



Minutes

Council Meeting

Monday, 16 September 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 Nicholls, Councillor Provan, Councillor Plibersek, Councillor Riad, Councillor Scaysbrook, Councillor Simone, Councillor Simpson and Councillor Steinwall.

STAFF IN ATTENDANCE: Acting Chief Executive Officer (Clare Phelan), Acting Director Corporate Support (Anton Usher), Director Shire Infrastructure (Peter Hazeldine), Director Shire Planning (Peter Barber), Director Shire Services (Michelle Whitehurst), Acting Manager Governance Risk and Compliance (Bruce Renneberg), Media and Communications Officer (Jane Dyson), Team Leader Governance (Debbie Lewis), Team Leader Communications & Engagement (Connie Hyde), Governance Officer (Jenni Dovey) and Governance Officer (Jill Bleszynski).

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 Stefan Bull of Menai Anglican Church

Minute No: 233

APOLOGY

RESOLVED: (Councillor Steinwall/Councillor Nicholls)

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

DISCLOSURES OF INTEREST

File Number: 2015/14239

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

INF014-19 Sutherland Shire Community Recycling Centre

File Number: 2015/212675

advising that he shares office space with a company that is involved in waste resource allocations however he does not believe they are part of this report.

Councillor Steinwall declared a pecuniary interest in the following item:-

PLN030-19 Low Rise Medium Density Housing Code - Submission To
Independent Review
File Number: 2016/257428

advising that she has property in the R2 zone and will leave the chamber when the matter is called.

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

SER004A-19 Approval of Street Vending Consent Known as Site 3 Southern Cronulla
Beach CBD
File Number: 2015/36815

advising that he is aware of the person who is considering entering into an agreement with Council for this particular café, however this person is not a personal friend and will leave the room if the matter is called.

PUBLIC FORUM

The following speaker addressed Council:

Mr Ashley Gillen COR042-19 – Request to Review Council’s Decision – Removal of Tree in
Road Reserve Outside 125 Manchester Road, Gymea

Minute No: 234

CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

RESOLVED: (Councillor Simpson/Councillor Scaysbrook)

That the Minutes of the Ordinary Council held on Monday 19 August 2019, being Minutes Numbered 202 to 232, be and are hereby confirmed as a correct record.

Minute No: 235

MM017-19 **Mayoral Minute - Launch of 'The Commonwealth at 70' Book**
File Number: 2015/83446

RESOLVED: (Councillor Pesce/Councillor Simone)

THAT:

Council extends congratulations to Patricia Carroll OAM for her dedication and commitment to education and to people with disabilities.

Minute No: 236

MM018-19 **Mayoral Minute - Vale Joan Thompson**
File Number: 2016/235106

RESOLVED: (Councillor Pesce/Councillor Provan)

THAT:

1. Council extend its condolences to the family of the late Joan Thompson.
2. A period of silence be held in memory of the late Joan Thompson.

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

Minute No: 237

MM019-19 **Mayoral Minute - Excellence in Teaching**
File Number: 2018/327340

RESOLVED: (Councillor Pesce/Councillor Scaysbrook)

THAT:

Council extends congratulations to Emma Follett on receiving the Minister's Award for Excellence in Teaching for her dedication and commitment to education

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: 238**Procedural Motion****To Bring Forward Consideration of COR042-19**

RESOLVED: (Councillor Simpson/Councillor Pesce)

That items COR042-19 be brought forward as the next items of business.

Minute No: 239**COR042-19****Request to Review Council's Decision – Removal of Tree in Road Reserve
Outside 125 Manchester Road, Gymea****File Number: 2019/347768**

MOTION: (Councillor Plibersek/Councillor Simpson)

THAT:

1. The tree in the road reserve at 125 Manchester Road, Gymea be retained, subject to pruning by Council of up to 30% as appropriate, soon as possible.
2. The property owners and petitioners be advised of Council's decision for the tree to be retained.

AMENDMENT: (Councillor Johns/Councillor Simone)

THAT:

The tree in the road reserve at 125 Manchester Road, Gymea be removed.

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

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, Forshaw, Nicholls, Provan, Plibersek, Riad, Scaysbrook, Simpson and Steinwall.**Against** the Resolution were Councillors Johns and Simone.**Resumption of Standing Orders**

At this stage of the Meeting, Standing Orders were resumed (7:35pm).

Minute No: 240

GOV023-19 Revenue Management Policies
File Number: 2017/278520

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

1. The report on Revenue Management Policies be received and noted.
2. The draft Debt Recovery & Hardship Policy and the draft Pensioner Rates Policy be endorsed for placement on public exhibition for a minimum 28 days.
3. Following public exhibition, the draft Debt Recovery & Hardship Policy and the draft Pensioner Rates Policy be returned to Council for consideration of adoption.

Minute No: 241

INF014-19 Sutherland Shire Community Recycling Centre
File Number: 2015/212675

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

MOTION: (Councillor Steinwall/Councillor Plibersek)

THAT:

1. Council receives and notes the final outcome of the negotiations with the NSW Environment Protection Authority.
2. Council write to the Environment Protection Authority and Local State Members of Parliament requesting a substantial return to council of s88 waste levies.

AMENDMENT: (Councillor Simpson/Councillor Johns)

THAT:

1. Council receives and notes the final outcome of the negotiations with the NSW Environment Protection Authority.
2. Council only consider a Community Recycling Centre when an improved funding model from the NSW Environment Protection Authority is provided.

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

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

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

During debate on INF014-19 the following Procedural Motion was moved:

PROCEDURAL MOTION: (Councillor Plibersek/Councillor Simpson)

That Councillor Steinwall be granted an additional two minutes to address item INF014-19.

Minute No: 242

INF015-19

Disposal of Coal and Ash From BBQs In Public Parks

File Number: 2019/334091

RESOLVED: (Councillor Provan/Councillor Forshaw)

THAT:

1. Council commits to a trial of one coal bin and signage at both Gunnamatta Park and Shelley Park at a total capital cost of \$11,700.
2. Council amends the Operational Plan 2019/20 to include the Coal bin trial at Shelley and Gunnamatta Parks to be funded by an allocation of \$11,700 from the Capital Works Reserve.
3. In the interests of public safety and tree protection the use of coal and ash Barbeques be limited to a 20 metre radius distance from the installed coal bins and the sites be signposted to reflect the prohibition outside the 20 metre allowed area.
4. A further report be provided twelve months after installation of the coal bins to assess the merit of the trial continuing.

Minute No: 243

PLN028-19 Post Exhibition Report On DCP Amendment 5 - Boarding Houses
File Number: 2019/334113

RESOLVED: (Councillor Croucher/Councillor Boyd)

THAT:

The boarding house controls set out in draft Sutherland Shire Development Control Plan 2015 – Amendment 5 be adopted and brought into effect as exhibited, subject to the following change:

Amend Section 3 Clause 13 of Draft Chapter 35 Boarding Houses as follows:

13. Boarding houses in zone B3 Commercial Core, must provide at least 1 parking space per two boarding rooms, plus 1 car space per residential manager living on the premises; plus 1 space per 2 employees to be working on the premises at any one time.

Councillor Johns foreshadowed a subsequent motion in relation to PLN028-19 Post Exhibition Report on DCP Amendment – Boarding Houses

Minute No: 244

BWN014-19 Post Exhibition Report on DCP Amendment 5 - Boarding Houses
File Number: 2019/334113

RESOLVED: (Councillor Johns/Councillor Boyd)

That Council receive a further report on the feasibility of boarding houses in R2 and low density zones.

Minute No: 245

PLN029-19 Quarterly Report Clause 4.6 Variations Register (October to December
2018, January to March 2019, April to June 2019)
File Number: 2015/25877

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

The quarterly reports on Clause 4.6 Variations be received and noted.

Minute No: 246**PLN030-19 Low Rise Medium Density Housing Code - Submission To Independent Review****File Number: 2016/257428**

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

RESOLVED: (Councillor Plibersek/Councillor Boyd)

THAT:

1. Council endorse the draft submission on the implementation of the Low Rise Medium Density Code to Professor Roberta Ryan, via the Codes Team at the Department of Planning Industry and Environment, attached as Appendix A.
2. Council write to all local State Members and supply them with a copy of report PLN030-19 and submission and ask them to write to the Premier and Minister for Planning the Environment supporting Council's request for amendments to its LEP to reduce medium density housing.

During debate on PLN030-19 the following Procedural Motion was moved:

PROCEDURAL MOTION: (Councillor Boyd/Councillor Scaysbrook)

That Councillor Plibersek be granted an additional two minutes to address item PLN030-19.

Councillor Steinwall returned to the Meeting (8:21pm).

Minute No: 247**PLN031-19 Building Stronger Foundations - Building History Review****File Number: 2016/251440**

RESOLVED: (Councillor Plibersek/Councillor Boyd)

THAT:

1. Council endorse the draft submission on Building Stronger Foundations, attached as Appendix A, to the Regulatory Policy, Better Regulation Division of the Department of Finance, Services and Innovation.
2. Council make a supplementary submission, strengthening Council's position, by emphasising the following points:
 - a. A Government body should undertake inspections and oversee the construction process, instead of a private PCA, when buildings do not have Home Building Compensation Fund Insurance (i.e. buildings exceeding 3 stories);

- b. Legislation should be modified to increase the minimum number of inspections undertaken and to expand the areas required to be inspected and certified by a principle certifying authority prior to the issue of an occupation certificate; and
- c. Interim occupation certificates should be prohibited for all residential buildings.

Minute No: 248**PLN032-19 Sydney Trains Draft Tree Management Plan
File Number: 2015/87349**

RESOLVED: (Councillor Plibersek/Councillor Steinwall)

THAT:

1. Council endorse the draft submission on the Sydney Trains Draft Tree Management Plan, attached as Appendix A, to the Deputy Executive Director Network Maintenance, Sydney Trains.
2. Council request that Sydney Trains comply with Council's replacement ratio and requirements.
3. Council write to the Local Members of State Parliament and ask them to make representations to the Minister for Transport.

During debate on PLN032-19 the following Procedural Motion was moved:

PROCEDURAL MOTION: (Councillor Simpson/Councillor Provan)

That Councillor Plibersek be granted an additional two minutes to address item PLN032-19.

Minute No: 249**COR043-19 Sutherland Entertainment Centre Project - Scope Review and Funding
File Number: 2018/309689**

MOTION: (Councillor Riad/Councillor Nicholls)

THAT:

1. Council receive and note the report on the Sutherland Entertainment Centre Project – Scope Review and Funding.
2. Council confirm the final scope of the project as the minimum endorsed scope of 1 July 2019 plus the following additional inclusions:
 - a. Full flytower
 - b. Peace Park civic interface works

- c. Enclosed terrace
 - d. Second passenger lift
3. Council confirm a total project budget of \$34,166,185 to fund delivery of the revised project scope.
 4. Council endorse the utilisation of external loan borrowings of \$11,262,808 to fund the increase in project scope and cost estimate.
 5. Council note the revised income and expenditure estimates including depreciation for the newly upgraded Sutherland Entertainment Centre.
 6. The Delivery Program 2017 – 2021 including Operational Plan 2019/20, and the Long Term Financial Plan be updated to reflect the revised capital project cost for the Sutherland Entertainment Centre, the supporting funding model including loan borrowings, and the revised estimates for recurrent income and expenditure.

AMENDMENT: (Councillor Johns/Councillor Simpson)

THAT:

1. Council receive and note the report on the Sutherland Entertainment Centre Project – Scope Review and Funding.
2. Council confirm the final scope of the project as the minimum endorsed scope of 1 July 2019 plus the following additional inclusions:
 - a. Full flytower
 - b. Peace Park civic interface works
 - c. Enclosed terrace
 - d. Second passenger lift
3. Council confirm a total project budget of \$34,166,185 to fund delivery of the revised project scope.
4. Council not endorse the utilisation of external loan borrowings of \$11,262,808 to fund the increase in project scope and cost estimate.
5. Council note the revised income and expenditure estimates including depreciation for the newly upgraded Sutherland Entertainment Centre.
6. The Delivery Program 2017 – 2021 including Operational Plan 2019/20, and the Long Term Financial Plan be updated to reflect the revised capital project cost as required at the completion of any commercial proposal.

7. Council urgently prepare and advertise an EOI for the development of the carpark, and the site of the entertainment centre being lot no's relevant Lot and DP numbers are SEC Lot 1 DP 1253156, Carpark Lot 1 DP 1164554. that requests the following from an external party or parties in the following terms or by other means as provided for under the local Government Act and Councils probity conditions that:
 - a. Offer the opportunity up to the development industry as a PPP.
 - b. A clear scope deals financially and physically for the provision of a retention of current carparking and provision of an entertainment centre as detailed in draft plans an overview as agreed by council.
 - c. Encourages a design competition requirement on the whole area / precinct with preliminary sketches from any applying parties.
 - d. Allows some design, aesthetic, usage and height flexibility.
 - e. Identifies a collaborative method to deliver Councils vision or improves upon it
 - f. Identifies a 1 year time frame for design and approvals.
 - g. Identifies an approximate 2 year construction time frame for delivery of the Entertainment Centre.
 - h. Identifies financial and reputational risks for councils.
 - i. Identifies and encourages project management is undertaken externally to Council.
8. The commercial terms identify a mechanism to ensure commercial viability and low risk model for Council.
9. If required any approvals from OLG or other body be immediately sought.

Minute No: 250 Adjournment

At 8:58pm

RESOLVED: (Councillor Pesce/Councillor Johns)

THAT:

The Meeting be adjourned to allow Councillors time to consider the wording of the Amendment from Councillor Johns and Councillor Simpson.

Resumption of Standing Orders

At this stage of the Meeting Standing Orders were resumed (9:05pm) with the following present:

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

A Division was requested for the Amendment to be put to the Meeting and the following votes were recorded:

In Favour of the Amendment being put were Councillors Boyd, Croucher, Johns, Nicholls, Provan, Plibersek and Riad.

Against the Amendment being put were the Mayor, Councillor Pesce, together with Councillors Collier, Forshaw, Scaysbrook, Simone, Simpson and Steinwall.

There being seven votes recorded in favour and seven votes recorded against, the Mayor, Councillor Pesce, exercised his casting vote against the request for the Amendment to be put.

The request for the Amendment to be put was declared lost.

Debate continued on the matter.

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 Johns.

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

AMENDMENT: (Councillor Simpson/Councillor Scaysbrook)

THAT:

1. Council receive and note the report on the Sutherland Entertainment Centre Project – Scope Review and Funding.
2. Council confirm the final scope of the project as the minimum endorsed scope of 1 July 2019 plus the following additional inclusions:
 - a. Full flytower
 - b. Peace Park civic interface works
 - c. Enclosed terrace
 - d. Second passenger lift
3. Council confirm a total project budget of \$34,166,185 to fund delivery of the revised project scope.

4. Council endorse the utilisation of external loan borrowings of \$11,262,808 to fund the increase in project scope and cost estimate to be repaid over a period of twenty years.
5. Council note the revised income and expenditure estimates including depreciation for the newly upgraded Sutherland Entertainment Centre.
6. The Delivery Program 2017 – 2021 including Operational Plan 2019/20, and the Long Term Financial Plan be updated to reflect the revised capital project cost for the Sutherland Entertainment Centre, the supporting funding model including loan borrowings, and the revised estimates for recurrent income and expenditure.

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 Simpson.

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

Against the Resolution was Councillor Johns.

Councillor Simpson left the Meeting at 9:56pm, did not vote on the item and returned to the meeting at 9:58pm.

During debate on COR043-19 the following Procedural Motion was moved:

PROCEDURAL MOTION: (Councillor Forshaw/Councillor Boyd)

That Councillor Simpson be granted an additional two minutes to address item COR043-19.

During debate on COR043-19 the following Procedural Motion was moved:

PROCEDURAL MOTION:: (Councillor Pesce/Councillor Scaysbrook)

That Councillor Forshaw be granted an additional two minutes to address item COR043-19.

Minute No: 251

COR044-19 Alternative Weed Control Trial - Progress Report
File Number: 2015/26100

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

Council receives and notes the report on the continued investigation, trial and implementation of alternative weed control products and technologies.

Minute No: 252

COR045-19 Draft Community Engagement Policy
File Number: 2017/285069

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

1. The draft Community Engagement Policy be placed on public exhibition for a minimum period of 28 days; and
2. Following public exhibition, the revised Community Engagement Policy be presented to Council for adoption prior to 1 December 2019.

Minute No: 253

COR046-19 Monthly Investments Report - August 2019
File Number: 2019/349136

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

The Monthly Investments Report for the period ending 31 August 2019 be received and noted.

Minute No: 254

COR047-19 **Report and Minutes of the Meetings of the Sutherland Traffic and Traffic Safety Committee and Consultative Traffic Forum held on Friday, 6 September 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 6 September 2019, attached as Appendix A, be adopted.
2. The recommendations contained in the Minutes of the Consultative Traffic Forum Meeting held on Friday 6 September 2019, attached as Appendix B, be adopted.

Minute No: 255

MOT022-19 **Parking Rates in Cronulla**
File Number: 2019/333392

RESOLVED: (Councillor Johns/Councillor Simone)

THAT:

1. A report be provided to Council examining alternatives to the current maximum parking rates for residential development contained within the Sutherland Shire Development Control Plan 2015.
2. The report outline the advantages and disadvantages of the current controls compared to other alternatives.

Minute No: 256

MOT023-19 **Sea Grass Areas of Port Hacking**
File Number: 2016/244871

MOTION: (Councillor Plibersek/Councillor Steinwall)

THAT:

Council Officers prepare a comprehensive report to Council on the feasibility and impacts of applying to the State Government to have the sea grass areas of Port Hacking declared a marine park.

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 Plibersek, Scaysbrook and Steinwall.

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

Minute No: 257

MOT024-19 Reports to Standing Committees
File Number: 2019/343584

RESOLVED: (Councillor Plibersek/Councillor Johns)

THAT:

Reports by Council Officers of a material, non-routine nature, be submitted for consideration of Council via the relevant Standing Committee.

Minute No: 258

MOT025-19 Review of Submission Timeframes to State Government
File Number: 2015/4387

RESOLVED: (Councillor Steinwall/Councillor Scaysbrook)

THAT:

Council receive a report, within the next two rounds of Council, as to the current methods utilised to make submissions regarding issues from State, Federal Governments and other bodies and how Council can improve the process.

Minute No: 259 Extension of Meeting

RESOLVED: (Councillor Simpson/Councillor Riad)

THAT:

The Meeting be extended to 11:00pm.

Minute No: 260**RES002-19****Woronora Caravan Park****File Number: 2018/322841**

Formal Notice of the following Motion was given by Councillors Riad, Johns and Nicholls

RESCISSION MOTION: (Councillor Riad/Councillor Johns)

That the following Resolution of Council on 15 July 2019 (MOT017-19) be rescinded:

THAT:

1. Council receives a briefing and report on 1 Menai Road, Woronora (Caravan Park), that details the assessment of the Section 68 application against the relevant legislation and provides a recommendation by October 2019.
2. Staff be requested not to finalise their determination to allow Councillors time to review the report provided.

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

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

As the Rescission Motion was carried, the following Motion on this matter was then considered.

MOTION: (Councillor Riad/Councillor Johns)

THAT:

1. Council receives a briefing and report on 1 Menai Road, Woronora (Caravan Park) that details the assessment of the S68 application against the relevant legislation and provides a recommendation by November 2019.
2. Council staff are not to finalise their determination to allow Councillors time to review the report provided until after the November 2019 Council Meeting.

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

The decision was unanimous.

Personal Statement by Councillor Simpson

Councillor Simpson made a personal statement in relation to members of the Rural Fire Service.

Over the last two weeks members of the Woronora, Illawong and Sandy Point Rural Fire Brigades have been fighting the fires in northern New South Wales and Queensland. There are currently 22 volunteers on rotation working tirelessly, and I would request, Mr Mayor, that you present a Mayoral Minute upon completion of the officer's rotation as recognition of the work of the Rural Fire Service and that of all of its volunteers.

SER004A-19 Approval of Street Vending Consent Known as Site 3 Southern Cronulla Beach CBD
File Number: 2015/36815

Section 10A(2)(b) The Personal Hardship of any Resident or Ratepayer:

This matter is being considered in Closed session as it relates to the personal hardship of a resident or ratepayer.

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 time in the Meeting, all closed items marked in these minutes with one asterisk were moved in bulk, as shown: “RESOLVED: (Councillor Provan/Councillor Plibersek*)”

Minute No: 261

**SER004A-19 Approval of Street Vending Consent Known as Site 3 Southern Cronulla Beach CBD
File Number: 2015/36815**

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

This matter was moved in bulk therefore there was no discussion on the item.

RESOLVED: (Councillor Provan/Councillor Plibersek*)

THAT:

1. The revocation (termination) of the Street Vending Consent at Site 3 Cronulla Mall, Cronulla be approved.
2. A Street Vending Consent is granted to the proposed new occupier pursuant to sections 139, 139A and 139E of the *Roads Act* 1993 on terms and conditions to the satisfaction of the Chief Executive Officer.
3. 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.

The Meeting closed at 10:48pm.