



Minutes

Council Meeting

**Held on Monday, 19 December 2016
commencing at 6:31pm
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 Planning, Acting Director Shire Infrastructure (Stephen Bourke), Manager Communication and Events (Kathryn Lord), Manager Governance and Customer Service (Todd Hopwood), Corporate Governance Manager (Samantha Charlton) and Supervisor Governance Support (Rachael Zhura).

Acknowledgement of Country

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

Min No: 182 APOLOGY:

RESOLVED: (Councillor Johns/Councillor Riad)

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

Disclosures of Interest

File Number: 2015/14239

Councillor Johns declared a pecuniary interest in the following matter:

INF010A-17 T670/16 Design and Install a Water Filtration
System for The Ridge Golf Course
File Number: 2016/248630

advising that one of his employees attended a site meeting and was intending to tender. When he found out that it was a Sutherland Council job he told him he wasn't allowed to tender but nonetheless he'll declare a pecuniary interest because he may have tendered but he doesn't tender for jobs in Sutherland but his employee was on site.

Disclosures Cont'd

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

MOT017-17 Planning Proposal at 10-14 Merton Street, Sutherland
File Number: 2015/87412

advising that he's a member of the Planning Commission at which this is going to be debated.

Councillor Johns advised that the conflict is not significant as he's already advised the Planning Department that he won't be partaking in any debate or discussion in this matter so he can remain in the Chamber now because he's already had a pre-determined position prior to this coming up to the Planning Commission so he doesn't have a conflict of interest but he'd just like it noted as a not significant non-pecuniary because he won't be partaking in the discussion on the Planning Commission.

Councillor Provan declared a pecuniary interest in the following matter:

PLN009-17 Results of Public Exhibition and Adoption of Sea
Level Rise Policy
File Number: 2016/244279, 2016/231596 &
2016/258570

advising that she owns a waterfront, she thinks a tsunami will have to hit her to get that, but she has to declare an interest there.

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

MOT017-17 Planning Proposal at 10-14 Merton Street, Sutherland
File Number: 2015/87412

advising that he is a member of the JRPP, that will be discussed at the JRPP therefore he will leave the room if Merton Street is mentioned.

He would also have Council note that from this afternoon he is no longer an employee of the Catholic Education Department, he doesn't have a conflict of interest and never did.

Disclosures Cont'd

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

MOT017-17 Planning Proposal at 10-14 Merton Street, Sutherland
File Number: 2015/87412

advising that she rises in respect of the Notice of Motion 017-17 which she placed on the agenda of tonight's meeting. This afternoon the General Manager forwarded Councillors advice from legal counsel acting for the owners of 10-14 Merton Street Sutherland. Upon considering the matter and out of an abundance of caution, she will withdraw her Notice of Motion to remove any perception of a conflict of interest on the basis that she is employed by a Catholic High School which is in the same dioceses as a Catholic School which is an adjoining property to the subject of the Planning Proposal and this school has previously raised objections to a similarly construed Planning Proposal. In taking this action, she does not make any comment on whether a conflict of interest actually arises.

Min No: 183

**Confirmation of Minutes of Council Meeting
held on Monday 21 November 2016
(Minutes Numbered 141 to 181 inclusive)**

RESOLVED: (Councillor Riad/Councillor Johns)

That the Minutes of the Council Meeting held on 21 November 2016, being Minutes Numbered 141 to 181 inclusive, be and are hereby confirmed as a correct record.

Min No: 184

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

Min No: 185 Suspension of Standing Orders

RESOLVED: (Councillor Collier/Councillor Boyd)

That Standing Orders be suspended to consider PLN011-17 and PLN012-17 as the first items of business.

Min No: 186

**PLN011-17 IHAP005-17 - Demolition of Existing Structures,
Tree Removal and Construction of a Child Care
Centre with Basement Parking - 1-5 View Street,
Miranda
File Number: DA15/1382**

MOTION: (Councillor Collier/Councillor Boyd)

That Council refuse DA15/1382 for the following reasons:

- a) That a large, 140 place child care centre in View Street does not meet the relevant objectives of the R2 Low Density Residential Zone under Sutherland Shire Local Environmental Plan 2015 with regard to maintaining the single dwelling character, landscaped character, neighbourhood character and streetscape of the locality.
- b) That 1 – 5 View Street is not an appropriate or preferred location for a child care centre having regard to the Assessment Principles for the Siting of Childcare Centres in clause 3.6 of Chapter 34 in Draft Sutherland Shire Development Control Plan 2015.
- c) That the number of car parking spaces provided on site within the proposed development does not meet the number required by Draft Sutherland Shire Development Control Plan 2015 Chapter 34 Clause 3.4 for a 140 place childcare centre.
- d) That the shortfall in on-site parking is not acceptable, having regard to the Assessment Principles for Variations on Car Park Rates for Child care Centres in clause 3.5 of Chapter 34 of Draft Sutherland Shire Development Control Plan 2015 in that parking in View Street and Animbo Street, public parking in the area and by proximity and access to public transport are not viable alternatives.
- e) That the operation of the proposed child care centre will generate increased traffic volumes, unacceptably increase traffic congestion and add to parking pressures in the already congested and very narrow View and Animbo Streets, as well as in the adjacent (high volume) Wandella Road.
- f) That the proposal will have unacceptable impacts upon amenity of residents living in View and Animbo Streets by way of traffic, noise generated by traffic and children, privacy, and building bulk.
- g) That front setbacks and basement setbacks do not comply with Draft Sutherland Shire Development Control Plan 2015 resulting in the proposed building having an unacceptable impact on the streetscape by way of building bulk and inadequate landscaping.
- h) That, given the lack of a safe evacuation area on site, the absence of any reasonable assembly point nearby in the event of an emergency, and limited access for emergency services vehicles in the narrow View Street, the 140 place child care centre does not meet the “high level” of safety and security required for users by the objectives of Chapter 34 Clause 3.1 of the Draft Sutherland Shire Development Control Plan.

Min No: 186 Cont'd

PLN011-17

AMENDMENT: (Councillor Croucher/Councillor Provan)

THAT:

1. Development Application No. 15/1382 for demolition of existing structures, tree removal and construction of a child care centre with basement parking at Lot 5 DP 26332, Lot 6 DP 26332, Lot 7 DP 26332 (Nos.1-5) View Street, Miranda be approved, subject to the conditions contained in Appendix A of the report, together with amendments to those conditions to address the following matters:
 - a. Egress from the basement carpark into View Street is to be limited by signage and appropriate design to ensure a 'left turn only' into View Street.
 - b. A minimum of 20% of available child placements is to be available for 0-2 year-olds.
 - c. The Plan of Management for the Centre shall be subject to a condition of approval.
 - d. An Emergency Management Plan is to be prepared by a suitably qualified fire engineer that specifically addresses the issue of the adequacy of access and egress measured against the BCA, evacuation procedures, training, practice drills and safe evacuation and marshalling. This Plan shall be provided for the approval of the Certifying Authority and when approved shall form part of the adopted plan of management.
 - e. The Plan of Management is to be amended to include directions to parents to use the basement carpark for all drop-off and pickup of children, appropriate onsite signage, as well as supervision of the basement by a staff member for the morning peak period (7 AM – 9 AM).
 - f. A Waste Management Plan is to be prepared that provides for collection of waste by a private contractor, with storage and collection of waste to occur on-site.
2. The General Manager is delegated the authority to settle appropriate wording for those conditions to be included in the notice of determination.
3. Council's traffic committee is to be requested to consider a no parking restriction on the northern side of View Street between the driveway from the basement to the corner with Wandella Road due to the narrow carriageway of the street.

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, Nicholls, Provan and Riad.

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

Min No: 186 Cont'd

PLN011-17

FURTHER AMENDMENT: (Councillor Johns/Councillor Nicholls)

That the item stand deferred subject to:

- a. The Director Shire Planning providing conditions of consent and options for the increase of on-site parking.
- b. The Director Shire Infrastructure providing a report on traffic management to alleviate concerns in View Street and surrounding areas.
- c. The Applicant being requested to review the impact in terms of number of students.

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.

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 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: 187

**PLN012-17 IHAP006-17 - Demolition of Existing Structures
and Construction of 6 Townhouses and 1
Swimming Pool - 84-86 View Street, Gymea
File Number: DA16/0524**

MOTION: (Councillor Johns/Councillor Riad)

THAT:

1. Development Application No. 16/0524 for Demolition of Existing Structures and Construction of Six Townhouses and One Swimming Pool at Lot 34 & Lot 35 DP 945, (Nos. 84 – 86) View Street, Gymea, be approved, subject to the conditions contained in Appendix A of the report, but with amendments to those conditions to address the following matters:
 - a. Relocation of the driveway one metre to the west away from the boundary with No. 82 View Street to facilitate additional appropriate boundary planting in that location (to be detailed in the application for a Construction Certificate).
 - b. Adjust the western alignment of the pool 1 m to the east (whether by shifting or narrowing of the pool), with the area between the pool and the western boundary fence appropriately landscaped with screen planting.
 - c. The east-facing privacy screen(s) to the ground level terraces of Units 2 and 4 is to be fixed at 45° to ensure privacy to the adjoining dwelling to the east.
 - d. The east-facing windows on the first floor of Unit 2 and 4 and the west-facing windows on the first floor of Units 1 and 3 shall be altered to address privacy impacts by (at the election of the applicant): (i) incorporating a sill height of 1.5 m above finished floor level, or (ii) employing fixed obscure glazing to 1.5 m above finished floor level with operable clear glazing above or (iii) moving the window of the rear bedrooms of Units 3 and 4 to the southern (rear) wall of all of those bedrooms, in which case clear glazing could be provided; or a combination of the these alternatives.
 - e. Condition 15 is to be amended to require the planting of at least two large canopy trees to mature to a height of at least 12m, placed to provide filtered landscaped buffer of the rear units from neighbouring rear yards.
2. The General Manager be delegated authority to settle appropriate wording for those conditions to be included in the notice of determination.

AMENDMENT: (Councillor Plibersek/Councillor Collier)

That Development Application No. 16/0524 for Demolition of Existing Structures and Construction of Six Townhouses and One Swimming Pool at Lot 34 & Lot 35 DP 945, (Nos. 84 – 86) View Street, Gymea, be refused for the following reasons:

- (a) The proposal will result in an unacceptable level of tree loss and impact on the greenweb restoration area.

Min No: 187 Cont'd

PLN012-17

- (b) The level of impact on privacy to adjoining properties is unacceptable.
- (c) The proposal presents unacceptable levels of bulk and scale.
- (d) The proposal will have an unacceptable impact on the character and streetscape in the context of the R2 residential zone.

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 Boyd, Collier, Forshaw, McLean, Plibersek, Scaysbrook and Steinwall.

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

The Mayor used his casting vote against the Amendment.

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

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

The Mayor used his casting vote in favour of the Resolution.

Min No: 188 Adjournment

At 8.00pm:

RESOLVED: (The Mayor, Councillor Pesce)

That the Meeting be adjourned to allow members of the public gallery to leave the Chamber.

Resumption of Standing Orders

At 8.15pm Standing Orders were resumed with the following 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.

Min No: 189

GOV007-17 **Cash Payments & Investments Report -
October 2016
File Number: 2016/250910**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

That the information concerning Bank Balances and Investments held as at 31 October 2016, be received and noted.

Min No: 190

GOV008-17 **Results of Public Exhibition of Updated Code
of Meeting Practice
File Number: 2015/26223**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

That the revised Code of Meeting Practice attached as Appendix A to the report, be adopted.

Min No: 191

GOV009-17 **Results of Public Exhibition of the Policy for
the Payment of Expenses and Provision of
Facilities to the Mayor and Councillors
File Number: 2015/26264**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

The revised "Policy for the Payment of Expenses and Provision of Facilities to the Mayor and Councillors" attached as Appendix 'A' to the report, be adopted.

NOTE: COR037-17 was considered in conjunction with this report, see Minute No. 209 for further details.

Min No: 192 Procedural Motion
To Consider GOV010-17 Later in the Meeting

MOTION: (Councillor Scaysbrook/Councillor Johns)
That GOV010-17 be considered in later in the Meeting.

The Procedural Motion on being put to the Meeting was carried.

GOV010-17 This matter was considered later in the Meeting
(see Minute No. 218).

Min No: 193
GOV011-17 Mayor's Delegation
File Number: 2016/258385

RESOLVED: (Councillor Provan/Councillor Nicholls*)
That the legal advice regarding the Mayor's Delegation be noted.

Min No: 194
SER007-17 Economic Development & Tourism Committee
- Adoption of Charter
File Number: 2015/225102

RESOLVED: (Councillor Provan/Councillor Nicholls*)
That the Economic Development & Tourism Committee Charter attached as Appendix A, be adopted, subject to the following changes as indicated in italics:

3. OBJECTIVE

The committee is aimed at driving economic *and employment* growth in the Shire. It will achieve this by;

- identifying new opportunities for improved growth and improved employment in the local area;
- developing short, medium and longer term plans with set targets to achieve these;
- actively seeking *private and public sector* investment and funding opportunities from the Federal and State Governments; and
- *promoting opportunities for tourism and tourism infrastructure.*

Min No: 195

**SER008-17 Hazelhurst Retreat Board - Adoption of Charter
File Number: 2015/225102**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

That the updated Hazelhurst Retreat Board Charter attached as Appendix A, be adopted.

Min No: 196

**SER009-17 Arts and Cultural Subsidy Program 2016/2017
and Hall Hire Subsidy Program 2016/17
File Number: 2016/256931, 2016/238127**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. The Arts and Cultural Subsidy Program provide \$89,739 for 24 programs as listed in Appendix A of this report.
2. Subsidies totalling \$90,081 be provided to 19 community groups offsetting Council fees charged for the hire of public halls as listed in Appendix B of this report.
3. A review of process of making available arts and cultural grants offered by Council be undertaken to allow open, merit based applications to be received.
4. Funding agreements with community groups include the requirement to acknowledge Council's assistance.

Min No: 197

**SER010-17 Proposed Mobile Phone Tower at Kirrawee Oval
File Number: 2016/248274**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. Council's consent, being the owner of the land located on Kirrawee Oval, at 2R Helena Street, Kirrawee, be provided to allow a development application to be lodged by Optus Mobile Pty Ltd for the construction of a telecommunication tower.
2. Should the Development Application be approved, the Compensation/Access Deed, or Agreement, or any other relevant documentation formalising the occupation by Optus Mobile Pty Ltd to locate telecommunications equipment at 2R Helena Street, Kirrawee (Lot 1 DP 202278) be approved at terms and conditions to the satisfaction of the General Manager.

Min No: 197 Cont'd
SER010-17

3. 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: 198

**INF006-17 Surf Life Saving Clubs Working Party -
Adoption of Charter
File Number: 2015/225102**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

That the Surf Life Saving Clubs Working Party Charter attached as Appendix A, be adopted.

Min No: 199

**INF007-17 Proposed Transfer of Management of Hungry
Point Crown Reserve to Council
File Number: 2015/86324**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

That Council write to the Hungry Point Trust:

- (a) Advising that Council does not believe that it is in Council's interest to assume ownership and/or control and management of the site; and
- (b) Encourage the Trust to write to the Minister seeking a substantial increase in funding to achieve the strategic aims of the Conservation Management Plan and Masterplan prepared on behalf of the Trust.

Min No: 200

**INF008-17 Woolooware Bay Shared Pathway Stage 6 –
Current Status
File Number: 2016/247139**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

That representations be made to the Minister for Roads to extend the Roads and Maritime Services Active Transport Grant acquittal deadline.

Min No: 201**INF009-17****Proposal to Rename Green Hills Parklands to Marang Parklands****File Number: 2015/65496**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. The Marang Parklands be endorsed in principle as the new name for Green Hills Parklands.
2. The Park & Reserve Assets Unit undertake community consultation on the proposed renaming of the reserve to Marang Parklands.
3. A report on the results of consultation be submitted to Council prior to a formal submission to the Geographical Names Board.

Min No: 202**PLN006-17****Impact of Coroner's Recommendations from the Inquest Regarding Connie Zhang****File Number: 2015/4868**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. The report "Impact of Coroner's Recommendations from the Inquest Regarding Connie Zhang" be received and noted.
2. A report be prepared for the Council as to the installation, adequacy and maintenance of relevant fire safety measures at the new Kareela Shopping Centre and its associated underground car parks, including:
 - (a) The results of any recent fire safety audits of the Centre and all levels of its underground car parks;
 - (b) Instances of non-compliance, if any, with fire safety regulations and requirements;
 - (c) Any fire safety orders issued by Council;
 - (d) The signage and maintenance of appropriate, open exits for pedestrians and shoppers in the event of fire in the underground car parks; and
 - (e) Recommendations and plans, if any, for the implementation of improved fire safety measures at the Centre.

Min No: 203**PLN007-17****Final Report on Exhibition of SSLEP2015****Amendment - Housekeeping****File Number: 2016/244249**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. The Housekeeping Planning Proposal be amended as follows:
 - (a) Amend the Environmentally Sensitive Land – Terrestrial Biodiversity Map to exclude the 43 properties identified in Appendix D;
 - (b) Include Heritage Item 'A 4003 Waterfall Railway Turntable' in Schedule 5 Part 2 'Archaeological sites';
 - (c) Remove the proposed amendment relating to Heritage Item 1064 Garden and Trees at 6 Excelsior Road, Cronulla;
 - (d) Remove the proposed rezoning of 574 Kingsway, Miranda (Lot 4 DP 10454);
 - (e) Amend the western boundary of the proposed land to be rezoned RE1 at Soldiers Road Oval / Jannali Baseball Fields (Part of Lot 200 DP 1081859 and Part of Lot 1230 DP 821652) to the edge of the existing vegetation to the west of the baseball field.
2. The revised Planning Proposal be submitted to the Department of Planning and Environment to progress the amendment.
3. As part of a future planning proposal, the property at 284-286 Taren Point Road, Caringbah be removed from the Environmentally Sensitive Land – Terrestrial Biodiversity Map and the Heritage Item 1057 'Cronulla Linear Cultural Exotic Planting of Rail Embankment' be removed from Schedule 5 Environmental Heritage.

Min No: 204**PLN008-17****Biobanking Opportunities in the Sutherland Shire****File Number: 2015/46894**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. An application be submitted under s96 of the EP&A Act to modify the 1999 consent by removing the condition requiring compliance with the Environmental Management Plan for the Lucas Heights Conservation Area.
2. The Minister for Lands and Water be requested to transfer the ownership of the Hall Drive Bushland Reserve at Menai to Council.

Min No: 204 Cont'd

PLN008-17

3. Council staff investigate potential Council owned land throughout the Sutherland Shire that may be suitable for the establishment of a biobanking site.
4. Council pursue opportunities for staff to obtain biobanking accreditation.
5. A Councillor briefing be provided in early 2017.

Min No: 205

PLN009-17

**Results of Public Exhibition and Adoption of
Sea Level Rise Policy**

**File Number: 2016/244279, 2016/231596 &
2016/258570**

*** Councillor Provan declared a 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 Nicholls*)

THAT:

1. Outcomes of the public exhibition of the draft Sea Level Rise Policy be received and noted.
2. The Sea Level Rise Policy, as attached in Appendix A, be adopted.
3. The current Section 149(5) Planning Certificate notations applied to properties in accordance with Council's previous resolution (Mayoral Minute No. 34/14-15 dated 20 April 2015) related to sea level rise be removed.
4. Council apply Section 149(5) planning certificate notations for properties listed in Appendix B with:

"Part or all of this land has been identified as being at risk of future sea level rise by 2100, based on Council's 2016 Sea Level Rise Policy. Further information on the specifics of the future sea level rise for this land can be obtained by contacting Council on 9710 0333."
5. Amendments be made to the Sutherland Shire Local Environmental Plan 2015 and draft Sutherland Shire Development Control Plan 2016 to incorporate planning provisions and development controls to support implementation of the adopted Sea Level Rise Policy.

Min No: 205 Cont'd

PLN009-17

6. Council's flood studies and floodplain risk management studies and plans be revised to incorporate the adopted Sea Level Rise Policy.
7. The sea level rise information be made available via the Geographic Information System and property specific flood information sheets.

Min No: 206

PLN010-17

**Granting of Easement for Right of Carriageway Over
495R President Avenue, Kirrawee - Council Carpark
File Number: 2016/253020**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. A right of carriageway over Council's car park at 495R President Avenue, Kirrawee (Part Lot 104 Deposited Plan 1159806) to benefit 165-171 Oak Road, Kirrawee be granted at terms and conditions to the satisfaction of the General Manager.
2. Council accept dedication of approximately 27 square metres of land at 165-171 Oak Road, Kirrawee to form part of the existing pathway.
3. 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.

PLN011-17

**This matter was considered earlier in the Meeting
(see Minute No. 186).**

PLN012-17

**This matter was considered earlier in the Meeting
(see Minute No. 187).**

Min No: 207

**PLN013-17 Rezoning 1A Atkinson Road and 1-13 Atkinson
Road, Taren Point
File Number: 2015/66255**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. A Planning Proposal be prepared to rezone the portion of land zoned RE1 Public Recreation at 1A Atkinson Road, Taren Point and 1-13 Atkinson Road, Taren Point to B7 Business Park.

2. Council write to the owners of the land at 1A Atkinson Road, Taren Point and 1-13 Atkinson Road, Taren Point informing them of the rezoning and the removal of their land from Council's acquisition schedule because it is no longer needed for the construction of stage 6 of the Woollooware Shared Pathway.

Min No: 208

**COR036-17 Report and Minutes of the Meetings of the Sutherland
Traffic and Traffic Safety Committee and Consultative
Traffic Forum held on Friday, 2 December 2016
File Number: 2015/2036**

RESOLVED: (Councillor Riad/Councillor Provan)

THAT:

1. The decisions contained in the Minutes of the Sutherland Traffic and Traffic Safety Committee Meeting held on 2 December 2016 be noted.

2. The recommendations contained in the Minutes of the Consultative Traffic Forum Meeting held on 2 December 2016 be adopted subject to:
 - a. The report on "Allison Crescent, Menai – Trailer Parking" being received and noted.
 - b. A further report being provided by the March round of Council for the development of a Shire wide policy for the appropriate use of the "No Parking - Motor Vehicles Excepted" type signage to deter inappropriate parking of boats, trailers, and caravans.
 - c. Council supporting in principle the installation of "No Parking - Motor Vehicles Excepted" in locations where parking demand is considered high or near town centres.
 - d. The review of Allison Crescent within a year in regard to the installation of "No Parking - Motor Vehicles Excepted" signage, subject to the endorsement of the policy noted in point b.

Min No: 209

**COR037-17 Policy for the Payment of Expenses and Provision
of Facilities to the Mayor and Councillors
File Number: 2015/26264**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. This report be considered in conjunction with report GOV009-17.
2. The revised "Policy for the Payment of Expenses and Provision of Facilities to the Mayor and Councillors" attached as Appendix 'A' to the report GOV009-17, be adopted, subject to clause 8.7 being amended to allow for the reimbursement of subscription costs to an electronic metropolitan news service or App, subject to the same \$250 a month limit applying.

Min No: 210

**COR038-17 Appointment of Alternate Members to the
Sydney South Planning Panel
File Number: 2015/228772**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

That the Mayor, Councillor Pesce be appointed as the first alternate and the Deputy Mayor, Councillor Scaysbrook be appointed as the second alternate to the Sydney South Planning Panel until October 2017.

Min No: 211

**COR039-17 General Manager Performance Appraisal and Delegations
File Number: 2016/239953**

RESOLVED: (Councillor Provan/Councillor Nicholls*)

THAT:

1. The General Manager's Performance Appraisal and Performance Plan effective to August 2017 be noted.
2. Any previous delegation to the General Manager be revoked.
3. Council delegate to the General Manager the "General Manager's Delegation (Instrument of Delegation)" attached as Appendix A.

Min No: 212

MOT016-17

Shire Wide Parking Improvement Process

File Number: 2015/82011

MOTION: (Councillor Simpson/Councillor Johns)

THAT:

1. Council set up to \$100,000 as a budget item in the 2017/18 budget for Shire wide parking improvement process.
2. A working group chaired by the Mayor, with interested stakeholders be formed, for a period of up to six months to discuss opportunities for the Shire to improve parking management.
3. An evaluation team be appointed to cost, evaluate and rank all parking reforms proposals received from the working group.
4. A final report be presented to Council in the second half of 2017 on recommendations in the short, medium and long term for possible Shire parking solutions.

AMENDMENT: (Councillor Forshaw/Councillor Plibersek)

THAT:

1. This matter be deferred to a February briefing to better understand Council's current parking management strategies and constraints and to discuss options to progress parking improvements across the Sutherland Shire.
2. A report be presented to Council following the Councillor briefing.

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 Boyd, Collier, Forshaw, McLean, Plibersek and Riad.

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

Min No: 213

MOT017-17

Planning Proposal at 10-14 Merton Street, Sutherland

File Number: 2015/87412

*** Councillor Simpson and Councillor Steinwall declared a significant non-pecuniary interest, left the Meeting, took no part in the discussion and did not vote.

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

A RESCISSION MOTION has been lodged on the following resolution.

MOTION: (Councillor Johns/The Mayor, Councillor Pesce)

THAT:

1. Council acknowledges to the Panel that the area does have opportunities for increased housing capacity.
2. Based on no formal report being before Council, that all historical reports presented to Council be made available to the Panel should they request them, including a copy of the Independent Review of the Draft Sutherland Shire Local Environmental Plan 2013.

Lack of Quorum

At 8.40pm when Councillors Boyd, Collier, Forshaw, McLean, Riad, Scaysbrook, Simpson and Steinwall left the Meeting, the Meeting no longer had a quorum.

Resumption of Standing Orders

At 8.45pm Standing Orders were resumed with the following 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 and Councillor Scaysbrook.

Point of Order

Councillor Plibersek raised a Point of Order that Councillor Johns should remove himself and not take part in the debate or the voting on this issue as he had previously expressed a view about the heights in this development area, therefore there is a reasonable apprehension of bias and the test is as set out in the case of McGovern v Ku-Ring-Gai Council. Councillor Plibersek was concerned that any decision Councillor Johns has a role in may be illegal or void.

The Mayor, Councillor Pesce, overruled the Point of Order.

Min No: 213 Cont'd

MOT017-17

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 Croucher, Johns, Nicholls, Provan and Riad.

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

The Mayor used his casting vote in favour of the Resolution.

Councillor Simpson and Councillor Steinwall returned to Meeting at this stage.

Min No: 214

MOT018-17

Community Engagement Forums

File Number: 2015/26485

RESOLVED: (Councillor Nicholls/Councillor Riad)

THAT:

1. Councillors be provided a briefing on the introduction of Community Engagement Forums.
2. The briefing be provided by March 2017 and will include, but is not limited to, the following:
 - a) The financial implications (including the advertisement of these forums)

Min No: 214 Cont'd

MOT018-17

- b) The implications in terms of resources with council officers
 - c) Frequency
 - d) Suggested locations (including Ward specific areas and high profile locations)
3. Council note in principle support for this initiative.

Min No: 215

MOT019-17

Limitations of Use of the Mayor's Delegated Authority

File Number: 2015/38803

RESOLVED: (Councillor Simpson/Councillor Provan)

THAT:

1. Except in urgent and/or extenuating circumstances and with the concurrence of the Deputy Mayor and the General Manager, the Mayor's delegated authority not extend in a manner that would result in the Mayor binding or otherwise committing Council to any decisions that result in payments to external parties, the entering into or amendment of any leases or Council providing goods, services or infrastructure outside of Council's existing adopted budget.
2. For the removal of any doubt, this Motion is not applicable in respect of the Mayor's current delegated authority concerning the settlement of legal actions.
3. The General Manager's delegation be reviewed and amended, if required, to ensure consistency with the Mayor's Delegation.

Min No: 216

Procedural Motion

To Move Into Committee of the Whole to

Allow Discussion of GOV010-17

MOTION: (Councillor Scaysbrook/Councillor Johns)

That Council move into Committee of the Whole to discuss GOV010-17.

The Procedural Motion on being put to the Meeting was carried.

As the matter GOV010-17 required a discussion of the personal circumstances of an applicant, the following was resolved:

Min No: 217 CONSIDERATION OF BUSINESS IN CLOSED SESSION (9.01pm)

RESOLVED: (Councillor Scaysbrook/Councillor Johns)

That in accordance with Section 10(A)(1) of the Local Government Act 1993, the following matter be discussed in Closed Session of the Committee of the Whole for the reason provided:

**GOV010-17 Nominations for Community Membership of
Council Sub-Committees
File Number: 2015/937**

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

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

The Committee of the Whole moved back into Open Session at 9.15pm.

Resumption of Standing Orders

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

Min No: 218

**GOV010-17 Nominations for Community Membership of
Council Sub-Committees
File Number: 2015/937**

RESOLVED by the Corporate Governance Committee on 5 December 2016:

That in accordance with the delegation granted by the Council to this Committee it is resolved that the nominations for the Economic Development & Tourism Committee as shown in the report be appointed as members.

RESOLVED: (Councillor Johns/Councillor Forshaw)

That the matter be delegated to the Mayor and Deputy Mayor, in consultation with the General Manager, to determine the community representation of Sub Committees.

Min No: 219

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

Min No: 220 CONSIDERATION OF BUSINESS IN CLOSED SESSION (9.17pm)

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.

There were none.

RESOLVED: (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:

**GOV001A-17 Proposed Voluntary Planning Agreement Kirrawee
Brickpits, 566-594 Princes Highway, Kirrawee
File Number: DA15/1134**

Section 10A(2)(d)(ii) Commercial Information of a Confidential Nature:

This matter was considered in Closed session as it relates to commercial information the disclosure of which would be likely to confer a commercial advantage on a competitor of the council. On balance, the public interest in preserving the confidentiality of information relating to council's commercial activities outweighs the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information could allow competitors to council's commercial activities to gain a commercial advantage.

Min No: 220 Cont'd

**SER001A-17 Legal Advice and Further Report - Request to
Grant a Right of Carriageway over 39R
President Avenue, Caringbah
File Number: 2015/220680**

Section 10A(2)(g) Advice Concerning Litigation, or Advice that would Otherwise be Privileged from Production in Legal Proceedings on the Grounds of Legal Professional Privilege.

This matter was considered in Closed session as it relates to the receipt and consideration of legal advice concerning litigation; or which would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. On balance, the public interest in preserving the confidentiality of information relating to legal privileged information outweighs the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information may result in council waiving its right to claim legal professional privilege in any relevant legal action which may lead to loss or damage by council.

**INF004A-17 Tender for Public Amenities Cleaning and
Hygiene Services
File Number: 2016/244355**

Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:

This matter was 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.

**INF005A-17 Tender for Bushland Regeneration & Weed Control
File Number: 2016/253071**

Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:

This matter was 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.

Min No: 220 Cont'd

INF006A-17 **T649/16 Como Pool Path Stage 2 - Detail**
Design and Construction
File Number: 2016/237410

Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:

This matter was 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.

INF007A-17 **T650/16 Joseph Banks Native Plants Reserve**
Stages 2 & 3 - Picnic Area and Pond
File Number: 2016/237823

Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:

This matter was 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.

INF008A-17 **T667/16 Design and Construction of the**
Woollooware Bay Shared Pathway, Stage 6
File Number: 2016/247801

Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:

This matter was 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.

Min No: 220 Cont'd

INF009A-17 T669/16 Sylvania Shopping Centre Upgrade
File Number: 2016/248629

Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:

This matter was 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.

INF010A-17 T670/16 Design and Install a Water Filtration
System for The Ridge Golf Course
File Number: 2016/248630

Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:

This matter was 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.

Min No: 221

GOV001A-17 Proposed Voluntary Planning Agreement Kirrawee
Brickpits, 566-594 Princes Highway, Kirrawee
File Number: DA15/1134

RESOLVED: (Councillor Johns/Councillor Riad)

THAT:

1. The general terms of community benefit offered within the proposed Voluntary Planning Agreement be supported.
2. Council makes application to the Office of Environment and Heritage to reduce the water body and wetland in a manner generally consistent with the schematic design of the park within the report.

Min No: 221 Cont'd

GOV001A-17

3. Council makes application to the Office of Heritage and Environment to reduce the Sydney Turpentine Ironbark Forest necessary for road widening along Oak Road.
4. The finalisation of the terms of the Voluntary Planning Agreement be delegated to the reasonable satisfaction of the General Manager.
5. The explanatory note from the Voluntary Planning Agreement be prepared by the Director Shire Infrastructure upon finalisation of the Voluntary Planning Agreement terms.
6. The schematic design for the park be endorsed for inclusion in the Voluntary Planning Agreement subject to item 4.
7. The General Manager be authorised to give public notice of the Voluntary Planning Agreement upon the completion of items 3 and 4.
8. A further report be provided to Council at the end of public notice of the Voluntary Planning Agreement.
9. The removal of the water body within the park be supported in conjunction with additional community assets being located as a replacement.
10. A wider range of community benefit options beyond any proposed by the applicant be considered and if appropriate be consulted with the community.

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: 222

**SER001A-17 Legal Advice and Further Report - Request to
Grant a Right of Carriageway over 39R
President Avenue, Caringbah
File Number: 2015/220680**

RESOLVED: (Councillor Provan/Councillor Scaysbrook**)

THAT:

1. Following receipt of the legal advice and further consideration of the matter, Council grant a right of carriageway over Council's President Lane Car Park at 39R President Avenue, Caringbah (Lot 1 DP 1003405).
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: 223

**INF004A-17 Tender for Public Amenities Cleaning and
Hygiene Services
File Number: 2016/244355**

RESOLVED: (Councillor Provan/Councillor Scaysbrook**)

THAT:

1. The tender received from TST Property Services Pty Ltd for the provision of public amenities cleaning and hygiene services be accepted.
2. The successful tenderers be required to sign a Preferred Supplier Agreement with Council for a period of two and a half years, with a further two by one year extensions at Council's sole discretion.

Min No: 224

**INF005A-17 Tender for Bushland Regeneration & Weed Control
File Number: 2016/253071**

RESOLVED: (Councillor Provan/Councillor Scaysbrook**)

THAT:

1. The panel for Bushland Regeneration and Weed Control Services be comprised of the following tenderers:

Min No: 224 Cont'd

INF005A-17

- Toolijooa Pty Ltd
- Ecohort Pty Ltd
- Total Earth Care Pty Ltd
- Southern Habitat Pty Ltd
- National Trust of Australia (NSW)
- Waratah Eco Works

2. The successful tenderers be required to sign a Preferred Supplier Agreement with Council for a period of three years with a further one year extension at Council's sole discretion.

Min No: 225

INF006A-17

T649/16 Como Pool Path Stage 2 - Detail

Design and Construction

File Number: 2016/237410

RESOLVED: (Councillor Provan/Councillor Scaysbrook**)

THAT:

1. The tender from Glenn Simpson Landscapes Pty Ltd (ABN 35 601 437 003) for the Como Pool Path Stage 2 - Detail Design and Construction - Central Esplanade, for the lump sum of \$222,121.00 (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 the Como Pool Path Stage 2 - Detail Design and Construction

Other Party: Glenn Simpson Landscapes Pty Ltd (ABN 35 601 437 003)

Min No: 226**INF007A-17****T650/16 Joseph Banks Native Plants Reserve
Stages 2 & 3 - Picnic Area and Pond
File Number: 2016/237823**

RESOLVED: (Councillor Provan/Councillor Scaysbrook**)

THAT:

1. The tender from Glenn Simpson Landscapes Pty Ltd (ABN 35 601 437 003) for the 'Joseph Banks Native Plants Reserve Stages 2 and 3 - Picnic Areas and Ponds' for the lump sum of \$452,960 (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: Joseph Banks Native Plants Reserve Stages 2 and 3 - Picnic Areas and Ponds

Other Party: Glenn Simpson Landscapes Pty Ltd (ABN 35 601 437 003)

Min No: 227**INF008A-17****T667/16 Design and Construction of the
Woolooware Bay Shared Pathway, Stage 6
File Number: 2016/247801**

RESOLVED: (Councillor Provan/Councillor Scaysbrook**)

THAT:

1. With regards to separable Portions A, C, D and E the tender from Antoun Civil Engineering (Aust) Pty Ltd (ABN 43 069 443 769) for the Design and Construction of the Woolooware Bay Shared Pathway Stage 6 for the lump sum of \$4,512,367.00 (excl GST), at terms and conditions to the satisfaction of the General Manager, be accepted.
2. Pursuant to clause 400 of the Local Government (General) Regulation 2005, the following documents be executed under Common Seal of the Council of the Sutherland Shire:

Type of Document: Contract for the Design and Construction of the Woolooware Bay Shared Pathway Stage 6 (Portions A, C, D and E)

Other Party: Antoun Civil Engineering (Aust) Pty Ltd (ABN 43 069 443 769)

Min No: 227 Cont'd

INF008A-17

3. Council in accordance with Local Government (General) Regulation 2005 [S178(1)(b)] decline to accept Separable Portion B, and in accordance with S178(3)(e) of the Regulation resolve to enter into negotiations with HDSA Group (ABN 41 133 822 474) with a view to entering into a contract in relation to the subject matter of Separable Portion B. In accordance with Section S178(4) of the Regulation, Council cites the following reasons:
 - a. Extenuating circumstances exist in relation to this tender process and Separable Portion B;
 - b. Council has received 3 prices through a competitive tender process which are considered not to be good value for the community;
 - c. Council is subject to time constraints due to grant deadlines which cannot be met if a fresh tender process was undertaken for Separable Portion B;
 - d. Council, in seeking to determine to the value of the works relating to Separable Portion B received a price from a non-tender source which is significantly less than the tendered amounts;
 - e. HDSA Group is known to Council, is a skilled waterways contractor and has previously undertaken a number of successful projects for Council.

Min No: 228

INF009A-17

T669/16 Sylvania Shopping Centre Upgrade

File Number: 2016/248629

RESOLVED: (Councillor Provan/Councillor Scaysbrook**)

THAT:

1. The tender from Quality Management & Construction Pty Ltd (ABN 29 067 829 323) for the Sylvania Shopping Centre Upgrade Portion 1A and 1B for the lump sum of \$1,184, 329.03 (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 the Sylvania Shopping Centre - Portion 1A and 1B
Other Party: Quality Management & Construction Pty Ltd (ABN 29 067 829 323)
3. A quarterly report be provided to the Shire Infrastructure Committee on the expenditure and commitments of SITA funds.

Min No: 229

INF010A-17

**T670/16 Design and Install a Water Filtration
System for The Ridge Golf Course
File Number: 2016/248630**

*** Councillor Johns declared a 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 Scaysbrook**)

THAT:

1. The tender from CRS Industrial Water Treatment Systems ATF Kelly Family Trust (ABN 98 894 822 094) for the design and installation of a water filtration system for The Ridge Golf Course for the lump sum of \$135,600 (excl GST), at terms and conditions to the satisfaction of the General Manager, be approved.
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.

The Meeting moved back into Open Session at 9.59pm.

The Meeting closed at 10.02pm.