



Minutes

Council Meeting

Monday, 24 June 2019

6:31pm

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

STAFF IN ATTENDANCE: Chief Executive Officer (Manjeet Grewal), Director Corporate Support (Clare Phelan), Director Shire Infrastructure (Peter Hazeldine), Director Shire Planning (Peter Barber), Director Shire Services (Michelle Whitehurst), Manager Governance Risk and Compliance (Anton Usher), Executive Public Relations (Amie Lindsell), Team Leader Governance (Debbie Lewis), Governance Advisor (Rachael Zhura), Governance Advisor (Bernadette Feltham) and Governance Officer (Jenni Dovey).

ACKNOWLEDGEMENT OF COUNTRY

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

OPENING PRAYER

The Meeting was opened with prayer by Kristy Mills of Horizon Church.

Minute No: 139

APOLOGY

RESOLVED: (Councillor Provan/Councillor Steinwall)

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

DISCLOSURES OF INTEREST

File Number: 2015/14239

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

MOT013-19 Putrescible Waste Management Initiative
File Number: 2015/79340

advising that he shares offices with an organisation involved in the waste industry.

PUBLIC FORUM

The following speakers addressed Council:

Mr Matthew Bell	MOT012-19 - Breed Specific Dog Off-Leash Area
Ms Megan Hale	MOT012-19 - Breed Specific Dog Off-Leash Area
Mr Brad Whittaker	COR018-19 - Deeban Spit - Community Survey Results
Mr Steven McManus	COR018-19 - Deeban Spit - Community Survey Results
Mr Greg Miller	COR021-19 - Request to Review Council's Decision - Removal of Tree at 27 Bimbadeen Avenue, Miranda

Minute No: 140**CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING**

RESOLVED: (Councillor Johns/Councillor Simpson)

That the Minutes of the Ordinary Council held on Monday 20 May 2019, being Minutes Numbered 97 to 138 inclusive, be and are hereby confirmed as a correct record.

Minute No: 141

MM012-19 **Mayoral Minute - 2019 Queen's Birthday Honours**
File Number: 2019/328472

RESOLVED: (Councillor Pesce/Councillor Simpson)

THAT:

Congratulations be extended to the Sutherland Shire recipients who were honoured in the 2019 Queen's Birthday Honours.

Minute No: 142

MM013-19 **Mayoral Minute - Congratulations to Cronulla Little League Baseball Team**
File Number: 2019/328472

RESOLVED: (Councillor Pesce/Councillor Simone)

THAT:

Council extends congratulations to the Cronulla Little League Baseball team for winning the 2019 National Championships and for representing Australia in the 2019 Little League Baseball World Series.

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 Boyd*)"

Minute No: 143

Procedural Motion

**To Bring Forward Consideration of MOT012-19, COR018-19, COR020-19
and COR021-19**

RESOLVED: (Councillor Johns/Councillor Forshaw)

That items MOT012-19, COR018-19, COR020-19 and COR021-19 be brought forward as the next items of business.

Minute No: 144

**MOT012-19 Breed Specific Dog Off-Leash Area
File Number: 2015/64866**

RESOLVED: (Councillor Johns/Councillor Simpson)

THAT:

1. Council receives a report, as soon as practicable, on establishing a breed specific dog off-leash area to meet the needs of Sutherland Shire's retired greyhound community.
2. The report:
 - a. consider the merits of possible locations including current Council dog off-leash areas, Bonnet Bay playing fields and other suitable open spaces in the Sutherland Shire,
 - b. is informed by the recommendations from the NSW Greyhound Welfare and Integrity Commission,
 - c. details the financial impacts of a breed specific dog off-leash area, including capital and on-going operating costs and options to secure funding from State and Federal Governments and from Greyhounds NSW, and
 - d. explains legislative and other requirements, safety controls and risk considerations, liability and insurance requirements and operating and management protocols necessary for a breed specific dog off-leash area.
3. Input from users and stakeholders of Bonnet Bay Playing fields, special interest and advisory groups, users in general and the community at large be sought on the merits or otherwise of establishing a greyhound breed specific dog off-leash area in Sutherland Shire.

Minute No: 145

COR018-19 Deeban Spit - Community Survey Results
File Number: 2016/244871

RESOLVED: (Councillor Forshaw/Councillor Provan)

THAT:

1. Council endorses the map outlining the proposed boating and bait collection restrictions for Deeban Spit as the preferred management framework for the area.
2. This report be forwarded to the Department of Primary Industries: NSW Marine Estate to supplement Council's Hawkesbury Shelf Marine Bioregion Marine Park submission.
3. Council receive a report on re-establishing the former community and multi-agency Port Hacking Advisory Committee, at its August 2019 Meeting, and investigate existing signage in the Deeban Spit area.

Minute No: 146

COR020-19 Request to Review Council's Decision - Removal of Tree at 4 Cooperbrook
Avenue, Gymea Bay
File Number: 2019/342281

MOTION: (Councillor Johns/Councillor Collier)

THAT:

1. The approval for the tree in the front yard of 4 Cooperbrook Avenue, Gymea Bay to be removed be provided.
2. The property owner be advised of Council's decision for the tree to be removed and that advice as to the procedure for the removal be provided.

AMENDMENT: (Councillor Forshaw/Councillor Scaysbrook)

THAT:

This matter be deferred to the next meeting of Council to allow for a site inspection to be undertaken by all interested Councillors.

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 Forshaw, McLean, Scaysbrook and Steinwall.

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

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

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

Against the Resolution were Councillors Forshaw, McLean, Scaysbrook and Steinwall.

During debate on COR020-19 the following Procedural Motion was moved:

PROCEDURAL MOTION: (Councillor Pesce/Councillor Steinwall)

That Councillor Simpson be granted an additional two minutes to address item COR020-19.

Minute No: 147

**COR021-19 Request to Review Council's Decision - Removal of Tree at 27 Bimbadeen Avenue, Miranda
File Number: 2019/342281**

MOTION: (Councillor Collier/Councillor Johns)

THAT:

1. The tree on the road reserve in front of 27 Bimbadeen Avenue, Miranda be removed.
2. If required, the cost of removing the tree and the costs of offset planting be met by the property owners of 27 Bimbadeen Avenue, Miranda.

AMENDMENT: (Councillor Steinwall/Councillor Forshaw)

THAT:

1. This matter be deferred to allow a site inspection to be undertaken by all interested Councillors.
2. A neighbour notification and consultation process be undertaken.

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 Forshaw, McLean, Scaysbrook and Steinwall.

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

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

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

Against the Resolution were Councillors Forshaw, McLean, Scaysbrook and Steinwall.

During debate on COR021-19 the following Procedural Motions were moved:

PROCEDURAL MOTION: (Councillor Johns/Councillor Pesce)

That Councillor Collier be granted an additional two minutes to address item COR021-19.

PROCEDURAL MOTION: (Councillor Pesce/Councillor Forshaw)

That Councillor Steinwall be granted an additional two minutes to address item COR021-19.

PROCEDURAL MOTION: (Councillor Pesce/Councillor Johns)

That Councillor Simpson be granted an additional two minutes to address item COR021-19.

Resumption of Standing Orders

At this stage of the Meeting, Standing Orders were resumed (8:58pm).

Minute No: 148

GOV019-19 2018 Community Satisfaction Survey
File Number: 2018/323723

RESOLVED: (Councillor Provan/Councillor Boyd*)

THAT:

1. The report on 2018 Community Satisfaction Survey be received and noted; and
2. The results of the Community Satisfaction Survey be published on Council's website.

Minute No: 149

GOV020-19 Cash Payments and Investments Report - April 2019
File Number: 2018/315796

RESOLVED: (Councillor Provan/Councillor Boyd*)

THAT:

The information concerning Bank Balances and Investments held, as at 30 April 2019, be received and noted.

Councillor Boyd and Councillor Provan left the Meeting prior to discussion of the following item (8:58pm).

Minute No: 150

SER007-19 Sutherland Shire Literary Competition Sub-Committee Charter
File Number: 2017/280489, 2017/280490

RESOLVED: (Councillor Collier/Councillor Croucher)

THAT:

The Literary Competition Sub-Committee Charter, attached as Appendix A, be adopted.

Minute No: 151

SER008-19 **Proposed release and relocation of easement - 459 The Boulevard,
Kirrawee**
File Number: 2019/336952

RESOLVED: (Councillor Provan/Councillor Boyd*)

THAT:

1. The release and relocation of a drainage easement within 459 The Boulevard, Kirrawee (Lot 1 DP 218378 & Lot 1 DP 247359) be approved at terms and conditions to the satisfaction of the Chief Executive Officer.
2. In accordance with the Power of Attorney dated 24 October 2018 (Registered 29 October 2018, Book 4751 No. 700) Manjeet Grewal, Council's Chief Executive Officer, execute any necessary documentation to give effect to this resolution.

Minute No: 152

INF010-19 **Major Infrastructure Projects Review**
File Number: 2015/44222

RESOLVED: (Councillor Provan/Councillor Boyd*)

THAT:

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

Minute No: 153

PLN019-19 **Results of Exhibition of SSDCP2015 - Draft Amendment 4**
File Number: 2017/264379

RESOLVED: (Councillor Provan/Councillor Boyd*)

THAT:

Council adopt Sutherland Shire Development Control Plan 2015 Amendment 4 as exhibited with minor administrative amendments, as attached Appendices B – AN.

Upon moving the Resolution in bulk, a Division was taken to be called 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, Riad, Scaysbrook, Simone, Simpson and Steinwall.

The decision was unanimous.

Minute No: 154**PLN020-19****Discussion Paper - Local Character Overlays****File Number: 2019/336724**

RESOLVED: (Councillor Provan/Councillor Boyd*)

THAT:

Council endorse the draft submission, attached as Appendix A, to the Department of Planning Industry and Environment on the Discussion Paper – *Local Character Overlays*.

Councillor Provan returned to the Meeting prior to discussion of the following item (9:01pm).

Councillor Boyd returned to the Meeting during discussion of the following item (9:03pm).

Minute No: 155**COR017-19****Draft Delivery Program 2017-2021, Incorporating Operational Plan and Budget 2019-2020****File Number: 2017/278520**

MOTION: (Councillor Simpson/Councillor Croucher)

THAT:

1. Council receive the report on the draft Delivery Program 2017-2021 incorporating the Operational Plan and Budget 2019-2020, and Schedule of Fees and Charges.
2. Council make and levy the 2019-2020 Ordinary Rates in accordance with the Rating Policy in the draft Operational Plan 2019-2020 and as outlined in this report.
3. Council make and levy the 2019-2020 Cronulla Beach CBD Special Rate in accordance with the Rating Policy in the draft Operational Plan 2019-2020 and as outlined in this report.
4. Council make and levy the annual charge for Domestic Waste Management in accordance with the Rating Policy in the draft Operational Plan 2019-2020 and as outlined in this report.
5. Council make and levy the annual charge for Stormwater Management in accordance with the Rating Policy in the draft Operational Plan 2019-2020 and as outlined in this report.
6. Council adopt the revised draft 2017-2021 Delivery Program and 2019-2020 Operational Plan and Budget as attached.

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7. Council adopt the Draft Schedule of Fees and Charges for 2019-2020, including the Domestic Waste Management Charges and the Stormwater Levy with the following changes:
- Sandy Point Community Centre hire rates be amended as follows:
 - Hall hire \$19.00 per hour
 - Squash courts \$15.00 per hour

AMENDMENT: (Councillor Johns/Councillor Nicholls)

THAT:

1. Council note the report on the draft Delivery Program 2017-2021 incorporating the Operational Plan and Budget 2019-2020, and Schedule of Fees and Charges.
2. Council amend and re-advertise the following amendments to the Councils 2019-20 operational plan and associated documents as follows:
 - a. Additional allocation of \$300,000 for the upgrade and beautification of Shire entrances and main thoroughfares
 - b. Increase of an additional \$250,000 for parks and reserves fencing and signage.
 - c. Review and deferral of Silver Beach Masterplan Pathway to be determined at the next scheduled budget review.
 - d. Deferral by three years of the Rawson Avenue on Road cycleway or determined at the next scheduled budget review.
 - e. Funding up to \$100,000 for a feasibility study for a commercial or state government partnered commuter car park at the Kirrawee shopping precinct that continues to provide current services in addition to a commuter carpark with the inclusion of a possible local parking scheme for public transport be introduced.
 - f. Funding of \$50,000 to undertake a Miranda Skate Park feasibility study.
 - g. Additional \$250,000 per year allocation for public place presentation improvements in the Shires commercial precincts be restored to the budget.
 - h. \$150,000 additional funding be allocated to further beautification of the Caringbah Shopping district.
 - i. That the value delivered from the recycled water project be reviewed at the next scheduled budget review.
 - j. That Councillors and staff convene an urgent meeting to identify further budget savings to address the identified budget gaps as detailed in the operational plans but in particular the achievement of benchmark targets for:
 - i. Building infrastructure renewal ratio
 - ii. Infrastructure backlog ratio
 - iii. Asset maintenance ratio
 - iv. Capital Expenditure ration
 - k. That the surplus funds be allocated to debt reduction until such time as reallocation be given to these funds for either debt reduction or to address the infrastructure backlog.

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 was Councillor Johns.

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

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

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

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

Against the Resolution were Councillors Johns, Nicholls and Riad.

During debate on COR017-19 the following Procedural Motion was moved:

PROCEDURAL MOTION: (Councillor Pesce/Councillor Boyd)

That Councillor Simpson be granted an additional two minutes to address item COR017-19.

Minute No: 156

**COR019-19 Council Use and Management of Weed Killers Containing Glyphosate
File Number: 2015/26100**

MOTION: (Councillor Collier/Councillor Johns)

THAT:

1. The report on Council's management and use of weed killers containing glyphosate be received and noted.
2. Council endorse the continued investigation, trial and implementation of alternative weed control products and technologies with a view to phasing out its usage of glyphosate-based herbicides, where practical.
3. Council receive a progress Report in relation to (2) above at its Meeting on 16 September 2019.

AMENDMENT: (Councillor Croucher/Councillor Provan)

THAT:

1. The report on Council's management and use of weed killers containing glyphosate be received and noted.
2. Council endorse the current suite of integrated weed management practices adopted under the 'Pesticides Use Notification Plan'.
3. Council endorse the continued investigation, trial and where determined appropriate the implementation of alternative weed control products and technologies, in order to continue to reduce usage of glyphosate based herbicides.

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, Provan and Simone.

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

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

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, Forshaw, Johns, McLean, Nicholls, Riad, Scaysbrook, Simone, Simpson and Steinwall.

Against the Resolution were Councillors Croucher and Provan.

During debate on COR019-19 the following Procedural Motion was moved:

PROCEDURAL MOTION: (Councillor Pesce/Councillor Johns)

That Councillor Collier be granted an additional two minutes to address item COR019-19.

Councillor Provan left the Meeting at this stage (9:52pm) and did not return.

Minute No: 157

COR022-19 Fleet Electric Vehicle Initiatives
File Number: 2018/324612

RESOLVED: (Councillor Steinwall/Councillor McLean)

THAT:

1. Council endorses the initiative of introducing electric vehicles to Councils fleet to support operational service delivery.
2. A briefing be provided to Councillors in early 2020 on the electric vehicles trial.

Minute No: 158

COR023-19 Cash Payments and Investments Report - May 2019
File Number: 2018/315796

RESOLVED: (Councillor Provan/Councillor Boyd*)

THAT:

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

Minute No: 159

COR024-19 Report and Minutes of the Meetings of the Sutherland Traffic and Traffic
Safety Committee and Consultative Traffic Forum held on Friday, 7 June
2019
File Number: 2015/2036

RESOLVED: (Councillor Provan/Councillor Boyd*)

THAT:

1. The committee recommendations contained in the Minutes of the Sutherland Traffic and Traffic Safety Committee Meeting held on Friday 7 June 2019 be adopted.
2. The recommendations contained in the Minutes of the Consultative Traffic Forum Meeting held on Friday 7 June 2019 be adopted.

Councillor Boyd and Councillor Nicholls left the Meeting prior to discussion of the following item (9:56pm) and did not participate in voting.

Minute No: 160

MOT013-19 Putrescible Waste Management Initiative
File Number: 2015/79340

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

RESOLVED: (Councillor Steinwall/Councillor Simpson)

THAT:

1. Council receives a report by December 2019 on the options for a voluntary scheme promoted by non-monetary incentives to reduce putrescible (red bin) waste from single homes, units and businesses in the Sutherland Shire.
2. Council's Waste and Recycling working party provide input on the report to Council.

Councillor Boyd returned to the Meeting prior to the discussion of the following item (9:58pm).

Minute No: 161

MOT014-19 Request for Tree Removal - 39 Yarra Burra Street, Gymea Bay
File Number: 2019/342281

RESOLVED: (Councillor Collier/Councillor Boyd)

THAT:

1. Council receives a report at its next meeting on the request from Ms Amanda Barry to remove a tree located on private property at 39 Yarra Burra Street, Gymea Bay.
2. The report includes:
 - a. Details of the request and the reasons for seeking removal;
 - b. Outcomes from the visual assessment and TRAQ assessment undertaken;
 - c. An assessment against the relevant criteria in Part 4 of Chapter 39 in Sutherland Shire Development Control Plan 2015; and
 - d. Recommendations for the management of the tree and associated costs (if applicable).

Councillor Nicholls returned to the Meeting prior to discussion of the following item (9:59pm).

Minute No: 162

MOT015-19

Request for Tree Removal - 5 Arika Close, Bangor

File Number: 2019/342281

RESOLVED: (Councillor Riad/Councillor Simpson)

THAT:

1. Council receives a report at its next meeting on the request from Mr John Ellerman to remove a tree located in the road reserve in front of 5 Arika Close, Bangor.
2. The report includes:
 - a. Details of the request and the reasons for seeking removal;
 - b. Outcomes from the visual assessment and TRAQ assessment undertaken;
 - c. An assessment against the relevant criteria in Part 4 of Chapter 39 in Sutherland Shire Development Control Plan 2015; and
 - d. Recommendations for the management of the tree and associated costs (if applicable).

BUSINESS WITHOUT NOTICE

Minute No: 163

Passing of Bill Collins

File Number: 2016/235106

Councillor Forshaw requested Business Without Notice concerning the passing of Bill Collins be considered as a matter of urgency.

RESOLVED: (Councillor Forshaw/Councillor Simone)

That permission be granted to bring forward Business Without Notice regarding the passing of Bill Collins.

The Mayor, Councillor Pesce, ruled in accordance with Clause 9.3(b) of Council's Code of Meeting Practice that the matter was of great urgency.

Councillor Johns returned to the Meeting at this stage (10:01pm).

Minute No: 164**BWN007-19****Passing of Bill Collins****File Number: 2016/235106**

Bill Collins, known as 'Mr Movies', had a long and distinguished career as a film historian and TV personality educating and promoting the film industry both in Australia and internationally.

RESOLVED: (Councillor Forshaw/Councillor Simone)

THAT:

1. Council notes the passing of former Shire long-term resident and legendary film historian Bill Collins.
2. Council recognises the unique contribution that Bill Collins gave to our Shire and the nation, and extends its condolences to his wife Joan and family.

During debate on BWN007-19 the following Procedural Motion was moved:

PROCEDURAL MOTION: (Councillor Pesce/Councillor Simone)

That Councillor Forshaw be granted an additional two minutes to address item BWN007-19.

Minute No: 165**CONSIDERATION OF BUSINESS IN CLOSED SESSION (10:10pm)**

The Mayor, Councillor Pesce, asked the Chief Executive Officer if any representations had been received from the public on any of the items Council will be discussing in Closed Session as per the Agenda.

The Chief Executive Officer 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.

There were none.

RESOLVED: (Councillor Simpson/Councillor Riad)

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

COR006A-19 **T808/18 Development of the Old Ferry Road Reserve on the Georges River,
Illawong**
File Number: 2018/323320

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.

At this stage the Meeting moved into Closed Session (10:10pm).

Minute No: 166

COR006A-19 **T808/18 Development of the Old Ferry Road Reserve on the Georges River,
Illawong**
File Number: 2018/323320

RESOLVED: (Councillor Riad/Councillor Simpson)

THAT:

1. The tender from Antoun Civil Engineering (Aust) Pty Ltd (ABN 43 069 443 769), for the lump sum price of \$1,369,529.22 (excluding GST), at terms and conditions to the satisfaction of the Chief Executive Officer, be accepted.
2. Pursuant to clause 400 of the Local Government Regulation 2005, the following documents be executed under Common Seal of the Sutherland Shire:

Type of Document: Contract for the Development of the Old Ferry Road Reserve on the Georges River, Illawong

Other Party: Antoun Civil Engineering (Aust) Pty Ltd (ABN 43 069 443 76)

3. Council formally accept the grant funds kindly offered as per the body of the report.

Minute No: 167

Procedural Motion

To Move Back Into Open Session

RESOLVED: (Councillor Simpson/Councillor Riad)

That the Meeting move back into Open Session.

At this stage the Meeting moved back into Open Session (10:12pm).

The Meeting closed at 10:12pm.