

# **MINUTES**

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## **Council Meeting**

**Monday, 26 June 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 Ashvini Ambihapahar, 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, 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, Chief People Officer - Sharni Watts, Executive Manager City Futures - Simon Massey, General Counsel - James Fan, Coordinator Communications and Engagement - Catherine James, Senior Business Performance Accountant - Jo Dikkenberg, Acting Chief Financial Officer - Craig Henry, Coordinator Financial Management – Scott Henwood, Chief Information Officer - Brendan Scott (online), Manager Cultural Engagement and Library Services - Justin Yeomans (online), Manager City Technical Services - Tom Heath, Manager Premium Facilities - Luke Coleman (online), Manager Strategic Placemaking – Hayley Barnes (online), Manager Community and ELS – Kylie Downing (online), Acting Head of Technology – Garuthman De Silva and Technology Business Support Officer - Earl Santos.

## **OPENING**

The Mayor, Councillor Katris, opened the meeting at 7.01pm.

## **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.

## **PRAYER**

Dr Saroja Srinivasan from St George Interfaith Network offered a prayer to the meeting.

## **APOLOGIES/LEAVE OF ABSENCE**

There were no apologies or requests for leave of absence.

## **REQUEST TO ATTEND VIA AUDIO VISUAL LINK**

There were no requests.

## **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 4 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 **CCL044-23 Report of the Environment and Planning Committee held on 13 June 2023 (ENV019-23 – Adoption of the Moore Reserve Plan of Management and Masterplan)** for the reason that Oatley Flora and Fauna Conservation Society has carried out a series of native plantings around the dog off-leash area in Moore Reserve. He is a member of the society and has participated in several of those planting events in recent years. Councillor Mahoney 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 **MM018-23 – Dr Anthony Pun** for the reason that she is friends with Leon Pun, a son of Dr Anthony Pun. Councillor Ficarra 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 **MM021-23 – Congratulations to Kevin Greene AM** for the reason that Kevin Greene and Councillor Ficarra were candidates in the same group for the 2021 Local Government election. Councillor Ficarra will remain in the meeting and take part in consideration and voting on this item.

**Councillor Konjarski** declared a Non-Significant, Non-Pecuniary interest in item **CCL046-23 Report of the Assets and Infrastructure Committee held on 13 June 2023 (ASS026A-23 Canteen Management Agreement - Penshurst Park Extension Option)** for the reason that his son plays football at St George City who are the operators of the canteen. Councillor Konjarski will remain in the meeting and take part in consideration and voting on this item.

**Councillor Mahoney** declared a Non-Significant, Non-Pecuniary interest in item **CCL050-23 Working Together for a Better Future - 2022 - 2026 Delivery Program 2023/24 Operational Plan, and Updated Resourcing Strategy, NM031-23 and QWN023-23 Glenlee, 80 Boronia Parade Lugarno** for the reason that 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. Councillor Mahoney will remain in the meeting and take part in consideration and voting on this item.

**PUBLIC FORUM**

	Speaker	Report No	Report Title
1	David Tse	CCL050-23	Working Together for A Better Future – 2022-26 Delivery Program 2023-24 Operational Plan and Update Resourcing Strategy
2	Maddison Dorian	NM035-23	Companion Animals Act
3	Adrian Polhill	MM020-23 & NM031-23	Reducing Waste And Its Impact On The Environment & Glenlee, 80 Boronia Parade Lugarno
4	Ginger Li	MM024-23	St George Arts & Culture Festival
5	Matthew Allison	QWN023-23	Glenlee, 80 Boronia Parade, Lugarno
6	Stephen Matthews	QWN025-23	Penshurst Park
7	Kim Wagstaff	CCL050-23	Working Together for A Better Future – 2022-26 Delivery Program 2023-24 Operational Plan and Update Resourcing Strategy
8	Helen Payne	MM024-23	St George Arts & Culture Festival

**CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**CCL043-23 Confirmation of the Minutes of the Ordinary Council Meeting held on 22 May 2023**  
(Report by Executive Services Officer)

**RESOLVED:** Councillor Ficarra and Councillor Elmir

That the Minutes of the Ordinary Council Meeting held on 22 May 2023 be adopted.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

## **MAYORAL MINUTES**

### **MM018-23      Vale Dr Anthony Pun** (Report by The Mayor, Councillor Katris)

Note:    Councillor Ficarra disclosed a Non-Significant, Non-Pecuniary interest.

**RESOLVED:** The Mayor, Councillor Katris

That Council acknowledge the passing of Dr Anthony Pun and extend our deepest condolences to his family and that a detailed record of his life is to be provided in the Archives of the library.

#### **Record of Voting:**

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

It was noted that the motion was carried unanimously.

Note:        Councillor Jamieson left the meeting at 7.37pm.

### **MM019-23      Australasian Reporting Awards - Gold Award 2021/22 Annual Report** (Report by The Mayor, Councillor Katris)

**RESOLVED:** The Mayor, Councillor Katris

That Council congratulate Council officers in particular Vicki McKinley, Manager Office of the General Manager, Danielle Parker, Director Business and Corporate Services and Reanne Potter, City Image and Brand Officer for their efforts in achieving a Gold Award for Council's 2021/22 Annual Report at the 2023 Australasian Reporting Awards.

#### **Record of Voting:**

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

It was noted that the motion was carried unanimously.

### **MM020-23      Reducing waste and its impact on the environment** (Report by The Mayor, Councillor Katris)

**RESOLVED:** The Mayor, Councillor Katris

- (a) That Council write to the Commonwealth Government to expedite bans on materials that cannot be recycled or recovered, and to increase extended producer responsibilities.
- (b) That Council write to the NSW Government to set the waste levy at an appropriate level with realistic hypothecation allocation, to streamline planning approvals for infrastructure, and to increase clarity and efficiency of licensing procedures.

- (c) That Council work with other metropolitan Sydney Councils to coordinate our advocacy, communications and collective buying power to bring the benefits of scale, efficiency and industry confidence.
- (d) That Council work with the other tiers of government to ensure the delivery of infrastructure solutions locally to reduce waste hauled long distances or to landfill.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**MM021-23      Congratulations to Kevin Greene AM**  
(Report by The Mayor, Councillor Katris)

Note: Councillor Ficarra disclosed a Non-Significant, Non-Pecuniary interest.

**RESOLVED:** The Mayor, Councillor Katris

That Council congratulate Mr Kevin Greene AM on this significant honour and thank him for his many years of dedicated service.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

Note: Councillor Jamieson returned to the meeting at 7.52pm.

**MM022-23      2023 Local Government NSW Excellence Awards**  
(Report by The Mayor, Councillor Katris)

**RESOLVED:** The Mayor, Councillor Katris

That Council congratulate the staff involved in the Aboriginal and Torres Strait Islander Voices project, which received a Highly Commended award within the First Nations Community Partnerships category at the 2023 Local Government NSW Excellence Awards.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**MM023-23      WestConnex M8: Draft Road Network Performance Review Plan**  
(Report by The Mayor, Councillor Katris)

**RESOLVED:** The Mayor, Councillor Katris

That Council officers provide feedback as outlined in this Mayoral Minute to Transport for NSW.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**SUSPENSION OF STANDING ORDERS**

With the time being 8.02pm, Council suspended Standing Orders to allow Councillor Liu and members of the Ocean Dream Cultural Art Centre to make a presentation of a piece of hand painted artwork to the Mayor.

Note:        The hand painted artwork was tabled.

**RESUMPTION OF STANDING ORDERS**

With the time being 8.04pm, Council resumed Standing Orders.

**MM024-23      St George Arts & Culture Festival**  
(Report by The Mayor, Councillor Katris)

**RESOLVED:** The Mayor, Councillor Katris

That Georges River Council congratulates the Organiser and Co-Organiser of the 2023 First

St. George Arts & Culture Festival being the St. George Community Alliance and the Ocean Dream Cultural Art Centre of Australia on a very successful Multicultural Festival event and notes that the Council is happy to continue to support such events that add to the diversity and richness of our cultural fabric.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

Note: Councillor Liu and members of the Ocean Dream Cultural Art Centre presented the Mayor with a piece of artwork at the meeting, the meeting was momentarily suspended for a photo opportunity.

**MM025-23      Passing of Brian Booth MBE**  
(Report by The Mayor, Councillor Katris)

**RESOLVED:** The Mayor, Councillor Katris

That Council recognises the recent passing of Brian Booth MBE and extends its sympathy to his wife Judy and family and that a detailed record of his life is to be provided in the Archives of the library.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**MM026-23      Mayor's Charity Golf Day**  
(Report by The Mayor, Councillor Katris)

**RESOLVED:** The Mayor, Councillor Katris

That Council thank the Mayor's Charity Golf Day Organising Committee for their continued support and the sponsors, players, Mark Coure MP, and staff for a very successful Charity Golf Day held at Hurstville Golf Club.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.



## CONDOLENCES

The Deputy Mayor, Councillor Landsberry expressed her sadness at the sudden passing of The Honourable Simon Crean. He was aged 74, he was in Germany as part of an industry delegation for trade. Simon Crean was the member for Hotham in Victoria from 1990 – 2013.

Prior to being elected to Parliament, he was President of the ACTU during the Accord era, and was a Minister in the Hawke, Keating, Rudd and Gillard governments, he was the only person to serve as a cabinet minister in all of those governments.

He held many ministries during his time in Parliament, including trade, agriculture, resources and energy, as well as training and industry and he was committed to jobs and skills development in the finest of Labor traditions.

Simon Crean was leader of the opposition for two years, from 2001 to 2003. He is the only federal Labor leader since 1916, to never have faced an election.

In 2003 when, as Opposition Leader, he staked his reputation on opposing Australian participation in the Iraq War. He declared: "This war is wrong. Australia should not be in it. Saddam Hussein is a brutal dictator, Iraq must be disarmed but this is not the way to do it." He also said as much to the face of George W Bush in 2003 when President Bush visited Australia.

After leaving Parliament following the 2013 election, he continued promotion of trade relationships, including with the European Australian Business Council and, also the Australia-Korea Business Council. He was widely credited for supporting women rising in the party, and under his leadership, he increased the quota of women running in winnable seats from 35% – 40%. In fact, he was succeeded in his seat of Hotham by Clare O'Neal, currently the Minister for Home Affairs in the Albanese Labor Government.

He was also Patron of the Mental Health Foundation of Australia.

Simon Crean made an extraordinary contribution to public life. Most people would have seen him through the lens of the media, and he was not a great media performer, sorry to say that, but there's something that always sticks in my mind, from many years ago. There was an Australian Story feature on him, and the warmth and humanity that came through when he was sitting down speaking to the presenter about his life in Parliament, his family, and how important his family was to him, I was very struck by the fact that not only his wife, but both of his daughters were all Geminis, and as a Gemini woman, I commend him for sustaining living in a household with 3 Gemini women.

I would like to extend my condolences on behalf of Council to Simon Crean's family and friends. He is survived by his wife Carole, his wife of 50 years, his children Emma and Sarah, and their partners and grandchildren.

A minutes' silence was observed by all who were present at the meeting.

## COMMITTEE REPORTS

**CCL044-23      Report of the Environment and Planning Committee Meeting held on 13 June 2023**  
(Report by Executive Services Officer)

**RESOLVED:** Councillor Landsberry and Councillor Mort

That the Environment and Planning Committee recommendations for Items ENV018-23 to ENV022-23 as detailed below, be adopted by Council.

**ENV018-23 Proposed Housekeeping Amendment to the Georges River Local Environmental Plan 2021**

(Report by Strategic Planner)

- (a) That Council forward Planning Proposal No. 2023/0002 Housekeeping Amendment 2023 enclosed in Attachment 1 to the Department of Planning and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- (b) That Council authorise the Director Environment and Planning to make minor editorial amendments to the Planning Proposal as required throughout the Gateway process.
- (c) That Council endorse to publicly exhibit the Planning Proposal in accordance with the terms of the Gateway Determination issued by the Department of Planning and Environment in accordance with Georges River Council Engagement Strategy.

**ENV019-23 Adoption of Moore Reserve Plan of Management and Master Plan**

(Report by Senior Strategic Planner)

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

- (a) That Council adopt the exhibited Moore Reserve Plan of Management and Master Plan with amendments in accordance with section 40 of the *NSW Local Government Act 1993* and section 3.23(6) of the *NSW Crown Land Management Act 2016*.
- (b) That Council authorise the General Manager to make minor editorial modifications in the finalisation of the Moore Reserve Plan of Management and Master Plan.
- (c) That all individuals who provided a submission during the public exhibition of the Moore Reserve Plan of Management and Master Plan be notified of Council's decision.
- (d) That the adopted Moore Reserve Plan of Management and Master Plan be forwarded to the NSW Department of Planning and Environment – Crown Lands for information.
- (e) That the Moore Reserve Plan of Management and Master Plan be placed on Council's website following adoption by Council.
- (f) Council's Director Environment and Planning is to amend the Management action table as follows:
  - i. Under the leisure and recreational uses 6.43 Dog walking and Exercise actions LRU6 include the text - Stages 5 & 6 are only to proceed in the event that Council has considered a detailed report on the actual needs of dog owners and the impact of any proposed increase in the dog leash free central area on the communities needs for Public recreational open space.
  - ii. Delete the words " to be slightly more than double its present size" and also delete this from the actual Master Plan diagram.

**ENV020-23 Development and Building Department Functions and Services Metrics Report - Q3 2022/2023**

(Report by Manager Development and Building)

- (a) That Council receive and note the Development and Building Department Functions

and Services Metrics Report for the reporting period being January – March 2023.

- (b) Council commends the Director Environment and Planning and the staff implementing actions to achieve a magnificent reduction in the backlog of Development Applications.

#### **ENV021-23      Review of Stormwater Management Policy**

(Report by Manager Development and Building)

- (a) That Council endorse the amendments to the Georges River Stormwater Management Policy 2020 as detailed in the report and place the draft policy on exhibition for a period of not less than 28 days.
- (b) That a further report be submitted to Council after the exhibition period outlining the public submissions for the adoption of the amended policy.

#### **ENV022-23      Report on Submissions - Hurstville Civic Planning Proposal and DCP Amendment.**

(Report by Coordinator Strategic Planning)

- (a) That Council note the submissions received during the public exhibition of the Planning Proposal PP2016/0002 that seeks to amend the *Georges River Local Environmental Plan 2021* as it applies to the Georges River Council owned site known as the Hurstville Civic Precinct Site, bound by Queens Road, Dora Street, MacMahon Street and Park Road.
- (b) That Council endorse the Planning Proposal for the Hurstville Civic Precinct that:
  - i. Amends the Land Zoning Map - Sheet LZN\_008A to remove the 'Deferred Matter' and rezone the site to MU1 Mixed Use;
  - ii. Amends the Height of Buildings Map - Sheet HOB\_008A to set:
    - a) a maximum height of 20 metres under the height designation of 'Q1' at the south western portion of the site;
    - b) a maximum height of 30 metres under the height designation of 'U' at the south western corner of the site; and
    - c) a maximum height of 60 metres under the height designation of 'AA' at the north eastern portion and south eastern corner of the site.
  - iii. Amends the Floor Space Ratio Map - Sheet FSR\_008A to set:
    - a) a maximum FSR of 3:1 under the FSR designation of 'V' at the south western portion of the site;
    - b) a maximum FSR of 7:1 under the FSR designation of 'AB' at the central/ north eastern portion of the site; and
    - c) a maximum FSR of 5:1 under the FSR designation of 'Z' at the north eastern portion of the site.
  - iv. Amends Schedule 4 to reclassify Lot 13 in DP 6510 and Lot 14 in DP 6510 (i.e. former Baptist Church and adjoining land, known as 4-6 Dora Street) from 'community' to 'operational' land.
  - v. Amends the Heritage Map – Sheet HER\_008A and Schedule 5 (Environmental Heritage) to include the Hurstville Museum and Gallery (14 MacMahon Street) as a local heritage item.
  - vi. Amends the Additional Permitted Uses Map – Sheet APU\_008A to identify 2 Patrick Street (Lots A and B in DP 389008) and part Patrick Street Road Reserve (4 MacMahon Street (Lot 1 in DP 1280799 - to the centreline)) as Area B to permit the use of 'residential flat buildings' via Schedule 1 - Additional Permitted Uses.

- vii. Amends Schedule 1 - Additional Permitted Uses to permit the use of 'residential flat buildings' in Area B.
- viii. Amends Clause 6.13 - Development in Zones E1 and MU1 to exclude the application of the clause to Area B.
- ix. Inserts an Additional Local Provision (Part 6) as follows:

**Clause 6.18 Hurstville Civic Precinct**

- (1) *The objective of this clause is to facilitate the provision of community facilities and public benefits on the Hurstville Civic Precinct site.*
  - (2) *This clause applies to land bounded by Queens Road, Park Road, MacMahon Street and Dora Street.*
  - (3) *Development consent must not be granted on land to which this clause applies unless the consent authority is satisfied that the development will include:*
    - (a) *Residential land uses to a maximum of 55% of the total permissible GFA; and*
    - (b) *Community uses and facilities to a minimum of 25% of the total permissible GFA; and*
    - (c) *Public open space at ground level to a minimum of 50% of the total site area, inclusive of a civic plaza that receives an average of 50% direct sunlight between 11am and 2pm midwinter; and*
    - (d) *Car parking for general public use that is additional to the requirements for all land uses.*
  - (4) *In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must be satisfied that the development –*
    - (a) *is accompanied by a car parking study and traffic impact assessment that assesses the extent to which public car parking for general use is required to be provided at the site; and*
    - (b) *includes the provision of public car parking and traffic mitigation measures identified by the car parking study and traffic impact assessment.*
  - (5) *For the purposes of this clause, community facilities for the Hurstville Civic Precinct site means Council administrative and civic offices; multipurpose auditorium, library, museum, art gallery, community centre, associated uses such as cafés; a range of recreation, relaxation or study areas; and any other use that Council may consider appropriate to meet the needs of the community.*
  - (6) *For the purposes of this clause, the total permissible GFA and the total site area are calculated relative to the total area of land in the Hurstville Civic Precinct bounded by Dora Street, Queens Road, Park Road and MacMahon Street.*
  - (7) *For the purposes of this clause, the total site area refers to the total area of land in the Hurstville Civic Precinct bounded by Dora Street, Queens Road, Park Road and MacMahon Street.*
- (c) That the Planning Proposal be amended as per the recommendations of this report and be forwarded for gazettal to the Department of Planning and Environment in accordance with Section 3.36 of the *Environmental Planning and Assessment Act 1979*.

- (d) That Council amend the exhibited draft DCP Amendment No. 2 to the *Georges River Development Control Plan 2021* being “Part 10 Precincts, Section 10.3 Hurstville Civic Precinct” by:
- i. Inserting Control iii. n. in Section 3.5.1 Public Domain Strategy, as follows:  
“n. The protection of the remembrance plaque on the northern wall of the former Hurstville Baptist Church building located at 4-6 Dora Street which is to be removed prior to any demolition of that building and installed in a publicly visible and appropriate location as part of the future redevelopment of the site.”
  - ii. Inserting Control ii. i. in Section 3.11 Car Parking Study and Traffic Impact Assessment as follows:  
“i. A multimodal transport impact assessment.”
  - iii. Inserting additional dot points in Control iii. a. in Section 3.11 Car Parking Study and Traffic Impact Assessment as follows:
    - i. “A multimodal transport impact assessment”; and
    - ii. “The identification of active transport links to existing school travel paths.”
- (e) That Council in accordance with Section 3.43 of the *Environmental Planning and Assessment Act 1979* and Clause 14 of the *Environmental Planning and Assessment Regulation 2021* adopt Amendment No. 2 to the *Georges River Development Control Plan 2021* (**Attachment 4**) as amended in response to submissions.
- (f) That Council endorse the Director of Environment and Planning to make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in the finalisation of the draft plans.
- (g) That Council give public notice of the decision to approve the amended *Georges River Development Control Plan 2021*, on its website within 28 days in accordance with Clause 20 of the *Environmental Planning and Assessment Regulation 2021*.
- (h) That all persons who made a submission to the Planning Proposal and draft DCP amendment be advised of Council’s decision.
- (i) That the Department of Planning and Environment be advised of Council’s decision to approve the amendment to the *Georges River Development Control Plan 2021* in accordance with the *Environmental Planning and Assessment Act 1979*.
- (j) That the adopted DCP become effective when the amendment to the *Georges River Local Environmental Plan 2021* is gazetted.

### Record of Voting:

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

It was noted that the motion was carried unanimously.

**RESOLVED:** Councillor Borg and Councillor Mahoney

That the Finance and Governance Committee recommendations for Items FIN023-23 to FIN025-23, as detailed below, be adopted by Council.

**FIN023-23 Investment Report as at 30 April 2023**

(Report by Acting Senior Financial Accountant - Reporting)

That the Investment Report as at 30 April 2023 be received and noted by Council.

**FIN024-23 Audit, Risk and Improvement Committee - Minutes of Meeting held on 2 March 2023**

(Report by Chief Audit Executive)

- (a) That the confirmed Minutes of the Audit Risk and Improvement Committee meeting held on 2 March 2023 be received and noted by Council.
- (b) That the Director Business and Corporate Services provide a memo to all Councillors on the recommendation of the report to ARIC on item AUD006-23 for consideration prior to the budget being considered at the June 2023 Council Meeting.

**FIN025-23 2023/24 Strategic Risks**

(Report by Head of Corporate Governance and Risk)

- (a) That Council receive and note the JLT Public Sector Risk Report (Attachment 1).
- (b) That Council endorse the following 2023/24 ranked Strategic Risks:
  - i. Financial Sustainability
  - ii. Cyber Security
  - iii. Assets and Infrastructure
  - iv. Business Continuity/Disaster Management
  - v. HR Management
  - vi. Climate Change/Adaptation
  - vii. Reputation
  - viii. Statutory and Regulatory Requirement/Ineffective Governance
  - ix. Social Cohesion

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**CCL046-23 Report of the Assets and Infrastructure Committee held on 13 June 2023**  
(Report by Executive Services Officer)**RESOLVED:** Councillor Symington and Councillor Konjarski

That the Assets and Infrastructure Committee recommendations for Item ASS013-23 to

ASS015-23 and ASS026A-23 as detailed below, be adopted by Council.

**ASS013-23 Report of the Georges River Local Traffic Committee Advisory Committee Meeting held on 6 June 2023**

(Report by Senior Asset Engineer - Traffic and Transport)

That the recommendations contained within the minutes of the Georges River Local Traffic Advisory Committee Meeting held on 6 June 2023 be adopted by Council.

**ASS014-23 Hogben Park - Basketball Court 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 Hogben Park basketball court.
- (b) Council receive and note the community consultation results for proposed lighting at the basketball court.
- (c) That Council do not pursue additional lighting at the Hogben Park basketball court within the 24/25 capital works program.

**ASS015-23 Installation of Bike Repair Stations at strategic locations**

(Report by Senior Asset Engineer - Traffic and Transport)

- (a) Council receive and note the outcome of the bike repair station investigation.
- (b) Council officers submit a budget bid to include one bike repair station in the 24/25 Budget. The budget bid to include the purchase and installation and ongoing maintenance costs.
- (c) If approved in the 24/25 Budget, Council endorses the location of this station being Gannons Park Peakhurst.
- (d) Council notes that as the Georges River Council Active Transport Network is implemented, bike repair stations will be considered at other strategic locations.

**ASS026A-23 Canteen Management Agreement - Penshurst Park - P22/001 - Extension Option**

(Report by Manager Premium Facilities)

Note: Councillor Konjarski disclosed a Non-Significant, Non-Pecuniary interest.

That Council approve the extension option to St George City FA for the Penshurst Park Canteen Management Agreement P22/001 for the further period of one year.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**CCL047-23 Report of the Community and Culture Committee Meeting held on 13 June 2023**

(Report by Executive Services Officer)

*There were no committee reports*

**FINANCE AND GOVERNANCE****CCL048-23 Report on Outstanding Council Resolutions (Period up to and including 31 March 2023)**

(Report by Executive Services Officer)

**RESOLVED:** Councillor Borg and Councillor Mahoney

That the report on Outstanding Council Resolutions (Period up to and including 31 March 2023) be received and noted.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**CCL049-23 Georges River Council Media Policy**

(Report by Coordinator, Communications and Engagement)

**RESOLVED:** Councillor Borg and Councillor Elmir

- (a) That the Georges River Council Media Policy be adopted by Council.
- (b) That the Georges River Council Media Procedures for Councillors be adopted by Council.
- (c) That Council replace the Georges River Council Communication and Media Management Policy 2017 with the Georges River Council Media Policy once adopted.
- (d) That Council receive and note Media Procedures for Staff and the Communications and Engagement team will be reviewed and adopted by the Executive Team.
- (e) That Council Officials received training on the adopted Georges River Council Media Policy and Georges River Council Media Procedures.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**CCL050-23 Working Together for a Better Future - 2022 - 2026 Delivery Program 2023/24 Operational Plan and Updated Resourcing Strategy**

(Report by Acting Chief Financial Officer)



**Note:** Councillor Mahoney disclosed a Non-Significant, Non-Pecuniary interest

**RESOLVED:** Councillor Borg and Councillor Elmir

- (a) That Council note that following the public exhibition period for the:
- Delivery Program 2022 - 2026; and
  - Draft 2023/24 Operational Plan including the budget, revenue policy and Schedule of Fees and Charges; and
  - Draft Resourcing Strategy encompassing Workforce Management Plan, Digital Resource Management Plan, Asset Management Plan and the Long-Term Financial Plan;
- (b) That in accordance with Sections 403, 404 and 405 of the Local Government Act 1993 the:
- Delivery Program 2022 - 2026
  - 2023/24 Operational Plan including the budget, revenue policy and Schedule of Fees and Charges subject to the following amendments to the budget:

The following items be reduced or deferred in the 2023/24 Operational Budget:

- Community Grants Program - budget reduced by \$75,000 to \$325,000
- Child-safe, accessible, inclusive and liveable communities audit - budget reduced by \$138,000 to \$150,000

The following items be included in the 2023/24 Operational Budget:

- WHS Incentive Rebate Income - \$130,000
- Roads to Recovery Operating Grant Income - \$360,000
- Planning Panels; Expertise for DA's and Advisory Service Expense – \$220,000
- Moore Reserve Environmental Assessment Expense - \$75,000
- Carss Park Aquatic Facility Business Case - \$200,000
- Emergency Service Levy Expense - \$362,000
- Significant Tree Register - \$20,000
- Glenlee Aboriginal and Natural Heritage Study - \$50,000
- Library Feasibility Study - \$60,000
- Councillor Ward Discretionary Fund - \$75,000
- Expansion of Citizenship Program - \$9,000
- NAIDOC Week - \$15,000
- Youth Week - \$10,000
- Anti-racism Training in schools - \$18,000
- Pride Month - \$15,000
- Georges River Keeper Committee Coastal Management Plan - \$20,000
- Affordable Housing Contribution Scheme Pilot - \$50,000
- Consultant Development Assessment Engineering - \$50,000
- Wildlife Protection Area Signage - \$30,000
- Tree Canopy Coverage Mapping - \$20,000
- Analysis of risk along ethane pipeline - \$35,000
- Wayfinding Signage: Dementia Friendly and DIAP - \$5,000
- Traffic Study Streets Surrounding Gannons Park - \$30,000
- Traffic Study Streets Surrounding Peakhurst Park - \$30,000
- Traffic Study Streets Mashman Avenue Access Upgrade - \$30,000

The following items be reduced or deferred in the 2023/24 Capital Program:

- Gannons Park to Oatley Park walking trail design - \$250,000

The following items be included in the 2023/24 Capital Program:

- Design of the internal Oatley Parks Bath Amenities Block - \$15,000
- Osprey Nesting Platform - \$25,000
- Mortdale and Carlton Depot Toilet Upgrade - \$70,000

c. Resourcing Strategy encompassing the Workforce Management Plan, Digital Resource Management Plan, Asset Management Plan and the Long-Term Financial Plan.

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

- (c) That the 2023/24 Budget Operating Surplus is unfavourably reduced from \$4.1 million to \$3.4 million.
- (d) That the General Manager make administrative amendments to the Councillor Ward Discretionary Fund Policy to strengthen the probity and acquittal process of the fund.
- (e) That subject to the approval of (b) above, the 2023/24 Schedule of Fees and Charges, become effective as at 1 July 2023.
- (f) That the General Manager be delegated authority to make minor editorial changes, enhancements and resolved budgetary amendments 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.
- (g) That a revised Long Term Financial Plan and other relevant supporting documents are updated based on the final 2023/24 Adopted Budget.
- (h) That Council acknowledge the deviation from Council's approved Long Term Financial Plan and therefore throughout the financial year 2023/24 identify productivity and efficiency initiatives to remediate the current gap of \$3 million.
- (i) 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 and ongoing service provisions of Council.
- (j) That the 2023/24 Operational Plan is updated with the applicable commentary/status to reflect any budget deferrals, that will therefore then impact the delivery of the action in 2023/24.
- (k) Council endorse 2023/24 Budget Strategy as per the Independent Pricing and regulatory Tribunal Special Rate Variation approval and the Long-Term Financial Plan.
- (l) That, in accordance with Sections 496, 496A, 534 and 535 of the *Local Government Act 1993*, Council makes rates and charges for every parcel of rateable land within the Georges River Council Local Government Area for the year commencing 1 July 2023 as detailed in the 2023/24 Operational Plan, Revenue Policy and Fees and Charges.
- (m) As per the Instrument of Approval under section 508A and section 548(3)(a), Council applies the Special Variation for Georges River Council for 2023/24 of 5.8% to its general income.
- (n) That in accordance with Sections 493, 494 and 535 of the *Local Government Act 1993*, Council make and levy the 2023/24 Residential Rate based on the latest valuations (Base Date 1 July 2022) and any supplementary valuations applicable as at 1 July 2023. As such, the Georges River Council Residential Rate will be 0.0011298 and apply to all properties categorised as Residential, subject to the minimum rate.
- (o) That in accordance with Section 493, 494 and 535 of the *Local Government Act 1993*, Council make and levy the 2023/24 Business General Rate based on the latest valuations (Base Date 1 July 2022) and any supplementary valuations applicable as at 1 July 2023.

As such, the Georges River Council Business General Rate will be 0.0026168 and apply to all properties categorised as Business, except for the following subcategories and subject to the minimum rates:

- (i) Business Industrial Rate will be 0.0032111;
  - (ii) Business Local Rate will be 0.0035193;
  - (iii) Business Major Shopping Complex Rate will be 0.0111165;
  - (iv) Business Strategic Centres (Hurstville and Kogarah CBDs) rate will be 0.0035903;
- (p) That in accordance with Section 548 of the *Local Government Act 1993*, Council make and levy the 2023/24 annual ordinary residential minimum rate on each separate assessment to be \$1,047.
- (q) That in accordance with Section 548 of the *Local Government Act 1993*, Council make and levy the 2023/24 annual ordinary Business – other than Strategic Centres minimum rate on each separate assessment to be \$1,193.
- (r) That in accordance with Section 548 of the *Local Government Act 1993*, Council make and levy the 2023/24 annual ordinary Business Strategic Centres (Hurstville and Kogarah CBD) minimum rate on each separate assessment to be \$1,627.
- (s) That interest charged on overdue rates and charges for the year 1 July 2023 to 30 June 2024 be the maximum rate set by the Minister for Local Government, calculated on a daily basis.

#### **Record of voting:**

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

It was noted that the motion was carried unanimously.

### **NOTICES OF MOTION**

**NM031-23 Glenlee, 80 Boronia Parade, Lugarno**  
(Report by Councillor Mahoney)

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

**RESOLVED:** Councillor Mahoney and Councillor Jamieson

That the General Manager:

- (a) Writes to the Hon Penny Sharpe, Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage, to seek the following:
- i. authorising access for the purpose of conducting necessary Aboriginal and natural heritage assessments;
  - ii. the provision of funds to cover those Aboriginal and natural heritage assessments;
  - iii. the granting of a new Interim Heritage Order, and
  - iv. the provision of funds towards the acquisition of the property and
- (b) Writes to the Hon. Linda Burney MP, Minister for Indigenous Australians and the Hon. Tanya Plibersek MP, Minister for the Environment and Water, to seek the following:
- i. consideration of the property for its inclusion on the National Heritage List; and
  - ii. the provision of funds towards the acquisition of the property.

**Record of Voting:**

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

*It was noted that the motion was carried unanimously.*

**NM032-23      Soft Plastic Recycling Scheme**  
(Report by Councillor Mahoney)

Note: Councillor Konjarski tabled a brochure that he obtained at the recent ALGA conference in Canberra and a copy is ON FILE.

**RESOLVED:** Councillor Mahoney and Councillor Liu

That the General Manager again writes to the Hon Penny Sharpe, Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage, the Hon Tanya Plibersek, Minister for Environment and Water, the Australian Food and Grocery Council and the Australian Retailers Association, seeking an update on what measures they are taking concerning the reintroduction of a soft plastics recycling scheme.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**NM033-23      Uluru Statement from the Heart and Voice to Parliament**  
(Report by Councillor Ambihaipahar)**RESOLVED:** Councillor Ambihaipahar and Deputy Mayor, Councillor Landsberry

- (a) That Council supports the Uluru Statement from the Heart, Voice to Parliament and a Makarrata Commission.
- (b) That Council display a framed copy of the Uluru Statement from the Heart within Council Chambers.
- (c) That Council notes that the Federal Government will be conducting a Referendum proposing to amend the Australian Constitution to recognise Aboriginal and Torres Strait Islander voices by establishing a Voice to Parliament. Furthermore, Council notes that the Hon. Linda Burney, Member for Barton, and Minister for Indigenous Australians, is a strong advocate and supports a Voice to Parliament.
- (d) That Council notes the need to increase community awareness about the Uluru Statement from the Heart, the upcoming Referendum for a Voice to Parliament and a Makarrata Commission.

- (e) That Council seeks to collaborate with local Aboriginal Elders and other relevant (but not limited to) interested community and local organisations, Georges River Council Reference Group/s, sporting clubs/associations, other councils and businesses that are undertaking awareness-raising activities that raises awareness of the Uluru Statement from the Heart and a Voice to Parliament.
- (f) That Council investigates potential sources of funding and /or in-kind opportunities for a local Georges River campaign.

**Record of Voting:**

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

On being PUT to the meeting voting on this Motion was ten (10) votes FOR and five (5) votes AGAINST. The motion was CARRIED.

**NM034-23 Empowering Youth to Inspire Change (EYTIC) Showcase 2023**  
(Report by Deputy Mayor, Councillor Landsberry)

**RESOLVED:** Deputy Mayor, Councillor Landsberry and Councillor Ambihaipahar

- (a) That Council congratulates the students of Kogarah High and Beverly Hills Girls High School for participating in this year's Empowering Youth to Inspire Change (EYTIC) Program, facilitated by GyMEA Community Aid and Information Service.
- (b) That Council congratulates the schools from Sutherland Shire local government area (LGA), Jannali High School, Menai High School and Engadine High School for their participation in the EYTIC program.
- (c) That Council congratulates Kalpna Patel, GyMEA Community Aid and Information Service Project Leader, and her team for co-ordinating the EYTIC program, and the EYTIC Showcase 2023.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**NM035-23 Companion Animals Act**  
(Report by Councillor Ficarra)

**RESOLVED:** Councillor Ficarra and Councillor Smerdely

- (a) That Council writes to the Minister for Local Government seeking an amendment to the NSW Companion Animals Act to make it an offence to allow cats to roam, and incorporate

provisions to allows councils to seize unowned and feral cats; and

- (b) With the introduction of any updated legislation, that Council undertakes an education program in conjunction with residents and community groups about the provisions of the legislation and to encourage responsible cat ownership.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

**QUESTIONS WITH NOTICE**

**QWN023-23 GLENLEE**

(Report by Councillor Mahoney)

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

Answer published in the business paper.

**QWN024-23 Get the Site Right**

(Report by Councillor Mahoney)

Answer published in the business paper.

**QWN025-23 Penshurst Park**

(Report by Councillor Konjarski)

Answer published in the business paper.

Note: It was noted that Councillor Smerdely left the Chambers at 09:17pm and did not return.

**CONSIDERATION OF BUSINESS IN CLOSED SESSION**

**RESOLVED:** Councillor Elmir and Councillor Konjarski

At this stage of the meeting being 9.18pm 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:

**CCL030A-23 Recyclables Processing - Direct negotiations under the Local Government Act 1993**

(Report by Manager Environment Health & Regulatory 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.*

**CCL031A-23 Review of the Performance of the General Manager**  
(Report by Councillor Katris)

*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) (a) it is considered the matter deals with personnel matters concerning particular individuals (other than Councillors).*

*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 deals with personnel matters concerning particular individuals (other than Councillors).*

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

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

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

The Mayor asked if there were any members of the public gallery who would like to speak on the reasons Council proposes to consider the items in Closed Session.

There were none.

Note: It was noted that Councillor Ficarra left the Chambers at 9:19pm

**Record of voting:**

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

It was noted that the motion was carried unanimously.

Note: The meeting moved into Closed Confidential at 9.19pm.

Note: It was noted that Councillor Stratikopoulos left the Chambers at 9:21pm and did not return.

## **CONSIDERATION OF CONFIDENTIAL RECOMMENDATIONS**

### **CCL030A-23 Recyclables Processing - Direct negotiations under the Local Government Act 1993**

(Report by Manager Environment Health & Regulatory Services)

**RESOLVED:** Councillor Elmir and Councillor Mahoney

- (a) That Council resolves, in accordance with s55(3)(i) of the Local Government Act 1993 (NSW), that a satisfactory result will not be achieved by inviting tenders for commingled recycling processing services (proposed service) because of the circumstances and unavailability of competitive and reliable tenderers for commingled recycling processing services resulting from
- i. the need for Council to seek a short-term contract for the proposed services due to the inability by Council's current provider of comingled recyclables processing services to further extend the current contract and provide the proposed services for the period specified in the report; in order to either:
    - align with the Southern Sydney Regional Organisation of Council's led Commingled Recycling for Sustainable Solutions Project for recyclables processing services on a long-term basis; or
    - allow for the provision of recyclables processing services as part of Council's proposed waste collection contract, which is currently the subject of a request for tender process; and
  - ii. the unavailability of contractors willing to provide competitive tenders for the proposed services due to the short-term nature of the proposed contract, and the limited availability of recyclables processing infrastructure;
- (b) That Council delegates authority to the General Manager to undertake direct negotiations with recyclables processors, facilitated by Southern Sydney Regional Organisation of Council's with a view to entering into a short-term contract (of up to 24 months) for commingled recycling processing services; and to execute any such short-term contract as may be agreed as a result of the negotiations; and
- (c) That Council endorses joint tendering for recyclables processing services on a long-term basis with the Southern Sydney Regional Organisation of Council's to seek suitable cost and resourcing efficiencies bein achieved and/or demonstrated during the tender preparation process under the Southern Sydney Regional Organisation of Council's Commingled Recycling for Sustainable Solutions Project.

#### **Record of voting:**

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

It was noted that the motion was carried unanimously.

Note: The General Manager left the meeting at 9.24pm.



**CCL031A-23 Mayoral Minute - Review of the Performance of the General Manager**  
(Report by Councillor Katris)**RESOLVED:** The Mayor, Councillor Katris and Councillor Elmir

That Council:

- (a) Receive and note the process for setting out the performance agreement and review of the General Manager's performance as outlined in this Mayoral Minute.
- (b) Appoint a review panel comprising:
  - i. The Mayor
  - ii. The Deputy Mayor
  - iii. Councillor Elmir nominated by the General Manager
  - iv. Councillor Borg nominated by the Council
- (c) Delegates to the review panel:
  - i. The authority to undertake performance reviews of the General Manager with the assistance of an appointed external facilitator.
  - ii. The Review Panel and the General Manager will appoint an external facilitator to develop a new performance agreement and facilitate the performance review process.
  - iii. This delegation is to be exercised in accordance with:
    - a. the requirements of the Act and the Local Government (General) Regulation 2021 (NSW);
    - b. the requirements of any other relevant act, law or regulation; and
    - c. any relevant resolution or policy of Council.
  - iv. This delegation is effective from the date of the Council resolution adopting this procedure to the completion of the delegated performance management tasks at the end of this term of Council.
- (d) Review Panel members will receive training in conducting a performance review of the General Manager prior to being required to conduct a Performance Review.

**Record of voting:**

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

It was noted that the motion was carried unanimously.

**OPEN COUNCIL****RESOLVED:** Councillor Elmir and Councillor Symington

That the meeting revert to Open Council.

**Record of Voting:**

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

It was noted that the motion was carried unanimously.

Note: The meeting re-opened at 9.25pm.

Note: The General Manager returned to the meeting at 9.25pm.

Note: Councillor Ficarra returned to the meeting at 9.27pm.

## **CONSIDERATION OF CONFIDENTIAL RECOMMENDATIONS**

**RESOLVED:** Councillor Elmir and Councillor Konjarski

That the recommendations of the Closed Session in relation to **CCL030A-23 Recyclables Processing - Direct negotiations under the Local Government Act 1993 and CCL031A-23 Mayoral Minute - Review of the Performance of the General Manager** be received and noted as resolution of Council without any alteration or amendment thereto.

### **Record of Voting:**

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

It was noted that the motion was carried unanimously.

## **CONCLUSION**

The Meeting was closed at 9.28pm.



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Chairperson

Mayor, Councillor Nick Katris

Minutes confirmed at the Ordinary Council meeting on 24 July 2023 (CCL051-23)