



Minutes

Council Meeting

Monday, 24 May 2021

6:30pm

**Council Chambers,
Level 2, Administration Building,
4-20 Eton Street, Sutherland**

SUTHERLANDSHIRE

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

STAFF IN ATTENDANCE: Chief Executive Officer - Manjeet Grewal, Director Corporate Support - Clare Phelan, Director Shire Infrastructure - Peter Hazeldine, Director Shire Planning - Andrew Carfield, Director Shire Services - Michelle Whitehurst, Manager Corporate Governance - Anton Usher, Chief Financial Officer - Mitchel Woods, Manager Traffic & Public Domain Services – Phillip Mansfield, Manager Strategic Planning – Mark Carlon, Manager Project Delivery – Mark Roebuck, Manager Communications & Engagement – Rebecca Dalton, Manager Property Services - Lani Richardson, Manager Asset Services - Peter Shields, Manager Arts & Culture - Belinda Hanrahan, Manager Environmental Science - Ian Drinnan and Manager Library Services - Deborah Best.

DECLARATION OF WEBCASTING

The Mayor, Councillor Simpson informed the Meeting that proceedings would be webcast in accordance with Council's Code of Meeting Practice.

ACKNOWLEDGEMENT OF COUNTRY

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

OPENING PRAYER

The Meeting was opened with prayer by Minister Tom Hargreaves of St John's Sutherland.

Personal Statement by Mayor Simpson

I would like to thank and recognise all men and women who serve honourably overseas, in uniform in conflict zones in defence of democracy of this country, and thank all first responders and Shire volunteers who help make the Shire what it is.

REMOTE ATTENDANCE REQUESTS

The Mayor, Councillor Simpson confirmed that there were no Councillor's requesting remote attendance.

APOLOGY

No apologies were tendered and no Leave of Absence was sought for this meeting.

INF008-21 Proposed Dog Off Leash Park for the Engadine and Heathcote Area
File Number: 2021/399732

Minute No: 112

RESOLUTION: (Councillor Pesce/Councillor McLean)

THAT:

1. The report for the proposed dog off-leash park for the Engadine and Heathcote area be received and noted.
2. A new dog off-leash facility is established at Heathcote Oval to service the broader Engadine and Heathcote area.
3. The design of the off leash dog park is developed in consultation with the Heathcote Waratah Netball Club, with consideration given to:
 - a. screening, planting and landscaping between the off leash dog park and the netball courts;
 - b. fencing at a height that would prevent balls entering the dog park;
 - c. safety measures for netball users and other users of the area;
 - d. toilets maintained to an acceptable standard for all users; and
 - e. repairing the road from Heathcote Train Station to Heathcote Oval.

PROCEDURAL MOTION

Minute No: 113

RESOLUTION: (Councillor Simpson/Councillor Forshaw)

That the following items, PLN014-21 and COR015-21, be debated concurrently due to the subject matter.

Having declared a conflict of interest in PLN014-21, Councillor Riad left the Chamber at 7:40pm and did not participate in debate or voting on item PLN014-21.

PLN014-21 Planning Proposal Box Road Car Park Jannali
File Number: 2021/401979

COR015-21 Addendum Report: Planning Proposal Box Road, Jannali
File Number: 2021/401979

Minute No: 114

RESOLUTION: (Councillor Croucher/Councillor Pesce)

THAT:

1. The advice of the Sutherland Shire Planning Panel in relation to the Planning Proposal for 42a Railway Crescent, Jannali, be received and noted.
2. The Planning Proposal which amends the Sutherland Shire Local Environmental Plan 2015 to rezone and amend the floor space ratio applying to the land at 42a Railway Crescent, Jannali (being Lot 15 DP31183, Part Lot C DP408761, Part Lot G DP411603, Lot J DP412142, Part Lot E DP415814, Lot 2 DP504416, Lot 1 DP506202, Lot 21 DP597416, Lot 1 DP1049519, Lot 2 DP1049519 and to Box Lane itself) and to add a Local Provision to provide bonus floor space for the purposes of commuter parking on the aforementioned land and also to 535 to 559 Box Road (being Lot 1 DP 504416, Lot 1 DP 506202, Lot H DP 412142, Lots 1 and 2 DP 201113, Lot D DP 415814, Lots A and B DP 408761 and to Box Lane itself) be referred to NSW Department of Planning Industry & Environment, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, for Gateway Determination, subject to the following:
 - a. The site, 42a Railway Crescent be re-zoned B2 Local Centre, consistent with the surrounding B2 Local Centre zone.
 - b. The floor space ratio applying to 42a Railway Crescent be set at 2:1 consistent with the surrounding B2 Local Centre zone.
 - c. The bonus floor space provision be set to facilitate a commuter car park of up to 200 spaces provided by or on behalf of Transport for NSW.
 - d. Site specific DCP provisions being prepared to support the Planning Proposal which includes the following:
 - i. An indicative site layout to require a perimeter access lane around the 42a Railway Crescent, Jannali to maintain vehicle access to adjoining properties, to provide safe pedestrian access across the site, and to provide trees of scale to screen the development from surrounding land.
 - ii. A public domain space opening to Box Road with minimum dimensions of 20 metres by 20 metres.
3. Subject to a positive Gateway Determination, the Planning Proposal be exhibited in accordance with Council's policies and the conditions of the Gateway Determination.

A **DIVISION** was taken on the RESOLUTION and the names of the Councillors voting FOR and AGAINST were as follows:

FOR:

The Mayor, Councillor Steve Simpson
Councillor Michael Forshaw
Councillor Carol Provan
Councillor Marie Simone

AGAINST:

Councillor Kent Johns
Councillor Jack Boyd
Councillor Barry Collier
Councillor Tom Croucher
Councillor Diedree Steinwall
Councillor Daniel Nicholls
Councillor Greg McLean
Councillor Peter Scaysbrook
Councillor Carmelo Pesce

Total (13)

Total (0)

Councillor Riad returned to the meeting at 7:44pm.

Having declared a conflict of interest in PLN015-21 and PLN016-21, Councillor Boyd left the Chamber at 7:43pm and did not participate in debate or voting on items PLN015-21 and PLN016-21.

PLN015-21 Planning Proposal for 13 Endeavour Road, Caringbah
File Number: 2020/389086

Minute No: 115

RESOLUTION: (Councillor Pesce/Councillor Croucher)

THAT:

1. The report, including the advice of the Sutherland Shire Local Planning Panel (Attachment B), be received and noted.
2. The Planning Proposal for the site at 13 Endeavour Road, Caringbah, be referred to the Minister for Planning and Public Spaces under Section 3.34 *Environmental Planning and Assessment Act 1979* for Gateway Determination, subject to the following amendments:
 - a. limit the additional use of shop to 2,000 m²;
 - b. replace the additional use of tourist and visitor accommodation with hotel or motel accommodation;
 - c. limit the additional uses of hotel or motel accommodation, function Centre and pub, to 12,500 m² in total;
 - d. amend the draft Height Map to specify a maximum 50m height limit for only a central part of the site, with 25m adjacent to Solander Fields and 30m for the remainder of the site; and
 - e. Granting of 3,000 m² to Council to be dedicated as Public Open Space with the Associated Floor Space Ratio (4,500 m² Gross Floor Area) is transferred back to the applicant with the open space to be developed and provided by the applicant to a CX-1 grade park and that maintenance of granted land will remain the obligation of