

# GEORGES RIVER COUNCIL

## COUNCIL MEETING

### MINUTES OF MEETING

Monday, 1 May 2017

#### Present

##### Council Members

Administrator, Mr John Rayner

##### Council Staff

General Manager, Ms Gail Connolly

Director Assets and Infrastructure, Mr Laurie O'Connor

Director Environment and Planning, Ms Meryl Bishop

Director Community and Culture, Mr David Tuxford

Chief Operating Officer, Ms Carole Todd

Director Transformation and Change, Ms Marissa Racomelara

General Council, Ms Jenny Ware

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

Internal Auditor, Mr Tony Gearon

Manager Project Delivery, Ms M Whitehurst

Manager Strategic Planning, Ms C McMahon

Manager Strategic Property, Ms C Stuckey

Executive Manager Jubilee Stadium and Facilities, Mr L Coleman

Executive Services 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 Biddegal people.

#### Apologies

There were no apologies.

#### Disclosure of Interest

There were no disclosures of interest made.

## PROCEDURAL MOTION

### Minute No. 78

The Administrator moved and declared carried that standing orders be suspended for registered speaker, Mr Stephen Toomey to address Council on *item CCL063-17 - Planning Proposal - No 29-31 MacMahon Street, Hurstville - Post Exhibition Report*.

## PROCEDURAL MOTION

### Minute No. 79

The Administrator adjourned the Council Meeting at 6.08pm to discuss Mr Toomey's submission with the General Manager and Director Environment and Planning.

## PROCEDURAL MOTION

### Minute No. 80

The Administrator moved and carried that standing orders be resumed at 6.12pm.

## Administrator's Minutes

### 23 Cancer Care services St George Hospital

In 1995, a Community Fundraising committee (Cancer Care Centre Foundation) was established to improve cancer care services at St George Hospital.

Since that time, the community with Government support has raised \$15m, to provide world class cancer care treatment facilities at the hospital.

Facilities which are directly related to the fundraising include:

- Bezzina House, the cancer care lodge (1998)
- Prostate treatment facility (2007)
- Prostate Cancer Institute with brachytherapy bunker (2011)
- Clinical Trials Unit (2015)

Expanding the Cancer Care Centre, specially the chemotherapy area to make it more spacious and appealing, is the final project for the committee. This project aims to make available 19 chemo chairs and is offering naming rights to the chairs for \$10,000.

Over the years the former Hurstville City and Kogarah City, have contributed generously to this facility, which is of enormous benefit to residents of Georges River and beyond.

### Minute No. 81

The Administrator moved and declared carried:

- (a) That Council donate \$10,000 to the Cancer Care Centre to obtain naming rights to a chemotherapy chair.
- (b) That the funds be provided through savings in existing 2016/17 budget allocations
- (c) That the Cancer Care Centre Foundation be congratulated on its fundraising and achievements in improving cancer care services at St George Hospital.

### 24 Proposed A-League Team

It was recently announced that a consortium has been formed to push for the establishment of "Southern Expansion", a new A-League (football) franchise to represent the St George District, Sutherland Shire and the Illawarra regions.

Whilst Football Federation Australia hasn't announced when an expansion of the A-League will occur, the consortium (which has announced it has a financial backer) is pushing ahead with its

bid.

The bid, supported by the three member associations, St George, Sutherland Shire and Illawarra, proposes an A-League, W-League and Youth League teams to represent the region.

Potentially the elite teams would play a number of games at Jubilee Oval adding to the mix of content at the Council facility.

There will be competition from other regions for a place in the A-League and there will be opposition to this bid. However given the strength of and interest in football in the region, the bid should be supported by Council.

### **Minute No. 82**

The Administrator moved and declared carried that Council indicate to Football Federation Australia its support for the Southern Expansion's bid for inclusion of an A-League team based in this region.

### **25 Donations**

Council, on a regular basis receives requests from charities, and not for profit and other organisations for financial support. Many of these requests are for relatively small amounts, i.e. under \$1000.

Many of these requests were supported by the former Hurstville and Kogarah City Councils and can include the purchase of tickets to fundraising events. Rather than report to Council on each request which should be supported, it is proposed to provide a delegation to the Administrator and General Manager together to determine whether to support a request.

Council can financially assist organisations under Section 356 of the Local Government Act and public notice is not required if the financial assistance is part of a specific program, included in the Council's draft operational plan and the budget does not exceed 5 percent of the Council's rate levy.

A balance of \$59,000 sits in the Donations account 40.4600.100.64610

### **Minute No. 83**

The Administrator moved and declared carried that the Administrator and General Manager together, be delegated authority to approve under Section 356 of the Local Government Act donations up to the total amount of \$30,000 to 25<sup>th</sup> September 2017.

### **Minutes of previous meetings**

#### **COUNCIL MEETING - 3 APRIL 2017**

### **Minute No. 84**

The Administrator moved and declared carried that the Minutes of the Council Meeting held on 3 April 2017 be adopted.

## Environment and Planning

### **CCL058-17 Consultation of proposed guidelines for Places of Public Worship** (Report by Manager Strategic Planning)

#### **Minute No. 85**

The Administrator moved and declared carried:

- (a) That the contents of the report be noted.
- (b) That Council conduct community consultation (including webpage, letters, ads and workshops) with representatives of interested groups (including the South Hurstville/Penshurst Action Group) and representatives of the places of public worship within the Georges River LGA on the proposed guidelines for Places of Public Worship.
- (c) That a further report be submitted to Council on the outcomes of the community consultation held and outlining a way forward.

### **CCL059-17 Community Consultation Results on the Future Uses of the Former Oatley Bowling Club** (Report by Executive Manager)

#### **Minute No. 86**

The Administrator moved and declared carried:

- (a) That the reports from Elton Consulting and the independent peer review undertaken by Cred Consulting be received and noted.
- (b) That the Elton Consulting report and the Cred Consulting report be provided to the Independent Hearing Assessment Panel and City Plan Services for consideration during the assessment and review of the Planning Proposal for the former Oatley Bowling Club site.
- (c) That the Georges River community be updated on the community consultation results via the Council website and usual communications and media channels.
- (d) That the draft Georges River Council Community Engagement Policy be reviewed having regard to the feedback from the Elton Community Consultation report, prior to adoption by Council.

### **CCL060-17 Section 94 Plan Amendments** (Report by Manager Strategic Planning)

#### **Minute No. 87**

The Administrator moved and declared carried:

- (a) That the changes to the Georges River Section 94A Plan (change the reference from clause 142(2) to 136L in Section 4.9) and the Hurstville Section 94 Development Contributions Plan 2012 (change the reference to Appendix C in Section 1.1 to Appendix B) be considered to be *minor typographical corrections* as per Clause 32(3)(a) of the Environmental Planning & Assessment Regulation 2000.
- (b) That the *minor typographical corrections* outlined in (a) above be notified in The Leader as minor typographical corrections to the existing Plans.
- (c) That Council prepare a new Section 94 Contributions Plan to include Kempt Field, the Hurstville East Site and the Bing Lee Site into the City Centre land application map (Map 1 in Appendix B) in the Hurstville Section 94 Development Contributions Plan 2012 and place the Draft Hurstville Section 94 Development Contributions Plan on public consultation in accordance with the provisions of the Environmental Planning & Assessment Act and its Regulation for a minimum period of 28 days.
- (d) That Council prepare a new Section 94 Contributions Plan to amend Hurstville Section 94

Development Contributions Plan 2012 to address the following:

- i. The development types listed to ensure consistent with the LEP definitions for developments.
  - ii. The indexation formula in accordance with the legal advice and past internal audit review.
  - iii. The costing of works as some projects have been or are currently under construction.
  - iv. The possible expansion of the City Centre land application map (Map 1 in Appendix B) to cover additional areas identified by the draft Georges River Employments Lands Study and the Hurstville Urban Design Review.
- (e) That Council resolve to prepare a new Section 94 Contributions Plan for the Georges River LGA incorporating the Hurstville Section 94 Development Contributions Plan 2012 and the separate Kogarah S94 Plans.

**CCL061-17 Determination of Development Applications Policy**

(Report by Team Leader Major Projects)

**Minute No. 88**

The Administrator moved and declared carried:

- (a) That Council endorse the attached amended Determination of Development Applications Policy with the additional point included under 4.2, that the determination be reviewed and signed by a Senior Assessment staff member.
- (b) That the amended Determination of Development Applications Policy be referred to the Implementation Advisory Committee for review and comment.

**CCL062-17 Summary of Development Applications lodged and determined**

(Report by Manager Development and Building)

**Minute No. 89**

The Administrator moved and declared carried that the information on development applications lodged and determined for January 2017 - March 2017 be received and noted.

**CCL063-17 Planning Proposal - No 29-31 MacMahon Street, Hurstville - Post Exhibition Report**

(Report by Coordinator Strategic Planning)

**Minute No. 90**

The Administrator moved and declared carried:

- (a) That the Georges River IHAP's recommendation to refuse the planning proposal due to excessive height, amenity impacts, and traffic and vehicular access is noted.
- (b) That having regard to the Georges River IHAP's recommendation that the maximum permitted height for the site be 46m, the Planning Proposal be amended so as to permit:
  - i. A maximum height of 46m;
  - ii. A maximum FSR of 5.5:1, including requiring a minimum non-residential floor space of 0.5:1 through an amendment to Clause 4.4A (Exceptions to FSRs for buildings on land in certain zones);
- (c) That the letter of offer from Toomey Pegg Lawyers dated 28 April 2017 to enter into a Planning Agreement under Section 93F of the Environmental Planning and Assessment Act 1979 be noted.

- (d) That Council enter into a voluntary planning agreement relating to the site at 29-31 MacMahon Street, Hurstville, and that the Heads Of Agreement be prepared in accordance with Council's current VPA Policy, consistent with adopted practice and procedures since 1 August 2016.
- (e) That the amended Planning Proposal for 29-31 MacMahon Street Hurstville (as per (b) above) to amend Hurstville LEP 2012 be forwarded to the NSW Department of Planning and Environment with the following conditions:
  - i. The requirement that the proponent address the issue raised by NSW Roads and Maritime Services in December 2016, and supported by Transport for NSW that *“an appropriate funding mechanism (being a voluntary planning agreement) is in place to ensure that regional transport infrastructure improvements required as a result of the cumulative impacts of future development in the Hurstville City Centre can be provided.”*
  - ii. Request that the Department insert into the Hurstville LEP 2012 a site specific clause that requires the consent authority to be satisfied that any future development will provide for road and traffic upgrades in the local road network and contribute to measures that encourage the use of public transport.
- (f) That in respect to the NSW Heritage Office's comment on the possible impacts of the proposed development on the heritage significance of the 'Fire Station', 'Friendly Societies Dispensary Building' and other items of local heritage significance in the vicinity of the subject site, that the Department be advised that this matter will be dealt with at the development application stage.
- (g) That a site specific Development Control Plan be prepared (at the applicant's cost) which will enable any future development to attain compliance with the key principles of SEPP 65 and the Apartment Design Guide and which will satisfactorily address any heritage impacts.
- (h) That those persons who made a written submission on the Planning Proposal for 29-31 MacMahon Street, Hurstville be notified of Council's decision.

**CCL064-17 Kogarah North Urban Design Strategy and Implementation**  
(Report by Senior Planner)

**Minute No. 91**

The Administrator moved and declared carried:

- (a) That the draft *Kogarah North Urban Design Strategy* be publicly exhibited for a minimum period of 28 days.
- (b) That Option 3 and the urban design principles contained within the draft *Kogarah North Urban Design Strategy* be adopted by Council as an interim set of planning controls from the date of the gazettal of Amendment No.2 to *Kogarah Local Environmental Plan*.
- (c) That Council advise applicants and landowners that any application within the Kogarah North Precinct will be assessed against Option 3 and the urban design principles contained within the draft *Kogarah North Urban Design Strategy*.
- (d) That Council prepare an amendment to *Kogarah Development Control Plan 2013* by including as a specific chapter Option 3 and the urban design principles contained within the draft *Kogarah North Urban Design Strategy*.
- (e) That the amended Kogarah Development Control Plan be placed on public exhibition in accordance with the Environmental Planning and Assessment Act 1979 and its Regulation

2000 at the same time as the draft *Kogarah North Urban Design Strategy*.

- (f) That a further report be presented to Council following the public exhibition of the draft *Kogarah North Urban Design Strategy* and amended *Kogarah Development Control Plan*.

## **Finance and Governance**

### **CCL065-17 Tender for Public Amenities Upgrades at Lower Gannons Park and Oatley Park**

(Report by Manager Project Delivery)

#### **Minute No. 92**

The Administrator moved and declared carried:

- (a) That the report be received and noted.
- (b) That the separate report on this agenda relating to Tender for Public Amenities Upgrades at Lower Gannons Park and Oatley Park 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.

### **CCL066-17 Advice on Court Proceedings - April 2017**

(Report by General Counsel)

#### **Minute No. 93**

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

### **CCL067-17 Investment Report as at 31 March 2017**

(Report by Team Leader Financial Reporting)

#### **Minute No. 94**

The Administrator moved and declared carried:

- (a) That the Investment Report as at 31 March 2017 be received and noted.
- (b) That on a bi-monthly basis the 'Investment Report' include a section which fully informs the Council and the community of returns on all commercial properties and revenue from the public domain and other property leases and licenses,
- (c) That the report in (b) above to also include arrears on leases and licenses.

### **CCL068-17 Revisions of Council's Audit, Risk and Improvement Committee Charter and the Committee's Audit Charter**

(Report by Internal Auditor)

#### **Minute No. 95**

The Administrator moved and declared carried:

- (a) That Council adopt the Audit, Risk and Improvement Committee Charter provided as an attachment to this report.
- (b) That Council note the Internal Audit Charter, which was adopted by the Audit, Risk and Improvement Committee at its meeting of 13 February 2017 and is also attached to this report.

**CCL069-17     Audit, Risk and Improvement Committee Minutes - 31 October 2016 and 6 December 2016**

(Report by Internal Auditor)

**Minute No. 96**

The Administrator moved and declared carried that Council notes the Minutes of the Audit, Risk and Improvement Committee Meetings held on 31<sup>st</sup> October 2016 and 6<sup>th</sup> December 2016.

**CCL070-17     Property Matter - Proposed Low Impact Telecommunications Facility at Redin Place Reserve, Connells Point**

(Report by Property Portfolio Manager)

**Minute No. 97**

The Administrator moved and declared carried:

- (a) That Council note that Vodafone Hutchison Australia Pty Ltd (VHA) intends to serve notice on Council for the installation of a low impact telecommunications facility as defined in the Telecommunications Act, 1997 to be located within Redin Place Reserve, Connells Point.
- (b) That the General Manager be authorised to enter into an appropriate Access Deed or Deed of Compensation should notice be served on Council for the proposed facility.

**CCL071-17     Draft Georges River Council CCTV Operations Policy**

(Report by Director Transformation and Change)

**Minute No. 98**

The Administrator moved and declared carried:

- (a) That Council endorse the attached Draft Georges River Council Closed Circuit Television (CCTV) Operations Policy for the purpose of public exhibition for a period of not less than 14 days.
- (b) That the submissions received during the public exhibition period be reported back to Council together with any recommended changes to the Draft Closed Circuit Television (CCTV) Operations Policy for adoption.
- (c) That during the public exhibition period, the Draft Georges River Council Closed Circuit Television (CCTV) Operations Policy be referred to the Implementation Advisory Committee for review and comment.

**CCL072-17     Risk Management Update and Draft Georges River Risk Management Policy**

(Report by Director Transformation and Change)

**Minute No. 99**

The Administrator moved and declared carried:

- (a) That Council endorse the attached Draft Georges River Council Risk Management Policy for the purpose of public exhibition for a period of not less than 28 days.
- (b) That the submissions received during the public exhibition period be reported back to Council together with any recommended changes to the Draft Risk Management Policy for adoption.
- (c) That during the public exhibition period the Draft Georges River Council Risk Management Policy be referred to the Implementation Advisory Committee for review and comment.



## **Assets and Infrastructure**

### **CCL073-17 Georges River Traffic Advisory Committee Meeting Minutes - 18 April 2017** (Report by Manager Infrastructure)

#### **Minute No. 100**

The Administrator moved and declared carried:

- (a) That the recommendations contained within the Minutes of the Georges River Traffic Advisory Committee meeting held on 18 April 2017 be adopted.

### **CCL074-17 Draft Georges River Council Graffiti and Posters Policy** (Report by Project Leader)

#### **Minute No. 101**

The Administrator moved and declared carried:

- (a) That Council endorse the attached Draft Georges River Council Graffiti and Posters Policy for the purpose of public exhibition for a period of not less than 14 days.
- (b) That the submissions received during the public exhibition period be reported back to Council together with any recommended changes to the Draft Graffiti and Posters Policy for adoption.
- (c) That during the public exhibition period the Draft Georges River Council Graffiti and Posters Policy, be referred to the Implementation Advisory Committee for review and comment.
- (d) That the updated section on political posters be sent to State and Federal Members of Parliament and Local Political parties for comment.

### **CCL075-17 University of Wollongong Jubilee Oval - Update on Management Activities** (Report by Executive Manager Jubilee Stadium and Facilities)

#### **Minute No. 102**

The Administrator moved and declared carried that Council note the update report on the management of University of Wollongong Jubilee Oval.

## **Community and Culture**

### **CCL076-17 Community Development and Services Advisory Committee Meeting Minutes - 10 April 2017** (Report by Manager Community and Cultural Development)

#### **Minute No. 103**

The Administrator moved and declared carried that the recommendations contained within the Minutes of the Community Development and Services Advisory Committee meeting held on Monday 10 April 2017 be adopted.

### **CCL077-17 Draft Georges River Council Complaints Policy** (Report by Project Leader)

#### **Minute No. 104**

The Administrator moved and declared carried:

- (a) That Council endorse the attached Draft Complaints Policy to be placed on public exhibition, together with any supporting material, for a period of not less than 28 days.
- (b) That the submissions received during the public exhibition period be reported back to

Council together with any recommended changes to the Draft Complaints Policy for adoption.

- (c) That during the public exhibition period, a copy of the draft Georges River Council Complaints Policy be referred to The Independent Commission Against Corruption for review and comment.

**CCL078-17 Draft Georges River Council Sister City Policy**

(Report by Community Development Officer, Cultural Services)

**Minute No. 105**

The Administrator moved and declared carried:

- (a) That Council endorse the attached Draft Georges River Council Sister City Policy for the purpose of public exhibition for a period of not less than 28 days.
- (b) That the submissions received during the public exhibition period be reported back to Council together with any recommended changes to the Draft Georges River Council Sister City Policy for adoption.
- (c) That during the public exhibition period, a copy of the Draft Georges River Council Sister City Policy be referred to the Implementation Advisory Committee for review and comment.

**CCL079-17 Draft Georges River Council Sponsorship and Donation Policy**

(Report by Manager Community and Cultural Development)

**Minute No. 106**

The Administrator moved and declared carried:

- (a) That Council endorse the attached draft Georges River Council Sponsorship and Donation Policy for the purpose of public exhibition for a period of not less than 28 days.
- (b) That the submissions received during the public exhibition period be reported back to Council together with any recommended changes to the draft Sponsorship and Donations Policy prior to adoption.
- (c) That the General Manager investigate the creation of a sponsorship and donations budget for consideration as part of the 2017/2018 draft budget process.
- (d) That during the public exhibition period, a copy of the draft Georges River Council Sponsorship and Donation Policy be referred to the Independent Commission Against Corruption for review and comment.
- (e) That during the public exhibition period, a copy of the draft Georges River Council Sponsorship and Donation Policy be referred to the Implementation Advisory Committee for review and comment.
- (f) That Council establish and maintain an online register that details incoming and outgoing donations and sponsorship on a monthly basis.

**Confidential items (Closed Council Meeting)**

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

The General Manager replied that no representations had been received to the item listed 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.

**Minute No. 107**

The Administrator moved the following item without closing the meeting.

**CON005-17 Tender for Public Amenities Upgrades at Lower Gannons Park and Oatley Park**  
(Report by Manager Project Delivery)**Minute No. 108**

The Administrator moved and declared carried:

- (a) That Sullivans Construction be awarded the Contract for Public Amenities Upgrades at Lower Gannons Park and Oatley Park for a total cost of \$ 358,350 (excluding GST).
- (b) That the works be funded from the Georges River Council 2016-2017 “Infrastructure Plus – Buildings” Budget.
- (c) That the General Manager be authorised to sign the Contract with the preferred Contractors on behalf of Council.

**Conclusion**

The Meeting was closed at 6.32pm.

Minutes confirmed Monday, 5 June 2017.



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Chairperson