

14. On the completion of the building and surrounds, Council and the Club negotiate in good faith with a view to reaching agreement on a 20 year lease to the Club for the use of the building.
15. Council request that the Club expedite negotiations with the proposed commercial tenant with a view to reaching agreement on sublease terms.
16. Points 5, 6, 8, 10, 11, 12, 13, 14 and 15 above are subject to formal agreement by the Club. Council acknowledges that in the unlikely event that formal agreement is not provided, Council and the Club will each retain their rights.
17. For the avoidance of doubt, the operation of any previous Council resolutions which are inconsistent with this resolution are superseded.
18. Council receives a report at the November 2024 Council Meeting that details options to ensure the NCSLC development does not impact on the delivery of current capital program and provides recommendations alongside the quarterly budget review.
19. A report and briefing also be provided to Council by December 2024 outlining:
 - a. the circumstances in which Council property tenants can and historically have been able to commercially sublease; and
 - b. options to strengthen Council's position on commercial subleasing to reduce council and the community's risk.
20. In accordance with the Power of Attorney dated 13 May 2022 (Registered 27 May 2022, Book 4798 No. 876), Council's Chief Executive Officer execute any necessary documentation to give effect to these points, with such documentation being to the satisfaction of Council's Chief Executive Officer.

PROCEDURAL MOTION

Minute No: 157

RESOLVED UNANIMOUSLY: (Councillor Provan/Councillor Elzerman)

To bring forward COR031-24 as the next Item of business.

**COR031-24 Reclassification of Council Land - Lot 1 DP1264560, 62 Prince Street,
Cronulla
File Number: 2016/255459**

Minute No: 158

RESOLVED UNANIMOUSLY: (Councillor Pesce/Councillor Provan)

THAT:

1. The report 'Reclassification of Council Land – North Cronulla Surf Life Saving Club' be received and noted.
2. A draft Planning Proposal to reclassify Part Lot 1 DP1264560, 62 Prince Street Cronulla from 'Community' to 'Operational' land be prepared in accordance with the requirements of the *Local Government Act 1993* and *Environmental Planning and Assessment Act 1979*.

3. The Planning Proposal for Part Lot 1 DP1264560, 62 Prince Street Cronulla be referred to Department of Planning Housing and Infrastructure for Gateway Determination.
4. Subject to an approval being granted at Gateway, the planning proposal for Part Lot 1 DP1264560, 62 Prince Street Cronulla be exhibited for 28 days, and a public hearing held in accordance with legislation and any conditions specified in the Gateway determination.

PROCEDURAL MOTION

Minute No: 159

RESOLVED UNANIMOUSLY: (Councillor Boyd/Councillor Provan)

That the Meeting be adjourned for five minutes.

The Meeting was adjourned at 9:05pm.

The Meeting resumed at 9:15pm.

Following resumption of the Meeting, Councillor Steinwall returned to the Meeting at 9:16pm, Councillor Armstrong and Councillor Cowell at 9:19pm.

ITEMS RESOLVED IN BULK

At this time in the Meeting, Minute Numbers 160 to 166 were resolved unanimously in bulk, Moved and Seconded by Councillor Provan/Councillor Boyd.

**GOV021-24 Application to the Office of Local Government - Access Deed on Part
597R Port Hacking Road, Lilli Pilli
File Number: 2023/476294**

Minute No: 160

RESOLVED UNANIMOUSLY: (Councillor Provan/Councillor Boyd)

THAT:

1. The report 'Application to the Office of Local Government - Access Deed at Part 597R Port Hacking Road, Lilli Pilli' be received and noted.
2. Council makes an application to the Minister for Local Government for consent to grant the proposed Access Deed, formalising occupation of community land located at Part Lot 23 DP4377, 597R Port Hacking Road, Lilli Pilli known as Lilli Pilli Oval.