

MINUTES

Council Meeting

Monday, 25 February 2019

Dragon Room, Civic Centre, Hurstville



GEORGES RIVER COUNCIL

PRESENT

Council Members

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

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 - Ms Rebekah Schulz, Director Business and Corporate Services - Mr David Tuxford, Director City Strategy and Innovation – Ms Sue Weatherley, General Counsel - Ms Jenny Ware, Manager, Office of the General Manager - Ms Roxanne Thornton, Head of Executive Services - Ms Jennifer Anderson and Casual Executive Services Officer – Ms Catherine Jones.

OPENING

The Mayor, Councillor Kevin Greene opened the meeting at 7.03pm.

NATIONAL ANTHEM

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

PRAYER

Reverend Peter Greenwood from St Marks Anglican Church, South Hurstville, offered a prayer for the meeting.

ACKNOWLEDGEMENT OF COUNTRY

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

APOLOGIES

RESOLVED: Councillor Elmir and Councillor Grekas

That apology for Councillor Lou Konjarski be accepted and Leave of Absence be granted.

RECORD OF VOTING:

FOR THE MOTION: UNANIMOUS

NOTICE OF WEBCASTING

The Mayor 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.

DISCLOSURES OF INTEREST

Councillor Katris has declared a Pecuniary Interest in Item COM004-19 – Outgoing Sponsorship and Donations - of the Community and Culture Committee Report (CCL003-19) for the reason that his office provides intermittent consultancy work to the Greek Orthodox Parish and Community of Kogarah. Councillor Katris will vacate the Chamber and not take part in discussion and voting on this item.

Councillor Symington has declared a Non-Significant Non-Pecuniary Interest in item CCL006A-19 and CCL007A-19 for the reason that Netstrata manage her unit complex.

Councillor Grekas has declared a Non-Significant Non-Pecuniary Interest in item FIN006-19 – Property Matter: Licence Agreement for Renown United Football Club, Renown Reserve, of the Finance and Governance Committee Report (CCL002-19) - for the reason that her son plays rugby league for Renown United FC.

Councillor Landsberry has declared a Significant Non-Pecuniary Interest in item FIN005-19 – Property Matter: Licence Agreement for St George Football Association, Peakhurst Park , of the Finance and Governance Committee Report (CCL002-19) for the reason that her son is a coach at St George Football Association. Councillor Landsberry will vacate the Chamber and not take part in discussion and voting on this item.

Councillor Agius has declared a Pecuniary Interest in item FIN005-19 – Property Matter: Licence Agreement for St George Football Association, Peakhurst Park, of the Finance and Governance Committee Report (CCL002-19) for the reason that his business is sponsoring the St George Football Association. Councillor Agius will vacate the Chamber and not take part in discussion and voting on this item.

PUBLIC ADDRESSES TO THE MEETING

ITEM	SPEAKER
CCL009-19 – Property Matter – Short Term Licence of Community Property – 23 to 29 Treacy Street, Hurstville	Daniel Potter (Representing Shopfront Arts Co.Op. Ltd)
NM001-19 – Former Oatley Bowling Club Site	Melissa Derwent
CCL001-19 (ENV003-19) – Tree Management Policy	Kim Wagstaff (Representing Oatley Flora and Fauna Conservation Society)
TCA018-19 (CCL004-19) – Traffic Advisory Committee (Centre Street, Penshurst – Proposed 'Works Zone')	George Miovski

MINUTES OF PREVIOUS MEETINGS

EXTRAORDINARY COUNCIL MEETING - 11 FEBRUARY 2019

RESOLVED: Councillor Landsberry and Councillor Symington

That the Minutes of the Extraordinary Council Meeting held on 11 February 2019 be adopted.

Record of Voting:

For the Motion: Unanimous

EMERGENCY EXTRAORDINARY COUNCIL MEETING - 21 DECEMBER 2018

RESOLVED: Councillor Landsberry and Councillor Grekas

That the Minutes of the Emergency Extraordinary Council Meeting held on 21 December 2018 be adopted.

Record of Voting:

For the Motion: Unanimous

COUNCIL MEETING - 17 DECEMBER 2018

RESOLVED: Councillor Katris and Councillor Grekas

That the Minutes of the Council Meeting held on 17 December 2018 be adopted.

Record of Voting:

For the Motion: Unanimous

MAYORAL MINUTE

MM01: CONGRATULATIONS TO KURTIS PATTERSON, AUSTRALIAN TEST CRICKETER

RESOLVED: The Mayor, Councillor Greene and Councillor Badalati

That Council congratulate Kurtis Patterson on attaining Test Cricket selection for Australia and notes his performance in scoring a century in only his second innings for his country. We wish him continued success.

MATTERS OF PRIVILEGE

CONDOLENCES

Councillor Landsberry advised of the passing of former Kogarah Councillor, Leonie Bodell, who was on Kogarah Council, representing North Ward, in the 1980's, serving two terms of Council as an Independent. Ms Bodell was also a member of Kogarah Bay Progress Association. Ms Bodell was a very intelligent and articulate woman and was an important contributor to the community. Ms Bodell passed away in early December and her funeral was held on 12 December 2018.

The Mayor, Councillor Greene advised Council of the passing of Bill Watson, a former St George, NSW and Australian Cricket representative, who passed away in January 2019. The day after his funeral, Kurtis Patterson for St George participated in a record partnership which beat a record set by Bill Watson and Norman O'Neill, another Australian Test player. Bill Watson was a significant contributor to Cricket in this district and, with Warren Saunders, holds the record for the most century opening partnerships in Sydney Grade Cricket. He was a Life Member of St George District Cricket Club. The Mayor extended his condolences to his family.

A moments silence was then observed out of respect for Ms Leonie Bodell and Mr Bill Watson.

OTHER

Councillor Tegg - thanked Councillors for granting him a leave of absence late 2018 which allowed him to support his family in Spain, in particular his young daughter in her transition to school in a foreign country. Councillor Tegg also thanked the residents of Mortdale Ward and the broader Council community who continued to communicate with him during this period to raise their concerns and share their ideas on how we can make this community a better place to live, work and raise a family. Given the extra time, as a stay at home Dad, he was able to assist residents and community groups to address any matters that were raised with him, even from afar. Councillor Tegg also thanked the staff at Council for their hard work and help in achieving some wonderful outcomes for the community over that period. Councillor Tegg advised he is looking forward to sharing his experience and what he learnt about how things are being done by local governments overseas. There are a number of initiatives he is planning to bring to Georges River Council over the coming months. Councillor Tegg again expressed his gratitude to his fellow Councillors for granting him the leave of absence and said that he is looking forward to working with them over the coming year.

Note: Councillor Liu left the meeting at 7.38pm

Councillor Grekas - congratulated Library Staff on the Reading Dogs program that was held during the summer school holidays. The program was a partnership with Guide Dogs NSW and was well patronised by families over the school holidays. The program had an invaluable impact on the community, and children who may not love to read all the time. Councillor Grekas expressed how she is looking forward to seeing the program run in

upcoming school holidays and delivered a heartfelt congratulations to the Library staff who instigated the initiative.

The Mayor, Councillor Greene - congratulated Library staff because he also presented certificates recently to just under 200 young people who participated in the Summer Reading Program at the Library. The Mayor advised that there was something in excess of 7000 books read. He further went on to say that the opportunities provided through our Library are fantastic, not just during the summer period but throughout the year. The Mayor then asked the Director Community and Culture to pass on Council's thanks to Library staff.

Councillor Badalati - asked a number of questions to the General Manager, Gail Connolly concerning the interactions and communications between Council staff and the Department of Environment and Planning regarding the Planning Proposal for the Oatley Bowling Club site.

Councillor Hindi - congratulated the staff on a great Australia Day and Lunar New Year. He said that they had done great work. Australia Day was a great success. Councillor Hindi and his family enjoyed the music and dancing, as did many others and again congratulated staff on a great event, with special mention to the fireworks. Councillor Hindi again congratulated staff on the success of the Lunar New Year event, and felt the staff and Councillors involved did a great job and should all be proud. Councillor Hindi asked that congratulations be passed on to all the staff involved in the event.

Councillor Hindi - asked a number of questions to the General Manager, Gail Connolly concerning the interactions and communications between Council staff and the Department of Environment and Planning regarding the Planning Proposal for the Oatley Bowling Club site.

Note: Councillor Liu returned to the meeting at 7.49pm

Councillor Hindi - raised concerns about governance and processes surrounding recent media attention where staff had provided comments to Channel 9, Sydney Morning Herald and the St George Leader, that Mr Norman Sarraf had not been blocked from communication with the Councillors. Councillor Hindi stated that he wasn't receiving any emails from Mr Sarraf and nor had any other Councillor. Councillor Hindi stated that, effective immediately, he does not want to be protected from receiving incoming correspondence from Mr Sarraf.

Councillor Hindi - advised the Mayor that he would be seeking advice from the Department, as to the appropriate use of Mayoral Minutes and that he intended to pass this advice onto the Mayor when received.

Councillor Badalati - asked the Mayor for an answer to the question he raised at the last meeting, on 11 February 2019, which he said the Mayor took on notice. The question was: '*Who asked for the Emergency Extraordinary Meeting of Council?*'

The Mayor, Councillor Greene - advised that Council received emails from 9-10 Councillors, besides the Mayor himself and that it wasn't the three Councillors who had submitted the Notices of Rescission considered at the meeting.

STANDING COMMITTEE REPORTS

CCL001-19 Report of the Environment and Planning Committee - Meeting held on 11 February 2019
(Report by Head of Executive Services)

RESOLVED: Councillor Hindi and Councillor Katris

That the Committee recommendations for items ENV001-19, ENV002-19 and ENV004-19 detailed below, be adopted by Council.

Record of Voting:

For the Motion: Unanimous

ENV001-19 Kogarah North Public Domain Plan

RESOLVED: Councillor Hindi and Councillor Katris

- (a) That Council endorse the Kogarah North Public Domain Plan (December 2018, Revision G) as a Strategic Planning document:
 - i. that will inform the preparation of the new Georges River Contributions Plan and Planning Agreement Policy.
 - ii. that will inform advice to applicants on Council's requirements for public domain works in the Kogarah North Precinct.

- (b) That the Kogarah North Public Domain Plan informs the list of public domain works in the Kogarah North Precinct for the purposes of negotiating Voluntary Planning Agreements.

Record of Voting:

For the Motion: Unanimous

ENV002-19 Summary of Development Applications Lodged and Determined - October-December 2018

RESOLVED: Councillor Hindi and Councillor Katris

That Council receive and note the Summary of Development Applications Lodged and Determined report for the second quarter of the 2018/2019 financial year being October – December 2018.

Record of Voting:

For the Motion: Unanimous

ENV004-19 Minutes of the Economic Development Advisory Committee 9 October and 19 November 2018

RESOLVED: Councillor Hindi and Councillor Katris

That Council adopts the recommendations contained within the minutes of the Economic Development Advisory Committee meetings held on Tuesday 9 October and Monday 19 November 2018.

Record of Voting:

For the Motion: Unanimous

ENV003-19 Tree Management Policy

RESOLVED: Councillor Landsberry and Councillor Grekas

- (a) That Council endorse the Tree Management Policy, as an Interim Policy, contained in Attachment 1, and as amended following the recent public exhibition.
- (b) That Council endorse the exhibited Schedule of Fees & Charges, under Section 1.11 Tree Management:
 - Offset Fee or Tree Replacement (per tree) - \$2,250
 - Review of Tree Removal and Pruning Application on Private Land:
 - Stage 1 Review - \$70
 - Stage 2 Review - \$140
- (c) That the application of the Offset Fee or Tree Replacement Fee be reviewed within 6 months of the Policy's adoption.
- (d) That Council adopt the Greater Sydney Region Plan's target for canopy cover of 40% by 2038.
- (e) That the General Manager provide an additional report to the April 2019 Council meeting with recommended amendments to the Interim Tree Management Policy on the following matters:
 - i. The Tree Management Policy is to incorporate a unified definition for a tree, based on an appropriate definition that may be contained the most relevant Australian Standard, irrespective of what is contained any of the previous Councils DCPs. The relevant DCPs will be required to be amended to include the revised definition.
 - ii. The review panels, for street tree matters and tree permit applications are to include the three ward Councillors in which the tree is located, along with the three senior staff that are indicated in the report.
 - iii. The General Manager seek Senior Counsel advice proficient on tree management issues, in the Land and Environment Court, on mechanisms that are available to Council to enable Council to introduce Security Payments and Refundable Bonds on trees located on both private and public lands during the construction of any structure. The advice must include details on how these are to be implemented, how the refund process is to

operate, suggested clauses that could be included in the Conditions of Development Approval that indicate that the Bonds will be totally or partially forfeited if there is any damage to an individual tree and the Certificate of Occupancy will not be issued unless an Arborist confirms, in writing, that the trees have been maintained in a healthy condition during construction. The Senior Counsel's attention is to be drawn to the fact that other Councils such as the City of Sydney, North Sydney and Botany Bay, all impose Tree Preservation Bonds for trees that could be affected during the Construction Process.

- iv. The General Manager prepare a report for Council that outlines the most accepted methods of Tree Valuation (and details of these methods), undertakes an analysis of the methods in relation to the impacts on our community and recommends an appropriate tree value for incorporation in the Council's Fees and Charges Schedule.

Record of Voting:

For the Motion: Unanimous

CCL002-19 Report of the Finance and Governance Committee - Meeting held on 11 February 2019

(Report by Head of Executive Services)

Note: Councillor Agius has declared a Pecuniary Interest in item FIN005-19 – Property Matter: Licence Agreement for St George Football Association, Peakhurst Park, of the Finance and Governance Committee Report (CCL002-19) for the reason that his business is sponsoring the St George Football Association.

Note: Councillor Landsberry has declared a Significant Non-Pecuniary Interest in item FIN005-19 – Property Matter: Licence Agreement for St George Football Association, Peakhurst Park, of the Finance and Governance Committee Report (CCL002-19) for the reason that her son is a coach at St George Football Association.

Note: Councillor Grekas has declared a Non-Significant Non-Pecuniary Interest in item FIN006-19 – Property Matter: Licence Agreement for Renown United Football Club, Renown Reserve, of the Finance and Governance Committee Report (CCL002-19) - for the reason that her son plays rugby league for Renown United FC.

Note: Councillor Agius, vacated the Chamber and did not take part in discussion or voting on item CCL002-19, the time being 8.41pm.

Note: Councillor Landsberry vacated the Chamber and did not take part in discussion or voting on item CCL002-19, the time being 8.41pm.

RESOLVED: Councillor Badalati and Councillor Hindi

That the Committee recommendations for items FIN001-19 to FIN011-19 inclusive, and FIN003A-19, as detailed below, be adopted by Council.

Record of Voting:

For the Motion: Unanimous

FIN001-19 Advice on Costs and Status of Council's Court Proceedings - December 2018 and January 2019

RESOLVED: Councillor Badalati and Councillor Hindi

That the report “Advice on Costs and Status of Council’s Court Proceedings – December 2018 and January 2019” be received and noted.

Record of Voting:

For the Motion: Unanimous

FIN002-19 Investment Report as at 31 December 2018

RESOLVED: Councillor Badalati and Councillor Hindi

That Council receive and note the contents of the Investment Report as at 31 December 2018.

Record of Voting:

For the Motion: Unanimous

FIN003-19 Property Matter - Licence Agreement for Oatley Football Club, Renown Reserve

RESOLVED: Councillor Badalati and Councillor Hindi

That the report “Property Matter – Licence Agreement for Oatley Football Club, Renown Reserve” be received and noted.

Record of Voting:

For the Motion: Unanimous

FIN004-19 Property Matter - Licence Agreement for Sans Souci Football Club, Claydon Reserve

RESOLVED: Councillor Badalati and Councillor Hindi

That the report “Property Matter – Licence Agreement for Sans Souci Football Club, Claydon Reserve” be received and noted.

Record of Voting:

For the Motion: Unanimous

FIN005-19 Property Matter - Licence Agreement for St George Football Association, Peakhurst Park**RESOLVED:** Councillor Badalati and Councillor Hindi

That the report “Property Matter – Licence Agreement for St George Football Association, Peakhurst Park” be received and noted.

Record of Voting:

For the Motion: Unanimous

FIN006-19 Property Matter - Licence Agreement for Renown United Football Club, Renown Reserve**RESOLVED:** Councillor Badalati and Councillor Hindi

That the report “Property Matter – Licence Agreement for Renown United Football Club, Renown Reserve” be received and noted.

Record of Voting:

For the Motion: Unanimous

FIN007-19 Property Matter - Proposed Lease of Community Land - 296 Forest Road, Hurstville**RESOLVED:** Councillor Badalati and Councillor Hindi

- (a) That Council resolve to enter into a lease with Ganellen Pty Ltd (or its nominee) for part of the Hurstville Plaza on the terms and conditions as generally detailed in this report, to allow construction hoarding to be erected.
- (b) That rent be charged in accordance with the rate for *Hoardings* in the Georges River Council Fees & Charges as are applicable to each month of the Lease.
- (c) That the Lease be exhibited in the manner prescribed by section 47A of the *Local Government Act 1993*.
- (d) That the General Manger execute the Lease under delegated authority, subject to no major submissions being received during the exhibition period.

Record of Voting:

For the Motion: Unanimous

FIN008-19 Property Matter – 38A Inverness Avenue Penshurst – Granting of Easement**RESOLVED:** Councillor Badalati and Councillor Hindi

- (a) That Council grant an Easement for Drainage over Lot 64 Deposited Plan (DP) 3446 as detailed in this report.
- (b) That the General Manager and Mayor be authorised to execute the s88B Instrument or Transfer Granting Easement and all associated documentation to create the easement and under Common Seal of the Council, if required.
- (c) That all costs associated with the granting of the easement be met by the applicant.

Record of Voting:For the Motion: Unanimous**FIN009-19 Property Matter - New Lease Over Retail Shop - 34 MacMahon Street Hurstville****RESOLVED:** Councillor Badalati and Councillor Hindi

That the report “Property Matter – New Lease Over Retail Shop – 34 MacMahon Street, Hurstville” be received and noted.

Record of Voting:For the Motion: Unanimous**FIN010-19 Tender for Advertising Signs - T18/061****RESOLVED:** Councillor Badalati and Councillor Hindi

- (a) That Council, in accordance with Section 178 of the Local Government (General) Regulation 2005 (NSW) accepts the tender from QMS Media Limited in the amount of \$312,000 per annum (excluding GST), after having regard to all the circumstances, as the tender that appears to be the most advantageous and for contract number T18/061 – Tender for Advertising Signs.
- (b) That the General Manager be delegated authority to enter into and sign all lease documentation and any associated documentation with the preferred Tenderer on behalf of Council.
- (c) That Council Officers inform the unsuccessful Tenderers of the resolution.

Record of Voting:For the Motion: Unanimous

FIN011-19 Transformation and Change Program Closure Report**RESOLVED:** Councillor Badalati and Councillor Hindi

- (a) That the attached report “The Amalgamation Journey: Final Report” outlining the activities and outcomes of the Amalgamation Implementation Plan be provided to the Office of Local Government as Council’s acquittal report on the New Council Implementation Fund grant.
- (b) That the attached report “The Amalgamation Journey: Final Report” be published on Council’s website
- (c) That staff be congratulated on all their hard work throughout the amalgamation process.

Record of Voting:For the Motion: Unanimous**FIN003A-19 Supreme Court Proceedings 2018/215935 (Request for Land Owner's Consent - 59 Park Road, Kogarah Bay)****RESOLVED:** Councillor Badalati and Councillor Hindi

That Council receive and note the advice that no formal request for land owner’s consent to the lodgement of a development application over 59 Park Road, Kogarah Bay has been received from Council.

Record of Voting:For the Motion: UnanimousNote: Councillor Agius returned to the meeting at 8.42pmNote: Councillor Landsberry returned to the meeting at 8.42pm**CCL003-19 Report of the Community and Culture Committee - Meeting held on 11 February 2019**
(Report by Head of Executive Services)

Note: Councillor Katris has declared a pecuniary interest in Item COM004-19 of the Community and Culture Report for the reason that his office provides intermittent consultancy work to the Greek Orthodox Parish and Community of Kogarah.

RESOLVED: Councillor Landsberry and Councillor Badalati

That the Committee recommendations for items COM001-19, COM002-19, COM003-19, COM005-19 and COM006-19 as detailed below, be adopted by Council.

Record of Voting:

For the Motion: Unanimous

COM001-19 Community Grants Program 2019-2020

RESOLVED: Councillor Landsberry and Councillor Badalati

That Council approve the 2019-20 Georges River Council Community Grants program and timetable.

Record of Voting:

For the Motion: Unanimous

COM002-19 Tender for the Construction of the New Oatley West Childcare Centre at 66 Mulga Road Oatley - s94 Funds

RESOLVED: Councillor Landsberry and Councillor Badalati

- (a) That Council, in accordance with Section 178 of the Local Government (General) Regulation 2005 (NSW), accepts the Tender from Lanskey Constructions Pty Ltd, in the amount of \$3,720,000 (excluding GST), after having regard to all the circumstances, as the tender that appears to be the most advantageous and appoint Lanskey Constructions Pty Ltd as the Principal Contractor under the Contract Number T18/060 Tender for the Construction of the New Oatley West Childcare Centre at 66 Mulga Road.
- (b) That Council approves the allocation of \$1,400,000 from Hurstville Section 94 Community Facilities Repealed Plan.
- (c) That Council approves the revised budget of \$5,400,000 for the Construction of the New Oatley West Childcare Centre at 66 Mulga Road.
- (d) That the General Manager be authorised to sign the Contracts with the preferred Contractors on behalf of Council.
- (e) That Council Officers inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.

Record of Voting:

For the Motion: Unanimous

COM003-19 Georges River Council Business Awards Feasibility Report

RESOLVED: Councillor Landsberry and Councillor Badalati

That Council receive and note the Georges River Business Awards feasibility report.

Record of Voting:

For the Motion: Unanimous

COM005-19 Minutes of the Major Events Advisory Committee 21 January 2019**RESOLVED:** Councillor Landsberry and Councillor Badalati

That Council adopts the recommendations contained within the Minutes of the Major Events Advisory Committee meeting held on Monday 21 January 2019.

Record of Voting:

For the Motion: Unanimous

COM006-19 Stronger Communities Funding update**RESOLVED:** Councillor Landsberry and Councillor Badalati

- (a) That Council receive and note the update on the Stronger Communities Fund projects as listed in this report.
- (b) That Council continue to receive regular reports, on a half-yearly basis, on the progress of the Stronger Communities Fund projects to ensure that both Council and the public are kept informed on the progress of each project until completed.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Katris vacated the Chamber at 8.43pm and did not take part in discussion or voting on item COM004-19.

COM004-19 Outgoing Sponsorships and Donations**RESOLVED:** Councillor Landsberry and Councillor Badalati

- (a) That Council retrospectively approve the event sponsorship request of \$1,320.00 (\$726.00 of financial support and \$594.00 of in-kind support) to stage the Greek Orthodox Community Christmas Carols held 23 December 2018 in Kogarah Town Square.
- (b) That Council approve the event sponsorship request of \$662.68 (\$662.68 of in-kind support) to stage the One Billion Rising event presented by Kogarah Community Services to be held 15 February 2019 in Kogarah Town Square.
- (c) That Council approve the event sponsorship request of \$595.00 (\$595.00 of in-kind support) to launch the Walk 4 Duchenne – Save our Sons Duchenne Foundation event presented by Chemist Warehouse to be held 4 March 2019.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Katris returned to the meeting at 8.44pm

CCL004-19 Report of the Assets and Infrastructure Committee - Meeting held on 11 February 2019

(Report by Head of Executive Services)

RESOLVED: Councillor Grekas and Councillor Badalati

That the Committee recommendations for items ASS001-19, ASS002-19 (excluding item TAC019-19), ASS003-19 and ASS004-19, as detailed below, be adopted by Council.

Record of Voting:

For the Motion: Unanimous

ASS001-19 Tender for Security Services - T18/044 Operational Budget

RESOLVED: Councillor Grekas and Councillor Badalati

- a) The Tender Evaluation Committee, having completed the evaluation of tenders in compliance with the Tender Evaluation Panel, makes the following recommendation to Council in accordance with Section 178 of the Local Government (General) Regulation 2005 (NSW) to accept the tender from Ultimate Security Pty Ltd for the amount of \$230,373.00 per year, for 3 years with two (2) x 1 year extension options for the Contract Number T18/044 subject to confirmation of satisfactory financial capability, ongoing performance reviews and ability to fulfil obligations under the proposed contract.
- b) That Council resolves, in accordance with Section 178 of the *Local Government (General) Regulation 2005 (NSW)*, to accept the Tender from Ultimate Security Pty Ltd, with having regard to all the circumstances, as the tender that appears to be the most advantageous and to appoint Ultimate Security Pty Ltd as the Principal Contractor under the Contract Number T18/044, subject to satisfactory outcome of the financial assessment.
- c) Inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.
- d) That the General Manager be authorised to sign the Contracts with the preferred Contractors on behalf of Council.
- d) Advise existing providers of intent to terminate existing services; GJ Security Alarms Pty Ltd and Nycon Services Pty Ltd.

Record of Voting:

For the Motion: Unanimous

ASS002-19 Georges River Traffic Advisory Committee Meeting - 5 February 2019**RESOLVED:** Councillor Grekas and Councillor Badalati

That the recommendations contained within the minutes of the Georges River Traffic Advisory Committee Meeting held on 5 February 2019 be adopted by Council.

Record of Voting:

For the Motion: Unanimous

ASS003-19 Proposed Installation of a Video Screen in Hurstville Plaza**RESOLVED:** Councillor Grekas and Councillor Badalati

- (a) That Council proceeds with the installation of a video screen in Hurstville Plaza.
- (b) That \$100,000 is allocated from the Club Central Voluntary Planning Agreement to fund the installation of a video screen in Hurstville Plaza.

Record of Voting:

For the Motion: Unanimous

ASS004-19 Tender for the Montgomery Street Kogarah Streetscape Upgrade - s94 Funds**RESOLVED:** Councillor Grekas and Councillor Badalati

- (a) That Council, in accordance with Section 178 of the Local Government (General) Regulation 2005 (NSW), accepts the Tender from Ezy Pave Pty Ltd, in the amount of \$446,030.80 (excluding GST), after having regard to all the circumstances, as the tender that appears to be the most advantageous and appoint Ezy Pave Pty Ltd as the Principal Contractor under the Contract Number T18/046 Tender for the Montgomery Street Kogarah Streetscape Upgrade.
- (b) That Council approves the allocation of an additional \$250,000 from the Kogarah s94 Plan 8 - Town Centres for the Project.
- (c) That Council approves the revised budget of \$550,000 for the Montgomery Street Kogarah Streetscape Upgrade.
- (d) That the General Manager be authorised to sign the Contracts with the preferred Contractors on behalf of Council.
- (e) That Council Officers inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.

Record of Voting:

For the Motion: Unanimous

TAC019-19 Centre Street, Penshurst – Proposed Works Zone

RESOLVED: Councillor Elmir and Councillor Kastanias

- (a) That a 20m “Works Zone”, 7am-3pm, Mon-Sat” be installed on the western side of Centre Street, Penshurst for a period of 40 weeks, commencing on 1 April 2019.
- (b) That a 40m “Works Zone, 7am-3pm, Mon-Sat” be installed on the Eastern side of Centre Street, Penshurst for a period of 40 weeks, commencing on 1 April 2019.
- (c) That Council provide notification to the residents notifying them of the proposed Works Zone.
- (d) That the parking be returned to its current status at the completion of the “Works Zone” period.

Record of Voting:

For the Motion: Unanimous

ENVIRONMENT AND PLANNING

CCL005-19 Local Strategic Planning Statement: Vision and Local Planning Priority Outcomes for Community Engagement
(Report by Community Engagement Consultant)

RESOLVED: Councillor Hindi and Councillor Katris

- (a) That Council endorse the principles and approach for community engagement as outlined in the report, including the draft vision, draft Local Planning Priority Outcomes and criteria for determining future land use.
- (b) That Council endorse the community engagement program as outlined in the report.

Record of Voting:

For the Motion: Unanimous

FINANCE AND GOVERNANCE

CCL006-19 Applications Pursuant to Councillor Ward Discretionary Fund Policy
(Report by Manager, Office of the General Manager)

RESOLVED: Councillor Badalati and Councillor Hindi

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 Connells Point Rovers Football Club in the amount of \$1,000.00

Record of Voting:

For the Motion: Unanimous

CCL007-19 Councillor attendance at the Cities & Regions 4.0 Summit 2019 - Melbourne 12-14 March 2019

(Report by Head of Executive Services)

MOTION: Councillor Badalati and Councillor Katris

That Council determine to meet expenses incurred by Councillors attending the Cities and Regions 4.0 Summit 2019 in Melbourne on 12 – 14 March 2019, up to the maximum allowable in accordance with the Mayor and Councillors Expenses and Facilities Policy 2018.

AMENDMENT: Councillor Tegg and Councillor Landsberry

- (a) That Council determine to meet expenses incurred by Councillors attending the Cities and Regions 4.0 Summit 2019 in Melbourne on 12 – 14 March 2019, up to the maximum allowable in accordance with the Mayor and Councillors Expenses and Facilities Policy 2018.
- (b) That Councillors who attend the conference provide a report at the April 2019 Council Meeting:
- (i) outlining key meetings, main findings and outcomes, and
 - (ii) detailing lessons learned by the Councillor and the relevance of the conference to the residents of Georges River.

Record of Voting:

For the Amendment: The Mayor, Councillor Greene and Councillors Grekas, Landsberry, Liu, Payor and Tegg

Against the Amendment: Councillors Agius, Badalati, Elmir, Hindi, Kastanias, Katris, Symington and Wu

On being put to the meeting, voting on the Amendment was six (6) votes FOR and eight (8) votes AGAINST. The Amendment was declared **LOST**. The Motion was then put and **CARRIED**.

RESOLVED: Councillor Badalati and Councillor Katris

That Council determine to meet expenses incurred by Councillors attending the Cities and Regions 4.0 Summit 2019 in Melbourne on 12 – 14 March 2019, up to the maximum allowable in accordance with the Mayor and Councillors Expenses and Facilities Policy 2018.

Record of Voting:

For the Motion: The Mayor, Councillor Greene and Councillors Agius, Badalati, Elmir, Hindi, Katris, Symington and Wu

Against the Motion: Councillors Grekas, Kastanias, Landsberry, Liu, Payor and Tegg

CCL008-19 Request to Waive Fees for Licence of Council Land - Part 6 Gloucester Road Hurstville and Work Zone - 25 Carrington Avenue (Road Reserve) Hurstville.

(Report by Traffic Engineer)

RESOLVED: Councillor Hindi and Councillor Katris

- (a) That the request to waive fees for a Works Zone application at 25-31 Carrington Avenue, Hurstville, be approved.
- (b) That Council apply a peppercorn licence fee payable for the proposed occupation of Lot 78 in DP1958 (part of 6 Gloucester Road, Hurstville) in accordance with the policy for rental of operational lands.

Record of Voting:

For the Motion: Unanimous

CCL009-19 Property Matter - Short Term Licence of Community Property - 23 to 29 Treacy Street Hurstville

(Report by Strategic Property Officer)

RESOLVED: Councillor Badalati and Councillor Katris

That the report “Property Matter - Short Term Licence of Community Property – 23 to 29 Treacy Street, Hurstville” be received and noted.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Agius left the meeting at 9.19pm and was not present for the consideration and voting on Item NM001-19

NOTICES OF MOTION

NM001-19 Former Oatley Bowling Club Site
(Councillor Kastanias)

RESOLVED: Councillor Kastanias and Councillor Hindi

That a community garden be considered in the draft Master Plan as part of a range of potential uses for the Former Oatley Bowling Club site.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Agius returned to the meeting at 9.24pm

NM002-19 Domestic and Family Violence Leave Policy
(Councillor Hindi)**RESOLVED:** Councillor Hindi and Councillor Tegg

- (a) That Council adopts a separate policy of paid Domestic and Family Violence Leave for the workplace. That is giving staff access to up to ten days leave per year for the purpose of paid domestic and family violence. I know that there will be a minimal impact on the budget but this should not be a deterrent to adopting such a compassionate and much needed policy.
- (b) That should staff exceed the allowable 10 days leave in any year, the General Manager may exercise discretion to allow additional leave as required.

Record of Voting:For the Motion: Unanimous

Note: Councillor Landsberry left the meeting at 9.54pm and was not present for the consideration and voting on Items NM003-19, and NM004-19

Note: Councillor Hindi left the meeting at 9.55pm and was not present for the consideration and voting on Items NM003-19 and NM004-19

NM003-19 Road Safety Investigation at Kingsgrove Road, Kingsgrove
(Councillor Badalati)**RESOLVED:** Councillor Badalati and Councillor Kastanias

That Council's Traffic Engineers, in discussion with the Traffic Engineers from Bayside Council, the NSW Roads and Maritime Services and Police, investigate and recommend road safety measures under the NSW Roads and Maritime Services Black Spot Funding Program, to enhance road safety in Kingsgrove Road, Kingsgrove following the most recent tragic accident near Vivienne Street.

Record of Voting:For the Motion: Unanimous

Note: Councillor Kastanias left the meeting at 9.49pm and was not present for the consideration and voting on Item NM004-19, NOM005-19 and NOM006-19.

NM004-19 Short Story Program to Support Youth Literacy
(Councillor Tegg)**RESOLVED:** Councillor Tegg and Councillor Grekas

- (a) That following on from the success of the previous ScribbleInk programs (youth short story writing), Council review the initiative to further increase youth literacy and engender an appreciation of short-story writing within young people across the local government area.
- (b) That the General Manager prepare a report detailing:
- i. The background to previous ScribbleInk programs and their outcomes;
 - ii. Potential enhancements to the ScribbleInk program, including stories that are based in the LGA and a publication of winning entries;
 - iii. Potential partnerships with the NSW Department of Education, local youth agencies and local writers groups;
 - iv. The anticipated timeline for the delivery of the next ScribbleInk; and
 - v. The estimated operational costs for the implementation of an expanded ScribbleInk program.

Record of Voting:For the Motion: UnanimousNote: Councillor Landsberry returned to the meeting at 9.57pmNote: Councillor Hindi returned to the meeting at 9.57pm**NM005-19 Upgrading Simpson Park Oatley**
(Councillor Elmir)**RESOLVED:** Councillor Elmir and Councillor Symington

- (a) That Council investigate options for a potential upgrade of Simpson Reserve, Yarran Road, Oatley
- (b) That a further report be presented to Council providing options for upgrading the Reserve including potential sources of funding.
- (c) That Council write to Mr Mark Coure MP, Member for Oatley, seeking funding assistance towards the upgrade.

Record of Voting:For the Motion: Unanimous

NM006-19 Mayor and Councillor Attendance Record
(Councillor Hindi)**RESOLVED:** Councillor Hindi and Councillor Katris

That the General Manager prepare a report to Council prior to the April 2019 Council Meeting detailing the attendance of all Councillors for the period September 2017 to February 2019, for each of the following events:

- (a) Ordinary meetings of Council;
- (b) Extraordinary and emergency meetings of Council;
- (c) Standing Committee meetings;
- (d) Advisory Committee meetings;
- (e) Audit Risk and Improvement Committee meetings; and
- (f) Councillor Workshop/Briefing sessions.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Kastanias returned to the meeting at 10.00pm

QUESTIONS WITH NOTICE**QWN001-19 Quality of Playing Surfaces - Premium Facilities**
(Councillor Tegg)**RESOLVED:** Councillor Tegg and Councillor Agius

That the information be received and noted.

Record of Voting:

For the Motion: Unanimous

QWN002-19 Kogarah War Memorial Pool
(Report by Councillor Katris)**RESOLVED:** Councillor Katris and Councillor Symington

That the information be received and noted.

Record of Voting:

For the Motion: Unanimous

QUESTIONS WITHOUT NOTICE

NIL

CONSIDERATION OF BUSINESS IN CLOSED SESSION

RESOLVED: Councillor Kastanias and Councillor Tegg

At this stage of the meeting being 10.01pm the Mayor advised that the meeting would move into a Committee of the Whole to allow consideration of a matter in Closed Session in accordance with Section 10A of The Local Government Act 1993. Accordingly, members of the press and public are excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session will be withheld.

This action was taken to allow discussion of the following item:

CCL006A-19 Jubilee Stadium Naming Rights Expression of Interest Process - Complaint by Mr Norman Sarraf (Legal Advice - Other Matters)
(Report by Director Legal Services and General Counsel)

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) (g) it is considered the matter contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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 contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CCL007A-19 Jubilee Stadium Naming Rights Expression of Interest Process - Complaint by Mr Norman Sarraf (Legal Advice - Other matters)
(Report by Director Legal Services and General Counsel)

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) (g) it is considered the matter contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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 contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter will be considered in closed session in accordance with Section 10A(2) (c) of the Local Government Act 1993 as it contains information that would, if disclosed, confer a commercial advantage on a person with whom council is conducting (or proposes to conduct) business.

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

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

The Mayor 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.

There were none.

Note: The media and public in the gallery left the Dragon Room and the Council commenced Closed Session at 10.02pm

CONSIDERATION OF CONFIDENTIAL RECOMMENDATIONS

CCL006A-19 Jubilee Stadium Naming Rights Expression of Interest Process - Complaint by Mr Norman Sarraf (Legal Advice - Other Matters)
(Report by Director Legal Services and General Counsel)

Note: Councillor Symington has declared a Non-Significant Non-Pecuniary Interest in item CCL006A-19 and CCL007A-19 for the reason that Netstrata manages her unit complex.

RESOLVED: Councillor Tegg and Councillor Elmir

That item CCL006A-19 be considered in conjunction with item CCL007A-19.

Record of Voting:

For the Motion: Unanimous

CCL007A-19 Jubilee Stadium Naming Rights Expression of Interest Process - Complaint by Mr Norman Sarraf (Legal Advice - Other matters)
(Report by Director Legal Services and General Counsel)

Note: Councillor Symington has declared a Non-Significant Non-Pecuniary Interest in item CCL006A-19 and CCL007A-19 for the reason that Netstrata manage her unit complex.

RESOLVED: Councillor Tegg and Councillor Elmir

- (a) That Council receive and note the confidential legal advice.
- (b) That Council continue to enforce its Customer Feedback and Complaints Management Policy with regard to email correspondence from Mr Sarraf on the complaint.

Record of Voting:

For the Motion: Unanimous

OPEN COUNCIL

RESOLVED: Councillor Elmir and Councillor Agius

That the meeting revert to Open Council, the time being 10.11pm.

Record of Voting:

For the Motion: Unanimous

Note: The meeting reverted to Open Council at 10.11pm

CONSIDERATION OF RECOMMENDATIONS FROM CLOSED SESSION

RESOLVED: Councillor Tegg and Councillor Agius

That the recommendations of Items considered in Closed Session be received and adopted as resolutions of Council without any alteration or amendment thereto.

Record of Voting:

For the Motion: Unanimous

CONCLUSION

The Meeting was closed at 10.11pm.

Chairperson