

MINUTES

Council Meeting

Monday, 24 June 2019

Council Chambers, Civic Centre, Hurstville



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 Lou Konjarski, 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, Director Legal Services and General Counsel - Ms Jenny Ware, Manager, Office of the General Manager - Ms Roxanne Thornton and Head of Executive Services - Ms Jennifer Anderson

Opening

The Mayor, Councillor Kevin Greene, opened the meeting at 7.05pm.

National Anthem

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

Prayer

Reverend Dr Winston Gauder from International Community Fellowship, Hurstville, offered a prayer at the meeting.

Acknowledgement of Country

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

Apologies/Leave of Absence

There were no apologies or requests for leave of absence.

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 4 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 disclosed a Non-Pecuniary Interest in item **CCL033-19 Report of the Environmental and Planning Committee 11 June 2019 (ENV016-19 – Interim Policy – Georges River Development Control Plan 2020)** for the reason that he and his family own properties in the Georges River LGA.

Councillor Agius disclosed a Pecuniary Interest in item **CCL033-19 Report of the Environmental and Planning Committee 11 June 2019 (ENV019-19 – Georges River Commercial Centres Strategy – Part 1 Centres Analysis for Public Exhibition)** for the reason that he owns a property located with a commercial centre in the Georges River LGA.

Councillor Elmir disclosed a Non-Significant Non-Pecuniary Interest in item **CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (FIN046-19 – Classification of Land Part 12-22 Woniora Road, Hurstville)**, for the reason that he has known the Director of Combined Projects (Hurstville) for many years, although he has no professional or personal dealings with him.

Councillor Hindi disclosed a Non-Significant Non-Pecuniary Interest in item **CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (FIN044-19 – Ausgrid Tender)**, for the reason he works for Ausgrid but is not involved in the relevant division.

Councillor Hindi disclosed a Non-Significant Non-Pecuniary Interest in item **CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (FIN046-19 – Property Matter – Classification of Land Part 12-22 Woniora Road Hurstville)**, for the reason that he met the applicant a few times over the past 10 years.

Councillor Hindi disclosed a Non-Significant Non-Pecuniary Interest in item **CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (FIN047-19 – Georges River Council Boundaries and Wards and number of Councillors)**, for the reason that all the Councillors have an interest in this matter.

Councillor Nick Katris disclosed a Non-Pecuniary Interest on item **CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (ENV019-19 – Georges River Commercial Centres Strategy – Part 1 Centres Analysis for Public Exhibition)** for the reason that he is a part owner of a property located outside of the Commercial Centre Study (Part 1) that is located in the Local Government Area of Bayside Council.

Councillor Landsberry declared a Significant, Non-Pecuniary Interest in item **CCL035-19 – Report of Community and Culture Committee 11 June 2019 (COM019-19 Outgoing Sponsorships and Donations)** as her son is a coach at St George Football Association.

Councillor Kastanias disclosed a Pecuniary Interest in item **CCL033-19 Report of the Environmental and Planning Committee 11 June 2019 (ENV016-19 – Interim Policy – Georges River Development Control Plan 2020)** for the reason that she owns a business in the Georges River LGA.

Councillor Konjarski disclosed a Pecuniary Interest in item **CCL033-19 Report of the Environmental and Planning Committee 11 June 2019 (ENV019-19 – Georges River Commercial Centres Strategy – Part 1 Centres Analysis for Public Exhibition)** for the reason that he owns a property on Forest Road, Hurstville.

Public Forum

ITEM	SPEAKER
<u>MM10-19:</u> Congratulations to Ellen Maher for her achievements at the Special Olympics World Summer Games	ELLEN MAHER
<u>NM039-19:</u> Potential Construction of a Basketball Stadium within Georges River Local Government Area	RAY BARBI
<u>NM039-19:</u> Potential Construction of a Basketball Stadium within Georges River Local Government Area	PHIL SANSOM
<u>NM039-19:</u> Potential Construction of a Basketball Stadium within Georges River Local Government Area	JEREMY PURDON

Confirmation of Minutes of previous meetings**COUNCIL MEETING - 27 MAY 2019**

RESOLVED: Councillor Katris and Councillor Grekas

That the Minutes of the Council Meeting held on 27 May 2019 be adopted.

Record of Voting:

For the Motion: Unanimous

Mayoral Minutes

MM010-19 Congratulations to Ellen Maher for her achievements at the Special Olympics World Summer Games
(The Mayor, Councillor Greene)

RESOLVED: The Mayor, Councillor Kevin Greene and Councillor Symington
That Council congratulate Ellen Maher for her achievements at the Special Olympics World Summer Games in Abu Dhabi.

Record of Voting:

For the Motion: Unanimous

Suspension of Standing Orders

RESOLVED: Councillor Grekas and Councillor Symington
That Council suspend Standing Orders in for Council officers to take a photo of Ms Maher and Councillors.

Record of Voting:

For the Motion: Unanimous

Resumption of Standing Orders

RESOLVED: Councillor Elmir and Councillor Landsberry
That Council resume Standing Orders, the time being 7.32pm.

Record of Voting:

For the Motion: Unanimous

MM011-19 Queen’s Birthday Honours List 2019 - Georges River Community Recipients
(The Mayor, Councillor Greene)

RESOLVED: The Mayor, Councillor Kevin Greene and Councillor Hindi
That Council congratulate the local recipients of Queen’s Birthday Honours.

Record of Voting:

For the Motion: Unanimous

MM012-19 Bronze Award at the Australasian Reporting Awards
(The Mayor, Councillor Greene)**RESOLVED:** The Mayor, Councillor Kevin Greene and Councillor Tegg

That Council congratulate in writing, the staff who were involved in the preparation of the 2017/18 Annual Report.

Record of Voting:

For the Motion: Unanimous

Condolences

- **Councillor Tegg** - expressed condolences on the passing of Tony Tegg. He was a local resident, family man and staunch supporter of St George Dragons. He also had a career in the Australian cinema industry as a gaffer or master lighting technician working on many Australian films such as Picnic at Hanging Rock and Sunday Too Far Away. Mr Tegg also worked on a major Hollywood film, On the Beach which starred Gregory Peck. He was a credit to his community and a wonderful Australian. Mr Tegg was someone who helped export our culture and stories around the world and he will be sorely missed.
- **Councillor Hindi** – advised Council on the sad passing of Kerry Fulljames El Hourani, who is survived by her husband Ziad and her children, Jordan, Hanna and Sarah. She fought a very long and hard battle with cancer. Ms Fulljames El Hourani was very involved in sports and the community and raised money for cancer research. Over a thousand people attended her funeral. Councillor Hindi asked that the Mayor send a letter on behalf of Council send a letter of condolences to her family.
- **The Mayor, Councillor Greene** - advised of the passing of Robyn MacKay, who was a well-known member of the community. She was very closely associated with the Meals on Wheels service, serving on the Committee for many years. Ms MacKay battled illness for many years and will be sorely missed.
- **The Mayor, Councillor Greene** – advised of the passing of Alf McGrath, who was also mentioned in the Queen’s Honours List, receiving an Order of Australia Medal for his services, particularly, to the RSL Sub-branch movement where he had been Treasurer at Oatley branch for many years. Mr McGrath had a distinguished public service career with the Fire Services and in fact was awarded a Public Service Medal for his efforts in that regard. Sadly, Mr McGrath passed away just two days after his recognition in the Queen’s Birthday Honours List this year. Mr McGrath was a great contributor to the community and will be greatly missed.
- **Councillor Kastanias** - advised of the Council of the passing of Sandra McCarthy who suffered from leukaemia. Her husband is holding a breakfast to raise money for leukaemia in her honour. She will be sorely missed in the community.

Council observed a minute’s silence as a mark of respect for those who have passed.

Committee Reports

CCL032-19 Report of the Assets and Infrastructure Committee Meeting held on 11 June 2019

(Report by Head of Executive Services)

RESOLVED: Councillor Grekas and Councillor Hindi

ASS014-19 Terms of Reference - Assets and Infrastructure Standing Committee

That the revised Terms of Reference for the Assets and Infrastructure Standing Committee be received and noted subject to Clause 2 Delegations, last dot point, being amended to replace the words 'General Manager' with the word 'Mayor' and that this amendment apply to all other Standing Committee Terms of Reference.

Record of Voting:

For the Motion: Unanimous

RESOLVED: Councillor Grekas and Councillor Hindi

That the Committee recommendations for items ASS015-19 to ASS018-19 inclusive, detailed below, be adopted by Council.

ASS015-19 Georges River Traffic Advisory Committee Meeting - 4 June 2019

That the recommendations contained within the minutes of the Georges River Traffic Advisory Committee Meeting held on 4 June 2019 be adopted by Council.

ASS016-19 Update on the Sydney Water, Waterways Improvement Program for Harold Fraser Oval / Parkside Drive Reserve.

- a) That Council provide support and approval for the use of Council land at Harold Fraser Reserve, Parkside Drive Reserve and Kogarah Bay Creek for the Sydney Water Waterway Health Improvement Program.
- b) That Council allocate Section 94 Contributions Plan No. 5 Open Space Embellishment funding towards the cost of Council requested components of the scheme (approximately \$250,000 to \$300,000 – final amount to be determined post Sydney Water tender process).
- c) That Council allocate an additional \$5,000 per year from the appropriate operational maintenance budget towards the ongoing maintenance of the landscaped areas of site at the conclusion of construction.

ASS017-19 Tender for Locksmith Maintenance Services - T19/002 Operational Budget

- (a) The Tender Evaluation Committee (TEC), having completed the evaluation of tenders in compliance with the Tender Evaluation Plan (TEP), makes the following recommendation to Council in accordance with Section 178 of the Local Government (General) Regulation 2005 (NSW) to accept the tender from St George Locksmiths for the amount of \$41,600.00 per year, for 3 years with two (2) x 2 year extension options for the Contract Number T19/002 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 St George Locksmiths with having regard to all the circumstances, as the tender that appears to be the most advantageous and to appoint St George Locksmiths as the Principal Contractor under the Contract Number T19/002, subject to satisfactory outcome of the financial assessment.

- (c) That the General Manager be authorised to sign the Contracts with the preferred Contractors on behalf of Council.
- (d) That Council inform the unsuccessful Tenderers of the resolution to decline to accept those tenders.

ASS018-19 Tender for the Construction of a new Public Amenities Building at Kempt Field, Allawah

- (a) That Council, in accordance with Section 178 of the Local Government (General) Regulation 2005 (NSW), accepts the Tender from Homann Constructions Pty Ltd, in the amount of \$350,000 (excluding GST), after having regard to all the circumstances, as the tender that appears to be the most advantageous and appoint Homann Constructions Pty Ltd as the Principal Contractor under the Contract Number T19/003 Tender for the construction of new Public Amenities at Kempt Field, Allawah.
- (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 the budgeted funding allocated towards this amenities building from the repealed Hurstville Section 94 Open Space Plan be refunded once Council receives the awarded \$6 million grant for Kempt Field from the NSW Planning and Environment Strategic Open Space Program.

Record of Voting:

For the Motion: Unanimous

CCL033-19 Report of the Environment and Planning Committee Meeting held on 11 June 2019
(Report by Head of Executive Services)

Note: Councillor Agius disclosed a Pecuniary Interest in item CCL033-19 Report of the Environmental and Planning Committee 11 June 2019 (ENV019-19 – Georges River Commercial Centres Strategy – Part 1 Centres Analysis for Public Exhibition) for the reason that he owns a property located with a commercial centre in the Georges River LGA. Councillor Agius left the meeting, the time being 7.45pm, and did not participate in discussion and voting on items ENV016-19 and ENV019-19 as they were voted on together.

Note: Councillor Kastanias disclosed a Pecuniary Interest in item CCL033-19 Report of the Environmental and Planning Committee 11 June 2019 (ENV016-19 – Interim Policy – Georges River Development Control Plan 2020) for the reason that she owns a business in the Georges River LGA. Councillor Kastanias left the meeting, the time being 7.45pm, and did not participate in discussion and voting on items ENV016-19 and ENV019-19 as they were voted on together.

Note: Councillor Konjarski disclosed a Pecuniary Interest in item CCL033-19 Report of the Environmental and Planning Committee 11 June 2019 (ENV019-19 – Georges River Commercial Centres Strategy – Part 1 Centres Analysis for Public Exhibition) for the reason that he owns a property on Forest Road, Hurstville. Councillor Kastanias left the meeting, the time being 7.45pm, and did not participate in discussion and voting on items ENV016-19 and ENV019-19 as they were voted on together.

RESOLVED: Councillor Hindi and Councillor Tegg

That the Committee recommendations for items ENV016-19 and ENV019-19, detailed below, be adopted by Council.

ENV016-19 Interim Policy - Georges River Development Control Plan 2020

- (a) That Council endorse the contents of the Georges River Interim Policy DCP.
- (b) That Council endorse the use of the Georges River Interim Policy DCP for assessing Development Applications until such a time as the Georges River Development Control Plan 2020 is adopted by Council.
- (c) That notification be provided to the community that the Georges River Interim Policy DCP will come into effect on 22 July 2019.
- (d) That the Georges River Interim Policy DCP be published on Council's website upon it coming into effect.
- (e) That prior to its implementation the Georges River Interim Policy DCP be amended as follows (*amendments in italics*):

Dwelling Houses			
Section	Interim Policy Control		
Building Setback (Front)	<ul style="list-style-type: none"> • Minimum setback from the primary street boundary is: <ul style="list-style-type: none"> a) 4.5m to the main building face b) 5.5m to the front wall of garage, carport roof or onsite parking space Or <ul style="list-style-type: none"> a) Within 20% of the average setback of dwellings on adjoining lots b) 5.5m to the front wall of garage or carport roof 		
Building Setback (Side)	<ul style="list-style-type: none"> • The minimum side setback outside the FSPA is 900mm (ground floor) and 1.2m (first floor) • The minimum side setback inside the FSPA is 900mm (ground floor) and 1.5m (first floor) <i>with a minimum of 5.5m in front of any proposed new garage.</i> 		
Basement/Land Modification	<p>Basements are permitted where Council’s height controls are not exceeded, and it is demonstrated that there will be no adverse environmental impacts (e.g. affectation of watercourses and geological structure).</p> <ul style="list-style-type: none"> • Basements for low grade sites (i.e. < 12.5% Grade front to rear): <ul style="list-style-type: none"> a) Basements on land where the average grade is less than 12.5% are permitted only where they are not considered a storey (<i>see definition below</i>) and the overall development presents as 2 storeys to the street. b) A basement is not considered a storey if it is: <p style="margin-left: 20px;"><i>situated partly below the finished ground and the underside of the ceiling is not more than 1m above the natural ground at the external wall for a maximum of 12m in length, with the exception of the façade in which the garage door is located.</i></p> 		
Solar Access	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p style="text-align: center;">Hurstville:</p> <p><i>Development allows for at least 3 hours of sunlight on the windows of main living areas and adjoining principal private open space of adjacent dwellings between 9.00 am and 3.00 pm on 22 June.</i></p> <p><i>Note 1: Development applications for development two storeys and over are to be supported by shadow diagrams demonstrating compliance with this design solution.</i></p> <p><i>Note 2: Exemptions will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation</i></p> </td> <td style="width: 50%; vertical-align: top;"> <p style="text-align: center;">Kogarah:</p> <p><i>Where the neighbouring properties are affected by overshadowing, at least 50% of the neighbouring existing primary private open space or windows to main living areas must receive a minimum of 3 hours sunlight between 9am–3pm on the winter solstice (21 June).</i></p> <p><i>Note 1: development applications for development two storeys and over are to be supported by shadow diagrams demonstrating compliance with this design solution.</i></p> <p><i>Note 2: Exemptions will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation</i></p> </td> </tr> </table>	<p style="text-align: center;">Hurstville:</p> <p><i>Development allows for at least 3 hours of sunlight on the windows of main living areas and adjoining principal private open space of adjacent dwellings between 9.00 am and 3.00 pm on 22 June.</i></p> <p><i>Note 1: Development applications for development two storeys and over are to be supported by shadow diagrams demonstrating compliance with this design solution.</i></p> <p><i>Note 2: Exemptions will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation</i></p>	<p style="text-align: center;">Kogarah:</p> <p><i>Where the neighbouring properties are affected by overshadowing, at least 50% of the neighbouring existing primary private open space or windows to main living areas must receive a minimum of 3 hours sunlight between 9am–3pm on the winter solstice (21 June).</i></p> <p><i>Note 1: development applications for development two storeys and over are to be supported by shadow diagrams demonstrating compliance with this design solution.</i></p> <p><i>Note 2: Exemptions will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation</i></p>
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Dual Occupancies			
Section	Interim Policy Control		
Frontage (detached)	<ul style="list-style-type: none"> • Minimum site width is: <ul style="list-style-type: none"> a) 18m for a <i>detached 'front (maximum 2 storeys) and back' (maximum single storey)</i> dual occupancy with a dwelling at the rear with access to the street via an access handle or right of carriageway b) 22m for a detached dual occupancy in a –side by side' configuration where both dwellings have direct street frontage 		
Basement/Land Modification	<p>Basements are permitted where Council's height controls are not exceeded, and it is demonstrated that there will be no adverse environmental impacts (e.g. affectation of watercourses and geological structure).</p> <ul style="list-style-type: none"> • Basements for low grade sites (i.e. < 12.5% Grade front to rear): <ul style="list-style-type: none"> c) Basements on land where the average grade is less than 12.5% are permitted only where they are not considered a storey (<i>see definition below</i>) and the overall development presents as 2 storeys to the street. d) A basement is not considered a storey if it is: <p style="margin-left: 20px;">situated partly below the finished ground and the underside of the ceiling is not more than 1m above the <i>natural ground at the external wall for a maximum of 12m in length, with the exception of the façade in which the garage door is located.</i></p> 		
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Multi Dwelling Housing		
Section	Interim Policy Control	
Site Frontage	<p style="text-align: center;">Hurstville:</p> <p>The minimum site frontage is 15m. (minimum site area of 500m² per dwelling under Area K on the Lot Size Map in Zone R2 Low Density Residential)</p>	<p style="text-align: center;">Kogarah:</p> <p style="text-align: center;">20m. (requires a minimum of 800m²)</p>
Solar Access	<p style="text-align: center;">Hurstville:</p> <p>Development allows for at least 3 hours of sunlight on the windows of main living areas and adjoining principal private open space of adjacent dwellings between 9.00 am and 3.00 pm on 22 June. <i>Note 1: development applications for development two storeys and over are to be supported by shadow diagrams demonstrating compliance with this design solution.</i> <i>Note 2: Exemptions will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation</i></p>	<p style="text-align: center;">Kogarah:</p> <p>Where the neighbouring properties are affected by overshadowing, at least 50% of the neighbouring existing primary private open space or windows to main living areas must receive a minimum of 3 hours sunlight between 9am–3pm on the winter solstice (21 June). <i>Note 1: development applications for development two storeys and over are to be supported by shadow diagrams demonstrating compliance with this design solution.</i> <i>Note 2: Exemptions will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation</i></p>
Residential Flat Buildings		
Section	Interim Policy Control	
Site Frontage	<p style="text-align: center;">Hurstville:</p> <p>The minimum site frontage is 24m. <i>(Note: The 24m will not be reduced unless the development site is an isolated site).</i></p>	<p style="text-align: center;">Kogarah:</p> <p style="text-align: center;">20m. <i>(Note: The 20m will not be reduced unless the development site is an isolated site).</i></p>

ENV019-19 Georges River Commercial Centres Strategy - Part 1 Centres Analysis for Public Exhibition

- (a) That Council endorses the draft Commercial Centres Strategy – Part 1 Centres Analysis.
- (b) That the draft Commercial Centres Strategy – Part 1 Centres Analysis be publicly exhibited with the draft Local Strategic Planning Statement 2040.
- (c) That Council endorses the preparation of Part 2 of the Strategy to inform the preparation of the future Georges River Local Environmental Plan 2022 and accompanying development control plan.

Record of Voting:

For the Motion: Unanimous

Note: Councillors Agius, Kastanias and Konjarski returned to the meeting, the time being 7.48pm.

RESOLVED: Councillor Hindi and Councillor Badalati

That the recommendations for items ENV015-19 and ENV020-19 to ENV022-19 inclusive, detailed below, be adopted by Council.

ENV015-19 Terms of Reference - Environment and Planning Standing Committee

That the revised Terms of Reference for the Environment and Planning Standing Committee be received and noted.

- a) That Clause 3 of the Terms of Reference be amended to include Summary of the actions and outcomes of the Land and Environment Court, the report to include information on current and determined planning matters.
- b) That the last dot point in Clause 2 of the Terms of Reference be amended by replacing the General Manager with the Mayor in the last dot point.

ENV020-19 Evidence Base for Local Housing Strategy

- (a) That Council endorse the Georges River Council Evidence Base for the Local Housing Strategy for public exhibition as a supporting document for the draft Local Strategic Planning Statement 2040.
- (b) That the Georges River Evidence Base for Local Housing Strategy be publicly exhibited for a minimum period of 28 days alongside the draft Local Strategic Planning Statement 2040.

ENV021-19 Georges River Inclusive Housing Strategy and Delivery Program

That Council endorse the Georges River Inclusive Housing Strategy - Stage 1 report: Assessment of housing needs for exhibition as a supporting document for the Local Strategic Planning Statement.

ENV022-19 Hurstville City Centre Transport Management and Accessibility Plan - TMAP 2018

- (a) That Council endorse the Hurstville City Centre Transport Management and Accessibility Plan 2018 as a strategic planning document, which will inform the preparation of development contributions plans, assessment of planning proposals / development applications and negotiations of Voluntary Planning Agreements.
- (b) That Council work with the transport authorities in relation to specific recommendations in the Hurstville City Centre Transport Management and Accessibility Plan 2018 Report.
- (c) That Council inform the Department of Planning, Industry and Environment, Transport for NSW and Roads and Maritime Services of Council's decision.

Record of Voting:

For the Motion: Unanimous

RESOLVED: Councillor Hindi and Councillor Badalati

ENV017-19 9 Gloucester Road, Hurstville - Planning Proposal and draft DCP

- (a) That Council endorse the proposed amendments to DCP No. 2 – Hurstville City Centre for 9 Gloucester Road, Hurstville for public exhibition;
- (b) That Council endorse an amended Planning Proposal for 9 Gloucester Road, Hurstville (also known as 420-430 Forest Road, Hurstville) seeking an increase to the maximum building height applying to the site from 23m, to a range of heights of 23m, 30m, 40m, 55m and 60m, and increase the FSR from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1) to be forwarded to the Department of Planning and Environment for consideration and approval to publicly exhibit;
- (c) That Council publicly exhibit the amended Planning Proposal and amendments to DCP No. 2 – Hurstville City Centre for 9 Gloucester Road, Hurstville concurrently in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000;
- (d) That Council endorse that the General Manager may make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the public exhibition of the amendments to DCP No. 2;
- (e) That Council advise the Department of Planning and Environment of its decision; and
- (f) That a further report be submitted to Council following the public exhibition period.
- (g) The following amendments be undertaken to the draft Development Control Plan prior to it being placed on public exhibition:
 - i. All figures are to be increased in size to A4 size and be clearly labelled.
 - ii. Include in Section 8.3.3.1 – Surveyor’s Certificate in control (a) after the words “Surveyor’s Certificate” the words: including gross floor area diagrams to scale of each and every proposed level.
 - iii. Amend Control (a) in **Section 8.3.3.2 – Commercial Floor Space** to read as follows: *“Retail and community uses shall be provided on the whole of the ground floor.”*
 - iv. Figure 3 – Minimum Street Setbacks is to be clearly labelled with both the setback in metres and relate clearly to the controls (a) to (i) of **Section 8.3.3.3 – Built Form and Setbacks**.
 - v. Add a new control in **Section 8.3.3.4 – Façade Treatment and Street Corners** to read as follows: The ground floor along the prominent corner and extending up both Forest and Gloucester Roads must have (as close as possible) level access to the footpath and pedestrian accessways without any proposed basement carpark extending above such levels.
 - vi. Amend the last line in **Section 8.3.3.8 – Tree Retention** to read: It is a requirement of this DCP that a number of trees be retained and a tree replacement strategy be implemented.
 - vii. Add a new control (c) in **Section 8.3.3.8 – Tree Retention** as follows: Any trees that are located on public land will be subject to the payment of security in accordance with Council’s Tree Management Policy.
 - viii. Add at the end of control (g) in **Section 8.3.3.9 – On Site Parking** the following: *and must not be located above existing or proposed footpath levels along Forest Road and Gloucester Road.*

Record of Voting:

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

Against the Motion: Councillors Grekas, Konjarski, Landsberry, Payor and Tegg

RESOLVED: Councillor Hindi and Councillor Badalati

ENV018-19 Revised offer to enter into a Voluntary Planning Agreement for 9 Gloucester Road and 420-430 Forest road, Hurstville

- (a) That Council accept and endorse the Letter of Offer to enter into a Voluntary Planning Agreement (VPA) dated 23 April 2019 from Great Tang Brothers Hurstville Pty Ltd (GTB) (Attachment 1) and Heads of Agreement (HOA) signed by the GTB (Attachment 2) in relation to the amended Planning Proposal PP2015/0005 for 9 Gloucester Road and 420-430 Forest Road, Hurstville (May 2019) seeking to increase density and height of buildings on the land for a mixed use development. The VPA Offer and HOA provides for a total monetary contribution of \$3,619,308 and includes the following:
- the contribution value is based on the Hill PDA report residual land value rates of \$1,073 per square metre of additional residential gross floor area and \$349 per square metre of additional non-residential gross floor area.
 - the total contribution value is to be recalculated at the time of payment of the monetary contribution based on the actual final additional residential and non-residential GFA permissible by the LEP amendment;
 - the VPA Offer and final VPA will not exclude the application of s7.11, 7.12 and 7.24 development contributions (previously referred to as s94, s94A and S94EF contributions) to the Development.
- (b) That Council delegate authority to the General Manager to negotiate the final terms and enter into the Heads of Agreement referred to above.
- (c) That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement based on the VPA Offer and Heads of Agreement and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provisions of the Environmental Planning and Assessment Act and Regulation.
- (d) That Council delegate authority to the General Manager to:
- a. Authorise any minor changes to the draft Voluntary Planning Agreement, following its 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;
 - b. Subsequently enter into the Voluntary Planning Agreement on behalf of Council.
- (e) That GTB Hurstville Pty Ltd be informed of Council's decision.

Record of Voting:

For the Motion: The Mayor, Councillor Kevin Greene and Councillors Agius, Badalati, Elmir, Kastanias, Katris, Liu, Symington, Tegg and Wu

Against the Motion: Councillors Grekas, Hindi, Konjarski, Landsberry and Payor

CCL034-19 Report of the Finance and Governance Committee Meeting held on 11 June 2019
(Report by Head of Executive Services)

Note: Councillor Elmir disclosed a Non-Significant Non-Pecuniary Interest in item CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (FIN046-19 – Classification of Land Part 12-22 Woniora Road, Hurstville), for the reason that he has known the Director of combined Projects (Hurstville) for many years, although he has no professional or personal dealings with him. Councillor Elmir left the meeting, the time being 7.51pm, and did not participate in discussion and voting on item FIN046-19.

Note: Councillor Hindi disclosed a Non-Significant Non-Pecuniary Interest in item CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (FIN044-19 – Ausgrid Tender), for the reason he works for Ausgrid but is not involved in the relevant division. Councillor Hindi remained in the meeting during discussion and voting on item FIN044-19.

Note: Councillor Hindi disclosed a Non-Significant Non-Pecuniary Interest in item CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (FIN046-19 – Property Matter – Classification of Land Part 12-22 Woniora Road Hurstville), for the reason that he met the applicant a few times over the past 10 years. Councillor Hindi remained in the meeting during discussion and voting on item FIN046-19.

Note: Councillor Hindi disclosed a Non-Significant Non-Pecuniary Interest in item CCL034-19 Report of the Finance and Governance Committee 11 June 2019 (FIN047-19 – Georges River Council Boundaries and Wards and number of Councillors), for the reason that all the Councillors have an interest in this matter. Councillor Hindi remained in the meeting during discussion and voting on item FIN047-19.

RESOLVED: Councillor Badalati and Councillor Hindi

That the Committee recommendations for items FIN040-19 to FIN045-19 inclusive, and item FIN047-19, detailed below, be adopted by Council.

FIN040-19 Terms of Reference - Finance and Governance Standing Committee

That the revised Terms of Reference for the Finance and Governance Standing Committee be received and noted, with further clarification to be provided in regards to Part 2 of the Terms of Reference (Delegations).

FIN041-19 Advice on Costs and Status of Council's Court Proceedings - May 2019

That the report "Advice on Costs and Status of Council's Court Proceedings – May 2019" be received and noted.

FIN042-19 Investment Report as at 30 April 2019

That Council receive and note the contents of the Investment Report as at 30 April 2019.

FIN043-19 Councillor Ward Discretionary Fund - 2018/2019 Program Results

That this item be deferred to a Councillor Briefing for further discussion.

FIN044-19 Property Matter - Proposed Grant of Easement to Ausgrid - 1 Centre Street Penshurst

- (a) That Council resolve to grant an Easement for Electricity Purposes and Access over Lots 8 and 21 in Deposited Plan (DP) 11492 located at 1 Centre Street and 23 Railway Parade, Penshurst to Ausgrid as generally detailed in this report.
- (b) That the General Manager be authorised to execute all documentation required to create the easement.

FIN045-19 Property Matter - Lease of Commercial Office Space - Suite 4B 34 MacMahon Street Hurstville

- (a) That Council receive and note the report "Property Matter - Lease of Commercial Office Space-Suite 4B 34 MacMahon Street Hurstville."
- (b) That future matters relating to lease and licence agreements that are approved by the General Manager under delegated authority be reported to Council on a quarterly basis as part of the Quarterly Property Report.

FIN047-19 Georges River Boundaries, Wards and Number of Councillors

That this item be deferred to a Councillor Briefing for further discussion.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Elmir left the meeting at 7.51pm and did not participate in discussion and voting on item FIN046-19.

RESOLVED: Councillor Badalati and Councillor Hindi

FIN046-19 Property Matter - Classification of Land - Part 12-22 Woniora Road Hurstville

- (a) That Council resolves to classify Lot 1 in Deposited Plan (DP) 1242704, located at 12-22 Woniora Road, Hurstville as Operational Land in accordance with Part 2, Division 1 (Section 31) of the Local Government Act 1993 (the Act).
- (b) That Council advertise for a period of not less than 28 days inviting public submissions to be made on the proposed classification as per section 34 of the Act.
- (c) That a further report be presented to Council after the exhibition period to advise of any public submissions received.
- (d) That the General Manager be authorised to sign all documentation associated with the proposed classification of land.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Elmir returned to the meeting, the time being 7.53pm.

CCL035-19 Report of the Community and Culture Committee Meeting held on 11 June 2019
(Report by Head of Executive Services)

Note: Councillor Landsberry declared a Significant, Non-Pecuniary Interest in item CCL035-19 – Report of Community and Culture Committee 11 June 2019 (COM019-19 Outgoing Sponsorships and Donations) as her son is a coach at St George Football Association. Councillor Landsberry left the meeting at 7.54pm and did not participate in discussion and voting on item COM019-19.

RESOLVED: Councillor Katris and Councillor Tegg

That the Committee recommendations for items COM018-19, COM020-19 and COM021-19, detailed below, be adopted by Council.

COM018-19 Terms of Reference - Community and Culture Standing Committee

That the revised Terms of Reference for the Community and Culture Standing Committee be received and noted.

COM020-19 Youth Literacy Program

That a Youth Literacy Program be launched in 2020 through Georges River Libraries and branded as GRYLA – Georges River Youth Literary Awards.

COM021-19 Draft Georges River Cultural Strategy for public exhibition

- (a) That Council approve the draft Georges River Cultural Strategy to be placed on public exhibition for 28 days to facilitate community consultation;
- (b) That a further report be submitted to Council detailing feedback from any public submissions made during the exhibition period, together with any recommended changes to the draft Georges River Cultural Strategy prior to adoption;
- (c) That Council approves the remaining funds of \$298,000 are committed in the draft 2019-20 financial year budget for the implementation of the Georges River Cultural Strategy.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Landsberry left the meeting at 7.54pm and did not participate in discussion and voting on item COM019-19.

RESOLVED: Councillor Katris and Councillor Kastanias

COM019-19 Outgoing Sponsorships and Donations

- (a) That Council approve the event sponsorship request of \$1,000 (\$1,000 of financial support) to support the Annual Members Exhibition of Oatley 101 Society of Artists to be held at The Masonic Club on Thursday 10 October 2019.
- (b) That Council approve the event sponsorship request of \$1,000 (\$1,000 of financial support) to support the St George Football Association Allstars event to be held at Netstrata Jubilee Stadium on Saturday 17 August 2019.

- (c) That Council decline the event sponsorship request of \$12,000 (\$12,000 of financial support) to support the Peakhurst Foodies and Farmers Market to be held on the last Friday of each month over the next 12 months held at Our Lady of Fatima Catholic Church Peakhurst.
- (d) That future Outgoing Sponsorships and Donations approved by the General Manager under delegated authority continue to be published on Council's website and be reported through the Councillor Information Bulletin.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Landsberry returned to the meeting at 7.55pm.

Finance and Governance

CCL036-19 2019/20 Operational Plan, 2018/19 - 2020/21 Delivery Program and Updated Resourcing Strategy
(Report by Senior Corporate Planner)

RESOLVED: Councillor Badalati and Councillor Hindi

- (a) That Council note that following the public exhibition period the:
 - a. Draft Delivery Program 2018/19 to 2020/21; and
 - b. Draft 2019/20 Operational Plan including the budget, revenue policy and Schedule of Fees and Charges; and
 - c. Draft Resourcing Strategy encompassing the Long Term Financial Plan, Workforce Management Plan, Asset Management Strategy and Plan.

Annexed to this report as Attachments 1 and 2 have been amended as detailed in the body of this report.

- (b) That in accordance with Sections 402, 403, 404 and 405 of the *Local Government Act 1993* the:
 - a. Draft Delivery Program 2018/19 to 2020/21; and
 - b. Draft 2019/20 Operational Plan including the budget, revenue policy and Schedule of Fees and Charges; and
 - c. Draft Resourcing Strategy encompassing the Long Term Financial Plan, Workforce Management Plan, Asset Management Strategy and Plan.

Including the amendments referred to in (a) above, be adopted.

- (c) That subject to the approval of (b) above, the 2019/20 Schedule of Fees and Charges, become effective as at 1 July 2019.
- (d) That the General Manager be delegated authority to make minor editorial changes and enhancements prior to publishing these documents on Council's website and providing a copy of the Delivery Program and Operational Plan to the Office of Local Government.

- (e) That Council note the Long Term Financial Plan as an essential decision making tool that is to be updated in line with decisions that may impact and affect the sustainability of Council.
- (f) That Council adopt the proposed 2019/20 Budget strategies/directions outlined in the body of the report.
- (g) That, in accordance with Sections 534, 535 and 538 of the *Local Government Act 1993*, Council makes the following rates and charges for every parcel of rateable land within the Georges River Council Local Government Area for the year commencing 1 July 2019 as detailed in the 2019/20 Operational Plan.
- (h) That the former Kogarah City Council increase to general income of 2.7% for 2019/20 be adopted.
- (i) That in accordance with Section 548 of the *Local Government Act 1993*, Council make and levy the 2019/20 annual minimum amount of the former Kogarah City Council ordinary rates on each separate parcel of land or assessment to be \$942.24.
- (j) That in accordance with Sections 493, 494 and 535 of the *Local Government Act 1993*, Council make and levy the 2019/20 Residential Rate based on the latest valuations (Base Date 1 July 2016) and any supplementary valuations applicable as at 1 July 2019. As such the former Kogarah City Council Residential Rate will be at 0.0012747 cents in the dollar and apply to all properties categorised as Residential.
- (k) That in accordance with Section 493 of the *Local Government Act 1993*, Council make and levy the 2019/20 Business Differential Rate based on the latest valuations (Base Date 1 July 2016) and any supplementary valuations applicable as at 1 July 2019. As such the former Kogarah City Council Business Rate will be at 0.0031519 cents in the dollar and apply to all properties categorised as Business, except for the following subcategories:
 - (i) Kogarah CBD Commercial Centre will be 0.0042025 cents in the dollar for 2019/20;
 - (ii) Blakehurst CBD Commercial Centre will be 0.0042025 cents in the dollar for 2019/20;
 - (iii) Hurstville CBD Commercial Centre will be 0.0042025 cents in the dollar for 2019/20;
 - (iv) Oatley CBD Commercial Centre will be 0.0042025 cents in the dollar for 2019/20;
 - (v) Ramsgate CBD Commercial Centre will be 0.0042025 cents in the dollar for 2019/20;
 - (vi) Blakehurst Industrial Area will be 0.0042025 cents in the dollar for 2019/20;
 - (vii) Carlton Industrial Area will be 0.0042025 cents in the dollar for 2019/20; and
 - (viii) South Hurstville Industrial Area will be 0.0042025 cents in the dollar for 2019/20.
- (l) That the former Hurstville City Council increase to general income of 2.7% for 2019/20 be adopted.

- (m) That in accordance with Section 548 of the *Local Government Act 1993*, Council levy and make the 2019/20 annual minimum amount of the former Hurstville City Council ordinary rates on each separate parcel of land or assessment to be \$570.88.
- (n) That in accordance with Sections 494 and 535 of the *Local Government Act 1993*, Council make and levy the 2019/20 Residential Rate based on the latest valuations (Base Date 1 July 2016) and any supplementary valuations applicable as at 1 July 2019. As such the former Hurstville City Council Residential Rate will be at 0.0015895 cents in the dollar and apply to all properties categorised as Residential.
- (o) That in accordance with Section 493, 494, 495, and 535 of the *Local Government Act 1993*, Council make and levy the 2019/20 Business Differential Rate based on the latest valuations (Base Data 1 July 2016) and any supplementary valuations applicable as at 1 July 2019. As such the former Hurstville City Council Business Rate will be at 0.0040559 cents in the dollar and apply to all properties categorised as Business. Special rates will be charged on properties in the below business districts, based on the following cents in the dollar:
- (i) Hurstville Town Improvement District will be 0.00056558 cents in the dollar for 2019/20;
 - (ii) Mortdale Town Improvement District will be 0.00071067 cents in the dollar for 2019/20; and
 - (iii) Riverwood Town Improvement District will be 0.00068983 cents in the dollar for 2019/20.
- (p) That interest charged on overdue rates for the year 1 July 2019 to 30 June 2020, be the rate set by the Minister for Local Government of 7.5% per annum, calculated on a daily basis.
- (q) That in accordance with Section 496 of the *Local Government Act 1993*, the annual charges for the former Kogarah City Council Domestic Waste Management be set as \$464.88 per annum for 2019/20.
- (r) That in accordance with Section 496 of the *Local Government Act 1993*, the annual charges for the former Hurstville City Council Domestic Waste Management be set as \$443.68 per annum for 2019/20.
- (s) That Council provide an additional voluntary rebate to eligible pensioners, up to a maximum of \$150, applied against the domestic waste management annual charge for the 2019/20 financial year at an approximate cost to Council of \$1.2m.
- (t) That all staff involved in the preparation of the Operational Plan be thanked.

Record of Voting:

For the Motion: Unanimous

Notices of Motion**NM039-19 Potential Construction of a Basketball Stadium within Georges River Local Government Area**
(Councillor Elmir)**RESOLVED:** Councillor Elmir and Councillor Kastanias

That, following consideration of the recommendations arising from the draft Georges River Open Space, Recreation and Community Facilities Strategy 2019, the General Manager prepare a report to Council which addresses, amongst other things:

- (i) The current and future demand for indoor court facilities within the Georges River area;
- (ii) The range of indoor sport and recreation activities that currently occur within the Local Government Area (LGA);
- (iii) The existing demand for indoor court hire and availability within the LGA;
- (iv) Potential future locations and site requirements to accommodate a new basketball stadium for use as the headquarters of the St George Basketball Association;
- (v) The estimated land acquisition and construction costs for any new basketball stadium;
- (vi) The level of financial assistance that the St George Basketball Association would be willing to contribute towards the cost of construction of any new stadium facility; and
- (vii) Potential grant funding opportunities that may be available from the State and/or Federal government.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Hindi left the meeting, the time being 8.04pm

NM040-19 Georges River Council's Celebration of Diversity - Pride Month 2019
(Councillor Grekas)**RESOLVED:** Councillor Grekas and Councillor Landsberry

- a) That, in support of our diverse community, Council acknowledge the success of the 2019 Pride Month program and congratulate Council officers on their efforts in delivering the program.
- b) That, to build upon the achievements of the Pride Month program, the General Manager prepares a report that investigates the delivery of an expanded program of annual events focused on promoting and celebrating the diversity of the Georges River community.
- c) That the report address, amongst other things:
 - i. The range of annual events and programs that currently support the demographics of the Georges River local government area;
 - ii. The implications for the promotion and marketing of an expanded Diversity Program;

- iii. The feasibility of creating strong community partnerships for the delivery of an expanded Diversity Program; and
- iv. The financial implications of an expanded Diversity Program.

Record of Voting:

For the Motion: The Mayor, Councillor Kevin Greene and Councillors Agius, Elmir, Grekas, Kastanias, Katris, Konjarski, Landsberry, Liu, Payor, Symington, Tegg and Wu.

Against the Motion: Councillor Badalati

Note: Councillor Kastanias left the meeting, the time being 8.15pm

Note: Councillor Hindi returned to the meeting, the time being 8.15pm

NM041-19 Penshurst Long Day Care Centre - National Recognition of High Quality Child Care
(Councillor Tegg)

RESOLVED: Councillor Tegg and Councillor Konjarski

- (a) That Council acknowledge and congratulate the Penshurst Long Day Care and Children's Services team. The team achieved an overall rating of 'Exceeding Industry Standards' in Council's first early childhood Assessment and Rating for 2019 when measured against the new National Quality Standards through the Australian Children's Education and Care Quality Authority.
- (b) That the 'Exceeding Industry Standards' rating be included in all promotional collateral for Penshurst Long Day Care Centre.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Kastanias returned to the Meeting, the time being 8.17pm.

NM042-19 Masterplan for Hurstville Memorial Square
(Councillor Wu)

RESOLVED: Councillor Wu and Councillor Tegg

That the General Manager provide a report to Council on the estimated cost to fund the preparation of a Masterplan for Hurstville Memorial Square in Forest Road, Hurstville to facilitate a future upgrade of the existing Square.

Record of Voting:

For the Motion: Unanimous

Questions with Notice

QWN006-19 NSW Government - Commencement of Level 1 Water Restrictions in Georges River
(Councillor Liu)

RESOLVED: Councillor Liu and Councillor Katris

That the information be received and noted.

Record of Voting:

For the Motion: Unanimous

QWN007-19 Heavy Vehicle Parking in Georges River Local Government Area
(Councillor Symington)

RESOLVED: Councillor Symington and Councillor Kastanias

- (a) That Council write to the Minister for Transport and Roads, the Hon. Andrew Constance MP and the Parliamentary Secretary for Transport and Roads, Member for Miranda, Eleni Petinos MP, requesting the urgent review of fines for heavy vehicles or long vehicles which park in built up areas beyond the one hour limit permitted by Road Rules 2014, with a view to introducing a tiered penalty system.
- (b) That Council's request to the Minister strongly emphasise that the current fine amount is a totally inadequate deterrent, which severely limits the effectiveness of Council to protect local residents from the impact of heavy vehicles illegally parking in residential areas.
- (c) That Council also write to the Minister for Energy and the Environment, the Hon. Matt Kean MP, requesting that the Protection of the Environment Operations (Noise Control) Regulation 2017 be amended to include vehicles over 4.5 tonnes and that idle for a certain length of time.
- (d) That Council write to the Member for Kogarah, Chris Minns MP, Member for Lakemba, Mr Jihad Dib MP, the Member for Rockdale, Steve Kamper MP and the Member for Oatley, Mark Coure MP requesting their support in relation to both Ministerial representations.

Record of Voting:

For the Motion: Unanimous

Conclusion

The Meeting was closed at 8.22pm.

Chairperson