



Minutes

Council Meeting

Monday, 18 March 2019

6:30pm

**Council Chambers,
Level 2, Administration Building,
4-20 Eton Street, Sutherland**

SUTHERLANDSHIRE

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 Simone, Councillor Simpson and Councillor Steinwall.

STAFF IN ATTENDANCE: The Acting General Manager (Manjeet Grewal), Director Shire Infrastructure, Director Shire Planning, Acting Director Corporate Support (David MacNiven), Acting Director Shire Services (Mark Carlon), Manager Governance Risk and Compliance (Anton Usher), Executive Public Relations (Amie Lindsell), Media and Communications Officer (Jane Dyson), Team Leader Governance (Debbie Lewis), Governance Advisor (Rachael Zhura), Governance Officer (Jenni Dovey) and Governance Officer (Bernadette Feltham).

ACKNOWLEDGEMENT OF COUNTRY

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

OPENING PRAYER

The Meeting was opened with prayer by Reverend Oto Faiva of Sutherland Uniting Church.

Minute No: 37 Suspension of Standing Orders Minute of Silence

RESOLVED: (The Mayor, Councillor Pesce)

That Standing Orders be suspended to observe one minute's silence in memory of the victims of the tragic event in Christchurch, New Zealand on Friday, 15 March 2019.

At this stage of the Meeting, all stood for one minute of silence.

Resumption of Standing Orders

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

APOLOGY

Nil.

DISCLOSURES OF INTEREST

File Number: 2015/14239

Councillor Croucher declared a significant non-pecuniary interest in the following matter:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that the applicant has been a long time acquaintance through different media and he notes the applicant has never spoken to him about this application.

Councillor Forshaw declared a significant non-pecuniary interest in the following matter:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that he is a member of the Sydney South Planning Panel and this matter in its previous form has been before the Joint Regional Planning Panel and he will leave the meeting should this item be called.

Councillor Johns declared a significant non-pecuniary interest in the following matters:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that the consultant is well known to him and he notes the consultant has never spoken to him about this application.

and

MOT004-19 Waste Minimisation, Recycling and Resource Recovery in the Sutherland Shire
File Number: 2015/79334

advising that his partner is the State Member for Holsworthy.

Councillor Johns declared a pecuniary interest in the following matter:

MOT004-19 Waste Minimisation, Recycling and Resource Recovery in the Sutherland Shire
File Number: 2015/79334

advising that he has clients in the waste sector.

Councillor Nicholls declared a significant non-pecuniary interest in the following matters:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that he knows the consultant through the Liberal Party and the consultant has not spoken to him about this project.

and

MOT004-19 Waste Minimisation, Recycling and Resource Recovery in the Sutherland Shire
File Number: 2015/79334

advising that he works for one of the State Members.

The Mayor, Councillor Pesce declared a significant non-pecuniary interest in the following matters:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that he knows the consultant as he is a member of the Liberal Party.

and

COR007-19 Planning Panel Agenda Items for Determination
File Number: 2016/254538, 2016/261299

advising that his accountant is part owner of business item MA17/0577 and he will vacate the chair if the item is called.

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

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that he does not know Pacific Planning but he has met Matt Daniels on a number of occasions at political functions.

Councillor Plibersek did not advise why the conflict was not significant.

Councillor Provan declared a significant non-pecuniary interest in the following matter:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that she knows the consultant as he is a member of the Liberal Party.

Councillor Riad declared a significant non-pecuniary interest in the following matter:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that he knows the consultant through the Liberal Party and the consultant has not spoken to him about this project.

Councillor Simone declared a significant non-pecuniary interest in the following matter:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that the consultant in the report is the Secretary of her Branch of the Liberal Party.

Councillor Simpson declared a significant non-pecuniary interest in the following matter:

PLN008-19 Amended Planning Proposal: 10—14 Merton Street Sutherland
File Number: 2015/87412

advising that he served as a Councillor with a member of the applicant's team and he has good knowledge of this person and that this person has not spoken to him in connection to planning.

Councillor Simpson further advised that he is a member of the Sydney South Planning Panel and that is the reason he left the room, not because of any other conflict of interest.

Minute No: 38

CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

RESOLVED: (Councillor Plibersek/Councillor Provan)

THAT:

1. The Minutes of the Ordinary Council held on Monday 18 February 2019, being Minutes Numbered 14 to 36 inclusive, be and are hereby confirmed as a correct record.
2. It be noted in the Minutes of the Corporate Governance Committee held on Monday 4 March 2019, the recommendation for point 2 of item GOV009-19 be amended as follows:

2. We insert the word "committee" in the definition section to mean "a committee of the council" immediately before the words committee of council on page 45.

Minute No: 39

RESOLVED: (Councillor Johns/Councillor Simpson)

That the Minutes of the Council Meeting held on 15 May 2017 be corrected to record that the Resolution for PLN039-17, was moved in bulk (RESOLVED: Councillor Provan/Councillor Riad*) as per the Committee Recommendation contained in the Council Business Paper for the 15 May 2017 Meeting.

Minute No: 40

Suspension of Standing Orders

RESOLVED: (Councillor Johns/Councillor Simpson)

That Standing Orders be suspended to consider MM007-19 as the first item of business.

Minute No: 41

**MM007-19 Mayoral Minute - Recognition of Council Lifeguards in Mass Surf Rescue
File Number: 2019/328472**

RESOLVED: (Councillor Pesce/Councillor Simone)

THAT:

Appreciation and recognition be extended to Council's lifeguards who collaborated with Bate Bay lifesavers and ASRL volunteers to successfully rescue forty five swimmers at North Cronulla on 17 February 2019.

Resumption of Standing Orders

At this stage of the Meeting, Standing Orders were resumed (6:52pm).

Minute No: 42

**MM006-19 Mayoral Minute - Recognition of Bate Bay Lifesavers in Mass Surf Rescue
File Number: 2019/328472**

RESOLVED: (Councillor Pesce/Councillor Simone)

THAT:

Appreciation and recognition be extended to North Cronulla Surf Lifesaving Club and its lifesavers who collaborated with Council lifeguards, other Bate Bay Clubs and ASRL volunteers, to successfully rescue forty five swimmers at North Cronulla on 17 February 2019.

**MM007-19 This matter was considered earlier in the Meeting
(see Minute No. 41).**

At this time in the Meeting, all open items marked in these minutes with an asterisk were moved in bulk, as shown: "RESOLVED: (Councillor Provan/Councillor Plibersek*)"

Minute No: 43

**GOV005-19 Minutes of the Audit, Risk and Improvement Committee Meeting held on
12 December 2018
File Number: 2017/264845**

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

1. The minutes of the meeting of the Sutherland Shire Council Audit, Risk and Improvement Committee held on 12 December 2018 be received and noted.
2. The Audit, Risk and Improvement Committee Chairperson's Annual Performance Report be received and noted.

Minute No: 44

**GOV006-19 Cash Payments and Investments Report - January 2019
File Number: 2018/315796**

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

The information concerning Bank Balances and Investments held as at 31 January 2019, be received and noted.

Minute No: 45

**GOV007-19 Delivery Program 2017-2021 Six Month Progress Report for 2018/19
Operational Plan
File Number: 2017/278520**

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

The half yearly report on the progress against actions adopted in the 2017 - 2021 Delivery Program incorporating 2018/19 Operational Plan be received and noted.

Minute No: 46

**GOV008-19 Work Health and Safety Policy Review
File Number: 2018/321578**

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

The Work Health and Safety Policy (Appendix "A") be adopted by Council.

Minute No: 47**GOV009-19****Code of Meeting Practice****File Number: 2015/26223**

MOTION: (Councillor Collier/Councillor Boyd)

THAT:

1. The Code of Meeting Practice attached as Appendix A to this report, be endorsed and, in accordance with section 361 of the Local Government Act, be placed on public exhibition for a period of 42 days, subject to the following amendment:
 - a) Section 20.6 (Notice of committee meetings) of the proposed Code of Meeting Practice, be amended to replace the words 'three days' with 'five business days'.
2. It be noted that in reference to a "committee" in the Code of Meeting Practice is a reference to a "Committee of Council" which is defined in the Code of Meeting Practice as a "Committee of Council of which all the members are Councillors".
3. It further be noted that the Introductory Section of the proposed Code of Meeting Practice that "Council Committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise".

AMENDMENT: (Councillor Johns/Councillor Simone)

THAT:

1. Council endorse the Model Code of Meeting Practice For Local Councils in NSW 2018 for public exhibition with the particular inclusions amended where they are required to be specified in the Model Code, subject to the following amendment:
 - a) Section 20.6 (Notice of committee meetings) of the proposed Code of Meeting Practice, be amended to replace the words 'three days' with 'five business days'.
2. It be noted that in reference to a "committee" in the Code of Meeting Practice is a reference to a "Committee of Council" which is defined in the Code of Meeting Practice as a "Committee of Council of which all the members are Councillors".
3. It further be noted that the Introductory Section of the proposed Code of Meeting Practice that "Council Committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise".

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 Croucher, Johns, Nicholls, Provan, Simone and Simpson.

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

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

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

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

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

MOTION: (Councillor Riad/Councillor Simpson)

THAT:

This matter be deferred for a Councillor Briefing on the proposed Code of Meeting Practice and the changes from the Model Code, as a matter of urgency.

AMENDMENT: (Councillor Johns/Councillor Forshaw)

THAT:

1. The draft Code of Meeting Practice attached as Appendix A to the report be endorsed for public exhibition.
2. A study group be formed to review the changes from the Model Code of Meeting Practice and review the amendments suggested by Councillor Collier as follows:
 - a. Section 20.6 (Notice of committee meetings) of the proposed Code of Meeting Practice, be amended to replace the words 'three days' with 'five business days'.
 - b. It be noted that in reference to a "committee" in the Code of Meeting Practice is a reference to a "Committee of Council" which is defined in the Code of Meeting Practice as a "Committee of Council of which all the members are Councillors".
 - c. It further be noted that the Introductory Section of the proposed Code of Meeting Practice that "Council Committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise".

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, Collier, Croucher, Forshaw, Johns, McLean, Nicholls, Provan, Plibersek, Scaysbrook, Simone, Simpson and Steinwall.

Against the Amendment was Councillor Riad.

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

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, Provan, Plibersek, Riad, Scaysbrook, Simone, Simpson and Steinwall.

The decision was unanimous.

Councillor Nicholls left the Meeting during discussion of the following item (8:02pm).

Minute No: 48

SER002-19 2020 First Encounters - Events and Infrastructure
File Number: 2017/29183

RESOLVED: (Councillor Croucher/Councillor Boyd)

THAT:

1. Council endorses the event program as outlined in *'2020 First Encounters'* utilising ongoing budget allocations to deliver the 250th Anniversary - Meeting of Two Cultures, the Whale Song Festival, the Bidy Giles and First Nations Women Exhibition and the Sutherland Shire Literary Competition.
2. Infrastructure programs for the Bonna Point Regional Playground, Silver Beach Shared Pathway and Cronulla Community Lookout proceed as programmed and become part of the commemorative events.
3. The Fire Story, the Kurnell signage project, and interpretive signage for Dharawal history at

Oak Park and other appropriate locations be given further consideration as part of the 2019/2020 Budget submission.

4. A further report be provided to ascertain what roadworks upgrades and beautification work on Captain Cook Drive can be achieved prior to this event.

Minute No: 49

INF003-19 Major Infrastructure Projects Review
File Number: 2015/44222

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

The report "Major Infrastructure Projects Review" be received and noted.

Minute No: 50

Procedural Motion
To Consider INF004-19 in Conjunction with COR006-19

RESOLVED: (Councillor Pesce/Councillor Simpson)

THAT:

INF004-19 be considered in conjunction with COR006-19.

Councillor Nicholls returned to the Meeting during discussion of the following item (8:20pm).

Minute No: 51

INF004-19 Stage 3 Road Works Rawson Avenue, Sutherland
File Number: 2018/316488

NOTE: This item was considered in conjunction with COR006-19.

RESOLVED: (Councillor Simpson/Councillor Johns)

THAT:

Council endorse the increase for the Rawson Avenue On Road Cycleway and Shared Pathway Stage 3 project by \$865,180 to be funded, in part, from Developer Contributions (\$530,000) designated for Waratah Park and the additional \$335,180 from Developer Contributions intended for Stage 4 of the Rawson Avenue project.

Minute No: 52

PLN004-19 Landscape Inspection Program and Fees - Public Exhibition
File Number: 2015/90422

RESOLVED: (Councillor Collier/Councillor Scaysbrook)

THAT:

The Landscape Inspection fee structure as shown in the table below be endorsed for adoption into Council Fees and Charges:

Development Type	1st Fee	Subsequent Fee
Dual Occupancy	\$230	\$100
Town Houses (4 or less)	\$400	\$400
Town Houses (more than 4)	\$600	\$600
Units under 25	\$800	\$800
Units 25 to 50	\$1200	\$1200
Units more than 50	\$3000	\$3000
Commercial/Industrial Sites	\$400	\$400

Councillor Johns and Councillor Simpson requested that their names be recorded as voting against the Resolution.

Minute No: 53

PLN005-19 Draft Local Strategic Planning Statement- Liveability
File Number: 2018/322081

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

The liveability strategic directions detailed in this report be incorporated into Sutherland Shire's draft Local Strategic Planning Statement.

Minute No: 54

PLN006-19 Results of Exhibition of SSDCP2015 - Draft Amendment 3
File Number: 2018/320837

MOTION: (Councillor Boyd/Councillor Steinwall)

THAT:

Sutherland Shire Development Control Plan 2015 - Amendment 3 not be adopted as exhibited.

AMENDMENT: (Councillor Simpson/Councillor Croucher)

THAT:

Sutherland Shire Development Control Plan 2015 - Amendment 3 be adopted as exhibited.

**Minute No: 55 Procedural Motion
 To Put the Amendment**

MOTION: (Councillor Scaysbrook/Councillor Riad)

That the Amendment be put to the Meeting.

The Procedural Motion on being put to the Meeting was declared lost.

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

In Favour of the Procedural Motion were Councillors Boyd, Johns, McLean, Riad and Scaysbrook.

Against the Procedural Motion were the Mayor, Councillor Pesce, together with Councillors Collier, Croucher, Forshaw, Nicholls, Provan, Plibersek, Simone, Simpson and Steinwall.

Minute No: 54 Cont'd

PLN006-19

Debate continued on the matter.

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 Croucher, Forshaw, McLean, Provan, Plibersek, Scaysbrook, Simone and Simpson.

Against the Amendment were Councillors Boyd, Collier, Johns, Nicholls, Riad 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 Croucher, Forshaw, McLean, Provan, Plibersek, Scaysbrook, Simone and Simpson.

Against the Resolution were Councillors Boyd, Collier, Johns, Nicholls, Riad and Steinwall.

Councillor Boyd left the Meeting during discussion of the following item (9:11pm).

Councillor Riad left the Meeting during discussion of the following item (9:13pm).

Councillor Boyd and Councillor Riad returned to the Meeting during discussion of the following item (9:25pm).

Minute No: 56

PLN007-19

Tree Sub Committee

File Number: 2018/310316

MOTION : (Councillor Plibersek/Councillor Forshaw)

THAT:

1. Staff implement the refinements and procedural changes recommended by the Tree Sub-Committee, as outlined in this report
2. Staff provide Councillor's at the next Council meeting a draft of the correspondence in plain English of the letters being proposed to send to constituents other than the changes requiring that tree decisions be considered and determined by the elected Council.

AMENDMENT: (Councillor Collier/Councillor Johns)

THAT:

1. Staff implement the refinements and procedural changes recommended by the Tree Sub-Committee, as outlined in this report, subject to additional arrows being added into both of the appended process flow charts from the 'refusal' box (flowing from 'Discussion with Councillor and Manager') to the box containing the words 'Called to Council via a Notice of Motion.'
2. Staff provide Councillor's at the next Council meeting a draft of the correspondence in plain English of the letters being proposed to send to constituents.

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, Collier, Croucher, Forshaw, Johns, Nicholls, Provan, Riad, Simone, Simpson and Steinwall.

Against the Amendment were Councillors McLean, Plibersek and Scaysbrook.

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, Collier, Croucher, Forshaw, Johns, Nicholls, Provan, Riad, Simone, Simpson and Steinwall.

Against the Resolution were Councillors McLean, Plibersek and Scaysbrook.

Minute No: 57

**Procedural Motion
To Vote Acting Chairperson**

RESOLVED: (Councillor Pesce/Councillor Simpson)
That Councillor Scaysbrook assume the role of Acting Chairperson.

The Mayor, Councillor Pesce, vacated the Chair (9:31pm).
Councillor Scaysbrook assumed the Chair (9:31pm).

Minute No: 58

**PLN008-19 Amended Planning Proposal: 10-14 Merton Street Sutherland
File Number: 2015/87412**

***The Mayor, Councillor Pesce, together with Councillors Croucher, Forshaw, Johns, Nicholls, Provan, Riad, Simone and Simpson declared a significant non-pecuniary interest in this matter, left the Meeting, took no part in the discussion and did not vote.

***Councillor Plibersek declared a not significant non-pecuniary interest in this matter.

Lack of Quorum

At 9:36pm when the Mayor, Councillor Pesce, together with Councillors Croucher, Forshaw, Johns, Nicholls, Provan, Riad, Simone and Simpson left the Meeting, the Meeting no longer had a quorum.

Resumption of Standing Orders

At 9:38pm Standing Orders were resumed with the following present:

The Mayor, Councillor Pesce, together with Councillors Boyd, Collier, Croucher, McLean, Nicholls, Plibersek, Provan, Scaysbrook and Steinwall.

Minute No: 58 Cont'd**PLN008-19**

MOTION: (Councillor Boyd/Councillor Plibersek)

THAT:

PLN008-19 "Amendment Planning Proposal: 10-14 Merton Street Sutherland" be delegated to the Acting General Manager for determination.

Lack of Quorum

At 9:42pm when the Mayor, Councillor Pesce, together with Councillors Croucher, Nicholls and Provan left the Meeting, the Meeting no longer had a quorum.

Resumption of Standing Orders

At 9:53pm Standing Orders were resumed with the following present:

Councillors Boyd, Collier, Croucher, Johns, McLean, Plibersek, Scaysbrook and Steinwall.

Minute No: 58 Cont'd**PLN008-19**

RESOLVED: (Councillor Boyd/Councillor Plibersek)

THAT:

PLN008-19 "Amendment Planning Proposal: 10-14 Merton Street Sutherland" be delegated to the Acting General Manager for determination.

The Mayor, Councillor Pesce together with Councillors Forshaw, Nicholls, Provan, Riad, Simone and Simpson returned to the Meeting (9:55pm).

The Mayor, Councillor Pesce resumed the Chair (9:55pm).

Minute No: 59

COR005-19 **Report and Minutes of the Meetings of the Sutherland Traffic and Traffic Safety Committee and Consultative Traffic Forum held on Friday, 1 March 2019**
File Number: 2015/2036

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

1. The committee recommendations contained in the Minutes of the Sutherland Traffic and Traffic Safety Committee Meeting held on Friday, 1 March 2019 be adopted.
2. The recommendations contained in the Minutes of the Consultative Traffic Forum Meeting held on Friday, 1 March 2019 be adopted.

COR006-19 **Stage 3 Road Works, Rawson Avenue Sutherland - Supplementary Report**
File Number: 2018/316488

This matter was considered in conjunction with INF004-19. For Resolution, refer to Minute No. 51.

Minute No: 60

COR007-19 **Planning Panel Agenda Items for Determination**
File Number: 2016/254538, 2016/261299

***The Mayor, Councillor Pesce, declared a significant non-pecuniary interest in this matter and did not vote. This matter was moved in bulk therefore there was no discussion on the item.

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

The report Planning Panel Agenda Items for Determination be received and noted.

Minute No: 61**MOT004-19 Waste Minimisation, Recycling and Resource Recovery in the Sutherland Shire****File Number: 2015/79334**

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

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

RESOLVED: (Councillor Steinwall/Councillor Simpson)

THAT:

Building on Council's current waste recycling actions and initiatives, Council:

1. Receive a report on current and emerging technologies available to minimise waste, recycling and resource recovery in the Sutherland Shire.
2. Write to the NSW Government State Premier, Opposition leader and local State members seeking their support for the 100% reinvestment of the Waste Levy into waste management.
3. Endorse the Local Government NSW Campaign, "Save Our Recycling" to realise 100% reinvestment of the Waste Levy into waste management.

Councillor Johns and Nicholls returned to the Meeting during discussion of the following item (10:06pm).

Minute No: 62**MOT005-19 Neighbour Notification Policy****File Number: 2015/4863**

RESOLVED: (Councillor Steinwall/Councillor Croucher)

THAT:

1. A Councillor briefing be scheduled within 2 months to discuss Council's current policy on neighbour notification of development applications, including but not limited to;
 - a. the amount of time allowed for neighbours to make submissions
 - b. the extent of adjacent properties notified
 - c. the information provided in terms of the proposal and the process that will follow
 - d. the manner in which submissions are counted and considered for Panels.

2. Following the briefing, a report be prepared summarising options to refine and improve the current neighbour notification policy for Council including:
 - a. an explanation of the LPP process on council's website, with a link to it in the neighbourhood notification letter.
 - b. the neighbourhood notification letter to explain the options available to a resident who is not able to make a submission within the advertised timeframe.
 - c. an explanation for the residents how they may best contribute to the planning process.

Minute No: 63**MOT006-19****Submissions Made on Council's behalf****File Number: 2015/4382, 2015/4387**

RESOLVED: (Councillor Steinwall/Councillor Scaysbrook)

THAT:

When a State or Federal Government agency (or other significant stakeholder) seeks Council's comment on a proposed change to legislation, strategy or policy, that will significantly impact on Council and residents then Council's approach be as follows:

- a. Where a comment is warranted and if the timeframe for making a submission permits, a report with the draft submission be prepared for Council;
- b. Where a comment is warranted and the timeframe for making a submission does not permit referral to Council, then:
 - (i) A briefing on the proposal be provided to Councillors as soon as possible.
 - (ii) A draft submission is to be made on behalf of Council, advising the agency that further advice or confirmation will be provided once Council has resolved the final submission.
 - (iii) A report and the draft submission is then included in the Council Business Papers for consideration.
- c. Requests for comment on matters that will not significantly impact on Council and residents (such as changes to Australian Standards, revisions to the Building Code of Australia, procedural matters, amendments to statutory reporting requirements, and the like as determined by the relevant Director):
 - (i) Be responded to by Council officers without reference to Council.
 - (ii) These submissions be included in the Councillor Weekly Bulletin.
 - (iii) Councillors can then request any of those submissions be included in the Council Business Papers.

BUSINESS WITHOUT NOTICE

Minute No: 64 **Repair of Bus Stop at Alford's Point Road, Alford's Point**
File Number: 2019/329397

Councillor Simpson requested Business Without Notice concerning the Repair of Bus Stop at Alford's Point Road, Alford's Point be considered as a matter of urgency.

RESOLVED: (Councillor Simpson/Councillor Riad)

That permission be granted to bring forward Business Without Notice regarding the Repair of Bus Stop at Alford's Point Road, Alford's Point.

The Mayor, Councillor Pesce, ruled in accordance with Clause 20(3)(b) of Council's Code of Meeting Practice that the matter was of great urgency.

Minute No: 65
BWN002-19 **Repair of Bus Stop at Alford's Point Road, Alford's Point**
File Number: 2019/329397

RESOLVED: (Councillor Simpson/Councillor Riad)

THAT:

Council write to the relevant State Government agency in the strongest terms and secure a firm commitment that the bus stop at Alford's Point Road, Alford's Point be returned to good service upon receipt of Council's letter.

PETITION

Minute No: 66 **Burraneer Point Navigation Channel - Dredging**
File Number: 2019/332838

Councillor Provan tabled a petition from Local Waterfront Properties Residents Group (LWPRG) requesting to return Burraneer Point Navigation Channel back to its original course (urgent dredging required).

QUESTIONS WITH NOTICE

Minute No: 67 **Cost of Our Shire Newsletter and Funding Allocation by Ward**
File Number: 2018/297917, 2018/325372, 2017/288226, 2018/307801

Councillor Collier submitted the following questions:

1. What were the costs to Council (separately) of (a) compiling to print-ready stage; (b) printing; and (c) distributing (via post and letterboxing) each of the following hardcopy editions of *Our Shire Newsletter* (for each quarter between Autumn 2018 to Autumn 2019, inclusive);
2. Excluding funding for the proposed Sutherland Entertainment Centre refurbishment, what percentage of the total funding for capital works (new and replacement) from Council rates, fines, fees and charges was allocated to each of the Wards being A to E, inclusive in the 2017/2018 financial year *and* the 2018/2019 Council Budget?

The Mayor advised that a reply would be provided.

Personal Statement By Councillor Provan

Councillor Provan noted the recent passing of Edmund Capon (AM OBE), the longest serving director of the Art Gallery of NSW, and patron of the Hazelhurst Gallery. Mr Capon officially opened Hazelhurst Art Gallery in 2000 and became a Patron of Hazelhurst Art Gallery in 2010.

The Meeting closed at 10:32pm.