

# MINUTES

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## Council Meeting

Monday, 26 November 2018

7.00pm



**GEORGES RIVER COUNCIL**

## **Present**

### **Council Members**

The Mayor, Councillor Kevin Greene, Deputy Mayor, Councillor Sam Elmir, Councillor Stephen Agius, Councillor Vince Badalati, Councillor Sandy Grekas, Councillor Con Hindi, Councillor Rita Kastanias, Councillor Nick Katris, Councillor Lou Konjarski, Councillor Kathryn Landsberry, Councillor Nancy Liu, Councillor Leesha Payor and Councillor Colleen Symington.

### **Council Staff**

General Manager - Ms Gail Connolly, Director Assets and Infrastructure - Mr Laurie O'Connor, Director Environment and Planning - Ms Meryl Bishop, Acting Director Community and Culture - Ms Fiona Campbell, Director Business and Corporate Services - Mr David Tuxford, Director Transformation and Change - Ms Marissa Racomelara, Director Legal Services and General Counsel - Ms Jenny Ware, Acting Executive Manager, Office of the General Manager - Ms Samantha Charlton, Acting Executive Assistant to the General Manager - Ms Nelly Caleo and Executive Services Officer – Neil Treadwell.

## **Opening**

The Mayor, Councillor Greene, opened the meeting at 7.20pm.

## **National Anthem**

All those present stood for the singing of the National Anthem.

## **Prayer**

Father Janusz from St Michael's Catholic Church, Hurstville offered a prayer for the meeting.

Note: Councillor Kastanias left the meeting at this time.

## **Acknowledgement of Country**

The Mayor, Councillor Greene, acknowledged the traditional custodians of the land, the Bidjegal people of the Eora Nation.

## **Apologies**

**Resolved:** Councillor Hindi and Councillor Symington

That apologies for Councillor Warren Tegg and Councillor Christina Wu be accepted.

## **Record of Voting:**

For the Motion: Unanimous

Councillor Kastanias was not present for the vote on this item.

## **Notice of Webcasting**

The Mayor, Councillor Greene, advised staff and the public that the meeting is being recorded

for minute-taking purposes and is also webcast live on Council's website, in accordance with section 1 and 8 of Council's Code of Meeting Practice. This recording will be made available on Council's Website.

### **Code of Meeting Practice**

The order of business is as shown in the agenda.

Council's Code of Meeting Practice prohibits the electronic recording of meetings without the express permission of Council.

### **Procedural Motion**

**Resolved:** The Mayor, Councillor Greene and Councillor Hindi

That Council authorise the representative from Fairfax Media to film during the meeting, in particular Councillors and Ms Maree Ma's presentation, subject to the proviso that no other members of the audience are filmed.

### **Record of Voting:**

For the Motion: Unanimous

Councillor Kastanias was not present for the vote on this item.

Note: Councillor Kastanias returned to the meeting during the following item.

### **Disclosures of Interest**

The Mayor, Councillor Greene declared a Significant Non-Pecuniary Interest in ENV041-18: Offer to Enter Into Voluntary Planning Agreement Relating to DA2018/0182 for 6 Cross Street, Hurstville as the Mayor, Councillor Greene is a Director of the Illawarra Catholic Club, which owns the site.

The Mayor, Councillor Greene declared a Non-significant Non-Pecuniary Interest in FIN099-18: Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course as the Mayor, Councillor Greene is the President of St George District Cricket Club and Beverley Park Golf Club are a Tier 4 sponsor of the St George District Cricket Club.

Councillor Elmir declared a Non-Significant, Non-Pecuniary Interest in CCL069-18 (ASS051-18): Georges River Traffic Advisory Committee Meeting - 6 November 2018 as Councillor Elmir's parents own a property in River Street.

Councillor Liu declared a Pecuniary Interest in NOM100-18: Strengthening Council's Relationship with Our Chinese Community as Councillor Liu is a relative of an office bearer on Southern Sydney Chinese Business Association.

### **Public Addresses To The Meeting**

<b>ITEM</b>	<b>SPEAKER</b>
CCL073-18 Major Events Advisory Committee Meeting Minutes - 12 November 2018	Maree Ma – Vision China Times

CCL067-18 (FIN099-18) Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course	Renee Teplicanec
CCL067-18 (FIN099-18) Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course	Elise Borg
CCL067-18 (FIN099-18) Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course	Rob Jones
CCL067-18 (FIN099-18) Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course	Rennick Arnold
CCL067-18 (FIN099-18) Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course	Phil Bates
CCL067-18 (FIN099-18) Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course	Daniel Metcalf
CCL067-18 (FIN105-18) Property Matter - Provision/Construction of Private Vehicular Access to Residential Properties Across Taylors Reserve, Lugarno and CCL074-18 Property Matter - Provision/Construction of Private Vehicular Access to Residential Properties Across Taylors Reserve Lugarno - Supplementary Information	Susan Brown
CCL068-18 (COM050-18) Draft Georges River Council Open Space, Recreation and Community Facilities Strategy – public exhibition	Louiza Cassimatis
CCL069-18 (ASS051-18) TAC227-18 Vivienne Street, Kingsgrove - Proposed Timed 'No Stopping' zone	John Abihanna
CCL069-18 (ASS051-18) TAC227-18 Vivienne Street, Kingsgrove - Proposed Timed 'No Stopping' zone	Laura Alessandri

### Minutes of Previous Meetings

#### COUNCIL MEETING - 29 OCTOBER 2018

**Resolved:** Councillor Kastanias and Councillor Grekas

That the Minutes of the Council Meeting held on 29 October 2018 be adopted.

#### Record of Voting:

For the Motion: Unanimous

### Suspension of Standing Orders

**Resolved:** Councillor Badalati and Councillor Katris

That Standing Orders be suspended to bring forward consideration of the following reports as the next items of business:

CCL068-18: Record of the Community and Culture Committee - Meeting held on 12 November 2018.

CCL067-18: Report of the Finance and Governance Committee - Meeting held on 12 November 2018

### **Record of Voting:**

For the Motion: Unanimous

### **CCL068-18 Record of the Community and Culture Committee - Meeting held on 12 November 2018**

(Report by Executive Services Officer)

**Resolved:** Councillor Katris and Councillor Badalati

That the Committee recommendations for items COM043-18 to COM052-18, (inclusive) detailed below, be adopted by Council.

### **COM043-18 Hurstville Central Plaza Naming Competition**

That the matter be deferred to the full Council Meeting on 26 November 2018 and that the name 'Miles Franklin' be included as an option on confirmation of a valid competition entry.

### **COM044-18 Sponsorship and Donation Requests**

- (a) That Council approve the sponsorship of \$4,526 (\$3,500 financial support and \$1,026 of in-kind support) for the Lugarno Progress Association Picnic in the Park to be held on 18 November 2018, at H.V. Evatt Memorial Park, Lugarno.
- (b) That Council approve the sponsorship of \$1,797 (\$1,337 financial support and \$459 of in-kind support) for the Moore Reserve Dog Park Community Christmas Party to be held on 24 November 2018, at Moore Reserve, Oatley.
- (c) That Council approve the sponsorship of \$6,345 (\$5,600 financial support and \$745 of in-kind support) for the Buddhist Light International Sports day to be held on 1 December 2018, at Kogarah Park, Carlton.
- (d) That Council approve the sponsorship of \$1,621 (\$985 financial support and \$636 of in-kind support) for the International Community Fellowship Hurstville City Carols to be held on 8 December 2018, at Woodville Park, Hurstville.
- (e) That Council approve the sponsorship of \$1,282 (\$686 financial support and \$596 in-kind support) for the Oatley Combined Churches Association Carols in the Park to be held on 8 December 2018, at Oatley Memorial Gardens, Oatley.
- (f) That Council approve the sponsorship of \$10,551 (\$9,450 financial support and \$1,101 of in-kind support) for the Salvation Army Community Carols to be held on 9 December 2018, at Olds Park, Penshurst.

### **COM045-18 Community and Culture Reference Group Meeting Minutes - 16 October 2018**

That Council adopt the recommendations contained within the minutes of the Community and

Culture Reference Group meeting held on Tuesday 16 October 2018.

**COM046-18 Public Art Trial Project at Ellen Subway, Mortdale**

- (a) That Council note the proposed schedule and delivery of a public art trial project at Ellen Subway, Mortdale, as outlined in this report.
- (b) That Council approve the allocation of funds from the development and implementation of the Creative Cultural Strategy budget, as outlined in this report.

**COM047-18 Major Events Advisory Committee Meeting Minutes - 8 October 2018**

That Council adopts the recommendations contained within the Minutes of the Major Events Advisory Committee meeting held on Monday 8 October 2018.

**COM048-18 Community Grants Program 2018-19 Round 1**

That the funding recommendations resulting from the Georges River Council Community Grants Program 2018-2019 Round 1, as detailed in Attachment 1, be adopted.

**COM049-18 Library Service Delivery Model Review**

- (a) That Council notes the program and milestones for the 'Library Services Model Feasibility Study'.
- (b) That the results of the 'Library Services Model Feasibility Study' are reported to Council together with recommendations for an enhanced library service and options for consolidated library facilities and alignment with multipurpose community facilities.

**COM050-18 Draft Georges River Council Open Space, Recreation and Community Facilities Strategy - public exhibition**

- (a) That Council approve the draft Georges River Council Open Space, Recreation and Community Facilities Strategy to be placed on public exhibition subject to the General Manager including updated financial information on the operating costs of recreational and community facilities for the period 2017-18.
- (b) That the period of public exhibition will be from 3 December 2018 to 1 March 2019 to facilitate extensive community consultation.
- (c) That Council Officers undertake further consultation with adjoining councils, the NSW Department of Education, key local sporting associations and other stakeholders to seek feedback on the draft Georges River Council Open Space, Recreation and Community Facilities Strategy during the public exhibition period.
- (d) That a further report be submitted to Council on feedback from any public submissions made during the exhibition period, together with any recommended changes to the draft Georges River Council Open Space, Recreation and Community Facilities Strategy prior to adoption.

**COM051-18 Learn to Swim Pilot - Hurstville Aquatic and Leisure Centre**

- (a) That Council note the outcome of the pilot Learn to Swim program undertaken at Hurstville

Aquatic Leisure Centre.

- (b) That should Councillors wish to fund this program, funds be sourced from the Councillor Ward Discretionary Fund in the form of a \$100 subsidy per student for non-swimmers and children in need from selected schools to attend the Department of Education Learn to Swim Program.
- (c) That Council write to the State Minister for Sport, the Honourable Stuart Ayres MP and the Federal Minister for Sport, the Honourable Bridget McKenzie MP seeking financial support for learn to swim programs thereby addressing the recommendations in Sport 2030 Strategy.

**COM052-18 Oatley West Childcare Service - 66 Mulga Road, Oatley**

- (a) That Council note the proposed next steps in the development, construction and delivery of 66 Mulga Road, Oatley as a new Georges River Council childcare centre to open to the public in January 2020.
- (b) That Council note the attached community engagement and communication plans for the project.
- (c) That Council approve the allocation of funds from the Repealed Hurstville Section 94 Community Facilities Plan, up to the value of \$4 million, for the construction and fit out of the Mulga Road, Oatley West Childcare Centre.

**Record of Voting:**

For the Motion: Unanimous

**CCL067-18 Report of the Finance and Governance Committee - Meeting held on 12 November 2018**  
(Report by Executive Services Officer)

**Resolved: Councillor Badalati and Councillor Katris**

That the Committee recommendations for items FIN091-18 to FIN096-18, FIN098-18 to FIN105-18 and FIN008A-18 (inclusive), (excluding FIN099-18), detailed below, be adopted by Council.

**FIN091-18 Advice on Costs and Status of Council's Court Proceedings - October 2018**

That the report "Advice on Costs and Status of Council's Court Proceedings – October 2018" be received and noted.

**FIN092-18 Quarterly Budget Review for Quarter Ending 30 September 2018**

- (a) That Council receive and note the report on the Quarterly Budget Review for Quarter Ending 30 September, 2018.
- (b) That Council approve the variances to the 2018/19 Budget, as contained in Attachment 1, as a result of the Quarter Ending 30 September 2018 Budget Review.

**FIN093-18 Investment Report as at 30 September 2018**

That Council receive and note the contents of the Investment Report as at 30 September 2018.

**FIN094-18 Code of Conduct Statistics 2018**

That Council receive and note the report on the Code of Conduct Complaints Statistics for the period ending 30 September 2018.

**FIN095-18 Audit, Risk and Improvement Committee Minutes from 6 August 2018**

That the Minutes of the Audit, Risk and Improvement Committee Meeting held on the 6 August 2018 provided as Attachment 1, be noted.

**FIN096-18 Audit, Risk and Improvement Committee Minutes from the Special Financial Statements Meeting 24 October 2018**

That the Minutes of the Audit, Risk and Improvement Committee Special Financial Statements Meeting held on the 24 October 2018 provided as Attachment 1, be noted.

**FIN098-18 Property Matter - Proposed Short Term Licence Agreement for Car Parking to New South Wales Police - 2 Belgrave Street, Kogarah**

That the General Manager be authorised to enter into a licence agreement with NSW Police for ten basement level car parking spaces at 2 Belgrave Street, Kogarah for a period of six months as detailed within this report.

**FIN100-18 Georges River Council Quarterly Property Portfolio Report**

That the report "Georges River Council Quarterly Property Portfolio Report" be received and noted.

**FIN101-18 Councillor Professional Development Annual Update**

That the Councillor Professional Development Annual Update be received and noted.

**FIN102-18 Quarterly Report - Outstanding Council Resolutions as at 30 September 2018**

That the Quarterly Report - Outstanding Council Resolutions as at 30 September 2018, be received and noted.

**FIN103-18 Georges River Council Draft Annual Report 2017-2018**

- (a) That the Georges River Council Draft Annual Report 2017-2018 be approved and forwarded to the Minister of Local Government and an electronic version published on the Council Website.
- (b) That the General Manager be delegated authority to undertake any necessary minor administrative or editorial changes to the Draft Annual Report 2017-2018.



**FIN104-18 Cooperative Research Centre (CRC) Partnership Funding Application - Future Cities**

- (a) That Georges River Council provide in-principle commitment as a project partner in the Future Cities Cooperative Research Council Funding application.
- (b) That the General Manager be delegated authority to negotiate a formal commitment once the results of the application are known, to a maximum value of \$25,000 per annum.

**FIN105-18 Property Matter - Provision/Construction of Private Vehicular Access to Residential Properties Across Taylors Reserve, Lugarno**

- (a) That Council continues with the planning proposal to reclassify the land from community to operational land.
- (b) That the General Manager provides a supplementary report into the cost, potential funding sources, planning and legal implications of creating a public road rather than a private road with rights of carriageway, with a report to come back to the next Council meeting.

**FIN008A-18 Sans Souci Bathers Pavilion**

- (a) That the confidential report about the current status of Supreme Court proceedings 2018/00297522, Blakehurst Marina Pty Limited v Georges River Council, is received and noted.
- (b) That additional legal advice be provided to Council with respect to the demolition of the Sans Souci Bathers Pavilion from Council's insurer's legal team having regard to both:
  - a. The earlier Council resolution, and
  - b. The recent appointment by Council's insurers of new solicitors.

**Record of Voting:**

For the Motion: Unanimous

**FIN099-18 Property Matter - Proposed Lease of Road Reserve - Beverley Park Golf Course**

**Resolution:** Councillor Hindi and Councillor Katris

Note: The Mayor, Councillor Greene declared a Non-significant Non-Pecuniary Interest in this item.

That a lease not be granted to Beverley Park Golf Club for parts of the golf course currently encroaching upon surrounding road reserves, in order to formalise occupation.

**Record of Voting:**

For the Motion: Unanimous

**Resumption of Standing Orders**

**Resolved:** Councillor Badalati and Councillor Agius.

That at this stage of the Meeting, Standing Orders were resumed.

**Record of Voting:**

For the Motion: Unanimous

**Adjournment:**

At 8.27pm The Mayor, Councillor Greene adjourned the meeting for 3 minutes to allow the people in the gallery who were present for item FIN099-18, time to exit the Dragon Room.

**Record of Voting:**

For the Motion: Unanimous

**Resumption of Standing Orders**

At 8.30pm Standing Orders were resumed with the following present;

The Mayor, Councillor Greene, Deputy Mayor, Councillor Elmir, Councillor Stephen Agius, Councillor Badalati, Councillor Grekas, Councillor Konjarski, Councillor Landsberry, Councillor Liu, Councillor Payor and Councillor Symington.

Councillor Katris re-joined the meeting during the following item.

**Mayoral Minutes**

**MM023-18: White Ribbon Day**

**Resolved:** The Mayor, Councillor Greene and Councillor Elmir

That Council staff be congratulated for a job well done for organising the successful White Ribbon Day Walk for the Georges River community.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Hindi and Councillor Kastanias were not present for the vote on this item.

Councillor Katris left the meeting at this time.

**Matters of Privilege**

• **Condolences**

**The Mayor, Councillor Greene** - advised that he attended the funeral of former Hurstville Councillor Bev Geirgel, OAM on 24 November 2018. Ms Geirgel was a Councillor from 1991 to 2012 representing the Penshurst Ward. She made extensive contributions to the community

and was heavily involved in many other community issues with her extensive career as an educator with involvement in the ESL and infants education areas. She was a very strong representative of the Local Government Association and particularly involved with the Library Association where she served for a long period as the President of that Association. She was also part of a High Court case which saw the determination on Infants Mistresses and Principals in the 1980's. She was awarded an OAM in 2008 in recognition for her services to the community. The Mayor represented Council at the funeral.

Note: Councillor Hindi, Councillor Kastanias and Councillor Katris re-joined the meeting at this stage.

**Councillor Badalati** - advised that he had served with Beverley Giegerl, OAM as a Councillor for approximately 15 years and had a very close working relationship with her as they both represented the same political party. She worked very hard for the local community for 20 years. She was passionate about the welfare of people and was successful in changing legislation to ensure safer standards were introduced for tiling in wet areas. She will be sadly missed and Councillor Badalati passed on his condolences to her daughter and grandson.

**Councillor Hindi** - advised that he served with Beverley Giegerl on Council for 8 years. Despite being on opposite sides of the politics, she had his greatest respect. She was a great advocate for adaptable housing and a great asset to the Council and the community and will be sadly missed.

**Resolved:** Councillor Badalati and Councillor Hindi

- (a) That Council extend its condolences to the family of Beverley Giegerl's family and that Council send flowers to her family.
- (b) That a moment of silence be observed as a sign of respect for the passing of Beverley Giegerl OAM.

### **Record of Voting:**

For the Motion: Unanimous

Note: At this stage of the meeting a moment of silence was observed.

### • **Other**

**Councillor Grekas** - tabled a petition from some of the families around the Oatley and Mortdale area calling upon Council to build a skate park at the former Oatley Bowling Club.

**Councillor Grekas** - congratulated the many schools and students who participated in the White Ribbon march and it was great to see the level of participation from the schools and students.

**Councillor Badalati** - congratulated all the school children who attended the White Ribbon day March and that the children were very well behaved and a credit to their schools.

**Councillor Badalati** - requested that when community meetings and information sessions are held on significant issues, for example, proposed planning changes, that Councillors and especially the relevant Ward Councillors, be advised of these meetings individually by text or telephone.

**Councillor Liu** - congratulated all those who attended the White Ribbon day March and noted that more individuals and community groups are attending each year, in particular the Nepalese community.

**Councillor Liu** - advised that on Saturday 29 October 2018 she attended the Eighth Annual St. George Community Service Awards hosted by Mark Coure MP which recognises outstanding contributions to the community by individuals and groups in the St George area. Councillor Liu had nominated the youth from Hurstville Scouts, competitive swimmers from St George Swim Club and St. George Academy of Performing Arts. She extended her congratulations to all the recipients of the awards and those who were nominated.

**Councillor Hindi** - advised that he attended the opening of Sans Souci pool and extended congratulations to Council staff on the refurbishment works. He also thanked local member Steve Kamper MP for his assistance in obtaining State government funding to assist in the refurbishment works.

### **Committee Reports**

At this stage of the meeting the Mayor, Councillor Greene vacated the Chair and left the room and the Deputy Mayor, Councillor Elmir assumed the Chair.

Note: The Mayor, Councillor Greene declared a Significant Non-Pecuniary interest in the following item, CCL066-18 (ENV041-18), left the meeting and took no part in the discussions.

#### **CCL066-18 Report of the Environment and Planning Committee - Meeting held on 12 November 2018**

(Report by Executive Services Officer)

**Resolved:** Councillor Hindi and Councillor Agius

That the Committee recommendations for items ENV039-18 to ENV044-18 inclusive, detailed below, be adopted by Council.

#### **ENV039-18 Heritage Building Grants Program 2018-2019**

- (a) That the Heritage Building Grants Program 2018/19 offers be made to successful applicants as outlined in Attachment 1 of this report – ‘Summary table of submissions and recommendations for Heritage Grant Funding 2018/19’.
- (b) That the General Manager allocate within the Quarterly Budget Review, \$4,087 from savings identified in the Environment and Planning Directorate for a one-off payment to the Heritage Building Grants Program to increase the overall amount of funds available to this program for the current financial year.

#### **ENV040-18 Container Deposit Scheme (CDS) Resource Sharing Agreement**

- (a) That Council authorise the General Manager to sign the Refund Sharing Agreement with Suez Recycling and Recovery Pty Ltd on behalf of Council.
- (b) That Council notify the Environment Protection Authority when the Refund Sharing Agreement is signed.

**ENV041-18 Offer to Enter Into a Voluntary Planning Agreement Relating to DA2018/0182 for 6 Cross Street, Hurstville**

- (a) That Council accept and endorse the letter of offer dated 27 September 2018 from the Illawarra Catholic Club Limited (Developer) to enter into a Voluntary Planning Agreement (VPA) (Attachment 1) for 6 Cross Street, Hurstville, accompanying Development Application DA2018/0182 to convert level 9 to roof top terrace and allow integrated indoor / outdoor dining area in the approved development. The VPA offer will include and deliver the following public benefits:
- i. the Developer will provide a monetary contribution of \$142,605.19 (based on a residual land value rate of \$1,908.40/m<sup>2</sup> for an additional gross floor area of 149.45m<sup>2</sup>) for providing infrastructure improvements in the Hurstville City Centre, including upgrade of the local road network;
  - ii. the public benefits are over and above the usual section 7.11, 7.12 and 7.24 contributions (formerly referred to as section 94, 94A and 94EF contributions) applicable to the development;
  - iii. the VPA offer amend the existing VPA between Council and the Illawarra Catholic Club executed on 20 March 2018 relating to DA2017/0040.
  - iv. the final VPA will contain provisions necessary to ensure compliance with the provisions of the Environmental Planning and Assessment Act 1979.
- (b) That Council delegate authority to the General Manager to negotiate the specific terms of the amendments to existing Voluntary Planning Agreement executed 20 March 2018 and a Deed of Variation and to subsequently exhibit the draft amendments to the existing Planning Agreement and associated Deed of Variation 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 amendment to the existing Voluntary Planning Agreement and Deed of Variation 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; and
  - ii. Subsequently enter into the Deed of Variation and amended Voluntary Planning Agreement on behalf of Council.

**ENV042-18 Georges River Local Planning Panel Operational Procedures**

That the report and responses provided by the Chairpersons of the Georges River Local Planning Panel be received and noted.

**ENV043-18 Summary of Development Applications Lodged and Determined - July - September 2018**

That Council receive and note the Summary of Development Applications Lodged and Determined report for the first quarter of the 2018/2019 financial year being July – September 2018.

**ENV044-18 Establishment of a Trial Program - Smoke Free Zones in Georges River Local Government Area**

- (a) That Council endorse the implementation of a Smoke Free Zone for a trial period of 6 months in the Kogarah Town Square, Hurstville Memorial Square and Hurstville Central Plaza.
- (b) That the signage placed in the public places to prohibit smoking, spitting and littering contains notification of the possible infringement amounts.
- (c) That a further report be presented to Council on the outcome of the six month trial.

**Record of Voting:**

For the Motion: Unanimous

At this stage of the meeting Councillor Elmir vacated the Chair and The Mayor, Councillor Greene entered the room and resumed the Chair.

**CCL069-18 Report of the Assets and Infrastructure Committee - Meeting held on 12 November 2018**

(Report by Executive Services Officer)

**Resolved:** Councillor Grekas and Councillor Liu

That the Committee recommendations for items ASS052-18 and ASS053-18 inclusive, detailed below, be adopted by Council.

**ASS052-18 Tender for Electrical Services - T18/008 Operational Budget**

- (a) That Council, in accordance with Section 178 of the *Local Government (General) Regulation 2005 (NSW)*, accepts the tender from Stowe Australia Pty Ltd in the amount of \$92,768.90 per annum, for 2.5 years, with two (2) x 1 year extension options for the Contract Number T18/008 subject to confirmation of satisfactory financial capability, ongoing performance reviews and ability to fulfil obligations under the proposed contract.
- (b) That Council resolves that in accordance with Section 178 of the Local Government (General) Regulation 2005 (NSW), accepts the Tender from Stowe Australia Pty Ltd, with having regard to all the circumstances, as the tender that appears to be the most advantageous and to appoint Stowe Australia Pty Ltd as the Principal Contractor under the Contract Number T18/008, subject to satisfactory outcome of the financial assessment.
- (c) Engage three (3) secondary approved panel members; Aus Spark Electrics Pty Ltd, Harnleigh Pty Ltd and CBD Mechanical Electrical Pty Ltd on a schedule of rates to support in the delivery of reactive and rectification services when and as required with no guaranteed volume.
- (d) Inform the unsuccessful Tenderers; Kealec Pty Ltd, Platinum Electricians Sydney Pty Ltd, Core Integrated Solutions Pty Ltd and RLELEC Pty Ltd of the resolution to decline to accept those tenders.
- (e) Advise existing providers of intent to terminate existing services; Active Electrical Services Pty Ltd, Gibson Group Pty Ltd, Roland Lawrence Electrical, Bob Shorten Electrical and

Kealec Pty Ltd.

**ASS053-18 Tender for the Design and Construction of the Kempt Field Inclusive Adventure Playground and Bike Training Circuit - Community Development Grant, Voluntary Planning Agreement Funds and s94Funds**

- (a) That Council, in accordance with Section 178 of the *Local Government (General) Regulation 2005 (NSW)*, accepts the Tender from Moduplay Group Pty Ltd, in the amount of \$1,499,336.30 (excluding GST), after having regard to all the circumstances, as the tender that appears to be the most advantageous and appoint Moduplay Group Pty Ltd as the Principal Contractor under the Contract Number T18/050 Tender for Design and Construction of the Kempt Field Inclusive Adventure Playground and Bike Training Circuit.
- (b) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.
- (c) That Council officers inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.
- (d) That Council allocates funding from the repealed Hurstville Section 94 Contributions Plan No. 2 – Open Space/Community Recreation Facilities and Georges River Council Section 94A Plan 2017 – Shade sails to fund the remaining cost of the works.

**Record of Voting:**

For the Motion: Unanimous

**ASS051-18 Georges River Traffic Advisory Committee Meeting - 6 November 2018**

**Resolved:** Councillor Badalati and Councillor Kastanias

Note: Councillor Elmir declared a Non-Significant, Non-Pecuniary Interest in this item.

- (a) That Council resolves not to proceed with the installation of no stopping zones and an amendment to the no parking zone in Vivienne Street Kingsgrove due to the reduction of on street parking available for residents and visitors to the area.
- (b) That Council notes the concerns of the local community in regard to the impacts of the proposed traffic changes on the amenity of the local area.
- (c) That the General Manager write to the Local Planning Panel expressing the Council's concerns in relation to the adverse impacts of the proposed traffic amendments on the local road network and outlining the local community's concerns regarding the impacts of the changes on the amenity of the area.
- (d) That the comments prepared by Stanbury Traffic Planning date 21 November 2018 be referred to the Local Planning Panel for consideration as part of the determination of DA2017/0487.
- (e) That the recommendations contained within the Minutes of the Georges River Traffic Advisory Committee Meeting held on 6 November 2018 be adopted with the exception of TCC227-18.

**Record of Voting:**

For the Motion: The Mayor, Councillor Greene, Deputy Mayor, Councillor Elmir, Councillor Agius, Councillor Badalati, Councillor Grekas, Councillor Hindi, Councillor Kastanias, Councillor Katris, Councillor Landsberry, Councillor Liu, Councillor Payor and Councillor Symington.

Against the Motion: Councillor Konjarski.

**Finance and Governance****CCL070-18 Applications Pursuant to Councillor Ward Discretionary Fund Policy**  
(Report by Acting Executive Manager, Office of the General Manager)

**Resolved;** Councillor Katris and Councillor Agius

That the following applications for funding, pursuant to the Councillors Ward Discretionary Fund Policy, be approved:

- (i) Application submitted by Councillor Grekas on behalf of the St George Men's Shed in the amount of \$750.
- (ii) Application submitted by Councillor Grekas on behalf of Mortdale Public School Parents and Citizens Committee in the amount of \$750.
- (iii) Application submitted by Councillor Tegg on behalf of Parkrun Australia in the amount of \$1500.
- (iv) Application submitted by Councillor Symington on behalf of Parkrun Australia in the amount of \$1500.
- (v) Application submitted by Councillor Hindi on behalf of Camp Quality in the amount of \$1000.
- (vi) Application submitted by Councillor Hindi on behalf of St George AFC in the amount of \$1500.
- (vii) Application submitted by Councillor Liu on behalf of Australian Chinese Community Association of NSW in the amount of \$1500.
- (viii) Application submitted by Councillor Liu on behalf of St George Arts & Entertainment Centre Inc. in the amount of \$1500.
- (ix) Application submitted by Councillor Liu on behalf of Gymea Community Aid and Information Services in the amount of \$1000.
- (x) Application submitted by Councillor Liu on behalf of Nepalese Penshurst Committee Incorporated in the amount of \$1000.
- (xi) Application submitted by Councillor Agius on behalf of Salvation Army/Scene to Believe - Santa Visit Kogarah ward in the amount of \$770.
- (xii) Application submitted by Councillor Payor on behalf of Salvation Army/Scene to Believe - Santa Visit Kogarah ward event in the amount of \$770.
- (xiii) Application submitted by Councillor Katris on behalf of Salvation Army/Scene to Believe - Santa Visit Kogarah ward event in the amount of \$770.
- (xiv) Application submitted by Councillor Tegg on behalf of Salvation Army/Scene to Believe - Santa visit Mortdale ward event in the amount of \$1150.



- (xv) Application submitted by Councillor Konjarski on behalf of Salvation Army/Scene to Believe - Santa visit Mortdale ward event in the amount of \$1150.
- (xvi) Application submitted by Councillor Kastanias on behalf of Salvation Army/Scene to Believe - Santa visit Peakhurst ward event in the amount of \$770.
- (xvii) Application submitted by Councillor Symington on behalf of Salvation Army Scene to Believe - Santa visit Peakhurst ward event in the amount of \$770.
- (xviii) Application submitted by The Mayor, Councillor Green on behalf of Salvation Army/Scene to Believe - Santa visit Peakhurst ward event in the amount of \$770.
- (xix) Application submitted by Councillor Symington, supported by The Mayor, Councillor Greene and Councillor Kastanias for minor capital works various footpaths, seats and BBQs in the amount of \$170,000. (Peakhurst Ward Fund)
- (xx) Application submitted by Councillor Konjarski supported by Councillor Tegg, for minor capital works at Gifford Park in the amount of \$63,500. (Mortdale Ward Fund)
- (xxi) Application submitted by Councillor Tegg supported by Councillor Konjarski, for minor capital works - lighting upgrade Penshurst Library Carpark in the amount of \$60,000. (Mortdale Ward Fund)

**Record of Voting:**

For the Motion: Unanimous

**CCL071-18 2017/18 Audited Financial Statements and Auditors' Report**  
(Report by Coordinator, Financial Management)

**Resolved:** Councillor Badalati and Councillor Elmir

That Council, in accordance with Section 419 (1) of the Local Government Act (NSW) 1993 (Act), receive and note the audited Financial Statements and the Auditors' Report for the financial year ended 30 June 2018.

**Record of Voting:**

For the Motion: Unanimous

**CCL074-18 Property Matter - Provision/Construction of Private Vehicular Access to Residential Properties Across Taylors Reserve Lugarno - Supplementary Information**  
(Report by Head of Strategic Property)

**Resolved:** Councillor Symington and Councillor Kastanias

That Option C as outlined in the report 'Property Matter - Provision/Construction of Private Vehicular Access to Residential Properties Across Taylors Reserve Lugarno - Supplementary Information', being the construction of a public road at no cost to the residents, be endorsed.

**Record of Voting:**

For the Motion: Councillor Symington, Councillor Kastanias, Councillor Katris, Councillor Agius, Councillor Payor, Councillor Hindi, Councillor Liu and Councillor Badalati.

Against the Motion: The Mayor, Councillor Greene, Councillor Konjarski, Councillor Elmir, Councillor Grekas and Councillor Landsberry.

### **Adjournment:**

At 9.33pm The Mayor, Councillor Greene, upon request, adjourned the meeting for 2 minutes.

### **Resumption of Standing Orders**

At 9.35pm Standing Orders were resumed with the following present:

The Mayor, Councillor Greene, Deputy Mayor, Councillor Elmir, Councillor Agius, Councillor Badalati, Councillor Grekas, Councillor Hindi, Councillor Kastanias, Councillor Katris, Councillor Konjarski, Councillor Landsberry, Councillor Liu, Councillor Payor and Councillor Symington.

### **Community and Culture**

#### **CCL072-18 Hurstville Central Plaza Naming Competition** (Report by Acting Coordinator Communications )

**Resolved:** Councillor Hindi and Councillor Elmir

- (a) That Council endorse Hurstville Plaza as the new official name for the Hurstville Central Plaza in accordance with Council's adopted Place Naming Policy.
- (b) That Council notes that the winning entry for the new official name be recognised at the official unveiling of this new open space.
- (c) That, where applicable, Council recognise the historical significance and contribution of key individuals and/or businesses nominated during the competition via an interpretative sign at the location of the new open space.

#### **CCL073-18 Major Events Advisory Committee Meeting Minutes - 12 November 2018** (Report by PA to Manager Communications, Customer Service and Events)

**Resolved:** Councillor Badalati and Councillor Katris

- (a) That Council receive and note the introduction of the incoming sponsorship register for Major Events commencing 2019.
- (b) That the General Manager exercise her delegation on Sponsorships.

### **Record of Voting:**

For the Motion: Unanimous

### **Notices of Rescission**

#### **NR003-18 Notice of Rescission: CCL065-18 Major Events Advisory Committee - Community Representatives** (Report by Councillor Hindi)

**MOTION:** Councillor Hindi and Councillor Katris

That the following decision in respect of Item No. CCL065-18 Major Events Advisory Committee - Community Representatives from the Ordinary Meeting of Council held on 29 October 2018 be rescinded.

- (a) That Cathy Nisbet, Man Hang Bosco Chang and Divesh Narayan be appointed to the Major Events Advisory Committee as community representatives.
- (b) That the former community members be thanked for their efforts.

The **Rescission Motion** on being put to the meeting was declared **Lost**.

**Record of Voting:**

For the Rescission Motion: Councillor Agius, Councillor Badalati, Councillor Hindi, Councillor Katris, Councillor Kastanias and Councillor Symington.

Against the Rescission Motion: The Mayor Councillor Greene, Councillor Elmir, Councillor Grekas, Councillor Konjarski, Councillor Landsberry, Councillor Liu and Councillor Payor.

**Notices of Motion**

**NM097-18**      **Establishment of a Policy on Hosting International Delegations of Visitors to Georges River Council**  
(Report by Councillor Badalati)

**MOTION:** This Notice of Motion was WITHDRAWN by Councillor Badalati.

Note: Councillor Agius left the meeting at 10:02pm during discussion of the following item.

Note: Councillor Agius re-entered the meeting at 10:04pm during discussion of the following item.

**NM098-18**      **Potential Expansion of the Penshurst Heritage Conservation Area**  
(Report by Councillor Landsberry)

**MOTION:** Councillor Landsberry and Councillor Grekas

That during preparation of the new comprehensive Local Environmental Plan for the Georges River local government area, the General Manager investigate the potential expansion of the Penshurst Heritage Conservation area to ensure that all dwellings that contribute towards the heritage significance of the area are included where appropriate.

The **Motion** on being put to the meeting was declared **Lost**.

**Record of Voting:**

For the Motion: Councillor Landsberry, Councillor Grekas and Councillor Payor.

Against the Motion: The Mayor, Councillor Greene, Councillor Elmir, Councillor Agius, Councillor Badalati, Councillor Hindi, Councillor Kastanias, Councillor Katris, Councillor Konjarski, Councillor Nancy Liu and Councillor Symington.

**NM099-18 Preparation of New Section 7.11 (Section 94) Contributions Plans for Georges River Council**  
(Report by Councillor Kastanias)

**Resolved:** Councillor Kastanias and Councillor Hindi

That during the preparation of the new Section 7.11 (formerly Section 94) contribution plans for Georges River Council, the General Manager ensure that the new plans are harmonised in the future to provide a consistent approach across the local government area in regard to being able to stage or defer the payment of section 7.11 contributions.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Liu declared a Pecuniary Interest in NM100-18. The Item was WITHDRAWN so Councillor Liu did not have to leave the meeting as there was no discussion on this item.

**NM100-18 Strengthening Council's Relationship with Our Chinese Community**  
(Report by Councillor Kastanias)

**MOTION:** This Notice of Motion was WITHDRAWN by Councillor Kastanias.

**NM101-18 Installation of Video Screen in Hurstville Central Plaza**  
(Report by Councillor Hindi)

**Resolved:** Councillor Hindi and Councillor Elmir

That the General Manager prepare a report to Council in December 2018 outlining potential locations and costings for the installation of a video screen at Hurstville Central Plaza.

**Record of Voting:**

For the Motion: Unanimous

**NM102-18 Construction of Pedestrian Crossing on Oatley Parade, Oatley**  
(Report by Councillor Elmir)

**Resolved:** Councillor Elmir and Councillor Grekas

- (a) That Council conduct a pedestrian and vehicle count at the pedestrian refuge adjacent to 12C Oatley Parade, Oatley (adjoining Uniting Care – Nulgara) to determine if the required Roads and Maritime Services (RMS) warrants for a pedestrian crossing are met.
- (b) That the count be conducted before the school holidays commence and during peak times and if the warrants are met, a report be submitted to the February 2019 Local Traffic Advisory Committee meeting for consideration.

**Record of Voting:**

For the Motion: The Mayor, Councillor Greene, Councillor Elmir, Councillor Agius, Councillor Grekas, Councillor Hindi, Councillor Kastanias, Councillor Katris, Councillor Konjarski,

Councillor Landsberry, Councillor Liu, Councillor Payor and Councillor Symington.

Against the Motion: Councillor Badalati.

Note: Councillor Badalati and Councillor Hindi left the meeting at 10:25pm during discussion of the following item and did not return to the meeting.

### Questions with Notice

#### **QWN004-18 Peakhurst West Public School (NSW Department of Education)** (Report by Councillor Symington)

**Resolved:** Councillor Symington and Councillor Kastanias

That the following three part response provided by the Director Environment and Planning be received and noted.

#### **1. How long has the Department known that this temporary relocation would be required.**

The development proposal is for the creation of a temporary school at Peakhurst West for a 2 year period. The planning framework for the approval of the school is:

- The construction of the temporary buildings at Peakhurst West - ISEPP undertaken by the Dept. of Ed
- The use of the temporary buildings as a school – Local Planning Panel is the consent authority
- The Development of the new Penshurst School - State Significant development and assessment is being undertaken by Department of Planning and Environment.

In developing the development application for use of the temporary buildings as a school at the Peakhurst West school site, the Department of Education knew that the relocation required a traffic solution that involved busing the Penshurst school children to and from the Peakhurst West School daily. The traffic solution was discussed at the pre - lodgement stage and details on a proposed bus zone in Arcadia Street were submitted with the development application.

This bus hub/zone proposal could not be fully investigated and considered by Council staff due to insufficient information provided by the Department of Education. The application was deficient in relation to traffic management and matters such as parent pick-up/drop-off movements, arrangements for student marshalling and additional parking management considerations.

The Council is to note that since the lodgement of the application two other options for the bus zones/hubs have been proposed:

- Outside Georges River College - Penshurst Girls on Forest Road or Austral Street
- Use of the Hurstville Aquatic Centre

From discussion with the applicant, a bus study was required to be submitted to explore the range of options and the potential impacts. This Study has not been provided.

**2. Why do you think that the Department seems to be avoiding addressing the residents' concerns?**

Council cannot answer on behalf of the Department of Education - however it is understood that the Department has sent out a series of fact sheets providing information on the key stages of the development.

It is the opinion of Council staff that the Department has not addressed the residents' concerns on the traffic and parking issues associated with the creation of bus zone/hub near the Penshurst school because the Department has not undertaken a comprehensive analysis or assessment of the traffic issues resulting from the creation of a bus hub/zone – based on the range of options being explored.

**3. It is now only 2 months before the start of the 2019 school year. What will happen if the Department does not adequately address the traffic issues?**

The Department of Education submitted information on 16 November 2018 reconfirming the proposed bus zone in Arcadia Street. The bus zone is currently being assessed by the Council's traffic team and will be reported to the Traffic Committee on 4 December. The applicant indicated that the use of Arcadia Street may only be on a temporary basis.

The applicant provided additional information on the Arcadia street proposal – the information included:

- Provides an assessment of the proposed bus hub location at Penshurst PS;
- Provides an assessment of the bus routes and operations – utilising existing bus routes;
- Identifies parking control modifications;
- Assesses parent pick-up/drop-off movements;
- Establishes arrangements for student marshalling;
- Identifies additional parking management considerations;
- Assesses traffic operation in Arcadia Street; and
- Recommends ongoing monitoring and enforcement of proposed arrangements.

As per Council's practices and procedures with amendments to the road network - the residents of Arcadia Street will be notified of an introduction of signage and the creation of a bus zone via a letter advising that proposal will be considered by the Traffic Committee on 4 December – with the Minutes being considered by Council on 17 December 2018.

The finalisation of the assessment report to the Local Planning Panel for the development application for the temporary school at Peakhurst West is dependent on the proposed bus zone in Arcadia Street being considered by the Traffic Committee.

Given the Department's urgency with this application - it is anticipated that the development application for the temporary school at the Peakhurst West School will be reported to the Local Planning Panel on 13 December 2018.

**Record of Voting:**

For the Motion: Unanimous

Councillor Badalati and Councillor Hindi were not present during this item and did not vote.

**Conclusion**

The Meeting was closed at 10:31pm

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Chairperson