



Minutes

Shire Services Committee Meeting

**Held on Monday, 5 December 2016
commencing at 6:30pm
in Committee Rooms 203 and 204,
Level 2, Administration Building,
4-20 Eton Street, Sutherland**

PRESENT: Councillor Provan (Chairperson), together with Councillor Boyd, Councillor Croucher, Councillor McLean and Councillor Steinwall.

Staff in attendance were the Director Shire Services and Executive Officer - Governance (Neil Treadwell).

APOLOGY: Apologies tendered on behalf of Councillor Nicholls and Councillor Simone were accepted and leave of absence granted.

Disclosures of Interest

File Number: 2015/14239

There were no disclosures of interest declared.

Confirmation of Minutes of the Previous Meeting

(Councillor Boyd/Councillor Croucher)

The Minutes of the Meeting of the Shire Services Committee held on 7 November 2016 were confirmed as a true and correct record.

SER007-17

Economic Development & Tourism Committee

- Adoption of Charter

File Number: 2015/225102

RECOMMENDATION: (Councillor Boyd/Councillor Steinwall)

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.*

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

RECOMMENDATION: (Councillor Steinwall/Councillor Boyd)

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

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

RECOMMENDATION: (Councillor Croucher/Councillor Steinwall)

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.

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

RECOMMENDATION: (Councillor Boyd/Councillor Croucher)

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.

SER010-17 Cont'd

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.

CONSIDERATION OF BUSINESS IN CLOSED SESSION (6.48 pm)

Pursuant to Section 10A(4) of the Local Government Act 1993, the Chairperson informed the Meeting that no written representation had been submitted from members of the public and as no members of the public were present the Chairman put the Motion:

DECISION: (Councillor Boyd/Councillor Croucher)

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

**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 is being 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.

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

RECOMMENDATION: (Councillor Croucher/Councillor McLean)

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.

The Meeting closed at 6.55 pm.