

# MINUTES

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## Council Meeting

Monday, 23 November 2020

7.00pm

## Dragon Room

(Level 1, Georges River Civic Centre, Hurstville)

and

## Skype Online Meeting



**GEORGES RIVER COUNCIL**

## **PRESENT**

### **Council Members**

The Mayor, Councillor Kevin Greene, Deputy Mayor, Councillor Stephen Agius, Councillor Vince Badalati, Councillor Sam Elmir, Councillor Sandy Grekas, Councillor Con Hindi, Councillor Rita Kastanias, Councillor Nick Katris, Councillor Lou Konjarski, Councillor Kathryn Landsberry, Councillor Nancy Liu, Councillor Leesha Payor, Councillor Colleen Symington, Councillor Warren Tegg and Councillor Christina Wu.

### **Council Staff**

General Manager - Ms Gail Connolly, Director Assets and Infrastructure - Mr Andrew Latta, Director Environment and Planning - Ms Meryl Bishop, Director Community and Culture - Ms Rebekah Schulz, Director Business and Corporate Services - Mr David Tuxford, Director City Strategy and Innovation - Ms Sue Weatherley, Director Legal Services and General Counsel - Ms Jenny Ware, Manager, Office of the General Manager - Ms Roxanne Thornton, Manager, Project Delivery - Ms Alison Hanlon, Chief Financial Officer - Ms Danielle Parker, Head of Strategic Property - Mr Bernard Morabito, Strategic Property Specialist - Mr Jim Allison, Manager Strategic Planning - Catherine McMahon, Coordinator, Environmental and Open Space Projects, Executive Services Officer - Ms Marina Cavar, Executive Services Officer - Ms Ann-Marie Svorinic, Executive Services Officer - Mr Neil Treadwell, Coordinator Technology - Mr Brendan Scott.

### **External Consultant**

Audit Office of NSW - Director Financial Audit, Ms Dominika Ryan

## **OPENING**

The Mayor, Councillor Kevin Greene, opened the meeting at 7.10pm.

## **NATIONAL ANTHEM**

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

## **PRAYER**

The Mayor, Councillor Greene offered a prayer to the meeting.

## **ACKNOWLEDGEMENT OF COUNTRY**

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

## **APOLOGIES/LEAVE OF ABSENCE**

**RESOLVED:** Councillor Hindi and Councillor Elmir

That an apology be accepted for Councillor Liu who has provided notice that she will arriving late to the meeting.

## **Record of Voting:**

For the Motion: Unanimous

## NOTICE OF WEBCASTING

The Mayor advised staff and the public that the meeting is being recorded for minute-taking purposes and is also webcast live on Council's website, in accordance with section 4 of Council's Code of Meeting Practice. This recording will be made available on Council's Website.

## CODE OF MEETING PRACTICE

The order of business is as shown in the agenda.

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

## DISCLOSURES OF INTEREST

**Councillor Symington** disclosed a Pecuniary Interest in Item CCL075-20 Report of Environment and Planning Committee Meeting held on 12 October 2020 (**ENV046-20 - Planning Proposal for LEP 2021 - Amendment to Georges River Local Environmental Plan 2020**) for the reason that her residential unit is located in R3 zoning and she does not wish to take part in any discussion or voting on this matter. As this is a Pecuniary disclosure, Councillor Symington will not be participating in the discussion or voting on this item.

**Councillor Sam Elmir** disclosed a Non-Significant Non-Pecuniary Interest in Item **NR002-20 Notice of Rescission - NM082-20 Proposed Feasibility Study - Kogarah War Memorial Pool** for the reason that, in the past, he has been a sponsor/donor of the Kogarah Cougars JRLFC that play out of Todd Park as their home ground. Todd Park is the other site being considered for the regional aquatic facility. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Elmir will participate in the discussion and voting on this item.

**Councillor Sam Elmir** disclosed a Non-Significant Non-Pecuniary Interest in Item **NM092-20 Construction of a Revitalised Netstrata Jubilee Stadium, Kogarah** for the reason that in the past, he has been a sponsor/donor of the Kogarah Cougars JRLFC that play out of Todd Park as their home ground. Todd Park is the other site being considered for the regional aquatic facility. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Elmir will participate in the discussion and voting on this item.

**Councillor Sam Elmir** disclosed a Non-Significant Non-Pecuniary Interest in Item **QWN022-20 Kogarah War Memorial Pool - Management of Community Safety and Contamination Risks and Future Costs** for the reason that in the past, he has been a sponsor/donor of the Kogarah Cougars JRLFC that play out of Todd Park as their home ground. Todd Park is the other site being considered for the regional aquatic facility. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Elmir will participate in the discussion and voting on this item.

**Councillor Kathryn Landsberry** disclosed a Non-Significant Non-Pecuniary Interest in Item CCL074-20 Report of the Community and Culture Committee Meeting held 9 November 2020 (**COM043-20 - Adoption of the Georges River Council Interim Community Property Strategy 2020-2030**) for the reason that her son is a coach, committee member and player at Carss Park Football Club. Her son is also a coach at St George City Football Club, and works out of the office of St George Football Association at Jubilee Stadium. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Landsberry will participate in the discussion and voting on this item.

**The Mayor, Councillor Kevin Greene**, disclosed a Non-Significant Non-Pecuniary Interest in Item CCL073-20 Report of the Assets and Infrastructure Committee Meeting held 9 November



2020 (**ASS028-20 – T20/013 Hurstville Golf Course - Improvement Works**) for the reason that he is a member of Hurstville Golf Club. As this is a Non-Significant Non-Pecuniary disclosure, The Mayor, Councillor Greene will participate in the discussion and voting on this item.

**Councillor Stephen Agius** disclosed a Pecuniary Interest in Item CCL076-20 Report of the Finance and Governance Committee Meeting held 9 November 2020 (**FIN057-20 – Tender 20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment**) for the reason that he owns a property in a commercial centre in Georges River. As this is a Pecuniary disclosure, Councillor Agius will not be participating in the discussion or voting on this item.

**Councillor Lou Konjarski** disclosed a Non-Significant Non-Pecuniary Interest in Item CCL076-20 Report of the Finance and Governance Committee Meeting held 9 November 2020 (**FIN057-20 – Tender 20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment**) for the reason that he has a business in Hurstville and some of his clients might use the subject council car park(s) when visiting him. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Konjarski will participate in the discussion and voting on this item.

**Councillor Con Hindi** made a verbal disclosure of a Non-Significant Non-Pecuniary Interest in Item **NR002-20 Notice of Rescission - NM082-20 Proposed Feasibility Study - Kogarah War Memorial Pool** for the reason that he lives in the vicinity of the Kogarah War Memorial Pool at Carss Park. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Hindi will participate in the discussion and voting on this item.

**Councillor Con Hindi** made a verbal disclosure of a Non-Significant Non-Pecuniary interest in Item CCL075-20 Report of the Environment and Planning Committee Meeting held 9 November 2020 (**ENV046-20: Planning Proposal for LEP 2021 – Amendment to Georges River Local Environmental Plan 2020**) for the reason that his parents own property in Hillcrest Avenue precinct (it is their principal place of residence). Councillor Hindi will participate in the discussion and voting on this item.

**Councillor Sandy Grekas** disclosed a Non-Significant Non-Pecuniary Interest in Item CCL073-20 Report of the Assets and Infrastructure Committee Meeting held 9 November 2020 (**ASS028-20 – T20/013 Hurstville Golf Course - Improvement Works**) for the reason that her husband is a member of the Hurstville Golf Course, but does not hold any position within the Club. As this is a Non-Significant Non-Pecuniary disclosure, Councillor Grekas will participate in the discussion and voting on this item.

**Councillor Nancy Liu** disclosed a Pecuniary Interest in Item CCL076-20 Report of the Finance and Governance Committee Meeting held 9 November 2020 (**FIN057-20 – Tender 20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment**) for the reason that some of her husband's business customers might or would use the car park. As this is a Pecuniary disclosure, Councillor Liu will not be participating in the discussion or voting on this item.

**PUBLIC FORUM**

ITEM	SPEAKER
CCL072-20 – Confirmation of the Minutes of the Ordinary Council Meeting held 26 October 2020  (A recording of Miss Hayler’s award winning poem was played to the meeting)	Katrina Hayler
NR002-20 - Notice of Rescission - NM082-20 Proposed Feasibility Study - Kogarah War Memorial Pool	Ilknur Bayari
NR002-20 - Notice of Rescission - NM082-20 Proposed Feasibility Study - Kogarah War Memorial Pool	Peter Hill
QWN026-20 - Georges River Property Portfolio Strategy 2019	Denis Horder
NM092-20 - Construction of a Revitalised Netstrata Jubilee Stadium, Kogarah	Peter Hill

**CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**CCL072-20 Confirmation of the Minutes of the Ordinary Council Meeting held 26 October 2020**  
(Report by Executive Services Officer)

**RESOLVED:** Councillor Hindi and Councillor Katris

That the Minutes of the Ordinary Council Meeting held on 26 October 2020 be adopted.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Wu left the meeting at 7.47pm.

Note: Councillor Liu joined the meeting at 8.12pm.

**MAYORAL MINUTES**

**MM022-20 NSW Government Investment in the Transformation of the Netstrata Jubilee Stadium Precinct**  
(Report by The Mayor, Councillor Greene)

**MOTION:** The Mayor, Councillor Greene and Councillor Elmir

- (a) That Council thank the Premier of NSW and the Coalition Government on the injection of funds towards planning for the \$200 million transformation of the Netstrata Jubilee Stadium Precinct and acknowledge the social and economic benefits this infrastructure will bring to the Georges River community for years to come.
- (b) That Council immediately form a 2020-2024 project team to provide in-kind assistance to the NSW Government in the planning and implementation of this major infrastructure project.

**AMENDMENT:** Councillor Hindi and Councillor Badalati

That Council thank the Premier of NSW and the Coalition Government on the injection of funds towards planning for the \$200 million transformation of the Netstrata Jubilee Stadium Precinct and acknowledge the social and economic benefits this infrastructure will bring to the Georges River community for years to come.

**Record of Voting:**

For the Amendment: Councillors Badalati, Hindi, Kastanias, Katris, Landsberry, Payor and Symington

Against the Amendment: The Mayor, Councillor Greene, Agius, Elmir, Grekas, Konjarski, Liu and Tegg

On being put to the meeting, voting on the Amendment was seven (7) votes FOR and seven (7) votes AGAINST.

With the voting on this Amendment being equal, the Mayor exercised his casting vote and voted AGAINST the Amendment. The voting on the Amendment was seven (7) votes FOR and eight (8) votes AGAINST. The Amendment was LOST.

**RESOLVED:** The Mayor, Councillor Greene and Councillor Elmir

- (a) That Council thank the Premier of NSW and the Coalition Government on the injection of funds towards planning for the \$200 million transformation of the Netstrata Jubilee Stadium Precinct and acknowledge the social and economic benefits this infrastructure will bring to the Georges River community for years to come.
- (b) That Council immediately form a 2020-2024 project team to provide in-kind assistance to the NSW Government in the planning and implementation of this major infrastructure project.

**Record of Voting:**

For the Motion: The Mayor Councillor Greene and Councillors Agius, Elmir, Grekas, Konjarski, Liu and Tegg

Against the Motion: Councillors Badalati, Hindi, Katris, Kastanias, Landsberry, Payor and Symington

On being put to the meeting, voting on the Motion was seven (7) votes FOR and seven (7) votes AGAINST.

With the voting on this Motion being equal, the Mayor exercised his casting vote and voted FOR the Motion. The voting on the Motion was eight (8) votes FOR and seven (7) votes AGAINST. The Motion was CARRIED.

Note: Councillor Hindi left the meeting at 8.46pm

**MM023-20      MAGNA Award for Hurstville Museum and Gallery**  
(Report by The Mayor, Councillor Greene)

**RESOLVED:** The Mayor, Councillor Greene and Councillor Grekas



That Council congratulate Hurstville Museum & Gallery staff on their continued national recognition and their latest win in the 2020 Museums and Galleries National Awards.

**Record of Voting:**

For the Motion: Unanimous

**MM024-20 Councillors' 2020 Christmas Appeal**  
(Report by The Mayor, Councillor Greene)

**RESOLVED:** The Mayor, Councillor Greene and Councillor Kastanias

That Council endorse the online Councillors' Christmas Appeal in partnership with the Lions Club of Oatley, providing assistance to vulnerable local communities and families in need.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Hindi returned to the meeting at 8.50pm

**MM025-20 St George Sutherland Medical Research Relay**  
(Report by The Mayor, Councillor Greene)

**RESOLVED:** The Mayor, Councillor Greene and Councillor Elmir

That Council congratulates St George Sutherland Medical Research Relay ('SSMRF') on its ongoing efforts to promote medical research and is pleased to support its Relay for Research.

**Record of Voting:**

For the Motion: Unanimous

**CONDOLENCES**

- The Mayor, Councillor Kevin Greene, expressed condolences in regard to the recent passing of Mr Ron Duffy. Mr Duffy of Beverly Hills passed away aged 90. He was very well known in the Beverly Hills area. Mr Duffy was a Commonwealth Bank Manager for many years before his retirement. For many years, Mr Duffy could be seen regularly walking to St Declans Church Penshurst on a Sunday to attend church services. He was a very good cricketer in his youth and played finally with the Narwee Club as it existed in those days. He was a regular in later years watching junior and senior cricket at Olds Park. He enjoyed going to Olds Park Bowling Club and being part of the community. To his wife and four children, Michael, Michelle, Ray and Danny we pass on our condolences.

Note: A moment's silence was observed by Councillors and staff who were present at the meeting.

## COMMITTEE REPORTS

### **CCL073-20 Report of the Assets and Infrastructure Committee Meeting held 9 November 2020**

(Report by Executive Services Officer)

**RESOLVED:** Councillor Agius and Councillor Symington

That the Assets and Infrastructure Committee recommendations for Items ASS026-20 to ASS029-20 and ASS052A-20 to ASS53A-20 as detailed below, be adopted by Council.

### **ASS026-20 Report of the Georges River Local Traffic Advisory Committee Meeting 3 November 2020**

(Report by Coordinator Traffic & Transport)

That the Recommendations contained within the minutes of the Georges River Local Traffic Advisory Committee Meeting held on 3 November 2020 be adopted by Council.

### **ASS027-20 Report of the Georges River Council Floodplain Risk Management Committee Meeting held on 2 November 2020**

(Report by Manager Infrastructure)

That the Recommendations contained within the minutes of the Georges River Council Floodplain Risk Management Committee Meeting held on 2 November 2020 be adopted by Council.

### **ASS028-20 T20/013 Hurstville Golf Course - Improvement Works**

(Report by Manager, Project Delivery)

Note: Councillor Grekas disclosed a Non-Significant, Non-Pecuniary Interest in this Item. Councillor Grekas remained in the meeting during the discussion and voting on this item.

Note: The Mayor, Councillor Greene disclosed a Non-Significant, Non-Pecuniary Interest in this Item. The Mayor, Councillor Greene remained in the meeting during the discussion and voting on this item.

- (a) That under Section 178 (1) (a) of the *Local Government (General) Regulation 2005*, Council accept the tender that is recommended for T20/2013 Hurstville Golf Course Improvement Works as outlined in the confidential attachment.
- (b) That the General Manager be authorised to sign the Contracts with the preferred contractor on behalf of Council.
- (c) That Council inform the unsuccessful Tenderers of the resolution.

### **ASS029-20 T20/002 Former Oatley Bowling Club Site Remediation**

(Report by Manager, Project Delivery)

- (a) That under Section 178 (1) (a) of the *Local Government (General) Regulation 2005*, Council accept the tender that is recommended for T20/002 Former Oatley Bowling Club Site Remediation as outlined in the confidential attachment.
- (b) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.



(c) That Council inform the unsuccessful Tenderers of the resolution.

**ASS052A-20 Premium Facilities Quarterly Report - April to June 2020**  
(Report by Manager Premium Facilities)

That the Premium Facilities quarterly report for quarter ending 30 June 2020 be received and noted.

**ASS053A-20 Premium Facilities Quarterly Report - July to September 2020**  
(Report by Manager Premium Facilities)

That the Premium Facilities quarterly report for quarter ending September 2020 be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**CCL074-20 Report of the Community and Culture Committee Meeting held 9 November 2020**  
(Report by Executive Services Officer)

**RESOLVED:** Councillor Grekas and Councillor Kastanias

That the Community and Culture Committee recommendations for Items COM043-20 to COM048-20 as detailed below, be adopted by Council.

**COM043-20 Adoption of the Georges River Council Interim Community Property Strategy 2020-2023**  
(Report by Community Property Officer)

Note: Councillor Landsberry disclosed a Non-Significant, Non-Pecuniary Interest in this Item. Councillor Landsberry remained in the meeting during the discussion and voting on this item.

That Council adopt the Georges River Council Interim Community Property Strategy 2020-2023.

**COM044-20 ChillOUT Hubs - Project Closure Report**  
(Report by Senior Project Officer)

- (a) That Council receive and note the successful project completion of the ChillOUT: Smart Social Spaces project (ChillOUT).
- (b) That Council thank the project partners Street Furniture Australia (SFA) and the University of New South Wales (UNSW) for their valuable contribution to the project.

**COM045-20 Georges River Advocacy Program - Stimulation of Georges River Economy**  
(Report by Senior Project Officer)

That Council receive and note the actions and projects outlined in the report that assist with the stimulation of the Georges River Economy throughout the ongoing restrictions of COVID-19.

**COM046-20 Economic and Social Recovery Plan - Monthly Update**  
(Report by Senior Project Officer)

That Council receive and note the attached Economic and Social Recovery Plan update for the September 2020 - October 2020 period.

**COM047-20 Georges River Night Time Economy Study**  
(Report by Senior Project Officer)

- (a) That Council approve the draft Night Time Economy Study to be placed on public exhibition for 60 days to facilitate community consultation.
- (b) That a further report be submitted to Council detailing feedback from any public submissions made during the exhibition period, together with any recommended changes to the draft Night Time Economy Strategy prior to adoption.

**COM048-20 COVID-19: Maintaining and Enhancing Business Confidence Into 2021 and Beyond**  
(Report by City Marketing and Partnerships Officer)

- (a) That Council continues to promote COVID-safe practices to businesses as required and in accordance with the Public Health Order and the directions of the NSW Government.
- (b) That Council continues to optimise the use of all communication channels that include but are not limited to social media, print media and Georges River Business to provide information to businesses and the broader community to help their business thrive and support them in the learning of new skills.
- (c) That Council continues to enhance its Economic and Social Recovery Plan as identified to promote and support local business.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Symington left the meeting at 8.55pm.

**CCL075-20 Report of the Environment and Planning Committee Meeting held 9 November 2020**  
(Report by Executive Services Officer)

**RESOLVED:** Councillor Hindi and Councillor Katris

That the Environment and Planning Committee recommendations for Items ENV043-20 to ENV045-20 as detailed below, be adopted by Council.

**ENV043-20 Draft 2021/22 Budget – Consideration of the Preparation of Open Space Expansion and Acquisition Plan**

(Report by Strategic Planner/Information Management)

That Council consider the allocation of \$150,000 within the 2021/2022 draft budget for the preparation of a detailed open space expansion and acquisition plan that addresses the following:

- (a) Identification of areas lacking open space throughout the local government area;
- (b) Identification of actions for increasing the supply of open space;
- (c) Identify and list all pocket parks and determine whether they are required or needed as part of the overall Open Space Strategy of Council.
- (d) Funding models to provide for the acquisition and maintenance of open space; and
- (e) Program for the delivery of the actions.

**ENV044-20 Draft 21/22 Budget – Consideration of the Plans of Management Program**

(Report by Manager Strategic Planning)

- (a) That Council endorse the Plan of Management Program for 2020/2021 and 2021/2022 as outlined within this report.
- (b) That Council consider the allocation of \$250,000 within the draft 2021/2022 Budget to complete the Crown Land reserve work for the following reserves:
  - a. Merriman Reserve, Kyle Bay
  - b. Oatley Point
  - c. Dover Park East
  - d. Oatley Park
  - e. Tom Ugly's Point Reserve
  - f. Claydon Reserve
  - g. Netstrata Jubilee Stadium
  - h. Jubilee Park
  - i. Donnelly Park
  - j. Shipwrights Bay Reserve

**ENV045-20 Summary of Development Applications Lodged and Determined - July 2020 to September 2020**

(Report by Manager Development and Building)

- (a) That Council receive and note the Summary of Development Applications lodged and determined within the first quarter of the 2020/2021 financial year being July 2020 to September 2020.
- (b) That the Development and Building staff be congratulated for improvements in Development Application processing times and their approach to Customer Service.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Agius left the meeting at 9.14pm.

**ENV046-20 Planning Proposal for LEP 2021 - Amendment to Georges River Local Environmental Plan 2020**

(Report by Strategic Planner/Urban Designer)



Note: Councillor Symington disclosed a Pecuniary interest in this item. Councillor Symington did not participate in the consideration and voting of this item.

Note: Councillor Hindi disclosed a Non-Significant, Non-Pecuniary Interest in this Item. Councillor Hindi remained in the meeting during the discussion and voting on this item.

**MOTION:** Councillor Hindi and Councillor Katris

(a) That Council endorses the Planning Proposal to amend the *Hurstville Local Environmental Plan 2012* and *Kogarah Local Environmental Plan 2012* (or if gazetted, *Georges River Local Environmental Plan 2020*) as follows to be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*:

i. Amend the Land Zoning Map to:

- 1) rezone the Narwee Housing Investigation Area from R2 Low Density Residential to a combination of R3 Medium Density Residential and R4 High Density Residential.

ii. Amend the Lot Size Map to increase the minimum subdivision lot size:

- 1) in the proposed R3 Medium Density Residential from 450sqm to 800sqm; and
- 2) in the proposed R4 High Density Residential from 450sqm to 1,000sqm;

iii. Amend the Height of Buildings Map to:

- 1) increase the maximum building height in the proposed R4 High Density Residential from 9m to 13m (Narwee HIA);
- 2) amend the maximum building height applied at 33 Dora Street, Hurstville from 30m to 15m; and
- 3) amend the maximum building height applied at 199 Rocky Point Road, Ramsgate from 21m to 15m and 21m in accordance with the existing split zoning;

iv. Amend the Floor Space Ratio Map to:

- 1) to increase the maximum floor space ratio in the proposed R3 Medium Density Residential from 0.55:1 to 0.7:1 (Narwee HIA);
- 2) to increase the maximum floor space ratio in the proposed R4 High Density Residential from 0.55:1 to 1:1 (Narwee HIA); and
- 3) amend the maximum floor space ratio applied at 199 Rocky Point Road, Ramsgate from 2.5:1 to 1.5:1 and 2.5:1 in accordance with the existing split zoning;

v. Amend the Land Use Tables of zones R3 Medium Density Residential and R4 High Density Residential to include 'manor houses' and 'multi dwelling housing (terraces)' as land uses in '3 Permitted with consent'; and

vi. Amend Clause 4.1B Minimum lot sizes and special provisions for certain dwellings to include:

- 1) minimum lot size of 800sqm for manor houses;

- 2) minimum lot width of 18m for manor houses;
  - 3) minimum lot size of 800sqm for multi dwelling housing (terraces); and
  - 4) minimum lot width of 21m for multi dwelling housing (terraces).
- (b) That the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning, Industry and Environment.
- (c) That Council provide delegation to the Director Environment and Planning to approve any minor modifications to correct any numerical, typographical, mapping, interpretation and formatting errors, if required, to improve clarity and readability.
- (d) That the submitters of rezoning requests made during the public exhibition of the *Local Strategic Planning Statement 2040* and the draft *Georges River Local Environmental Plan 2020* be notified of Council's policy position on their requests.
- (e) That Council endorse the consultation program outlined in the Report.
- (f) That the Council endorse the General Manager to continue discussions with the land owners of 11- 21 Monaro Avenue Kingsgrove with the intention of entering into an agreement with each of the property owners to enable the Council to secure the purchase of the 6 lots for the purposes of open space.
- (g) That Council endorse the amended LEP Program as follows:
- Stage 1: Housing and Harmonisation (completed with no change)
  - Stage 1B: LEP21 Housing Capacity (this Planning Proposal)
  - Stage 2: Housing Choice (update timeframe from 2021 to 2022)
    - Seek to promote inclusive and affordable housing
    - Investigate mechanisms such as big house conversions and build to rent to provide more housing choice across the LGA
  - Stage 3: Jobs and Activation (update timeframe from 2022 to 2023)
    - Review development standards in centres
    - Infrastructure delivery mechanisms
    - Review and implement the outcomes of the Hurstville City Centre and Beverly Hills Local Centre masterplans
  - Stage 4: Housing and Future Growth (no change to schedule for 2025 and beyond)
    - Focus on land use changes beyond the next 5 years.
- (h) That the maximum building height in the newly created R4 zone in DLEP 2020 (being Hillcrest Ave rezoning from R2 to R4) be increased from 12m to 13m to align with the proposed maximum building height in the proposed R4 zone in the Narwee HIA and further analysis is undertaken on the maximum building heights in the other R4 zones in order to assist in ensuring improved compliance with Apartment Design Guide and reduce the variations to the controls but ensure an appropriate built form outcome in the areas.

**AMENDMENT:** Councillor Tegg and Councillor Grekas

- (a) That Council endorses the Planning Proposal to amend the *Hurstville Local Environmental Plan 2012* and *Kogarah Local Environmental Plan 2012* (or if gazetted, *Georges River Local Environmental Plan 2020*) as follows to be forwarded to the Department of Planning,

Industry and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*:

i. Amend the Land Zoning Map to:

- 1) rezone the Narwee Housing Investigation Area from R2 Low Density Residential to a combination of R3 Medium Density Residential and R4 High Density Residential.

ii. Amend the Lot Size Map to increase the minimum subdivision lot size:

- 1) in the proposed R3 Medium Density Residential from 450sqm to 800sqm; and
- 2) in the proposed R4 High Density Residential from 450sqm to 1,000sqm;

iii. Amend the Height of Buildings Map to:

- 1) increase the maximum building height in the proposed R4 High Density Residential from 9m to 13m (Narwee HIA);
- 2) amend the maximum building height applied at 33 Dora Street, Hurstville from 30m to 15m; and
- 3) amend the maximum building height applied at 199 Rocky Point Road, Ramsgate from 21m to 15m and 21m in accordance with the existing split zoning;

iv. Amend the Floor Space Ratio Map to:

- 1) to increase the maximum floor space ratio in the proposed R3 Medium Density Residential from 0.55:1 to 0.7:1 (Narwee HIA);
- 2) to increase the maximum floor space ratio in the proposed R4 High Density Residential from 0.55:1 to 1:1 (Narwee HIA); and
- 3) amend the maximum floor space ratio applied at 199 Rocky Point Road, Ramsgate from 2.5:1 to 1.5:1 and 2.5:1 in accordance with the existing split zoning;

v. Amend the Land Use Tables of zones R3 Medium Density Residential and R4 High Density Residential to include 'manor houses' and 'multi dwelling housing (terraces)' as land uses in '3 Permitted with consent'; and

vi. Amend Clause 4.1B Minimum lot sizes and special provisions for certain dwellings to include:

- 1) minimum lot size of 800sqm for manor houses;
- 2) minimum lot width of 18m for manor houses;
- 3) minimum lot size of 800sqm for multi dwelling housing (terraces); and
- 4) minimum lot width of 21m for multi dwelling housing (terraces).

(b) That the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning, Industry and Environment.

(c) That Council provide delegation to the Director Environment and Planning to approve any minor modifications to correct any numerical, typographical, mapping, interpretation and formatting errors, if required, to improve clarity and readability.

(d) That the submitters of rezoning requests made during the public exhibition of the *Local*



*Strategic Planning Statement 2040* and the draft *Georges River Local Environmental Plan 2020* be notified of Council's policy position on their requests.

- (e) That Council endorse the consultation program outlined in the Report.
- (f) That the Council endorse the General Manager to continue discussions with the land owners of 11- 21 Monaro Avenue Kingsgrove with the intention of entering into an agreement with each of the property owners to enable the Council to secure the purchase of the 6 lots for the purposes of open space.
- (g) That Council endorse the amended LEP Program as follows:
  - Stage 1: Housing and Harmonisation (completed with no change)
  - Stage 1B: LEP21 Housing Capacity (this Planning Proposal)
  - Stage 2: Housing Choice (update timeframe from 2021 to 2022)
    - Seek to promote inclusive and affordable housing
    - Investigate mechanisms such as big house conversions and build to rent to provide more housing choice across the LGA
  - Stage 3: Jobs and Activation (update timeframe from 2022 to 2023)
    - Review development standards in centres
    - Infrastructure delivery mechanisms
    - Review and implement the outcomes of the Hurstville City Centre and Beverly Hills Local Centre masterplans
  - Stage 4: Housing and Future Growth (no change to schedule for 2025 and beyond)
    - Focus on land use changes beyond the next 5 years.

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

For the Amendment: Councillors Grekas, Konjarski, Payor and Tegg

Against the Amendment: The Mayor, Councillor Greene and Councillors Badalati, Elmir, Hindi, Kastanias, Katris, Landsberry and Liu

On being put to the meeting, voting on the Amendment was four (4) votes FOR and eight (8) votes AGAINST. The Amendment was LOST.

Note: Councillor Kastanias left the meeting at 9.22pm.

Note: Councillor Agius returned to the meeting at 9.26pm.

#### **RESOLVED:** Councillor Hindi and Councillor Katris

- (a) That Council endorses the Planning Proposal to amend the *Hurstville Local Environmental Plan 2012* and *Kogarah Local Environmental Plan 2012* (or if gazetted, *Georges River Local Environmental Plan 2020*) as follows to be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*:
  - i. Amend the Land Zoning Map to:
    - 1) rezone the Narwee Housing Investigation Area from R2 Low Density

Residential to a combination of R3 Medium Density Residential and R4 High Density Residential.

- ii. Amend the Lot Size Map to increase the minimum subdivision lot size:
    - 1) in the proposed R3 Medium Density Residential from 450sqm to 800sqm; and
    - 2) in the proposed R4 High Density Residential from 450sqm to 1,000sqm;
  - iii. Amend the Height of Buildings Map to:
    - 1) increase the maximum building height in the proposed R4 High Density Residential from 9m to 13m (Narwee HIA);
    - 2) amend the maximum building height applied at 33 Dora Street, Hurstville from 30m to 15m; and
    - 3) amend the maximum building height applied at 199 Rocky Point Road, Ramsgate from 21m to 15m and 21m in accordance with the existing split zoning;
  - iv. Amend the Floor Space Ratio Map to:
    - 1) to increase the maximum floor space ratio in the proposed R3 Medium Density Residential from 0.55:1 to 0.7:1 (Narwee HIA);
    - 2) to increase the maximum floor space ratio in the proposed R4 High Density Residential from 0.55:1 to 1:1 (Narwee HIA); and
    - 3) amend the maximum floor space ratio applied at 199 Rocky Point Road, Ramsgate from 2.5:1 to 1.5:1 and 2.5:1 in accordance with the existing split zoning;
  - v. Amend the Land Use Tables of zones R3 Medium Density Residential and R4 High Density Residential to include 'manor houses' and 'multi dwelling housing (terraces)' as land uses in '3 Permitted with consent'; and
  - vi. Amend Clause 4.1B Minimum lot sizes and special provisions for certain dwellings to include:
    - 1) minimum lot size of 800sqm for manor houses;
    - 2) minimum lot width of 18m for manor houses;
    - 3) minimum lot size of 800sqm for multi dwelling housing (terraces); and
    - 4) minimum lot width of 21m for multi dwelling housing (terraces).
- (b) That the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning, Industry and Environment.
  - (c) That Council provide delegation to the Director Environment and Planning to approve any minor modifications to correct any numerical, typographical, mapping, interpretation and formatting errors, if required, to improve clarity and readability.
  - (d) That the submitters of rezoning requests made during the public exhibition of the *Local Strategic Planning Statement 2040* and the draft *Georges River Local Environmental Plan 2020* be notified of Council's policy position on their requests.
  - (e) That Council endorse the consultation program outlined in the Report.
  - (f) That the Council endorse the General Manager to continue discussions with the land

owners of 11- 21 Monaro Avenue Kingsgrove with the intention of entering into an agreement with each of the property owners to enable the Council to secure the purchase of the 6 lots for the purposes of open space.

(g) That Council endorse the amended LEP Program as follows:

Stage 1: Housing and Harmonisation (completed with no change)

Stage 1B: LEP21 Housing Capacity (this Planning Proposal)

Stage 2: Housing Choice (update timeframe from 2021 to 2022)

- Seek to promote inclusive and affordable housing
- Investigate mechanisms such as big house conversions and build to rent to provide more housing choice across the LGA

Stage 3: Jobs and Activation (update timeframe from 2022 to 2023)

- Review development standards in centres
- Infrastructure delivery mechanisms
- Review and implement the outcomes of the Hurstville City Centre and Beverly Hills Local Centre masterplans

Stage 4: Housing and Future Growth (no change to schedule for 2025 and beyond)

- Focus on land use changes beyond the next 5 years.

(h) That the maximum building height in the newly created R4 zone in DLEP 2020 (being Hillcrest Ave rezoning from R2 to R4) be increased from 12m to 13m to align with the proposed maximum building height in the proposed R4 zone in the Narwee HIA and further analysis is undertaken on the maximum building heights in the other R4 zones in order to assist in ensuring improved compliance with Apartment Design Guide and reduce the variations to the controls but ensure an appropriate built form outcome in the areas.

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

For the Motion: The Mayor, Councillor Greene and Councillors Agius, Badalati, Elmir, Hindi, Katris, Landsberry and Liu

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

On being put to the meeting, voting on the Motion was eight (8) votes FOR and four (4) votes AGAINST. The Motion was CARRIED.

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

**CCL076-20 Report of the Finance and Governance Committee Meeting held 9 November 2020**  
(Report by Executive Services Officer)

**RESOLVED:** Councillor Badalati and Councillor Agius

That the Finance and Governance Committee recommendations for Items FIN052-20 to FIN061-20 as detailed below, be adopted by Council.

**FIN052-20 Administrative Matter - Execution of Documents Under Delegated Authority (1 October 2020 to 31 October 2020)**



(Report by Manager, Office of the General Manager)

That Council note, for the period 1 October 2020 to 31 October 2020, there were two (2) documents executed by the General Manager under delegation.

**FIN053-20 Report on Outstanding Council Resolutions (Period up to and including 30 September 2020)**

(Report by Manager, Office of the General Manager)

That the report on Outstanding Council Resolutions (period up to and including 30 September 2020), be received and noted.

**FIN054-20 Investment Report as at 30 September 2020**

(Report by Senior Financial Accountant - Reporting)

That Council receives and notes the contents of the Investment Report as at 30 September 2020.

**FIN055-20 Quarterly Budget Review Statement for the period ending 30 September 2020**

(Report by Chief Financial Officer)

- (a) That Council receives and notes the contents of this report in relation to the Quarterly Budget Review for the period ending 30 September 2020.
- (b) That in accordance with the COVID-19 process resolved by Council in June 2020, Council adopt the proposed amendments to the 2020/21 Budget based on the revised forecasted operational impacts from COVID-19, carryovers from 2019/20 and other variations seen in the first quarter.
- (c) That Council notes the decline in cash receipts from the same quarter last year of 11%.
- (d) That Council notes the forecast operating financial sustainability issues have accelerated from original estimates due to COVID-19 higher than anticipated costs and reduced income in 2019/20.
- (e) That Council notes the operating results of the 2019/20 financial year due to COVID-19 and the likely impact COVID-19 will have on a deteriorating operating result in 2020/21.
- (f) That Council notes the resultant decline of \$15.8m in Council's cash reserve forecast balance from the adopted forecasts in June 2020.

**FIN056-20 Code of Conduct Complaint Statistics 2020**

(Report by Governance and Risk Specialist)

That Council receives and notes the report on the Code of Conduct Complaints Statistics for the period ending 30 September 2020.

**FIN057-20 Tender - T20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment**

(Report by Head of Strategic Property)

Note: Councillor Agius disclosed a Pecuniary interest in this item. Councillor Agius did not participate in the consideration and voting of this item.

Note: Councillor Liu disclosed a Pecuniary interest in this item. Councillor Liu did not

participate in the consideration and voting of this item.

**Note:** Councillor Konjarski disclosed a Non-Significant, Non-Pecuniary Interest in this Item. Councillor Konjarski remained in the meeting during the discussion and voting on this item.

That consideration of item FIN057-20 be referred to Council for consideration in closed confidential session.

**FIN058-20 Tender T20/008 - Provision of Property Management Services**  
(Report by Strategic Property Specialist)

That consideration of item FIN058-20 be referred to Council for consideration in closed confidential session.

**FIN059-20 Profit and Loss Statements - Premium and Community Leases**  
(Report by Chief Financial Officer)

- (a) That Council receives and notes the information contained in the report.
- (b) That a supplementary report be prepared, in accordance with the feedback provided at the Finance and Governance Committee meeting of 9 November 2020.

**FIN060-20 Property Matter - Commercial Property Portfolio - 2020/21 First Quarter Report**  
(Report by Strategic Property Specialist)

That Council receives and notes the Commercial Property Portfolio – 2020/21 First Quarter Report.

**FIN061-20 Property Matter - Street Name Sign Advertisements ("Identilites") - Proposed New Contract**  
(Report by Strategic Property Specialist)

That consideration of item FIN061-20 be referred to Council for consideration in closed confidential session.

**Record of Voting:**

For the Motion: Unanimous

**FINANCE AND GOVERNANCE**

**CCL077-20 Georges River Council Draft Annual Report 2019/20**  
(Report by Integrated Planning and Reporting Officer)

**RESOLVED:** Councillor Badalati and Councillor Katris

- (a) That the Georges River Council Draft Annual Report 2019/20 be approved and forwarded to the Minister of Local Government and an electronic version published on the Council Website.
- (b) That the General Manager be delegated authority to undertake any necessary minor administrative or editorial changes to the Georges River Council Draft Annual Report 2019/20.

**Record of Voting:**

For the Motion: Unanimous

**CCL078-20 Audited General Purpose Financial Statements and Auditors Report for the year ended 30 June 2020**  
(Report by Chief Financial Officer)

**RESOLVED:** Councillor Katris and Councillor Elmir

That Council, in accordance with Section 419 of the Local Government Act (NSW) 1993 (Act), receive and note the presentation of the audited General Purpose Financial Statements and Auditors' Report for the financial year ended 30 June 2020.

**Record of Voting:**

For the Motion: Unanimous

**CCL079-20 Tabling of Disclosure of Interest Returns**  
(Report by Manager Governance and Risk)

**RESOLVED:** Councillor Badalati and Councillor Hindi

That Council receives and notes the report regarding the tabling of Disclosure of Interest Returns for Councillors and Designated Persons.

**Record of Voting:**

For the Motion: Unanimous

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

Note: Councillor Wu returned to the meeting at 9.30pm.

**CCL080-20 COVID-19: Instrument of Delegation to the Mayor (Emergency Administrative Provisions) - November 2020 Report**  
(Report by Manager, Office of the General Manager)

**RESOLVED:** Councillor Badalati and Councillor Hindi

That Council note the register of actions taken pursuant to the Instrument of Delegation to the Mayor (Emergency Administrative Provisions).

**Record of Voting:**

For the Motion: Unanimous

**PROCEDURAL MOTION**

**MOTION:** Councillor Tegg and Councillor Grekas

That Notice of Rescission NR002-20 be considered in seriatim.

**Record of Voting:**

For the Motion: The Mayor, Councillor Greene and Councillors Agius, Elmir, Grekas Konjarski, Liu and Tegg



Against the Motion: Councillors Badalati, Hindi, Kastanias, Katris, Landsberry, Payor, Symington and Wu

On being Put to the meeting, voting on this Motion was seven (7) votes FOR and eight (8) votes AGAINST. The Motion was LOST.

### **PROCEDURAL MOTION**

**MOTION:** The Mayor, Councillor Greene and Councillor Agius

That Council move to closed confidential session to allow discussion and consideration of the privileged legal advice received by Councillors in relation to in regard to Notice of Rescission NR002-20.

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

For the Motion: The Mayor, Councillor Greene and Councillors Agius, Elmir, Grekas, Konjarski, Liu and Tegg

Against the Motion: Councillors Badalati, Hindi, Kastanias, Katris, Landsberry, Payor, Symington and Wu

On being Put to the meeting, voting on this Motion was seven (7) votes FOR and eight (8) votes AGAINST. The Procedural Motion was LOST.

### **NOTICE OF RESCISSION**

**NR002-20 Notice of Rescission - NM082-20 Proposed Feasibility Study - Kogarah War Memorial Pool**  
(Report by Councillor Tegg)

Note: Councillor Elmir disclosed a Non-Significant, Non-Pecuniary Interest in this Item. Councillor Elmir remained in the meeting during the discussion and voting on this item.

Note: Councillor Hindi made a verbal disclosure of a Non-Significant, Non-Pecuniary Interest in this Item. Councillor Hindi remained in the meeting during the discussion and voting on this item.

**MOTION:** Councillor Tegg and Councillor Grekas

That the resolution in respect of Item No. NM082-20 Proposed Feasibility Study - Kogarah War Memorial Pool, from the Ordinary Meeting of Council held on 26 October 2020 be rescinded.

The resolution now proposed to be rescinded reads as follows:

- (a) That a feasibility study be initiated on the old Carss Park Swimming Pool site to determine if it is the feasible to rebuild a swimming pool and fitness centre, as existed previously to the closure of the pool.
- (b) That the demolition of the old pool be postponed until Council has considered the Feasibility Studies of both Todd Park and the Carss Park Sites.

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

For the Motion: The Mayor, Councillor Greene and Councillors Agius, Elmir, Grekas,

Konjarski, Liu and Tegg

Against the Motion: Councillors Badalati, Hindi, Kastanias, Katris, Landsberry, Payor, Symington and Wu

On being Put to the meeting, voting on this Motion was seven (7) votes FOR and eight (8) votes AGAINST. The Rescission Motion was LOST.

## NOTICES OF MOTION

**NM091-20 Acknowledging Aboriginal Culture and Heritage in the Georges River Local Government Area**  
(Report by Councillor Tegg)

**RESOLVED:** Councillor Tegg and Councillor Katris

That the General Manager prepares a report which provides a pathway towards a better future for Aboriginal people in the Georges River local government area that addresses the:

- (a) Consultation process undertaken with Aboriginal people and local organisations;
- (b) Manner in which Council promotes the importance of local Aboriginal culture, art and heritage;
- (c) The principles within the 2017 Uluru Statement of the Heart;
- (d) Need for a Reconciliation Action Plan;
- (e) Key policies requiring review to raise the profile of Aboriginal people and address issues pertaining to Aboriginal people; and
- (f) Timeframe and budget for implementation of the proposed pathway.

### Record of Voting:

For the Motion: Unanimous

**NM092-20 Construction of a Revitalised Netstrata Jubilee Stadium, Kogarah**  
(Report by Councillor Grekas)

Note: Councillor Elmir disclosed a Non-Significant, Non-Pecuniary Interest in this Item.

Note: Councillor Grekas withdrew this motion.

**NM093-20 Proposed Kayak Launch Facility at Lugarno**  
(Report by Councillor Kastanias)

**RESOLVED:** Councillor Kastanias and Councillor Hindi

That, subject to the adoption of the Georges River Foreshore Access and Improvement Plan, the General Manager write to the Member for Oatley, Mark Coure MP requesting funding assistance for the installation of infrastructure to enable passive craft such as kayaks and canoes, to be launched and retrieved safely on the Georges River, adjacent to the historic car ferry ramp in Lugarno.

### Record of Voting:

For the Motion: Unanimous

**NM094-20 Proposed Legislative Amendment - Environmental Planning and Assessment Act 1979**  
(Report by Councillor Grekas)

**RESOLVED:** Councillor Grekas and Councillor Hindi

That the General Manager write to the NSW Minister for Planning and Public Spaces seeking amendments to the NSW *Environmental Planning and Assessment Act 1979* in order to prevent property owners, developers or applicants obtaining approval via a Complying Development Certificate or a Development Application if the property is subject to outstanding regulatory investigations and/or legal action.

**Record of Voting:**

For the Motion: Unanimous

**NM095-20 Acknowledgement of the Contribution of Chinese Australians to Australia**  
(Report by Councillor Tegg)

**RESOLVED:** Councillor Tegg and Councillor Hindi

- (a) That Council acknowledges the contribution of Chinese Australians to Australia and to our local community.
- (b) That Council notes the increase in reported anti-Chinese racism in 2020.
- (c) That Council objects in the strongest possible terms to the actions of Senator Eric Abetz in subjecting three Chinese Australians to a public loyalty test while they sought to give evidence to a Senate Inquiry in October 2020, into issues facing diaspora communities.
- (d) That Council writes to Senator Eric Abetz calling on him to apologise for his behaviour.
- (e) That Council writes to the Minister for Immigration, The Hon David Coleman MP, the acting Minister for Immigration, The Hon Alan Tudge MP and the Prime Minister, The Hon Scott Morrison MP asking them to make a clear statement that it is not acceptable to question the loyalty of Australians on the basis of their cultural backgrounds.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Elmir left the meeting at 10.44pm.

**NM096-20 Congratulations to Council Staff - Georges River Council Pocket Guide to Relationships, Domestic Abuse and Coercive Control**  
(Report by Councillor Symington)

**RESOLVED:** Councillor Symington and Councillor Kastanias

That Council congratulates Council officers and the St George Domestic Violence Committee for the development of the Georges River Council Pocket Guide to Relationships, Domestic Abuse and Coercive Control.



**Record of Voting:**

For the Motion: Unanimous

**NM097-20 Investigation for a Safe Room to Support Domestic Violence Victims**  
(Report by Councillor Symington)

**RESOLVED:** Councillor Symington and Councillor Katris

That Council consult with the St George Police Area Command, local domestic violence service providers and owners of suitable retail premises within the Hurstville CBD to determine the need for, and feasibility of, a Safe Room using the Lisa Harnum Foundation model.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Elmir returned to the meeting at 10.57pm.

**QUESTIONS WITH NOTICE****QWN022-20 Kogarah War Memorial Pool - Management of Community Safety and Contamination Risks and Future Costs**  
(Report by Councillor Tegg)

Note: Councillor Elmir disclosed a Non-Significant, Non-Pecuniary Interest in this Item. Councillor Elmir remained in the meeting during the discussion and voting on this item.

**MOTION:** Councillor Tegg and Councillor Kastanias

That the information be received and noted.

**AMENDMENT:** Councillor Badalati and Councillor Hindi

- (a) That the General Manager convene an urgent confidential Councillor Workshop to provide a comprehensive briefing on Councillors' personal and criminal liability in regard to this site.
- (b) That Council's external lawyers (Senior Counsel) and insurers attend the Councillor Workshop.

**Record of Voting:**

For the Amendment: The Mayor, Councillor Greene, and Councillors Agius, Badalati, Elmir, Grekas, Hindi, Kastanias, Katris, Landsberry, Liu, Payor, Symington and Wu

Against the Amendment: Councillors Konjarski and

On being put to the meeting, voting on the Amendment was thirteen (13) votes FOR and two (2) votes Against. The Amendment was CARRIED and therefore became the MOTION.

**RESOLVED:** Councillor Badalati and Councillor Hindi

- (a) That the General Manager convene an urgent confidential Councillor Workshop to provide

a comprehensive briefing on Councillors' personal and criminal liability in regard to this site.

- (b) That Council's external lawyers (Senior Counsel) and insurers attend the Councillor Workshop.

**Record of Voting:**

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

Against the Motion: Councillors Konjarski and Tegg

On being put to the meeting, voting on the Motion was thirteen (13) votes FOR and two (2) votes Against. The Motion was CARRIED.

Note: Councillor Badalati left the meeting at 11.00pm.

**QWN023-20 Georges River Council Developer Contributions Register**  
(Report by Councillor Tegg)

**RESOLVED:** Councillor Tegg and Councillor Hindi  
That the information be received and noted.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Badalati returned to the meeting at 11.01pm.

**PROCEDURAL MOTION**

**EXTENSION OF TIME**

**RESOLVED:** Councillor Kastanias and Councillor Hindi

With the time being 11.00pm, that an extension of time be granted to allow the Council meeting to continue until midnight or until all items have been dealt with, whichever occurs first.

**Record of Voting:**

For the Motion: Unanimous

**QWN024-20 COVID-19 Plans for a Safe Christmas and New Year**  
(Report by Councillor Liu)

**RESOLVED:** Councillor Liu and Councillor Hindi  
That the information be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**QWN025-20 Update - Status of Disposal of Phase 1 Surplus Properties**  
(Report by Councillor Katris)

**RESOLVED:** Councillor Katris and Councillor Hindi

That the information be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**QWN026-20 Georges River Property Portfolio Strategy 2019**  
(Report by Councillor Payor)

**RESOLVED:** Councillor Payor and Councillor Kastanias

That the information be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**PROCEDURAL MOTION**

**MOVE TO CLOSED SESSION**

**RESOLVED:** Councillor Elmir and Councillor Agius

At this stage of the meeting being 11.11pm 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 items:

**FIN057-20 Tender - T20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment**

*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.*

**FIN058-20 Tender T20/008 - Provision of Property Management 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.*

**FIN061-20 Property Matter - Street Name Sign Advertisements ("Identilites") - Proposed New Contract**

*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.*

**CCL057A-20 Property Matter - Disposal of Surplus Land at Buchanan Lane, Carlton (Report by Head of Strategic Property)**

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

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

**CCL058A-20 Property Matter - Monaro Avenue, Kingsgrove (Report by Strategic Property Specialist)**

*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.*

**CCL059A-20 General Manager's Annual Performance Review**  
(Report by Manager People and Culture)

*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).*

**CCL060A-20 Code of Conduct Investigation Report - Councillor Badalati**  
(Report by Chief Audit Executive)

*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)(l) it is considered the matter alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993.*

*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 alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993.*

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

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

Due to the fact there was no public gallery present at the meeting, the Mayor was not able to ask if there were any members of the public gallery who wanted to speak on the reasons Council proposes to consider the items in Closed Session.

**Record of Voting**

For them Motion: Unanimous

Note: Councillor Wu left at 11.12pm and did not return to the meeting.

Note: Council moved to Closed Confidential session at 11.13pm.

## **CLOSED SESSION**

## **CONFIDENTIAL ITEMS**

### **CCL057A-20 Property Matter - Disposal of Surplus Land at Buchanan Lane, Carlton** (Report by Head of Strategic Property)

**RESOLVED :** Councillor Hindi and Councillor Elmir

- (a) That the land described as Lot 3 in DP734336 and Lot 12 in DP627414, located respectively at 282a and 286 Railway Parade, Carlton be sold to the adjoining owner on the terms and conditions as generally detailed within this report.
- (b) That the General Manager be authorised to commence and complete a road closure application for part of Buchanan St, Carlton (Buchanan Street Lot) adjoining Lot 3 in DP734336 and upon closure of the road and creation of a new lot that the subject lot be classified as Operational Land in accordance with Section 31 of the Local Government Act, 1993.
- (c) That the new Buchanan Street Lot adjoining Lot 3 in DP734336 and Lot 12 in DP627414 be sold to the adjoining owner on terms and conditions as generally detailed in this report.
- (d) That the General Manager, in accordance with Section 377(h) of the Local Government Act 1993, be authorised to execute the Contracts for Sale, Transfer Documents and all other documentation, to effect the disposal of the surplus properties as detailed in this report as well as to effect the closure of the road, the creation of a new freehold lot, and the sale of Lot 3 in DP734336, Lot 12 in DP627414 and the Buchanan Street Lot.

### **Record of Voting:**

For the Motion: Unanimous

Note: Due to disclosing a Pecuniary interest in the following Item (FIN057-20: Tender - T20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment), Councillor Agius and Councillor Liu left the meeting at 11.22pm.

### **FIN057-20 Tender - T20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment** (Report by Head of Strategic Property)

Note: Councillor Agius disclosed a Pecuniary interest in this item. Councillor Agius did not participate in the consideration and voting of this item.

Note: Councillor Liu disclosed a Pecuniary interest in this item. Councillor Liu did not participate in the consideration and voting of this item.

Note: Councillor Konjarski disclosed a Non-Significant, Non-Pecuniary Interest in this Item. Councillor Konjarski remained in the meeting during the discussion and voting on this item.



**RESOLVED** : Councillor Kastanias and Councillor Elmir

- (a) That, under Section 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender that is recommended for T20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment, as outlined in the confidential attachment.
- (b) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.
- (c) That Council inform the unsuccessful Tenderers of the resolution.
- (d) That a Councillor Workshop be held at the first available workshop date in 2021 to enable Councillors to review existing and proposed parking rates at the commercial car parks, having regard to Council's COVID-19 Economic Social Recovery Plan and the impact of the pandemic on the local community.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Agius and Councillor Liu returned to the meeting at 11.24pm.

**FIN058-20 Tender T20/008 - Provision of Property Management Services**  
(Report by Strategic Property Specialist)**RESOLVED:** Councillor Hindi and Councillor Kastanias

- (a) That under Section 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the tender that is recommended for Tender T20/008 - Provision of Property Management Services as outlined in the confidential attachment.
- (b) That the General Manager be authorised to sign the Contracts with the preferred Contractor on behalf of Council.
- (c) That Council inform the unsuccessful Tenderers of the resolution.

**Record of Voting:**

For the Motion: Unanimous

**FIN061-20 Property Matter - Street Name Sign Advertisements ("Identilites") - Proposed New Contract**  
(Report by Strategic Property Specialist)**RESOLVED:** Councillor Hindi and Councillor Agius

- (a) That Council enters into a contract for the creation and display of an initial thirty (30) advertisements ("Identilites") on street name signs throughout the entire Georges River Local Government Area on the terms outlined in the attached (confidential) Proposed Contract Advice.
- (b) That Council authorises the General Manager to execute the contract and all associated documentation.

**Record of Voting:**

For the Motion: Unanimous

**CCL058A-20 Property Matter - Monaro Avenue, Kingsgrove**  
(Report by Strategic Property Specialist)**RESOLVED:** Councillor Badalati and Councillor Kastanias

- (a) That Council acquires the residential property at 13 Monaro Avenue, Kingsgrove, being Lot 16, Section 14 in Deposited Plan 12082 on the following terms as agreed by the owner and based on the compensation advice as detailed in this report.
- (b) That Council allocate funding from Section 711 Development Contributions and from any other relevant Council reserves to effect the acquisition of Lot 16, Section 14 in Deposited Plan 12082 at 13 Monaro Avenue, Kingsgrove.
- (c) That Council authorise the General Manager to execute the Contract for Sale, Transfer Document and all other associated documentation to effect the acquisition of Lot 16, Section 14 in Deposited Plan 12082 at 13 Monaro Avenue, Kingsgrove.
- (d) That Council proposes to initially classify 13 Monaro Avenue Kingsgrove, described as Lot 16, Section 14 in DP12082, as Operational Land in accordance with Part 2, Division 1 (Section 31) of the NSW Local Government Act 1993 (the Act) and in accordance with Section 34 of the Act, Council gives public notice of the proposed resolution specifying a public notice period of 28 days.
- (e) That Council considers any such submissions following the public notice period of 28 days and resolves whether to classify the land as Operational Land.
- (f) That upon rezoning of the property to open space and demolition of the structure, the land be subsequently reclassified to Community Land.

**Record of Voting:**For the Motion: Unanimous

Note: All staff, with the exception of the Manager, People and Culture - Ms Sharni Watts and Manager, Office of the General Manager - Ms Roxanne Thornton, left the meeting at 11.40pm.

**CCL059A-20 General Manager's Annual Performance Review**  
(Report by Manager People and Culture)**RESOLVED:** Councillor Elmir and Councillor Agius

- (a) That Council note the report of the performance review panel meeting on 4 November 2020, facilitated by McArthur, which rates the General Manager's performance for the period August 2019 to August 2020 as excellent.
- (b) That Council approves the proposed performance agreement for the General Manager for the period August 2020 to July 2021.

**Record of Voting:**For the Motion: Unanimous

Note: Councillor Hindi recommended to the meeting that the General Manager receive a \$10,000 remuneration increase in recognition of her 2019/20 performance. The

Mayor, Councillor Greene declined to accept the recommendation on the basis that in April 2020, the General Manager and Senior Staff chose to decline the annual 2020 SOORT increase and any performance bonus increase that they may have become eligible to receive during the COVID-19 pandemic.

Note: The General Manager, Director Legal Services and General Counsel and the Chief Audit Executive returned to the meeting at 11.43pm.

Note: Councillor Badalati was provided with an opportunity to address the meeting in regard to Item CCL060A-20, time being 11.44pm.

Note: Councillor Badalati left the meeting at 11.53pm and did not participate in the discussion or voting on Item CCL060A-20.

Note: The following Councillors were present for Item CCL060A-20 Code of Conduct Investigation Report - Councillor Badalati;

The Mayor, Councillor Greene, the Deputy Mayor, Councillor Agius and Councillors Elmir, Grekas, Hindi, Kastanias, Katris, Konjarski, Landsberry, Liu, Payor, Symington and Tegg.

Note: The following staff were present for Item CCL060A-20 Code of Conduct Investigation Report - Councillor Badalati;

General Manager - Ms Gail Connolly, Director Legal Services and General Counsel - Ms Jenny Ware, Chief Audit Executive - Ms Juliette Hall and Manager, Office of the General Manager - Ms Roxanne Thornton.

**PROCEDURAL MOTION**

**EXTENSION OF TIME**

**RESOLVED:** Councillor Kastanias and Councillor Elmir

With the time being 11.59pm, that a further extension of time be granted to allow the Council meeting to continue until 12.20am Tuesday 24 November 2020.

**Record of Voting:**

For the Motion: Unanimous

**CCL060A-20 Code of Conduct Investigation Report - Councillor Badalati**  
(Report by Chief Audit Executive)

[REDACTED]



[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Note: Councillor Badalati returned to the meeting at 12.18am.

**PROCEDURAL MOTION**  
**MOVE TO OPEN COUNCIL**

**RESOLVED:** Councillor Kastanias and Councillor Tegg  
That Council return to Open Session.

**Record of Voting:**

For the Motion: Unanimous

Note: Council returned to Open Session at 12.18am.

**CONFIRMATION OF RECOMMENDATIONS FROM CLOSED SESSION****RESOLVED:** Councillor Elmir and Councillor Grekas

That the Committee of the Whole recommendations from the Closed Session in relation to Items **FIN057-20** Tender - T20/011 Supply, Installation and Ongoing Maintenance of Commercial Car Parking Equipment, **FIN058-20** Tender T20/008 - Provision of Property Management Services, **FIN061-20** Property Matter - Street Name Sign Advertisements ("Identilites") - Proposed New Contract, **CCL057A-20** Property Matter - Disposal of Surplus Land at Buchanan Lane, Carlton, **CCL058A-20** Property Matter - Monaro Avenue, Kingsgrove, **CCL059A-20** General Manager's Annual Performance Review and **CCL060A-20** Code of Conduct Investigation Report – Councillor Vince Badalati of this meeting, be received and noted as resolutions of Council without any alteration or amendment thereto.

**Record of Voting:**

For the Motion: Unanimous

**CONCLUSION**

The Meeting was closed at 12.19am, Tuesday 24 November 2020.

UNCONFIRMED

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Chairperson