

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 4 October 2016
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 3.30pm

Note: prior to the commencement of the Council meeting an official ceremony was held which included:

- Smoking Ceremony and Welcome Song
- Presentation of Mayoral Chains to Mayor Amanda Findley
- Mayor and Councillor Oaths and Affirmations of Office in accordance with Section 233A of the Local Government Act 1993:
 - Mayor Amanda Findley – Affirmation of Office
 - Clr Annette Alldrick – Oath of Office
 - Clr Nina Cheyne – Affirmation of Office
 - Clr Andrew Guile – Oath of Office
 - Clr John Wells – Oath of Office
 - Clr Joanna Gash – Oath of Office
 - Clr John Levett – Affirmation of Office
 - Clr Mitchell Pakes – Oath of Office
 - Clr Gregory Watson – Affirmation of Office
 - Clr Kaye Gartner – Oath of Office
 - Clr Mark Kitchener –
 - Clr Robert Proudfoot – Oath of Office
 - Clr Patricia White – Oath of Office

The following members were present:

Mayor Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr John Levett
Clr Nina Cheyne
Clr Annette Alldrick
Clr Kaye Gartner
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

The meeting was opened in Prayer by Rev Rodney Davies from the North Nowra Baptist Church, followed by the Welcome to Country/Acknowledgement of Traditional Custodians and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Nil

CL16.54 Mayoral Minute - Commencement of New Council Term

Mayor Findley thanked Rachel Marshall, Judee Nolan, Margaret Simoes, Shakila Williams for their contribution toward the smoking ceremony and welcome song. Mayor Findley also thanked the community for their participation.

Mayor Findley outlined her expectations for the new council term which included:

A collaborative Council that looks at strategic thinking, not an obstructionist Council and one that comes together and not on political alliances.

RESOLVED (Clr Findley) MIN16.682

That the Mayoral Minute be received for information.

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Findley) MIN16.683

That the meeting be adjourned until 3.45pm.

CARRIED

Procedural Motion - Resumption of Meeting

RESOLVED (Clr Findley) MIN16.684

That the meeting resume at 3:57pm when the following members were present.

Mayor Amanda Findley - Chairperson

Clr Joanna Gash

Clr John Wells

Clr Patricia White

Clr John Levett

Clr Nina Cheyne

Clr Annette Alldrick

Clr Kaye Gartner

Clr Andrew Guile

Clr Mitchell Pakes

Clr Greg Watson

Clr Mark Kitchener

Clr Bob Proudfoot

CARRIED

Confirmation of the Minutes

RESOLVED (Clr Guile / Clr Wells)

MIN16.685

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 16 August 2016 be confirmed.

CARRIED

Deputations

Ms Robyn Flack addressed the Council in relation to CL16.25. Crown Land at Shoalhaven Heads.

Mr Ranjit Manathunga addressed the Council in relation to CL16.39 Notice of Motion – Land Reclassification – 59 Owen Street, Huskisson.

Declarations of Interest

Clr White – CL16.32 – Telstra Asset Relocation Intersection Flinders Road and Albatross Road South Nowra - pecuniary interest declaration – she is a previous Telstra dealer and she may receive remuneration – will leave the room and will not take part in discussion or vote.

Clr Proudfoot – CCL16.2 – Tenders – Ison Park Football Complex Amenities Building – Stage 1- Less than significant non pecuniary interest declaration –Southern Branch soccer was mentioned in the deputation, his granddaughter plays with the club and grandson previously played through that club– will remain in the room and will take part in discussion or vote.

Procedural Motion - Bring Items Forward

RESOLVED (Clr Wells / Clr Guile)

MIN16.686

That items CL16.25 Crown Land at Shoalhaven Heads and CL16.39 Notice of Motion – Land Reclassification – 59 Owen Street, Huskisson be brought forward for consideration.

CARRIED

CL16.25 Crown Land at Shoalhaven Heads

**HPERM Ref:
D16/291217**

Recommendation

That Council receive the report of the General Manager (Director of Assets & Works) concerning Crown Land at Shoalhaven Heads for Information.

RESOLVED (Clr Guile / Clr Wells)

MIN16.687

That Council:

1. Receive the report for information
2. Pursue further investigation for the acquisition of the proposed Crown Land at Scott Street, Shoalhaven Heads (Part Lot 7010 DP 1035145) or part thereof, with the Shoalhaven Heads Community Forum and request that the Local Member for Kiama, Gareth Ward MP make representations on their behalf

3. Continue to liaise with the Local Member for Kiama, Gareth Ward MP and other Members on this matter

FOR: Clr Gash, Clr Wells, Clr White, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Findley, Clr Levett and Clr Cheyne

CARRIED

CL16.39 Notice of Motion - Land Reclassification - 59 Owen Street, Huskisson

**HPERM Ref:
D16/293446**

Recommendation

That Council reclassify 59 Owen St Huskisson to community land.

RESOLVED (Clr Watson / Clr Findley)

MIN16.688

That Council reclassify 59 Owen St Huskisson to community land.

FOR: Clr Findley, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Gash, Clr Wells and Clr White

CARRIED

Note: this was reintroduced and superseded by MIN16.745

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Findley)

MIN16.689

That the meeting be adjourned until 5.50pm.

CARRIED

Procedural Motion - Resumption of Meeting

RESOLVED (Clr Findley)

MIN16.690

That the meeting resume at 5.54pm when the following members were present.

Mayor Amanda Findley - Chairperson

Clr Joanna Gash

Clr John Wells

Clr Patricia White

Clr John Levett

Clr Nina Cheyne

Clr Annette Alldrick

Clr Kaye Gartner

Clr Andrew Guile

Clr Mitchell Pakes

Clr Greg Watson

Clr Mark Kitchener

Clr Bob Proudfoot

CARRIED

REPORT OF THE SHOALHAVEN NATURAL RESOURCES & FLOODPLAIN MANAGEMENT COMMITTEE - 20 JULY 2016

SN16.1 Sea Level Rise Projection in Shoalhaven: Science and Policy

**HPERM Ref:
D16/296674**

Recommendation

1. That Council consider, as part of their review process of existing Sea Level Rise Policy review, adopting a precautionary principle to sea level rise policy/adaption to climate change and that future policies include a statement of intent that informs a more detailed policy position including a scientifically supported planning horizon for the Shoalhaven.

Note: The Committee expressed their concerns on the apparent lack of credible and widely accepted competent scientific basis upon which the current Council adopted their Policy.

2. That Council:
 - a. Consider adopting a more holistic approach managing Sea Level Rise and Climate change risk.
 - b. Adopt a four year review cycle for the above mentioned policies.
 - c. Report back to the Committee if the peer review of the legal advice known as Attachment D on 10 February 2015 was undertaken.

RESOLVED (Clr Watson / Clr Wells)

MIN16.691

That the Report of the Shoalhaven Natural Resources and Floodplain Management Committee - SN16.1 - Sea Level Rise Projection in Shoalhaven: Science and Policy be moved for information and the Committee be thanked for their comments.

FOR: Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Guile, Clr Pakes, Clr Watson and Clr Kitchener

AGAINST: Clr Findley, Clr Gartner and Clr Proudfoot

CARRIED

REPORT OF THE SHOALHAVEN ARTS BOARD - 11 AUGUST 2016

AB16.1 Rebranding of the Shoalhaven City Arts Centre - Discussion Paper

**HPERM Ref:
D16/296689**

Recommendation

That the Shoalhaven Arts Board recommend the Shoalhaven City Arts Centre be renamed to Shoalhaven Regional Gallery, Nowra.

Option 1: Shoalhaven Regional Gallery, Nowra

Option 2: Nowra Regional Gallery – NRG

Option 3: Shoalhaven Nowra Regional Gallery - SNRG

RESOLVED (Clr Guile / Clr Wells)

MIN16.692

That the Shoalhaven City Arts Centre be renamed to Shoalhaven Regional Gallery, Nowra.

CARRIED

REPORTS

CL16.3 Electronic Recording of Council and Committee Meetings

**HPERM Ref:
D16/305702**

Recommendation

That the Code of Meeting Practice be amended to state the following at Clause 9.12:

“Recording of Council Meeting

1. Council will allow the electronic recording by any person of an open session of any Council meeting and open meetings of the Development Committee and Strategy and Assets Committee.
2. No person shall electronically record the proceeding of any Council Committee other than outlined in subclause 1 above, without that Committee passing a resolution to allow the recording.
3. Under no circumstances shall any confidential session of a Council or Committee meeting be electronically recorded
4. That a statement be made at the commencement of meetings subject to subclause (1) above to advise those in attendance that their image and voice whilst at the meeting may be captured and/or broadcast and their continuing attendance is acceptance of that recording.”

RESOLVED (Clr Guile / Clr Kitchener)

MIN16.693

That the Code of Meeting Practice be amended to state the following at Clause 9.12:

“Recording of Council Meeting

1. Council will allow the electronic recording by any person of an open session of any Council meeting and open meetings of Committees.
2. Under no circumstances shall any confidential session of a Council or Committee meeting be electronically recorded
3. That a statement be made by the Chairperson at the commencement of meetings subject to subclause (1) above to advise those in attendance that their image and voice whilst at the meeting may be captured and/or broadcast and their continuing attendance is acceptance of that recording.”
4. That an advisory note be placed on agendas for all meetings and signage in the Council Chambers advising recording is permitted.

CARRIED

CL16.4 Declaration of Poll - Ordinary Election - Saturday 10 September 2016

**HPERM Ref:
D16/290784**

Recommendation

That the report of the General Manager regarding the Declaration of Poll, Ordinary Election, Saturday 10 September 2016, be received for information.

RESOLVED (Clr Wells / Clr Gartner)

MIN16.694

That the report of the General Manager regarding the Declaration of Poll, Ordinary Election, Saturday 10 September 2016, be received for information.

CARRIED

**CL16.5 Election of Deputy Mayor and Assistant Deputy Mayor
for the Ensuing Year**

**HPERM Ref:
D16/291146**

Recommendation

That Council determine the method of election and then conduct an election for Deputy Mayor and Assistant Deputy Mayor for the period until September 2017.

RESOLVED (Clr Watson / Clr Guile)

MIN16.695

That the election of Deputy Mayor and Assistant Deputy Mayor be conducted by an open show of hands.

CARRIED

Craig Milburn, Director Corporate and Community Services as the Returning Officer informed the meeting that three nominations had been received for the position of Deputy Mayor, the nominations being for Clr White, Clr Watson and Clr Kitchener.

At this time Clr Watson withdrew his nomination reducing the nominations to two.

Mr Milburn called for nominations from the floor and no more were received.

Mr Milburn called for a show of hands and declared Clr Kitchener the Deputy Mayor for the ensuing year on a count of 10 votes.

Craig Milburn, Director Corporate and Community Services as the Returning Officer informed the meeting that two nominations had been received for the position of Assistant Deputy Mayor, the nominations being for Clr White and Clr Pakes.

Mr Milburn called for nominations from the floor and no more were received.

Mr Milburn called for a show of hands and declared Clr White the Assistant Deputy Mayor for the ensuing year on a count of 8 votes.

CL16.6 Instruments of Delegation - Mayor and General Manager

**HPERM Ref:
D16/304939**

Recommendation

That Council

1. Delegate to the General Manager the authority as outlined in the Instrument of Delegation provided as Attachment 1 to this report
2. Delegate to the Mayor, Councillor Amanda Findely the authority as outlined in the Instrument of Delegation as provided as Attachment 2 to this report
3. That for the period 4 October 2016 to 30 October 2017, one of the persons (determined by the Mayor at the relevant time) holding the position of:
 - a. Director of Assets & Works;
 - b. Director of Corporate & Community;
 - c. Director of Planning & Development; or
 - d. Director of Shoalhaven Water,

be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or for any other purpose. Such appointment is to cease upon the return to

work of the General Manager or by other resolution of the Council.

4. That any person acting as General Manager pursuant to this resolution has all the functions, delegations, and sub-delegations given to the General Manager by the Council.

RESOLVED (Clr Watson / Clr White)

MIN16.696

That:

1. Council delegate to the General Manager the authority as outlined in the Instrument of Delegation provided as Attachment 1 to this report
2. Council delegate to the Mayor, Councillor Amanda Findely the authority as outlined in the Instrument of Delegation as provided as Attachment 2 to this report
3. For the period 4 October 2016 to 30 October 2017, one of the persons (determined by the Mayor at the relevant time) holding the position of:
 - a. Director of Assets & Works;
 - b. Director of Corporate & Community;
 - c. Director of Planning & Development; or
 - d. Director of Shoalhaven Water,

be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or for any other purpose. Such appointment is to cease upon the return to work of the General Manager or by other resolution of the Council.

4. Any person acting as General Manager pursuant to this resolution has all the functions, delegations, and sub-delegations given to the General Manager by the Council.

CARRIED

CL16.7 Ordinary Meeting - Order of Business

**HPERM Ref:
D16/294825**

Recommendation

1. That Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:
 - a. Opening Prayer
 - b. Acknowledgement of Traditional Custodians
 - c. Australian National Anthem
 - d. Apologies/Leave of Absence
 - e. Confirmation of Minutes
 - f. Declarations of Interest
 - g. Presentation of Petitions
 - h. Mayoral Minutes
 - i. Deputations
 - j. Report of Committees
 - k. Report of the Shoalhaven Traffic Committee
 - l. Officers Reports
 - m. Notices of Motion and Questions on Notice
 - n. Addendum Reports

- o. Confidential Report of the General Manager

*If any items of business require attendance of specialist staff (eg Legal, Insurance, Property) then Council will generally consider those items following the Deputations

MOTION (Clr Wells / Clr Findley)

That Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:

- a. Acknowledgement of Traditional Custodians
- b. Opening Prayer
- c. Australian National Anthem
- d. Apologies/Leave of Absence
- e. Confirmation of Minutes
- f. Declarations of Interest
- g. Presentation of Petitions
- h. Deputations
- i. Mayoral Minutes
- j. Report of Committees
- k. Report of the Shoalhaven Traffic Committee
- l. Officers Reports
- m. Notices of Motion and Questions on Notice
- n. Addendum Reports
- o. Confidential Report of the General Manager

*If any items of business require attendance of specialist staff (eg Legal, Insurance, Property) then Council will generally consider those items following the Deputations

AMENDMENT (Clr Watson / Clr Pakes)

That Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:

- a. Acknowledgement of Traditional Custodians
- b. Opening Prayer
- c. Australian National Anthem
- d. Apologies/Leave of Absence
- e. Confirmation of Minutes
- f. Declarations of Interest
- g. Presentation of Petitions
- h. Deputations
- i. Mayoral Minutes
- j. Notices of Motion and Questions on Notice
- k. Report of Committees
- l. Report of the Shoalhaven Traffic Committee
- m. Officers Reports

- n. Addendum Reports
- o. Confidential Report of the General Manager

CARRIED

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Nil

RESOLVED (Clr Wells / Clr Findley)

MIN16.697

That Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:

- a. Acknowledgement of Traditional Custodians
- b. Opening Prayer
- c. Australian National Anthem
- d. Apologies/Leave of Absence
- e. Confirmation of Minutes
- f. Declarations of Interest
- g. Presentation of Petitions
- h. Deputations and Presentations
- i. Mayoral Minutes
- j. Notices of Motion and Questions on Notice
- k. Report of Committees
- l. Report of the Shoalhaven Traffic Committee
- m. Officers Reports
- n. Addendum Reports
- o. Confidential Report of the General Manager

*If any items of business require attendance of specialist staff (eg Legal, Insurance, Property) then Council will generally consider those items following the Deputations

FOR: Clr Findley, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Gash, Clr Wells, Clr White, Clr Guile and Clr Pakes

CARRIED

CL16.8 Determination of Core Committees

**HPERM Ref:
D16/290900**

Recommendation

That

1. Pursuant to Section 355(b) – Local Government Act ,1993 and Clause 260 of the Local Government (General) Regulation, 2005 Council establish the ‘Core’ Council Committees as:
 - a. Strategy and Assets Committee
 - b. Development Committee

2. The Delegations of the Strategy and Assets Committee be as follows:

Strategy and Assets Committee

THAT pursuant to s377 (1) of the Local Government Act 1993:

- A The Committee is delegated the functions conferred on Council by the Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:
- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
 - ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
 - iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
 - iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

SCHEDULE

1. Make recommendations to Council and, where permitted under legislation consider, formulate, review and adopt policies in relation to Council's corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to Make recommendations to Council in respect of the content of Council's community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
2. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental matters, and any other matter referred to the Committee by the General Manager.
3. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Council's next operational plan within the meaning of s405 of the LG Act;
4. Monitor, review and consider matters relating to the operations and strategic direction of Council's Holiday Haven Tourist Parks Group;
5. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'reserve trust manager' within the meaning of s92 of the Crown Lands Act 1989, and the making of recommendations to Council regarding such matters where the function cannot be delegated by Council;
6. Provision of corporate direction to the Shoalhaven Water Group in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
7. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Council's adopted Development Servicing Plan and other relevant adopted Council policies;
8. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
9. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;
10. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Council's strategic land holdings and make recommendations to Council.

11. Review and make recommendations to Council in relation to:
 - a) The sale prices of land in connection with residential and industrial Council subdivisions;
 - b) The sale of Council property or the purchase or resumption of land;
 - c) The compensation to be offered in respect of land resumed by Council; and
 - d) Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.
3. The Delegations of the Development Committee be as follows:

Development Committee

THAT pursuant to s377 (1) of the Local Government Act 1993:

- A. The Committee is delegated the functions conferred on Council by the Environmental Planning & Assessment Act 1979 (EPA Act), Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the attached Schedule, subject to the following limitations:
 - i. The Committee cannot make a decision to make a local environmental plan to classify or reclassify public land under Division 1 of Part 2 of Chapter 6 of the LG Act;
 - ii. The Committee cannot review a s82A or s96AB EPA Act determination made by the Council or by the Committee itself;
 - iii. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
 - iv. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council; and
 - v. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council.

SCHEDULE

1. All functions relating to the preparation, making, and review of local environmental plans (LEPs) and development control plans (DCPs) under Part 3 of the EPA Act.
2. All functions relating to the preparation, making, and review of contributions plans and the preparation, entry into, and review of voluntary planning agreements under Part 4 of the EPA Act.
3. The preparation, adoption, and review of policies and strategies of the Council in respect of town planning and environmental matters and the variation of such policies.
4. Determination of variations to development standards related to development applications under the EPA Act where the development application involves a development which breaches a development standard by more than 10% and the application is accompanied by a request to vary the development standard under clause 4.6 of Shoalhaven Local Environmental Plan 2014 or an objection to the application of the development standard under State Environmental Planning Policy No. 1 – Development Standards.
5. Determination of variations from the acceptable solutions and/or other numerical standards contained within the DCP or a Council Policy that the General Manager requires to be determined by the Committee
6. Determination of development applications that Council requires to be determined by the Committee on a case by case basis.
7. Review of all determinations of development applications under sections 82A and 96AB of the EP&A Act.
8. Preparation, review, and adoption of policies and guidelines in respect of the determination of development applications by other delegates of the Council.

4. The membership and quorums be as set as follows:

i. Strategy and Assets Committee

Membership:

- Mayor
- All Councillors
- General Manager (or nominee)

Chairperson has casting vote

Quorum: Five (5)

ii. Development Committee

Membership:

- Mayor
- All Councillors
- General Manager (or nominee)

Chairperson has casting vote

Quorum: Five (5)

5. That the following Councillors be appointed as Chairperson and Deputy Chairperson of the Core Committees:

a. Development Committee

- i. Chairperson
- ii. Deputy Chairperson

b. Strategy and Assets Committee

- i. Chairperson
- ii. Deputy Chairperson

RESOLVED (Clr Findley / Clr Gartner)

MIN16.698

That

1. Pursuant to Section 355(b) – Local Government Act ,1993 and Clause 260 of the Local Government (General) Regulation, 2005 Council establish the 'Core' Council Committees as:

- a. Strategy and Assets Committee
- b. Development Committee

2. The Delegations of the Strategy and Assets Committee be as follows:

Strategy and Assets Committee

THAT pursuant to s377 (1) of the Local Government Act 1993:

A The Committee is delegated the functions conferred on Council by the Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:

- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
- iii. The Committee cannot exercise a function which is expressly required by the LG

- Act or any other Act to be exercised by resolution of the Council; and
- iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

SCHEDULE

1. Make recommendations to Council and, where permitted under legislation consider, formulate, review and adopt policies in relation to Council's corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to Make recommendations to Council in respect of the content of Council's community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
2. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental matters, and any other matter referred to the Committee by the General Manager.
3. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Council's next operational plan within the meaning of s405 of the LG Act;
4. Monitor, review and consider matters relating to the operations and strategic direction of Council's Holiday Haven Tourist Parks Group;
5. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'reserve trust manager' within the meaning of s92 of the Crown Lands Act 1989, and the making of recommendations to Council regarding such matters where the function cannot be delegated by Council;
6. Provision of corporate direction to the Shoalhaven Water Group in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
7. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Council's adopted Development Servicing Plan and other relevant adopted Council policies;
8. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
9. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;
10. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Council's strategic land holdings and make recommendations to Council.
11. Review and make recommendations to Council in relation to:
 - a) The sale prices of land in connection with residential and industrial Council subdivisions;
 - b) The sale of Council property or the purchase or resumption of land;
 - c) The compensation to be offered in respect of land resumed by Council; and
 - d) Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.

3. The Delegations of the Development Committee be as follows:

Development Committee

THAT pursuant to s377 (1) of the Local Government Act 1993:

- A. The Committee is delegated the functions conferred on Council by the Environmental Planning & Assessment Act 1979 (EPA Act), Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the attached Schedule, subject to the following limitations:
- i. The Committee cannot make a decision to make a local environmental plan to classify or reclassify public land under Division 1 of Part 2 of Chapter 6 of the LG Act;
 - ii. The Committee cannot review a s82A or s96AB EPA Act determination made by the Council or by the Committee itself;
 - iii. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
 - iv. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council; and
 - v. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council.

SCHEDULE

1. All functions relating to the preparation, making, and review of local environmental plans (LEPs) and development control plans (DCPs) under Part 3 of the EPA Act.
2. All functions relating to the preparation, making, and review of contributions plans and the preparation, entry into, and review of voluntary planning agreements under Part 4 of the EPA Act.
3. The preparation, adoption, and review of policies and strategies of the Council in respect of town planning and environmental matters and the variation of such policies.
4. Determination of variations to development standards related to development applications under the EPA Act where the development application involves a development which breaches a development standard by more than 10% and the application is accompanied by a request to vary the development standard under clause 4.6 of Shoalhaven Local Environmental Plan 2014 or an objection to the application of the development standard under State Environmental Planning Policy No. 1 – Development Standards.
5. Determination of variations from the acceptable solutions and/or other numerical standards contained within the DCP or a Council Policy that the General Manager requires to be determined by the Committee
6. Determination of development applications that Council requires to be determined by the Committee on a case by case basis.
7. Review of all determinations of development applications under sections 82A and 96AB of the EP&A Act.
8. Preparation, review, and adoption of policies and guidelines in respect of the determination of development applications by other delegates of the Council.

4. The membership and quorums be as set as follows:

- i. Strategy and Assets Committee

Membership:

- Mayor
- All Councillors

- General Manager (or nominee)

Chairperson has casting vote

Quorum: Five (5)

ii. Development Committee

Membership:

- Mayor
- All Councillors
- General Manager (or nominee)

Chairperson has casting vote

Quorum: Five (5)

5. That Councillors be appointed as Chairperson and Deputy Chairperson of the Core Committees at their first meetings:

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick and Clr Gartner

AGAINST: Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

CARRIED

CL16.9	Determination of Date and Time of "Core" Council Committee Meetings, Ordinary Meetings and Councillor Briefings	HPERM Ref: D16/290979
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Recommendation

That Council:

1. Adopt a schedule of meeting dates as per the attached schedule providing:
 - a. a Three (3) week cycle of meeting dates per month, held on a Tuesday as follows:
 - i. Week 1 – Development Committee;
 - ii. Week 2 – Strategy and Assets Committee;
 - iii. Week 3 – Ordinary Meeting.
 - b. Meetings and briefings not being held during the following periods:
 - i. Christmas break, including the first Two (2) weeks of January 2017
 - ii. Easter break;
 - iii. Australian Local Government Association General Assembly - 18 to 21 June 2017;
 - iv. The first Two (2) weeks of July 2017
 - v. Local Government Association Conference - 4 to 6 December 2017.
2. Reaffirm the authorisations to the General Manager as set out in the report; and
3. Determine the start time for Council and Committee meetings and Councillor Briefings, to be generally at 4:00 pm.

RESOLVED (Clr White / Clr Wells)

MIN16.699

That Council:

1. For the period to the end of December 2016 the following be adopted:

- a. Adopt a schedule of meeting dates as per the attached schedule providing:
 - i. a Three (3) week cycle of meeting dates per month, held on a Tuesday as follows through to the end of December 2016:
 1. Week 1 – Development Committee;
 2. Week 2 – Strategy and Assets Committee;
 3. Week 3 – Ordinary Meeting.
 - b. Determine the start time for Council and Committee meetings and Councillor Briefings, to be generally at 4:00 pm.
2. Meetings and briefings not being held during the following periods:
 - i. Christmas break, including the first Two (2) weeks of January 2017
 - ii. Easter break;
 - iii. Australian Local Government Association General Assembly - 18 to 21 June 2017;
 - iv. The first Two (2) weeks of July 2017
 - v. Local Government Association Conference - 4 to 6 December 2017.
3. Reaffirm the authorisations to the General Manager as set out in the report; and
4. That the General Manager seek information from Councillors as to their preferred meeting days and times and report to the November 2016 Ordinary meeting the outcomes of these discussions and proposing a new meeting schedule commencing January 2017.

CARRIED

CL16.10 Community Consultation & Committee System

**HPERM Ref:
D16/290524**

Recommendation

1. That Establish the Risk and Audit Committee (39763E) pursuant to Section 355 – Local Government Act and pursuant to Section 377 - Local Government Act authorize the Committee to carry out the roles and responsibilities in accordance with the Audit Committee guidelines published by the Office of Local Government and Council’s Audit Committee charter with the objective, membership, sitting fee, and quorum as outlined in the report.
2. Establish the Regional Development Committee (39964E) pursuant to Section 355 and Section 377 of the Local Government Act, with delegation, membership and quorum as outlined in the report.
3. Establish the Senior Staff Contractual Matters Committee (5001E) pursuant to Section 355 and Section 377 of the Local Government Act, with delegation, membership and quorum as outlined in the report.
4. Establish the following Boards, Advisory Committees, Working Parties and Reference Groups with the purpose, delegation (if applicable) Pursuant to Section 355 and Section 377 – Local Government Act, membership and quorum detailed hereunder:
 - a. Aboriginal Advisory Committee
 - b. Business and Employment Development Committee
 - c. Children’s Services Reference Group

- d. Council Bushcare Representative Group
- e. Nowra CBD Revitalisation Strategy
- f. Rural Fire Service Strategic Planning Committee
- g. Shoalhaven Access Advisory Committee
- h. Shoalhaven Arts Board
- i. Shoalhaven City Mayor’s Relief Fund
- j. Shoalhaven Heads Estuary Taskforce
- k. Shoalhaven Natural Resources & Floodplain Management Committee
- l. Shoalhaven Sports Board
- m. Shoalhaven Tourism Advisory Group
- n. Youth Advisory Committee

RESOLVED (Clr Findley / Clr Levett)

MIN16.700

That Council establish the Risk and Audit Committee (39763E) pursuant to Section 355 – Local Government Act and pursuant to Section 377 - Local Government Act authorize the Committee to carry out the roles and responsibilities in accordance with the Audit Committee guidelines published by the Office of Local Government and Council’s Audit Committee charter with the objective, membership, sitting fee, and quorum as outlined below.

Risk and Audit Committee (39763E)	
<u>Meetings per year</u> – 5 & others as required Commencement – 4pm	<u>Quorum</u> – Three (3) – including 1 Councillor & 1 External member
Objective: The objective of the Risk and Audit Committee is to provide independent assurance and assistance to Shoalhaven City Council on risk management, control, governance, and external accountability responsibilities.	
2016 -2017 Councillor/ Staff Membership Clr Levett Clr Guile Clr White (Alternate Member)	
Independent Community Representatives (CHAIRPERSON- Independent Member Appointed by Council) Mr Anthony Messner — independent person (until 31/12/16) Ms Diana Price – independent person (until 31/12/19) Associate Professor Philip Ross (until 31/12/18)	Sitting Fee for Community Members Monthly payment of \$250 on the proviso 80% of meetings are attended <u>plus</u> a travel per kilometre allowance based on the Councillor rates for external members only.

CARRIED

RESOLVED (Clr Findley / Clr Gash)

MIN16.701

That Council establish the Regional Development Committee (39964E) pursuant to Section 355 and Section 377 of the Local Government Act, with delegation, membership and quorum as outlined below

Regional Development Committee (39964E)	
<u>Meetings per year</u> - As Required No set meeting commence time	<u>Quorum</u> – Three (3)
Objective: To Consider staff reports sent to the Joint Regional Planning Panel	

Delegations: To make determinations in support or otherwise in relation to reports sent to the Joint Regional Planning Panel, including making representations to the Joint Regional Planning Panel
2016 -2017 Membership (CHAIRPERSON) Mayor – Clr Findley All Councillors General Manager or nominee

CARRIED

RESOLVED (Clr Findley / Clr Kitchener)

MIN16.702

That Council establish the Senior Staff Contractual Matters Committee (5001E) pursuant to Section 355 and Section 377 of the Local Government Act, with delegation, membership and quorum as outlined below.

Senior Staff Contractual Matters Committee (5001E)	
<u>Meetings per year</u> - As required No set commencement time	<u>Quorum</u> – Five (5)
<p>Purpose and Delegated Authority The Committee be delegated authority under Section 377 of the Local Government Act to:</p> <ol style="list-style-type: none"> 1. Review the General Managers performance against the agreement, at least annually. 2. Deal with matters relating to requirements of the contract including the annual review of remuneration and to make any determinations where necessary. 3. Receive the General Manager’s annual reports on other Senior Staff contracts where Council is required to deal with contractual matters. 4. Consider and determine : <ul style="list-style-type: none"> • The organisational structure. • Industrial Relations Policy. • Other staff matters requiring Council consideration 	
<p>2016 -2017 Councillor/ Staff Membership CHAIRPERSON - Mayor All Councillors General Manager <u>Sub- Committee to undertake Delegations 1 & 2:</u> CHAIRPERSON – Mayor Deputy Mayor (Clr Kitchener) Clr Guile Clr Gartner</p>	

CARRIED

RESOLVED (Clr Findley / Clr Kitchener)

MIN16.703

That Council establish the following Boards, Advisory Committees, Working Parties and Reference Groups with the purpose, delegation (if applicable) Pursuant to Section 355 and Section 377 – Local Government Act, membership and quorum detailed hereunder:

a. Aboriginal Advisory Committee

Aboriginal Advisory Committee – File 1209E	
<u>Meetings per year</u> - Four (4) Commencement Time – 4pm	<u>Quorum</u> – Five (5)
<p>Purpose</p> <ul style="list-style-type: none"> • Advise Council on issues relating to the Aboriginal community. 	

<ul style="list-style-type: none"> • Act as a channel to advise Council of new issues affecting the Aboriginal community. • Receive information on issues affecting the Aboriginal community and forward to Council. • Provide a facilitation role. • Advocate for the Aboriginal community.
Delegation: NIL
2016 -2017 Councillor/ Staff Membership Clr White Clr Cheyne Clr Kitchener General Manager or Nominee
Community Representatives (CO- CHAIRPERSON – Appointed by Committee) – To be Appointed Janet Atkins; Lena Bloxsome; Shondelle Bolt; Shane Brown; Valda Corigan; Sue-Anne Cutmore; Leonie Ebzery; Leslie Halls; Troy Lenihan; Patricia Lester; Sylvia Timbery; Noel Wellington

b. Business and Employment Development Committee

Business and Employment Development Committee – 38821E	
Meetings per year - Four (4)	Quorum – Six (6)
Commencement Time – 4pm	
Purpose <ul style="list-style-type: none"> • To assist in the implementation of the Economic Development Strategy and monitor and report on performance. • Support the expansion of industry activities within the Shoalhaven, across all sectors. • Encourage the location of new industries in the region which will lead to an increase in the number of employment opportunities for the residents of the region • Grow the socio economic base of the Shoalhaven. • Examine and review employment development strategies and report on initiatives to carry their strategies forward 	
Delegations: NIL	
2016 -2017 Councillor / Staff Membership All Councillors General Manager or Nominee	
Community / Organisational Representatives (CHAIRPERSON- Appointed by Committee) John Lamont – Regional Development Australia; Member for Gilmore – Ann Sudmalis MP or nominee; Member for South Coast – Shelley Hancock MP or nominee; Member for Kiama – Gareth Ward MP or nominee; Representative - Shoalhaven Tourism Advisory Group – To be appointed; Representative – Shoalhaven Sports Board – David Goodman; Shoalhaven Arts Board Representative - Vacant University of Wollongong, Shoalhaven Campus – Robbie Collins; NSW Department of Industry – Megan Cleary; Milton Ulladulla Business Chamber – Vacant; Regional Development Australia – Fiona Hatcher; NSW TAFE (Bomaderry Campus – Manager) – Paul Goodwin; Secondary Schools Representative – Nowra High School - Angela Byron; Southern Regional Business Enterprise Centre - Adrian Stam / Graham Baxter, Shoalhaven Professional Business Association- Steven Bayer; Representative – Manufacturing – Vacant; Representative- Defence – Vacant; Representative- Construction-Vacant Three (3) Community Representatives - Lexie Meyer; James Coburn; Peter Dryer.	

c. Children's Services Reference Group

Children's Services Reference Group – 46176E	
<u>Meetings per year</u> : One (1) & others as required Commencement Time: 4pm	<u>Quorum</u> – Five (5)
<p>Purpose To progress the future planning of facilities and services to meet the growth and development needs of the Shoalhaven:</p> <ul style="list-style-type: none"> • Advise Council on issues relating to the education and care of children aged 0 – 12 years. • Act as a channel to advise Council on new issues and developments affecting children 0 – 12 years. • Share information on issues affecting children, families and their communities. • Develop and progress new and innovative ideas which enhance all children's health and wellbeing. • Advocate for inclusive environments and practices for all children and families in the Shoalhaven. • Develop and implement a collaborative Child Friendly Cities Plan for the Shoalhaven. 	
Delegations: NIL	
<p>2016 -2017 Councillor/Staff Membership (CHAIRPERSON) Clr Gartner and Clr Cheyne (alternate CHAIRPERSON) All Councillors</p>	
<p>Community Representatives Craig Ardler; Pamela Arnold; Carmen Carter; Kathy Rembisz - (Alternative - Shannon Chessher); Amelia Collins; Julie Flanagan; Alison Grills; Belinda Hibbert; Cindy Holmes; Kimberlie Johnson; Leisa King; Stacey Plim; Bernadette Pullen; Kim Stouse-Lee; Kim Thompson; Melissa Wicks; Michelle Wozzatka; Melinda Wren; Linda Windley</p>	

d. Council Bushcare Representative Group

Council Bushcare Representative Group (42643E)	
<u>Meetings per year</u> - As required Commence Time – 4.00pm	<u>Quorum</u> – Five (5)
<p>Purpose: To act as an advisory group on all matters relating to the future directions of the Bushcare Policy and program</p>	
Delegations - Nil	
<p>2016 -2017 Councillor Staff Membership CHAIRPERSON – Clr White All Councillors</p>	
<p>Community/ Organisational Representatives 6 Bushcare Group Representatives- Annie Boutland; Francis Bray; Mike Clear; Tony Jennings; Bryan Lenne; Bill Pigott; Local Land Services – Jason Carson; Office of Environment & Heritage- Vacant</p>	

e. Nowra CBD Revitalisation Strategy

Nowra CBD Revitalisation Strategy (50242E)	
<u>Meetings per year</u> Four (4) & others as required Commencement Time – 4.00pm	<u>Quorum</u> – Five (5) members
<p>Purpose</p> <ul style="list-style-type: none"> • To direct the development and implementation of the Revitalisation Strategy for the Nowra CBD and review as appropriate. • To determine overall capital works programs established by the Nowra CBD Revitalisation Strategy, as amended from time to time. • To agree an annual capital works budget with Council 	

<ul style="list-style-type: none"> • To identify and approve all expenditure of funds identified in the Nowra CBD Revitalisation Strategy, additional funds allocated by Council for capital expenditure in the Nowra CBD including any loans, grants or from funds from any other source. • To act as a communication conduit between Council and the CBD stakeholders in respect to the Nowra CBD Revitalisation Strategy with appropriate support from Council as required. • Assist Council in advocating the adopted CBD Revitalisation Strategy to the community. • Provide a report to Council each year outlining progress towards achieving the goals set out in the CBD Revitalisation Strategy together with any recommendations for updating the Revitalisation Strategy. • Consult with relevant stakeholders as needed
<p>Delegations:</p> <ul style="list-style-type: none"> • To expend funds allocated to the CBD Nowra Revitalisation Strategy Committee by Council within the approved budget. • To establish sub Committees as deemed appropriate. • To promote the advantages of the CBD inside and outside the area, including making press releases and promoting the Nowra CBD Revitalisation Strategy project. • To raise funds other than rates and loans to fund the objectives of the Committee. • To expend funds raised outside of Council as the Committee deems appropriate, e.g. promotions, entertainment etc.
<p>2016-2017 Councillor/ Staff Membership General Manager or delegate Director of Assets and Works or delegate Director of Planning and Development or delegate All Councillors are observers only</p>
<p>Community Representatives (CHAIRPERSON – Appointed by Committee) James Caldwell – land owner ; Annie Aldous – land owner; Mark Crowther – land owner; Scott Baxter – business operator; Brendan Goddard – business operator; George Parker – business operator; Community member- Sivan Agam</p>

f. Rural Fire Service Strategic Planning Committee

Rural Fire Service Strategic Planning Committee (1227E)	
Meetings per year <u>Two (2)</u> Commencement time - 5.30 pm	<u>Quorum – Five (5)</u>
<p>Objectives: To advise Council on issues of a strategic and policy nature relating to the operation of the Rural Fire Services having regard to the following:</p> <ul style="list-style-type: none"> • That the core communication between brigades and Fire Control Officer on operational issues be raised through the Group Officers utilising the committee structure. • All issues be raised through Fire Control so that statutory matters can be resolved immediately. • Policy matters raised can be referred to the Strategy and Assets Committee through the General Manager so that statutory matters can be resolved. • That the Strategic Planning Committee be developed as the body advising Council on Rural Fire Service policy issues 	
<p>2016 -2017 Councillor/ Staff Membership CHAIRPERSON - Clr Gash Clr Kitchener Clr Pakes General Manager or Nominee</p>	
<p>Community Representatives District Manager RFS – Mark Williams Staff Representative RFS – Paul Gooley</p>	

Group Officer Representative RFS – Jennifer Lawther (Alternate – John Ashton)
Group 1 Area Representative – Andrew Fielding (Alternate – Bob Johnston)
Group 2 Area Representative – Vic Walker (Alternate – Jacqui Cox)
Group 3 Area Representative – Martin Gaffey (Alternate – Ron Rollinson)
Group 4 Area Representative – Paul Gleeson (Alternate – Geoff Phillips)
Group 5 Area Representative – Colin Lonergan (Alternate – TBA)
Group 6 Support Brigades Representative – Bill Bean (Alternate – TBA)
Operations Manager – Jervis Bay Territory Administration – Chris Baseler or nominee

g. Shoalhaven Access Advisory Committee

Shoalhaven Access Advisory Committee (1228E)	
<u>Meetings per year</u> Four (4) Commencement Time - 4.00pm	<u>Quorum</u> – Five (5)
Purpose:	
<ul style="list-style-type: none"> • To identify the major needs of the different disability groups in the Local Government area. • To make recommendations to Council to resolve the local access problems in priority order. • To develop a policy on access which can be used in conjunction with the Building Code of Australia in the consideration of applications for building or development and generally in the preparation of Council's own plan for recreation facilities. • To increase public awareness of access barriers and the extent to which they disadvantage people with disabilities, the aged and parents with children etc. 	
Delegation - NIL	
2016 -2017 Councillor/Staff Membership	
CHAIRPERSON - Appointed by Committee and reaffirmed by Council	
Clr Cheyne	
Clr Alldrick	
All other Councillors observers	
General Manager or Nominee	
Community Representatives	
Neville Foord; Jackie Kay AM; Bill Deaves; Andrea Wallace; Theo Bagou; Nola Stephens; Peter Thomas; Arthur Ball; Brett Tory – non attending member	
Organisational Representatives:	
Member for Gilmore – Anne Sudmalis MP or nominee; Department of Aging Disability and Homecare – Gillian Lidsey; Department of Aging Disability and Homecare - Brendan Vaughn; Shoalhaven Community Transport - Leonie Dippel ; Vision Australia – Alex Collins; Vision Impairment Australia- Jodie Hoger; Post-Polio Support Group – John Burns; Spinal Cord Injuries Australia- Mel Gorman; Occupational Therapy Department, Shoalhaven Hospital – non attending member	

h. Shoalhaven Arts Board

Shoalhaven Arts Board – 2123E	
<u>Meetings per year</u> :	<u>Quorum</u> – Majority of the members
Commencement time - 1.00pm	
Purpose:	
<ul style="list-style-type: none"> • To develop strategy and policy both for the Shoalhaven City Council as well as in alignment with the Region. • To develop and implement policy, planning and promotion for the broad arts within existing resources and using co-opted panel of peers for professional advice. They include: <ul style="list-style-type: none"> • Visual Arts • Heritage and Museum Sector • Literature • Performing Arts 	

<ul style="list-style-type: none"> • Audience development
<p>Delegations:</p> <ul style="list-style-type: none"> • Make recommendation on the arts to Council • Appoint suitable representatives to fill casual vacancies on a set term basis • Inform and recommend policy for arts related funding programs, and where required by Council, vote on related matters • To establish a peer panel of professionals, experts and practitioners across art forms, heritage and cultural platforms to be co-opted as needed for input and advice to the Shoalhaven Arts Board • To establish a Shoalhaven Arts Foundation: <ul style="list-style-type: none"> • To support the development and enrichment of broad arts across the Shoalhaven including visual, heritage, literature & performing arts • To ensure that the Foundation in its governance, membership and charter are independent/ and at arms-length from Council yet which needs to work in concert with the Shoalhaven Arts Board and the Council and the community needs • To fundraise and develop a sustainable principal investment to generate ongoing grant funds
<p>2016 -2017 Councillor/ Staff Membership (Ward 1) Clr Wells (Ward 2) Clr Levett (Ward 3) Clr Gartner</p>
<p>Community Representatives Ian Grant (expires 30 June 2017); Warwick Keen (expires 30 June 2017); Robert Swieca (expires 30 June 2017); Merilynn Weiss (expires 30 June 2017); Aboriginal Community Representative – Troy Lenihan; Industry Representative – Allison Chiam</p>

i. Shoalhaven City Mayor's Relief Fund

Shoalhaven City Mayor's Relief Fund –(3926E)	
<p><u>Meetings per year:</u> One (1) & others as required No determined meeting commence time</p>	<p><u>Quorum</u> – Three (3)</p>
<p>Purpose:</p> <ul style="list-style-type: none"> • The fund has been established and maintained as a public fund for the relief of persons in Australia who are in necessitous circumstances and it is intended that the public be invited to contribute to the fund. • A person will be in necessitous circumstances where his or her financial resources are insufficient to obtain all that is necessary, not only for a bare existence, but for a modest standard of living in the Australian community. • Necessitous circumstances may result from a disaster caused by flood, fire, drought, tempest or other calamity. 	
<p>Delegations: The management of the fund is vested in the Shoalhaven City Mayor's Relief Fund Committee. Rules have been adopted by Council.</p>	
<p>2016-2017 Councillor/ Staff Membership CHAIRPERSON – Mayor – Clr Findley All Councillors General Manager or nominee</p>	
<p>Organisation Representatives Shoalhaven City Fire Control Officer; Coordinator, Shoalhaven City State Emergency Services; Chairman – Nowra Ministers Association or nominee</p>	

j. Shoalhaven Heads Estuary Taskforce

Shoalhaven Heads Estuary Taskforce – (45866E)	
<p><u>Meetings per year</u> - One (1) & others as required Meetings commence at 4.00pm</p>	<p><u>Quorum</u> – 3 – One (1) Councillor and Two (2) Community Members</p>

Purpose	
<ul style="list-style-type: none"> • Examine options for pursuing a partial or complete opening of Shoalhaven Heads • Review Councils current Entrance and Estuary Management Plans for Shoalhaven Heads • Report directly to Council 	
Delegation – NIL	
2016 -2017 Councillor/Staff Membership	
CHAIRPERSON – Appointed by Committee – Clr Guile	
Clr Wells	
Clr Cheyne	
Clr Alldrick	
Community Representatives	
State Member – Gareth Ward MP (Nominee – Paul Ell); Barry/Brian Allen; Gerald Groom; Phil Guy; Mike James; David Lamb; Craig Peters; Graeme Philpott; Allan Richardson; Stephen Short; Bob Williamson; Jessica Zealand	

k. Shoalhaven Natural Resources & Floodplain Management Committee

Shoalhaven Natural Resources and Floodplain Management Committee - 53021E	
<u>Meetings per year:</u> At least two (2)	<u>Quorum</u> – Three (3) – 1 Clr & 2
Meetings commence at 4.00pm	Community members)
Objective: To foster sustainable management of Shoalhaven’s natural resources including floodplains, coast and estuaries.	
2016 - 2017 Councillor/ Staff Membership	
CHAIRPERSON – Elected by Committee – Clr Findley	
All Councillors	
General Manager or Nominee	
Community Representatives	
Jessica Zealand; David McCorkell; Duncan Marshall; David Reynolds; Chris Grounds; Mike Clear; Paul Beckett; Brett Stevenson; Dr Michael Brungs; Ian Stewart; Dirk Treloar Annie Boutland; Helen Moody; Kaye Milsom; Thomas Booler (requested resignation)	
State Emergency Services - Ashley Sullivan & Ian Borrowdale; Jervis Bay Marine Park - Mr Matt Carr; Department Primary Industries – Allan Lugg; Roads and Maritime Services - Mike Hammond; Roads and Maritime Services – Brad Dudley; Local Land Services - Jason Carson; Crown Lands – Mark Edwards; National Parks and Wildlife Service - Alex Deura, Neale Watson & Libby Shields; Office of Environment & Heritage – John Murtagh, John Bucinkas & Ullah, Muhammed (Habib); NSW Office of Water – David Zerafa; Department of Primary Industries – Jillian Reynolds; Jerrinja Local Aboriginal Land Council – Vacant ; Ulladulla Local Aboriginal Land Council – Fred Carriage	

l. Shoalhaven Sports Board

Shoalhaven Sports Board – 12623E	
<u>Meetings per year</u> Four (4) – Quarterly	<u>Quorum</u> – Seven (7) Members
Commencement Time: 5.00pm	
Purpose: To provide advocate for the sporting community on policy, direction and strategic planning related to Council’s objectives. To achieve this policy and strategic directive, the Board will be strategic in nature and focus on appointments to achieve this outcome.	
DELEGATION: NIL	
2016 -2017 Councillor/Staff Membership	
All Councillors	
General Manager or Nominee	
Community Representatives – Nine (9) Local Community Members (CHAIRPERSON- Elected by Board) - David Goodman; Elaine Caswell;; Andrew Johnson; Roger Walker; Syd Weller, 4 Vacant Positions	

m. Shoalhaven Tourism Advisory Group

Shoalhaven Tourism Advisory Group – File 1490E	
<u>Meetings per year:</u> At least Four (4) Commencement Time: 5.30pm	<u>Quorum</u> – Majority of the members
<p>Purpose</p> <ul style="list-style-type: none"> • Inform the development, implementation and review of council priorities from the Shoalhaven Tourism Master Plan and councils corporate plan • Represent the tourism industry and advise and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in the Shoalhaven. • Promote the direct and in-direct value and benefits of tourism within the Shoalhaven and on a regional, state and national basis. 	
<p>Delegation:</p> <ul style="list-style-type: none"> • Make recommendation on the expenditure of the annual Shoalhaven marketing budget as provided by Council. • Appoint suitable representatives to fill casual vacancies • Inform and recommend policy for tourism related funding programs, and where required by Council, vote on related matters. 	
<p>2016 -2017 Councillor/Staff Membership</p> <p>Clr Alldrick Clr Wells Clr Gash Clr Levett Clr Watson Clr Kitchener</p>	
<p>Community/ Organisational Representatives (CHAIRPERSON-Appointed by Committee) Lynn Locke Shoalhaven Sports Board Chairperson – David Goodman; Michelle Bishop; Melissa McManus; Lynn Locke; Stephen Bartlett; Matt Cross; Annie Cochrane; Matthew Forbes, Catherine Shields, Jo Thomas</p>	

n. Youth Advisory Committee

Youth Advisory Committee (1506E)	
<u>Meetings per year:</u> Four (4) Commencement Time: 10.00am	<u>Quorum</u> – Six (6)
<p>Purpose: To represent the interests and views of young people to Council and the Community in accordance with the delegation set out below</p>	
<p>Delegation:</p> <ul style="list-style-type: none"> • To advise and recommend to Council staff on matters of an operational nature and implement policy relating to the interests and views of young people and/or within adopted budgets; • To recommend to Council on policy matters and other matters not able to be delegated by Council; • To provide recommendations to Council on Strategic and Financial directions relating to Youth in the Shoalhaven; • To commit expenditure up to the limits determined by Council, including grant funding. 	
<p>2016-2017 Councillor/Staff Membership</p> <p>All Councillors General Manager or Nominee</p>	
<p>Community Representatives CHAIRPERSON – Appointed by Committee at each meeting Community Youth Representatives being:- Jonah Allen; Scott Castelnoble; Dean Naylor-</p>	

Clark; Chris Farley; Shannon Karger; Kimberley Peat
 Two (2) voting representatives from each local High School
 Member for Gilmore – Anne Sudmalis MP or nominee (Federal Member of Parliament);
 Member for Kiama – Gareth Ward MP or nominee; Member for South Coast – Shelley Hancock MP or nominee Jacob Williams
 Representatives from Shoalhaven Local Area Command NSW Police; Sanctuary Point Youth & Community Centre; Bay & Basin Community Resources; Regional Development Australia; Shoalhaven Business Chamber; 330 Squadron Australian Air Force Cadets

CARRIED

Procedural Motion – Extension of Meeting

RESOLVED (Clr Watson) MIN16.704

That the meeting be extended to 7:30pm at which time it will adjourn to reconvene on Monday 10 October 2016 directly after the Development Committee.

CARRIED

CL16.11 Council Representatives on Other Committees or Organisations Outside of Council **HPERM Ref: D16/290652**

Recommendation

That Council resolve the representative membership of Councillors and other delegates on other Committees or Organisations Outside of Council for the period to 30 September 2017.

RESOLVED (Clr Findley / Clr Kitchener) MIN16.705

That the following representative membership of Councillors and other delegates on other Committees or Organisations Outside of Council be appointed for the period to 30 September 2017

a.

Batemans Marine Park – 33451E
Meetings per year: Four (4)
Purpose: Advise the Ministers and the Marine Parks Authority (NSW) on the development of the Batemans Marine Park.
2016-2017 Council Members
Clr Kitchener Clr Levett

b.

Crown Cemeteries Advisory Committee – 4043E
Purpose: To advise the Minister on matters affecting the day to day management and long term sustainability of public cemeteries in NSW. .
2016-2017 Council Members
Bereavement Services Manager or delegate

c.

Healthy Cities Illawarra Management Committee – 4043E
Purpose: Healthy Cities Illawarra is a community based, non profit organisation that is part of a world wide movement initiated by the World Health Organisation, committed to improvement of health, environment and the quality of life within the Illawarra community.
2016-2017 Council Members
Clr Alldrick Clr Gartner Clr Cheyne General Manager or delegate – Alternative representative

d.

Illawarra Academy of Sport – 2388E
Purpose: To develop outstanding young community citizens who utilise their sporting talents and role model status in a positive manner within the Illawarra Region.
2016-2017 Council Members
Mayor Appointed Representative- Clr Wells

e.

Illawarra Pilot Joint Organisation – 2172E
Functions: Three core functions and two optional functions for are being piloted by JOs. The functions of the IPJO are: <ul style="list-style-type: none"> • regional strategic planning, including high level planning across the quadruple bottom line • inter-governmental collaboration, working closely with the NSW Government as well as the Australian Government and other councils and JOs • regional leadership and advocacy, as the preeminent regional voice for councils and communities • enhancing regional strategic capacity, to support member councils to deliver services to their communities • regional service delivery, to provide services directly to communities within the region. <p>The Illawarra Joint Organisation is comprised of representatives from Shellharbour; Kiama; Wollongong & Shoalhaven Councils.</p>
2016-2017 Council Members
Clr Findley Clr Wells Clr Kitchener (alternate delegate)

f.

Jervis Bay Marine Park Advisory Authority Committee – 1462E
Purpose: Advise the Ministers and the Marine Parks Authority (NSW) on the management of the Park and: <ul style="list-style-type: none"> • The conservation of the marine biological diversity within the Marine Park • The ecologically sustainable use of the Marine Park

<ul style="list-style-type: none"> The public use and enjoyment of the Marine Park 	
2015-2016 Council Members	2016-2017 Council Members
Clr Findley Clr Kearney	Clr Findley Clr Pakes

g.

Joint Regional Planning Panel – 39782E	
Meetings per year: As required	
Purpose: To determine regionally significant development applications	
2016-2017 Council Member	
Clr Levett Clr Watson	
2016-2017 Alternate Members	
Clr White alternate Ernie Royston alternate community member	
Sitting Fees - A sitting fee of \$400.00 is paid to the Council and Community Representatives	

h.

Coastal Councils Committee - Committee of Management – 3245E	
Purpose: To represent the interests of coastal councils and communities experiencing the effects of rapid growth and development	
2016-2017 Council Members	
Clr Gartner	

i.

NSW Country Mayors Association – 14214E	
Purpose: The NSW Country Mayors Association is a group that comprises Mayors and General Managers, or their representatives, from country areas of NSW under its constitution.	
2015-2016 Council Members	2016-2017 Council Members
Clr Gash – Mayor Clr Wells – Deputy Mayor (alternate delegate) Russ Pigg – General Manager	Clr Findley – Mayor Clr Kitchener – Deputy Mayor (alternate delegate) Russ Pigg – General Manager

j.

Noxious Weeds Advisory Committee – 6735E	
Purpose:	
<ul style="list-style-type: none"> Provide a forum for all matters relating to the control of noxious weeds Provide advice to the Minister on all matters related to noxious weed control Recommend to the Minister allocations from the Government’s Weeds Action Program funding and to ensure public authorities are accountable for those funds. Recommend to the Minister plant species proposed to be declared as noxious weeds 	
2016-2017 Council Members	
Clr White Clr Levett (alternate)	

k.

Rural Fire Service Shoalhaven District Liaison Committee – 2122E
<p>Purpose: In regard to the RFS:</p> <ul style="list-style-type: none"> • Monitor the performance of the Service Level Agreement • Develop a local service delivery model • Prepare an annual budget and business plan for Councils consideration • Provide financial performance reports • Act as the appropriate disciplinary authority for Council.
2016-2017 Council Members
Clr Gash Clr Pakes General Manager (or nominee)

l.

Shoalhaven Bush Fire Management Committee – 2820E
<p>Purpose: Under the Rural Fires Regulation 2002 – Part 3, At the request of the Bush Fire Co-ordinating Committee:</p> <ul style="list-style-type: none"> • Assist the Bush Fire Co-ordinating Committee in the performance of its functions under Section 48 of the Act; • Assist the Bush Fire Co-ordinating Committee in the performance of its functions under Sections 60(2) and 63(4) of the Act; • Draw to the attention of the following in regard to any matter it considers relevant to the protection of land, life, property or the environment in that area from the impact of bush fires: <ul style="list-style-type: none"> ▪ The Bush fire Co-ordinating Committee; or ▪ A public authority exercising its functions in the Bush Fire Management Committee's area. <p><u>Note:</u> The Committee has no power to conduct or take part in fire fighting or fire prevention operations authorised by the Act, this regulation or any other Act or statutory instrument.</p>
2016-2017 Council Members
Clr Gash Clr Pakes General Manager (or nominee) as an observer

m.

Safer Community Action Team – 3519E
<p>Purpose: To increase community safety in the Shoalhaven and develop an Action Plan containing strategies to address the issues and enlist support for the Plan from the community.</p>
2016-2017 Council Members
Clr Cheyne Clr Alldrick Clr White Clr Kitchener Clr Proudfoot Clr Pakes

n.

Shoalhaven Traffic Committee – 1491E
<p>Purpose: The Traffic Authority has delegated certain powers to Councils in respect of the provision of Traffic control facilities and traffic management</p>

measures on public streets. The exercise of such powers is conditional upon the Council forming a Local Traffic Committee and seeking its advice /approval before as traffic facility/traffic management measure is implemented or removed.
NOTE- the Local Traffic Committee is not a Committee appointed by Council under the Local Government Act but a Committee to be formed by Council in the exercise of its delegated powers. Councillor members are considered informal members who may contribute to discussion but may not vote.

2016-2017 Council Members

Informal – Clr Gash
Informal – Clr White
Informal - Clr Guile
CONVENOR/CHAIRPERSON - Mr Martin Uptis – Assets Manager

o.

South Coast Co-operative Library Services – 3934E

Purpose: To provide control and manage libraries or library services within the areas of the Member Councils upon the terms and subject to the conditions specified in the agreement

Note: The member Councils are Shoalhaven City Council and Kiama Municipal Council.

2016-2017 Council Members

Clr Findley – Mayor
All Councillors
General Manager or nominee
Director Corporate & Community Services
Library Services Manager

p.

South Coast Correctional Centre Community Consultative Committee – 4043E

Purpose:.

- To assist in the development and maintenance of a positive relationship with the local community
- To provide a forum for local community consultation and comment on correctional programs and procedures
- To facilitate the involvement of the local community in correctional centres programs
- To provide a mechanism to identify appropriate programs in which the correctional centre can participate and assist in the local community
- To assist in the establishment of worthwhile community partnerships

2016-2017 Council Members

Clr Cheyne
Clr Watson
Mr Ben Stewart – Director Assets & Works

q.

South Coast Regional Tourism Organisation Incorporated – 6853E

Purpose:. To promote Tourism to the South Coast of NSW.

2016-2017 Council Members

Chairperson of the Tourism Advisory Group or Delegate
Tourism Manager

r.

South East Australia Transport Strategy Inc – 3678E
Purpose: To improve the transport network to enhance economic development within the region
2016-2017 Council Members
Clr White Clr Guile Mr Greg Pullen – Economic Development Manager (Alternate)

s.

Southern Tablelands and South Coast Regional Noxious Plants Committee – 3201E
Purpose: This Committee allows representatives of Councils involved in noxious weed eradication on the Southern Tablelands and South Coast to meet quarterly for the purpose of discussing common problems and objectives. The Committee also makes special purchasing arrangements for noxious weed sprays, in order that the Councils in the area can obtain the most advantageous prices available.
2016-2017 Council Members
Clr White Clr Gash

t. The membership and purpose of the Southern Water Services Pty Ltd be deferred pending a briefing of Councillors

u.

Ulladulla User Group – 4043E
Purpose: To assist Crown Lands to resolve operational matters and identify emerging issues in relation to operation and maintenance of coastal infrastructure including Ulladulla Harbour.
2016-2017 Council Members
Michael Strachan – Project Manager

v.

Ulladulla Working Port Committee – 4043E
Purpose: To provide input and support to the Department of Lands and it's proposed agent in connection with the operation of the present maritime and associated facilities at Ulladulla Harbour
2016-2017 Council Members
Clr Kitchener Clr Gartner Clr Proudfoot (alternate) Clr White (alternate)

w. that no council representatives be appointed to the Vincentia High School Hall Management Committee as it has been disbanded.

CARRIED

CL16.12 Section 355 Management Committees

**HPERM Ref:
D16/294914**

Recommendation

That:

1. The Section 355 Management Committees listed in this report, retain their delegated responsibility pursuant to Section 377 – LG Act for the care control and management of their facilities with authority to expend up to an amount of \$5,000 consistent with the delegation; and
2. The authorisation to the General Manager to appoint members as required be confirmed.
3. The following Section 355 Management Committees be renewed, however discussions commence to transition these Committees to an occupancy agreement within 2 years:
 - a. Ahimsa Sailing Club Management Committee
 - b. Jervis Bay Maritime Museum
 - c. Nowra Communal Hall
 - d. Vincentia Sailing Club
 - e. West Street Oval
4. The Finkernagel Reserve be renewed however discussions commence to transition this Committee to an annual seasonal sportsground allocation process within 2 years.
5. Council receive a report within the next 2 years outlining the status of the above Committees transition to an occupancy agreement or annual seasonal sportsground allocation process and therefore no longer function as a Management Committee.

RESOLVED (Clr Wells / Clr White)

MIN16.706

That:

1. The Section 355 Management Committees listed in this report, retain their delegated responsibility pursuant to Section 377 – LG Act for the care control and management of their facilities with authority to expend up to an amount of \$5,000 consistent with the delegation; and
2. The authorisation to the General Manager to appoint members as required be confirmed.
3. The following Section 355 Management Committees be renewed, however discussions commence to transition these Committees to an occupancy agreement within 2 years:
 - a. Ahimsa Sailing Club Management Committee
 - b. Jervis Bay Maritime Museum
 - c. Nowra Communal Hall
 - d. Vincentia Sailing Club
 - e. West Street Oval
4. The Finkernagel Reserve be renewed however discussions commence to transition this Committee to an annual seasonal sportsground allocation process within 2 years.
5. Council receive a report within the next 2 years outlining the status of the above Committees transition to an occupancy agreement or annual seasonal sportsground allocation process and therefore no longer function as a Management Committee.

CARRIED

Note: The meeting was adjourned, the time being 7.30pm. the meeting will be reconvened directly after the Development Committee meeting, Monday 10 October 2016.

Procedural Motion - Resumption of Meeting

RESOLVED (Amanda Findley)

MIN16.707

That the meeting resume Monday 10 October 2016, 5:00pm when the following members were present.

- Mayor Amanda Findley - Chairperson
- Clr Joanna Gash
- Clr John Wells
- Clr Patricia White
- Clr John Levett
- Clr Nina Cheyne
- Clr Annette Alldrick
- Clr Kaye Gartner
- Clr Andrew Guile
- Clr Mitchell Pakes
- Clr Greg Watson
- Clr Bob Proudfoot

CARRIED

Procedural Motion – Introduction of Addendum and En Block Resolve

RESOLVED (Clr Guile / Clr White)

MIN16.708

That:

4. The Addendum Report – CL16.55 be introduced as a matter of urgency due to the urgent business of Council
5. That items CL16.14, CL16.15, CL16.20, CL16.23, CL16.24, CL16.34, CL16.35, CL16.36, CL16.55 be resolved en block

CARRIED

Note: Items marked with * were resolved ‘en block’

CONFIDENTIAL REPORTS

Pursuant to Section 10A(4) the public were invited to make representation to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

Motion

RESOLVED (Clr White / Clr Cheyne)

MIN16.709

That the Council meeting move into confidential session at the conclusion of the deputation.

That the Ordinary Meeting exclude the press and public from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential

nature at the conclusion of the deputation.

CCL16.1 Tenders – Tree Services Supplier Panel - 2016/2019

Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CCL16.2 Tenders - Ison Park Football Complex Amenities Building - Stage 1

Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CCL16.3 Negotiations - Provision of Management & Operations of the Ulladulla Civic Centre 2016/19

Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CCL16.4 Tenders – Supply Landfill Compactor

Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to impact on the ability of Council to attract competitive tenders in the future.

CCL16.5 Occupancy Fees - Holiday Haven - Debt

Discussion in relation to the personal hardship of a resident or ratepayer. 10(A)(2)(b)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to impact on the ability of Council to deal with sensitive matters concerning residents or ratepayers in the future.

CCL16.6 Tenders – Analogue to DMR Digital Radio Network

Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

- CCL16.7 Tenders – Mandatory Portable Electrical Items Test & Tag
Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.10(A)(2)(d)(i)
There is a public interest consideration against disclosure of information as disclosure of the information could reasonably expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person’s legitimate business, commercial, professional or financial interests.
- CCL16.8 Tenders – Nowra to REMS 1A Transfer Main
Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.10(A)(2)(d)(i)
There is a public interest consideration against disclosure of information as disclosure of the information could reasonably expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person’s legitimate business, commercial, professional or financial interests.
- CCL16.9 Contract – Jerberra Estate Electrical and Communications Infrastructure Trenching
Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.10(A)(2)(d)(i)
There is a public interest consideration against disclosure of information as disclosure of the information could reasonably expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person’s legitimate business, commercial, professional or financial interests.
- CARRIED

Deputations

Mr Garry Girdlestone addressed the Committee in relation to CL 16.15 Tender Report - Ison Park Amenities Building Stage 1 Supply & Construct

The meeting moved into confidential the time being 5.16pm and reconvened in open session at 5.41pm.

REPORT FROM CONFIDENTIAL SESSION

The following resolutions of the Ordinary Meeting, whilst closed to the public, were made public.

CCL16.1 Tenders – Tree Services Supplier Panel - 2016/2019 **HPERM Ref: D16/294059**

RESOLVED (Clr Gash / Clr Gartner) **MIN16.710C**

That

1. Council appoint the following suppliers to the Tree Services – Preferred Supplier Panels for the term of three(3) years - 1 July 2016 to 30 June 2019 with an option for a one(1) year +

one(1) year extension as stated:

Supplier Name	Shoalhaven North	Shoalhaven South
Burnett Trees	YES	YES
Active Trees P/L	YES	YES
Asplundh Tree Expert	YES	YES
A & D Tree Services	YES	YES
Tree Serve P/L	YES	NO
Above the Rest Tree Care P/L	NO	YES
Tony' Tree Care P/L	NO	Reserve List

CARRIED

CCL16.2 Tenders - Ison Park Football Complex Amenities Building - Stage 1

HPERM Ref: D16/292722

RESOLVED (Clr Wells / Clr Gash)

MIN16.711C

That Council

4. The recommendation remain Confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until Tenders are determined by Council.

CARRIED

CCL16.3 Negotiations - Provision of Management & Operations of the Ulladulla Civic Centre 2016/19

HPERM Ref: D16/290897

RESOLVED (Clr Findley / Clr Gartner)

MIN16.712C

That the matter of Negotiations - Provision of Management & Operations of the Ulladulla Civic Centre 2016/19 be deferred to a Councillor briefing for further discussion.

CARRIED

CCL16.4 Tenders – Supply Landfill Compactor

HPERM Ref: D16/293241

RESOLVED (Clr Wells / Clr White)

MIN16.713C

That

1. Council accept the tender from GCM Enviro Pty Limited for the supply and delivery of a new Tana E520 landfill compactor at a total cost of \$1,054,700 excluding GST.
2. Council accept the offer of GCM Enviro Pty Limited for a trade in of the existing Council landfill compactor in the amount of \$200,000 excluding GST.
3. Authorise the General Manager (Director of Assets & Works) to finalise and execute the contract with GCM Enviro Pty Ltd on behalf of Council
4. Authorise the General Manager (Director of Assets and Works) to adjust the contract for variations under the contract

CARRIED

CCL16.5 Occupancy Fees - Holiday Haven - Debt

**HPERM Ref:
D16/291900**

RESOLVED (Clr Guile / Clr White)

MIN16.714C

That Council write off the outstanding occupancy fees for Sites 126, Ulladulla Headland Holiday Park; Site 101, Cullburra Beach Holiday Park and Site 63, Huskisson Beach Holiday Park as detailed in the confidential report.

CARRIED

CCL16.6 Tenders – Analogue to DMR Digital Radio Network

**HPERM Ref:
D16/291568**

RESOLVED (Clr Guile / Clr White)

MIN16.715C

That

1. Council accept the Tender from Logic Wireless for the supply of digital radio equipment and engineering services based on their submitted schedule of rates
2. Authorise the General Manager (Shoalhaven Water) to finalise and execute the contract with Logic Wireless on behalf of Council.
3. Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.

CARRIED

CCL16.7 Tenders – Mandatory Portable Electrical Items Test & Tag

**HPERM Ref:
D16/292430**

RESOLVED (Clr Guile / Clr White)

MIN16.716C

That

1. Council accept the Tender from SPA Trade Services to carry out Mandatory Portable Electrical Items Testing and Tagging based on their tendered schedule of rates, for a 3 year period with an optional 1 year extension
2. Authorise the General Manager (Shoalhaven Water) to finalise and execute the contract with SPA Trade Services on behalf of Council.
3. Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.

CARRIED

CCL16.8 Tenders – Nowra to REMS 1A Transfer Main

**HPERM Ref:
D16/305660**

RESOLVED (Clr Wells / Clr White)

MIN16.717C

That Council

4. The recommendation remain confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until negotiations are final.

CARRIED

CCL16.9 Contract – Jerberra Estate Electrical and Communications Infrastructure Trenching

**HPERM Ref:
D16/313160**

RESOLVED (Clr Watson / Clr Guile)

MIN16.718C

That

1. Council accepts the quotation of \$240,175.11(GST exclusive) received from Select Civil for the electrical trenching and communications infrastructure works at Jerberra Estate,
2. Under section 55(3)(i) of the Local Government Act (1993), Council resolves not to tender this work due to the following extenuating circumstances;
 - a. There are significant project cost savings to be made in expediting the works of which this contract is part, as any time delay will result in rework of constructed road and associated infrastructure
 - b. South East Power Lines and Electrical Services Pty Ltd have commenced work and the component for electrical trenching is required to commence on 17 October 2016
 - c. There is an immediate need to complete the communications infrastructure to ensure all road crossings are installed and back-filled prior to the final road pavement construction
3. Authorise the General Manager to finalise and execute a contract with Select Civil Pty Ltd limited on behalf of Council;
4. Authorise the General Manager to adjust the contract for variations under the contract.

CARRIED

CL16.13 Live Web Streaming - Council Meetings

**HPERM Ref:
D16/294806**

Recommendation

That Council not proceed with web streaming of Council meetings.

RESOLVED (Clr White / Clr Wells)

MIN16.719

That Council not proceed with web streaming of Council meetings.

Note: and ask the community during the next community consultation survey if they would use web streaming of Council meetings.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick and Clr Gartner

AGAINST: Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

CARRIED

Note: A rescission motion was lodged on this motion

CL16.14 Tender - Tree Services Supplier Panel - 2016/2019

**HPERM Ref:
D16/293927**

RESOLVED* (Clr Guile / Clr White)

MIN16.720

That in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

CARRIED

**CL16.15 Tender Report - Ison Park Amenities Building Stage 1
Supply & Construct**

**HPERM Ref:
D16/292552**

RESOLVED* (Clr Guile / Clr White)

MIN16.721

That, in accordance with Section 10A(2)(d)(i) of the Local Government Act 2003, Council consider a separate confidential report on this matter

CARRIED

**CL16.16 Local Government NSW Conference - Appointment of
Delegates**

**HPERM Ref:
D16/289562**

Recommendation

That:

1. Four (4) Councillors be appointed as the voting delegates for the 2016 Local Government NSW Annual Conference.
2. Councillors be appointed as reserve Committee voting delegates (in order of appointment) for the 2016 Local Government NSW Annual Conference if required.

RESOLVED (Clr Gash / Clr White)

MIN16.722

That:

1. Clr Findley, Clr Wells, Clr Guile and Clr Levett be appointed as the voting delegates for the 2016 Local Government NSW Annual Conference.

CARRIED

CL16.17 Investment Report - August 2016

**HPERM Ref:
D16/292740**

Recommendation

That the Report of the General Manager (Corporate Services and Community Services Group) on the Record of Investments for the period to 31st August 2016 be received for information.

RESOLVED (Clr Wells / Clr White)

MIN16.723

That the Report of the General Manager (Corporate Services and Community Services Group) on the Record of Investments for the period to 31st August 2016 be received for information.

CARRIED

CL16.18 Request for Donation - Milton Follies

**HPERM Ref:
D16/289543**

Recommendation

That Council not provide a donation to the Milton Follies to subsidise their hire fees of the Milton Theatre.

RESOLVED (Clr White / Clr Gash)

MIN16.724

That Council agree to:

1. Provide a donation of \$2,000 per year for the next three years only to Milton Follies to subsidise the hire fees of the Milton Theatre.
2. Funding to be allocated from the Uncommitted donations budget.
3. Undertake a review of current allocated donations funds.

CARRIED

CL16.19 Review of the Local Government Rating System

**HPERM Ref:
D16/290313**

Recommendation

That Council make a submission to the Independent Pricing and Regulatory Tribunal (IPART) commenting on the recommendations being proposed in the Draft Report on the Review of the Local Government Rating System.

RESOLVED (Clr Guile / Clr Gartner)

MIN16.725

That Council make a submission to the Independent Pricing and Regulatory Tribunal (IPART) commenting on the recommendations being proposed in the Draft Report on the Review of the Local Government Rating System.

CARRIED

CL16.20 Negotiations - Provision of the Management & Operations of the Ulladulla Civic Centre 2016/19

**HPERM Ref:
D16/290719**

RESOLVED* (Clr Guile / Clr White)

MIN16.726

That Council consider a separate confidential report on this matter in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

CL16.21 Successful Grant Funding - NSW Government 2016/17 Public Reserves Management Fund Program

**HPERM Ref:
D16/293612**

Recommendation

That Council

1. Accept the NSW Government's 2016/17 Public Reserve Management Fund Program grant offer of:
 - \$40,000 for replacement of the Nowra Showground (Pavilion) kitchen.

- \$20,000 for remediation and re-routing of a section of Bens Walk
2. Write to the Hon. Niall Blair MLC, Minister for Primary Industries, Minister for Lands and Water accepting and thanking him for the grant funds.
 3. Allocate funds of \$10,000 from Council's Minor Improvement Program (job no. 22107) to part meet the funding shortfall for replacement of the Nowra Showground (Pavilion) kitchen.
 4. To address the timing issue, provide the Nowra Show Society loan funds of \$50,000 (to be paid off by \$40,000 PRMFP grant and \$10,000 Council Minor Improvement Program funds) to undertake replacement of the Nowra Showground (Pavilion) kitchen under the supervision of Council staff.
 5. Encourage the Nowra Show Society to provide cash or further in-kind support to the value of \$7,000 for replacement of the Nowra Showground (Pavilion) kitchen.

RESOLVED (Clr Guile / Clr Cheyne)

MIN16.727

That Council

1. Accept the NSW Government's 2016/17 Public Reserve Management Fund Program grant offer of:
 - \$40,000 for replacement of the Nowra Showground (Pavilion) kitchen.
 - \$20,000 for remediation and re-routing of a section of Bens Walk
2. Write to the Hon. Niall Blair MLC, Minister for Primary Industries, Minister for Lands and Water accepting and thanking him for the grant funds.
3. Allocate funds of \$10,000 from Council's Minor Improvement Program (job no. 22107) to part meet the funding shortfall for replacement of the Nowra Showground (Pavilion) kitchen.
4. To address the timing issue, provide the Nowra Show Society loan funds of \$50,000 (to be paid off by \$40,000 PRMFP grant and \$10,000 Council Minor Improvement Program funds) to undertake replacement of the Nowra Showground (Pavilion) kitchen under the supervision of Council staff.
5. Encourage the Nowra Show Society to provide cash or further in-kind support to the value of \$7,000 for replacement of the Nowra Showground (Pavilion) kitchen.

CARRIED

CL16.22 Local Government - Urban Renewal Australia Conference

HPERM Ref: D16/294869

Recommendation

That Ordinary Meeting receive the report from Clr Patricia White and Clr Lynnette Kearney on the Local Government Urban Renewal Australia Conference for information.

RESOLVED (Clr White / Clr Wells)

MIN16.728

That Ordinary Meeting receive the report from Clr Patricia White and Clr Lynnette Kearney on the Local Government Urban Renewal Australia Conference for information.

CARRIED

CL16.23 Tenders - Supply Landfill Compactor

**HPERM Ref:
D16/293270**

RESOLVED* (Clr Guile / Clr White)

MIN16.729

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

CL16.24 Occupancy Fees - Holiday Haven - Debt

**HPERM Ref:
D16/291636**

RESOLVED* (Clr Guile / Clr White)

MIN16.730

That Council, in accordance with Section 10A(2)(b) of the Local Government Act 1993, consider a separate confidential report on this matter.

CARRIED

CL16.25 Crown Land at Shoalhaven Heads

**HPERM REF:
D16/291217**

Item dealt with earlier in the meeting see MIN16.687

CL16.26 Proposed Sale of Land - Wire Lane Berry

**HPERM Ref:
D16/295369**

Recommendation

That Council resolve to:

1. Advertise its intention to sell the property at Wire Lane, Berry comprised in Lot 1 DP593975 & Lot 1 DP1217124 in accordance with Council's policy POL12/275 "*Development and/or Disposal of Council Lands*" and subject to no objections being received, offer the property for sale by public auction and that the General Manager be authorised to set a reserve price based on advice from the selling agent and/or a valuer;
2. Fund all costs associated with the sale from Job Number 88746 and the net proceeds from the sale be placed in the Strategic Property Acquisition Reserve to fund future road acquisitions and/or works on public roads; and
3. Authority be granted to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.

RESOLVED (Clr Guile / Clr Wells)

MIN16.731

That Council resolve to:

1. Advertise its intention to sell the property at Wire Lane, Berry comprised in Lot 1 DP593975 & Lot 1 DP1217124 in accordance with Council's policy POL12/275 "*Development and/or Disposal of Council Lands*" and subject to no objections being received, offer the property for sale by public auction and that the General Manager be authorised to set a reserve price based on advice from the selling agent and/or a valuer;
2. Fund all costs associated with the sale from Job Number 88746 and the net proceeds from the

sale be placed in the Strategic Property Acquisition Reserve to fund future road acquisitions and/or works on public roads; and

3. Authority be granted to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.

CARRIED

CL16.27 Acquisition of Land for Matron Porter Drive Pathway - Part Lot 12 DP807589 - 13 Sungrove Lane

HPERM Ref: D16/291570

Recommendation

That Council:

1. Resolve to acquire part of Lot 12 DP807589 (being Lot 2 DP1214563) described as 13 Sungrove Lane, Milton as marked on Attachment 1;
2. Pay compensation of \$61,856 plus GST (based on the area of 2,358m²), legal and valuation costs associated with the acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 from Matron Porter Drive SUP budget job number 85583;
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution; and
4. Following gazettal of the acquisition, the land be dedicated as Public Road pursuant to Section 10 Roads Act 1993.

RESOLVED (Clr Findley / Clr Wells)

MIN16.732

That Council:

1. Resolve to acquire part of Lot 12 DP807589 (being Lot 2 DP1214563) described as 13 Sungrove Lane, Milton as marked on Attachment 1;
2. Pay compensation of \$61,856 plus GST (based on the area of 2,358m²), legal and valuation costs associated with the acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 from Matron Porter Drive SUP budget job number 85583;
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution; and
4. Following gazettal of the acquisition, the land be dedicated as Public Road pursuant to Section 10 Roads Act 1993.

CARRIED

CL16.28 Gateway Park-Electricity Supply-Princes Hwy Nowra

HPERM Ref: D16/300461

Recommendation

That Council:

1. Proceed with a Deed of Agreement with Nosbor Group Pty Limited to deliver a cost sharing arrangement for shared infrastructure for the supply of electricity to Gateway Park precinct.

2. Vote an additional \$15,000 to this project from the Strategic Projects Reserve.

RESOLVED (Clr Gash / Clr Wells)

MIN16.733

That Council:

1. Proceed with a Deed of Agreement with Nosbor Group Pty Limited to deliver a cost sharing arrangement for shared infrastructure for the supply of electricity to Gateway Park precinct.
2. Vote an additional \$15,000 to this project from the Strategic Projects Reserve.

CARRIED

**CL16.29 Disposal of Land to National Parks & Wildlife Service -
Addition to Jervis Bay National Park**

**HPERM Ref:
D16/291043**

Recommendation

That Council:

1. Approve the transfer of Lots 265 & 266 in DP8592, Lots 23, 25, 45, 77 and 78 in DP8769 to National Parks and Wildlife Service at nil compensation for addition to Jervis Bay National Park;
2. Approve the transfer of the unformed sections of Eerebeenee Grove, Pannamena Crescent, Wanawong Boulevard, Elouera Drive, Currana Avenue, Kinkuna Crescent and Pillapai Ring to National Parks and Wildlife Service at nil compensation for closure under the *National Parks and Wildlife Act 1974* and addition to Jervis Bay National Park; and
3. Authorise the Mayor and General Manager or his delegate to sign and affix the Seal of Shoalhaven City Council to any documentation required to give effect to this resolution.

RESOLVED (Clr Gartner / Clr White)

MIN16.734

That Council:

1. Approve the transfer of Lots 265 & 266 in DP8592, Lots 23, 25, 45, 77 and 78 in DP8769 to National Parks and Wildlife Service at nil compensation for addition to Jervis Bay National Park;
2. Approve the transfer of the unformed sections of Eerebeenee Grove, Pannamena Crescent, Wanawong Boulevard, Elouera Drive, Currana Avenue, Kinkuna Crescent and Pillapai Ring to National Parks and Wildlife Service at nil compensation for closure under the *National Parks and Wildlife Act 1974* and addition to Jervis Bay National Park; and
3. Authorise the Mayor and General Manager or his delegate to sign and affix the Seal of Shoalhaven City Council to any documentation required to give effect to this resolution.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes and Clr Proudfoot

AGAINST: Clr Watson

CARRIED

**CL16.30 Public Engagement - Recycling & Waste Transfer
Facilities**

**HPERM Ref:
D16/300639**

Recommendation

1. That Council proceed to engage with the community regarding the results of the survey and

seek feedback on the proposed recommendations as listed below:

- a. West Nowra, Huskisson and Ulladulla - continue operating the three large facilities seven days per week;
 - b. Berry, Callala and Sussex Inlet - change the operating days to three days per week, Friday, Saturday and Sunday and open the buyback facilities on Saturday and Sunday mornings;
 - c. Kangaroo Valley - change the operating days to three days per week, Saturday, Sunday and Monday and open the buyback facility on a Sunday morning;
 - d. Kioloa - change the operating days to three days per week, Friday, Saturday and Sunday;
 - e. Lake Conjola - change the operation to 2 mornings per weekend from 8am to 12pm;
 - f. Bendalong - change the operation to 2 afternoons per weekend from 1pm to 5pm;
 - g. Continue operating all facilities for 7 days per week from Christmas to the end of the January school holidays with the exception of Bendalong and Lake Conjola;
 - h. Operate Lake Conjola and Bendalong for 5 days per week during the Christmas school holidays, on Friday, Saturday, Sunday, Monday and Wednesday;
 - i. Public holidays - close all ten recycling and waste facilities on all public holidays;
 - j. Currarong, Berry, Culburra and Nowra - close and remove the bottle bank;
2. Staff provide a further report to Council on completion of community engagement, with details and cost analysis of the options and time line for implementation.

RESOLVED (Clr Wells / Clr White)

MIN16.735

1. That Council proceed to engage with the community regarding the results of the survey and seek feedback on the proposed recommendations as listed below:
 - a. West Nowra, Huskisson and Ulladulla - continue operating the three large facilities seven days per week;
 - b. Berry, Callala and Sussex Inlet - change the operating days to three days per week, Friday, Saturday and Sunday and open the buyback facilities on Saturday and Sunday mornings;
 - c. Kangaroo Valley - change the operating days to three days per week, Saturday, Sunday and Monday and open the buyback facility on a Sunday morning;
 - d. Kioloa - change the operating days to three days per week, Friday, Saturday and Sunday;
 - e. Lake Conjola - change the operation to 2 mornings per weekend from 8am to 12pm;
 - f. Bendalong - change the operation to 2 afternoons per weekend from 1pm to 5pm;
 - g. Continue operating all facilities for 7 days per week from Christmas to the end of the January school holidays with the exception of Bendalong and Lake Conjola;
 - h. Operate Lake Conjola and Bendalong for 5 days per week during the Christmas school holidays, on Friday, Saturday, Sunday, Monday and Wednesday;
 - i. Public holidays - close all ten recycling and waste facilities on all public holidays;
 - j. Currarong, Berry, Culburra and Nowra - close and remove the bottle bank;
2. Staff provide a further report to Council on completion of community engagement, with details and cost analysis of the options and time line for implementation.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Aldrick and Clr Gartner

AGAINST: Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot
CARRIED

CL16.31 Ratepayer Advance Scheme - Kerb & Gutter Construction - Various Locations

**HPERM Ref:
D16/290914**

Recommendation

That:

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with A E L King & P W A Purcell of 18 Myrniong Gr, Berrara in respect of Kerb and Gutter construction to the value of \$8264.82 of which \$2657.42 is a contribution, \$5607.40 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$7009.25.
2. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with P A Drew of 20 Myrniong Gr, Berrara in respect of Kerb and Gutter construction to the value of \$8264.82 of which \$2657.42 is a contribution, \$5607.40 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$7009.25.
3. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with A J Lidden of 22 Myrniong Gr, Berrara in respect of Kerb and Gutter construction to the value of \$8264.82 of which \$2657.42 is a contribution, \$5607.40 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$7009.25.
4. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with G M & D Malekkou of 8 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,408.36 of which \$1,903.16 (Including \$22 GST) is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
5. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with J & J Swinton of 10 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
6. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with A M & B C Pemberton of 12 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
7. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with L & R D Casmiri of 14 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
8. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with B J Bunter of 16 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
9. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with J & M Manetas of 18 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
10. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with F M Folkes of 2 Mitchell Road, Callala Bay in respect of Kerb and Gutter construction to the value of \$17,839.12 of which \$4,339.24 is a contribution, \$13,439.88 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$16,799.83.

11. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with B & B Tait of 8 Plantation Point Pde, Vincentia in respect of Kerb and Gutter construction to the value of \$7,317.69 of which \$2,342.49 is a contribution, \$4,975.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$6,219.00.
12. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with E Kofler of 6 Plantation Point Pie, Vincentia in respect of Kerb and Gutter construction to the value of \$8,544.79 of which \$2,488.82 is a contribution, \$6,055.97 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$7,569.97.
13. The funding for additional cost of the works for all projects, being \$12,282.54, is to be funded from the Kerb & Gutter Program.
14. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

RESOLVED (Clr Wells / Clr White)

MIN16.736

That:

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with A E L King & P W A Purcell of 18 Myrniong Gr, Berrara in respect of Kerb and Gutter construction to the value of \$8264.82 of which \$2657.42 is a contribution, \$5607.40 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$7009.25.
2. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with P A Drew of 20 Myrniong Gr, Berrara in respect of Kerb and Gutter construction to the value of \$8264.82 of which \$2657.42 is a contribution, \$5607.40 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$7009.25.
3. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with A J Lidden of 22 Myrniong Gr, Berrara in respect of Kerb and Gutter construction to the value of \$8264.82 of which \$2657.42 is a contribution, \$5607.40 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$7009.25.
4. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with G M & D Malekkou of 8 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,408.36 of which \$1,903.16 (Including \$22 GST) is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
5. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with J & J Swinton of 10 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
6. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with A M & B C Pemberton of 12 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
7. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with L & R D Casmiri of 14 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
8. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with B J Bunter of 16 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.

9. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with J & M Manetas of 18 Elizabeth Drive, Vincentia in respect of Kerb and Gutter construction to the value of \$5,166.36 of which \$1,661.16 is a contribution, \$3,505.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$4,381.50.
10. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with F M Folkes of 2 Mitchell Road, Callala Bay in respect of Kerb and Gutter construction to the value of \$17,839.12 of which \$4,339.24 is a contribution, \$13,439.88 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$16,799.83.
11. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with B & B Tait of 8 Plantation Point Pde, Vincentia in respect of Kerb and Gutter construction to the value of \$7,317.69 of which \$2,342.49 is a contribution, \$4,975.20 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$6,219.00.
12. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with E Kofler of 6 Plantation Point Pie, Vincentia in respect of Kerb and Gutter construction to the value of \$8,544.79 of which \$2,488.82 is a contribution, \$6,055.97 is the advance and the amount to be repaid to the Ratepayer in 5 years at 5% interest is \$7,569.97.
13. The funding for additional cost of the works for all projects, being \$12,282.54, is to be funded from the Kerb & Gutter Program.
14. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

CL16.32 Telstra Asset Relocation – Intersection Flinders Road & Albatross Road, South Nowra

HPERM Ref: D16/305568

Clr White – CL16.32 – Telstra Asset Relocation Intersection Flinders Road and Albatross Road South Nowra - pecuniary interest declaration – she is a previous Telstra dealer and she may receive remuneration – left the room and did not take part in discussion or vote.

Recommendation

That

1. Council accepts the quotation received from Telstra for the relocation of telecommunications assets at the intersection of Flinders Road and Albatross Road (Service Road) in South Nowra for \$219,592.79 inclusive of GST
2. In accordance with Section 55(3) of the Local Government Act, Council resolves not to invite tenders for this work due to there being no other supplier able to provide this service
3. Authorise the General Manager (Director of Assets & Works) to finalise and execute the contract with Telstra on behalf of Council
4. Authorise the General Manager (Director of Assets and Works) to adjust the contract for variations under the contract

RESOLVED (Clr Watson / Clr Guile)

MIN16.737

That

1. Council accepts the quotation received from Telstra for the relocation of telecommunications assets at the intersection of Flinders Road and Albatross Road (Service Road) in South Nowra for \$219,592.79 inclusive of GST
2. In accordance with Section 55(3) of the Local Government Act, Council resolves not to invite

tenders for this work due to there being no other supplier able to provide this service

3. Authorise the General Manager (Director of Assets & Works) to finalise and execute the contract with Telstra on behalf of Council
4. Authorise the General Manager (Director of Assets and Works) to adjust the contract for variations under the contract

CARRIED

CL16.33 Addition of Regulated Fee to Council's Fees and Charges

**HPERM Ref:
D16/293868**

Recommendation

That Council:

1. In accordance with the Local Government Act 1993, endorse the advertising of the regulated fee of \$70 (under the Swimming Pools Regulations 2008) for Certificate of Exemption for a Swimming Pool;
2. The fee be placed on Council's website for a period of 28 days;
3. The fee be added to Council's Fees and Charges if no submissions are received;
4. A further report to Council be submitted to Council with the outcome of any submissions received.

Note: Clr White returned to the meeting at 7:06pm.

RESOLVED (Clr Guile / Clr Gash)

MIN16.738

That Council:

1. In accordance with the Local Government Act 1993, endorse the advertising of the regulated fee of \$70 (under the Swimming Pools Regulations 2008) for Certificate of Exemption for a Swimming Pool;
2. The fee be placed on Council's website for a period of 28 days;
3. The fee be added to Council's Fees and Charges if no submissions are received;
4. A further report to Council be submitted to Council with the outcome of any submissions received.

CARRIED

CL16.34 Tenders - Analogue to DMR Digital Radio Network Upgrade

**HPERM Ref:
D16/291531**

RESOLVED* (Clr Guile / Clr White)

MIN16.739

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

CL16.35 Tenders - Mandatory Portable Electrical Items Test & Tag

HPERM Ref: D16/292301

RESOLVED* (Clr Guile / Clr White)

MIN16.740

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

CL16.36 Tenders - Nowra to REMS 1A Transfer Main

HPERM Ref: D16/292140

RESOLVED* (Clr Guile / Clr White)

MIN16.741

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

CL16.37 Emergency Overflow Storage Facilities - Sewage Pumping Stations - Various Locations - REF

HPERM Ref: D16/289600

Recommendation

1. After consideration of the REF for the Emergency Storage Facility Works at eleven (11) locations, December 2015, Council resolves to proceed with construction at nine (9) of these sites as detailed in this Report.
2. Council determines that it is unlikely that there will be any significant environmental impact at the nine (9) locations (proposed for construction) as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity.
3. Defer construction at two (2) locations: Culburra SPS 5 and St Georges Basin SPS 12 pending further community consultation.
4. The proposed mitigation measures and controls outlined in the REF (and summarised in Sections 7.2 & 8.0) be adopted and implemented through the construction phase.

RESOLVED (Clr Guile / Clr White)

MIN16.742

1. After consideration of the REF for the Emergency Storage Facility Works at eleven (11) locations, December 2015, Council resolves to proceed with construction at nine (9) of these sites as detailed in this Report.
2. Council determines that it is unlikely that there will be any significant environmental impact at the nine (9) locations (proposed for construction) as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity.
3. Defer construction at two (2) locations: Culburra SPS 5 and St Georges Basin SPS 12 pending further community consultation.
4. The proposed mitigation measures and controls outlined in the REF (and summarised in Sections 7.2 & 8.0) be adopted and implemented through the construction phase.
5. Council replace the removed trees so that they can mature as close as possible to the removed trees site.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL16.38 Notice of Motion - Old Tourist Information Centre Site

**HPERM Ref:
D16/293417**

Recommendation

That

1. Council exclude from any possible sale of the old tourist information centre site the land on which the Navy helicopter is located plus a reasonable curtilage.
2. The site be excised from the original parcel and when the subdivision is complete the subject Lot be classified community land with the intention of retaining the area for the display of naval aircraft into the future as recognition of the exceptional contribution that both the Navy, Navy personnel and former personal have made to our city
3. Should Council decide to proceed with the sale of the residue of the site proper provision be made for the protection of Graham Lodge.
4. That once the current expression of interest process has been completed Council reconsider the desirability of the community retaining the site pending a full assessment of the success or otherwise of the relocation of the tourist information Centre to the Shoalhaven Entertainment Centre foyer.
5. Should Council decide to retain the subject site consideration then be given to the acquisition of adjacent lands to provide an additional green space linkage for the community to the Shoalhaven River.

RESOLVED (Clr Watson / Clr Pakes)

MIN16.743

That

1. Council exclude from any possible sale of the old tourist information centre site the land on which the Navy helicopter is located plus a reasonable curtilage.
2. Should Council decide to proceed with the sale of the residue of the site proper provision be made for the protection of Graham Lodge.
3. Council staff to report back on the issue and provide a Councillor briefing on Gateway Park

FOR: Clr Findley, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, and Clr Proudfoot

AGAINST: Clr Gash, Clr Wells and Clr White

CARRIED

Procedural Motion - Reintroduction of Item

RESOLVED (Clr Watson / Clr Guile)

MIN16.744

That CL16.39 Notice Of Motion - Land Reclassification - 59 Owen Street, Huskisson be reintroduced for discussion to allow for a change in the resolution to reflect legislative requirements.

CARRIED

CL16.39 Notice of Motion - Land Reclassification - 59 Owen Street, Huskisson

**HPERM Ref:
D16/293446**

RESOLVED (Clr Watson / Clr Guile)

MIN16.745

That:

1. Council reclassify 59 Owen Street Huskisson to community land.
2. Council advertise its proposed resolution to reclassify 59 Owen Street from Operational Land to Community Land for 28 days as required by section 34 of the Local Government Act and a report be submitted to council following the public notice detailing any submissions received.

FOR: Clr Findley, Clr Wells, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Clr Gash, and Clr White

CARRIED

CL16.40 Notice of Motion - Special Rate Variation Proposal

**HPERM Ref:
D16/294896**

Recommendation

That Council abandon the proposed 21% rate increase over 2 years in favour of longer term strategy over a 10-15 year period.

MOTION (Clr Watson / Clr Guile)

That Council abandon the proposed 21% rate increase over 2 years in favour of longer term strategy over a 10-15 year period.

LOST

FOR: Clr Levett, Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Cheyne, Clr Alldrick and Clr Gartner

CL16.41 Notice of Motion - Community Halls

**HPERM Ref:
D16/294899**

Recommendation

That Council resolve not to proceed with the sale of any community halls or buildings.

MOTION (Clr Watson / Clr Guile)

That Council resolve not to proceed with the sale of any community halls or buildings.

LOST

FOR: Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick and Clr Gartner

Procedural Motion - Suspension of Meeting

MOTION (Clr Wells / Clr Gash)

That the meeting being adjourned and resume at the beginning of the Strategy and Assets Committee Meeting, Tuesday 11 October 2016.

LOST

FOR: Clr Gash, Clr Wells and Clr White

AGAINST: Clr Findley, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson, and Clr Proudfoot

CL16.42 Notice of Motion - Waste Transfer Stations

**HPERM Ref:
D16/294910**

Recommendation

That Council retain in an operational condition all of our waste transfer station as well as the existing operating hours.

RESOLVED (Clr Watson / Clr Pakes)

MIN16.746

That Council retain in an operational condition all of our waste transfer stations.

FOR: Clr Findley, Clr Wells, Clr Cheyne, Clr Alldrick, Clr Guile, Clr Pakes, Clr Watson, and Clr Proudfoot

AGAINST: Clr Gash, Clr White, Clr Levett and Clr Gartner

CARRIED

CL16.43 Notice of Motion - Greenwell Point Wharf Management

**HPERM Ref:
D16/302864**

Recommendation

That Council

1. Re-establish the Greenwell Point Wharf Management Committee.
2. Advertise for expression of interest for individuals interested in serving on the Committee with a report back to council in respect of the suggested Committee membership, terms of reference, and fee structure.
3. Receive a further report on the stability of the old Council owned facility pending the future planned grant application to replace the wharf.

RESOLVED (Clr Watson / Clr Guile)

MIN16.747

That Council

1. Re-establish the Greenwell Point Wharf Management Committee.
2. Advertise for expression of interest for individuals interested in serving on the Committee with a report back to council in respect of the suggested Committee membership, terms of reference, and fee structure.
3. Receive a further report on the stability of the old Council owned facility pending the future planned grant application to replace the wharf.
4. Staff consider report back on temporary relocation of pontoons after the River Festival

Event.

FOR: Clr Gash, Clr Wells, Clr White, Clr Aldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Clr Findley, Clr Levett and Clr Cheyne

CARRIED

CL16.44 Notice of Motion - Cycleway to the Burrill Lake Bridge

**HPERM Ref:
D16/300220**

Recommendation

That

1. Council works with the Roads and Maritime Services with a view to providing much greater safety for the users of the cycleway leading to the Burrill Lake Bridge.

The discussion needs to particularly focus on the protection of children and especially where the cycleway is at its closest proximity to the Princes Highway.

The options required to ensure that this potentially marvellous facility is much less dangerous than the local community feels that it is, include, but are not restricted to the following:

- a. Strategically located guardrails.
- b. Appropriately positioned metal fencing.
- c. Coppers logs railing type fencing.
- d. Soft engineering with selected vegetation, shrubs and hedges, such as photinia robusta.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN16.748

1. Council works with the Roads and Maritime Services with a view to providing much greater safety for the users of the cycleway leading to the Burrill Lake Bridge.

The discussion needs to particularly focus on the protection of children and especially where the cycleway is at its closest proximity to the Princes Highway.

The options required to ensure that this potentially marvellous facility is much less dangerous than the local community feels that it is, include, but are not restricted to the following:

- a. Strategically located guardrails.
- b. Appropriately positioned metal fencing.
- c. Coppers logs railing type fencing.
- d. Soft engineering with selected vegetation, shrubs and hedges, such as photinia robusta

CARRIED

CL16.45 Notice of Motion - Construction of a Roundabout, Paradise Beach Road & Kerry Street Sanctuary Point

**HPERM Ref:
D16/300255**

Recommendation

That a report be prepared for Council regarding the much needed construction of a roundabout at the intersection of Paradise Beach Road and Kerry Street, Sanctuary Point. The report needs to include the following:

1. The likely start of construction.

2. The estimated cost of the project and the sources of funding.
3. The criteria used in preparation for an application for State or Federal funding.
4. The likely conclusion of the project.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN16.749

That a report be prepared for Council regarding the much needed construction of a roundabout at the intersection of Paradise Beach Road and Kerry Street, Sanctuary Point. The report needs to include the following:

1. The likely start of construction.
2. The estimated cost of the project and the sources of funding.
3. The criteria used in preparation for an application for State or Federal funding.
4. The likely conclusion of the project.

CARRIED

CL16.46 Notice of Motion - Vehicle Barriers for Pedestrian Safety, Sanctuary Point

HPERM Ref: D16/300266

Recommendation

That all steps be taken by the shopowners at Sanctuary Point, (adjacent to Paradise Beach Road carpark) to install appropriate vehicle barriers in order to maximise pedestrian safety along the shopfront footpath.

RESOLVED (Clr Proudfoot / Clr Guile)

MIN16.750

That all steps be taken by the shopowners at Sanctuary Point, (adjacent to Paradise Beach Road carpark) to install appropriate vehicle barriers in order to maximise pedestrian safety along the shopfront footpath.

CARRIED

CL16.47 Notice of Motion - Road Surface Investigation, 802 Sussex Inlet Road

HPERM Ref: D16/303216

Recommendation

That an urgent investigation of the road surface in the proximity of 802 Sussex Inlet Road be conducted with a view to carrying out remediation works.

RESOLVED (Clr Proudfoot / Clr White)

MIN16.751

That an urgent investigation of the road surface in the proximity of 802 Sussex Inlet Road be conducted with a view to carrying out remediation works.

CARRIED

**CL16.48 Notice of Motion - Pedestrian Access - Sanctuary Point
Public School to Skate Park**

**HPERM Ref:
D16/304225**

Recommendation

That the General Manager investigate the feasibility and costs of creating safe pedestrian access between the eastern side of Sanctuary Point Public School down Centaur Avenue to the skate park adjacent to Francis Ryan Reserve and report back to council.

RESOLVED (Clr Levett / Clr Cheyne)

MIN16.752

That the General Manager investigate the feasibility and costs of creating safe pedestrian access between the eastern side of Sanctuary Point Public School down Centaur Avenue to the skate park adjacent to Francis Ryan Reserve and report back to council.

CARRIED

**CL16.49 Notice of Motion - Old Erowal Bay - Right Turn Lane -
Mernie Street**

**HPERM Ref:
D16/304230**

Recommendation

That the General Manager report to council on the possibility of creating a dedicated right turn lane into Mernie Street from the Wool Road at Old Erowal Bay for north flowing traffic.

RESOLVED (Clr Levett / Clr Gash)

MIN16.753

That the General Manager report to council on the possibility of creating a dedicated right turn lane into Mernie Street from the Wool Road at Old Erowal Bay for north flowing traffic.

CARRIED

CL16.50 Notice of Motion - Public Transport

**HPERM Ref:
D16/304233**

Recommendation

That the General Manager report to council on what plans are in place to improve public transport in the Shoalhaven.

RESOLVED (Clr Levett / Clr Cheyne)

MIN16.754

That the General Manager report to council on what plans are in place to improve public transport in the Shoalhaven.

CARRIED

**CL16.51 Notice of Motion - Illaroo Road Public School - Road
Safety**

**HPERM Ref:
D16/304245**

Recommendation

That the General Manager report back to council on the following issue:

1. For Council to consider construction of "s" lanes in Illaroo Road outside Illaroo Road Public School as a measure to improve safety for the hundreds of students at the school, and to make Illaroo Road easier for traffic.

RESOLVED (Clr Cheyne / Clr Guile)

MIN16.755

That the General Manager report back to council on the following issue:

1. For Council to consider construction of “s” lanes in Illaroo Road outside Illaroo Road Public School as a measure to improve safety for the hundreds of students at the school, and to make Illaroo Road easier for traffic.

CARRIED

CL16.52 Notice of Motion - Proposed Removal of Strata Title - Anson St, St Georges Basin

HPERM Ref: D16/305716

Recommendation

That the General Manager provide a full report on the proposed removal of Strata Title from DA 16/1830 and advise the council how soon a public meeting can be called to discuss and review DA 16/1830, Anson St, St Georges Basin.

RESOLVED (Clr Gartner / Clr Gash)

MIN16.756

That the Development Application for, Anson St, St Georges Basin (DA16/1830) be called in due to the public interest.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner, Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Nil

CARRIED

CL16.53 Notice of Motion - Pedestrian Crossing in Tallwood Avenue, Mollymook

HPERM Ref: D16/305719

Recommendation

That the General Manager report back to Council urgently on the feasibility and costs to provide an interim safety measure, such as a ‘lollypop person’, at the intersection of Tallwood Ave and Mitchell Parade Mollymook from December 24 2016 to January 2, 2017.

RESOLVED (Clr Gartner / Clr Wells)

MIN16.757

That

1. The General Manager report back to Council urgently on the feasibility and costs to provide an interim safety measure, such as a ‘lollypop person’, at the intersection of Tallwood Ave and Mitchell Parade Mollymook from December 24 2016 to January 2, 2017.

CARRIED

ADDENDUM REPORTS

CL16.55 Contract - Jerberra Estate Electrical and Communications Infrastructure Trenching	HPERM Ref: D16/313151
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RESOLVED* (Clr Guile / Clr White) MIN16.758

1. That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

Note: A Rescission Motion for CL16.13 Live Web Streaming - Council Meetings was received.

There being no further business, the meeting concluded, the time being 8.35pm.

Mayor Findley
CHAIRPERSON