



# **Minutes**

## **Council Meeting**

**Held on Monday, 24 October 2016  
commencing at 6:38pm  
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 Simone, Councillor Simpson and Councillor Steinwall.

Staff in attendance were the General Manager, Director Corporate Support, Director Shire Services, Director Shire Infrastructure, Director Shire Planning, Manager Communication and Events (Kathryn Lord), General Counsel (Elizabeth Espinosa), 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.

#### **Opening of the Meeting with Prayer**

The Meeting was opened with prayer by Associate Pastor Manfred Yew of Engadine/Heathcote Baptist Church.

#### **Oath of Office**

Councillor McLean undertook the following Oath of Office, before the General Manager:

#### **Oath**

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of the Sutherland Shire and the Sutherland Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

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#### **Disclosures of Interest**

**File Number: 2015/14239**

There were no disclosures of interest declared.

**Min No: 105                    Confirmation of Minutes of Special Committee of Council  
held on Monday 15 August 2016**

RESOLVED: (Councillor Provan/Councillor Johns)

That the Minutes of the Special Committee of Council held on 15 August 2016 be and are hereby confirmed as a correct record.

**Min No: 106                    Confirmation of Minutes of Council Meeting  
held on Monday 15 August 2016  
(Minutes Numbered 48 to 78 inclusive)**

RESOLVED: (Councillor Provan/Councillor Johns)

That the Minutes of the Council Meeting held on 15 August 2016, being Minutes Numbered 48 to 78 inclusive, be and are hereby confirmed as a correct record.

**Min No: 107                    Confirmation of Minutes of Special Council Meeting  
held on Monday 26 September 2016  
(Minutes Numbered 79 to 96 inclusive)**

RESOLVED: (Councillor Provan/Councillor Nicholls)

That the Minutes of the Special Council Meeting held on 26 September 2016, being Minutes Numbered 79 to 96 inclusive, be and are hereby confirmed as a correct record.

**Min No: 108                    Confirmation of Minutes of Council Meeting  
held on Tuesday 4 October 2016  
(Minutes Numbered 97 to 104 inclusive)**

RESOLVED: (Councillor Provan/Councillor Nicholls)

That the Minutes of the Council Meeting held on 4 October 2016, being Minutes Numbered 97 to 104 inclusive, be and are hereby confirmed as a correct record.

**Min No: 109****MM005-17****Mayoral Minute****Congratulations to Samuel Corby - NSW SES Young Volunteer of the Year****File Number: 2016/248002**

On behalf of the Sutherland Shire community I want to congratulate Samuel Corby from the NSW SES Sutherland Shire Unit for winning the NSW State Emergency Service's Young Volunteer of the Year Award.

Samuel was honoured at a special ceremony at NSW Parliament House and presented with his award by the Minister for Emergency Services the Hon. David Elliott MP and NSW SES Acting Commissioner, Greg Newton.

The NSW SES Young Volunteer of the Year Award was established in 2013 to recognise the contribution of a NSW SES young volunteer between the ages of 16 and 25 who has demonstrated an outstanding commitment to learning and NSW SES activities.

Since Samuel became a member at 18 years of age, he has dedicated hundreds of volunteer hours over the past two years. Samuel's skills, qualifications and training include storm and water response, land and water rescue, communications and first aid. He provides valuable service to the community, including during the Kurnell tornado in 2015. Samuel is one of many young NSW SES volunteers who are dedicated to serving their communities.

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

That congratulations be extended to Samuel Corby for being awarded the NSW SES Young Volunteer of the Year.

**Min No: 110****MM006-17****Mayoral Minute****Shire Origins for Breast Cancer Breakthrough****File Number: 2016/248002**

Tonight I am pleased to have the opportunity to congratulate Shire resident, Dr Dharmica Mistry, on an amazing discovery that could revolutionise breast cancer screening. I want to acknowledge and highlight this young Shire resident's achievements this month as October is Breast Cancer Awareness month.

One in eight Australian women will be diagnosed with breast cancer in their lifetime and eight women lose their lives to breast cancer every day. It is a disease that also affects men with an estimated 150 men diagnosed with the disease in 2016. Research into better treatments is important, but so is early detection, and this is where Dr Mistry is making a difference.

Min No: 110 Cont'd  
MM006-17

Whilst working as a lab technician looking at the association between breast cancer and scalp hair, Dr Mistry discovered that lipids (oils that exist in the membranes of every cell in our body) were coming from the blood of breast cancer patients and being deposited in their hair.

This was a groundbreaking discovery and it is hoped that it will lead to women and men being diagnosed with breast cancer via a simple blood test. Clinical trials for this blood test are due to commence in 2017, with the potential for a test to be available as early as 2018-19. If ultimately successful, the test would provide an accurate, non-invasive screening tool that can be used for women of all ages more regularly and one which is more accessible to women in remote and rural areas worldwide.

This amazing work earned Dr Mistry the title of 2015 Young Scientist of the Year and 2016 NSW Young Woman of the Year and she is now the Chief Scientist at BCAL Diagnostics, a company which she co-founded.

Dr Mistry moved to the Sutherland Shire when she was six years old and attended Oyster Bay Primary School and Gymea Technology High School before completing a science degree at the University of Sydney.

I know all Councillors will join me in congratulating Dr Mistry on her potentially life-saving work.

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

That congratulations be extended to Dr Mistry on her outstanding achievements in scientific research.

**Min No: 111                      Suspension of Standing Orders**

RESOLVED: (Councillor Provan/Councillor Plibersek)

That Standing Orders be suspended to consider COR028-17 as the first item of business.

**Min No: 112**

**COR028-17                    2015/16 Annual Financial Statements –  
Presentation to the Public  
File Number: 2016/253676**

A presentation was provided by Dennis Banicevic of PricewaterhouseCoopers on this matter.

RESOLVED: (Councillor Provan/Councillor Plibersek)

That the presentation of the 2015/16 General Purpose and Special Purpose Financial Statements and Auditor's Report be received and noted.

**Resumption of Standing Orders**

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

**Min No: 113**

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

**Min No: 114**

**FAS013-17                    Sutherland Night Market EOI  
File Number: 2015/36660**

RESOLVED: (Councillor Riad/Councillor Simpson)

That in accordance with the delegation granted by Council to this Committee it is resolved that in regards to Local Government (General) Regulation 2005, Council enter negotiations with Specialty Markets Australia Pty Ltd to provide the Sutherland Night Market Series.

**Min No: 115**

**FAS014-17                    Cash Payments & Investments Report – July 2016  
File Number: 2016/250910**

RESOLVED: (Councillor Provan/Councillor Boyd\*)

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

**Min No: 116****FAS015-17****Cash Payments & Investments Report – August 2016****File Number: 2016/250910**

RESOLVED: (Councillor Provan/Councillor Boyd\*)

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

**Min No: 117****FAS016-17****Lodgement of Disclosure of Interest Returns for  
Councillors and Designated Persons Pursuant to  
Section 449 of the Local Government Act, 1993 for  
the Period 1 July 2015 to 30 June 2016****File Number: 2015/216677**

RESOLVED: (Councillor Provan/Councillor Boyd\*)

That the report "Lodgement of Disclosure of Interest Returns by Councillors and Designated Persons pursuant to Section 449 of the Local Government Act 1993 for the period 1 July 2015 to 30 June 2016" be received and noted.

**Min No: 118****FAS017-17****Request to Grant a Right of Carriageway over  
39R President Avenue, Caringbah****File Number: 2015/4695**

RESOLVED: (Councillor Provan/Councillor Boyd\*)

That a further report on the request to grant a right of carriageway over Council's President Lane Car Park at 39R President Avenue, Caringbah be provided on the likely cost and benefit to Council and the benefits to the other party.

**Min No: 119**

**EHR011-17**                    **Caravan and Camping Ground at Bonnie Vale  
in the Royal National Park  
File Number: 2016/251619**

RESOLVED: (Councillor Provan/Councillor Boyd\*)

THAT:

1. Council continue to liaise with the Office of Environment and Heritage regarding the new Plan of Management for the Royal National Park, expressing support for tourist accommodation opportunities in this locality.
2. A study group be established in regards to a Caravan and Camping Ground at Bonnie Vale in the Royal National Park.

**Min No: 120**

**EHR012-17**                    **Proposed State Heritage Item Nomination -  
Lucas Watermills Archaeological Sites  
File Number: 2015/87446**

RESOLVED: (Councillor Provan/Councillor Boyd\*)

THAT:

1. The proposed nomination of the Lucas Watermills Archaeological Sites as a State Heritage item be supported.
2. The Heritage Division of the Office of the Environment and Heritage be advised of Council's support for the nomination.
3. Council staff liaise with the Heritage Division in relation to site specific exemptions for the proposed State heritage item.

**Min No: 121**

**IPR007-17**                    **Kareela Synthetic Fields Utilisation Update  
Summer 2016/2017  
File Number: 2015/86856**

RESOLVED: (Councillor Collier/Councillor Johns)

THAT:

1. The report "Kareela Synthetic Fields Utilisation Update Summer 2016/2017" be received and noted.



Min No: 121 Cont'd

IPR007-17

2. Councillors be provided with a briefing on the Kareela Synthetic Fields, including:
  - a. The initial business case upon which the construction and maintenance of the Synthetic Fields was based;
  - b. An analysis of the underlying reasons for the revenue shortfall;
  - c. Proposals to address the revenue shortfall under the present financial model and/or alternative financial models;
  - d. The associated projects, completed and planned, for the Kareela Synthetic Fields;
  - e. Arrangements currently in place for sharing of the Kareela Synthetic Fields between Shire sporting clubs for training purposes.

**COR028-17                    This matter was considered earlier in the Meeting  
(see Minute No. 112).**

**Min No: 122                    Procedural Motion  
    To Consider COR029-17 After All Other Reports from Officers**

MOTION: (Councillor Scaysbrook/Councillor Simpson)

That COR029-17 be considered after all other reports from Officers.

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

**COR029-17                    This matter was considered later in the Meeting  
(see Minute No. 126)**

**Min No: 123**

**COR030-17                    Report and Minutes of the Meetings of the Sutherland  
Traffic and Traffic Safety Committee and Consultative  
Traffic Forum held on Friday, 2 September 2016  
File Number: 2015/2036**

RESOLVED: (Councillor Croucher/Councillor Provan)

THAT:

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

Min No: 123 Cont'd  
COR030-17

2. The recommendations contained in the Minutes of the Consultative Traffic Forum Meeting held on 2 September 2016 be adopted.

**Min No: 124**

**COR031-17                      Report and Minutes of the Meeting of the Sutherland  
Traffic and Traffic Safety Committee held on Friday,  
7 October 2016  
File Number: 2015/2036**

RESOLVED: (Councillor Riad/Councillor Simpson)

THAT:

1. The decisions contained in the Minutes of the Sutherland Traffic and Traffic Safety Committee Meeting held on 7 October 2016 be received and noted.
2. The following items be referred to the Sutherland Traffic and Traffic Safety Committee for consideration within the next round of Council:
  - a. The installation of no stopping signage in Schofield's Place, Menai.
  - b. The installation of long term parking signage in Alison Crescent, Menai to address the current boats and trailers present.
3. The following items be referred to the Sutherland Traffic and Traffic Safety Committee for consideration within three rounds of Council:
  - a. The creation of a slip lane (West bound) at ANZAC Road & Menai Road, Bangor.
  - b. The review of traffic conditions (including the installation of signage if required) on Glencoe Street, Sutherland (Between Aldgate Street & Forrest Road).
  - c. The review of traffic conditions (including the installation of signage if required) on Allies Road, Barden Ridge adjacent to the Shire Christian School and surrounding areas.
4. Council request a briefing from Transport for NSW on the condition of Sutherland Station railway over-bridge and traffic flow through the Sutherland Town Centre.

**Min No: 125****COR032-17                    Adoption of Standing Committee Charters and Delegations and Appointment of Councillors to Committees  
File Number: 2015/937**

RESOLVED: (Councillor Simpson/Councillor Scaysbrook)

THAT:

1. The Charters of the Corporate Governance Committee, Shire Services Committee, Shire Planning Committee and Shire Infrastructure Committee, as attached in Appendix A of this report, be adopted.
2. All previous delegations to the Finance and Strategy Committee, Community and Lifestyles Committee, Environmental Health and Regulation Committee, and Infrastructure and Projects Committee be revoked.
3. The Delegations for the Corporate Governance Committee, Shire Services Committee, Shire Planning Committee and Shire Infrastructure Committee, as attached in Appendix B of this report, be adopted.
4. Councillors be appointed as members of Standing Committees, Sub-Committees and as Delegates as listed in Appendix 1.

**Min No: 126****COR029-17                    Nomination of Representatives on the Joint Regional Planning Panel  
File Number: 2015/228772**

RESOLVED: (Councillor Scaysbrook/Councillor Riad)

THAT:

1. Council nominate Councillor Simpson and Councillor Johns as its representatives on the Joint Regional Planning Panel for one year.
2. When the Joint Regional Planning Panel is replaced by the Greater Sydney Commission Sydney Planning Panel the two Council nominated representatives continue as members of the new panel.
3. The Joint Regional Planning Panel meeting attendance fee of \$600 and briefing attendance allowance of \$150 per hour, (minimum one hour up to a maximum of \$600), both being inclusive of any incidental costs and the cost of transport/travel be applied to participation in the Sydney Planning Panel.

**Min No: 127                      Suspension of Standing Orders**

RESOLVED: (Councillor Simpson/Councillor Scaysbrook)

That Standing Orders be suspended to allow MOT010-17, MOT011-17, MOT012-17, MOT013-17 and MOT014-17 to be considered as the next items of business.

**Min No: 128****MOT010-17                      Artefacts Removed from Botany Bay  
File Number: 2016/256236**

RESOLVED: (Councillor Croucher/Councillor Collier)

THAT:

1. Sutherland Shire Council acknowledges the following:
  - a. When the landing party lead by Lieutenant James Cook approached the shores of Botany Bay, at the location now called Kurnell, they were met by people of the Gweagal clan who belonged to the Dharawal tribe.
  - b. As Cook attempted a landing he was opposed by two Gweagal men who threatened his men with stones and spears. Cook returned fire resulting in Cooman being shot in the leg.
  - c. As Cooman and his fellow warrior retreated they left behind a wooden shield and several small spears.
  - d. The landing party collected the shield and a quantity of spears that are now held in the British Museum, Cambridge University and a museum in Sweden.
  - e. It is a core belief of the indigenous people that their artefacts should be kept on the country they come from.
2. Sutherland Shire Council fully and unreservedly supports the efforts of Mr Rodney Kelly, a descendant of Cooman;
  - a. Who is seeking to have the shield and the spears that were removed from Botany Bay in 1770 returned to the lawful and traditional owners of those artefacts;
  - b. So that they can be held in an appropriate museum to be kept and preserved for future generations;
  - c. As the Gweagal people are the traditional owners of much of the land in the Shire Sutherland Shire, including Cook's landing place at Kurnell in Botany Bay.
3. Sutherland Shire Council provide Mr Kelly with a formal letter:
  - a. Fully supporting his efforts to have the artefacts repatriated to the people and the country to which they belong; and
  - b. Incorporating the terms of this motion.

**Min No: 129**

**MOT011-17**

**Councillor Notification of Major Development  
Applications**

**File Number: 2015/4841**

RESOLVED: (Councillor Simpson/Councillor Steinwall)

THAT:

1. Ward Councillors be invited to attend all external party meetings with the Mayor at Council's offices in respect of development applications (whether or not lodged at the time) for residential development greater than dual occupancy buildings and major non-residential development that would generate significant traffic or otherwise impact upon the amenity of the locality.
2. Within the week of lodgement, Council officers notify Councillors via the weekly Bulletin of all major development applications by Ward.
3. Council inform relevant Ward Councillors in advance about Council organised public information sessions for residential development greater than dual occupancy buildings and major non-residential development that would generate significant traffic or otherwise impact upon the amenity of the locality.
4. Ward Councillors be sent a copy of media releases, where practical, for residential development greater than dual occupancy buildings and major non-residential development that would generate significant traffic or otherwise impact upon the amenity of the locality. This should also include any outcomes of the Land and Environment Court.

**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, Simone, Simpson and Steinwall.

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

**Min No: 130****MOT012-17****Limitations of Use of the Mayor's Delegated Authority****File Number: 2015/38803**

RESOLVED: (Councillor Simpson/Councillor Plibersek)

That consideration of the motion contained below in points 1 and 2 be deferred pending the provision of a report to the next Council meeting identifying the changes that will occur to the Mayor's delegated authority if the motion is carried.

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.

**Min No: 131****MOT013-17****Crown Land Inquiry****File Number: 2015/86324**

RESOLVED: (Councillor Steinwall/Councillor Riad)

THAT:

1. Council receive a report on the Crown Land Inquiry, tabled in the NSW State parliament on 13 October 2016, and the Crown Land Management Bill 2016.
2. The report examine the implications of the recommendations for the management of Crown Lands in the Sutherland Shire LGA and the impact on the Aboriginal Land Council's land.
3. Briefings be provided as this matter progresses.

**Min No: 132****MOT014-17****Development Applications Referred to the  
Independent Hearing and Assessment Panel  
File Number: 2015/223678**

MOTION: (Councillor Scaysbrook/Councillor Steinwall)

THAT:

1. A Development Application can be referred to the Independent Hearing and Assessment Panel by three Councillors, one of whom must be from the affected Ward.
2. Council revokes the existing delegated authority granted to the General Manager to determine Development Applications reviewed by the Independent Hearing and Assessment Panel, and those applications be referred to the full Council for determination.

AMENDMENT: (Councillor Johns/Councillor Riad)

That a Development Application can be referred to the Independent Hearing and Assessment Panel by three Councillors, one of whom must be from the affected Ward.

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

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

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

**Against** the Amendment were Councillors Boyd, Collier, Forshaw, McLean, Plibersek, 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)**.

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

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

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

**Resumption of Standing Orders**

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

**Question**

**Min No: 133**      **Code of Meeting Practice - Motion With No Dissent  
Can Be Put Without Debate  
File Number: 2015/26223**

Councillor Johns raised the following matter:

Can we review our Code of Meeting Practice where a motion has no dissent the motion can be put without debate.

The Mayor advised that a reply would be provided.

**Min No: 134**      **CONSIDERATION OF BUSINESS IN CLOSED SESSION (9.17 pm)**

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

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

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

There were none.

**RESOLVED:** (Councillor Riad/Councillor Provan)

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:



Min No: 134 Cont'd

**FAS002A-17            SSROC Tender for Supply & Delivery of Print,  
Associated Products & Services  
File Number: 2015/226854**

**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.

**COR005A-17            Further Report - Request to Grant a Right of Carriageway  
over 39R President Avenue, Caringbah  
File Number: 2015/4695**

**Section 10A(2)(c) Information that would, if Disclosed, Confer a Commercial Advantage on a Person with Whom the Council is Conducting (or Proposes to Conduct) Business:**

This matter was considered in Closed session as it relates to a proposal for the sale or purchase of land where prior knowledge of this proposal could confer an unfair financial advantage on any person. On balance, the public interest in preserving the confidentiality of information about the reserve price outweighs the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would put the Council at a competitive disadvantage in its negotiations with a prospective purchaser, preventing it from achieving a 'best value for money' outcome for the community.

**Min No: 135**

**FAS002A-17            SSROC Tender for Supply & Delivery of Print,  
Associated Products & Services  
File Number: 2015/226854**

RESOLVED: (Councillor Johns/Councillor Boyd)

THAT:

1. Council participate in the SSROC Preferred Master Supplier Agreement for the Supply and Delivery of Print, Associated Products & Services and to accept the SSROC panel of preferred suppliers.

Min No: 135 Cont'd  
FAS002A-17

2. Council executes a Preferred Supplier Commissioning Agreement with the SSROC panel of preferred suppliers in accordance with the SSROC Preferred Supplier Master Agreement.

**Min No: 136**

**COR005A-17            Further Report - Request to Grant a Right of Carriageway  
                                 over 39R President Avenue, Caringbah  
                                 File Number: 2015/4695**

MOTION: (Councillor Collier/Councillor Plibersek)

That a right of carriageway over Council's President Lane Car Park at 39R President Avenue, Caringbah (Lot 1 DP 1003405) be refused.

AMENDMENT: (Councillor Johns/Councillor Riad)

THAT:

1. Consideration of the matter be deferred pending a report on the prospects of success if the matter was to proceed to court.
2. The report include details regarding the value of land, value to businesses and alternative arrangements.

**Min No: 137            Procedural Motion**

MOTION: (Councillor Johns/Councillor Riad)

That the Amendment be put.

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

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

**In Favour** of the Procedural Motion were Councillors Johns, Nicholls, Provan, Riad and Simone.

**Against** the Procedural Motion were the Mayor, Councillor Pesce, together with Councillors Boyd, Collier, Croucher, Forshaw, McLean, Plibersek, Scaysbrook, Simpson and Steinwall.

**Min No: 136 Cont'd****COR005A-17**

Debate continued on the matter.

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

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

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

**Against** the Amendment were Councillors Collier and Plibersek.

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

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

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

**Against** the Resolution were Councillors Collier and Plibersek.

**Min No: 138****Procedural Motion****To Move Back Into Open Session**

MOTION: (Councillor Johns/Councillor Riad)

That the Meeting move back into Open Session.

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

**Min No: 139                      Business Without Notice**  
**Proposed Changes to Priority at the Intersection of**  
**Brushwood Drive and Alfords Point Road Entry Ramp, Menai**  
**File Number: 2015/79095**

Councillor Simpson requested that Business Without Notice concerning the Proposed Changes to Priority at the Intersection of Brushwood Drive and Alfords Point Road Entry Ramp, Menai be considered as a matter of urgency.

RESOLVED: (Councillor Simpson/Councillor Riad)

That permission be granted to bring forward Business Without Notice regarding the Proposed Changes to Priority at the Intersection of Brushwood Drive and Alfords Point Road Entry Ramp, Menai.

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

**Min No: 140**  
**BWN003-17                      Proposed Changes to Priority at the Intersection of**  
**Brushwood Drive and Alfords Point Road Entry Ramp, Menai**  
**File Number: 2015/79095**

RESOLVED: (Councillor Simpson/Councillor Riad)

That Ward Councillors receive a briefing on the proposed changes by the RMS to the priority at the intersection of Brushwood Drive and Alfords Point Road entry ramp, Menai.

The Meeting closed at 9.43 pm.

**REPRESENTATION ON STANDING COMMITTEES, SUB-COMMITTEES  
AND EXTERNAL COMMITTEES - OCTOBER 2016**

**STANDING COMMITTEES**

**1. Corporate Governance Committee**

The Committee shall have responsibility for issues related to the following:

Budget; Financial & Operating Reporting; Statutory Accounts and Reports; Cash Management; Integrated Planning and Reporting; Strategic Plan; Operational Plan Resourcing; Strategy; Long Term Financial Plan; Employment and Industrial Policies; Insurance; Risk Management; Information Management and Technology; Rating Policy; Electoral matters; Organisation Development; Public Relations and Communications Strategy, Corporate Branding, Image and Marketing; Establishment of Fees and Charges; Corporate Governance; Customer Service; and Councillor Support.

Membership: Seven Councillors

Councillor Riad - Chairperson  
 Councillor Forshaw - Deputy Chairperson  
 Councillor Collier  
 Councillor Johns  
 Councillor Plibersek  
 Councillor Scaysbrook  
 Councillor Simpson

Quorum: Four Councillors

**2. Shire Services Committee**

The Committee shall have responsibility for issues related to the following:

Social planning (community and recreational needs and analysis), community development, community information, family day care, long day care, school vacation care, aged, disability, multicultural, youth services, community arts and entertainment, sport and recreation planning and development, review of access issues, youth policy, ensuring a high quality of life for older persons and the provision of advice and support in planning and development of facilities to meet the needs of an ageing population, disseminating information to encourage older people to take an increasingly active role in their area and to live an independent, full and healthy lifestyle. Commercial Management and assessment of commercial opportunities; Property Investment; Facilities Management; Beaches and Leisure Facilities, Regulation and Enforcement; Tourism and Economic Development.

Membership: Seven Councillors

Councillor Nicholls - Chairperson  
 Councillor Provan - Deputy Chairperson  
 Councillor Boyd  
 Councillor Croucher  
 Councillor McLean  
 Councillor Simone  
 Councillor Steinwall

Quorum: Four Councillors

### 3. Shire Infrastructure Committee

The Committee shall have responsibility for issues related to the following:

Development of Engineering Standards; Traffic Management; Street Lighting; Infrastructure design standards; Construction and maintenance, civil infrastructure; Capital Projects implementation and monitoring; Lease/Purchase, roads, pathways and reserves; Construction, maintenance and management of buildings and recreational facilities; Tenders process (works relate); Emergency Services; Subdivision Standards.

Membership: Seven Councillors

Councillor Simpson	- Chairperson
Councillor Boyd	- Deputy Chairperson
Councillor Forshaw	
Councillor Johns	
Councillor Nicholls	
Councillor Simone	
Councillor Steinwall	

Quorum: Four Councillors

### 4. Shire Planning Committee

The Committee shall have responsibility for issues related to the following:

Produce and monitor the implementation of policies and programs that will deliver a better environment for all who live, reside, work and visit the Sutherland Shire to achieve ecologically sustainable environmental outcomes. Exercise strategic planning functions as defined by the EP&A Act, particularly LEPs and DCPs.

Membership: Seven Councillors

Councillor Scaysbrook	- Chairperson
Councillor Plibersek	- Deputy Chairperson
Councillor Croucher	
Councillor Collier	
Councillor McLean	
Councillor Provan	
Councillor Riad	

Quorum: Four Councillors

**SUB COMMITTEES****5. Audit, Risk and Improvement Committee**

(Meet quarterly)

Purpose:

- (1) To keep under review the following aspects of the council's operations:  
Compliance, risk management, fraud control, financial management, governance, implementation of the strategic plan, delivery program and strategies, service reviews, collection of performance measurement data by the council, and any other matters prescribed by the regulations.
- (2) To provide information to the Council for the purpose of improving the council's performance of its functions.

Councillor Croucher  
Councillor Plibersek

**6. Aboriginal Advisory Sub-Committee**

(Meet at least four meetings per year)

Purpose: To provide a forum for communication between the Aboriginal Community and Council to address and advance Aboriginal issues within the Sutherland Shire.

Chairperson: Aboriginal Community Representative as nominated by members

Deputy Chairperson: Aboriginal Community Representative as nominated by members.

Councillor Croucher  
Councillor Simone

**7. Hazelhurst Board**

(Meet quarterly or as required)

Purpose: The Board is responsible for ensuring business plans, policies and programs fulfil all objectives in relation to the operations, promotion and ongoing growth of the centre.

Councillor Forshaw  
Councillor Johns  
Councillor Provan  
Councillor Simone  
Councillor Steinwall  
Mayor, Councillor Pesce

**8. Heritage and Shire History Committee**

(Meet quarterly or as required)

Purpose: Promotion, community awareness and conservation of cultural heritage matters in the Shire and support the recording and promotion of the Shire's history.

Councillor Scaysbrook - Chairperson  
Councillor Plibersek - Deputy Chairperson

**9. Floodplain Management Committee**

(Meet quarterly)

Purpose:

Guide and oversee development of the Bundeena Creek Floodplain Risk Management Study & Plan; all matters related to development of Floodplain Risk Management Studies and Plans for the lower Georges River and Gwawley Bay Catchment and the Woollooware Bay Catchment.

Councillor Croucher - Chairperson  
Councillor Provan - Deputy Chairperson

**10. Sutherland Shire Access Committee**

(Meet quarterly)

Purpose: Development of strategies which reduce barriers and increase access to both the physical environment and to social vocational and personal development opportunities for residents.

Councillor Croucher - Chairperson  
Councillor McLean - Deputy Chairperson

**11. Sutherland Shire Bushfire Trust**

(Meet minimum once per year)

Purpose: To administer funds raised from the public for the benefit of injured Volunteer Bushfire fighters.

President: Mayor, Councillor Pesce



**12. Sutherland Shire Bushfire and SES Facilities Equipment Fund**

(Meet minimum once per year)

Purpose: Manage funds raised by the clubs to be used for the purchase of equipment and facilities from the Volunteer Bushfire Brigades and SES.

President: Mayor, Councillor Pesce

**13. Sutherland Shire Bushfire Advisory Committee**

(Meet minimum three times per year or as required)

Purpose: To advise the Council on all matters related to bush fire prevention and the management of the Bushfire organisation within Sutherland Shire.

Councillor Simpson - Chairperson  
 Councillor Collier - Deputy Chairperson  
 Councillor Steinwall  
 Councillor Riad  
 Councillor Scaysbrook

**14. Sutherland Shire Economic Development and Tourism Committee**

(Meet six times per year)

Purpose:

To identify and consider new opportunities for growth and development to enhance our local economy, ensure industry growth and the provision of continuous employment in the Sutherland Shire.

Conduct collaborative consultation and the development of strategic plans and outcomes as they relate to economic development and tourism.

Attract investment and seek project funding from the Federal and State Governments where appropriate.

Strengthen relationships with local stakeholders and collectively work towards a sustainable, vibrant, inclusive Shire community.

Councillor Forshaw - Chairperson  
 Councillor Simone - Deputy Chairperson  
 Councillor Provan  
 Councillor Simpson  
 Councillor Boyd

**15. Sutherland Shire Youth Council**

(Meet eight times per year)

Purpose:

- (1) To ensure that young people in the Sutherland Shire are able to express their views on issues affecting them and the local area.
- (2) To develop an appreciation within the community of young people, their contribution to the local area and the issues concerning them.
- (3) To provide advice to Council on the needs of and issues affecting young people in the Sutherland Shire.

Co-Chairpersons: Councillor Riad & youth delegate

Co-Deputy Chairpersons: Councillor Boyd, Councillor Nicholls & youth delegate

**16. Sutherland Traffic and Traffic Safety Committee and Consultative Traffic Forum**

(Meet monthly)

Purpose: The Sutherland Traffic Committee is a technical review committee, which provides advice on matters referred to it by Council. The Council shall refer all traffic related matters to the Traffic Committee prior to exercising its delegated functions relating to:

- (a) authorisation of prescribed traffic control devices covered under Division 1 of Part 4 (Sections 50 to 55) of the Road Transport (Safety and Traffic Management) Act, 1999.
- (b) regulation of traffic under Division 2 of Part 8 (Sections 116 to 119) of the Roads Act, 1993.
- (c) authorisation of special event parking schemes under Division 2 of Part 5 (Clauses 122 and 123) of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation, 1999.

Councillor Croucher - Chairperson

Councillor McLean - Deputy Chairperson

**17. Anzac Youth and Recreation Centre Advisory Committee**

(Meet quarterly)

Purpose: To promote the Anzac Youth and Recreation Centre as an efficient and effective multi-purpose community facility and to advise the Council through its Finance and Management Committee on matters relating to the building known as the Anzac Youth and Recreation Centre.

Mayor, Councillor Pesce - Chairperson

Councillor Steinwall - Deputy Chairperson

Councillor McLean

**18. Surf Life Saving Clubs Working Party**

(Meet as required)

Purpose: To explore and review refurbishment options of Cronulla Surf Life Saving Club and North Cronulla Surf Life Saving Club. To recommend Council's level of financial contribution to the development and ongoing maintenance. Develop a sustainable funding package with implementation options and timetable.

Councillor Forshaw - Chairperson  
 Councillor Simone - Deputy Chairperson  
 Councillor Provan  
 Councillor Boyd

**19. Australia Day and Citizenship Committee**

(Meet quarterly or as required)

Purpose: Plan and guide the Australia Day and Citizenship Ceremonies and activities in the Shire

Councillor Simpson - Chairperson  
 Councillor Simone - Deputy Chairperson  
 Councillor Nicholls  
 Councillor Provan  
 Councillor Forshaw  
 Councillor McLean  
 Councillor Riad

**20. Barden Ridge/Menai Collaborative Committee**

(Meet as required)

Councillor Simpson  
 Councillor Riad  
 Councillor Scaysbrook  
 Councillor Steinwall  
 Councillor Nicholls

**ALTERNATE MEMBERS**

That the Councillors as listed be appointed pursuant to Clause 260(2) of the Local Government (General) Regulation, 2005, as alternate members of the following Committees of the Council:

**Corporate Governance Committee**

The Mayor, Councillor Pesce together with Councillors not nominated to this Committee

**Shire Services Committee**

The Mayor, Councillor Pesce together with Councillors not nominated to this Committee

**Shire Infrastructure Committee**

The Mayor, Councillor Pesce together with Councillors not nominated to this Committee

**Shire Planning Committee**

The Mayor, Councillor Pesce together with Councillors not nominated to this Committee

**MEMBERSHIP AND QUORUM**

That the membership and quorums of standing committees, and Council's meeting cycle, be as follows:

Committee Membership:	Members	Quorum
Corporate Governance Committee	7	4
Shire Services Committee	7	4
Shire Infrastructure Committee	7	4
Shire Planning Committee	7	4

**EXTERNAL COMMITTEE DELEGATES**

**Georges River Combined Councils Committee**

(Meets monthly in evening)

Councillor Croucher

Councillor Scaysbrook

**Local Emergency Management Committee**

(Meets quarterly)

Councillor Simpson

Manager Fleet & Workshops

**District Emergency Management Committee**

(Meets quarterly)

Councillor Nicholls

Manager Fleet & Workshops

**Lucas Heights Community Reference Group**

(Meets quarterly)

Councillor Riad

Councillor Simpson

Councillor Nicholls

Councillor Scaysbrook

**Metropolitan Public Libraries Association (MPLA)**

(Meets quarterly)

Councillor Steinwall

Councillor McLean

**Southern Sydney Regional Organisation of Councillors**

(Meets quarterly in evening)

Councillor Johns	-	Voting Delegate
Councillor Plibersek	-	Voting Delegate
Councillor Boyd	-	Non-Voting Alternate
Councillor Nicholls	-	Non-Voting Alternate

**Sutherland Shire Bushfire Management Committee**

(Meets quarterly)

Councillor Simpson  
Councillor Riad (Alternate)

**Sutherland Shire Crime Prevention Community Safety Precinct Committee**

(Meets quarterly)

Councillor Collier

**Sydney Airport Community Forum**

(Meets minimum quarterly)

Councillor Forshaw

**Sydney Coastal Councils**

Councillor Boyd  
Councillor Forshaw (Alternate)