

MINUTES

Council Meeting

Monday, 24 April 2023

7.00pm

Dragon Room

Level 1, Georges River Civic Centre

Corner Dora and MacMahon Streets, Hurstville



PRESENT

COUNCIL MEMBERS

The Mayor, Councillor Nick Katris, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

COUNCIL STAFF

General Manager – David Tuxford, Director Assets and Infrastructure – Andrew Latta, Director Environment and Planning – Meryl Bishop, Director Community and Culture – Kristie Dodd, Acting Director Business and Corporate Services – Danielle Parker, Manager, Office of the General Manager – Vicki McKinley, Executive Services Officer – Marina Cavar, Executive Services Officer – Marisa Severino, Acting Chief Information Officer – Brendan Scott, Acting Coordinator Technology – Garuthman De Silva and Technology Services Officer Earl Santos. Acting Chief Finance Officer - Craig Henry and Head of Strategic Property - Bernard Morabito.

OPENING

The Mayor, Councillor Katris, opened the meeting at 7.00 pm.

ACKNOWLEDGEMENT OF COUNTRY

The Mayor, Councillor Katris acknowledged the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. I pay my respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live, work and meet on these lands.

NATIONAL ANTHEM

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

ACKNOWLEDGEMENT OF ANZAC DAY

The Mayor, Councillor Katris acknowledged the brave Australians who have served and those who have died as a result of war.

They went with songs to the battle, they were young, Straight of limb, true of eye, steady and aglow; they were staunch to the end against odds uncounted. They fell with their faces to the foe.

They shall grow not old, as we that are left grow old; age shall not weary them, nor the years condemn. At the going down of the sun and in the morning. We will remember them.

Lest We Forget.

Note: The Mayor, Councillor Nick Katris called for a minute's silence.

PRAYER

Reverend Brian Tung of St George's Hurstville Anglican Church offered a prayer to the meeting.

APOLOGIES/LEAVE OF ABSENCE

RESOLVED: Councillor Borg and Councillor Ficarra

That an apology be accepted for Councillor Ambihaipahar and a leave of absence granted.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

For: The Mayor, Councillor Katris, Deputy Mayor, Councillor Landsberry, Councillor Ambihaipahar, Councillor Elmir, Councillor Ficarra, Councillor Jamieson, Councillor Konjarski, Councillor Liu, Councillor Mahoney, Councillor Mort, Councillor Stratikopoulos, Councillor Symington, Councillor Wang

Against:

It was noted that the motion was carried unanimously.

REQUEST TO ATTEND MEETING VIA AUDIO VISUAL LINK

There were no requests to attend meeting via audio visual link.

NOTICE OF WEBCASTING

The Mayor, Councillor Katris 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 5 of Council's Code of Meeting Practice. This recording will be made available on Council's Website.

CODE OF MEETING PRACTICE

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

DISCLOSURES OF INTEREST

Councillor Mahoney declared a Non-Significant, Non-Pecuniary interest in item **CCL024-23 and QWN 16-23 (ENV009-23 Glenlee)** for the reason he is a member of Friends of Glenlee and Oatley Flora and Fauna Conservation Society. Both organisations are actively campaigning for the preservation and acquisition of this property. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Mahoney will participate in the discussion and voting on this item.

Councillor Mahoney declared a Non-Significant, Non-Pecuniary interest in item **CCL031-23 Applications Pursuant to Councillor Ward Discretionary Fund Policy - April 2023** for the reason he is a member of Oatley Flora and Fauna Conservation Society. One of the society's office bearers is related to an office bearer of The Palace Patchworkers, the intended recipient.

As this is a Non-Significant Non-Pecuniary disclosure, Councillor Mahoney will participate in the discussion and voting on this item.

Councillor Mahoney declared a Non-Significant, Non-Pecuniary interest in item **CCL026-23 Report of the Assets and Infrastructure Committee held on 11 April 2023 (ASS008-23)** for the reason he is acquainted with one of the non-voting members of the Local Traffic Committee, who was a former work colleague. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Mahoney will participate in the discussion and voting on this item.

The Mayor, Councillor Katris declared a Pecuniary interest in item **CCL031-23 Councillor Ward Fund Discretionary Funds Application – April 2023** for the reason that this is an application by Cr Konjarski to grant \$1000.00 to the Greek Orthodox Church of Kogarah .(Item CWF 27/22-23) . My Office provides architectural consultancy work to the Church. As this is a Pecuniary Interest the Mayor, Councillor Katris will not participate in the discussion and voting on this item.

Deputy Mayor, Councillor Landsberry declared a Non-Significant Non-Pecuniary interest in item **CCL027-23 Report of the Community and Culture Committee meeting held on 11 April 2023 (COM009-23 Quarterly Community Property Report, 1 January 2023 to 31 March 2023)** for the reason that her son is a life member and committee member at Carss Park Football Club, which is located at Charlies Pirie Reserve, named in the report. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Landsberry will remain in the meeting and take part in consideration and voting on this item

Councillor Symington declared a Non-Significant Non-Pecuniary interest in item **NM020-23 Lighting up the Hurstville Civic Precinct for World Inflammatory Bowel Disease Day 2023** for the reason that the speaker, Cara Punch, is a work colleague at NSW Parliament. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Symington will participate in the discussion and voting on this item.

Councillor Liu declared a Non-Significant Non-Pecuniary interest in item in item **MM011-23 Congratulations to St George Swim Club and Sans Souci Sea Devils Swim Club on their performance at the 2023 Australian Age & MC Age Championships** for the reason that she is a committee member of St. George Swim Club, Florence Jiang, one of the swimmers mentioned in the report, is her daughter. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Liu will participate in the discussion and voting on this item.

Councillor Konjarski disclosed a Non-Significant, Non-Pecuniary interest in item **CCL027-23 Report of the Community and Culture Committee meeting held on 11 April 2023 (COM009-23 Quarterly Community Property Report, 1 January 2023 to 31 March 2023)** for the reason that two of his children coach at Lugarno FC who are lessees at Gannons Park and are recipients of annual subsidies in relation to the lease. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Konjarski will remain in the meeting and take part in consideration and voting on this item.

Councillor Ficarra declared a Non-Significant Non-Pecuniary interest in item **NM020-23 Lighting up the Hurstville Civic Precinct for World Inflammatory Bowel Disease Day 2023** for the reason that the speaker, Cara Punch, is a work colleague. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Ficarra will participate in the discussion and voting on this item.

Councillor Elmir declared a Pecuniary interest in item **MM011-23 Congratulations to St George Swim Club and Sans Souci Sea Devils Swim Club on their performance at the 2023 Australian Age & MC Age Championships** for the reason that he is a financial sponsor of the Sans Souci Sea Devils Swim Club. As this is a Pecuniary interest, Councillor Elmir will not participate in the discussion and voting on this item.

PUBLIC FORUM

There were seven (7) speakers registered.

	Speaker	Report No	Report Title
1.	Gavin Sharp (In Person)	CCL024-23 ENV007-23	Beverly Hills Town Centre Master Plan - A Way Forward
2.	Ian Cady (In Person)	CCL024-23	Beverly Hills Town Centre Master Plan - A Way Forward
3.	Ben Balzar (In Person)	CCL024-23	Beverly Hills Town Centre Master Plan - A Way Forward
4.	Brian Shaw (In Person)	CCL024-23 ENV007-23 QWN017-23	Beverly Hills Town Centre Master Plan - A Way Forward
5.	Russell Green (In Person)	CCL030-23	Property Matter - Legal Rights of Access - Taylor's Reserve, Lugarno
6.	Cara Punch (Remotely)	NM023-23	Lighting up the Hurstville Civic Precinct for World Inflammatory Bowel Diseases Day 2023
7.	Robby Cox (Written Submission)	MM011-23	Congratulations to St George Swim Club and Sans Souci Sea Devils Swim Club on their performance at the 2023 Australian Age & MC Age Championships

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

CCL023-23 Confirmation of the Minutes of the Ordinary Council Meeting held on 27 March 2023

(Report by Executive Services Officer)

RESOLVED: Councillor Landsberry and Councillor Borg

That the Minutes of the Ordinary Council Meeting held on 27 March 2023 be adopted.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

MAYORAL MINUTE

MM011-23 Congratulations to St George Swim Club and Sans Souci Sea Devils Swim Club on their performance at the 2023 Australian Age & MC Age Championships
(Report by The Mayor, Councillor Katris)

Note: Councillor Elmir disclosed a Pecuniary interest and left the meeting at 7.40pm

Note: Councillor Liu disclosed a Non-Significant Non Pecuniary interest.

RESOLVED: The Mayor, Councillor Katris

That Council congratulates the participants from the St George Swim Club and Sans Souci Sea Devils Swim Club, coaches and volunteers for achieving remarkable results at the 2023 Australian Age Championships and the Mayor writes to the Swim Clubs to congratulate them.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

Note: Councillor Elmir returned to the meeting at 7.45pm

MM012-23 ANZAC Day Commemorations in Georges River
(Report by The Mayor, Councillor Katris)

RESOLVED: The Mayor, Councillor Katris

That Council recognise local ANZAC Day commemorations and thank the organisers for maintaining this strong local tradition in Georges River.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

CONDOLENCES

The Director of Community and Culture acknowledged the passing of Ying Yang, who was a staff member at Georges River Council.

Ying passed away on the 10 April 2023 after battling cancer for the past 16 months. Ying was born in Shanghai in 1972 and moved out here with her husband Jo 24 years ago.

Ying has been with Council since September 2005 and, throughout that time, was a valued and much loved Early Childhood Educator at Penshurst Long Day Care.

Ying was a warm, authentic and caring educator who built wonderful relationships with the children, families and staff at the centre. She had a passion for helping others and was incredibly generous by nature.

Our deepest sympathies are with Ying's family, particularly her husband Jo and daughter Annie at this time as well as the Early Learning staff who have lost not just a colleague but a friend.

Note: A minute's silence was observed by all present.

COMMITTEE REPORTS

CCL024-23 Report of the Environment and Planning Committee Meeting held on 11 April 2023

(Report by Executive Services Officer)

RESOLVED: Councillor Landsberry and Councillor Wang

That the Environment and Planning Committee recommendations for Items ENV008-23 to ENV011-23 as detailed below, be adopted by Council.

ENV008-23 Oatley Park Plan of Management and Master Plan - Public Exhibition

(Report by Strategic Planner)

- (a) That Council notify the draft Plan of Management and Master Plan to the Department of Planning and Environment, as landowner of part of the land under section 39 of the Local Government Act 1993 to obtain owner's consent prior to public exhibition.
- (b) That Council seek written consent from NSW Department of Planning and Environment to adopt the draft Plan of Management, in accordance with section 3.23(6) of the Crown Land Management Act 2016.
- (c) That Council lodge a submission to Crown Lands on Lot 542 Lot 727277 (Oatley Baths) requesting that Council be appointed Crown Land Managers.
- (d) That Council delegates authority to the General Manager to make any further amendments

to the draft Oatley Park Plan of Management and Master Plan to address any points raised by the Department of Planning and Environment.

- (e) That Council endorse the draft Oatley Park Plan of Management and Master Plan for public exhibition (following receipt of the Crown landowner's consent) for a period of not less than 28 days, in accordance with section 38 of the Local Government Act 1993.

ENV009-23 Glenlee - Response to Council Resolution - NM010-23 Glenlee - 27 February 2023
(Report by Manager Strategic Planning)

Note: Councillor Mahoney disclosed a Non-Significant No-Pecuniary interest.

That Council receive and note the information provided on Recommendations 3 to 6 of the GM Heritage - Heritage Assessment Report Glenlee, 80 Boronia Parade Lugarno.

ENV010-23 Certification Campaign
(Report by Director Environment and Planning)

- (a) That Council notes the outcome of the community engagement program undertaken to inform a set of actions and recommendation for the State Government and Council to improve the processes and procedures of the certification sector.
- (b) That the General Manager write to the relevant State Ministers requesting:
- i. The Department of Fair Trading dedicates sufficient resources to assist the community with enquiries regarding developments where a Private Certifier has been appointed as the Principal Certifying Authority (PCA).
 - ii. The functionality of the NSW Planning Portal is improved to enable greater public visibility in relation to:
 - lodgement of documents, certificates and plans.
 - lodgement of complaints and a requirement for a response from the PCA.
 - iii. The creation of new penalty notice offence categories under the Environmental Planning and Assessment Act 1979 for matters such as:
 - PCA not responding appropriately to complaints
 - PCA for non-compliance and breaching the provisions of approvals and relevant legislation.
 - iv. The introduction of co-regulator provisions authorising Council staff to fine individual certifiers for issuing a CDC, CC or OC for non-compliance and breaching the provisions of approvals and relevant legislation.
 - v. Requesting an expansion of the role of the Office of the Building Commissioner to address all building types.
- (c) That the General Manager commence a program to implement the following actions:
- i. The development of a new framework for managing sites controlled by private certifiers including the development of a policy and set of procedures which outlines the role of the Certifier, Council and Department of Fair Trading in relation to addressing issues relating to development approvals and building sites managed by a private certifier.
 - ii. Provide redacted CDC, CC and OC plans (and related documents) on the Georges River Council (GRC) Website - the Application Tracker.
 - iii. Create a customer service category in Customer Request Management System (CiA) for Private Certification issues.
 - iv. Improve information regarding the role of private certification and Council on our website

- v. Explore the creation of a service to assist residents resolve civil disputes.
- (d) That a further report be submitted to Council providing information on the resources and financial implications of implementing the actions of:
 - i. The redaction of CDC, CC and OC plans and placing the documentation on the GRC Website - Application DA Tracker.
 - ii. Creating and maintaining a register on complaints relating to Private Certifiers.
 - iii. The establishment of a service to assist residents resolve civil disputes.
- (e) That the General Manager and SSROC lodge a submission to the Building Commission and Department of Fair Trading regarding:
 - i. a joint project to develop a policy and procedures which outlines the role of the Certifier, Council and Department of Fair Trading in relation to addressing issues relating to development approvals and building sites managed by a private certifier.
 - ii. a joint approach by Council and Department of Fair Trading to regulate certifiers
 - iii. a review of the functions of the Planning Portal
- (f) That an update on the Council's certification campaign is provided to residents, community, industry groups and other organisations involved in the engagement program and certification campaign.
- (g) That the General Manager write to local state members and relevant ministers asking for their support on the need to improve the certification system.

ENV011-23 Amendment No. 4 to the Georges River Development Control Plan 2021 for 143 Stoney Creek Road, Beverly Hills
(Report by Senior Strategic Planner)

- (a) That Council endorse the proposed amendments (Amendment No.4) to the Georges River Development Control Plan 2021 for 143 Stoney Creek Road, Beverly Hills for public exhibition.
- (b) That Council publicly exhibit Amendment No.4 to the Georges River Development Control Plan 2021, (whether or not concurrently with the associated Planning Proposal, subject to the NSW Department of Planning and Environment's timeframes for the exhibition of the Planning Proposal), in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021.
- (c) That Council endorse that the General Manager may make minor modifications to correct any numerical, typographical, interpretation and formatting errors, if required, in preparation for the public exhibition of Amendment No. 4 to the Georges River Development Control Plan 2021.
- (d) That Council advise the NSW Department of Planning and Environment of its decision.
- (e) That a further report be submitted to Council following the public exhibition period.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

ENV007-23 Beverly Hills Town Centre Master Plan - A Way Forward

(Report by Manager Strategic Planning)

RESOLVED: Councillor Landsberry and Councillor Wang

- (a) That Council not proceed with the exhibited Master Plan for the Beverly Hills Local Centre.
- (b) That Council notes the submissions on the previously exhibited Beverly Hills Local Centre Master Plan.
- (c) That Council endorse the following principles to guide the preparation of the Master Plan for Beverly Hills Local Centre:
 - a. The Master Plan guides future development on both sides of King Georges Road.
 - b. The expansion of the business zone on the eastern side of King Georges Road to create opportunities for the growth of the Local Centre to support the local community.
 - c. The exploration of the western side of King Georges Road having greater maximum building heights than the eastern side of the road.
 - d. The investigation of the inclusion of affordable housing within the Local Centre.
 - e. That built form transition provisions between the business zone and adjoining low scale residential zones are incorporated into the Master Plan and future development controls.
 - f. That non-residential floor space within future developments ensures capacity to meet the 2036 projections for employment floor space.
 - g. That the Master Plan addresses the risk associated with the Moomba to Sydney High Pressure Gas Pipeline on future development
 - h. The provision of a plaza and additional green spaces within the Local Centre.
- (d) That Council endorse the following elements to guide the development of the Master Plan for the Beverly Hills Local Centre:
 - a. For the northern side of the Railway Line:
 - i. No changes to the zone or development controls
 - ii. Public domain upgrades in Warrawee Place
 - iii. New pedestrian bridge over the railway line
 - b. For the eastern side of King Georges Road:
 - i. Expand the B2 zone
 - ii. Interface/setback controls are identified to address the built form transition between the B2 and R2 zone
 - iii. Car park at 23 Frederick Avenue and 506 King Georges Road is converted to a plaza with angled parking
 - iv. The maximum building heights is 21m (base height) to 28m (gateway sites)
 - v. The maximum floor space ratio is 2.5:1 (base FSR) to 3:1 (gateway sites)
 - c. For the western side of King Georges Road:
 - i. The maximum building heights is 21m (base height), 24.1m (sites requiring 3m

- road widening and min 20m frontage), 31.4m (gateway sites), and 27.2m (Cinema site)
- ii. The maximum floor space ratio is 3:1 (base FSR), 3.5:1 (sites requiring 3m road widening and min 20m frontage and gateway sites), and 4:1 (Cinema site)
- iii. The widening of Dumbleton Lane by 3m
- iv. The provision of green space on King Georges Road (purchase of land)
- v. The provision of a pedestrian air bridge over King Georges Road.
- d. Melvin Street and Edgbaston Road:
 - i. Retention of the R4 High Density Residential Zone
 - ii. Any future controls (FSR + height) result in limited residential intensification and restricted range of sensitive uses.
 - iii. The maximum building heights ranges from 15m to 21m
 - iv. The maximum floor space ratio ranges from 1.5:1 to 2:1
- e. That the non-residential floor space ratio in the B2 Zone be 0.75:1
- f. That affordable housing is investigated to be provided on the western and eastern side of King Georges Road.
- (e) That Council prepare the Master Plan based on the principles and elements in (c) and (d) above.
- (f) That Council prepare and exhibit an amended Traffic, Transport and Parking Study which assesses TfNSW's concerns, the potential impacts of land use uplift on the existing network and to develop mitigation strategies in order to accommodate the expected growth under the Draft Master Plan.
- (g) The Council prepare and exhibit an amended Public Domain Plan to accompany the draft Master Plan.
- (h) That Council prepare a draft Affordable Housing Contributions Scheme for the Beverly Hills Town Centre Master Plan, which includes testing the viability of sites to provide affordable housing contribution.
- (i) That Council requires further risk modelling in regard to the Moomba to Sydney High Pressure Gas Pipeline to be undertaken to determine the level of risk and whether the affected sites change under the Draft Master Plan.
- (j) That Council endorse Beverly Hills Town Centre Master Plan as detailed in this report for public exhibition for 60 days to allow the residents sufficient time to review the draft Master Plan and provide their submissions.
- (k) That Council conduct in person community consultation during the exhibition period, as well as including the provision of one-on-one telephone and meeting services by Council's town planners for community members who wish to discuss any aspects of the draft plan.
- (l) That a further report be prepared and submitted to Council at the conclusion of the exhibition period recommending a preferred approach for the Beverly Hills Town Centre based on the submissions received and the findings of the Traffic, Transport and Parking Study.
- (m) That the Council is to note that budget of over \$200,000 is required to action this resolution and no funds are allocated (to date) in the draft Budget for FY23/24 for Beverly Hills Master Plan.

- (n) That the General Manager, due to the urgency of needing to progress the development of the master plan for the Beverley Hill Centre resulting in part to the planning proposal for 407-511 King Georges Road Beverly Hills and the significant impact this will have on the amenity and infrastructure of the area and the possible loss of significant development contribution funds, is to convene a meeting between the Director of Environment and Planning and the Director of Finance and Governance for the purpose of discussing the possibility of transferring \$200,000 from Council's interest investment surplus in order to fund the consultancy work required for this Master Plan.
- (o) That Council endorse consideration of a housing investigation area in the next review of the Local Strategic Planning Statement, undertaken in 2025, in the area bound by B2 zoned land, Cahill St, Morgan St and Stoney Creek Road.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

CCL025-23 Report of the Finance and Governance Committee held on 11 April 2023
(Report by Executive Services Officer)

RESOLVED: Councillor Borg and Councillor Jamieson

That the Finance and Governance Committee recommendations for Items FIN012-23 to FIN016-23, as detailed below, be adopted by Council.

FIN012-23 Investment Report as at 28 February 2023
(Report by Acting Senior Financial Accountant - Reporting)

That the Investment Report as at 28 February 2023 be received and noted by Council.

FIN013-23 Audit, Risk and Improvement Committee - Minutes of meeting held on 9 December 2022
(Report by Chief Audit Executive)

That the confirmed Minutes of the Audit Risk and Improvement Committee meeting held on 9 December be received and noted by Council.

FIN014-23 2022/23 Half Yearly Progress Report for Quarter Ending 31 December 2022. (Report by Manager Office of the General Manager)

- (a) That Council receive and note the Half Yearly Progress Report July 2022 - December 2022.
- (b) That Council endorse the Delivery Program and Operational Plan items recommended for cancellation, being placed on hold, or altered as detailed in Attachment 1.

- (c) That a copy of the Half Yearly Progress Report July 2022 – December 2022 be published on Council's website.
- (d) That the General Manager be delegated authority to make minor editorial changes to the Half Yearly Progress Report prior to publishing on Council's website.

FIN015-23 Property Matter - Commercial Property Portfolio Report as at 31 December 2022
(Report by Head of Strategic Property)

That the report "Property Matter - Commercial Property Portfolio Report as at 31 December 2022" be received and noted by Council.

FIN016-23 Property Matter - Lease of Airspace - Outdoor Terrace - Hurstville Plaza
(Report by Head of Strategic Property)

- (a) That the General Manager be authorised to enter a lease agreement for the airspace occupied by the Level 1 outdoor terrace located within Hurstville Plaza, legally described as Lot 16 in Deposited Plan (DP) 4799.
- (b) That prior to entering into lease, the proposed lease be advertised in accordance with Section 47 of the Local Government Act, 1993.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

CCL026-23 Report of the Assets and Infrastructure Committee held on 11 April 2023
(Report by Executive Services Officer)

RESOLVED: Councillor Symington and Councillor Konjarski

That the Assets and Infrastructure Committee recommendations for Items ASS008-23 to ASS009-23, as detailed below, be adopted by Council.

ASS008-23 Report of the Georges River Local Traffic Committee Advisory Committee Meeting held on 4 April 2023
(Report by Senior Asset Engineer - Traffic and Transport)

That the Minutes of the Assets and Infrastructure Committee Meeting held on 13 March 2023 be confirmed.

ASS009-23 Charles Pirie Reserve Lighting
(Report by Senior Assets Engineer -Open Space Assets)

- (a) That Council receive and note the outcome of the lux level mapping report prepared for

Parkside Drive Reserve (Charles Pirie Reserve).

- (b) That Council receive and note the community consultation results for Parkside Drive Reserve.
- (c) That Council endorse the progression to design and construct lighting for Parkside Drive Reserve.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

CCL027-23 Report of the Community and Culture Committee held on 11 April 2023
(Report by Executive Services Officer)

RESOLVED: Councillor Liu and Councillor Konjarski

That the Community and Culture Committee recommendations for Items COM009-23 to COM011-23, as detailed below, be adopted by Council.

COM009-23 Quarterly Community Property Report, 1 January 2023 to 31 March 2023
(Report by Manager City Life)

Note: Deputy Mayor, Councillor Landsberry and Councillor Konjarski declared a Non-Significant Non-Pecuniary interest.

That the Quarterly Community Property Report for the period 1 January 2023 to 31 March 2023 be received and noted by Council.

COM010-23 Adoption of the Georges River Council City Partnerships Policy
(Report by Manager Community and Early Learning Services)

- (a) That Council note the feedback received on the draft Georges River Council City Partnerships Policy during the public exhibition period.
- (b) That Council adopt the draft Georges River Council City Partnerships Policy.

COM011-23 Outgoing Sponsorship and Donations
(Report by Sponsorship Specialist)

That Council approve the event sponsorship request of \$10,000 for major sponsorship of the 2023 St George Local Business Awards.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn

Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the motion was carried unanimously.

FINANCE AND GOVERNANCE

CCL028-23 Draft 2023/24 Operational Plan, 2022 - 2026 Delivery Program and Updated Resourcing Strategy (Report by Manager Office of the General Manager)

RESOLVED: Councillor Borg and Councillor Elmir

- (a) That Council endorse for the purposes of public exhibition the attached Draft Integrated Planning and Reporting documents, being the Draft 2023/24 Operational Plan including the Draft Budget, Fees and Charges, Delivery Program and Resourcing Strategy, noting the proposed changes to the Delivery Program.
- (b) That the Draft Integrated Planning and Reporting documents be approved for public exhibition for a period of not less than 28 days.
- (c) That the General Manager be delegated authority to make formatting and minor editorial adjustments to the Draft Integrated Planning and Reporting documents.
- (d) That submissions received as part of the public exhibition of the Draft Integrated Planning and Reporting documents, including the 2023/24 Draft Budget and Fees and Charges be presented to Council via a briefing, prior to the final adoption of the Draft Integrated Planning and Reporting documents at the June 2023 Council meeting.
- (e) That submissions received as part of the public exhibition of the Draft Integrated Planning and Reporting documents, including the 2023/24 Draft Budget and Fees and Charges be reported to the June 2023 Council meeting for consideration as part of the adoption of these documents.
- (f) That Council receive and note the financial sustainability risks, particularly in regard to increasing revenues and managing expenditure, to secure Council's long-term sustainability.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

PROCEDURAL MOTION

RESOLVED: Councillor Ficarra and Councillor Elmir

That the following item CCL030-23 Property Matter - Legal Rights of Access - Taylors Reserve, Lugarno be moved to the confidential session at the end of the business paper in accordance with section 10A (2) (c) the matter information if disclosed, confer commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Katherine Landsberry, Councillor Sam Elmir, Councillor Ficarra Councillor Lou Konjarski, Councillor Liu, Councillor Smerdely, Councillor Stratikopoulos, Councillor Symington and Councillor Wang.

Against the Motion: Councillor Elise Borg, Councillor Christina Jamieson Councillor Peter Mahoney and Councillor Natalie Mort

On being PUT to the meeting voting on this Motion was ten (10) votes FOR and four (4) votes AGAINST. The Motion was CARRIED.

**CCL031-23 Applications Pursuant to Councillor Ward Discretionary Fund Policy -
April 2023
(Report by Executive Services Officer)**

Note: The Mayor, Councillor Katris disclosed a Pecuniary interest, the Mayor Councillor Katris left the meeting at 8.36pm

Note: In the absence of the Mayor, the Deputy Mayor Councillor Landsberry assumed the Chair at 8.36pm.

Note: Councillor Mahoney disclosed a Non-Significant Non Pecuniary interest.

RESOLVED: Councillor Borg and Councillor Elmir

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

- (a) Application submitted by Councillor Mahoney on behalf of the Palace Patchworkers in the amount of \$1,150.
- (b) Application submitted by The Mayor, Councillor Katris on behalf of Autism Community Network in the amount of \$1,500.
- (c) Application submitted by Councillor Konjarski, on behalf of Autism Community Network in the amount of \$600.
- (d) Application submitted by Councillor Smerdely on behalf of Autism Community Network in the amount of \$600.
- (e) Application submitted by Councillor Elmir on behalf of Autism Community Network in the amount of \$600.
- (f) Application submitted by Councillor Stratikopoulos on behalf of The Nepalese Penshurst Committee Incorporated in the amount of \$1,500.
- (g) Application submitted by Councillor Konjarski on behalf of The Greek Orthodox Church Kogarah in the amount of \$1,000.
- (h) Application submitted by Councillor Ficarra on behalf of the Lugarno Progress Association

in the amount of \$1,250.

- (i) Application submitted by Councillor Wang on behalf of the Australia Orient Dancing Company Pty Ltd in the amount of \$1,000.

Record of Voting:

For the Motion: Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

Note: The Mayor returned and resumed the Chair at 8.37 pm.

CCL032-23 Property Matter - Grant of Easement to Drain Water - Smith Park, Kingsgrove
(Report by Head of Strategic Property)

RESOLVED: Councillor Borg and Councillor Symington

- (a) That Council grants an Easement to Drain Water over Lot 93 in Deposited Plan 663238, being Smith Park, Kingsgrove as generally detailed in Attachment 3 of this report.
- (b) That the General Manager be authorised to execute the Section 88B Instrument or Transfer Granting Easement and all associated documentation to create the easement.
- (c) That all costs associated with the granting of the easement be met by the applicant.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

NOTICES OF MOTION

NM019-23 Administration and Variations to Existing Contracts (Report by Councillor Mahoney)

RESOLVED: Councillor Mahoney and Councillor Borg

That Council writes to Ron Hoenig MP, Minister for Local Government, requesting that the Office of Local Government urgently furnishes guidelines to provide expert direction to NSW councils on the administration of variations to existing contracts.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

NM020-23 Lighting up the Hurstville Civic Precinct for World Inflammatory Bowel Disease Day 2023 (Report by Councillor Symington)

Note: Councillors Ficarra and Symington disclosed a Non-Significant Non Pecuniary Interest.

RESOLVED: Councillor Symington and Councillor Konjarski

That the Hurstville Civic Precinct is illuminated with purple light overnight on 19 May 2023 in recognition of World Inflammatory Bowel Disease Day.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

QUESTIONS WITH NOTICE

QWN014-23 Administration of Variations to Existing Contracts (Report by Councillor Peter Mahoney)

Answer published in Council Meeting Agenda.

QWN015-23 Diverse and Affordable Housing (Report by Councillor Peter Mahoney)

Answer published in Council Meeting Agenda.

QWN016-23 Glenlee (Report by Councillor Peter Mahoney)

Note: Councillor Mahoney disclosed a Non-Significant Non Pecuniary Interest.

Answer published in Council Meeting Agenda.

QWN017-23 Beverly Hills Town Centre Master Plan - A Way Forward (Report by Councillor Mahoney)

Answer published in Council Meeting Agenda.

QWN018-23 Beverly Hills TfNSW Car Park (Report by Councillor Christina Jamieson)

Answer published in Council Meeting Agenda.

CONSIDERATION OF BUSINESS IN CLOSED SESSION

RESOLVED: Councillor Elmir and Councillor Smerdely

At this stage of the meeting being 8.31pm 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:

CCL016A-23 Olds Park Public Amenity Demolition (Report by Manager City Technical Services)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In

accordance with Section 10A(2) (c) it is considered the matter information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CCL030-23 Property Matter - Legal Rights of Access - Taylors Reserve, Lugarno
(Report by Head of Strategic Property)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (c) it is considered the matter information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

These matters 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.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

CONSIDERATION OF CONFIDENTIAL RECOMMENDATIONS**CCL016A-23 Olds Park Public Amenity Demolition**
(Report by Manager City Technical Services)**RESOLVED:** Councillor Symington and Councillor Konjarski

- (a) That Council endorse the utilisation of the existing Olds Park Premium Sporting Facility 2022/23 Budget of \$250,000 to commence both the detailed design and demolition of the Olds Park (east) public amenity building, in order to meet grant milestones.
- (b) That Council writes to the Minister of Sport seeking a variation to the Multi-Sport Community Facility Fund Milestone to grant an extension to the Project Scheduled Construction Start milestone so that the existing facility is not demolished until designs are approved and construction tenders awarded.
- (c) That should this extension not be granted by 15 May 2023, then the demolition proceeds according to item (a)

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the motion was carried unanimously.

CCL030-23 Property Matter - Legal Rights of Access - Taylors Reserve, Lugarno
(Report by Head of Strategic Property)**RECOMMENDATION:** Councillor Borg and Councillor Jamieson

- (a) That a Right of Way or Easement for Access (property rights) be created in favour of Lot 2 in DP506903 (only), in line with the commercial terms as set out in the confidential attachment and subject to the applicant's acceptance of these terms.
- (b) That the property right only apply to Lot 2 in DP506903 and not to any future subdivision of Lots 1 and 2 in DP506903 being 2A Woodlands Road, Lugarno.

AMENDMENT: Councillor Symington and Councillor Elmir

- (a) That a Right of Way or Easement for Access (property rights) be created in favour of Lot 2 in DP506903 (only), on the same terms that 1053, 1055, 1057, 1059, 1061B and 1061, Forest Road, Lugarno were granted access (i.e. no cost).
- (b) Any future requests for access to Lots 1 and 2 are to be in accordance with appropriate commercial terms and to be assessed on its merits.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Nick Smerdely, Councillor

Sam Stratikopoulos and Councillor Colleen Symington.

Against the Motion: Deputy Mayor, Councillor Katherine Landsberry, Councillor Elise Borg, Councillor Christina Jamieson, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Benjamin Wang (Abstained).

On being PUT to the meeting voting on this Amendment was eight (8) votes FOR and six (6) votes AGAINST. The Amendment was CARRIED.

RESOLVED: Councillor Symington and Councillor Elmir

- (a) That a Right of Way or Easement for Access (property rights) be created in favour of Lot 2 in DP506903 (only), on the same terms that 1053, 1055, 1057, 1059, 1061B and 1061, Forest Road, Lugarno were granted access (i.e. no cost).
- (b) Any future requests for access to Lots 1 and 2 are to be in accordance with appropriate commercial terms and to be assessed on its merits.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Nick Smerdely, Councillor Sam Stratikopoulos and Councillor Colleen Symington.

Against the Motion: Deputy Mayor, Councillor Katherine Landsberry, Councillor Elise Borg, Councillor Christina Jamieson, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Benjamin Wang (Abstained).

On being PUT to the meeting voting on this Motion was eight (8) votes FOR and six (6) votes AGAINST. The Motion was CARRIED.

OPEN COUNCIL

RESOLVED: Councillor Elmir and Councillor Ficarra

That the meeting revert to Open Council.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the Motion was carried unanimously.

CONSIDERATION OF RECOMMENDATIONS FROM CLOSED SESSION

RESOLVED: Councillor Elmir and Councillor Konjarski

That the recommendations of the Closed Session in relation to **CCL016A-23 Olds Park Public Amenity Demolition** and **CCL030-23 Property Matter - Legal Rights of Access - Taylors Reserve, Lugarno** be received and noted as resolutions of Council without any alteration or amendment thereto.

Record of Voting:

For the Motion: The Mayor, Councillor Nick Katris, Deputy Mayor, Councillor Kathryn Landsberry, Councillor Elise Borg, Councillor Sam Elmir, Councillor Veronica Ficarra, Councillor Christina Jamieson, Councillor Lou Konjarski, Councillor Nancy Liu, Councillor Peter Mahoney, Councillor Natalie Mort, Councillor Nick Smerdely, Councillor Sam Stratikopoulos, Councillor Colleen Symington and Councillor Benjamin Wang.

It was noted that the motion was carried unanimously.

CONCLUSION

The Meeting was closed at 10.02 pm



Chairperson

Mayor, Councillor Nick Katris

Minutes confirmed at the Ordinary Council meeting on 22 May 2023 (CCL033-23)