

GEORGES RIVER COUNCIL

COUNCIL MEETING

MINUTES OF MEETING

Monday, 5 December 2016

Present

Council Members

Administrator, Mr John Rayner

Council Staff

General Manager, Ms Gail Connolly

Director Environment and Planning, Ms Meryl Bishop

Director Community and Culture, Mr David Tuxford

General Counsel, Ms Jenny Ware

Director Transformation and Change, Ms Marissa Racemelara

Acting Director Assets and Infrastructure, Ms Michelle Whitehurst

Executive Manager, Office of the General Manager, Ms Rebekah Schulz

Manager Strategic Property, Ms Claire Stuckey

Property Portfolio Manager, Mr Bernard Morabito

Internal Auditor, Mr Tony Gearon

Co-Ordinator, Strategic Planning, Ms Rita Vella

Governance Officer, Ms Sina Camilleri

Opening

The Administrator, Mr J Rayner opened the meeting at 6.00pm.

Acknowledgement of Country

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

Apologies

There were no apologies.

Disclosure of Interest

There were no disclosures of interest made.

Administrator's Minute

16. Referral and presentation of former Hurstville and Kogarah Financial and Auditor's Reports

Councils in NSW are required by the Local Government Act and Regulation, to follow a precise process for the audit and presentation of the Annual Financial Statements and Audit reports.

This year, as a result of some complexities of the amalgamation and late changes to requirements by the Office of Local Government around the treatment of specific items in the

accounts to meet statutory deadlines, Council meetings will have to occur outside of the scheduled calendar for Ordinary Council meetings.

The Financial reports for both former Councils for the period ended 12 May 2016, will be acknowledged and referred for audit at an Extraordinary Council meeting to be held on **Tuesday, 13 December 2016 at 6:00pm**. The Audited financial reports, together with the reports of the external Auditor, will be presented at an Extraordinary meeting on **Thursday, 22 December 2016 at 5:00pm**.

Members of the public will be given an extended period over the Christmas period to make any submissions on these reports. The deadline for any public submissions will be Friday, 27 January 2017. Submissions received will be forwarded to Council's auditors for comment, prior to being reported.

Minute No. 186

The Administrator moved and declared carried that Extraordinary Meetings of Council be held at Hurstville Civic Centre on 13 December 2016 at 6.00pm and 22 December 2016 at 5.00pm to consider the Financial and Audit Reports of the former Hurstville City and Kogarah City Councils and any other matters deemed to be urgent by the Administrator.

17. Domestic Violence – White Ribbon Day

Georges River Council's Community Development Team plays an active role in the St George Domestic Violence Committee, where representatives from key non-government and government organisations meet to discuss and address domestic violence issues in the local area.

This year the Committee initiated a community awareness campaign which encourages conversations about domestic violence over coffee. Young people from St George Area youth organisations were invited to workshops where they could design a domestic violence related message to be printed on disposable coffee cups. The winning design has been printed on 25,000 coffee cups in the Georges River and Bayside Council local areas.

Cups have been distributed to 40 local cafes for use between 25th November 2016, International Day for the Elimination of Violence Against Women and 10th December 2016, International Human Rights Day.

Domestic violence is a major community issue which sadly affects many individuals and families, either directly or indirectly. Domestic violence is present across all cultures, socio-economic backgrounds and ages.

Statistics show that 1 in 3 women have experienced physical violence from the age of 15, and 1 in 5 women have experienced sexual violence.

Sadly, the St George Area Local Command attends to approximately 250 incidents involving domestic violence every month.

Council staff, the St George Domestic Violence Committee, Local Area Police and a number of community organisations have excellent programs and approaches to support victims and create awareness in the community. These organisations and individuals are to be congratulated on their ongoing commitment and achievements.

White Ribbon Day helps raise awareness among men and boys about the roles they can play to prevent violence against women.

A number of Council are now partnering with the NSW Police Force, schools and community organisations to conduct White Ribbon Walks on White Ribbon Day, to create awareness of domestic violence and to demonstrate the need to stand united against this serious issue.

Whether such or walk or some other event should be added to the current domestic violence

events is appropriate for Georges River is a matter I would like Council's Community Development and Services Advisory Committee to consider.

Minute No. 187

The Administrator moved and declared carried:

- (a) That congratulations and thanks be extended to the organisations, staff and individuals associated with "Conversations Through Coffee Domestic Community Awareness".
- (b) That in recognition of the high incidence of Domestic Violence and the ongoing need for support for victims and creating awareness of the issue, the Community Development and Services Advisory Committee review the current programs and support provided across Georges River, give consideration to a major awareness event for White Ribbon Day and make a recommendation to Council.

Minutes of previous meetings

COUNCIL MEETING - 7 NOVEMBER 2016

Minute No. 188

The Administrator moved and declared carried that the Minutes of the Council Meeting held on 7 November 2016 be adopted.

Environment and Planning

CCL109-16 Summary of Development Applications lodged and determined and new Class 1 Appeals filed
(Report by Manager – Development Assessment, Tina Christy)

Minute No. 189

The Administrator moved and declared carried that the information on development applications lodged and determined for October 2016 be received and noted.

CCL110-16 Economic Development Advisory Committee Meeting Minutes - 21 November 2016

(Report by Hurstville Place Manager, Craig Edmondson)

Minute No. 190

The Administrator moved and declared carried that the Minutes of the Economic Development Advisory Committee Meeting held on 21 November 2016 be received and noted.

CCL111-16 Heritage Grants Program
(Report by Senior Planner, Rebecca Lau)

Minute No. 191

The Administrator moved and declared carried:

- (a) That Heritage Grant offers be made to successful applicants as outlined in the table annexed to the report.
- (b) That as Council is reviewing the criteria for grant and subsidies generally, a review of the criteria for Heritage grants be undertaken by April 2017.
- (c)

CCL112-16 Planning Proposal PP2016/0001 - 87 and 89 The Avenue, Hurstville
(Report by Independent Assessment, Consultant Planner)

Minute No. 192

The Administrator moved and declared carried:

- (a) That Council note the public exhibition of the Planning Proposal PP2016/0001 and comments received.
- (b) That Council endorse the amendment to the Hurstville Local Environmental Plan 2012 to rezone two (2) lots within the Danebank School (87 and 89 The Avenue, Hurstville) from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments) and remove the minimum lot size, maximum building height and maximum FSR controls consistent with SP2 Infrastructure zoning.
- (c) That Council request the Parliamentary Counsel's Office to draft and finalise the draft amendment to the Hurstville Local Environmental Plan 2012 in accordance with Section 59 of the *Environmental Planning and Assessment Act, 1979*.
- (d) That the Department of Planning and Environment and the NSW Office of Environment and Heritage be advised of this decision.

CCL113-16 Planning Proposal PP2014/0002 - Nos. 93-103 Forest Road, Hurstville
(Report by Senior Strategic Planner, Harkirat Singh)

Minute No. 193

The Administrator moved and declared carried:

- (a) That Council note the joint public exhibition of the Planning Proposal PP2014/0002 and DA2016/0218 for the East Quarter site at Nos. 93-103 Forest Road, Hurstville and comments received.
- (b) That Council endorse the amendment to Hurstville Local Environmental Plan 2012 for the East Quarter site at Nos. 93-103 Forest Road, Hurstville to:
 - a. increase the Floor Space Ratio for the entire East Quarter site from 2.5:1 to 3.5:1
 - b. increase the height on Stage 3 of the East Quarter site from:
 - i. 23m to 30m for the north-eastern part of the site (Building X)
 - ii. 40m to 65m for the south-eastern part of the site (Building F)
- (c) That Council does not support the amendment to Hurstville Local Environmental Plan 2012 for Stage 2 of the East Quarter site from 60m to 65m (Building E) as the site is already developed
- (d) That Council request the Department of Planning and Environment to draft and finalise the draft amendment to the Hurstville Local Environmental Plan 2012 in accordance with Section 59 of the *Environmental Planning and Assessment Act, 1979*.
- (e) That the Department of Planning and Environment and the submitters be advised of this decision.

CCL114-16 Voluntary Planning Agreement offer by Hville FCP Pty Ltd (Fridcorp) - Stage 3 East Quarter Mixed Use Development - 93 Forest Road, Hurstville
(Report by Executive Strategic Planner, Nerida Stores)

Minute No. 194

The Administrator moved and declared carried:

- (a) That this report be received and noted.
- (b) That the separate report on this agenda relating to the Voluntary Planning Agreement offer by Hville FCP Pty Ltd (Fridcorp) for Stage 3 East Quarter Mixed Use Development – 93 Forest Road, Hurstville 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.

Finance and Governance

CCL115-16 Advice on Court Proceedings - November 2016
(Report by General Counsel, Jenny Ware)

Minute No. 195

The Administrator moved and declared carried that the information be received and noted.

CCL116-16 Investment Report as at 31 October 2016
(Report by Coordinator Financial Management, Francis Mangru)

Minute No. 196

The Administrator moved and declared carried that the Investment Report as at 31 October 2016 be received and noted.

CCL117-16 Property Matter - Oatley Railway Station Licence Agreement
(Report by Property Portfolio Manager, Bernard Morabito)

Minute No. 197

The Administrator moved and declared carried:

- (a) That Tenure Agreements 80285, 80234 and 96424 between the Commissioner for Railways and the former Hurstville and Kogarah City Councils be surrendered.
- (b) That Council enter into a licence agreement with Rail Corporation New South Wales over Lot 10 in DP803349 and part of Lot 5 and 11 in DP803349 as generally detailed in this report and that the General Manager be authorised to sign all documentation associated with the proposed licence.
- (c) That Council through the State Member for Oatley seek the transfer of Lot 10, in DP 803349 and Part of Lot 5 and Lot 11 in DP803349 to Council at no cost.

CCL118-16 Property Matter - Commercial Lease - Suite 1B 34 MacMahon Street Hurstville
(Report by Property Portfolio Manager, Bernard Morabito)

Minute No. 198

The Administrator moved and declared carried:

- (a) That Council approve the surrender of lease over Suite 1B at 34 MacMahon Street, Hurstville.
- (b) That the General Manager be authorised to execute all associated documentation to effect the surrender of lease.

CCL119-16 Supply and Delivery of Industrial Footwear Tender No: SSROC 2016-04
(Report by Coordinator Procurement, Marea Getsios)

Minute No. 199

The Administrator moved and declared carried:

- (a) That in accordance with the recommendations of the Southern Sydney Regional Organisation of Councils (SSROC) tender evaluation panel (Confidential report dated 18 August 2016 attached to the report) for the Supply and Delivery of Industrial Footwear, the tender submission from J. Blackwood & Son Pty Ltd be accepted for a term of three (3) years subject to satisfactory performance as determined by SSROC,
- (b) That an option to extend the agreement be approved for a further one (1) plus one (1) years, with an estimated annual budget expenditure of \$45,000.

Assets and Infrastructure

CCL120-16 Tender for the Supply and Delivery of Trucks
(Report by Manager Project Delivery, Michelle Whitehurst)

Minute No. 200

The Administrator moved and declared carried:

- (a) That the report be received and noted.
- (b) That report *CON25-16* be considered in Open Council.

CON025-16 Tender for the Supply and Delivery of Trucks
(Report by Manager Project Delivery, Michelle Whitehurst)

Minute No. 201

The Administrator moved and declared carried:

- (a) That Adtrans Hino Pty Ltd be awarded the Contract for the Supply and Delivery of a 6 Trucks for a total cost of \$537,080.14.
- (b) That the General Manager be authorised to sign the Contract with the preferred Contractor on behalf of Council.

CCL121-16 Georges River Traffic Advisory Committee Meeting Minutes - 15 November 2016
(Report by Manager Infrastructure, Glen Moody)

Minute No. 202

The Administrator moved and declared carried that the Minutes of the Georges River Traffic Advisory Committee Meeting held on 15 November 2016 be adopted.

Community and Culture

CCL122-16 Community Development and Services Advisory Committee Meeting Minutes - 12 September 2016
(Report by Manager Community Services, David Linden)

Minute No. 203

The Administrator moved and declared carried that the Community Development and Services Advisory Committee Minutes for the meeting held on Monday 12 September 2016 be adopted.

CCL123-16 Community Development and Services Advisory Committee Meeting Minutes - 14 November 2016

(Report by Coordinator Community Development, Nicolas Best)

Minute No. 204

The Administrator moved and declared carried that the Community Development and Services Advisory Committee Minutes for the meeting held on Monday 14 November 2016 be adopted.

CCL124-16 Community Grants

(Report by Coordinator Community Development, Nicolas Best)

Minute No. 205

The Administrator moved and declared carried:

- (a) That the funding allocation for the 2016 Georges River Community Grants, listed within Attachment 1, be adopted.
- (b) That it be noted that the current review of the financial assistance provided by Council in subsidies, fee waivers and sponsorship may lead to additional funds being provided under the Community Grants Program.

CCL125-16 Stronger Communities Fund Major Projects Allocations

(Report by Director Transformation and Change, Marissa Racomelara)

Minute No. 206

The Administrator moved and declared carried:

- (a) That community consultation take place, including with the Stronger Communities Fund Panel and the Implementation Advisory Committee, on the project list contained within the report,
 - Deleting* - “Heritage Kick-Start” \$50,000 as this will be considered as part of the 2017/18 Budget deliberations
 - “DA System” \$100,000, as these essential requirements will be funded from General Revenue resources
 - Adding* - “Sports Amenities Building – Claydon Reserve” \$600,000
 - “New or upgraded Public Toilet facilities Oatley Memorial Gardens including disabled toilet” \$250,000
 - “Shade Structure Carss Cottage Museum Carss Bush Park” \$40,000
- (b) That it be noted that the project list now exceeds \$9m, that the cost estimates are preliminary only as detailed designs are yet to be completed.
- (c) That following community consultation, consideration be given to whether further Council funds need to be applied to the program.
- (d) That community consultation commence with residents and business interests in Oatley on the best solution to replacing the current public toilets in Oatley Memorial Gardens.
- (e) That to assist in understanding the projects expanded text be provided to include:
 - Items within each project
 - Position reached in planning for the projects
 - Timing for each stage of the projects including estimated completion time.
- (f) That the Administrator and General Manager be delegated authority to finalise the program following community consultation.

Confidential items (Closed Council Meeting)

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

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

The Administrator informed that he would not close the meeting to inconvenience those members of the public in attendance and then moved the following motion.

Minute No. 207

That in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the following matter listed for consideration in closed session of Council at which the press and public are excluded be resolved in bulk in accordance with the recommendations within the reports.

CON026-16 Voluntary Planning Agreement offer by Hville FCP Pty Ltd (Fridcorp) - Stage 3 East Quarter Mixed Use Development - 93 Forest Road Hurstville (Report by Strategic Planner, David Matthews)

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) (c) it is considered the matter information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Consideration of Confidential Recommendations

CON026-16 Voluntary Planning Agreement offer by Hville FCP Pty Ltd (Fridcorp) - Stage 3 East Quarter Mixed Use Development - 93 Forest Road Hurstville (Report by Strategic Planner, David Matthews)

Minute No. 208

The Administrator moved and declared carried:

- (a) That Council accept the written offer dated 14 November 2016 from Hville FCP PTY LTD (Fridcorp) to enter into a Voluntary Planning Agreement in relation to Development Application DA2016/0218 for a mixed used development comprising 556 units and 4,345 square metres of retail space at 93 Forest Road, Hurstville, which will deliver the following public benefits (summarised) over and above the usual Section 94 Contributions applicable to the development:
 1. Construction works at the Forest Road and Durham Street Intersection as follows:
 - i) As per the scope of works outlined in the Concept Intersection Plan in Schedule

1 of the Heads of Agreement.

- ii) Developer to fund up to \$1.6 million of the works
 - iii) Construction to commence in 2018 subject to final RMS approval
 - iv) Developer may allow for an additional 10% contingency to cover unexpected costs
 - v) If costs of works exceed \$1.76 million in total, Council will be liable to pay any and all costs that amount in relation to these works.
2. Construction works for the proposed Stage 3 of East Quarter Development that includes the Developer providing a Monetary Contribution to Council and to carry out Public Domain Works with a total combined value of \$273,000 as follows:

Public Benefit	Value (approx.)
Landscaping works	\$46,000
Contribution to Hurstville Public School	\$131,000
Kempt Field Contributions	\$96,000
Easement for public access across the site – easement for continuous public access link along the landscaped corridors connecting Stage 3 plaza area/open space with Kempt Field and Stage 2 plaza area and Forest Road (as outlined in the existing VPA dated 13 December 2011)	\$0
TOTAL	\$273,000

3. Construction works (embellishment) on Kempt Field as follows:
- i) Developer to pay Council a Monetary Contribution of \$1 million by 30 September 2017.
 - ii) Council will endeavour to commence Kempt Field works prior to 31 December 2017.
 - iii) Council and Developer to consult on the scope and design of works to ensure that the works are reasonably complementary to and add value for the future residents of Stage 3 of the East Quarter Development.
4. Developer agrees to pay the reasonable costs and expenses of Council in connection with the preparation, negotiation and execution of the Planning Agreement.
- (b) That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement, and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979.
- (c) That Council delegate authority to General Manager to:
- i) Authorise any minor changes to the draft Voluntary Planning Agreement following public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above;
 - ii) Subsequently enter into the Voluntary Planning Agreement on behalf of Council; and
 - iii) Any land to be dedicated to Council, other land for the purposes of a road, under the terms of the Voluntary Planning Agreement is to be classified as Operational Land in accordance with the provisions of Section 31(2) of the Local Government Act 1993.

Conclusion

The Meeting was closed at 6.15pm.

Minutes confirmed Monday, 6 February 2017.



Chairperson