

AGENDA

Environment and Planning Committee

Monday, 11 August 2025

7:00 PM

Dragon Room

**Georges River Civic Centre,
Hurstville**



OATH OF OFFICE OR AFFIRMATION OF OFFICE

All Georges River Councillors are reminded of their Oath of Office or Affirmation of Office made at the time of their swearing into the role of Councillor.

All Councillors are to undertake the duties of the office of Councillor in the best interests of the people of the Georges River Council area and are to act faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act to the best of their ability and judgement.

DISCLOSURES OF INTEREST

All Georges River Councillors are reminded of their obligation to declare any conflict of interest (perceived or otherwise) in a matter being considered by Council or at any meeting of Council.

ENVIRONMENT AND PLANNING COMMITTEE MEETING

ORDER OF BUSINESS

OPENING

ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges 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.

APOLOGIES / LEAVE OF ABSENCE

REQUEST TO JOIN VIA AUDIO VISUAL LINK

NOTICE OF WEBCASTING

DISCLOSURES OF INTEREST

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CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Item: ENV025-25 Confirmation of the Minutes of the Environment and Planning Committee Meeting held on 14 July 2025

Author: Executive Services Officer

Directorate: Office of the General Manager

Matter Type: Previous Minutes

RECOMMENDATION:

That the Minutes of the Environment and Planning Committee Meeting held on 14 July 2025, be confirmed.

ATTACHMENTS

Attachment [1](#) Minutes of the Environment and Planning Committee Meeting held on 14 July 2025



ENV025-25

MINUTES

Environment and Planning Committee

Monday, 14 July 2025

7:00 PM

Dragon Room

Georges River Civic Centre,
Hurstville



GEORGES RIVER COUNCIL

PRESENT

COUNCIL MEMBERS

Councillor Elise Borg (Mayor), Councillor Peter Mahoney (Chairperson), Councillor Matthew Allison Councillor Tom Arthur, Councillor Christina Jamieson, and Councillor Kathryn Landsberry.

COUNCIL STAFF

Director Environment and Planning – Joseph Hill, Manager Environmental Health and Regulatory Services – Mr Andrew Spooner, Coordinator Strategic Planning - Luke Oste Acting General Manager – Danielle Parker, General Counsel – James Fan, Executive Manager City Futures - Kent Stroud, Manager Office of the General Manager – Vicki McKinley, Executive Assistant to the Director, Environment and Planning - Leanne Allen (Minutes).

OPENING

The Chairperson, Councillor Mahoney, opened the meeting at 7pm

ACKNOWLEDGEMENT OF COUNTRY

The Chairperson, Councillor Mahoney 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.

APOLOGIES/LEAVE OF ABSENCE

There were no apologies or leave of absence.

REQUEST TO ATTEND VIA AUDIO VISUAL LINK

There were no requests to attend via Audio Visual Link.

NOTICE OF WEBCASTING

The Chairperson, Councillor Mahoney 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

There were no disclosures of interest made.

PUBLIC FORUM

There were no registered speakers.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

ENV022-25 Confirmation of the Minutes of the Environment and Planning Committee Meeting held on 10 June 2025

(Report by Executive Services Officer)

RECOMMENDATION: Councillor Landsberry, Councillor Allison

That the Minutes of the Environment and Planning Committee Meeting held on 10 June 2025, be confirmed.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

COMMITTEE REPORTS

ENV023-25 Draft Asbestos Management Policy

(Report by Manager Environment Health & Regulatory Services)

RECOMMENDATION: Councillor Jamieson, Councillor Landsberry

(a) That Council endorse the draft Asbestos Management Policy, as attached to this report, for the purpose of public exhibition for a minimum period of 60 days, in accordance with Section 160 of the Local Government Act, 1993.

(b) That a further report be provided to Council on the outcomes of the public exhibition.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

ENV024-25 Endorsement of Hurstville Golf Course Clubhouse Planning Proposal for Gateway Determination

(Report by Senior Strategic Planner)

RECOMMENDATION: Councillor Landsberry, Councillor Jamieson

(a) That Council forward Planning Proposal No.2025/0003 (Hurstville Golf Course Clubhouse) enclosed in Attachment 1 to the Department of Planning, Housing and Infrastructure for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

(b) That Council publicly exhibit the Planning Proposal in accordance with the terms of the Gateway Determination issued by the Department of Planning, Housing and Infrastructure and in accordance with the *Georges River Council Engagement Strategy*.

(c) That the Director Environment and Planning be authorised to make minor editorial amendments to the Planning Proposal as required throughout the reporting process.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

CONCLUSION

The Meeting was closed at 7.08pm.

Chairperson

UNCONFIRMED MINUTES

COMMITTEE REPORTS**Item:** ENV026-25 Development and Building Q4 Metrics Report**Author:** Manager Development and Building**Directorate:** Environment and Planning**Matter Type:** Committee Reports**RECOMMENDATION:**

That Council note the Quarterly Development and Building Team Functions and Services Metrics Report for the period April to June 2025.

EXECUTIVE SUMMARY

1. This report provides an overview of the Development and Building Team Services Metrics for Q4 of the 2024/2025 financial year being April to June 2025. The data previously reported for the 2023/2024 Financial Year is also provided for comparison.
2. In the Q4 2024/2025 quarter a total of 84 applications were lodged, while 146 were determined.
3. The total number of applications determined increased in Q3 to Q4 from 92 applications to 146 applications.
4. The percentage of applications that were determined in June (46%) within the Minister's 115 day Statement of Expectation timeframe increased significantly compared with the percentage determined in March (12%) and April – more than doubling from 17% to 46%.
5. In June 2025 the average assessment timeframe was 128 days, a significant decrease of 39% on the May average of 209 days.

REPORT BACKGROUND

6. The Minister for Planning and Public Spaces contacted Council on 6 March 2025 to discuss Council's performance against the criteria set out to reduce Development Application assessment timeframes and gave Georges River Council 28 days to provide a written response and Action Plan endorsed by the elected Council.
7. Council endorsed the response to the Minister with an Action Plan as part of a program to swiftly improve performance at its meeting on 24 March 2025.
8. The Minister's request aligned effectively with the improvement work already initiated by the Council. The Action Plan details a program of work and actions designed to improve average assessment timeframes, ensuring that development aligns with current planning controls and maintains a high standard of customer service in the long term.
9. Following on from this Action Plan, the Minister for Planning and Public Spaces advised Council's Chair of its Local Planning Panel on 24 May 2025 that Council was not meeting the expectations of the Order. Council's Action Plan was to be further refined with the

assistance of an expert planner assigned by the Department of Planning, Housing and Infrastructure in undertaking a detailed process review.

10. Once the planning expert completes the review of the Action Plan it will be sent to Council for review and comment with a finalised Action Plan to be sent from the Department of Planning, Housing and Infrastructure for adoption by Council. It is anticipated that this will be completed by September 2025.
11. The Development and Building Team continues to implement best practice processes and actions that assist in improving application processing times and customer service, and operationally continues to reduce outstanding applications on hand.

DEVELOPMENT APPLICATIONS, MODIFICATIONS AND REVIEWS

Determining Authority

12. Under NSW Planning legislation, the Elected Council are no longer involved in determining Development Applications, Modifications to Consents, Review of Determinations or Building Information Certificates under the Environmental Planning and Assessment Act 1979 and the provisions of Council's Code of Conduct.
13. Subsequently, most applications are now determined under Delegated Authority by Council's Senior Development and Building Staff, unless they are required to be referred to the Georges River Local Planning Panel or the Sydney South Planning Panel for determination.
14. Best practice processes are used when making a determination. Council uses a peer review process which ensures that all recommendations made by our assessment officers are reviewed by a senior officer who is delegated to determine the application. This ensures transparency and consistency within the recommendations and decisions made by our staff.
15. Where Council staff are not delegated to determine the application, the report is reviewed by a senior officer within the team and the application is submitted to the determining authority. In most cases these authorities are the Georges River Local Planning Panel or the Sydney South Planning Panel.

All Applications (DAs, Modifications and Reviews)

16. Metrics associated with the processing of Development Applications, Modification Applications and Review Applications is detailed in Tables 1 and 2 which provide a monthly breakdown in the previous and current financial years:

FY23/24	DA Lodged	DA Determined	MOD Lodged	MOD Determined	REV Lodged	REV Determined	TOTAL Lodged	TOTAL Determined
July	31	41	7	17	0	1	38	59
August	24	46	7	3	2	0	33	49
September	14	34	2	12	1	1	17	47
October	44	28	6	10	0	3	50	41
November	27	36	6	9	1	1	34	46
December	21	48	7	10	1	2	29	60
January	15	25	6	11	0	0	21	36
February	19	21	6	15	0	2	25	38
March	24	42	5	10	1	3	30	55
April	24	29	5	8	1	2	30	39
May	27	26	1	10	1	0	29	36
June	20	25	7	9	2	1	29	35

Table 1 – 2023/2024 financial year applications lodged and determined (Q1-Q4)

FY24/25	DA Lodged	DA Determined	MOD Lodged	MOD Determined	REV Lodged	REV Determined	TOTAL Lodged	TOTAL Determined
July	28	36	8	10	0	4	36	50
August	15	18	4	5	3	0	22	23
September	20	28	3	7	1	4	24	39
October	32	28	4	14	1	1	37	43
November	28	16	10	6	0	1	38	23
December	15	23	8	8	2	2	25	33
January	19	18	4	4	0	1	23	23
February	14	24	3	9	0	0	17	33
March	24	27	10	5	1	3	35	35
April	22	40	4	17	0	1	26	58
May	23	40	1	11	0	0	24	51
June	26	26	7	10	1	1	34	37

Table 2 – 2024/2025 financial year applications lodged and determined (Q1-Q4)

17. In the Q4 2024/2025 quarter a total of 84 applications were lodged, while 146 were determined.
18. Of the 146 applications determined in Q4, 11 were determined by the Georges River Local Planning Panel. The remaining 135 were determined by Council staff under officer delegation.

Development Applications

19. The Minister's expected average assessment time for development applications across NSW, for this financial year is 115 (calendar) days and the Department of Planning have released an interactive report available to the public which outlines the performance of all Councils across NSW. This table is publicly known as the Council League Table. The statistics produced do not include Modification or Review applications, do not account for applications with a deemed refusal appeal to the Land and Environment Court (i.e., where the application has not been determined) and do not factor in any requests for further information that stop the assessment clock under planning legislation.
20. For the purposes of consistent statistic reporting, Table 3 below provides a snapshot of the NSW Government's League Table for Q1 – Q4 of the Financial Year 2024/2025 for Development Applications only, **not** Modifications or Reviews.

Average days - Determination	227
Average days - Portal Lodgement	9
Number of DAs lodged	315
Number of DAs submitted	666
Number of DAs determined	269
Number of DAs approved	207

Table 3 – 2024/2025 FY NSW Planning Portal League Table Data – DAs only (Q1-Q4)

21. Table 4 provides a snapshot of **all** applications (DAs, Modifications and Reviews) to provide a more complete view of the work undertaken by the team over the past 12 months.

Average days - Determination	196
Average days - Portal Lodgement	10
Number of applications lodged	438
Number of applications submitted	861
Number of applications determined	381
Number of applications approved	302

Table 4 – 2024/2025 FY NSW Planning Portal League Table Data – All applications (Q1-Q4)

Processing Times – Determined Applications

22. The high determination time in this quarter was due to the finalisation of several complex and or long-standing applications and a drop in determination numbers due to staff vacancies.
23. Applications within Georges River can be complex due to factors such as topography, waterfront, engineering and drainage, flooding and other environmental sensitivities. With most applications being for single dwellings, alterations and additions and dual occupancies, these types of applications (excluding waterfront dwellings) are a focus point for the reduction in assessment timeframes.

Improvements and Recruitment

24. The Development and Building Team has introduced an Action Plan to reduce assessment timeframes and existing procedures are currently under review by senior leaders within the Development Assessment and Development Advisory Teams which will identify bottlenecks as well as areas for improvement.
25. Staff are currently working on refining internal processes.
26. There are a number of critical vacancies within the Development Assessment teams with recruitment processes well established for the vacant roles. Three senior staff positions have been filled and the new recruits will join Council in August. In the interim, agency staff and consultants remain in place to maintain service levels.

Determinations

27. There has been a steady increase in the number of applications determined each month since January. The total number of applications determined increased in Q3 to Q4 from 92 applications to 146 applications.
28. The percentage of applications that were determined in June (46%) within the Minister's 115 day Statement of Expectation timeframe increased significantly compared with the percentage determined in March (12%) and April – more than doubling from 17% to 46%.

Assessment Timeframe

29. The average determination timeframe has decreased 17% since July 2024, from 227 days (Q1) to 188 days (Q4).
30. In June 2025 the average was 128 days, a significant decrease of 39% on the May average of 209 days.

Q1 25/26 Predictions

31. The finalisation of older applications will continue to impact the average determination times in Q1, however preliminary Q1 figures suggest a continued downward trend in outstanding application numbers, overall and those older than 180 days, as the volume of determinations continues to increase. The upcoming Q1 report will elaborate on the projected improvements indicated by these current metrics.
32. Improvements in assessment timeframes are evident and will become more sustainable when the Action Plan initiatives are in effect and recruitment is complete. This is anticipated to occur in Q2 of FY25/26.

Housing Delivery

33. On the current list of applications under assessment, of which there were 148 (as at 22 July 2025), 39 (26%) applications would, if approved, deliver additional housing for the community in the form of 10 x multi-dwelling/shop top housing developments, 16 x dual occupancies and 13 x secondary dwellings.

Development Advisory Service

34. The Development Advisory Service (DAS) was introduced to help streamline the development assessment process and make it easier for community members and building professionals to access planning and development advice. Services provided comparative to other similar sized Councils include:
 - The Duty Planner Service;
 - Evening Development Information Sessions for community members and building professionals (recommenced in March 2024);

- Expanded Pre-lodgement Advisory Service; and
- Complying Development Consultation Service.

35. Table 4 outlines the number of pre-lodgements received and completed within Q4 of this financial year:

36.

FY2024/2025	PRE DA (Received)	PRE DA (Completed)
July	7	4
August	7	6
September	5	3
October	5	3
November	3	2
December	7	3
January	1	2
February	2	7
March	0	6
April	5	0
May	2	1
June	7	2

Table 5 – 2024/2025 financial year Pre-lodgements received and completed (Q4)

BUILDING INFORMATION CERTIFICATES

37. Information on metrics of processing Building Information Certificates (BIC) for Q4 2024/2025 is provided in Table 6:

Current Number of Undetermined Applications

38. The number of undetermined BIC applications at the time of finalising this report is 48 active, and 19 pending resolutions of other applications. Accordingly, a total of 67 BIC applications are undetermined. As at 22 July 2025, a further 5 BIC applications are undergoing initial submission quality reviews prior to lodgement.

39. It is noted that, since the Land and Environment Court decision of *Ku-ring-gai Council vs Buyozo Pty Ltd [2021] NSWCA 117* there has been an increase in BIC applications given modifications to development applications can no longer be accepted if works have been carried out retrospectively. That is the unauthorised building work is required to be assessed via a BIC and not a DA.

BUILDING CERTIFICATION WORK

Complying Development Certificates and Construction Certificates

40. Information metrics on processing Comply Development Certificates (CDC) and Construction Certificates (CC) is detailed in Table 6:

Complying Development Certificates

FY2024/2025	Private Certifier CDC (following determination)	Council CDC (lodged)	Council CDC (determined)	% Council Market Share
July	47	1	0	0.0
August	54	0	0	0.0
September	47	3	2	4.2
October	49	1	1	2.0
November	44	0	0	0.0
December	33	1	0	0.0
January	48	1	1	2.0
February	51	0	0	0.0
March	56	0	0	0.0
April	35	2	2	5.7
May	60	1	1	1.6
June	34	0	2	0.0

Table 7 – 2024/2025 financial year Private vs Council CDC assessment and market share (Q1 – Q4)

Applications Lodged

Construction Certificates

41. Information on the lodgement and determination of Construction Certificates for Q4 2024/2025 is provided in Table 8:

FY2024/2025	Private Certifier CC (once issued)	Council CC (Lodged)	Council CC (Issued)	% Council Market Share
July	17	0	1	5.8
August	16	2	1	12.5
September	11	3	1	27.2
October	9	0	0	0.0
November	10	0	1	0.0
December	19	1	1	5.2
January	10	0	0	0.0
February	14	2	0	0.0
March	16	3	0	0.0
April	15	1	2	6.6
May	15	0	3	0.0
June	10	0	1	0.0

Table 8 – 2024/2025 financial year Construction Certificates - lodged and determined – broken down by Council and Private issued, and market share (Q1-Q4)

42. There are currently 14 (3 Current and 11 Future) Construction Certificates under assessment by Council.

CONCLUSION

43. Ongoing improvement will be dependent upon maintaining staffing levels, filling vacancies and making process improvements, which are beneficial to the existing practices being undertaken. Work in those areas is underway and improvements in the processing times for Development Applications will continue to be realised once these factors are resolved.

FINANCIAL IMPLICATIONS

44. Within budget allocation.

RISK IMPLICATIONS

45. No risks identified.

FILE REFERENCE

D25/238032

ATTACHMENTS

Nil

Item: ENV027-25 Provision of On-Call Bulky Waste Collection Services for Multi-Unit Dwellings

Author: Manager Environment Health & Regulatory Services

Directorate: Environment and Planning

Matter Type: Committee Reports

RECOMMENDATION:

That the information contained within this report be noted.

EXECUTIVE SUMMARY

1. This report addresses Council's resolution (NM013-24) made at its meeting on 27 May 2024:
"That the General Manager prepares a report focussing on the bulky waste collection service:
 - i. *Outlining provisions of the Development Control Plan that cater for future waste management needs and cater to the bulky waste collection service.*
 - ii. *Confirming mechanisms under the waste collection contract that cater to residents in multi-unit dwellings with bulky waste for collection.*
 - iii. *Investigating options to provide a new flexible bulky waste collection service in multi-unit developments with high turnover and/or significant volumes of bulky waste either via an amendment to the Waste Collection Contract or by providing the service internally."*
2. The waste collection contract, commencing operation from 30 September 2024, makes available three solutions for the management of bulky waste at multi-unit developments:
 - On-call bulky waste collection service
 - User-pays bulky waste collection service, and
 - Monthly bulky waste collection service at eligible properties.
3. These three available services were included in the waste collection contract, as informed by community consultation undertaken in 2020, and in direct response to operational waste management learnings in service delivery under the most recently expired waste collection contract.

REPORTDevelopment Control Plan provisions for the bulky waste collection service

4. The Georges River Development Control Plan 2021 (GRDCP) applies to all land within the Georges River Local Government Area. The Georges River Local Environmental Plan (GRLEP) 2021 was gazetted and came into effect on 8 October 2021. The GRDCP 2021 became effective concurrently in conjunction with the GRLEP 2021, as published on Council's website.
5. Waste management controls and provisions are detailed, per development type, in the GRDCP Appendices, Appendix 4 – Waste Management, specifically addressing building design to cater for waste storage and collection. As the bulky waste collection service is a service provided to residents at each rateable residential property in a development, once

it is occupied, the various controls for management of bulky waste in multi-unit developments, commiserate with the development type, are detailed in Sections:

- 4.3 On-going Waste Management, and
 - 4.4 On-going Waste Management Specifics per Development Type.
6. By design, the controls (refer to www.georgesriver.nsw.gov.au/Development/Planning-Controls/Development-Control-Plans for details) cater to the current bulky waste collection service provided by Council, yet also ensure future proofing for increasing waste generation needs, reflective of the populations and the community's increasing production of waste over time.
 7. Similarly, controls are in place for development types that are not entitled to the Council provided bulky waste collection service, such as for commercial uses at commercial properties, to ensure development caters to bulky waste storage, for private waste collection for management by the property owner/site tenant.

Bulky waste collection mechanisms at multi-unit developments under the new waste collection contract

8. To ensure accessible and equitable use of the bulky waste collection services consistently across the Local Government Area, Council has endorsed through the new waste collection contract, the continuation of the on-call bulky waste collection service as follows:
 - Each eligible property in the Georges River area is available to use up to two free Bulky Waste Collections each calendar year.
 - Each collection is limited to three cubic metres in size (3 metres x 1 metre x 1 metre).
 - Multi-unit dwellings consisting of six or more units must contact their Strata or Body Corporate to organise a Bulky Waste Collection with Council.

Note - The reason for this requirement is to limit each unit booking a collection on their own accord, as in a large development of up to 50 units, this could mean one collection, per unit, per week, presented at the property up to every week of the calendar year, for which the service operates (there is usually a break over Christmas and New Year of two weeks, aligning with Council's shutdown).
9. This arrangement will be in effect for the waste collection contract term of at least 12 years, commencing September 2024.
10. To support logistics of collecting significant and large volumes of bulky waste from multi-unit developments, the waste collection contractor will organise collection runs to support the removal of waste over several days, if required. This is expected to be rare, however, may be required at space constrained developments, constructed prior to the GRDCP being in effect, and/or at large developments with excessive waste management needs due to high turnover of tenancies, or poorly managed on-site waste storage.
11. Council has in the last three years added to its organisational structure a Waste Developments Officer role, dedicated to resolving and collaboratively working with Strata/Building managers at multi-unit developments in an effort to support complex waste collections at large sites throughout the Local Government Area.
12. Not every Council has such a role, and this was a proactive and innovative change to the organisational structure to prioritise the strategic planning aspects required related to improve waste management at large sites throughout the Local Government Area. It also offers continuity of service provided by one dedicated Council staff member to Strata Managers and proved invaluable in managing the two biggest changes to the waste

service in over 16 years i.e. the change to bin collection days and bin replacement program.

13. Further, Council continues to refer to best practice and share learnings with neighbouring Councils with regards to best practice waste management at large and often mixed-use developments. Any improvements in the future to the bulky waste service at multi-unit developments will be notified to Strata/Building Managers accordingly, through direct communications such as email and/or letter, and using Council's various communication channels such as the website, social media etc.

Investigating options for bulky waste at multi-unit developments

14. The new waste collection contract allows for the delivery of a user-pays bulky waste collection service. As a new service, this offering is currently in development with the waste collection contractor, and it is anticipated it will be made available in the next 12 months. This service will provide a bulky waste collection service for residents who produce excessive volumes of bulky waste each year and have exhausted their entitlement of the on-call bulky waste collection services each year. The service will be paid for by the residents in line with the Fees and Charges endorsed by Council, and the user-pays fee will be in addition to the on-call service, which is included within the annual domestic waste management fees (as per the Fees and Charges), payable by every residential rateable property through the Rates Notice. Council will notify and communicate with the community extensively regarding this service option, once it is available to use.
15. It is important to note that the on-call and the user-pays bulky waste collection services explored in this section of this report are consistently offered to residents within each residential rateable property throughout the Local Government Area, regardless of whether or not the resident resides in a stand-alone dwelling, semi-detached dwelling, villa and/or multi-unit dwelling. The service is consistently provided equitably in line with the Fees and Charges for waste management services, as endorsed by Council each financial year.
16. It is also important to reiterate that the design of the current on-call bulky waste collection service, and the future user-pays bulky waste collection service were informed directly by community feedback, obtained throughout a detailed community consultation regarding waste management delivered in 2020, prior to development of the current waste collection contract. The results of the consultation were also extensively reported to the Council via the Environment and Planning Committee during 2020/21.
17. The final provision available under the waste collection contract, which is currently in development with the waste collection contractor, is to make available a more frequent collection service than twice annually at multi-unit developments lacking the adequate onsite storage space to enable six months' worth of bulky waste to be stored onsite until the twice annual collection is enabled. Council is currently in the process of identifying these properties with the waste collection contractor, and designing a solution whereby the site will pre-book their services up to once monthly, making a more frequent collection as opposed to bi-annually, and thereby reducing onsite storage demands at ageing developments that were constructed prior to more recent waste controls being included in Development Control Plans overtime.
18. In the unlikely event that the bulky waste collection service offerings as outlined within this report do not meet the needs of a site, options are available for a site manager to engage with private waste collection contractors for the management of excess waste onsite as may be required, at cost to the residents directly.

CONCLUSION

19. The waste collection contract, commencing operation from 30 September 2024, progressively makes available three solutions for the management of bulky waste at multi-unit developments:
- On-call bulky waste collection service (currently in operation)
 - User-pays bulky waste collection service (in development)
 - Monthly bulky waste collection service at eligible properties (in development).
20. These three available services were included in the waste collection contract, as informed by community consultation undertaken in 2020, and in direct response to operational waste management learnings in service delivery under the most recently expired waste collection contract. Once in operation, all three solutions will offer a flexible and innovative bulky waste collection service to suit the diverse needs of the community with regards to bulky waste management.

FINANCIAL IMPLICATIONS

21. There are no financial implications related to this report.

RISK IMPLICATIONS

22. No risks identified.

COMMUNITY ENGAGEMENT

23. As outlined within this report, an extensive community consultation program was undertaken in 2020, as per the NSW Environment Protection Authority's Model Waste Contract Timeline. The results of this community consultation were previously reported to Council via the Environment and Planning Committee, and the wants and desires of the community obtained during the consultation were used as the basis of the development of the waste collection contract.

FILE REFERENCE

D25/235983

ATTACHMENTS

Nil

Item: ENV028-25 Georges River Council and Sydney Dogs and Cats Home (SD&CH) - Animal Impounding Agreement

Author: Manager Environment Health & Regulatory Services

Directorate: Environment and Planning

Matter Type: Committee Reports

RECOMMENDATION:

- (a) That in accordance with Section 55 (3) (i) of the *Local Government Act 1993*, Council enter into the five-year contract with Sydney Dogs and Cats Home, as contained in Confidential Attachment 1, until 30 June 2030, as a satisfactory result would not be achieved by inviting tenders because of extenuating circumstances and the unavailability of competitive or reliable tenderers, being:
- (i) There are no alternative conveniently available facilities that offer animal impounding facilities for Local Government.
 - (ii) Council has previously attempted to utilise Sutherland Shire Council's Animal Pound and enter a 5-year contract with Blacktown City Council, however both facilities do not have capacity to assist Council.
 - (iii) Council has used Sydney Dogs and Cats Home under agreement as its Animal Pound for over 10 years on a recurring short-term basis.
- (b) That Council delegate authority to the General Manager to do all things necessary to give effect to this resolution.

REPORT

1. The care of impounded Companion Animals (Dogs and Cats) and other animals within the Georges River LGA has been performed, on behalf of Council under short term Agreements, by Sydney Dogs and Cats Home (SDCH) for many years with arrangements existing at both former Councils prior to amalgamation.
2. Council has in recent years attempted to secure alternate animal pound facilities and has pursued options with both Sutherland and Blacktown Councils, however neither facility had the capacity to service Council's needs. There is no other know, conveniently located facilities with capacity to service Council's animal impounding requirements.
3. In 2023 SDCH secured a \$12M NSW Government grant to build Stage 1 of its animal rehoming facility at Kurnell which is anticipated to be open from October 2025. Operationally this will mean that impounded dogs from the LGA will be transported to the new facility in Kurnell, rather than the existing facility at Austral, however, Cats will continue to be housed at the Strathfield facility until future stages of the Kurnell facility are constructed. The housing of dogs at Kurnell will reduce travel time, saving Council transport costs during the impounding process and will be more convenient for dog owners in retrieving their pets.
4. With such a significant capital commitment, SDCH are now seeking longer term agreements with its six existing client councils and has requested a five-year agreement. Attached is the final draft Agreement with Sydney Dogs and Cats Home for a five-year period until 30 June 2025. Council's panel solicitor, HWL Ebsworth Lawyers have assisted Council staff with the negotiations process and has reviewed the attached Agreement from

a legal perspective to ensure Council meets its legislative obligations under the *Companion Animals Act 1998* and *Public Spaces (Unattended Property) Act 2021*.

5. The services provided and material terms of the agreement are substantially the same as for all previous agreements. The area of most variation between this and the previous agreements is detailed in the financial implications of this report.
6. The services provided by SDCH would ordinarily be secured by Council under a tender as required by Section 55 (1) of the *Local Government Act 1993* which also provides an exemption from inviting tenders under Section 55 (3) (i) as follows:
 - (i) *a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders,*
7. As this agreement is considered to be a Single Sourcing arrangement under Council's Procurement Policy and an Exemption from Tender is required. The exemption is due to extenuating circumstances and the unavailability of competitive or reliable tenderers, in accordance with Section 55 (3) (i) of the *Local Government Act 1993*, as a satisfactory result would not be achieved by inviting tenders because there are no other conveniently located viable impounding facilities.
8. As the previous agreements were typically for a 12-month period they were renewed on an annual basis and could be approved under the financial delegation of the General Manager. However, as this new agreement is for a five-year term its overall financial commitment exceeds the General Managers delegation, it is now provided for Council endorsement.

FINANCIAL IMPLICATIONS

9. Over the past three financial years, Council has paid SDCH \$216,042 in the 2022/23 financial year, \$248,329 in the 2023/24 financial year and \$291,538 in the 2024/25 financial year to provide services similar to this Agreement. The financial implications of the new Agreement are provided in Confidential Attachment 2.

RISK IMPLICATIONS

10. *Strategic Risk 6: Reputation* – Not entering into the Agreement would mean that Council does not have an animal impounding facility and would not be able to meet its legislative obligations under the *Companion Animals Act 1998* and *Public Spaces (Unattended Property) Act 2021*.
11. *Strategic Risk 7: Ineffective Governance* - While Section 55(3)(i) provides an exemption for contracts where extenuating circumstances exist, reliance on this clause requires a formal Council resolution that clearly states the reasons for bypassing the tender process. Failure to adequately justify and document these circumstances could expose Council to legal, commercial and regulatory scrutiny.

Strategic Risk 12. Business Continuity - Not entering into the Agreement would mean that Council does not have an animal impounding facility and would not be able to maintain current business operations and thereby not meet its legislative obligations under the *Companion Animals Act 1998* and *Public Spaces (Unattended Property) Act 2021*.

COMMUNITY ENGAGEMENT

12. No community consultation is required to enter the five-year contract.

FILE REFERENCE

D25/240548

ATTACHMENTS

- Attachment 1 GRC and SDCH Draft Animal Impounding Agreement (Confidential)
- Attachment 2 Financial Considerations (Confidential)

CONFIDENTIAL ITEMS (CLOSED MEETING)

Council's Code of Meeting Practice allows members of the public present to indicate whether they wish to make representations to the meeting, before it is closed to the public, as to whether that part of the meeting dealing with any or all of the matters listed should or should not be considered in closed session.

RECOMMENDATION

That in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the following matters be considered in closed Meeting at which the press and public are excluded.

That in accordance with the provisions of Section 11(2) of the Act, the reports and correspondence relating to these matters be withheld from the press and public.