



Minutes

Council Meeting

**Held on Monday, 15 May 2017
commencing at 6:30pm
in the Council Chambers,
Level 2, Administration Building,
4-20 Eton Street, Sutherland**

PRESENT: The Mayor, Councillor Pesce, together with Councillor Boyd, Councillor Collier, Councillor Croucher, Councillor Forshaw, Councillor Johns, Councillor McLean, Councillor Nicholls, Councillor Plibersek, Councillor Provan, Councillor Riad, Councillor Scaysbrook, Councillor Simpson and Councillor Steinwall.

Staff in attendance were the General Manager, Director Corporate Support, Director Shire Services, Director Shire Infrastructure, Director Shire Planning, Manager Communication and Events (Kathryn Lord), Manager Governance and Customer Service (Todd Hopwood), Corporate Governance Manager (Samantha Charlton) and Governance Support Officer (Amanda Davies).

Acknowledgement of Country

The Mayor, Councillor Pesce, opened the Meeting with an Acknowledgement of Country.

Min No: 318 APOLOGY:

RESOLVED: (Councillor Johns/Councillor Provan)

That an apology tendered on behalf of Councillor Simone be accepted and leave of absence granted.

Disclosures of Interest

File Number: 2015/14239

Councillor Croucher declared a not significant non-pecuniary interest in the following matter:

**PLN035-17 Exhibition Report Planning Proposal Part 99R
Acacia Road & Part 42 Auburn Street, Sutherland
File Number: 2016/260973**

advising that his son in law works for Bupa but he manages sites in country regions of NSW and has nothing to do with this site.

Councillor Croucher advised that the conflict is not significant as his son in law has no financial gain and there has been absolutely no discussion about that between us.

Disclosures Cont'd

Councillor Johns declared a pecuniary interest in the following matters:

PLN032-17 Planning Proposal - Flora Street Precinct
File Number: 2015/225892

and

PLN038-17 Proposed Modification to Approved Cronulla
Sharks Retail Development - Addition of 222
Apartments, 125 Room Hotel and 308 Parking
Spaces
File Number: 2017/268425

advising that due to the fact that he represents Council on the Planning and Assessment commission or whatever its name is these days. PLN032-17 and PLN038-17 are both being referred ultimately probably to that commission so I will declare an interest and will leave the room.

Councillor Johns declared a not significant non-pecuniary interest in the following matter:

PLN035-17 Exhibition Report Planning Proposal Part 99R
Acacia Road & Part 42 Auburn Street, Sutherland
File Number: 2016/260973

advising that he has health insurance with Bupa.

Councillor Johns did not advise why the conflict is not significant.

Councillor Nicholls declared a pecuniary interest in the following matter:

COR048-17 Progress Report - Kareela Shopping Centre
File Number: 2017/270174

advising that his mothers company started negotiations with the owner of Kareela Shopping Village for a commercial lease.

Disclosures Cont'd

The Mayor, Councillor Pesce declared a pecuniary interest in the following matter:

PLN038-17 Proposed Modification to Approved Cronulla
Sharks Retail Development - Addition of 222
Apartments, 125 Room Hotel and 308 Parking
Spaces
File Number: 2017/268425

advising that one of his business partners is a director of the Sharks so he has always declared an interest there, if that item does get pulled he will step out of the room.

Councillor Riad declared a not significant non-pecuniary interest in the following matter:

PLN035-17 Exhibition Report Planning Proposal Part 99R
Acacia Road & Part 42 Auburn Street, Sutherland
File Number: 2016/260973

advising that he has health insurance with Bupa.

Councillor Riad advised that the conflict is not significant as he pays market rates.

Councillor Simpson declared a not significant non-pecuniary interest in the following:

PLN032-17 Planning Proposal - Flora Street Precinct
File Number: 2015/225892

And

PLN038-17 Proposed Modification to Approved Cronulla
Sharks Retail Development - Addition of 222
Apartments, 125 Room Hotel and 308 Parking
Spaces
File Number: 2017/268425

advising that he is on the Planning Panel for South Sydney and that he would declare a not significant non-pecuniary interest but would still be leaving the room.

Min No: 319**Confirmation of Minutes of Council Meeting
held on Monday 18 April 2017
(Minutes Numbered 290 to 317 inclusive)**

RESOLVED: (Councillor Provan/Councillor Croucher)

That the Minutes of the Council Meeting held on 18 April 2017, being Minutes Numbered 290 to 317 inclusive, be and are hereby confirmed as a correct record.

Min No: 320**MM011-17****Mayoral Minute****NSW Waratahs & Sylvania Bulldogs Celebrate 50 years of Local Rugby****File Number: 2015/31219, 2016/248002**

On Saturday 13 May I joined NSW Waratahs players and members of the Sylvania Bulldogs Junior Rugby Club to celebrate their 50th anniversary at A R Hurst Reserve in Sylvania. I thank Club President Andrew Chaney for the invitation to the event and congratulate him on his leadership that has supported the strength of the Sylvania Bulldogs and ensured the anniversary celebrations were a huge success.

Fifty years is an amazing achievement and on the weekend I was proud to recognise the heritage and success of the Sylvania Bulldogs, while welcoming great sportsmen from the NSW Waratahs to the Sutherland Shire. Through their rugby skills and drills session the Waratahs put the Club's young players through their paces and inspired them to aim at wearing the famous Waratahs blue one day. Several Bulldogs players over the years have grown up to join the Waratah's ranks and represent NSW.

The long history of the Sylvania Bulldogs Junior Rugby Club started with their association with the former Blakehurst Rugby Club across the Georges River, before they became their own entity in 1967.

The A R Hurst Reserve was donated to Sutherland Shire Council over 50 years ago at the request of the Hurst family. Shortly after this, the newly formed Sylvania Bulldogs Junior Rugby Club was founded by former members of the Easts Rugby Club, who decided to move 'down south' to the Sutherland Shire. This connection lives on today within the Sylvania Bulldog's red, white and blue Club colours, which have remained unchanged since the Club's formation.

Council is proud to have been able to assist the Sylvania Bulldogs consistently over the past five decades, maintaining the grounds each season without fail since the Club settled at the A R Hurst Reserve in 1967.

Min No: 320 Cont'd

MM011-17

I am confident that Council and the Sylvania Bulldogs will continue to foster the solid partnership for the next five decades and I hope that junior rugby stays strong in the Sutherland Shire.

RESOLVED: (The Mayor, Councillor Pesce/Councillor Nicholls)

THAT:

1. The Mayoral Minute be received and noted.
2. Council recognises the heritage and success of local junior rugby club, the Sylvania Bulldogs as they celebrate their 50th year at A R Hurst Reserve, Sylvania.

Min No: 321

MM012-17

Mayoral Minute

New Clubhouse Helps Engadine Crusaders

Celebrate 50 Year Milestone

2015/31187, 2016/248002

On Saturday 29 April I was proud to officially open the new clubhouse for the Engadine Crusaders Football Club in time to kick off the 2017 season and celebrate the Club's 50th year.

The Club celebrated the grand opening of the new clubhouse and amenities with a family fun day at Preston Park. Past Club President, Jim Hankins and current President, Mitchell Pratt joined me and the Member for Heathcote, Mr Lee Evans MP as well as Crusaders players and families to explore the new facilities and celebrate the milestone.

Last year Council granted the Club a 21-year lease over the clubhouse at Preston Park and has worked with the Club to progress plans for the new facilities. As well as improvements to the change room and store room, Council has updated the public toilets with the addition of an accessible toilet as well as an ambulant one and constructed a covered veranda area.

It is great to see such a community-minded Club with strong family connections going from strength to strength. Across the Shire there has been significant growth in female football participation and that was a driving force for new change rooms so that both male and female teams and spectators have appropriate and accessible facilities for match days and training.

Min No: 321 Cont'd

MM012-17

A \$27,500 Building Community Partnerships grant from the NSW Government, combined with \$100,000 raised by the Crusaders helped fund the new clubhouse. The dilapidated toilet block has been rebuilt to include new change rooms, accessible toilet facilities and a store room.

I'm proud of the Club members who have worked extremely hard in the off season to ensure that the 50th year is the best yet for the Club. They have attracted new sponsors, introduced a new Club logo and competition uniform and built a new website www.engadinecrusadersfc.com.

The Engadine Crusaders are set to keep on kicking goals for the next 50 years.

RESOLVED: (The Mayor, Councillor Pesce/Councillor Steinwall)

THAT:

1. The Mayoral Minute be received and noted.
2. Council congratulates the Engadine Crusades for reaching the 50 year milestone and hopes they continue as a strong local Club for another 50 years.

Min No: 322

At this time in the Meeting, all open items not called for discussion were moved in bulk, as shown: "RESOLVED: (Councillor Provan/Councillor Riad*)".

Min No: 323 Suspension of Standing Orders

RESOLVED: (Councillor Collier)

That Standing Orders be suspended at this time to allow PLN033-17 to be considered as the first item of business.

Min No: 324

PLN033-17

**Reclassification and Rezoning of 276B Gymea
Bay Road, Gymea Bay
File Number: 2017/271413**

MOTION: (Councillor Collier/Councillor Boyd)

THAT:

1. The present zoning of 276B Gymea Bay Road, Gymea Bay (as RE1 Public Recreation) remain unchanged.
2. The present classification of the land at 276B Gymea Bay Road (as "Community Land") remain unchanged.
3. The land at 276B Gymea Bay Road (Lot 1 DP 14346) be retained and maintained by Council.
4. The indoor and outdoor space which has been "dedicated to local community playgroups for many years" continue to be so dedicated.
5. Council consult the community as to the alternative and appropriate uses for the remaining portion of the site.

AMENDMENT: (Councillor Simpson/Councillor Provan)

THAT:

1. That the matter be deferred and the fee structure be reviewed so as to allow full and comprehensive consultation with the community to take place.
2. That the General Manger report back to the Council at the completion of the consultation.

The Amendment on being put to the Meeting was declared lost.

A Division was requested on the Amendment and the following votes were recorded:

In Favour of the Amendment were the Mayor, Councillor Pesce together with Councillors Provan, Scaysbrook and Simpson.

Against the Amendment were Councillors Boyd, Collier, Croucher, Forshaw, Johns, McLean, Nicholls, Plibersek, Riad and Steinwall.

The Motion on being put to the Meeting was carried to become the RESOLUTION of the Council (**as shown in the Motion**).

Min No: 324 Cont'd
PLN033-17

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were Councillors Boyd, Collier, Croucher, Forshaw, Johns, McLean Nicholls, Plibersek, Riad, Scaysbrook and Steinwall.

Against the Resolution were the Mayor, Councillor Pesce together with Councillors Provan and Simpson.

Min No: 325 Adjournment

At 7.04 pm when all those above-mentioned were present it was:

RESOLVED: (The Mayor, Councillor Pesce)
That the Meeting be adjourned.

Min No: 326 Resumption of Standing Orders

At 7.07 pm when all those above-mentioned were present it was:

RESOLVED: (The Mayor, Councillor Pesce)

That Standing Orders be resumed.

Min No: 327 Suspension of Standing Orders

RESOLVED: (Councillor Scaysbrook/Councillor Nicholls)

That Standing Orders be suspended at this time to allow Urgency Motion to be considered as the next item of business.

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were Councillors Boyd, Collier, Forshaw, McLean, Plibersek, Scaysbrook, Simpson and Steinwall.

Against the Resolution were the Mayor, Councillor Pesce together with Councillors Croucher, Johns, Provan Nicholls and Riad.

Min No: 328 Business Without Notice
Comments Made Under Parliamentary Privilege
File Number: DA16/0641

Councillor Scaysbrook requested that Business Without Notice concerning Comments Made Under Parliamentary Privilege be considered as a matter of urgency.

RESOLVED: (Councillor Scaysbrook/Councillor Plibersek)

That permission be granted to bring forward Business Without Notice regarding Comments Made Under Parliamentary Privilege.

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were Councillors Boyd, Collier, Forshaw, McLean, Plibersek, Scaysbrook, Simpson and Steinwall.

Against the Resolution were the Mayor, Councillor Pesce together with Councillors Croucher, Johns, Provan, Nicholls and Riad.

The Mayor, Councillor Pesce, ruled in accordance with Clause 19(3)(b) of Council's Code of Meeting Practice that the matter was of great urgency.

Min No: 329 Business Without Notice
Comments Made Under Parliamentary Privilege
File Number: DA16/0641

MOTION: (Councillor Scaysbrook/Councillor Boyd)

THAT Council:

1. Condemns the comments made on 10 May 2017 by the Member for Miranda under Parliamentary Privilege as deplorable and without foundation in respect of the request by Councillors Collier, Boyd and Scaysbrook to call Development Application 16/0641 for additions to a supermarket and the construction of residential flat buildings above an existing car park before the Independent Hearing and Assessment Panel.
2. Acknowledges that all procedures concerning the matter were correctly and properly followed by Councillors Collier, Boyd and Scaysbrook and refutes any suggestion that any breach of conduct under law or policy occurred.

Min No: 329 Cont'd

BWN008-17

3. Continues its established policy of transparent, objective assessment of planning matters as specified in the Environmental Planning and Assessment Act 1979 and related legislation, free from interference by un-associated entities.

AMENDMENT: (Councillor Simpson/Councillor Johns)

That Council condemns the use of Parliamentary privilege by any politician to damage any persons reputation without substantive evidence.

The Amendment on being put to the Meeting was declared lost.

A Division was requested on the Amendment and the following votes were recorded:

Against the Amendment were the Mayor, Councillor Pesce together with Councillors Boyd, Collier, Croucher, Forshaw, Johns, McLean, Nicholls, Plibersek, Provan, Riad, Scaysbrook, Simpson and Steinwall.

The decision was unanimous.

FURTHER AMENDMENT: (Councillor Johns/Councillor Nicholls)

THAT:

1. Council notes the contribution by the Member for Miranda.
2. The Mayor refer the statements made in Parliament by the Member for Miranda to the Office of Local Government regarding the actions of Councillor Collier, Councillor Boyd, and Deputy Mayor Councillor Scaysbrook for any appropriate action or comment on the manner in which the Miranda RSL determination was undertaken.
3. Advice be sought from the Office of Local Government on best methods for dealing with such applications in regard to pecuniary interests involving political donations, development applications, competing organisations and council code of conduct
4. The ICAC be similarly requested to investigate the manner with which this development application has been dealt with.
5. The member for Miranda be thanked for her contribution.

Min No: 329 Cont'd
BWN008-17

The Further Amendment then became the Amendment which on being put to the Meeting was declared lost.

A Division was requested on the Further Amendment and the following votes were recorded:

In Favour of the Further Amendment were the Mayor, Councillor Pesce together with Councillors Croucher, Johns, Nicholls, Provan and Riad.

Against the Further Amendment were Councillors Boyd, Collier, Forshaw, McLean, Plibersek, Scaysbrook, Simpson and Steinwall.

SECOND FURTHER AMENDMENT: (Councillor Simpson/Councillor Boyd)

THAT:

1. Council condemns the use of Parliamentary privilege by any politician to damage any persons reputation without substantive evidence.
2. Acknowledges that all procedures concerning the matter were correctly and properly followed by Councillors Collier, Boyd and Scaysbrook and refutes any suggestion that any breach of conduct under law or policy occurred.
3. Continues its established policy of transparent, objective assessment of planning matters as specified in the Environmental Planning and Assessment Act 1979 and related legislation, free from interference by un-associated entities.

The Second Further Amendment then became the Amendment which on being put to the Meeting was carried to become the Motion.

A Division was requested on the Second Further Amendment and the following votes were recorded:

In Favour of the Second Further Amendment were Councillors Boyd, Collier, Forshaw, McLean, Plibersek, Scaysbrook, Simpson and Steinwall.

Against the Second Further Amendment were the Mayor, Councillor Pesce together with Councillors Croucher, Johns, Nicholls, Provan and Riad.

Min No: 329 Cont'd
BWN008-17

The Motion on being put to the Meeting was carried to become the RESOLUTION of the Council (as shown in the Second Further Amendment)

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were Councillors Boyd, Collier, Forshaw, McLean, Plibersek, Scaysbrook, Simpson and Steinwall.

Against the Resolution were the Mayor, Councillor Pesce together with Councillors Croucher, Johns, Nicholls, Provan and Riad.

Min No: 330 Suspension of Standing Orders

RESOLVED: (Councillor Johns)

That Standing Orders be suspended bring forward COR049-17 and COR047-17 to be considered as the next items of business.

Min No: 331

**COR049-17 Draft Delivery Program 2017 - 2021,
incorporating Operational Plan and Budget
2017-18, and draft Resourcing Strategy
File Number: 2016/259105**

MOTION: (Councillor Johns/Councillor Riad)

THAT:

1. A modified Model 1 from the Long Term Financial Plan for inclusion as the four year budget within the Delivery Program, be endorsed.
2. The Ministerial rate peg increase of 1.5% as the increase in rating yield for the 2017/2018 financial year, as described in the Draft Delivery Program and Operational Plan, be endorsed.
3. The capital works program for 2017/2018 be endorsed for inclusion within the Draft Delivery Program and Operational Plan for exhibition.
4. The modifications to model 1 be as follows.

Min No: 331 Cont'd

COR049-17

- a) An efficiency dividend be delivered by the General manager against employee costs of 1.5% for the years ended June 2019 to the year ended June 2022
 - b) A 5% increase in user charges and fees in 2018/2019
 - c) Net gains from disposal of assets adjusted to \$1 million net of \$500K loss on plant in years 2021, 2024 and 2027 (total asset recycling of \$12 million)
5. The financial strategy be used to explore specific opportunities to address funding of infrastructure renewal over the long term.
 6. The fees and charges schedule reflect that Gymea Preschool have no change and that further consultation with representatives of the preschool with ward councillors and staff.

AMENDMENT: (Councillor Simpson/Councillor Plibersek)

THAT:

1. Model 2 from the Long Term Financial Plan for inclusion as the four year budget within the Delivery Program, be endorsed.
2. The Ministerial rate peg increase of 1.5% as the increase in rating yield for the 2017/2018 financial year, as described in the Draft Delivery Program and Operational Plan, be endorsed.
3. The capital works program for 2017/2018 be endorsed for inclusion within the Draft Delivery Program and Operational Plan for exhibition.
4. In accordance with the requirements of the Local Government Act 1993, the following documents be placed on public exhibition for a period of 28 days:
 - Draft Delivery Program 2017 - 2021, incorporating 2017/18 Draft Operational Plan including Budget, as contained in Appendix A.
 - Draft Resourcing Strategy, as contained in Appendix B incorporating; Draft Finance Strategy and Long Term Financial Plan, as contained in Appendix C; Draft Asset Management Strategy as contained in Appendix D; and Draft Workforce Strategy and Plan as contained in Appendix E.
 - Draft Fees and Charges Schedule, as contained in Appendix F.
5. The fees and charges schedule reflect that Gymea Preschool have no change and that further consultation with representatives of the preschool with ward councillors and staff.

The Amendment on being put to the Meeting was carried to become the Motion.

Min No: 331 Cont'd

COR049-17

A Division was requested on the Amendment and the following votes were recorded:

In Favour of the Amendment were Councillors Boyd, Collier, Forshaw, McLean, Plibersek, Scaysbrook, Simpson and Steinwall.

Against the Amendment were the Mayor, Councillor Pesce together with Councillors Croucher, Johns, Provan, Nicholls and Riad.

The Motion on being put to the Meeting was carried to become the RESOLUTION of the Council (**as shown in the Amendment**).

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were Councillors Boyd, Collier, Forshaw, McLean, Plibersek, Scaysbrook, Simpson and Steinwall.

Against the Resolution were Mayor, Councillor Pesce together with Councillors Croucher, Johns, Provan, Nicholls and Riad.

Min No: 332

COR047-17

Community Strategic Plan

File Number: 2016/259105

RESOLVED: (Councillor Riad/Councillor Simpson)

That the Community Strategic Plan be re-exhibited publicly from 17 May - 15 June 2017 in tandem with the draft Delivery Program 2017 - 2021 and Operational Plan 2017 / 2018.

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were the Mayor, Councillor Pesce together with Councillors Boyd, Collier, Croucher, Forshaw, Johns, McLean, Nicholls, Plibersek, Provan, Riad, Scaysbrook, Simpson and Steinwall.

The decision was unanimous.

Resumption of Standing Orders

At this stage of the Meeting, Standing Orders were resumed.

Min No: 333**GOV022-17****Cash Payments & Investments Report - March 2017****File Number: 2016/250910**

RESOLVED: (Councillor Provan/Councillor Riad*)

That the information concerning Bank Balances and Investments held as at 31 March 2017, be received and noted.

Min No: 334**GOV023-17****Writing-Off of Rates and Charges Under Delegated Authority for the
Period 1 July 2016 to 31 December 2016****File Number: 2016/247914**

RESOLVED: (Councillor Provan/Councillor Riad*)

That the report on "Writing-Off of Rates and Charges Under Delegated Authority for the Period 1 July 2016 - 31 December 2016", be received and noted.

Min No: 335**GOV024-17****Quarterly Budget Review Statement for Period Ending March 2017****File Number: 2016/239505**

RESOLVED: (Councillor Provan/Councillor Riad*)

That the Third Quarterly Budget Review Statement for the Period Ending March 2017 and recommendations contained within be adopted and income and expenditure adjustments be voted.

Min No: 336**GOV025-17****Community Strategic Plan****File Number: 2016/259105**

RESOLVED: (Councillor Provan/Councillor Riad*)

That in accordance with the delegation granted by the Council to this Committee it is resolved that:

- a. Submissions be provided from Councillors to staff on suggested changes to the Community Strategic Plan.
- b. A memo be sent out to Councillors incorporating changes suggested at the Corporate Governance meeting.
- c. The changes made from the submissions be provided in a subsequent report to the Council meeting to be held on 15 May 2017.

Min No: 337**SER023-17****Proposed Easement for Sewerage Over
Community Land - Australian Nuclear Science
and Technology Organisation (ANSTO)****File Number: 2016/259123**

RESOLVED: (Councillor Riad/Councillor Croucher)

THAT:

1. An Easement for Services (sewerage) be granted over Council land described as 124R David Road, Barden Ridge (Lot 835 DP 808150) in favour of ANSTO at terms and conditions to the satisfaction of the General Manager.
2. In accordance with the Power of Attorney dated 6 July 2016 BK 4710 No. 28, the General Manager execute any necessary documentation to give effect to these resolutions.
3. Proceeds from the easement be directed to Council's Green Streets Program and expended in Barden Ridge and the greater Menai area.

Min No: 338

**SER024-17 Proposed Road Closure Thomas Holt Village 1-25 Acacia Road, Kirrawee
File Number: 2015/36682**

RESOLVED: (Councillor Provan/Councillor Riad*)

THAT:

1. The closure of 782sqm of Acacia Road which adjoins Lot 100 DP 1083371 located at 1-25 Acacia Road Kirrawee be supported.
2. Council authorises the sale of the 782sqm section of Acacia Road adjoining Lot 100 DP 1083371 to Thomas Holt Village in the context of overall strategic management of an asset portfolio.
3. Council proceed to divest itself of the area by sale to Thomas Holt Village:
 - (a) the appropriate application to close a public road be lodged with NSW Department of Primary Industries, and
 - (b) authorise the surrender of the road lease to the satisfaction of the General Manager, and
 - (c) delegates the General Manager to negotiate the value and terms of the sale in Council's favour, and
 - (d) in accordance with the Power of Attorney dated 6 July 2016 BK 4710 No. 28, the General Manager execute any necessary documentation to give effect to this resolution.

Min No: 339

**SER025-17 Proposed Sale of Land at 34R-36R Caravan
Head Road, Oyster Bay
File Number: 2015/4720**

RESOLVED: (Councillor Plibersek/Councillor Scaysbrook)

That Delegated Authority be given to the General Manager to implement the Officers Recommendation, subject to consultation with Councillors.

Min No: 340**SER026-17****Right of Carriageway - 2R Alexander Avenue, Taren Point****File Number: 2015/4751**

RESOLVED: (Councillor Provan/Councillor Riad*)

THAT:

1. Easements for Services (Drainage and Rights-of Carriageway) be granted over Council land described as Lot 1 DP 234622, 2R Alexander Avenue, Taren Point known as Taren Point Shorebird Reserve in favour of Lot 410 in DP 1114233 being 98 Woodlands Road, Taren Point at terms and conditions to the satisfaction of the General Manager.
2. In accordance with the Power of Attorney dated 6 July 2016 BK 4710 No. 28, the General Manager execute any necessary documentation to give effect to this resolution.

Min No: 341**INF015-17****Update on Council's Floodplain Risk Management Process****File Number: 2015/36431**

RESOLVED: (Councillor Provan/Councillor Riad*)

That the report "Update on Council's Floodplain Risk Management Process", be received and noted.

Min No: 342**PLN031-17****Australian Mayoral Aviation Council (AMAC) -****Reconsideration of Membership****File Number: 2015/65503**

RESOLVED: (Councillor Provan/Councillor Riad*)

That correspondence be forwarded to the Australian Mayoral Aviation Council thanking them for their assistance and advising that Council will not be continuing its membership beyond the current year.

Councillors Johns and Councillor Simpson left the meeting at this stage 8:54pm.

Min No: 343

PLN032-17

Planning Proposal - Flora Street Precinct

File Number: 2015/225892

*** Councillor Johns and Councillor Simpson declared a pecuniary interest in this matter, left the Chamber, took no part in the discussion and did not vote.

RESOLVED: (Councillor Steinwall/Councillor Nicholls)

THAT:

1. The Planning Proposal to increase the development potential of the Flora Street Precinct, Kirrawee be rejected on the grounds that:
 - The road network cannot accommodate the traffic likely to be generated;
 - The bulk and scale of future development would be inconsistent with the current strategic direction for Kirrawee;
 - The building forms would have poor streetscape outcomes, poor transitional relationships to surrounding development and compromise residential amenity to existing and future residents.

2. Upon release of the final South District Plan a report be presented to Council outlining how the Kirrawee Centre best fits within the larger strategic vision for the South District.

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were the Mayor, Councillor Pesce, together with Councillors Boyd, Collier, Croucher, Forshaw, McLean, Nicholls, Plibersek, Provan, Riad, Scaysbrook and Steinwall.

The decision was unanimous.

Councillors Johns and Councillor Simpson returned to the meeting at this stage.

PLN033-17

This Item was discussed earlier in the meeting.

Min No: 344

**PLN034-17 Exhibition Report Planning Proposal 1A & 1-13 Atkinson Road,
Taren Point (Draft Amendment SSLEP2015)
File Number: 2017/266883**

RESOLVED: (Councillor Provan/Councillor Riad*)

1. Council formally request Parliamentary Counsel prepare and make a legal instrument to rezone land at 1A and part 1-13 Atkinson Road, Taren Point to B7 Business Park with a Floor Space Ratio of 1.5:1, Minimum Lot Size 1Ha, Maximum Building Height of 16m and remove the Land Reservation status; Local open space (RE1).
2. On receipt of the Opinion of the Parliamentary Counsel's Office that the legal instrument can be made, pursuant to Clause 400 of the *Local Government (General) Regulations 2005*, the LEP be executed under the Common Seal of the Council of the Sutherland Shire in the presence of the Mayor and General Manager.

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were the Mayor, Councillor Pesce, together with Councillors Boyd, Collier, Croucher, Forshaw, Johns, McLean, Nicholls, Plibersek, Provan, Riad, Scaysbrook, Simpson and Steinwall.

The decision was unanimous.

Min No: 345

**PLN035-17 Exhibition Report Planning Proposal Part 99R Acacia Road
& Part 42 Auburn Street, Sutherland
File Number: 2016/260973**

*** Councillor Riad, Councillor Croucher and Councillor Johns declared a not significant non-pecuniary interest in this matter.

RESOLVED: (Councillor Provan/Councillor Riad*)

That Council formally request the Department of Planning and Environment to prepare and make a legal instrument to amend SSLEP2015 in accordance with the Planning Proposal Part 99R Acacia Road and Part 42 Auburn Street, Sutherland.

A Division was requested on the Resolution and the following votes were recorded:

Min No: 345 Cont'd
PLN035-17

In Favour of the Resolution were the Mayor, Councillor Pesce, together with Councillors Boyd, Collier, Croucher, Forshaw, Johns, McLean, Nicholls, Plibersek, Provan, Riad, Scaysbrook, Simpson and Steinwall.

The decision was unanimous.

Min No: 346

**PLN036-17 IHAP013-17 - Alterations and Additions to an
Existing ALDI Supermarket and Carpark,
Construction and Use of 5 Storey Residential
Flat Building Containing 57 Residential
Apartments Above the Existing Carpark to
Create a Mixed Use Development and Stratum
Subdivision of 2 into 3 – Wandella Road,
Miranda (DA16/1641)
File Number: DA16/0641**

MOTION: (Councillor Johns/Councillor Simpson)

1. Pursuant to the provisions of Clause 4.6 of Sutherland Shire Local Environmental Plan 2015, the written submission in relation to the variation to Clause 4.3 Building Height satisfies the relevant provisions of Clause 4.6 and is therefore supported. It is recommended that the provisions of Clause 4.6 be invoked and that the Building Height development standard be varied to 26.2m (4.8%), in respect to this application.

2. Development Application No. 16/0641 for alterations and additions to an existing ALDI supermarket and carpark, construction and use of 5 storey residential flat building containing 57 residential apartments above the existing carpark to create a mixed use development and stratum subdivision of two lots into three at Lots 1 & 2 DP 1153094 (Nos. 14 & 16) Wandella Road, Miranda, be approved by way of deferred commencement consent subject to the conditions contained in Appendix "A" of the report with the following amendments:
 - a) Deletion of Deferred Commencement Condition 1(a)
 - b) Deletion of Deferred Commencement Condition 1(b)
 - c) Amend Condition 18A (xi) by adding the following words after the word mirrors:
"or an automated system or both."
 - d) Amend Condition 41A (iv) by adding the following words after the word Level 2:
"through the reallocation of spaces from the existing designated RSL spaces"

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- e) Addition of the following new condition:
“A traffic assessment is to be carried out to ensure that vehicles are able to safely ingress and egress the site. The focus of the report is to consider the design of the existing ramps, in an attempt to minimise any potential traffic conflicts and adopt mitigation measures recommended by that report.”
- f) Addition of the following new condition:
“The provision of privacy screens on the balconies on the sixth floor of the southern elevation of the proposed building are to be included to offer a greater degree of privacy for the existing units at No. 621 Kingsway, Miranda.”

AMENDMENT: (Councillor Collier/Councillor Forshaw)

THAT:

1. Council supports the Recommendation 1 of the IHAP Report, invoking Clause 4.6 (of the Sutherland Shire Local Environment Plan 2015) and varying building height by 1.2 m with respect to this DA 16/0641.
2. Council approve DA 16/0641 by way of deferred commencement subject to the conditions contained in Appendix “A” of the Staff Report with amendments recommended by IHAP, namely:
amendments to deferred commencement conditions (a) to (d);
(ii) the addition of a new condition (e) requiring a traffic assessment; and the addition of a new condition (f) requiring the inclusion of certain screens on the proposed building to provide greater privacy for nearby residents.

The Amendment on being put to the meeting was declared lost.

A Division was requested on the Amendment and the following votes were recorded:

In Favour of the Amendment were Councillors Collier and Forshaw.

Against the Amendment were the Mayor, Councillor Pesce, together with Councillors Boyd, Croucher, Johns, McLean, Nicholls, Plibersek, Provan, Riad, Scaysbrook, Simpson and Steinwall.

The Motion on being put to the meeting was carried to become the RESOLUTION of the Council.

A Division was requested on the Resolution and the following votes were recorded:

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In Favour of the Resolution were the Mayor, Councillor Pesce together with Councillors Boyd, Collier, Croucher, Forshaw, Johns, McLean, Nicholls, Plibersek, Provan, Riad, Scaysbrook, Simpson and Steinwall.

The decision was unanimous.

Min No: 347

**PLN037-17 IHAP014-17 - Demolition of Existing Shops and
Dwelling and Construction of a Mixed Use
Development Containing 5 Commercial and 19
Residential Units - Princes Highway, Sylvania
(DA16/0377)
File Number: DA16/0377**

MOTION: (Councillor Plibersek/Councillor McLean)

THAT:

1. The applicant be invited to submit within 21 days amended plans that delete the upper level of the building fronting Princes Highway so that the proposal complies with the height limit under Sutherland Shire Local Environmental Plan 2015.
2. If the applicant submits amended plans in accordance with (1), they be referred to the Director, Shire Planning for assessment and determination of the application.
3. If amended plans are not submitted in accordance with (1), the application be refused on the grounds that:
 - (i) it does not comply with the applicable height limit under Sutherland Shire Local Environmental Plan 2015;
 - (ii) the proposal would have unacceptable impacts on the amenity of adjacent properties due to its height;
 - (ii) the proposal would have an unacceptable impact on the public domain in terms of its bulk and scale; and
 - (iii) the proposal represents an overdevelopment of the site that is not in the interest of the community.

Min No: 347 Cont'd

PLN037-17

AMENDMENT: (Councillor Croucher/Councillor Riad)

THAT:

1. Pursuant to the provisions of Clause 4.6 of Sutherland Shire Local Environmental Plan 2015, the written submission in relation to the variation to height satisfies the relevant provisions of Clause 4.6 and is therefore supported. It is recommended that the provisions of Clause 4.6 be invoked and that the *Height of Buildings* development standard be varied to 14 metres, in respect to this application.
2. Pursuant to the provisions of Section 80 of the Environmental Planning and Assessment Act, 1979, Development Application No. 16/0377 for demolition of existing shops and dwelling and construction of a mixed use development containing 5 commercial and 19 residential units at Lot 11 DP 650961, Lot 12 DP 658248, Lot 9 DP 655700, Lot 1 DP 726419 (Nos. 222 - 228) Princes Highway, Sylvania, is determined by the granting of development consent subject to the conditions contained in Appendix "A" of this report.

The Amendment on being put to the Meeting was carried to become the Motion.

A Division was requested on the Amendment and the following votes were recorded:

In Favour of the Amendment were the Mayor, Councillor Pesce together with Councillors Boyd, Croucher, Johns, Nicholls, Provan, Riad, Scaysbrook, and Simpson.

Against the Amendment were Councillors Collier, Forshaw, McLean, Plibersek and Steinwall.

The Motion on being put to the Meeting was carried to become the RESOLUTION of the Council (**As shown in the Amendment**).

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were the Mayor, Councillor Pesce together with Councillors Boyd, Croucher, Johns, Nicholls, Provan, Riad, Scaysbrook, and Simpson.

Against the Resolution were Councillors Collier, Forshaw, McLean, Plibersek and Steinwall.

The Mayor, Councillor Pesce vacated the Chair and left the Chamber.

The Deputy Mayor, Councillor Scaysbrook, assumed the Chair.

The Mayor, Councillors Pesce and Councillor Johns left the meeting at this stage 9:40pm.

Min No: 348

**PLN038-17 Proposed Modification to Approved Cronulla Sharks
Retail Development - Addition of 222 Apartments,
125 Room Hotel and 308 Parking Spaces
File Number: 2017/268425**

- *** Councillor Johns declared a pecuniary interest in this matter, left the Meeting, took no part in the discussion and did not vote.
- *** The Mayor, Councillor Pesce declared a pecuniary interest in this matter, left the Meeting, took no part in the discussion and did not vote.
- *** Councillor Simpson declared a not significant non-pecuniary interest in the following matter.

A RESCISSION MOTION has been carried on the following decision, see Council Minutes dated 19/06/17, Minute No. 386, for new Resolution. The following resolution was rescinded.

RESOLVED: (Councillor Croucher/Councillor Riad)

The report Proposed Modification to Approved Cronulla Sharks Retail Development - Addition of 222 Apartments, 125 Room Hotel and 308 Parking Spaces be received and noted.

The Mayor, Councillor Pesce and Councillor Johns returned to the meeting at this stage.

Councillor Nicholls left the meeting at this stage.

Min No: 349

**COR048-17 Progress Report - Kareela Shopping Centre
File Number: 2017/270174**

- *** Councillor Nicholls declared a pecuniary interest in this matter, left the Meeting, took no part in the discussion and did not vote.

RESOLVED: (Councillor Collier/Councillor Croucher)

THAT:

1. The Progress Report, "Kareela Shopping Centre" be received and noted.
2. A further report be provided to the August Council Meeting regarding all the outstanding work at Kareela Shopping Centre.

Councillor Nicholls returned to the meeting at this stage.

Min No: 350

COR050-17

**Further Report: Process Refinements in
Development Assessment – Panels and
Determinations
File Number: 2016/260430**

MOTION: (Councillor Johns/Councillor Riad)

THAT:

1. Council endorse the following revised model for the operation of its Independent Hearing and Assessment Panel and determination of development and related applications:
 - a. Council retains a panel, but renames it 'Sutherland Shire Local Planning Panel' (SSLPP).
 - b. The panel be comprised of two external technical experts and one community representative.
 - c. Expert panel members be appointed as permanent members with an alternate, community members be drawn from a pool, and all members be paid a flat rate per meeting as determined by the General Manager.
 - d. The technical experts be comprised of a Chair with legal/planning expertise, plus another member with town planning/urban design/architecture expertise.
 - e. The Sutherland Shire Local Planning Panel has the functions of hearing from stakeholders, reviewing staff assessment reports, applying its professional and technical expertise, and determining applications that come before it.
 - f. Applications be referred to the Sutherland Shire Local Planning Panel if they are outside staff delegation, are referred by Councillors, or are referred by the Director Shire Planning or General Manager on the basis of perceived conflict of interest, public interest, complexity, scale, non-compliance with planning controls, or the like.
 - g. The process for Councillor call up be by way of a written or email request of one Councillor from the relevant Ward, plus any other two Councillors.

2. Council endorse the following revised model for the operation of its Architectural Review Advisory Panel:
 - a. Council retains a panel and renames it the 'Design Review Forum' (DRF).
 - b. The criteria for referral of proposals to the Design Review Forum be consistent with matters referred to a SEPP65 Design Review Panel, plus applications that, in the opinion of the Director Shire Planning, it would be in the public interest to refer to the Design Review Forum.
 - c. The Design Review Forum be comprised of two external Registered Architects and a senior Council staff member who has qualifications and experience relevant to matters before the Design Review Forum.

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COR050-17

- d. That two Registered Architects be appointed as permanent chair and a permanent member, two alternates be appointed to cover absences, and all be paid a flat rate per meeting as determined by the General Manager.
 - e. Landscape matters be incorporated into the consideration of the Design Review Forum by way of Council landscape architects being involved in pre-meeting Design Review Forum briefings and being present at the meetings to answer questions or offer advice as required.
 - f. The minutes be written in summary/point form following each item, comprised of two sections addressing big picture ideas and refinements that could be made to the scheme proposed, and be finalised within two business days.
3. The Charters for the Sutherland Shire Local Planning Panel and the Design Review Forum, attached to this report as Appendices B and C, be adopted.
 4. Development consents be issued with a lapse time of five years unless there are special circumstances.

AMENDMENT: (Councillor Plibersek/Councillor Forshaw)

THAT:

1. Council endorse the following revised model for the operation of its Independent Hearing and Assessment Panel and determination of development and related applications:
 - a. Council retains a panel, and it continues to be known as the Independent Hearing and Assessment Panel.
 - b. The panel be comprised of two external technical experts and one community representative.
 - c. Expert panel members be appointed as permanent members with an alternate, community members be drawn from a pool, and all members be paid a flat rate per meeting as determined by the General Manager.
 - d. The technical experts be comprised of a Chair with legal/planning expertise, plus another member with town planning/urban design/architecture expertise.
 - e. The Independent Hearing and Assessment Panel has the functions of hearing from stakeholders, reviewing staff assessment reports, applying its professional and technical expertise, and making recommendations for the consideration of the Shire Planning Committee.

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- f. Applications be referred to the Independent Hearing and Assessment Panel if they are outside staff delegation, are referred by Councillors, or are referred by the Director Shire Planning or General Manager on the basis of perceived conflict of interest, public interest, complexity, scale, non-compliance with planning controls, or the like.
 - g. The process for Councillor call up be by way of a written or email request of one Councillor from the relevant Ward, plus any other two Councillors.
 - h. The members of the Independent Hearing and Assessment Panel be shortlisted for recommendation to Council by a Panel comprised of the General Manager, Director Shire Planning, Manager Strategic Planning, the Mayor, Deputy Mayor, and Councillor Simpson.
 2. Council endorse the following revised model for the operation of its Architectural Review Advisory Panel:
 - a. Council retains a panel and renames it the 'Design Review Forum' (DRF).
 - b. The criteria for referral of proposals to the Design Review Forum be consistent with matters referred to a SEPP65 Design Review Panel, plus applications that, in the opinion of the Director Shire Planning, it would be in the public interest to refer to the Design Review Forum.
 - c. The Design Review Forum be comprised of two external Registered Architects and a senior Council staff member who has qualifications and experience relevant to matters before the Design Review Forum.
 - d. That two Registered Architects be appointed as permanent chair and a permanent member, two alternates be appointed to cover absences, and all be paid a flat rate per meeting as determined by the General Manager.
 - e. Landscape matters be incorporated into the consideration of the Design Review Forum by way of Council landscape architects being involved in pre-meeting Design Review Forum briefings and being present at the meetings to answer questions or offer advice as required.
 - f. The minutes be written in summary/point form following each item, comprised of two sections addressing big picture ideas and refinements that could be made to the scheme proposed, and be finalised within two business days.
 3. The Charters for the Independent Hearing and Assessment Panel and the Design Review Forum, attached to this report as Appendices B and C, be adopted.
 4. Development consents be issued with a lapse time of five years unless there are special circumstances.
-

Min No: 350 Cont'd
COR050-17

The Amendment on being put to the Meeting was carried to become the Motion.

A Division was requested on the Amendment and the following votes were recorded:

In Favour of the Amendment were Councillors Boyd, Collier, Forshaw, Mclean, Plibersek, Provan, Scaysbrook, Simpson and Steinwall.

Against the Amendment were the Mayor, Councillor Pesce together with Councillors Croucher, Johns, Nicholls and Riad.

The Motion on being put to the Meeting was carried to become the RESOLUTION of the Council (**as shown in the Amendment**).

A Division was requested on the Resolution and the following votes were recorded:

In Favour of the Resolution were Councillors Boyd, Collier, Forshaw, Mclean, Plibersek, Provan, Scaysbrook, Simpson and Steinwall.

Against the Resolution were the Mayor, Councillor Pesce together with Councillors Croucher, Johns, Nicholls and Riad.

Min No: 351

MOT027-17

**Osprey Drive Illawong and Moreton Road
Illawong
File Number: 2017/273116**

RESOLVED: (Councillor Riad/Councillor Simpson)

THAT:

1. Council acknowledges the ongoing safety concerns expressed by the local community in regard to Moreton Road, Opsprey Drive and surrounding streets in Illawong.
2. A report be tabled at the Traffic Committee at the earliest opportunity providing an analysis of the safety of traffic on these streets.

Min No: 351 Cont'd

MOT027-17

3. The report shall include but not be limited to the following:
 - a. Updated traffic counts (including those at night) from the 2009 traffic study;
 - b. Options to reduce opportunity for vehicles to travel at excessive speed;
 - c. Budgetary implications of any recommended traffic calming devices.
4. Council writes to the NSW Police Force requesting a more active Police presence to deter vehicles from travelling at excessive speeds along these streets.
5. As a matter of policy, in the event that a fatality or serious injury occurring on a local road in the Sutherland Shire, details of the accident are to be referred to the Sutherland Traffic Committee to allow consideration of appropriate short term and long term responses.

Min No: 352

MOT028-17

Investigate Rezoning the Toyota Site

File Number: 2015/87254 and 2017/265560

RESOLVED: (Councillor Johns/Councillor Riad)

That at the time Council commences the preparation of the next amendment to Sutherland Shire LEP 2015, Council investigates rezoning the Toyota site (13 Endeavour Road, Caringbah) to 'open space' in a manner that does not result in a compulsory acquisition liability to Council.

Min No: 353

MOT029-17

Sutherland Shire Literary Competition

File Number: 2015/14493

RESOLVED: (Councillor Collier/Councillor Croucher)

1. Council forms a Working Party comprising Councillors Collier Forshaw and Croucher to:
 - (a) identify opportunities; and
 - (b) providing advice to Council on the establishment of an annual "Sutherland Shire Literary Competition" (Working title).
2. The Working Party seek advice and input, as required, from:
 - (a) established Shire Writing and Literary Groups;
 - (b) educators and Shire teaching professionals (where relevant);
 - (c) organisers and sponsors of established writing competitions and festivals;

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MOT029-17

- (d) business and community representatives; and
 - (e) Shire librarians and other sources.
3. The Working Party consider and advise Council on the budgetary implications of any proposed annual "Sutherland Shire Literary Competition."
 4. The General Manager provide staff to assist the Working Party, as required, in the preparation of a written report and recommendations to Council on or before 21 August, 2017.

Min No: 354

MOT030-17

Reduce Anti-Social Behaviour at Rutherford Reserve

File Number: 2015/86277

RESOLVED: (Councillor Provan/Councillor Forshaw)

THAT:

1. In consultation with the NSW Police, Council investigates and reports on possible actions to improve lighting and security in accordance with CPTED principles within Rutherford Reserve so as to reduce the opportunity for anti-social behaviour within the area. The investigation shall include, but not be limited to removing vegetation so as to facilitate passive surveillance of the reserve, the effectiveness of CCTV cameras, changes to lighting and whether the current scheduled maintenance of the land is satisfactory.
2. Should the investigation identify the need for any works beyond existing budget allocations, a report shall be prepared to allow Council to consider allocating funds to the Reserve.
3. Council writes to residents immediately fronting and/or adjoining Rutherford Reserve advising them of Council's and Police's actions to reduce the opportunity for anti-social behaviour into the future.

Petition**Min No: 355****Reclassification and rezoning of 276B Gymea Bay Road, Gymea Bay
File Number: 2017/271413**

Councillor Collier tabled a petition regarding the reclassification and rezoning of 276 Gymea Bay Road, Gymea Bay from Community to Operational Land to facilitate the sale of the land.

Min No: 356

At this time in the Meeting, all closed items not called for discussion were moved in bulk, as shown: “RESOLVED: (Councillor Provan/Councillor Riad)”.**

Min No: 357**CONSIDERATION OF BUSINESS IN CLOSED SESSION (10.34 pm)**

The Mayor, Councillor Pesce, asked the General Manager if any representations had been received from the public on any of the items Council will be discussing in Closed Session.

The General Manager replied that no representations had been received to talk to the items in Closed Session.

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

MOTION: (The Mayor, Councillor Pesce)

That in accordance with Section 10(A)(1) of the Local Government Act 1993, the following matters be considered in Closed Session of Council for the reasons provided:

INF012A-17 T687/16 Sylvania Wharf Upgrade**Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:**

This matter is being considered in Closed session as it relates to commercial information the disclosure of which would be likely to prejudice the commercial position of the person, company or tenderer who supplied it. On balance, the public interest in preserving the confidentiality of information provided by persons, companies or tenderers outweighs the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information could reveal information that is commercial in confidence and the release of which could damage the commercial position of the person, company or tenderer who supplied it.

INF013A-17 T651/16 Construction of Barden Ridge Reserve**Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:**

This matter is being considered in Closed session as it relates to commercial information the disclosure of which would be likely to prejudice the commercial position of the person, company or tenderer who supplied it. On balance, the public interest in preserving the confidentiality of information provided by persons, companies or tenderers outweighs the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information could reveal information that is commercial in confidence and the release of which could damage the commercial position of the person, company or tenderer who supplied it.

INF014A-17 T703/17 Design and Construct the Sandy Point Rural Fire Station**Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:**

This matter is being considered in Closed session as it relates to commercial information the disclosure of which would be likely to prejudice the commercial position of the person, company or tenderer who supplied it. On balance, the public interest in preserving the confidentiality of information provided by persons, companies or tenderers outweighs the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information could reveal information that is commercial in confidence and the release of which could damage the commercial position of the person, company or tenderer who supplied it.

**INF012A-17 T687/16 Sylvania Wharf Upgrade
File Number: 2016/260070**

RESOLVED: (Councillor Provan/Councillor Riad**)

THAT:

1. The tender from Landmark Marinas Pty Ltd t/as Clement Marine Construction (ABN 77 061 036 824) for the 'Sylvania Wharf Upgrade' for the lump sum of \$203,816.00 (excl GST), at terms and conditions to the satisfaction of the General Manager, be accepted.
2. Pursuant to clause 400 of the Local Government Regulation 2005, the following documents be executed under Common Seal of the Council of the Sutherland Shire:

Type of Document: Contract for Sylvania Wharf Upgrade

Other Party: Landmark Marinas Pty Ltd t/as Clement Marine Construction (ABN 77 061 036 824)

INF013A-17 T651/16 Construction of Barden Ridge Reserve
File Number: 2016/2237822

RESOLVED: (Councillor Riad/Councillor Johns)

THAT:

1. The tender from Auscape Pty Ltd (ABN 86 002 705 508) for the 'Construction of Barden Ridge Reserve' for the lump sum of \$546,660.40 (excl GST), at terms and conditions to the satisfaction of the General Manager, be accepted.
2. Pursuant to clause 400 of the Local Government Regulation 2005, the following documents be executed under Common Seal of the Council of the Sutherland Shire:

Type of Document: Contract for Construction of Barden Ridge Reserve

Other Party: Auscape Pty Ltd

INF014A-17 T703/17 Design and Construct the Sandy Point
Rural Fire Station
File Number: 2017/265655

RESOLVED: (Councillor Provan/Councillor Riad**)

THAT:

1. The tender from Camporeale Holdings Pty Ltd (ABN 88 129 353 537) for 'Design and Construct the Sandy Point Rural Fire Station' for the lump sum of \$1,347,939.00 (excl GST), at terms and conditions to the satisfaction of the General Manager, be accepted.
2. Pursuant to clause 400 of the Local Government Regulation 2005, the following documents be executed under Common Seal of the Council of the Sutherland Shire:

Type of Document: Contract for Design and Construct the Sandy Point Rural Fire Station

Other Party: Camporeale Holdings Pty Ltd (ABN 88 129 353 537)

The Meeting closed at 10.36 pm.