

## MINUTES OF THE ORDINARY MEETING

**Meeting Date:** Tuesday, 31 January 2017  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5:00pm

The following members were present:

Clr 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 by an Acknowledgement of Traditional Custodians by the Chairperson, followed with a Prayer by Pastor Trevor Aspin – City Church Nowra and the playing of the Australian National Anthem.

### Apologies / Leave of Absence

Nil

### Confirmation of the Minutes

**RESOLVED** (Clr Guile / Clr Wells) MIN17.29

That the Minutes of the Ordinary Meeting held on Tuesday 20 December 2016 be confirmed with the following amendment to MIN16.989:

- The incorrect reference to MIN16.776 be corrected by replacing it with a reference to MIN16.938C.

CARRIED

## **Declarations of Interest**

Clr Guile – CL17.7 – Notice of Motion – Subdivision Application – Meroo Meadow – C130 Princes Highway – significant non pecuniary interest declaration – one of the residents is a close friend and the elected member – will leave the room and will not take part in discussion or vote.

Clr White – SA17.13 – NSW Pedestrian Infrastructure Around Schools Program 2016-17 – less than significant non pecuniary interest declaration – her husband is the crossing supervisor at Green Street Ulladulla – will remain in the room and will take part in discussion or vote.

## **PRESENTATIONS OF PETITIONS**

### **Presentation of Petition – Sealing – Bishop Drive, Mollymook**

Clr Kitchener presented a petition containing 400 signatures which states: This petition requests the Council to take immediate action to address the widening and sealing of 150 metres of the Bishop Drive gravel road in the Interests of Public Safety.

“This is a narrow single lane gravel/dirt road which services road traffic movements in excess of 200 vehicles per day carrying high levels of commercial traffic including heavy twin axel trailer trucks over 8m long as well as private vehicles.

Vehicle speeds along this section of road are known to exceed 60kph.

The road is totally inadequate to cope with these levels of traffic movements. In addition it poses a significant risk to the lives of pedestrians and school children making their way along this section of road to and from the bus stop on Bishop Drive.

We are concerned that the Council’s failure to act on this matter will lead to potential serious injury or even death, a prospect that could be easily avoided by the widening and sealing of the road and the inclusion of speed humps to slow down traffic movements.

We, the undersigned, as concerned residents within the area, request the Council to take immediate action to widen and seal this 150 metre section of gravel road.”

### **Presentation of Petition – Access for leashed dogs – Mollymook Beach footpaths**

Clr White presented a petition containing 465 signatures expressing the need to allow leashed dogs to walk on the public footpaths surrounding Mollymook Beach.

## MAYORAL MINUTE

**MM17.1 Mayoral Minute - Australia Day Award Winners and celebrations across the Shoalhaven**

**HPERM Ref:  
D17/26436**

### Recommendation

That Council receive the report for information and the Mayor write congratulatory letters to the Awardees.

**RESOLVED** (Clr Findley / Clr Proudfoot)

MIN17.30

That Council receive the report for information and the Mayor write congratulatory letters to the Awardees.

CARRIED

## DEPUTATIONS AND PRESENTATIONS

### **CL17.1 – Rescission Motion – CL16.126 – Bomaderry Nowra Regional Sports & Community Precinct Master Plan**

Ms Melinda Mustapic addressed the meeting regarding this matter.

### **CL17.2 – Notice of Motion - Bishop Drive – Mollymook**

Mr Paul Davies addressed the meeting regarding this matter.

### **CL17.10 – Notice of Motion – Collingwood Beach – Vegetation Maintenance**

Mr Bob Pullinger addressed the meeting regarding this matter

Mr Rob Dunn (representing Save Collingwood Beach) addressed the meeting regarding this matter.

### **Procedural Motion - Bring Item Forward**

**RESOLVED** (Clr Gartner / Clr Guile)

MIN17.31

That the following matters be brought forward for consideration:

- CL17.1 – Rescission Motion – CL16.126 – Bomaderry Nowra Regional Sports & Community Precinct Master Plan
- CL17.2 – Notice of Motion – Bishop Drive – Mollymook
- CL17.10 – Notice of Motion – Collingwood Beach – Vegetation Maintenance

CARRIED

## NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL17.1 Rescission Motion - CL16.126 - Bomaderry Nowra Regional Sports & Community Precinct Master Plan** **HPERM Ref: D16/401464**

A deputation was provided earlier in the meeting relating to this matter.

### Recommendation

That Council rescind the Motion relating to Item CL16.126 of the Council Meeting held on 20 December 2016.

MOTION (Clr Pakes / Clr Proudfoot)

MIN17.32

That Council rescind the Motion relating to Item CL16.126 of the Council Meeting held on 20 December 2016.

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

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

LOST

**CL17.2 Notice of Motion - Bishop Drive - Mollymook** **HPERM Ref: D17/7475**

A deputation was provided and a petition received earlier in the meeting relating to this matter.

### Recommendation

That Council include in the 2017/2018 budget an allocation of money to seal 150 metres of Bishop Drive Mollymook.

**RESOLVED** (Clr Kitchener / Clr Proudfoot)

MIN17.33

That:

1. Council consider in the 2017/18 budget an allocation of money to seal 150 metres of Bishop Drive Mollymook.
2. A report be provided to Council outlining:
  - a. Section 94 contributions and other funding possibilities with the opportunity for recoupment, in relation to works on this roadway.
  - b. The extent of works required on this roadway.

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

CARRIED

**CL17.10 Notice of Motion - Collingwood Beach - Vegetation Maintenance**

**HPERM Ref:  
D17/22328**

Deputations were provided earlier in the meeting relating to this matter.

**Recommendation**

That vegetation maintenance on the dunes at Collingwood Beach be attended to as soon as is possible. This includes at the very least, the following:

1. Make completely clear each of the access ways to the beach.
2. Trim vegetation at the junction of each access way and the cycleway so as to allow safety vision.
3. Remove dead vegetation and mulch on site.
4. Remove the majority of the tree destruction signs.

**MOTION** (Clr Proudfoot / Clr Guile)

That vegetation maintenance on the dunes at Collingwood Beach be attended to as soon as is possible. This includes at the very least, the following:

1. Make completely clear each of the access ways to the beach.
2. Trim vegetation at the junction of each access way and the cycleway so as to allow safety vision.
3. Remove dead vegetation and mulch on site.
4. Remove the majority of the tree destruction signs.

**PROCEDURAL MOTION** (Clr Watson)

That the motion be put.

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

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

CARRIED

**MOTION WAS PUT**

**MIN17.34**

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

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

LOST

**Procedural Motion - Bring Item Forward**

**RESOLVED** (Clr Findley / Clr Proudfoot)

**MIN17.35**

That the matter of item CL17.9 – Notice of Motion Marriage Equality be brought forward for consideration.

CARRIED

**CL17.9 Notice of Motion - Marriage Equality**

**HPERM Ref:  
D17/22170**

**Recommendation**

That Shoalhaven City Council joins the growing number of local governments who publicly support marriage equality.

**RESOLVED** (Clr Proudfoot / Clr Alldrick)

MIN17.36

That Shoalhaven City Council joins the growing number of local governments who publicly support marriage equality.

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

**Procedural Motion - Bring Item Forward**

**RESOLVED** (Clr Findley)

MIN17.37

That the following matters be brought forward for consideration:

- CL17.4 – Notice of Motion – Confidential Meeting
- CL17.6 – Notice of Motion – Donation Request – Nowra Family Support Service – Swimming Lessons
- CL17.7 – Notice of Motion – Subdivision Application – Meroo Meadow – C130 Princes Highway

CARRIED

**CL17.4 Notice of Motion - Confidential Meeting**

**HPERM Ref:  
D17/14746**

**Recommendation**

That the General Manager be requested to provide ALL councillors with the information that was provided at that meeting, including the slide presentation.

**RESOLVED** (Clr Gash / Clr Wells)

MIN17.38

That the report regarding Notice of Motion – Confidential Meeting be received for information.

CARRIED

**CL17.6 Notice of Motion - Donation Request - Nowra Family Support Service - Swimming Lessons**

**HPERM Ref:  
D17/22098**

**Recommendation**

That Council

1. Express its support for the Australian Water Safety Strategy goal of reducing drownings by 50per cent by 2020
2. Supports the right of every Australian child to access a learn to swim program, irrespective of their family's economic status

3. Considers supporting the Nowra Family Support Services fundraising campaign to assist local families in providing learn to swim classes for their children.

PROCEDURAL MOTION (Clr Cheyne / Clr Gash)

That Ms Pam Arnold be permitted to make a deputation to the Council on this matter.

CARRIED

Note: Pam Arnold gave a presentation in relation to this matter.

**RESOLVED** (Clr Wells / Clr Cheyne)

MIN17.39

That Council:

1. Express its support for the Australian Water Safety Strategy goal of reducing drownings by 50per cent by 2020.
2. Supports the right of every Australian to access a learn to swim program, irrespective of their economic status.
3. Support the Nowra Family Support Services fundraising campaign to assist in providing learn to swim classes for all family members by making a donation to the value of \$2000 from the Unallocated Donations Budget and \$2000 from Shoalhaven Water.
4. Make representation to local members (MP's and MLC's) in support of the Australian Water Safety Strategy and the right of all Australians to access learn to swim and Water Safety programs.

CARRIED

**CL17.7 Notice of Motion - Subdivision Application - Meroo Meadow - C130 Princes Highway**

**HPERM Ref: D17/16891**

Clr Guile – significant non pecuniary interest declaration – one of the residents is a close friend and the elected member – will leave the room and will not take part in discussion or vote.

**Recommendation**

That the proposed 37 lot subdivision-C130 Princes Highway Meroo Meadow (SF10541) for Emerald Drive, Meroo Meadow be " called-in " for determination by Council, due to the immense public interest shown.

**RESOLVED** (Clr Proudfoot / Clr Wells)

MIN17.40

That the report regarding Notice of Motion - Subdivision Application - Meroo Meadow - C130 Princes Highway be received for information, as it has previously been 'called in' for consideration of Council.

CARRIED

Note: Clr Guile was not present.

**Procedural Motion - Adjournment of Meeting**

**RESOLVED** (Clr Findley / Clr Levett) MIN17.41

That the meeting be adjourned for a period of five minutes the time being 8.32pm.

CARRIED

The meeting reconvened the time being 8.40pm

The following members were present:

Clr 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

**CL17.3 Notice of Motion - Canine Parvovirus - Pop Up  
Vaccination Clinic**

**HPERM Ref:  
D17/14128**

**Recommendation**

That Council:

1. Write a letter of thanks to the Bomaderry Veterinary Hospital and other organisers of the recent Canine Parvovirus Vaccination Clinic.
2. Thank Council staff that were involved in organising the clinic.

**RESOLVED** (Clr Gash / Clr Proudfoot) MIN17.42

That Council:

1. Write a letter of thanks to the Bomaderry Veterinary Hospital and other organisers of the recent Canine Parvovirus Vaccination Clinic.
2. Thank Council staff that were involved in organising the clinic.

CARRIED

**CL17.4 Notice of Motion - Confidential Meeting**

**HPERM REF:  
D17/14746**

Item dealt with earlier/later in the meeting see MIN17.38



**CL17.5 Notice of Motion - Mollymook Beach Reserve - Footpath  
- Dogs on Leads - Access on Pathway**

**HPERM Ref:  
D17/15435**

A Petition was provided earlier in the meeting in relation to this item.

**Recommendation**

That Council:

1. Alter the existing dog's policy to allow access on the pathway within Mollymook Beach Reserve area from Blackwattle Creek till the Mollymook Beach Golf Club for dogs on leads only.
2. Remove the existing signs and replace the signs with Dogs must be on lead on pathway.
3. Review the dog access in this area as part of the dog policy review.

**RESOLVED** (Clr White / Clr Proudfoot)

MIN17.43

That Council:

1. Alter the existing dog's policy to allow access on the pathway within Mollymook Beach Reserve area from Blackwattle Creek till the Mollymook Beach Golf Club for dogs on leads only.
2. Remove the existing signs and replace the signs with Dogs must be on lead on pathway.
3. Review the dog access in this area as part of the dog policy review.

CARRIED

**CL17.6 Notice of Motion - Donation Request - Nowra Family  
Support Service - Swimming Lessons**

**HPERM REF:  
D17/22098**

Item dealt with earlier in the meeting see MIN17.39

**CL17.7 Notice of Motion - Subdivision Application - Meroo  
Meadow - C130 Princes Highway**

**HPERM REF:  
D17/16891**

Item dealt with earlier in the meeting see MIN17.40

**CL17.8 Notice of Motion - Social Media Policy**

**HPERM Ref:  
D17/14021**

**Recommendation**

That Council undertake a review of it's Social Media Policy with a particular focus on identifying how the Mayor and Councillors can responsibly make comments on social media as both a public and a private individual. Possible ramifications leading to Code Of Conduct issues needs to be carefully considered as part of the review.

**RESOLVED** (Clr Proudfoot / Clr Pakes)

MIN17.44

That Council undertake a review of it's Social Media Policy with a particular focus on identifying how the Mayor and Councillors can responsibly make comments on social media as both a public and a private individual. Possible ramifications leading to Code Of Conduct issues needs to be carefully considered as part of the review.

CARRIED

**CL17.9 NOTICE OF MOTION - MARRIAGE EQUALITY**

**HPERM REF:  
D17/22170**

Item dealt with earlier in the meeting see MIN17.36

**CL17.10 NOTICE OF MOTION - COLLINGWOOD BEACH -  
VEGETATION MAINTENANCE**

**HPERM REF:  
D17/22328**

Item dealt with earlier in the meeting see MIN17.34

**CL17.11 Notice of Motion - Indian Myna Birds**

**HPERM Ref:  
D17/23594**

**Recommendation**

That the General Manager invite Mr Bill Handke, President of Canberra Indian Myna Action Group, to address Council on the growing problem of Indian Myna birds and to explain the success of CIMAG's trapping program, endorsed by the RSPCA and the ACT Govt, which has reduced this pest from being the 3<sup>rd</sup> most abundant bird in the ACT to the 20<sup>th</sup>.

**RESOLVED** (Clr Levett / Clr Wells)

MIN17.45

That the General Manager invite Mr Bill Handke, President of Canberra Indian Myna Action Group, to address Council on the growing problem of Indian Myna birds and to explain the success of CIMAG's trapping program, endorsed by the RSPCA and the ACT Govt, which has reduced this pest from being the 3<sup>rd</sup> most abundant bird in the ACT to the 20<sup>th</sup>.

CARRIED

**CL17.12 Question on Notice - Signage on Shared Pathways**

**HPERM Ref:  
D16/400087**

**Question**

1. What is the council policy on signage for shared pathways?
2. How does this policy protect cyclists using the pathways in commercial areas of the City?

**Response**

Council does not have a policy on signage of paths per se', signage of paths is addressed in AUSTRROADS Part 6 (a) Pedestrian and Cyclist paths as well as AS1742.9 Bicycle facilities.

For pedestrian safety reasons there are no authorised cycle ways in busy commercial centre areas, these are generally lower speed environments and in the absence of any road reserve for dedicated cycle ways cyclists share the road space in accordance with NSW Road Rules. Cyclists over the age of 12 are prohibited to ride on footpaths unless accompanied by a child under 12. A child under 12 is allowed under NSW Road Rules to ride on footpaths.

**RESOLVED** (Clr Levett / Clr Cheyne)

MIN17.46

That the Question on Notice – Signage on Shared Pathways be received for information.

CARRIED

**CL17.13 Question on Notice - Recycling policies**

**HPERM Ref:  
D17/23622**

**Question**

What recycling policy is in place for Council administration buildings and other council buildings and, what recycling policy is in place for commercial premises?

**Response**

Internal Policy

Council facilitates the opportunity for recycling and encourages recycling in the following ways.

- There are general rubbish bins and paper recycling bins that are colour coded and placed in office space. These bins are emptied daily. Waste paper and cardboard is compacted and placed in the paper recycling dumpster for collection.
- At various locations, such as photocopier machines, there are paper recycling bins for collecting waste paper. All paper recycling bins are collected daily.
- There are collection points for the recycling of other materials such as cans, glass etc and they are collected for recycling.
- Specific initiatives operate for the collection and recycling of specific items, such as the replacement of telephone books and toner cartridges.

While no formal recycling policy exists for the Council administration buildings or other Council buildings, Council applies appropriate resources (including staff resources) and opportunities for extensive recycling of recyclable materials.

Commercial Premises

There is no formal Council recycling policy as such, but following response outlines the 'rules' and is based on how the information is presented in the DPOP:

Properties of a commercial nature or properties categorised as business for rating purposes, which are located within the collection area, may elect to use the domestic waste management service. The service conditions are the same as the domestic service, although commercial and business use of only the recycling part of the domestic waste management service is also offered. The service conditions allow for additional recycling services. Commercial or business services are offered on an annual basis and charges are levied pursuant to Section 501 of the Local Government Act 1993. Schools are included as commercial or business properties and the services are available to schools on the same basis.

**RESOLVED** (Clr Levett / Clr Cheyne)

MIN17.47

That the Question on Notice – Recycling Policies be received for information.

CARRIED

## REPORT OF THE STRATEGY & ASSETS COMMITTEE - 24 JANUARY 2017

### SA17.1 Appointment of new Risk and Audit Committee Member

HPERM Ref:  
D17/10358

#### Recommendation

That Mr Peter McLean be appointed as the new independent external member of the SCC Risk and Audit Committee.

**RESOLVED** (Clr Guile / Clr Watson)

MIN17.48

That:

1. Mr Peter McLean be appointed as the new independent external member of the SCC Risk and Audit Committee.
2. Any future panels for the appointment of independent Audit Committee members be comprised of Councillor members and the Chairperson or other independent member the Risk and Audit Committee.

CARRIED

### SA17.13 NSW Pedestrian Infrastructure Around Schools Program 2016-17

HPERM Ref:  
D16/403828

Clr White – less than significant non pecuniary interest declaration – her husband is the crossing supervisor at Green Street Ulladulla – will remain in the room and will take part in discussion or vote.

#### Recommendation

That Council:

1. Accepts the grant funding offers under the NSW Pedestrian Infrastructure Around Schools Program as follows:  
\$50,000 per project (total \$300,000) for the following six projects to raise and upgrade existing crossings at
  - North Street, Nowra
  - Moss Street, Nowra
  - Cambewarra Road, Bomaderry
  - Emmett Street, Callala Bay
  - Green Street, Ulladulla and
  - Hawken Road, Tomerong
2. Allocates funding of \$30,000 in 2016/17 and \$270,000 in 2017/18
3. Write to the Local Members of New South Wales Parliament and the State Government thanking them for funding assistance as part of the NSW Pedestrian Infrastructure Around Schools Program.

**RESOLVED** (Clr Gartner / Clr Cheyne)

MIN17.49

That Council:

1. Accepts the grant funding offers under the NSW Pedestrian Infrastructure Around Schools Program as follows:  
\$50,000 per project (total \$300,000) for the following six projects to raise and upgrade existing crossings at

- North Street, Nowra
  - Moss Street, Nowra
  - Cambewarra Road, Bomaderry
  - Emmett Street, Callala Bay
  - Green Street, Ulladulla and
  - Hawken Road, Tomerong
2. Allocates funding of \$30,000 in 2016/17 and \$270,000 in 2017/18
  3. Write to the Local Members of New South Wales Parliament and the State Government thanking them for funding assistance as part of the NSW Pedestrian Infrastructure Around Schools Program.

CARRIED

**SA17.15 Pedestrian Access - Sanctuary Point Public School to Skate Park, Francis Ryan Reserve via Centaur Ave** **HPERM Ref: D17/6037**

**Recommendation**

That funding for the footpath on Centaur Avenue adjacent to Sanctuary Point Public School be considered in the 2017/18 budget process.

**RESOLVED** (Clr Proudfoot / Clr Cheyne)

MIN17.50

That funding for the footpath on Centaur Avenue adjacent to Sanctuary Point Public School be considered in the 2017/18 budget process.

CARRIED

**SA17.16 Proposed Leases - Room 2, Building 3 - 78 St Vincent St, Ulladulla and 35 Holloway Road, Nowra - Australian Unity Home Care Services** **HPERM Ref: D16/390968**

**Recommendation**

That Council:

1. Enter into a lease agreement in accordance with Council's Occupation of Council Owned and Managed Land Policy (POL12/227) with Australian Unity Home Care Services for the use and occupation of Room 2, Building 3, 78 St Vincent Street, Ulladulla for a term of up to five (5) years at an annual rental of \$11,235 plus GST;
2. Enter into a lease agreement in accordance with Council's Occupation of Council Owned and Managed Land Policy (POL12/227) with Australian Unity Home Care Services for the use and occupation of 35 Holloway Road, Nowra for a term of up to five (5) years at an annual rental of \$20,865 plus GST;
3. List the subsidies applied of \$9,765 plus GST and \$18,135 plus GST, as assessed using the Rental Assessment Framework with annual CPI increases as a recognised Donation in Council's Annual Report each year for the term of the lease agreement;
4. Authorise the General Manager to finalise the lease terms that may not yet be determined; and
5. Authorised the General Manager to sign any documentation necessary to give effect to this resolution.

**RESOLVED** (Clr Proudfoot / Clr Wells)

MIN17.51

That Council:

1. Enter into a lease agreement in accordance with Council's Occupation of Council Owned and Managed Land Policy (POL12/227) with Australian Unity Home Care Services for the use and occupation of Room 2, Building 3, 78 St Vincent Street, Ulladulla for a term of up to five (5) years at an annual rental of \$11,235 plus GST;
2. Enter into a lease agreement in accordance with Council's Occupation of Council Owned and Managed Land Policy (POL12/227) with Australian Unity Home Care Services for the use and occupation of 35 Holloway Road, Nowra for a term of up to five (5) years at an annual rental of \$20,865 plus GST;
3. List the subsidies applied of \$9,765 plus GST and \$18,135 plus GST, as assessed using the Rental Assessment Framework with annual CPI increases as a recognised Donation in Council's Annual Report each year for the term of the lease agreement;
4. Authorise the General Manager to finalise the lease terms that may not yet be determined; and
5. Authorised the General Manager to sign any documentation necessary to give effect to this resolution.

CARRIED

**Items marked with an \* were resolved 'en block'.**

<b>SA17.2 Successful Grant Funding - Community Building Partnership Grants 2016</b>	<b>HPERM Ref: D16/398675</b>
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**RESOLVED\*** (Clr Guile / Clr Gartner) MIN17.52

That Council:

1. Accept the NSW Government Community Building Partnership Grants 2016 - \$30,000 'Optimise Space to Maximise Usage – Nowra Library' and vote the funds.
2. Write to the Hon. Shelley Hancock, Member for South Coast accepting and thanking her for the grant funding.

CARRIED

<b>SA17.3 Grant Funding - Staying Active Program</b>	<b>HPERM Ref: D16/380579</b>
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**RESOLVED\*** (Clr Guile / Clr Gartner) MIN17.53

That Council:

1. Accept the Aquatic & Recreation Institute of Australia offer of grant funding to the value of \$9,000 to enable Shoalhaven Swim & Fitness Centres to host the Institute's Staying Active Program.
2. Delegate authority to the General Manager (Corporate & Community Services) to accept the grant funding and acquittal of funds.
3. Write to the Aquatic & Recreation Institute, accepting the grant offer.

CARRIED

**SA17.9 Authority for Cheque and Electronic Banking HPERM Ref: D17/9826  
Signatories**

**RESOLVED\*** (Clr Guile / Clr Gartner) MIN17.54

That:

1. Council authorise any two of the following persons:

Russell Desmond Pigg	General Manager
Craig Laurence MILBURN	Director Corporate & Community Services
John Gerard LENEHAN	Information Services Manager
Melissa Jayne MCCOY	HR, Governance & Customer Services Manager
Vanessa Jane PHELAN	Finance Manager
Paula Briann MCMANUS	Financial Accountant
Stephanie Jane MOORLEY	Accountant – Management Accounting
Brittany Anne MURPHY	Assistant Financial Accountant
Karen Louise HENRY	Accounting Officer
Graham David LONGFIELD	Accounting Officer
Craig Robert GILFILLAN	Fixed Term Assistant Financial Accountant
Vacant	Chief Financial Officer

- a. to operate on any account(s) now opened or to be opened by the Shoalhaven City Council with Financial Institutions so long as the account(s) shall be in credit or at the Financial Institutions' discretion notwithstanding that they shall become thereby or be already overdrawn;
- b. to sign, draw, make, accept and negotiate cheques and electronic fund transfers on behalf of Shoalhaven City Council.

2. This authority will cancel and supersede all previous authorities except in respect of cheques and other instruments dated prior to this authority.

CARRIED

**SA17.13 Nsw Pedestrian Infrastructure Around Schools Program HPERM REF:  
2016-17 D16/403828**

Item dealt with earlier in the meeting see MIN17.49

**SA17.15 Pedestrian Access - Sanctuary Point Public School To HPERM REF:  
Skate Park, Francis Ryan Reserve Via Centaur Ave D17/6037**

Item dealt with earlier in the meeting see MIN17.50

**SA17.16 Proposed Leases - Room 2, Building 3 - 78 St Vincent HPERM REF:  
St, Ulladulla And 35 Holloway Road, Nowra - Australian D16/390968  
Unity Home Care Services**

Item dealt with earlier in the meeting see MIN17.51

**SA17.20 Payment of Dividend from Shoalhaven Water 2015-16** **HPERM Ref:  
D16/398065**

**RESOLVED\*** (Clr Guile / Clr Gartner) MIN17.55

That Council determines that “substantial compliance” of the criteria in the Best Practice Management of Water Supply and Sewerage Guidelines has been achieved and a dividend will be paid from the water fund and the sewer fund to the general fund for the 2015/2016 budget year.

CARRIED

**SA17.21 Acquisition of Crown Land at Burrill Lake - Pump Station site** **HPERM Ref:  
D16/403181**

**RESOLVED\*** (Clr Guile / Clr Gartner) MIN17.56

That:

1. Council resolve to compulsorily acquire part of Crown land Lots 2 and 3 DP1205656, being proposed Lots 2 and 3 as shown by hatching on draft survey plan marked ‘Attachment 1’ of the report.
2. Council pay compensation as determined by the Valuer General and ancillary costs for the acquisition from Council’s Sewer Fund, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
3. The necessary application be made to the Minister for Local Government and the Governor for approval to the acquisition under the Local Government Act 1993.
4. Council grant an Easement for Overhead Power Lines 9 wide in favour of Endeavour Energy over part of proposed Lot 3 and delineated (A) on the plan marked ‘Attachment 1’ of the report.
5. The land to be acquired be classified as Operational land in accordance with Section 31(2) of the Local Government Act 1993
6. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed and the General Manager is authorised to sign any documentation necessary to give effect to the resolution

CARRIED

**SA17.22 Create and replace Right of Way on Council land at Shoalhaven Heads** **HPERM Ref:  
D16/403713**

**RESOLVED\*** (Clr Guile / Clr Gartner) MIN17.57

That Council resolve to:

1. Extinguish an easement for Right of Carriageway variable width over Council land Lots 83 and 84 DP823256, as shown by hatching on copy of plan marked ‘Attachment 1’ in the report.
2. Create a replacement easement for Right of Way variable width over Council land Lots 83 and 84 DP823256, as shown on copy of plan marked ‘Attachment 1’.
3. Costs associated with the transactions to be met from Council’s Sewer Fund. No payment of compensation is to apply to either transaction.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED



## REPORTS

### **CL17.15 Ordinary Meeting Catering Options**

**HPERM Ref:  
D17/11608**

#### **Recommendation**

That assorted sandwiches continue to be provided for Councillors and staff at all Core Committee Meetings and Ordinary Meetings.

**RESOLVED** (Clr Gash / Clr White)

MIN17.58

That assorted sandwiches continue to be provided for Councillors and staff at all Core Committee Meetings and Ordinary Meetings.

CARRIED

### **CL17.16 Local Government Act 1993 - Proposed Regulations - Professional Development for Mayors & Councillors**

**HPERM Ref:  
D17/14509**

#### **Recommendation**

That the report regarding the proposed regulations for the professional development for Mayors and Councillors be received for information.

**RESOLVED** (Clr Wells / Clr Gash)

MIN17.59

That the report regarding the proposed regulations for the professional development for Mayors and Councillors be received for information.

CARRIED

### **CL17.17 Investment Report - December 2016**

**HPERM Ref:  
D17/16257**

#### **Recommendation**

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

**RESOLVED** (Clr Wells / Clr Gartner)

MIN17.60

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

CARRIED

### **CL17.18 Tenders - Burrier, Wattamolla, Foremans, Green Valley and Kangaroo Valley Roads Landslip Repairs**

**HPERM Ref: D17/4650**

#### **Recommendation**

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

**RESOLVED** (Clr Wells / Clr Gartner)

MIN17.61

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

CARRIED

**CL17.19 NSW Fire and Rescue - Fire Safety Report - 55 Judith Drive North Nowra**

**HPERM Ref: D17/1288**

**Recommendation**

That Council:

1. Receive the report by NSW Fire and Rescue - Fire Safety Report - 55 Judith Drive North Nowra for information.
2. Give notice to FRNSW in accordance with 121ZD of the Environmental Planning and Assessment Act that the matter has been tabled at the Council meeting and that Council will continue to monitor the premises to completion of the orders that are in accordance with 121B and Order 6 of the Environmental Planning and Assessment Act.

**RESOLVED** (Clr Pakes / Clr Proudfoot)

MIN17.62

That Council:

1. Receive the report by NSW Fire and Rescue - Fire Safety Report - 55 Judith Drive North Nowra for information.
2. Give notice to FRNSW in accordance with 121ZD of the Environmental Planning and Assessment Act that the matter has been tabled at the Council meeting and that Council will continue to monitor the premises to completion of the orders that are in accordance with 121B and Order 6 of the Environmental Planning and Assessment Act.

CARRIED

**CL17.20 NSW Planning Reform - Proposed amendments to Environmental Planning and Assessment Act 1979**

**HPERM Ref: D17/7438**

**Recommendation**

That Council:

1. Prepare a submission on the proposed amendments to the *Environmental Planning and Assessment Act 1979*; and
2. Consider the draft submission through a future report to Council.

**RESOLVED** (Clr Proudfoot / Clr Wells)

MIN17.63

That Council:

1. Prepare a submission on the proposed amendments to the *Environmental Planning and Assessment Act 1979*; and
2. Consider the draft submission through a future report to Council.

CARRIED

**CL17.21 Tenders - TM27 Lake Tabourie Watermain Replacement**

**HPERM Ref:  
D17/17789**

**Recommendation**

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

**RESOLVED** (Clr Proudfoot / Clr Pakes)

MIN17.64

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

CARRIED

**CL17.22 Draft Proposal for 2017-18 Water and Sewer Charges**

**HPERM Ref:  
D17/18253**

**Recommendation**

That Council:

1. Adopt the following proposal for 20mm residential connections for inclusion in the draft 2017/18 budget.  
Water Availability Charge – No increase from \$82/connection  
Water Usage Charge – No increase from \$1.70/kL  
Sewer Availability Charge – Increase of \$35 p.a. from \$795 p.a. to \$830 p.a.
2. Amend the Delivery Program and Operational Plan to include the new capital projects for sewer extensions to Woollamia Village and the residential subdivision at St Andrews Way.

**RESOLVED** (Clr Gartner / Clr Cheyne)

MIN17.65

That Council:

1. Adopt the following proposal for 20mm residential connections for inclusion in the draft 2017/18 budget.  
Water Availability Charge – No increase from \$82/connection  
Water Usage Charge – No increase from \$1.70/kL  
Sewer Availability Charge – Increase of \$35 p.a. from \$795 p.a. to \$830 p.a.
2. Amend the Delivery Program and Operational Plan to include the new capital projects for sewer extensions to Woollamia Village and the residential subdivision at St Andrews Way.

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

AGAINST: Clr Guile and Clr Pakes

CARRIED

## CONFIDENTIAL REPORTS

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

No members of the public made representations.

**RESOLVED** (Clr Wells / Clr Pakes)

MIN17.66

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

CSA17.1 Tenders – Ison Park Football Complex Amenities Building

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

*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.*

CSA17.2 Request to waive interest charges

*Local Government Act - Section 10A(2)(b) - Discussion in relation to the personal hardship of a resident or ratepayer.*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal an individual's personal information or contravene an information protection principle under the Privacy and Personal Information Protection Act 1998 or a Health Privacy Principle under the Health Records and Information Privacy Act 2002.*

CCL17.2 Tenders – Burrier, Wattamolla, Foremans, Green Valley and Kangaroo Valley Roads Landslip Repairs

*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.*

CCL17.3 Tenders – TM27 Lake Tabourie Watermain Replacement

*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.*

CARRIED

The meeting moved into confidential the time being 9.10pm.

The meeting moved into open session, the time being 9.21pm.

## REPORT FROM CONFIDENTIAL SESSION

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

<b>CSA17.2 Request to waive interest charges</b>	<b>HPERM Ref: D16/394092</b>
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**RESOLVED** MIN17.67C

That:

2. The recommendation remain confidential in accordance with Section 10(A)(2)(b) of the Local Government Act 1993.

<b>CSA17.1 Tenders – Ison Park Football Complex Amenities Building</b>	<b>HPERM Ref: D16/392402</b>
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**RESOLVED** MIN17.68C

That:

1. Council accept the Tender from Project Coordination Pty Ltd for Ison Park Football Complex Amenities Building at a total cost of \$1,050,920 (excluding GST) which is to complete the whole of the building.
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General Manager (Assets and Works).
3. Additional project funding of \$505,920 be provided from Council's Strategic Project Reserve to deliver the whole building works.

<b>CCL17.2 Tenders – Burrier, Wattamolla, Foremans, Green Valley and Kangaroo Valley Roads Landslip Repairs</b>	<b>HPERM Ref: D17/4716</b>
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**RESOLVED** MIN17.69C

That:

1. Council accept the Tender from Ledacon Pty Ltd for Landslip Repairs on Burrier Road, Wattamolla Road, Foremans Road, Green Valley Road and Kangaroo Valley Road at a total cost of \$242,505 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General Manager (Director of Assets and Works).

**CCL17.3 Tenders – TM27 Lake Tabourie Watermain Replacement**

**HPERM Ref:  
D17/16554**

**RESOLVED**

**MIN17.70C**

That:

1. Council accept the tender from Hisway Pty Ltd for the TM27 Lake Tabourie Watermain Replacement at a total cost of \$1,654,753.00 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General Manager (Director Shoalhaven Water).

There being no further business, the meeting concluded, the time being 9.24pm.

Clr Findley  
CHAIRPERSON