Road, Hurstville - Covenant
(Report by Manager Planning and Development, George Andonoski)

Minute No. 113

Moved and declared carried by the Administrator:

- (a) That Council agree to the removal of the Restriction as to User, which limited the

maximum floor space area for Lot 101 DP 773278 and SP 33174 (formally Lot 102 DP 773278), subject to a formal application being made to Council to release and extinguish the easement.

- (b) The release and extinguishment of the Restriction as to User not being reliant on the submission of a Development Application for the site or the Gazettal of the New Kogarah LEP 2012.
- (c) That delegation is given to the Acting General Manager to execute the formal application on behalf of the Council for the release and extinguishment of the Restriction as to User.
- (d) That all costs associated with removal of the restrictions are to be met by the owners.

CCL062-16 Future Management of Companion Animals seized and impounded within Georges River Council LGA

(Report by Manager Environmental Health & Regulatory Services, Jason Kneipp)

Minute No. 114

Moved and declared carried by the Administrator:

- (a) That the creation of a new Companion Animal Policy be endorsed.
- (b) That the Sydney Dogs and Cats Home (SDCH) continue to be utilised as an animal impounding/rehoming facility, until such time as the Home ceases trading or upon the establishment of a replacement facility, whichever occurs first.
- (c) That ongoing support be provided to the SDCH in their efforts to relocate to a suitable site that will enable that organisation to continue its exemplary service to the community.
- (d) That Council construct a holding facility at Council's Carlton Depot for the temporary detainment of companion animals.
- (e) That Council commence negotiations to enter into a long term agreement with Sutherland Shire Council (SSC) for the use of the Sutherland Shire Animal Shelter as an animal impounding/rehoming facility.
- (f) That quotes be obtained for an external veterinary practitioner, as a means of providing a pre-impounding assessment service for cats seized within the Georges River area.

CCL063-16 Summary of Development Applications lodged and determined and new Class 1 Appeals filed

(Report by Manager – Development Assessment, Tina Christy)

Minute No. 115

Moved and declared carried by the Administrator:

- (a) That the information on development applications lodged and determined and new Class 1 Appeals filed for July 2016 be received and noted.

CCL064-16 Update and Status Report on Planning Proposal - PP2014/0003 - Nos. 29-31 MacMahon Street Hurstville - Hurstville Ward

(Report by Senior Strategic Planner, Ms H Singh)

Minute No. 116

Moved and declared carried by the Administrator:

- (a) That the report on the status of Planning Proposal (PP2014/0003) for Nos. 29-31 MacMahon Street, Hurstville be received and noted.

CCL065-16 Report on Public Exhibition of Planning Proposal to vary Clause 4.4A and Clause 6.6 of Hurstville LEP 2012 and Amendment to Planning Proposal
(Report by Manager Strategic Planning, Carina Gregory)

Minute No. 117

Moved and declared carried by the Administrator:

- (a) That Council resolve to note the public exhibition and the comments raised in submissions received.
- (b) That Council endorse a change to the Planning Proposal to amend Clause 4.4A of Hurstville Local Environmental Plan 2012 by renaming the clause to “Non-residential floor space ratios”, including a clause objective and reducing the non-residential floor space requirement from 0.5:1 to 0.3:1.
- (c) That Council endorse a change to the Planning Proposal and not proceed with the proposal to expand the application of Clause 6.6 Active street frontages of Hurstville Local Environmental Plan 2012 to include land zoned B1 Neighbourhood Centre.
- (d) That Council endorse a change to the Planning Proposal to include an amendment to Clause 6.6 Active street frontages of Hurstville Local Environmental Plan 2012 which includes “medical centre” within the definition of Active street frontage.
- (e) That Council forward the amended Planning Proposal to the Department of Planning and Environment and seek advice on whether public exhibition of the amended Planning Proposal is required.

Finance and Governance

CCL066-16 Advice on Court Proceedings - August 2016
(Report by General Counsel, Jenny Ware)

Minute No. 118

Moved and declared carried by the Administrator that the information be received and noted.

CCL067-16 Property Matter - Proposed Easement to Drain Water at Emma Edwards Reserve Hurstville
(Report by Property Portfolio Manager, Bernie Morabito)

Minute No. 119

Moved and declared carried by the Administrator:

- (a) That Council grant an Easement to Drain Water over Lot 210 in DP2787 as detailed in this report.
- (b) That the General Manager and Administrator be authorised to execute the s88B Instrument or Transfer Granting Easement and all associated documentation to create the easement, under the Common Seal of the Council, if required.
- (c) That all costs associated with the granting of the easement be met by the owners.

CCL068-16 Council Meeting Dates and Venues
(Report by Governance Officer, Sina Camilleri)

Minute No. 120

Moved and declared carried by the Administrator:

- (a) That the Monday, 7 November 2016 Council meeting be held at the Hurstville Civic Centre as the premises at Kyle Bay on Georges will not be available.
- (b) That the proposed dates and venues for the Council Meetings from January 2017 to

December 2017 be adopted.

- (c) That the dates and venues from September 2016 to December 2017 be advertised.

CCL069-16 Property Matter - 15 Dora Street Hurstville
(Report by Property Portfolio Manager, Bernie Morabito)

Minute No. 121

Moved and declared carried by the Administrator:

- (a) That the property described as Lot 2 in DP260103 and located at 15 Dora Street, Hurstville be offered for sale by way of public auction.
- (b) That the General Manager be given delegated authority to execute the Contract for Sale of Land for Lot 2 in DP260103.
- (c) That the Administrator and General Manager be authorised to execute the transfer document and all the necessary documents relating to the sale and affix the Common Seal of the Council, as required.
- (d) That the General Manager in consultation with Council's Valuer be delegated to set the reserve price for the disposal of the site.
- (e) That any funds derived from disposal be directed to the Asset Realignment Reserve.

CCL070-16 Acceptance of NSW Environmental Trust Restoration and Rehabilitation Program Grant for works at Riverwood Wetland
(Report by Manager Environmental Sustainability, Alison Hanlon)

Minute No. 122

Moved and declared carried by the Administrator:

- (a) That Council accept the funding offer of \$81,800 from the NSW Environmental Trust Restoration and Rehabilitation Program for restoration works at Riverwood Wetlands.

CCL071-16 Acceptance of Metropolitan Greenspace Program Grant Offer for the Gannons Park Water Quality Improvement and Renaturalisation Scheme
(Report by Manager Environmental Sustainability, Alison Hanlon)

Minute No. 123

Moved and declared carried by the Administrator:

- (a) That Council accept the grant offer of \$250,000 from the Metropolitan Greenspace Program and allocate the required matching funding of \$250,000 from the revenue works program to commence the staged construction of the Gannons Park Water Quality Improvement and Re-naturalisation Scheme.

CCL072-16 Property Matter - Proposed Lease of Commercial Office Space - Suite 2C/34 MacMahon Street Hurstville
(Report by Property Portfolio Manager, Bernie Morabito)

Minute No. 124

Moved and declared carried by the Administrator:

- (a) That Council approves the proposed lease for suite 2C, 34 MacMahon Street, Hurstville as per terms including options and conditions as generally detailed in the report.
- (b) That authority is given to the Administrator and General Manager to execute all lease documentation and where necessary, affix the Common Seal of the Council.
- (c) That authority be granted to the General Manager to negotiate and consent to leases, licences and applications for use of land owned by or vested in Council and to perform all other actions necessary for the granting of such leases and further the function of dealing

with all variations to such leases and Crown land leases with a term exceeding five years.

CCL073-16 Investment Report as at 31 July 2016

(Report by Coordinator Financial Management, Francis Mangru)

Minute No. 125

Moved and declared carried by the Administrator that the Investment Report as at 31 July 2016 be received and noted.

Assets and Infrastructure

CCL074-16 Tender for the Butler Reserve Bio retention System and Playground Upgrade

(Report by Manager Engineering Services, Michelle Whitehurst)

Minute No. 126

Moved and declared carried by the Administrator:

- (a) That the report be received and noted.
- (b) That the separate report on this agenda relating to Tender for the Butler Reserve Bio retention System and Playground be considered in closed session, in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, Section 10A (2) (c) as it is considered the information, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CCL075-16 Cooks River Alliance

(Report by Manager Environmental Sustainability, Alison Hanlon)

Minute No. 127

Moved and declared carried by the Administrator:

- (a) That Council discontinue its \$49,000 annual membership with the Cooks River Alliance (CRA) and that these funds be re-directed to on-ground works to enhance the quality of stormwater entering the Cooks River.
- (b) That with the additional resources available following Council amalgamations, Council will perform the functions of the CRA internally, to work towards the enhancement of the Cooks River.

CCL076-16 Georges River Traffic Advisory Committee Meeting Minutes - 16 August 2016

(Report by Manager Engineering Services, Michelle Whitehurst)

Minute No. 128

Moved and declared carried by the Administrator that the minutes be adopted.

(Moved by Administrator, Mr V May)

Consideration of Business of Closed Session

The Administrator asked the General Manager if any representations had been received from the public that the item should not be discussed in closed session.

The General Manager replied that no representations had been received to talk to the item in closed session.

The Administrator asked if there were any members of the public gallery who would like to speak on the reasons Council proposes to consider the item in closed session.

There were no representations made from the public gallery and the Administrator moved the following motion.

Minute No. 129

Moved by the Administrator that in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the following matters be considered in closed Council at which the press and public are excluded.

CON016-16 Tender for the Butler Reserve Bio retention System and Playground Upgrade

(Report by Manager Engineering Services, Michelle Whitehurst)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (d(ii)) it is considered the matter to be commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the council.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it is commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the council.

That in accordance with the provisions of Section 11(2) of the Act, the reports and correspondence relating to these matters be withheld from the press and public.

The Administrator advised he would not request the public to leave the chambers and then moved the following motion.

CON016-16 Tender for the Butler Reserve Bio retention System and Playground Upgrade

(Report by Manager Engineering Services, Michelle Whitehurst)

Minute No. 130

Moved and declared carried by the Administrator:

- (a) That Wilson Pedersen Landscapes Pty Ltd be awarded the Contract for the Butler Reserve Bio retention System and Playground Upgrade for the amount of \$271,750.
- (b) That the General Manager be authorised to sign the Contract with the preferred Contractor on behalf of Council.

Open Council

Minute No. 131

Moved and declared carried by the Administrator that the meeting revert to Open Council.

Consideration of Recommendations from Closed Session

Minute No. 132

Moved and declared carried by the Administrator that the Recommendation of the Closed session be adopted.

Conclusion

The Meeting was closed at 6.43pm.

Minutes confirmed Monday, 10 October 2016.

Chairperson