

# Ordinary Meeting Of Council

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# Wollondilly

## Shire Council

### Minutes

### Monday 18 July 2016

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The meeting commenced at 6.37pm and was held in the Council Chamber 62-64 Menangle Street, Picton NSW 2571.

## WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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## **RECORDING OF MEETINGS**

The Mayor stated that in accordance with Council's Code of Meeting Practice the electronic recording of the Council Meeting and the use of electronic media during the proceedings is not permitted. This includes devices such as laptops, mobile phones, tape recorders and video cameras.

## **PRESENT**

Councillors: Landow (Mayor), B Banasik, Law, Terry, Amato, M Banasik, Hannan, Mitchell and Gibbs.

## **ALSO PRESENT WERE**

General Manager, Executive Director Community Services and Corporate Support, Director Planning, Director Infrastructure and Environment, Manager Executive Services, Manager Governance and two Governance Officers.

## **NATIONAL ANTHEM**

The Mayor requested that everyone stand for the Australian National Anthem.

## **ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the traditional Custodians of the Land:

I would like to pay my respect and acknowledge the traditional custodians of the land on which this meeting takes place, and also pay respect to Elders both past and present.

## **APOLOGIES AND LEAVE OF ABSENCE REQUESTS**

TRIM 88-11

There were no apologies or leave of absence requests received.

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## DECLARATION OF INTEREST

TRIM 528-7

Cr Mitchell declared a Non-Pecuniary (Significant) Conflict of Interest in Item PE9 – Confidential Report – NSW Land & Environment Court Proceedings – Commercial Development at 55-57 Menangle Street, Picton. The reason being was because a family member owns a business in Picton Village Square. Cr Mitchell advised that he would leave the meeting and not vote on the matter.

Cr Landow declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item PE9 – Confidential Report – NSW Land & Environment Court Proceedings – Commercial Development at 55-57 Menangle Street, Picton. The reason being was because his mother owns a shop which is next door to the development application site. Cr Landow advised that he would remain at the meeting to take part in the discussion and voting on this matter.

Cr Landow declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item PE5 – Draft Planning Proposal – 760 Montpelier Drive, The Oaks. The reason being was that he had previously personally engaged the applicant as a contractor however this engagement has now concluded. Cr Landow advised that he would remain at the meeting to take part in the discussion and voting on this matter.

Cr M Banasik declared a Pecuniary Conflict of Interest in Item PE11 – Outcomes – Revitalise Picton Event Workshop. The reason being was that he has a business in the Picton Town Centre which was recently inundated with water from a storm event. Cr M Banasik advised that he would leave the meeting and not take part in the discussions or voting on the matter.

Cr M Banasik declared a Pecuniary Conflict of Interest in Item PE9 – Confidential Report – NSW Land & Environment Court Proceedings – Commercial Development at 55-57 Menangle Street, Picton. The reason being was that he has a business in close proximity to the commercial development at 55-57 Menangle Street, Picton and the outcome of the courts consideration may have an impact upon his business. Cr M Banasik advised that he would leave the meeting and not take part in the discussions or voting on the matter.

Cr M Banasik declared a Non-Pecuniary (Less than significant) Conflict of Interest in relation to Item CO1 – 2016 Community Grants. The reason being was because he is a Committee member of the Buxton Community Association and a Patron of the Wollondilly Arts Group (WAG). Cr M Banasik advised that he would stay in the meeting and vote on this matter.

Cr B Banasik declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item PE11 – Outcomes – Revitalise Picton Event Workshop. The reason being was because he has a relative who owns a shop in the vicinity (rents the building). Cr B Banasik advised that he would stay in the meeting and vote on the matter.

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Cr B Banasik declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item PE9 – NSW Land & Environment Court Proceedings – Commercial Development at 55-57 Menangle Street, Picton. The reason being was that he has a relative who owns a shop in the vicinity (rents the building). Cr B Banasik advised that he would stay in the meeting and vote on the matter.

Cr Hannan declared a Non-Pecuniary (Less than Significant) Conflict of Interest in Item PE7 – Draft Planning proposal – The Oaks North, Silverdale Road, The Oaks. Cr Hannan advised that she would stay in the meeting and vote on the matter.

## CONFIRMATION OF MINUTES

TRIM 88-11

**127/2016      Resolved on the Motion of Crs B Banasik and Hannan:**

**That the Minutes of the Ordinary Meeting held on Monday 20 June 2016, as circulated, be adopted as true and correct.**

On being put to the meeting the motion was declared CARRIED.

Vote:            Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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## MAYORAL MINUTE

TRIM 531

I would like to commence this meeting with a Minute's silence as a mark of respect for the victims of the recent terrorist attack in France.

During the past month the following events were attended by either myself or as indicated by other Councillors with details provided on following pages.

Tuesday 21 June 2016 Picton Public School Wellies for Wollondilly fundraising event

Saturday 25 June 2016 Announcement of Funding for Accessible Playground Warragamba

Monday 27 June 2016 Citizenship Ceremony

Wednesday 29 June 2016 \$20,000 Donation from Illawarra Coal South 32 for Relief Fund

Tuesday 5 July 2016 Revitalise Picton Business Engagement Event

Sunday 10 July 2016 The Long Lunch

Saturday 16 July 2016 Fundraising BBQ Silverdale Shopping Centre

In July 2016 Council received 3 applications for Donations:

- Ethan Debono - \$250 Donation to attend the Australian Junior Indoor Cricket Nationals
- Sebastian Moussa - \$250 Donation to attend the PSSA National Hockey Championships
- Buxton RFS - \$500 Donation towards Get Ready Weekend encouraging residents to prepare for the upcoming bush fire season.

The requests have been assessed against the program criteria and deemed eligible to receive funding through the Donations Program.

I would like to table a Certificate of Appreciation received for Council's contribution to the 2016 Camden Wollondilly Local Business Awards.

I am also tabling the book Anzacs of Macarthur by Lauren Hokin, a copy of which was personally given to Council and myself. This book is about the men and women who served In The First World War.

I would also like to table a further petition for Broughton Pass from the Help Save Appin community.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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I would like to note congratulations to Kwi Lan Ng who was chosen as a member of the Queen's Birthday Honour List for her service to the Appin community.

That Council investigates without delay any possible method of temporarily opening Broughton Pass to light vehicle traffic until a permanent solution is provided.

*Cr Law spoke to this item.*

I would also like to bring to people's attention that the Mayor's Relief Fund Committee met today. I am happy to report that to date approximately \$152,000 has been donated to the Mayor's Relief Fund and approximately \$25,000 has been distributed in emergency relief to individuals. I would like to announce a second round of funding from the Mayor's Relief Fund which will open on Monday 25 July 2016 and close on Friday 5 August 2016 COB.

*Cr M Banasik noted that he wouldn't be seeking any of this funding.*

Another round will be instigated after this if there are remaining funds or further contributions made to the fund.

The distribution of funds will be by a Distribution Sub-Committee that will assess applications and will report recommendations back to the Mayor's Relief Fund Committee. I am looking forward to further funds being raised at the up and coming Big Day In event (31 July 2016). I also propose that Council make a \$5,000 donation from restricted cash to support the 'Big Day In' Picton Relief Concert.

I would now like to table the following pages of this document which provide more details in regard to events attended.

**MAYOR'S RELIEF FUND – Funding Criteria:**

1. That the applicant is a resident in the Wollondilly Shire Council.
2. That the event or requirement for funds is for a situation of reasonably demonstrated financial hardship due to the Storm Event on the 5 June 2016.
3. That the applicant has reasonably demonstrated they have first exhausted general sources of finance, such as insurance and other grant funding.
4. Grants will only be one-off to a maximum up to \$5,000 per residential address, and all applications in excess of \$500 must have proof of cost.
5. Each grant will be dealt with on an individual basis to allow for flexibility.



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I would like to note congratulations to Kwi Lan Ng who was chosen as a member of the Queen's Birthday Honour List for her service to the Appin community.

Mrs Ng has owned Appin Compounding Pharmacy since 1997 and lived in the area since 2005. As a hard-working member of the community, Ms Ng prides herself on her professionalism, hard work and dedication to helping others. She is an active committee member of the Appin Chamber of Commerce, and has been involved in many charity events, school Fetes, Appin Scout Group, RFS fund raising and supporting various sporting groups.

Congratulations to Mrs Ng on this award.



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Wellies for Wollondilly was launched at Picton Public School who raised over \$1000. Many schools and businesses took part in the fundraising event which spanned over a week. This event was the brainchild of local mums April Abbott and Anna Hogan.

I would like to thank Cr Michael Banasik for attending Picton Public School on Tuesday 21 June 2016 on my behalf.





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On Saturday 25 June 2016 I met with Angus Taylor at Warragamba for the announcement of funding for the Accessible Playground at Warragamba with a commitment from the Federal Government to provide \$350,000 towards this facility.

This playground will provide play facilities and toilets specifically catering for kids and adults with disabilities. It will also provide the Community with a unique and treasured facility while contributing to the revitalisation of the Warragamba CBD.



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On Monday 27 June 2016 I officiated and welcomed 13 new Australian Citizens at our Citizenship Ceremony held in the Council Chambers.

The ceremony was witnessed by family and friends of our new Australian Citizens who originated from the United Kingdom, USA, South Africa, Malaysia, Bangladesh, Nepal, Canada and China.



## WOLLONDILLY SHIRE COUNCIL

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On Wednesday 29 June 2016 I met with Illawarra Coal South 32 representatives to accept a cheque for \$20,000 for the Picton Storm Relief Fund.





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On Tuesday 5 July 2016 the local business community of Picton joined forces at the Revitalise Picton Business Workshop held at Picton Bowling Club. Approximately 100 businesses, investors and property owners collaborated with Council on ideas and actions to revitalise Picton in the coming weeks, months and years.

This workshop highlighted the strength and resilience of the local business community and reinforced the determination to re-establish Picton as an economically viable township.

I would like to thank the community for attending on the night.



Image: General Manager, Luke Johnson presenting at the Workshop.

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On Sunday 10 July 2016 I attended The Long Lunch held in Picton Botanic Gardens.





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Simon Landow  
**MAYOR**  
18 July 2016

**128/2016      Resolved on the Motion of Crs Landow and Hannan:**

**That the Mayoral Minute be accepted.**

On being put to the meeting the motion was declared CARRIED.

Vote:            Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik,  
                     Amato and Hannan

**129/2016      Resolved on the Motion of Crs B Banasik and Law:**

**That Council suspend standing orders to bring forward the following late items as they would normally appear in the agenda: PE9 (confidential), PE10, PE11, PE12 (confidential), GO7, IN1, IN2 (confidential) and NOM5.**

On being put to the meeting the motion was declared CARRIED.

Vote:            Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik,  
                     Amato and Hannan

## Planning and Economy

PE1	<b><u>Development Application No. 010.2016.00000010.001 – 275 Bargo Road, Bargo – Intensive Plant Horticulture</u></b>	
265155		DD010.2016.00000010.001

- A. That determination of Development Application No. 010.2016.00000010.001 for Intensive Plant Horticulture, Erection of a Packing Shed, Demolition of an Outbuilding and Enlargement of existing dam at Lot 1012 in DP 1067313 (No. 275) Bargo Road, Bargo be deferred.**
- B. That the Proponent be asked to amend the proposal in terms of the siting of the packing shed to address the concerns of an adjoining resident. Details of advanced native tree planting with irrigation and measures to reduce chemical spray drift also be provided by the Proponent.**
- C. That a report be provided to a future Council Meeting following neighbour notification of any amended plans.**

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Planning and Economy

PE2 **Outcomes of Poultry Industry Forum**  
272601

TRIM 1150

131/2016 **Resolved** on the Motion of Crs Hannan and Amato:

1. That Council note the contents of the report on the Poultry Industry Forum and that the new term of Council further consider its policy and conditions on this matter.
2. That Council engage with poultry industry leaders, relevant State Agencies and community representatives to discuss compliance issues and develop a Good Neighbour Policy for rural co-existence.
3. That Council engage with representatives of NSW Department of Primary Industries, Environmental Protection Authority, Poultry meat industry *and Community representation to discuss possible fair and reasonable noise mitigation requirements for Poultry Farm Operations taking into account that any outcome should be considered on a farm by farm (location by location) basis.*
4. That the issue facing the local poultry industry be referred to the Sydney PeriUrban Network of Councils for further discussion and strategy development across PeriUrban areas in Sydney.
5. That Council continue to seek funding opportunities from the State Government to undertake a Rural Land Study to identify agricultural clusters and consider measures to reduce land use conflicts associated with carrying out an agricultural enterprise.
6. That the definition of “rural living – room to grow” be further explored and workshopped separately with the community in the upcoming review of the Community Strategic Plan.
7. *That Council obtains the latest figures in regard to the economic benefit that the poultry industry brings to Wollondilly.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

## Planning and Economy

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

## Planning and Economy

TRIM 6742

- 1. That Council forward a request to alter the Gateway Determination to the NSW Department of Planning and Environment to remove condition 1 from the Gateway Determination consistent with the approach taken for the North Silverdale Planning Proposal.**
- 2. That the applicant and submitters be notified of Council's Resolution.**

Vote For: Crs Law, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

Vote Against: Cr Terry

## Planning and Economy

TRIM 8889

1. That Council not support the Draft Planning Proposal to rezone land at Lot 1 DP 1214262 (no. 760 Montpelier Drive, The Oaks) and no request be made to the Greater Sydney Commission for a Gateway Determination.
2. That the proponent, submitters and adjoining landowners be notified of Council's Resolution.

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Planning and Economy

PE6 Cross Street Planning Proposal – Bargo River Gorge Buffer and Biodiversity Certification Application

41

TRIM 7884

135/2016 Resolved on the Motion of Crs Terry and M Banasik:

1. That *the Proponent be asked to amend the Cross Street Planning Proposal, Report on Interface with the Bargo River Gorge, dated April 2016 to exclude any future road reserve forming part of the 100m buffer to Bargo River Gorge.*
2. That Council request the Proponent provide a Biocertification Strategy that would result in permanently funded and managed conservation measures for the land proposed to be conserved.
3. That Council delegate to the General Manager authority to sign the Biodiversity Certification Application *for submission to the Minister for the Environment.*
4. That *subject to the above change the amended Cross Street Planning Proposal, Report on Interface with the Bargo River Gorge and Biodiversity Certification Application with supporting document be placed on public exhibition during community consultation for the Planning Proposal.*

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Planning and Economy

PE7 Draft Planning Proposal – The Oaks North, Silverdale Road, The Oaks  
265508 TRIM 9004

136/2016 Resolved on the Motion of Crs Hannan and Landow:

1. That Council support the preparation of a Planning Proposal, in an amended form for Lot 3 DP 1201486 (No. 80 Silverdale Road, The Oaks) to amend Wollondilly Local Environmental Plan 2011 with the easement for transmission line forming the northern boundary to the proposed *R5 Large Lot Residential* zone. That the amendments include changing:
  - the Land Zoning Map from RU2 Rural Landscape to *R5 Large Lot Residential*
  - the height of buildings map to introduce a maximum height of 9 metres.
2. That the Lot Size for the proposed *R5 Large Lot Residential* zone be determined after the preparation of the Gateway Determination and specialist studies and reported back to Council for endorsement. *The lot size shall not be less than the average lot size for the existing allotments in Browns Road, The Oaks.*
3. That Council develop site specific controls to be included in the Wollondilly Development Control Plan 2016 to guide future development on the site relating to:
  - a) development in the vicinity of the transmission line
  - b) controls relevant to views to and from the site
  - c) *controls relevant to rural fencing*
  - d) *controls relevant to setbacks from Silverdale Road and the escarpment consistent with the existing allotments in Browns Road, The Oaks*
  - e) *provision of an emergency egress from the subdivision*
  - f) and other matter should they arise out of the specialist studies.
4. That the Planning Proposal be forwarded to the Minister for Planning and Environment for a Gateway Determination.
5. That Council request the gateway determination include requirements for an up to date contamination study and a road safety audit.



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Planning and Economy

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6. **That Council request the Minister to grant Council delegation to make the amendments to Wollondilly Local Environmental Plan, 2011 in accordance with Section 59 to the Environmental Planning and Assessment Act, 1979.**
7. **That the proponent and submitters be notified of Council's Resolution.**

On being put to the meeting the motion was declared CARRIED.

Vote For: Crs Law, M Banasik, Mitchell, Landow, B Banasik, Amato and Hannan

Vote Against: Crs Gibbs and Terry

## Planning and Economy

TRIM 8373

- 1. That Council endorse a limited review of Councils Developer Contributions Plan, focussing on the Works Schedule Plan and other changes as identified in this report.**
- 2. That preparation of the 2017/2018 Operational Plan detail a funding bid to undertake a more detailed review of Council's Developer Contribution Plan following the preparation of South Western District Plan, finalisation of the Greater Macarthur Land Use and Infrastructure Strategy and adoption of Council's Growth Management Strategy.**

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Planning and Economy

LATE REPORTS

PE10      Development Application No.010.2014.00000588.002 - Modification of Consent – Amended Subdivision Plan – 165-195 River Road, TAHMOOR  
66876      DD010.2014.00000588.002

138/2016      Resolved on the Motion of Crs M Banasik and Law:

1. That determination of Modified Development Application No. 010.2014.00000588.002 to amend Development Consent No. 010.2014.00000588.001 for the subdivision of land at 165-195 River Road, Tahmoor be deferred to permit ongoing assessment of the application.
2. That in relation to the current Appeal against Development Consent No. 010.2014.00000588.001, Council *instruct its Solicitor to:*
  - a) *Oppose any Motion lodged by the Proponent to substitute the approved subdivision plans with the amended subdivision proposal, and*
  - b) *The Appeal be defended in terms of proceeding to a full hearing of the matter.*

Vote For:      Crs Law, Terry, M Banasik, Mitchell, Gibbs, B Banasik, Amato and Hannan  
Vote Against: Cr Landow

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Planning and Economy

**PE11      Outcomes – Revitalise Picton Event Workshop**  
267933

TRIM 9193

Cr M Banasik left the meeting at 7.59pm due to a previously declared Conflict of Interest in the matter.

**139/2016      Resolved on the Motion of Crs Gibbs and Hannan:**

1.    **That Council note the outcomes of the Revitalise Picton Business Workshop held on 5 July 2016.**
2.    **That a further report to be provided to Council in October 2016 providing a progress update on the Revitalise Picton project, noting the on-going nature of this project as a high priority.**
3.    ***That discussions continue with the Wollondilly Tourism Association in regards to the proposed marketing campaign.***

On being put to the meeting the motion was declared CARRIED.

Vote:        Crs Law, Terry, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

Cr M Banasik returned to the meeting at 8.01pm

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### Governance

#### GOVERNANCE

**GO1**            **Notice of Motion Status Report – July 2016**  
264985

TRIM 5253-2

Items GO1 to GO4 were moved concurrently.

**140/2016**       **Resolved on the Motion of Crs Hannan and Gibbs:**

**That Council note the July Notice of Motion Status Report.**

On being put to the meeting the motion was declared CARRIED.

Vote:           Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik,  
Amato and Hannan

Governance

WOLLONDILLY SHIRE COUNCIL

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Governance

**GO2**            **Investment of Funds as at 31 May 2016**  
112

TRIM 1022-3

**141/2016**       **Resolved on the Motion of Crs Hannan and Gibbs:**

**That the information and certification in relation to the investment of Council funds as at 31 May 2016 be noted.**

On being put to the meeting the motion was declared CARRIED.

Vote:           Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

Governance

<b>G03</b>	<b><u>Caretaker Provisions during Local Government Election Period</u></b>
255943	TRIM 3745-3

**That Council note the caretaker period commences on Friday 12 August 2016 and ends on Saturday 10 September 2016.**

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Governance

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**GO4**            **Information Guide Review**  
238

TRIM 6346

**143/2016**      **Resolved on the Motion of Crs Hannan and Gibbs:**

**That the Wollondilly Shire Council Information Guide 2016 be adopted  
*removing the reference to the Maldon Dombarton Feasibility study.***

On being put to the meeting the motion was declared CARRIED.

Vote:            Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik,  
Amato and Hannan

Governance



## WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

### Governance

**GO5                    Adoption of Amended Gifts and Benefits Policy**  
256

TRIM 1693

Items GO5 to GO6 were moved concurrently.

**144/2016            Resolved on the Motion of Crs M Banasik and Gibbs:**

**That the amended Gifts and Benefits Policy be adopted.**

On being put to the meeting the motion was declared CARRIED.

Vote:            Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik,  
Amato and Hannan

Governance

G06 Amendment to Councillor's Fees, Expenses & Facilities Policy 256 TRIM 111

- 1. That the amended Councillor's Fees, Expenses & Facilities policy be placed on Public Exhibition for a period of 28 days with a further 14 days for submissions.**
- 2. That a report come to Council following the submission period for the policy to be adopted.**
- 3. *That the summary of changes table be amended to note that the figure at clause 4.2 relates to the Mayor's Fees.***

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Governance

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**LATE REPORT**

Cr Hannan left the meeting at 8.04pm.

**GO7**      **Licence Agreement Cnr Argyle & Margaret Streets, Picton**  
10845

TRIM 9225

**146/2016**      **Resolved on the Motion of Crs M Banasik and Law:**

***That the matter be deferred for a workshop.***

On being put to the meeting the motion was declared CARRIED.

Vote:      Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik,  
Amato and Hannan

Cr Hannan returned to the meeting at 8.06pm

Governance

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

Environment

ENVIRONMENT

EN1 Memorandum of Understanding for Mining Developments  
31172

TRIM 1753

147/2016 Resolved on the Motion of Crs M Banasik and Mitchell:

1. That Council provide in-principle support to the draft Memorandum of Understanding for Negotiating Voluntary Planning Agreements and associated draft Voluntary Planning Agreement Negotiation Process.
2. That (pursuant to Recommendation 1), Council provide in-principle support to the Association of Mining Related Council's Advisory Panel with the following suggested amendments to the draft VPA Negotiation Process document:
  - The inclusion of a process and associated timeline for the development of VPA's which apply to existing approved mining developments.
  - The inclusion of a mechanism that enables the concurrent lodgement of any relevant formal VPA offer with the distribution of a draft EA associated with a proposed mining development.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

Environment

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Community

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**COMMUNITY**

**CO1**            **2016 Community Grants**  
249738

TRIM 6300-6

**148/2016**       **Resolved on the Motion of Crs B Banasik and Amato:**

- 1. That Council fund 25 Community Grant applications for a total value of \$37,815.00.**
- 2. That Council fund 18 local schools at \$200 each for the Mayoral School Citizenship Award at a total of \$3,600.00.**
- 3. That Council fund 4 Community Hall Rates Subsidies for a total of \$6,566.61.**

On being put to the meeting the motion was declared CARRIED.

Vote:            Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

Infrastructure

INFRASTRUCTURE

IN1 **Panel Contracts Tenders – Tenders 2016/11, 2016/12, 2016/14, 2016/15**  
198 TRIM 8394

A late supplementary IN1 Report regarding this matter was tabled at the meeting.

LATE REPORT

Moved on the motion of Crs M Banasik and Mitchell:

1. That Council accept the following tenders:

***Tender 2016/11 – Plant & Equipment Hire***

<b>Tenderers Name</b>	<b>ABN</b>
1. Wollondilly Excavations	54 324 492 083
2. Total Drain Cleaning Services Pty Ltd	17 130 467 346
3. TG Hire Pty Ltd	31 122 027 132
4. Rollers Australia	50 087 309 091
5. Stefanutti Constructions Pty Ltd	37 080 041 621
6. Supreme Earthmoving Pty Ltd	99 125 261 887
7. Specialised Pavement Services Pty Ltd	46 076 353 887
8. Sherrin Rentals	52 074 173 756
9. N & M Bray Excavations	91 509 501 671
10. Premiair Services Pty Ltd	19 745 930 428
11. Picton Hire	85 292 725 081
12. Kennards Hire	69 001 740 727
13. Kiama Municipal Council	22 379 679 108
14. Max Hire Pty Ltd	40 123 987 093
15. Ledacon Pty Ltd	81 071 918 468
16. JR Richards & Sons	34 000 526 385
17. Leroy Excavations	77 080 532 725
18. RSEA Pty Ltd	91 094 385 430
19. Subgrade Civil Pty Ltd	80 947 660 759
20. Acclaimed Excavations Pty Ltd	83 123 434 391
21. Brefni Pty Ltd	73 082 718 983
22. Edscog Pty Ltd	97 002 572 787
23. Graham Hall Excavations	28 070 821 868
24. Action Hire	95 091 411 031
25. Turp's Tippers Pty Ltd	13 111 322 519
26. Earth Plant Hire Pty Ltd	36 124 187 944

## WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

### Infrastructure

27.	Stabilcorp Pty Ltd	25 162 342 001
28.	Earth Civil Pty Ltd	63 164 366 282
29.	E&B Tipper Hire Pty Ltd	61 118 228 881
30.	Downer EDI Pty Ltd	66 008 709 608
31.	Conplant Hire Pty Ltd	15 000 373 151
32.	Aqua Assets Pty Ltd	32 075 144 419
33.	Allcott Hire Pty Ltd	38 003 418 988
34.	Camden Hire Pty Ltd	61 351 659 098
35.	Allard's Plant Hire Pty Ltd	37 003 717 815
36.	BPB Construction Group Pty Ltd	99 163 736 472

### ***Tender 2016/12 – Trade Services***

<b>Tenderers Name</b>	<b>ABN</b>
1. Wollondilly Electrical Contacting & Sales Pty Ltd	20 110 116 455
2. Ultimate 1 Air Conditioning	53 601 856 366
3. Stone Electric	25 144 693 498
4. Ray Lawson Plumbing	14 772 064 532
5. Pro Asset Painting Maintenance Pty Ltd	46 122 934 034
6. JWG Build & Fix	85 638 257 629
7. CRG Plumbing	31 167 176 258
8. Always Welding	60 140 611 963
9. All Aspects of Plumbing	64 095 607 668
10. 100% Electrical	12 932 533 461
11. Country Colours	94 801 850 891
12. GWP Constructions Pty Ltd	79 166 521 599
13. Funnell's Electrical Pty Ltd	76 169 676 126
14. Allfitz Constructions	83 260 787 727

### ***Tender 2016/14 – Minor Works & Services***

<b>Tenderers Name</b>	<b>ABN</b>
1. Euro Civil Pty Ltd	85 057 330 748
2. Ledacon Pty Ltd	81 071 918 468
3. Combined Concrete Constructions Pty Ltd	68 125 082 242
4. Workforce Road Services Pty Ltd	36 136 999 374
5. Downer EDI Works Pty Ltd	66 008 709 608
6. RBK Pty Ltd	73 105 017 301
7. Complete Linemarking Solutions Pty Ltd	14 154 443 786
8. Irwin Fencing Pty Ltd	83 338 059 800
9. South West Kerbing	81 103 316 725

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

Infrastructure

***Tender 2016/15 – Road Making Products***

<b>Tenderers Name</b>	<b>ABN</b>
1. Boral Resources (NSW) Pty Ltd	51 000 756 507
2. MKD Machinery (Mick's Mini Mix)	11 091 313 987
3. Concrete	86 000 795 166
4. Picton Sand & Soil Pty Ltd (Earth Civil Pty Ltd)	77 159 282 130

2. That Council reject the following tenders:

***Tender 2016/11 – Plant & Equipment Hire***

<b>Tenderers Name</b>	<b>ABN</b>
1. DJK Excavation Pty Ltd	Not provided
2. Sharpe Bros (Aust) Pty Ltd (Hunternet)	59 108 348 929

***Tender 2016/12 – Trade Services***

<b>Tenderers Name</b>	<b>ABN</b>
1. Michael Duffy Building Services	76 379 688 250

***Tender 2016/15 – Road Making Products***

<b>Tenderers Name</b>	<b>ABN</b>
1. Turp's Tippers Pty Ltd	13 111 322 519

3. That Council authorise the General Manager (or his delegate) to execute the Formal Instrument of Agreements for these tenders to create contracts with Council, including the use of the Common Seal of Council.
4. That no contract exist between Council and a tenderer until the Formal Instrument of Agreement is Executed by both parties.

Cr Law foreshadowed the motion:

That the matter be deferred to be discussed at a Councillor workshop.

Cr M Banasik withdrew the original motion.



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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Infrastructure

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149/2016      **Resolved on the Motion of Crs M Banasik and Mitchell:**

***That the matter be dealt with in closed session tonight (referred under section 10A(2)(c )) along with the other confidential matters.***

On being put to the meeting the motion was declared CARRIED.

Vote:            Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Notice of Motion

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**NOTICE OF MOTION**

TRIM 6416-6

**NOM1      Notice of Motion No. 1 submitted by Cr Hannan on 25 June 2016 regarding the All Abilities Playground in Warragamba**

**150/2016      Resolved on the Motion of Crs Hannan and Gibbs:**

**That Council, following the announcement of a Federal Contribution of \$350,000 towards the all abilities playground in Warragamba, write to our State Member requesting the State Government match the Federal Government's contribution, noting that further funding to finalise the project is to be sought from the "Touched by Olivia Foundation" and through normal budgetary processes *including looking at our own reserves.***

On being put to the meeting the motion was declared CARRIED.

Vote:      Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

Notice of Motion

WOLLONDILLY SHIRE COUNCIL

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Notice of Motion

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TRIM 6416-6

**NOM2**      **Notice of Motion No. 2 submitted by Cr Hannan on 27 June 2016 regarding the load limit for Blaxland's Crossing Bridge on Silverdale Road**

**151/2016**      **Resolved on the Motion of Crs Hannan and Landow:**

**That the permits to exceed the sign posted load limit for Blaxland's Crossing Bridge (over the Nepean River) on Silverdale Road be *waived for those in the circulated list.***

On being put to the meeting the motion was declared CARRIED.

Vote:          Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

Notice of Motion

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Notice of Motion

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TRIM 6416-6

**NOM3      Notice of Motion No. 3 submitted by Cr Hannan on 12 July 2016 regarding Parking and the North Silverdale Development**

**152/2016      Resolved on the Motion of Crs Hannan and Amato:**

- 1.    That Council take any possible action to expedite the North Silverdale Planning Proposal and commencement of public exhibition of the proposal.**
- 2.    *That a Councillor workshop be held.***

On being put to the meeting the motion was declared CARRIED.

Vote:        Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Notice of Motion

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TRIM 6416-6

**NOM4      Notice of Motion No. 4 submitted by Cr M Banasik on 13 July 2016 regarding a Stakeholders Forum on Thirlmere Lakes**

**153/2016      Resolved on the Motion of Crs M Banasik and Law:**

- 1.      That Council, through the oversight of the Minerals and Energy Resource Committee, undertake a facilitated solutions focused forum to investigate and identify solutions to the continued observed water loss from the World Heritage listed Thirlmere Lakes and that Glencore and other key stakeholders associated with the three tiers of government be invited to participate in this forum.**
- 2.      That a report detailing the outcomes of this forum with stakeholders come back to Council.**

On being put to the meeting the motion was declared CARRIED.

Vote:      Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

Notice of Motion

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

Notice of Motion

Cr Gibbs left the meeting at 8.20pm

TRIM 6416-6

**NOM5**      **Notice of Motion No. 5 submitted by Cr Mitchell on 13 July 2016 regarding seeking the involvement of the Association of Mining Related Councils in relation to Thirlmere Lakes**

**154/2016**      **Resolved on the Motion of Crs Mitchell and Hannan:**

**That Council write to the Executive Officer of the NSW Association of Mining Related Councils (the Association) that requests:**

- 1. The Executive of the Association provide in-principle support to the supplied resolutions of Wollondilly Shire Council that define its concerns over the continued observed water loss from the World Heritage listed Thirlmere Lakes and conclusions of recent scientific investigations that operations associated with the nearby Tahmoor mine had impacted on the water levels of the Lakes.**
- 2. The Executive include the following recommendations in the Business Paper of the next available meeting of the Association with a view to advocate the position of Council and the local community defined by the supplied resolutions:**
  - i. The Association provide support to the resolutions of Wollondilly Shire Council regarding concerns over the continued observed water loss from the World Heritage listed Thirlmere Lakes and the conclusions of recent scientific studies regarding this matter.**
  - ii. Pursuant to i, Correspondence be sent to the NSW Minister for Resources and Energy (the Hon Anthony Roberts) and the NSW Minister for Primary Industries (the Hon Niall Blair) advising of the support to the resolutions and requesting a prompt response.**

On being put to the meeting the motion was declared CARRIED.

Vote:      Crs Law, Terry, M Banasik, Mitchell, Landow, B Banasik, Amato and Hannan

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Closed Reports

**CLOSED REPORTS**

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A (2) of the Act and should be dealt with in a part of the meeting closed to the media and public.

**PE9      NSW Land & Environment Court Proceedings – Commercial Development at 55-57 Menangle Street, Picton**

265155

TRIM 8999

Set out below is Section 10A(2) of the Local Government Act 1993 in relation to matters which can be dealt with in the closed part of a meeting.

“(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,”

On 12 February 2016, JT Consulting Services Pty Ltd filed a Class 1 Application in the NSW Land and Environment Court (LEC. NO 10106 of 2016) against the Notice of Determination dated 17 August 2015 refusing Development Application No. D525-05 for development described as Alterations and Additions to existing commercial building, to create eight (8) ground level shops, nine (9) units of shop-top housing dwellings over new shops and landscaped area at the southern end of the site and a draft Voluntary Planning Agreement at Lot 1 in DP 1005423, No 55-57 Menangle Street, Picton.

Cr Gibbs returned to the meeting at 8.24pm.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

Closed Reports

**PE12      NSW Land and Environment Court Proceedings – Bingara Gorge Appeal**  
266876      TRIM 8642-2

Set out below is Section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

“(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,”

This report contains matters that are of legal professional privilege.

**IN1      Panel Contracts Tenders – Tenders 2016/11, 2016/12, 2016/14, 2016/15**  
198      TRIM 8394

Set out below is Section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

“(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,”

Should the information be debated in open session it could confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

**IN2      Tender 2016/07 & 08 Management and Operation of Wollondilly Community Leisure Centre & Warragamba Pool**  
203      TRIM 8772

Set out below is Section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

“(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,”



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

Closed Reports

On 1 March 2016, Council called tenders for the Management and Operation of Wollondilly Community Leisure Centre and Warragamba Pool, as separate contracts. The tenders for both contracts were received and considered in accordance with the stipulated assessment criteria.

The tender assessment includes information that may have a bearing on council's deliberations regarding accepting the recommended tenders and hence may be the subject of debate; however, should the information be debated in open session it could confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

Pursuant to section 10A(4) of the Local Government Act 1993 the public are invited to make representations to the Council meeting before any part of the meeting is closed.

No representations were received.

**155/2016      Resolved on the Motion of Crs B Banasik and Mitchell:**

- 1. That Council move into Closed Session to consider business identified in the closed late reports PE9, PE12 and IN2.**
- 2. That pursuant to Section 10A(1) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2).**
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the Local Government Act 1993.**

On being put to the meeting the motion was declared CARRIED.

Vote:            Crs Law, Terry, M Banasik, Mitchell, Landow, Gibbs, B Banasik, Amato and Hannan

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Closed Reports

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Council closed its meeting at 8.27pm with a short recess prior to commencement of the closed meeting.

The public and media left the chamber.

The Ordinary meeting re-opened to the public at 9.25pm with all those present prior to the closure in attendance.

The Mayor advised of the resolutions adopted in respect of Items PE9, PE12, IN1 and IN2 which the General Manager read out as follows:

**PE9            NSW Land & Environment Court Proceedings – Commercial Development at 55-57 Menangle Street, Picton**

1. That Council agree in principle to the Concept Plan enclosed in Attachment 2 of this Report for consideration by the Commissioner at the Section 34 Conference on 21 July 2016.
2. That any negotiations with the Applicant regarding a revised Voluntary Planning Agreement be based upon the principles outlined in this report.
3. That any Letter of Offer relating to a revised Voluntary Planning Agreement be exhibited and further reported to Council.

**PE12            NSW Land and Environment Court Proceedings – Bingara Gorge Appeal**

That in relation to the NSW Land & Environment Court Proceedings No 2016/158921, Council instruct its Solicitors to *continue with the proceedings*.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

Closed Reports

**IN1 Panel Contracts Tenders – Tenders 2016/11, 2016/12, 2016/14, 2016/15**

1. That Council accept the following tenders:

***Tender 2016/11 – Plant & Equipment Hire***

<b>Tenderers Name</b>	<b>ABN</b>
1. Wollondilly Excavations	54 324 492 083
2. Total Drain Cleaning Services Pty Ltd	17 130 467 346
3. TG Hire Pty Ltd	31 122 027 132
4. Rollers Australia	50 087 309 091
5. Stefanutti Constructions Pty Ltd	37 080 041 621
6. Supreme Earthmoving Pty Ltd	99 125 261 887
7. Specialised Pavement Services Pty Ltd	46 076 353 887
8. Sherrin Rentals	52 074 173 756
9. N & M Bray Excavations	91 509 501 671
10. Premiair Services Pty Ltd	19 745 930 428
11. Picton Hire	85 292 725 081
12. Kennards Hire	69 001 740 727
13. Kiama Municipal Council	22 379 679 108
14. Max Hire Pty Ltd	40 123 987 093
15. Ledacon Pty Ltd	81 071 918 468
16. JR Richards & Sons	34 000 526 385
17. Leroy Excavations	77 080 532 725
18. RSEA Pty Ltd	91 094 385 430
19. Subgrade Civil Pty Ltd	80 947 660 759
20. Acclaimed Excavations Pty Ltd	83 123 434 391
21. Brefni Pty Ltd	73 082 718 983
22. Edscog Pty Ltd	97 002 572 787
23. Graham Hall Excavations	28 070 821 868
24. Action Hire	95 091 411 031
25. Turp's Tippers Pty Ltd	13 111 322 519
26. Earth Plant Hire Pty Ltd	36 124 187 944
27. Stabilcorp Pty Ltd	25 162 342 001
28. Earth Civil Pty Ltd	63 164 366 282
29. E&B Tipper Hire Pty Ltd	61 118 228 881
30. Downer EDI Pty Ltd	66 008 709 608
31. Conplant Hire Pty Ltd	15 000 373 151
32. Aqua Assets Pty Ltd	32 075 144 419
33. Allcott Hire Pty Ltd	38 003 418 988
34. Camden Hire Pty Ltd	61 351 659 098
35. Allard's Plant Hire Pty Ltd	37 003 717 815
36. BPB Construction Group Pty Ltd	99 163 736 472

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Closed Reports

***Tender 2016/12 – Trade Services***

<b>Tenderers Name</b>	<b>ABN</b>
1. Wollondilly Electrical Contacting & Sales Pty Ltd	20 110 116 455
2. Ultimate 1 Air Conditioning	53 601 856 366
3. Stone Electric	25 144 693 498
4. Ray Lawson Plumbing	14 772 064 532
5. Pro Asset Painting Maintenance Pty Ltd	46 122 934 034
6. JWG Build & Fix	85 638 257 629
7. CRG Plumbing	31 167 176 258
8. Always Welding	60 140 611 963
9. All Aspects of Plumbing	64 095 607 668
10. 100% Electrical	12 932 533 461
11. Country Colours	94 801 850 891
12. GWP Constructions Pty Ltd	79 166 521 599
13. Funnell's Electrical Pty Ltd	76 169 676 126
14. Allfitz Constructions	83 260 787 727

***Tender 2016/14 – Minor Works & Services***

<b>Tenderers Name</b>	<b>ABN</b>
1. Euro Civil Pty Ltd	85 057 330 748
2. Ledacon Pty Ltd	81 071 918 468
3. Combined Concrete Constructions Pty Ltd	68 125 082 242
4. Workforce Road Services Pty Ltd	36 136 999 374
5. Downer EDI Works Pty Ltd	66 008 709 608
6. RBK Pty Ltd	73 105 017 301
7. Complete Linemarking Solutions Pty Ltd	14 154 443 786
8. Irwin Fencing Pty Ltd	83 338 059 800
9. South West Kerbing	81 103 316 725

***Tender 2016/15 – Road Making Products***

<b>Tenderers Name</b>	<b>ABN</b>
1. Boral Resources (NSW) Pty Ltd	51 000 756 507
2. MKD Machinery (Mick's Mini Mix)	11 091 313 987
3. Concrete	86 000 795 166
4. Picton Sand & Soil Pty Ltd (Earth Civil Pty Ltd)	77 159 282 130

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Closed Reports

2. That Council reject the following tenders:

***Tender 2016/11 – Plant & Equipment Hire***

<b>Tenderers Name</b>	<b>ABN</b>
1. DJK Excavation Pty Ltd	Not provided
2. Sharpe Bros (Aust) Pty Ltd (Hunternet)	59 108 348 929

***Tender 2016/12 – Trade Services***

<b>Tenderers Name</b>	<b>ABN</b>
1. Michael Duffy Building Services	76 379 688 250

***Tender 2016/15 – Road Making Products***

<b>Tenderers Name</b>	<b>ABN</b>
1. Turp's Tippers Pty Ltd	13 111 322 519

3. That Council authorise the General Manager (or his delegate) to execute the Formal Instrument of Agreements for these tenders to create contracts with Council, including the use of the Common Seal of Council.
4. That no contract exist between Council and a tenderer until the Formal Instrument of Agreement is Executed by both parties.

**IN2 Tender 2016/07 & 08 Management and Operation of Wollondilly Community Leisure Centre & Warragamba Pool**

1. That in accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender submission of the recommended Tender for the Management and Operation of the Wollondilly Leisure Centre for a period of three and three-quarter (3.75) years from 1 October 2016 to 30 June 2020.
2. That in accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender submission of the recommended Tender for the Management and Operation of the Warragamba Pool for a period of three and three-quarter (3.75) years from 1 October 2016 to 30 June 2020.

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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Closed Reports

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3. That Council authorise the General Manager (or delegate) the authority to finalise and execute the Contract and any other documentation required to give effect to the resolution.
4. That no contract be formed between the parties, until the Execution of the Formal Instrument of Agreement by both parties.
5. That all respondents be notified of Council's decision.

## WOLLONDILLY SHIRE COUNCIL

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Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 18 July 2016, commencing at 6.37pm

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### Closing

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#### CLOSING

There being no further business, the Mayor declared the Ordinary Meeting closed at 9.26 pm.

This and the preceding 54 pages are the Minutes of the Ordinary Meeting of Council held on Monday 18 July 2016 and were confirmed in the subsequent meeting held on Monday 15 August 2016.

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Mayor

Closing