

Regular Council Meeting Minutes

Commenced 7:09pm

MONDAY, 28 JULY 2014

Present: Cr Stephen Agius (Mayor), Cr Nick Katris, Cr Lachlan McLean, Cr Michael Platt, Cr Annie Tang (Deputy Mayor), Cr Sam Stratikopoulos, Cr Kathryn Landsberry, Cr Nathaniel Smith, Cr George Katsabaris, Cr Nick Aroney and Cr Jacinta Petroni.

In Attendance: Paul Woods (General Manager), Evan Hutchings (Director Governance & Corporate Services), Rod Logan (Director Planning & Environmental Services), Andrew Sharp (Director Assets & Services), Vanessa Smith (Governance Officer) and Lynne Denham (Minute Secretary).

Note: The recording of the National Anthem at tonight's meeting was sung beautifully by Hurstville Grove Infants School.

A. Apologies

An apology was received on behalf of Councillor Nickolas Varvaris.

76/2014 *Resolved:* (Katsabaris/Smith)

That the apology be accepted and leave of absence granted.

B. Disclosures of Interest

J1. Draft Planning Proposal – Amendment No. 2 of Kogarah Local Environmental Plan 2012

Special Disclosures of Pecuniary Interest from the following Councillors were received and tabled:

Councillor Stephen Agius (Mayor)
Councillor Nick Aroney
Councillor Nick Katris
Councillor George Katsabaris
Councillor Lachlan McLean
Councillor Jacinta Petroni
Councillor Michael Platt
Councillor Nathaniel Smith
Councillor Sam Stratikopoulos
Councillor Annie Tang (Deputy Mayor)

7/7/2014	Resolved:	(Katris/Landsberry)
	That the meeting adjourn for Public Forum.	

Transdev 958 Bus Service to and from Carss Park Shops

Mr Ron Handley (Resident)

Item H2.6 – Proposed Options for the Future Use of the 1st Oatley Scout Hall at Oatley Embankment Reserve

Mr Gary Lesson (President Oatley Out of School Hours (OOSH) Care)
Mr Bryan Davidson (Region Commissioner Scouts Australia)

Item H2.7 – Leasing of the Parkside Drive Tennis Facility

Mr Andy Schymitzek (NSW Business Development Manager – Tennis Australia)
Mr Kerry Dock (Tennis Blast – Lessee – Parkside Drive Tennis Courts)

Item J1 – Draft Planning Proposal – Amendment No. 2 of Kogarah Local Environmental Plan 2012

Mr Peter Atanasov (Resident)
Ms Maria Fokas (Resident)

Resumption of Standing Orders

78/2014 Resolved: (Katris/McLean)

That Standing Orders resume.

D. Development Assessment Reports

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| 1. | <p>Subject: No. 34 Souter Street, Kogarah Bay - Development Application No. 42/2014 - Demolition of existing dwelling & construction of new dwelling, front fence, cabana & refurbishment of existing pool - Mr B. Krovovski (Applicant) - Mr B & Mrs K Krovovski (Owner) - North Ward - Annexure</p> <p>Author: Rod Logan - Director Planning and Environmental Services (BL)</p> <p>Reason for Report: Non concurrence from Ward Councillors and unresolved objections.</p> |
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- 79/2014 *Resolved:* (Katris/McLean)

- Speaker for the Motion:** Councillor Nick Katris.

Planning Decision Voting Record Division

For the Motion:	Councillors:	Agius (Mayor)
		Katris
		McLean
		Platt
		Tang (Deputy Mayor)
		Stratikopoulos
		Landsberry
		Smith
		Katsabaris
		Aroney
		Petroni

As a result of the division the motion was declared carried.

2. **Subject:** No. 19 Noble Street, Allawah - Development Application No. 71/2014 - Amended plans for an additional level comprising of two (2) units to existing residential flat building - Mr W. Karavelas (Applicant) - Japeno Developments Pty Ltd (Owner) - East Ward - Annexure
- Author:** Rod Logan - Director Planning and Environmental Services (BM)
- Reason for Report:** Non compliances and unresolved objections.

- Present at the meeting were Ms Laura Phillips-Loader (Neighbour), Mr Mario Mourad (Planner) and Mr William Karavelas (Architect) who at the invitation of the Mayor addressed the Council concerning this item.

80/2014 Resolved: (Stratikopoulos/Platt)

- a) *That Council as the Consent Authority pursuant to Section 80(1)(a) Environmental Planning & Assessment Act 1979, grant consent to Development Application No. 71/2014 for the additional level comprising of two (2) units to existing residential flat building at No. 19 Noble Street, Allawah subject to conditions, including:*

SECTION A – General Conditions

The conditions that follow in this Section A of the Notice of Determination are general conditions which are imposed to ensure that the development is carried out in accordance with the development consent.

1) Approved Plans of Consent

The development must be implemented in accordance with the approved plans, specifications and details listed below and any supporting information submitted with the Development Application except as amended by any conditions attached to the Development Consent:

- (i) Architectural Plans prepared by Cornerstone Design Plan No. 1369 DA 02-Issue A, DA03-Issue D, DA04-Issue D and DA05-Issue D*
- (ii) Stormwater Plans prepared by John Romanous & Associates, Drawing No.'s 1325-S1/3, S2/3 and S3/3 Revision C dated 21 July 2013.*

SECTION B – Prior to the Issue of a Construction Certificate Conditions

The conditions that follow in this Section B of the Notice of Determination relate to the payment of fees, amendments being made to the proposal, further investigation being undertaken or the preparation of documentation that must be complied with prior to the issue of a Construction Certificate.

A copy of the Construction Certificate shall be forwarded to Council prior to commencement of construction where Council is not the certifier who issued the Construction Certificate.

2) Asset & Building Fees

Payment of the following amounts as detailed below:

- *Builders Long Service Levy of \$1575.00*

**Note: The Builders Long Service Levy quoted is based on the market value of the proposed building works and the Levy Rate applicable at the time of assessing the Development Application and may be subject to change prior to payment.*

3) Section 94 Index

Section 94 Contributions are to be paid as detailed below in the following condition, and until paid all contributions will be indexed four (4) times a year (on the following dates) to allow for the cost increases: 31 January, 30 April, 31 July and 31 October.

4) Section 94 Contributions

As at the date of Development Consent the following contributions have been levied on the subject development under Section 94 of the Environmental Planning and Assessment Act, 1979 and the nominated Section 94 Contributions Plans:

<i>No.1 – Roads and Traffic Management – Residential</i>	<i>\$ 197.60</i>
<i>No.5 – Open Space 2007</i>	<i>\$19,585.06</i>
<i>No.9 – Kogarah Libraries – Buildings</i>	<i>\$ 423.52</i>
<i>No.9 – Kogarah Libraries – Books</i>	<i>\$ 362.36</i>
<i>TOTAL</i>	<i>\$20,568.54</i>

Any of the above Section 94 Contributions Plans may be inspected at the Kogarah Council Customer Service Centre, 2 Belgrave Street, Kogarah.

5) *SEPP No 65 Certification*

A design verification statement from a qualified designer shall be submitted that verifying that the plans and specifications achieve the design quality of the development for which consent was granted having regard to the design quality principles of State Environmental Planning Policy No. 65.

6) *Adaptable Housing Compliance*

The proposed development including unit numbers three (3) and ten (10) as the nominated adaptable units shall comply with the adaptable housing provisions of AS4299 – Adaptable Housing and AS1498 – Access and Mobility (Parts 1 and 2). The Adaptable Housing checklist and circulation diagram demonstrating compliance shall be submitted.

7) *Clearances to Overhead Mains*

If any part of the proposed structure, within 5m of a street frontage, is higher than 3m above footway level, the applicant is to confer with Ausgrid to determine if satisfactory clearances to any existing overhead mains will be affected. If so, the applicant is to make arrangements with Ausgrid for any necessary modification to the electrical network in question.

These works to be at the applicant's expense and Ausgrid's requirements are to be met prior to actual construction commencing on site or as agreed with Ausgrid.

8) *Sydney Water (DA Only)*

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and plumbing then Quick Check; and*
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating or telephone 13 20 92.*

SECTION C – Prior to Commencement of Construction Conditions

The conditions that follow in this Section C of the Notice of Determination are specific to the proposed development and must be complied with prior to the commencement of construction on the site.

9) *Certification by Mechanical Engineer*

To ensure that adequate provision is made for ventilation of the building, mechanical and /or natural ventilation shall be provided. These systems shall be designed in accordance with the provisions of:-

- a) The Building Code of Australia;*
- b) Australian Standard AS 1668 Part 1 - 1998;*
- c) Australian Standard AS 1668 Part 2 - 2002;*
- d) The Public Health Act 1991;*
- e) The Public Health (Microbial Control) Regulation 2000;*
- f) Australian Standard 3666.1 - 2002;*
- g) Australian Standard 3666.2 - 2002;*
- h) Australian Standard 3666.3 - 2000.*

Details of all mechanical and /or natural ventilation systems, along with specific certification, provided by an appropriately qualified person, verifying compliance with the abovementioned requirements.

10) *Structural Engineer's Details*

Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the PCA.

11) *Stormwater*

The stormwater plans are to be revised to include a third floor drainage plan.

12) *Certification of Detailed Plan*

The detailed stormwater plan is to be certified by a Chartered Professional Engineer. A statement, that the stormwater system has been designed in accordance with Council's Water Management Policy and satisfies the provisions and objectives of that policy, must be included in the Stormwater Detailed Plan.

13) *On-Site Detention*

A 20.8m³ On-Site Detention system with a Maximum Site Discharge of 14.6 Litres per Second is to be provided in accordance with the Stormwater Concept Plan and associated Design Assessment Report. The overflow is to be directed to the site drainage system.

14) *Overland Flow Route*

An overland flow route is to be provided from the on-site detention tank to the roadway to carry the flows for a 1 in 100 year flood assuming that the on-site detention is fully blocked.

SECTION D – Construction and Operational Conditions

The conditions that follow in this Section D of the Notice of Determination are imposed to ensure the development is constructed and operates having regard to relevant legislation and does not unreasonably impact on the amenity of the locality or environment during the construction phase or the operation of the use.

15) *Building Height - Surveyors Certificate*

The proposed building is not to be erected at a height greater than that indicated on the approved plan. A certificate from a Registered Surveyor verifying the correct Reduced Level of the ground floor slab and boundary clearances shall be submitted prior to inspection of the steel reinforcement.

16) *Storm Water to Kerb*

Any stormwater connections to the kerb and gutter are to be in accordance with Kogarah Council's 'Specification for Construction by Private Contractors'.

17) *Hours of Construction*

Construction may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday.

18) *Letter Boxes*

Suitable letter box facilities (including Owner's Corporation in the case of strata units) shall be provided in accordance with Australia Post specifications.

19) *Oil/Silt Separator*

An oil/silt separator sized to the catchment area must be specified on the Stormwater Detailed Plans and located downstream of the proposed basement car park and prior to discharge to councils stormwater system.

20) *Basix Certificate Details – DA Only*

Construction of building works given Development Consent must be carried out in accordance with a valid and current BASIX certificate and all required commitments must be satisfied.

21) *Air Conditioning / Offensive Noise*

Air conditioning plant and equipment shall be installed and operated so as to not create an offensive noise as defined under the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008.

22) *Building Finishes*

The building finishes are to be constructed in accordance with the colour board and perspective submitted with the Development

23) *Off Street Parking*

A minimum of seventeen (17) off street car parking spaces shall be constructed, drained, marked and maintained at all times in accordance with the approved plans. These spaces shall be allocated as follows:

- a) Seventeen (17) spaces are to be allocated to the residential units.*

24) *Residential Car Parking Spaces*

A minimum of one (1) unrestricted car parking space shall be allocated to each residential unit. Where a three (3) or more bedroom residential unit is provided within the development it is to be allocated two parking spaces in the first instance.

SECTION E – Prior to Occupation or Subdivision Certificate Conditions

The conditions that follow in this Section E of the Notice of Determination relate to conditions that ensure that the development is completed in accordance with the requirements of the Development Consent prior to the issue of either an Occupation Certificate or a Subdivision Certificate.

25) *Adaptable Housing Certification*

Certification shall be provided by a person suitably accredited by the Association of Consultants in Access Australia, verifying that the development has been constructed in accordance with the requirements of AS4299 - Adaptable Housing and AS1428 - Design for Access and Mobility and in accordance with the report and checklist submitted with the Construction Certificate.

26) *SEPP No 65 Certification*

A design verification statement from a qualified designer shall be submitted verifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principals of State Environmental Planning Policy No. 65.

27) *Consolidation of Lots*

The lots covered by this development consent shall be consolidated into one lot and proof of registration of the consolidation shall be submitted to Council.

28) *Section 73 Compliance Certificate*

A Section 73 Compliance Certificate under the Sydney Water Act, 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water / sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority.

29) *Stormwater Compliance Certificate*

A Stormwater Compliance Certificate is to be obtained for the constructed on-site stormwater management systems in conjunction with the works-as-executed drawings and the final inspection. This Certificate is to be signed by an accredited hydraulic engineer (preferably be the original design consultant) and submitted to the Principal Certifying Authority. Copy of the standard Stormwater Compliance Certificate is shown in Council’s Water Management Policy.

If the proposed works involve Council owned stormwater infrastructure (or infrastructure to be owned by Council), then the applicant should organise inspection with Council and pay Council the appropriate inspection fee. Inspection is to be carried out at the following specified stages:

- Prior to backfilling of pipelines trenches.*
- Prior to backfilling of drainage connection to pipeline or channels.*
- Prior to casting pits and other concrete structures including kerb and gutter, aprons, pathways, vehicular crossings, dish crossings and pathway steps.*

30) *Positive Covenant*

A Restriction on Use of the land and Positive Covenant shall be created and registered on the title of the property, which places the responsibility for the maintenance of the on-site stormwater management system on the owner of the land. The terms of the instrument are to be generally in accordance with the Council's standard terms and conditions for Restriction on Use of the land and Positive Covenant shown in Council's Water Management Policy.

31) *Maintenance Schedule*

A Maintenance Schedule for the proposed on-site stormwater management measures is to be prepared and submitted. The Maintenance Schedule shall outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.

32) *Fire Safety Schedule*

Certain items of equipment or forms of construction shall be nominated as "fire safety measures" within the building.

Upon completion of works, and before occupation of the building, each of the fire safety measures is required to be certified by an appropriately competent person (chosen by the owner of the building). The certificate is to state that the measure was inspected and found to be designed, installed and capable of operating to a standard not less than that required by the relevant regulations.

Further, it is the responsibility of the owner of the building that each fire safety measure is again inspected and certified as to its condition every twelve (12) months following the submission to Council of the original certification.

33) *BASIX Completion Receipt*

In accordance with clause 154C of the Environmental Planning and Assessment Regulation 2000, prior to issuing a final occupation certificate the certifying authority must apply to the Director-General for a BASIX completion receipt.

SECTION F – Prescribed Conditions

The following are prescribed conditions of development consent pursuant to s.80A(11) of the Environmental Planning and Assessment Act 1979 and cl.98 of the Environmental Planning and Assessment Regulation 2000.

34) *Compliance with the Building Code of Australia*

The development must be carried out in accordance with the provisions of the Building Code of Australia.

35) *Insurance Requirements under Home Building Act 1989*

The builder or person who does the residential building work must comply with the applicable requirements of Part 6 of the Home Building Act, 1989. This means that a contract of insurance must be in force in accordance with Part 6 of that Act before any building work authorised to be carried out by the consent commences.

It is the responsibility of the builder or person who is to do the work to satisfy Council that they have complied with the applicable requirements of Part 6 of the Home Building Act, 1989.

If Council is the Principal Certifying Authority it will not carry out any inspections until a copy of the insurance certificate is received.

36) *Erection of Signs*

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and*
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and*
- (c) stating that unauthorised entry to the work site is prohibited.*

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed

37) *Notification of Home Building Act 1989 Requirements*

Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and*
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,**

- (b) *in the case of work to be done by an owner-builder:*
 - (i) *the name of the owner-builder, and*
 - (ii) *if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.*

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

38) *Shoring and Adequacy of Adjoining Property*

If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) *protect and support the adjoining premises from possible damage from the excavation, and*
- (b) *where necessary, underpin the adjoining premises to prevent any such damage.*

The above condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

39) *Council Notification of Construction*

The erection of a building which is the subject of a Development Consent must not be commenced until:

- a) *Detailed plans and specifications of the building have been endorsed with a construction certificate by Council or an accredited certifier.*
- b) *the person having the benefit of the development consent has:*
 - *appointed a Principal Certifying Authority (PCA), and*
 - *notified Council (if Council is not the PCA) in writing of the appointment, and*
 - *given at least 2 days notice to Council of their intention to commence the erection of the building. The notice may be in writing or by phone.*

END CONDITIONS

SECTION H – Advisory Notes

(i) Worksite Safety

It is usually the owner/applicant's responsibility to ensure that the development site is a safe working environment. This may be by the engagement of an appropriately competent principal contractor. There are various legislative and WorkCover requirements with respect to maintaining a safe work-site. Details of these requirements and legislation, as well as, guidance and advisory material, can be found on the WorkCover Website www.workcover.nsw.gov.au.

(ii) Worksite Safety Scaffolding

Council is committed to worksite safety and requiring that all scaffolding is installed by competent and qualified professionals with the relative appropriate standards. The applicable Australian Standards for the scaffolding is AS/NZS1576 in respect of the design of the scaffolding and AS/NZS4576 with respect to the erection of the scaffolding. Also, you should ensure that those erecting scaffolding are appropriately qualified and have the appropriate qualifications to erect scaffolding. For further information regarding this please see www.workcover.nsw.gov.au.

(iii) Kid Safe NSW

Kidsafe NSW has produced Safer Homes for Children Design and Construction Guidelines for builders, renovators and home owners. The guidelines identify common hazards for children and recommended practical design applications to improve child safety for all areas of the home. Free copies of the Guidelines are available from Council's Customer Service Centre, or contact Kidsafe on (02) 9845 0890 or their website <http://www.kidsafensw.org/homesafety/index.htm> for more information.

(iv) Dial Before You Dig

Underground pipes and cables may exist in the area. In your own interest and for safety, telephone 1100 before excavation or erection of structures. Information on the location of underground pipes and cables can also be obtained by fax on 1300 652 077 or through the following website www.dialbeforeyoudig.com.au.

(v) *Discrimination Act*

This authorisation does not imply that the proposal complies with Disability Discrimination Act 1992. The Proponent is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 – Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under The Disability Discrimination Act 1992.

(vi) *Demolition Waste*

Sorting your construction and demolition waste will save you money. For pricing and disposal options for sorted loads of tiles, bricks, timber concrete or asphalt call Waste Service NSW on 1300 651 116.

(vii) *Property Address*

Property addresses shall be allocated by Council in accordance with the Addressing Standard AS/NZS 4819:2011.

b) That the applicant be advised of their right of appeal to the Land and Environment Court with regard to Council's decision in this matter.

c) That those who made a submission be advised of Council's decision in this matter.

Planning Decision Voting Record Division

For the Motion:	Councillors:	Agius (Mayor)
		Katris
		McLean
		Platt
		Tang (Deputy Mayor)
		Stratikopoulos
		Landsberry
		Smith
		Katsabaris
		Aroney
		Petroni

As a result of the division the motion was declared carried.

E. Meeting Adjournment for 5 minutes

There was no Meeting Adjournment.

81/2014 Resolved: (Landsberry/Stratikopoulos)

That the Minutes of the Regular Council Meeting held on 23 June 2014 be confirmed.

- Subject:** 2014 NSW Youth Community Service Award
Author: Councillor Stephen Agius - Mayor
Reason for Report: To advise of Kogarah Youth Advisory Committee member Marie Nemani being the recipient of the 2014 John Lincoln Youth Community Service Award.

82/2014 Resolved: (Agius/Katris)

a) That the report on the 2014 NSW Youth Community Service Award be received and noted.

b) That Marie Nemani be congratulated for the significant achievement of being a recipient of the 2014 John Lincoln Youth Community Service Award.

H1. Subject: Adoption of the Minutes of the Traffic Committee Meeting of 1 July 2014

That the Minutes of the Traffic Committee held on 1 July 2014 be adopted.

H1.1.	Subject: 1425 - Progress of Matters Report Author: Andrew Sharp - Director Assets and Services (PC) Reason for Report: Monthly update report on Traffic Committee items and projects.
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(Adopted Minute No. 83/2014)

That the July 2014 Progress of Matters Report be received and noted.

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- H1.2. **Subject:** 2710 - Hampton Street, Hurstville Grove - Proposed parking restrictions - UBD 293 G9
 Author: Andrew Sharp - Director Assets and Services (MT)
 Reason for Report: To consider the installation of parking restrictions along Hampton Street, Hurstville Grove.

(Adopted Minute No. 83/2014)

That a 30m “1/2P, 7:30am – 10am, 3pm – 5:30pm” zone be installed on the northern side of Hampton Street, east of Lansdowne Street, as shown on plan L486 attached to the report.

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- H1.3. **Subject:** 2716 - Frederick Street, Oatley - Proposed Road Closures - UBD 293 C12
 Author: Andrew Sharp - Director Assets and Services (PC)
 Reason for Report: To consider road closures in Oatley for the Oatley Village Festival.

(Adopted Minute No. 83/2014)

- a) *That the part road closure of Frederick Street and Oatley Avenue, Oatley on Saturday 18 October, 2014 for the Oatley Village Festival in accordance with the festival stall plan, attached to the report, be approved.*
- b) *That a Traffic Management Plan be submitted to the Roads and Maritime Services (RMS) for their approval prior to the festival.*

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- H1.4. **Subject:** 2717- Allen Street, South Hurstville - Proposed "One-Way" Arrows - UBD 293 M10
 Author: Andrew Sharp - Director Assets and Services (PC)
 Reason for Report: To consider the installation of "One-Way" directional arrows in Allen Street, South Hurstville.

(Adopted Minute No. 83/2014)

That “One-Way” directional arrows be painted on the road surface in Allen Street, as shown on plan TC1453 attached to the report.

- H1.5. **Subject:** 2718 - The Strand, Penshurst - Proposed linemarking and surface marked directional arrows - UBD 293 F6
 Author: Andrew Sharp - Director Assets and Services (MT)
 Reason for Report: To consider the installation of marked directional arrows and line marking along The Strand, Penshurst.

(Adopted Minute No. 83/2014)

- a) *That line marking be painted to indicate 3m wide parking bays along the northern and southern side of The Strand, adjacent to Penshurst Railway Station.*
- b) *That one-way directional arrows be painted along the length of the one-way section of The Strand.*
- c) *That a one-way directional arrow along with a right-turn arrow be painted in Station Lane, between The Strand and Railway Parade, as shown on plan L494, attached to the report.*

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- H1.6. **Subject:** 2719 - Regent Street, Kogarah - Proposed "1/4P" parking zone - UBD 294 H3
 Author: Andrew Sharp - Director Assets and Services (MT)
 Reason for Report: To consider the installation of a "1/4P" parking zone in Regent Street, Kogarah.

(Adopted Minute No. 83/2014)

That 13m of the existing "1P, 8:30am – 6pm, Mon – Fri, 8:30am – 12:30pm, Sat" parking zone along the southern side of Regent Street, be converted to "1/4 P, 8:30am – 6pm, Mon – Fri, 8:30am – 12:30pm, Sat" as shown on L493 attached to the report.

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- H1.7. **Subject:** 2720 - Gladstone Street, Kogarah - Proposed "Disability Parking" zone - UBD 294 H3
 Author: Andrew Sharp - Director Assets and Services (MT)
 Reason for Report: To consider the installation of a "Disability Parking" zone in Gladstone Street, Kogarah.

(Adopted Minute No. 83/2014)

- a) *That one of the existing unrestricted angle parking spaces located on the western side of Gladstone Street, adjacent to Kogarah High School be converted into a "Disability Parking" zone, as shown on attached Plan L497.*
 - b) *That the Principal of Kogarah High School be notified of Council's decision.*
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- H1.8. **Subject:** 2721 - Joffre Street, South Hurstville - Proposed
 Linemarking - UBD 293 M9
 Author: Andrew Sharp - Director Assets and Services (PC)
 Reason for Report: To consider the installation of linemarking in Joffre
 Street, South Hurstville.

(Adopted Minute No. 83/2014)

- a) *That a 10m dividing barrier line with yellow Raised Reflective Pavement Markers (RRPM's) be installed in Joffre Street at its intersection with Woniora Road.*
- b) *That a "Give Way" sign and associated 22m give way holding line be installed on Joffre Street at the intersection with Woniora Road, as shown on plan TC1454 attached to the report.*

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- H1.9. **Subject:** 2722 - Road Safety Projects Update
 Author: Andrew Sharp - Director Assets and Services (CW)
 Reason for Report: To advise of the completion of road safety projects for
 2013 - 2014, and detail the proposed projects for 2014
 - 2015.

(Adopted Minute No. 83/2014)

That the report on the completed road safety projects for 2013- 2014 and the proposed road safety projects for 2014 – 2015 be received and noted.

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- H2. **Subject: Adoption of the Minutes of the Governance and Corporate
 Services Working Party Meeting of 21 July 2014**

84/2014 **Resolved:** (Petroni/Landsberry)

That the Minutes of the Governance and Corporate Services Working Party held on 21 July 2014 be adopted with the exception of Item H2.6

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- H2.1. **Subject:** Social Media Capability
 Author: Paul Woods - General Manager (RD)
 Reason for Report: In response to a Notice of Motion in the name of
 Councillor Jacinta Petroni, Council Resolution (Min.
 No. 113/2012) dated 27 August 2012 regarding social
 media capability for Kogarah City Council.

(Adopted Minute No. 84/2014)

That a draft Social Media Strategy be prepared and submitted to Council with a report on funding options for social media mediums, including a Kogarah City Council App.

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- H2.2. **Subject:** Lions Club 2014 Oatley Village Festival
 Author: Alison Murphy - Executive Manager Community
 Services (BK)
 Reason for Report: To consider Council's involvement in the Oatley
 Village Festival at Oatley Memorial Gardens in
 October 2014.

(Adopted Minute No. 84/2014)

- a) *That approval be granted for the Oatley Village Festival to take place on Saturday, 18 October 2014.*
- b) *That consideration be given to providing sponsorship of \$2,500 towards the Oatley Village Festival.*
- c) *That the event be supported by Council with the promotion and event equipment as outlined in the body of the report.*

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- H2.3. **Subject:** Penshurst Aged Care Facility
 Author: Evan Hutchings - Director Governance and Corporate
 Services
 Reason for Report: To consider an invitation to attend a presentation and
 undertake actions relating to the proposed Penshurst
 Aged Care Facility.

(Adopted Minute No. 84/2014)

That the Mayor nominate Councillors to attend a presentation and to undertake actions relating to the proposed Penshurst Aged Care Facility.

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- H2.4. **Subject:** 7th International Urban Design Conference 2014
 Author: Rod Logan - Director Planning and Environmental Services
 Reason for Report: To advise of the upcoming International Urban Design Conference.

(Adopted Minute No. 84/2014)

That attendees to the upcoming 7th International Urban Design Conference be nominated by the Mayor.

- H2.5. **Subject:** Monthly Budget Reviews to 30 June 2014
 Author: Evan Hutchings - Director Governance and Corporate Services (JM)
 Reason for Report: To provide an update on the status of the monthly budget review conducted to 30 June 2014 and to seek approval for the carry over of some unspent budgets from last financial year.

(Adopted Minute No. 84/2014)

- a) *That the interim financial results referred to in the report for the year ended 30 June 2014 be received and noted.*
- b) *That the requests for unspent budget amounts from the 2013/14 financial year, as detailed in the annexure attached to the report, be approved for carry over to the 2014/15 financial year to enable the completion of those projects.*
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- H2.6. **Subject:** Proposed Options for the Future Use of the 1st Oatley Scout Hall at Oatley Embankment Reserve
 Author: Evan Hutchings - Director Governance and Corporate Services (TO)
 Reason for Report: To consider the proposed use of the 1st Oatley Scout Hall at Oatley Embankment Reserve by Oatley Out of School Hours Care and the continued occupation by the 1st Oatley Scout Group.

85/2014 **Resolved:** *(Petroni/Landsberry)*

- a) *That Scouts Australia NSW be advised that their lease of the 1st Oatley Scout Hall will not be renewed;*
- b) *That the 1st Oatley Scout Group be invited to submit a proposal for the hire of the hall on regular days and times;*
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- c) *That the Oatley Out of School Hours Care be invited to submit a proposal for the hire of the hall on regular days and times;*
- d) *That in the event of any conflicts in requested days and times of hire of the hall by the organisations referred to in parts (a) and (b) above, the General Manager be authorised to negotiate and determine the allocation of the use of the hall;*
- e) *That the organisations referred to in parts (a) and (b) above enter into permanent hire agreements with Council for an initial term of twelve (12) months to formalise use of the hall*
- f) *That funds of \$10,000 for priority works identified in the report of Childs Property Inspections dated 27 June 2014 be allocated from the Buildings – Renewals – SRV budget;*
- g) *That other non-urgent repairs and general ongoing maintenance detailed in the independent maintenance building report referred to in (f) above be addressed as part of the annual budget review for building maintenance;*
- h) *That the hall be offered for permanent and temporary hire and be classed as a Neighbourhood Hall for the purposes of determining hire fee rates;*
- i) *That a further detailed report(s) be presented to Council on the future leasing and building maintenance requirements of all other Scout and Girl Guides halls.*

Speaker for the Motion: Councillor Jacinta Petroni.

H2.7. **Subject:** Leasing of the Parkside Drive Tennis Facility
Author: Evan Hutchings - Director Governance and Corporate Services (TO)
Reason for Report: To consider leasing options for Parkside Drive Tennis facility including a proposal for a new lease from the current lessee.

(Adopted Minute No. 84/2014)

- a) *That the lessee be requested to address any immediate maintenance items identified in the report of Childs Property Inspections dated 15 April 2014 on the Parkside Drive Tennis Facility that fall within their Lease obligations.*
- b) *That the proposal submitted by the lessee in February 2014 for a new lease over the Parkside Drive Tennis facility not be accepted.*
- c) *That the lessee be offered a continuation of occupation of the premises on a monthly tenancy under the same terms and conditions of the now expired lease, which may be terminated by one (1) month notice in writing.*

- d) *That a five (5) and ten (10) year maintenance and improvements program be prepared for the facility, including estimated costs, based upon the findings detailed in the independent maintenance report referred to in (a) above.*
- e) *That tenders be invited using the open tender method, for the lease of the Parkside Drive Tennis facility for a period of five (5) years with a further five (5) year option, and as detailed in paragraph 13 of this report.*
- f) *That the proposed new lease incorporate the maintenance and improvements program referred to in (d) above, detailing the obligations of the lessee and Council as the lessor where applicable.*
- g) *That a further report be presented to Council on the outcome of the tender process.*

H2.8. **Subject:** Staff Movements
 Author: Paul Woods - General Manager (AH)
 Reason for Report: To advise of staff movements from 11 June 2014 to 15 July 2014.

(Adopted Minute No. 84/2014)

That the report on the June 2014 – July 2014 staff movements be received and noted.

I. **Notices of Motion of Rescission**

There were no Notices of Motion of Rescission.

J. **Reports from Officers**

- 1. **Subject:** Draft Planning Proposal - Amendment No. 2 of Kogarah Local Environmental Plan 2012
 Author: Rod Logan - Director Planning and Environmental Services (RV)
 Reason for Report: To review a draft Planning Proposal to make amendments to Kogarah Local Environmental Plan (LEP) 2012 prior to submission to the NSW Department of Planning and Environment seeking approval for exhibition.

- a) *That the recommendations and amendments as included in the body of the report and associated Annexures attached to the report be incorporated into a draft Planning Proposal to amend Kogarah Local Environmental Plan (LEP) 2012 in accordance with the provisions of Section 55 of the Environmental Planning & Assessment Act 1979, as amended.*
- b) *That the draft Planning Proposal be submitted to the Department of Planning and Environment to issue a Gateway determination under Section 56 that would allow Council to proceed to public exhibition and formal government agency consultation.*
- c) *That in accordance with the requirements of the Local Government Act 1993, the following properties be reclassified from community to operational land:*
 - a) *No. 1A Stuart Street, Blakehurst (Lot 2, DP794233),*
 - b) *No. 21A Queens Road, Connells Point (Lot E, DP 373733)*
 - c) *No. 8A Wyong Street, Oatley (LOT: 15 DP: 746853)*
- d) *That the Engagement Strategy included in the body of the report be included in the draft Planning Proposal.*
- e) *That the following notation be applied to all properties on the section 149 Planning Certificate, effective from 29 July 2014:*

Council has prepared a draft Planning Proposal to amend Kogarah Local Environmental Plan 2012 for the whole Kogarah Local Government Area. The draft Planning Proposal will reflect the recommendations made in the report to Council on 28 July 2014. The draft Planning Proposal includes amendment of zoning, land use and development standards that, if implemented, may change development potential of individual properties. The draft Planning Proposal will be publicly exhibited once it has been approved for exhibition by the NSW Department of Planning and Environment. For further information on the amendments to Kogarah Local Environmental Plan 2012 please refer to Council's website www.kogarah.nsw.gov.au

Speakers for the Motion: Councillor Michael Platt
Councillor Sam Stratikopoulos
Councillor Nick Katris
Councillor Kathryn Landsberry.

Speaker against the Motion: Councillor Lachlan McLean.

Planning Decision Voting Record Division

For the Motion:	Councillors:	Agius (Mayor) Katris Platt Tang (Deputy Mayor) Stratikopoulos Landsberry Smith Katsabaris Aroney Petroni
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Against the Motion:	Councillor:	McLean
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As a result of the division the motion was declared carried.

K. Motions of Which Notice Has Been Given

There were no Motions of Which Notice Has Been Given.

L. Reports from Council Delegates

There were no reports from Council Delegates

M. General Business

Councillor Nick Katris – thanked Council’s Director Governance and Corporate Services, Evan Hutchings for his assistance in ensuring that Governance issues relating to the draft Planning Proposal were addressed.

Cr Katris also congratulated Council’s General Manager, Paul Woods, the Director Planning and Environmental Services, Rod Logan, Council’s Coordinator Strategic Planning, Rita Vella and other staff involved for their efforts in developing the draft Planning Proposal. He stated that it has been presented in a very comprehensive and easy to understand format and is of a very high quality.

Councillor Michael Platt thanked Council's Manager Environmental Health and Regulatory Services, Jason Kneipp and his team for their swift work recently in removing offensive graffiti within North Ward over the weekend.

Cr Platt also thanked Jason Kneipp and Rod Logan (Director Planning and Environmental Services) for their assistance with helping to alleviate the parking issues at Ormonde Parade, Hurstville. Cr Platt quoted some statistics provided by Council relating to parking offences observed in Ormonde Parade during a two (2) week period in June. He highlighted that during this period 1,210 parking offences were observed between the hours of 4pm and 7pm. However only ten (10) infringement notices were issued with the remaining offences addressed through warnings.

Cr Platt added he was pleased that Council will be continuing this educational and enforcement approach, with the allocation of a part time staff member specifically to this area. Cr Platt also requested that consideration be given to issuing a press release advising the public of the introduction of the third kiss and ride zone at Ormonde Parade.

N. Closed Session

There was no Closed Session.

The meeting closed at 8.41 pm.

Confirmed on _____ 2014

Councillor Stephen Agius
Mayor

Paul Woods
General Manager
