

## MINUTES OF THE ORDINARY MEETING

**Meeting Date:** Tuesday, 28 March 2017, Reconvened Tuesday 4 April 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 Patricia White  
Clr John Levett  
Clr Nina Cheyne  
Clr Annette Alldrick – arrived 5.24pm  
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 Rev Fred Monkton and the playing of the Australian National Anthem.

### Apologies / Leave of Absence

Apologies were received from Clr Wells

### Declarations of Interest

Clr White - SA17.71 – Telstra Tech Savvy Seniors Grant Funding – less than significant non pecuniary interest declaration – her husband is a previous Telstra Dealer, Council is receiving grant funding of \$1800 for library programs and no remuneration or advantage will be received by her husband – will leave the room and will not take part in discussion or vote.

Clr White – CL17.74 – Creation of a Nowra Community Consultative Body (CCB) – less than significant non pecuniary interest declaration – Jemma Tribe was part of Team Gash during the September 2016 Elections, she does not socialise with Jemma and the relationship is of political nature – will remain in the room and will take part in discussion or vote.

Clr Pakes – CL17.57 – Notice of Motion – Bushfire Hazard Reduction – less than significant non pecuniary interest declaration – He is the Senior Deputy Captain of Culburra Beach Brigade and regularly participate in hazard reduction burns – will remain in the room and will take part in discussion or vote.

Clr Gash - CL17.74 – Creation of a Nowra Community Consultative Body (CCB) – less than significant non pecuniary interest declaration – Jemma Tribe ran on the Team Gash ticket during the September 2016 Elections, the relationship is of political nature – will remain the room and will take part in discussion or vote.

Russ Pigg – SA17.82 – Ratepayers Advance Kerb and Gutter Construction – 58-64 Basin View Parade, Basin View - pecuniary interest declaration – he is one of the five (5) land owners – will leave the room and will not take part in discussion.

## PRESENTATION OF PETITIONS

### Presentation of Petitions

Clr Watson presented a petition containing 600 signatures expressing concern about the proposed rate increase.

## MAYORAL MINUTE

### MM17.4 Mayoral Minute - Queen's Baton Relay 2018 announcement

HPERM Ref:  
D17/80400

#### Recommendation

That Council endorses and receives the report for information.

**RESOLVED** (Clr Findley / Clr Gash)

MIN17.212

That Council endorses and receives the report for information.

CARRIED

### MM17.5 Mayoral Minute - Congratulations to Council Staff - Carmel Krogh, Liberty Nelson & Kaitlyn Bell

HPERM Ref:  
D17/80827

#### Recommendation

That Council endorse the Mayoral Minute and congratulate all three staff on their outstanding achievements.

**RESOLVED** (Clr Findley / Clr Gartner)

MIN17.213

That Council endorse the Mayoral Minute and congratulate all three staff on their outstanding achievements.

CARRIED

### MM17.6 Mayoral Minute - Traffic Calming in Anson Street, St Georges Basin

HPERM Ref:  
D17/82657

#### Recommendation

That staff report back to Council on how traffic calming could be achieved for Anson Street, St Georges Basin.

**RESOLVED** (Clr Findley / Clr Gartner)

MIN17.214

That staff report back to Council on how traffic calming could be achieved for Anson Street, St Georges Basin.

CARRIED

**MM17.7 Mayoral Minute - Coomea Street, Bomaderry**

**HPERM Ref:  
D17/82668**

**Recommendation**

That should opportunities arise for Council to further consolidate its land holdings in Coomea St Bomaderry then the opportunities be reported to Council for consideration and that funding for such a project be from the Strategic Lands Reserve.

**RESOLVED** (Clr Findley / Clr Guile)

MIN17.215

That should opportunities arise for Council to further consolidate its land holdings in Coomea St Bomaderry then the opportunities be reported to Council for consideration and that funding for such a project be from the Strategic Lands Reserve.

CARRIED

**Confirmation of the Minutes**

**RESOLVED** (Clr Gash / Clr Levett)

MIN17.216

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 28 February 2017 be confirmed.

CARRIED

**DEPUTATIONS AND PRESENTATIONS**

**CL17.55 – Notice of Motion – Development Application – Parson St Ulladulla – Proposed Lot 15 in Subdivision of Lot 3 DP 746228 and Lots 5 & 6 DP 805221**

Jan Gregory addressed the meeting in relation to this item.

**CL17.56 – Notice of Motion – Moona Moona Creek Pedestrian Bridge - Huskisson**

Mr Garry Kelson (Community Voice Huskisson) addressed the meeting in relation to this item.

Note: Clr Alldrick arrived at the meeting at 5.24pm

**CL17.61 – Notice of Motion – Investment Policy**

Mr Andrew Litchfield addressed the meeting in relation to this item.

**CL17.63 – Notice of Motion – Donation Request – Team SHuFLLe (Shoalhaven First Lego League)**

The members of Team SHuFLLe addressed the meeting in relation to this item.

**CL17.74 - Creation of a Nowra Community Consultative Body (CCB)**

Catherine Shields addressed the meeting in relation to this item

**CL17.66 – Notice of Motion Aligning planning and urban release priorities with community benefits**

Mr Steven Nall addressed the meeting in relation to this item.

**CL17.67 – Notice of Motion – Homelessness – Nowra Showground**

Mr John Steele addressed the meeting in relation to this item.

Peter and Ash from Salt Ministries and Ruth addressed the meeting in relation to this item

Note: Clr Gartner left the meeting at 6.43pm during the deputation

**NOTICES OF MOTION / QUESTIONS ON NOTICE**

**CL17.54 Rescission Motion - Development Application – Parson St Ulladulla – Proposed Lot 15 in Subdivision of Lot 3 DP 746228 and Lots 5 & 6 DP 805221**

**HPERM Ref:  
D17/90908**

Note: Clr Gartner returned to the meeting at 6.45pm

**Recommendation**

That Council rescind the Motion relating to Item DE17.23 DA16/2412 of the Development Committee meeting held on Tuesday 14 March 2017

**RESOLVED** (Clr Proudfoot / Clr Guile)

MIN17.217

That Council rescind the Motion relating to Item DE17.23 DA16/2412 of the Development Committee meeting held on Tuesday 14 March 2017.

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

AGAINST: Clr Pakes, Clr Watson

CARRIED

**CL17.55 Notice of Motion - Development Application – Parson St Ulladulla – Proposed Lot 15 in Subdivision of Lot 3 DP 746228 and Lots 5 & 6 DP 805221**

**HPERM Ref:  
D17/90919**

**Recommendation**

That Council reject DA16/2412 as it does not meet/comply with LEP2014.

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

That Council resolve not to support the proposed variation to the Development standard and refer the application back to staff to negotiate with the applicant to redesign the proposal to meet the 7.5m height standard.

**AMENDMENT** (Clr Findley / Clr White)

That Council:

1. Does not support the proposed variation to the Development standard and refer the application back to staff to negotiate with the applicant to redesign the proposal to meet the 7.5m height standard.
2. Undertakes a review of the 7.5m building heights in this part of the Ulladulla town centre in the next 6 months which is limited to the area south of Deering street and the B5 and R3 Zones

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

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

CARRIED BY THE CASTING VOTE OF THE CHAIRPERSON

THE AMENDMENT WAS CARRIED TO BECOME THE MOTION

**RESOLVED** (Clr Findley / Clr White)

MIN17.218

That Council:

1. Does not support the proposed variation to the Development standard and refer the application back to staff to negotiate with the applicant to redesign the proposal to meet the 7.5m height standard.
2. Undertakes a review of the 7.5m building heights in this part of the Ulladulla town centre in the next 6 months which is limited to the area south of Deering street and the B5 and R3 Zones

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

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

CARRIED BY THE CASTING VOTE OF THE CHAIRPERSON

**CL17.56 Notice of Motion - Moona Moona Creek Pedestrian  
Bridge - Huskisson**

**HPERM Ref:  
D17/80871**

**Recommendation**

That Council proceed with the construction of the new pedestrian bridge over Moona Moona Creek. The funding to come from Strategic Projects Reserve, Section 94 funds, as well as an application for funding to the Environment and Tourism Fund as a priority, and other funding sources that may become available. Ideally funding would need to be included in both the 2017/18 and 2018/19 budgets so as to effectively proceed with the project, with the major part of the construction taking place after Easter in 2018, so as to avoid conflict with the peak tourist season.

MOTION (Clr Proudfoot / Clr Pakes)

That Council proceed with the construction of the new pedestrian bridge over Moona Moona Creek. The funding to come from Strategic Projects Reserve, Section 94 funds, as well as an application for funding to the Environment and Tourism Fund as a priority, and other funding sources that may become available. Ideally funding would need to be included in both the 2017/18 and 2018/19 budgets so as to effectively proceed with the project, with the major part of the construction taking place after Easter in 2018, so as to avoid conflict with the peak tourist season.

AMENDMENT (Clr Watson / Clr Levett)

That Council:

1. Proceed with the construction of the new pedestrian bridge over Moona Moona Creek

2. Vote the necessary funds from operational revenue to be made up from loan funds, grants or expenditure votes made during the budget process

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

AGAINST: Nil

CARRIED

THE AMENDMENT WAS CARRIED TO BECOME THE MOTION

**RESOLVED** (Clr Watson / Clr Levett) MIN17.219

That Council:

1. Proceed with the construction of the new pedestrian bridge over Moona Moona Creek
2. Vote the necessary funds from operational revenue to be made up from loan funds, grants or expenditure votes made during the budget process

CARRIED

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

**RESOLVED** (Clr Proudfoot / Clr White) MIN17.220

That the following matters be brought forward for consideration:

- CL17.61 – Notice of Motion - Investment Policy
- CL17.66 – Notice of Motion – Aligning planning and urban release priorities with community benefits
- CL17.67 – Notice of Motion – Homelessness – Nowra Showground

CARRIED

#### **CL17.61 Notice of Motion - Investment Policy**

**HPERM Ref:  
D17/82615**

#### **Recommendation**

That Council instruct CPG Research and Advisory Pty Ltd, its investment advisors, to give preference to investing SCC funds with financial institutions that do not invest in, or finance, the fossil fuel industry where

1. Council's investment is compliant with its 'Investment Policy'.
2. The investment rate of interest is equivalent to other similar investments that may be on offer to Council at the time of investment.
3. A briefing be provided to Councillors, at the end of financial year 2016/17, to assess the results of this moderate divestment strategy

**RESOLVED** (Clr Gartner / Clr Cheyne) MIN17.221

That Council instruct CPG Research and Advisory Pty Ltd, its investment advisors, to give preference to investing SCC funds with financial institutions that do not invest in, or finance, the fossil fuel industry where:

1. Council's investment is compliant with its 'Investment Policy'.
2. The investment rate of interest is equivalent to other similar investments that may be on offer to Council at the time of investment.
3. A briefing be provided to Councillors, at the end of financial year 2016/17, to assess the results of this moderate divestment strategy

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

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

CARRIED

**Note:** A rescission motion was received in relation to this item.

**CL17.66 Notice of Motion - Aligning planning and urban release priorities with community benefits**

**HPERM Ref:  
D17/91271**

**Recommendation**

That

1. Council revise and elevate the strategic planning priority of the Moss Vale Road North urban release area due to the economic stimulus, provision of alternative development concepts and other benefits including affordable housing that this will provide.
2. The General Manager report to Council resourcing requirements for consideration to support the immediate commencement of the detailed development control plan and other processes required under Part 6 of Shoalhaven LEP2014 and any other steps necessary to facilitate the short term release of this land to market.
3. The General Manager report to Council any alternate sources of funding including any contributions that may be negotiated with the proponents to manage the processes required to enable the release of this land.
4. The General Manager report to Council any acceleration that may be required for the provision of infrastructure to account for the change of priority.
5. That Council inform other holders of land within the Nowra-Bomaderry Urban Release Areas of Council's decision and related justification.

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

MIN17.222

That:

1. Council revise and elevate the strategic planning priority of the Moss Vale Road North urban release area due to the economic stimulus, provision of alternative development concepts and other benefits including affordable housing that this will provide.
2. The General Manager report to Council resourcing requirements for consideration to support the immediate commencement of the detailed development control plan and other processes required under Part 6 of Shoalhaven LEP2014 and any other steps necessary to facilitate the short term release of this land to market.
3. The General Manager report to Council any alternate sources of funding including any contributions that may be negotiated with the proponents to manage the processes required to enable the release of this land.
4. The General Manager report to Council any acceleration that may be required for the provision of infrastructure to account for the change of priority.

5. That Council inform other holders of land within the Nowra-Bomaderry Urban Release Areas of Council's decision and related justification.

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

AGAINST: Nil

CARRIED

**CL17.67 Notice of Motion - Homelessness - Nowra Showground**

**HPERM Ref:  
D17/91287**

**Recommendation**

That the General Manager provide a report to the next meeting of Council regarding the continued use of the Nowra Showground by homeless people, including our current policies and enforcement measures being applied to manage this situation.

**RESOLVED** (Clr Guile / Clr Pakes)

MIN17.223

That Council:

1. Receive the report of the General Manager for information
2. Supports the enforcement of current policies in relation to the Nowra Showground
3. Via the Homelessness Taskforce continue to work in partnership with state agencies to seek a suitable location for an emergency shelter and other homelessness solutions
4. Commits to regular engagement with local residents and the community with regard to the effectiveness of these measures
5. Thank and acknowledge the Ranger's and other key staff for their involvement during this process

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

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

CARRIED

**Procedural Motion - Adjournment of Meeting**

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

MIN17.224

That the meeting be adjourned for 10 minutes.

CARRIED

The meeting adjourned the time being 9.18pm

The meeting reconvened the time being 9.30pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr Joanna Gash  
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

### **Procedural Motion - Adjournment of Meeting**

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

MIN17.225

That the meeting be adjourned until another date.

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

AGAINST: Clr Findley, Clr Levett, Clr Cheyne, Clr Gartner and Clr Kitchener

CARRIED

The meeting adjourned the time being 9.37pm

Mayor Findley advised that the meeting would reconvene on Tuesday 4 April 2017 at 4.00pm.

The meeting reconvened Tuesday 4 April 2017 at 4.00pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr Joanna Gash  
Clr Patricia White  
Clr John Levett  
Clr Kaye Gartner  
Clr Cheyne – arrived 4.21pm  
Clr Andrew Guile  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Mark Kitchener

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

**CL17.57 Notice of Motion - Bushfire Hazard Reduction**

**HPERM Ref:  
D17/80905**

**Recommendation**

That Council staff prepare a report on hazard reduction which is currently occurring in the Shoalhaven, aimed at minimising the impact of bushfires on our community. The report would need to address the latest assessment announced by the scientific fraternity where the assertion was made, that with global warming and climate change both the number and the ferocity of fire storms will increase markedly. In addition, the report would include all possible ways of reducing the fuel load as well as the effectiveness of back-burning in this regard.

**RESOLVED\*** (Clr Guile / Clr Pakes)

MIN17.226

That this item was deferred to the next Ordinary Meeting, Wednesday 26 April 2017.

CARRIED

**CL17.58 Notice of Motion - Conduct of Councillors**

**HPERM Ref:  
D17/80918**

**Recommendation**

That all councillors make a concerted effort to "raise the bar" when it comes to the demonstrated level of respect shown to each other and to the council staff.

**RESOLVED\*** (Clr Guile / Clr Pakes)

MIN17.227

That this item was deferred to the next Ordinary Meeting, Wednesday 26 April 2017.

CARRIED

**CL17.59 Notice of Motion - "In Kind" Contributions from Community Groups**

**HPERM Ref:  
D17/81071**

**Recommendation**

That Council staff prepare a report on broadening the potential for the ways that "in kind" contributions from community groups can be used. The report would need to include, but not be restricted to applications for funding and constructing capital projects.

**RESOLVED\*** (Clr Guile / Clr Pakes)

MIN17.228

That this item was deferred to the next Ordinary Meeting, Wednesday 26 April 2017.

CARRIED

**CL17.60 Notice of Motion - School Bus Transport**

**HPERM Ref:  
D17/90787**

**Recommendation**

That Shoalhaven City Council support concerned parents regarding their children being forced to stand up on buses whilst being transported to and from Nowra along the Princes Highway. Further, Council supports the parents and their children by writing to the Minister for Transport, the

RMS and the Shoalhaven Local Area Command asking for more frequent passenger number compliance checks.

**RESOLVED\*** (Clr Guile / Clr Pakes)

MIN17.229

That this item was deferred to the next Ordinary Meeting, Wednesday 26 April 2017.

CARRIED

**CL17.61 Notice Of Motion - Investment Policy**

**HPERM REF:  
D17/82615**

Item dealt with earlier in the meeting see MIN17.221

**CL17.62 Notice of Motion - Report from the Community Energy Congress**

**HPERM Ref:  
D17/91007**

**Recommendation**

That

1. Repower Shoalhaven be invited to brief this Council on its existing and proposed projects in the Shoalhaven, and its vision for community energy in the Shoalhaven.
2. Mr Chris Cooper be invited to brief council on the possibility of energy storage and generation in the Shoalhaven using pump-to-pump hydro.
3. SCC include consideration of the generation of renewable energy in the SCC Economic Development Plan and the SCC Property Strategy.

**RESOLVED** (Clr Gartner / Clr White)

MIN17.230

That

1. Repower Shoalhaven be invited to brief this Council on its existing and proposed projects in the Shoalhaven, and its vision for community energy in the Shoalhaven.
2. Mr Chris Cooper be invited to brief council on the possibility of energy storage and generation in the Shoalhaven using pump-to-pump hydro.
3. SCC include consideration of the generation of renewable energy in the SCC Economic Development Plan and the SCC Property Strategy.

CARRIED

**CL17.63 Notice of Motion - Donation Request - Team SHuFLLe (Shoalhaven First Lego League)**

**HPERM Ref:  
D17/86214**

**Recommendation**

That Council consider funding a young Shoalhaven Team Initiative to represent our City and Country through a first class project destined to win an overseas award for innovation.

**RESOLVED** (Clr White / Clr Gartner)

MIN17.231

That Council;

1. Fund \$5000 for Team SHuFLLe - a Shoalhaven Team Initiative to represent our City and Country through a first class project destined to win an overseas award for innovation

2. Write to Wollongong City Council challenging it to match our funding given some of the team attend Smith's Hill High School.

CARRIED

**CL17.64 Notice of Motion - Shoalhaven Bike Plan**

**HPERM Ref:  
D17/89127**

**Recommendation**

That in a future review of the Shoalhaven Bike Plan and on an ongoing basis Council & staff consider the following matters:

1. Identify existing routes that can be safely shared with traffic and/or pedestrians & produce a priority list of cycleway routes that need to be made safe for shared use.
2. Complete a survey of signage on shared pathways across the city.
3. Take steps to ensure that all shared paths comply with Australian Standard AS1742.9 (Bicycle facilities) and AUSTRROADS Guide to Road Design Part 6A (Pedestrian and Cyclist paths).
4. Consider a strategy to install additional signage at key locations along the shared path network within existing budget constraints, such as digital Directory Boards; identify on-road shoulder lanes as part of the "bike route networks"; possible use of websites or apps to identify these on-road shoulder lanes. (In some local government areas, these types of on-road facilities are identified with a combination of coloured road markings and identically coloured road signage.)
5. Continue to pursue Section 94 Funds (when justified) or RMS funds to support cycleway infrastructure and signage across the city.
6. Ensure community consultation occurs during the planning phase of cycle paths, shared pathways and any other infrastructure related to cycle ways including:
  - a. On-road bike lanes
  - b. On-road shoulder lanes
  - c. Off-road shared paths
7. That Council consider a "Committee" or a "working group" consisting of Bike user group stakeholders, Council staff and Councillors dedicated to improving cycleways and shared pathways across the city, and to provide input into decisions related to cycleways across the region when reviewing the Bike Plan.

**RESOLVED** (Clr Guile / Clr Pakes)

MIN17.232

That given the absence of the mover, the matter be deferred to the next Ordinary Meeting, Wednesday 26 April 2017.

CARRIED

**Note:** This item was reintroduced later in the meeting see MIN17.279

**Procedural Motion – Moved in Conjunction with**

**RESOLVED** (Clr Guile / Clr Pakes)

MIN17.233

That the matter of item CL17.65 Notice of Motion - Balloon Release Ban be considered in conjunction with CL17.90 Balloon Release Ban.

CARRIED

**CL17.65 Notice of Motion - Balloon Release Ban**

**HPERM Ref:  
D17/89388**

**Recommendation**

That Council

1. Joins Eurobodalla and Bega Valley Shire Councils in banning the release of balloons and on the use of helium to inflate balloons at Council events and in Council managed reserves.
2. Urges the Members for Kiama and South Coast to introduce legislation to ban the use of helium to inflate balloons and to ban the release of balloons across New South Wales.
3. Makes a submission to the Federal Government Draft Threat Abatement Plan (<http://www.environment.gov.au/biodiversity/threatened/threat-abatement-plans/drafts-open>) which is currently open for comment until 13th April 2017. This Plan looks at the impacts of marine debris on vertebrate marine species and mentions balloons on pages 5, 28 and 29.
4. Asks Mayor Amanda Findley, our Voting Delegate at the Australian Local Government Association 2017 National General Assembly, to introduce a Notice of Motion urging Environment Minister Josh Frydenberg to introduce similar bans at a National level.

**RESOLVED** (Clr Levett / Clr Kitchener)

MIN17.234

Note: Clr Cheyne arrived, the time being 4.21pm.

**MOTION**

That Council

1. Joins Eurobodalla and Bega Valley Shire Councils in banning the release of balloons and on the use of helium to inflate balloons at Council events and in Council managed reserves.
2. Write to the State Members to inform them of the decision and urge the Members for Kiama and South Coast to introduce legislation to ban the use of helium to inflate balloons and to ban the release of balloons across New South Wales.
3. Makes a submission to the Federal Government Draft Threat Abatement Plan (<http://www.environment.gov.au/biodiversity/threatened/threat-abatement-plans/drafts-open>) which is currently open for comment until 13th April 2017. This Plan looks at the impacts of marine debris on vertebrate marine species and mentions balloons on pages 5, 28 and 29.
4. Asks Mayor Amanda Findley, our Voting Delegate at the Australian Local Government Association 2017 National General Assembly, to introduce a Notice of Motion urging Environment Minister Josh Frydenberg to introduce similar bans at a National level.

FOR: Clr Findley, Clr Gash, Clr White, Clr Levett, Clr Cheyne, Clr Gartner, Clr Pakes, Clr Watson and Clr Kitchener

AGAINST: Clr Guile

CARRIED

**CL17.90 Balloon Release Ban**

**HPERM Ref:  
D17/82961**

**Recommendation**

That Council ban balloon releases at Council events and in Council owned or managed reserves.

Note: this item was considered in conjunction with item CL17.65 Notice of Motion - Balloon Release Ban refer MIN17.234.

**CL17.66 Notice Of Motion - Aligning Planning And Urban Release  
Priorities With Community Benefits**

**HPERM REF:  
D17/91271**

Item dealt with earlier in the meeting see MIN17.222.

**CL17.67 Notice Of Motion - Homelessness - Nowra Showground**

**HPERM REF:  
D17/91287**

Item dealt with earlier in the meeting see MIN17.223.

**REPORT OF THE STRATEGY & ASSETS COMMITTEE - 21 MARCH 2017**

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

**SA17.68 Shoalhaven Family Day Care - Consultation process and  
feedback re transfer of service**

**HPERM Ref:  
D17/8966**

**RESOLVED\*** (Clr Guile / Clr White)

MIN17.235

That:

1. Council receive the report for information on the consultation process with affected staff, Educators and Families and feedback regarding potential transfer of the Shoalhaven Family Day Care Service to a suitable provider for information.
2. Council adopt performance targets to improve services it provides and report back in April 2018 when more clarity around federal funding is available.
3. As part of the public exhibition/community engagement period for the draft 2017/18 DP/OP council specifically gain feedback on the matter of 'ratepayer subsidy' for the FDC service.
4. Council acknowledge that high quality child care services are a fundamental responsibility of the Federal Government and acknowledge that the current service of the Family Day Care Service reaches an exceeding level and congratulate the staff and the educators for that high level recognition.
5. Council continue to lobby the Federal Government for Federal Government support and funding.

CARRIED

**SA17.71 Telstra Tech Savvy Seniors Grant Funding**

**HPERM Ref:  
D17/70549**

Conflict of Interest Declaration – Clr White – less than significant non pecuniary interest –SA17.71 Telstra Tech Savvy Seniors Grant Funding – her husband is a previous Telstra Dealer, Council is receiving grant funding of \$1800 for library programs and no remuneration or advantage will be received by her husband – left the room, did not take part in discussion or vote.

**Recommendation**

That Council:

1. Accept the NSW Government and Telstra Tech Savvy Seniors grant funding to the value of \$1,800 for Shoalhaven Libraries to deliver a series of technology training modules to the

Shoalhaven Community and adjust the budget accordingly.

2. Write to the NSW Government accepting the grant offer.

**RESOLVED** (Clr Gash / Clr Pakes)

MIN17.236

That Council:

1. Accept the NSW Government and Telstra Tech Savvy Seniors grant funding to the value of \$1,800 for Shoalhaven Libraries to deliver a series of technology training modules to the Shoalhaven Community and adjust the budget accordingly.
2. Write to the NSW Government accepting the grant offer.

CARRIED

**SA17.74 Bomaderry Aquatic Centre & Nowra Aquatic Park - Winter Swimming in Northern Shoalhaven**

**HPERM Ref: D17/83607**

**Recommendation**

That Council:

1. Undertake a comprehensive Community Engagement Process in plain English to outline the proposed six (6) options for summer and winter swimming in the northern Shoalhaven (Bomaderry Aquatic Centre and Nowra Aquatic Park) as outlined in this report. That this consultation seek the community's views, including swimming community members, on which is the preferred option taking into consideration all factors including service level provision and costs. This be undertaken as part of the DPOP consultation and be reported back to Council as part of the budget process.
2. Upon receipt of the feedback, determine which option of the six considered it will fund in future budgets.

Note: Clr White returned to the meeting.

**RESOLVED** (Clr Pakes / Clr Gartner)

MIN17.237

That Council:

1. Undertake a comprehensive Community Engagement Process in plain English to outline the proposed six (6) options for summer and winter swimming in the northern Shoalhaven (Bomaderry Aquatic Centre and Nowra Aquatic Park) as outlined in this report. That this consultation seek the community's views, including swimming community members, on which is the preferred option taking into consideration all factors including service level provision and costs. This be undertaken as part of the DPOP consultation and be reported back to Council as part of the budget process.
2. Upon receipt of the feedback, determine which option of the six considered it will fund in future budgets.

CARRIED

**SA17.79 Shared path signage - citywide**

**HPERM Ref: D17/25041**

**RESOLVED\*** (Clr Guile / Clr White)

MIN17.238

That the General Manager (Director of Assets & Works)

1. Continues to ensure that signage for cycleways complies with Australian Standard AS1742.9 (Bicycle facilities) and AUSTRROADS Guide to Road Design Part 6A (Pedestrian and Cyclist paths)

2. Includes a 'share the path' educational component in the pamphlet for distribution with the rates notices at a future time.
3. Develops a strategy to install additional signage at key locations along the shared path network within existing budget constraints.

CARRIED

**SA17.82 Ratepayers Advance Kerb & Gutter Construction - 58 -  
64 Basin View Pde, Basin View**

**HPERM Ref:  
D17/73903**

Conflict of Interest Declaration – Russ Pigg - pecuniary interest – SA17.82 Ratepayers Advance Kerb & Gutter Construction - 58 - 64 Basin View Pde, Basin View – he is one of the property owners – left the room, did not take part in discussion.

**Recommendation**

That Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with:

1. Peter Brown of 58 Basin View Parade, Basin View in respect of Kerb and Gutter construction to the value of \$5,379.72 (advance) of which \$1,722.12 (excluding GST) is the contribution, \$3,657.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,572.00.
2. Stephen Long of PO Box 460, Wollongong in respect of Kerb and Gutter construction at 60 Basin View Parade to the value of \$5,621.72 (including additional an \$242, which includes \$22 GST, for a single driveway) (advance) of which \$1,964.12 (excluding GST) is the contribution, \$3,657.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,572.00.
3. Russ Pigg of PO Box 1150, Nowra in respect of Kerb and Gutter construction at 62 Basin View Parade to the value of \$7,372.80 (including an additional \$484, which includes \$44 GST, for a 4.8 mt driveway) (advance) of which \$2,689.20 (excluding GST) is the contribution, \$4,683.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,854.50.
4. Sean Butcher of PO Box 30, Coniston in respect of Kerb and Gutter construction at 64 Basin View Parade to the value of \$7,130.80 (including an additional \$242, which includes \$22 GST, for a single driveway) (advance) of which \$2,447.20 (excluding GST) is the contribution, \$4,683.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,854.50.
5. Graham Butler of 68 Basin View Parade, Basin View in respect of Kerb and Gutter construction to the value of \$8,408.88 (advance) of which \$2,070.16 (excluding GST) is the contribution, \$6,338.72 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$7,923.40.
6. 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 Gash / Clr White)

MIN17.239

That Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with:

1. Peter Brown of 58 Basin View Parade, Basin View in respect of Kerb and Gutter construction to the value of \$5,379.72 (advance) of which \$1,722.12 (excluding GST) is the contribution, \$3,657.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,572.00.

2. Stephen Long of PO Box 460, Wollongong in respect of Kerb and Gutter construction at 60 Basin View Parade to the value of \$5,621.72 (including additional an \$242, which includes \$22 GST, for a single driveway) (advance) of which \$1,964.12 (excluding GST) is the contribution, \$3,657.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,572.00.
3. Russ Pigg of PO Box 1150, Nowra in respect of Kerb and Gutter construction at 62 Basin View Parade to the value of \$7,372.80 (including an additional \$484, which includes \$44 GST, for a 4.8 mt driveway) (advance) of which \$2,689.20 (excluding GST) is the contribution, \$4,683.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,854.50.
4. Sean Butcher of PO Box 30, Coniston in respect of Kerb and Gutter construction at 64 Basin View Parade to the value of \$7,130.80 (including an additional \$242, which includes \$22 GST, for a single driveway) (advance) of which \$2,447.20 (excluding GST) is the contribution, \$4,683.60 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,854.50.
5. Graham Butler of 68 Basin View Parade, Basin View in respect of Kerb and Gutter construction to the value of \$8,408.88 (advance) of which \$2,070.16 (excluding GST) is the contribution, \$6,338.72 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$7,923.40.
6. 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

<b>SA17.83 Exercise of Option - Lease - Part First Floor - 12 Berry Street Nowra - Shoalhaven Community Radio Incorporated</b>	<b>HPERM Ref: D17/71592</b>
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**RESOLVED\*** (Clr Guile / Clr White) MIN17.240

That Council:

1. Approve the additional five (5) year term of the lease agreement with Shoalhaven Community Radio Incorporated for the continued occupation of Part 12 Berry Street, Nowra;
2. Affix the Seal of the Council of the City of Shoalhaven to the lease agreement and any other documentation required to be sealed to enable the lease to be finalised.

CARRIED

<b>SA17.84 Road Closure - Lot 28 DP 755927 - Conjola</b>	<b>HPERM Ref: D17/59419</b>
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**RESOLVED\*** (Clr Guile / Clr White) MIN17.241

That Council resolves to:

1. Make an application to the Minister administering the Roads Act 1993, for the unformed part of Wollybutt Road Conjola, shown by red shading on Attachment "1", to be closed and vested in Council as Operational Land, then sell to the owners, J B McCloghry & V M Gautier, for consolidation with the adjoining Lot 28 DP755927,;
2. Authority be given to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to the resolution; and

3. Council authorise the sale of the closed road to J B McCloghry & V M Gautier in exchange for the land shown by blue hatching on Attachment "1" pursuant to Section 44 of the Roads Act 1993 and that such land be dedicated as public road in the plan of consolidation pursuant to Section 9 of the Roads Act 1993;
4. All costs associated with this matter are to be met by the applicant.

CARRIED

**SA17.86 June 2016 Storm Remediation Response**

**HPERM Ref:  
D16/400617**

**RESOLVED\*** (Clr Guile / Clr White)

MIN17.242

That:

1. Council consider funding the Coastal Management and Infrastructure Reserve (MIN16.998) by transferring \$500,000 each year from the Strategic Projects Reserve or another source, to fund priority coast and estuary management and infrastructure projects commencing in 2017/18 financial year.
2. In 2017/18 Council allocate \$400,000 to complete and implement the Currarong coastal erosion strategy and determine the source of funds during the consideration of the draft 2017/18 budget.

CARRIED

**REPORT OF THE SHOALHAVEN ARTS BOARD - 2 MARCH 2017**

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

**AB17.2 Shoalhaven Arts Board - Membership - Term Expires  
June 2017 - Call for Expression of Interest**

**HPERM Ref: D17/8413**

**RESOLVED\*** (Clr Gartner / Clr White)

MIN17.243

That Council

1. Call for Expression of Interest for Community Members on the Shoalhaven Arts Board including one (1) position designated as an Aboriginal Local Member
2. Approve the option for a second two (2) year term for Community Members, Ian Grant and Warwick Keen, in accordance with the Arts Board Terms of Reference
3. Thank retiring Shoalhaven Arts Board Community Members Robert Swieca and Merilynn Weiss for their commitment and services on the Arts Board and their contributions to Arts in the Shoalhaven.
4. Expressions of Interest received for Community Membership positions to be provided at the next meeting of the Shoalhaven Arts Board (1 June 2017) for the Board's consideration.

CARRIED

<b>AB17.3 Arts Awards 2017</b>	<b>HPERM Ref: D17/34245</b>
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**RESOLVED\*** (Clr Gartner / Clr White) MIN17.244

That

1. The Arts Awards 2017 be held after June 2017
2. Council, be requested to revoke the 2016/2017 balance of funds allocated in Job Number 21596/10722 to the 2017 Arts Awards to enable the 2017 awards to be held after June 2017.
3. Clr Wells to meet with the chairperson of Riverfest and the Tourism Advisory Group to discuss event options for the Arts Awards and report back to the Group.
4. Establish a 2017 Arts Awards Subcommittee with the following membership:
  - a. Clr Wells
  - b. Ms Merilynn Weiss
  - c. Karen Patterson
  - d. Fiona McFadyen
5. The Arts Awards Subcommittee to provide a report on the progress of the 2017 Arts Awards at the next Arts Board meeting.

CARRIED

## REPORT OF THE SHOALHAVEN SPORTS BOARD - 8 MARCH 2017

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

<b>SB17.1 Council Policy - Sportsground Management (policy consolidation)</b>	<b>HPERM Ref: D17/36390</b>
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**RESOLVED\*** (Clr Guile / Clr Cheyne) MIN17.245

1. Council adopt the Sportsground Management Policy POL17/15 with the following amendments:
  - a. 3.3 to read "supply, sale and consumption of drinks in glass bottles"
  - b. Reference be made to the *Smoke Free Act* in regards to no smoking at sportsgrounds
2. Once approved by Council, a copy of the Sportsground Management Policy POL17/15 to be provided to all Shoalhaven sporting groups and management committees that undertake activities on Council managed sportsgrounds.
3. Council rescind the following policies:
  - a. Sporting Groups Communications
  - b. Sportsgrounds – User Group Responsibilities
  - c. Glass Bottle Free Sportsgrounds
  - d. Sportsground Closure
  - e. Sportsground Fencing

CARRIED

**SB17.4 Shoalhaven Sports Board - Current projects update**

**HPERM Ref:  
D17/43033**

**RESOLVED\*** (Clr Guile / Clr Cheyne)

MIN17.246

1. That the report of the General Manager (Corporate & Community Services) which provides an update on current projects under development by Council be received for information.
2. That Council write to the Berry Sport & Recreation Centre to confirm in principle support for the criterium track/facilities cycling complex at the Berry Sport and Recreation Facility.

CARRIED

**SB17.5 Voluntary Users Contributions Policy - Readoption**

**HPERM Ref:  
D17/44090**

**RESOLVED\*** (Clr Guile / Clr Cheyne)

MIN17.247

That

1. Council change the name of the "Voluntary Users Contributions Policy" to "Sports Capital Works Partnership Program".
2. The "Sports Capital Works Partnership Program" provide an initial first part funding for design and/or planning.
3. Applications for the "Sports Capital Works Partnership Program" only be open and available and determined by 1 July every year to encourage funds to be spent in the same financial year.
4. The "Sports Capital Works Partnership Program" require that where the total project cost is less \$5 000 one quote must be sought, and over \$5,000 at least three quotes should be obtained.
5. The "Sports Capital Works Partnership Program" reference Council's Community Infrastructure Guidelines to assist in clarifying and promoting project partnerships arrangements with Council and other possible partners in accordance with identified priorities.
6. The "Sports Capital Works Partnership Program" project nomination form be an "attachment" document to the program/policy.
7. Council endorse minor text changes as shown in the attached "Sports Capital Works Partnership Program" which is shown as tracked changes.
8. Item 2.5 Criteria for prioritisation, be amended as follows:
  - ii – Value of additional in-kind labour to contribute - 10%
  - iv – The apparent "readiness of the project to proceed – 20%
9. Item 6 – Application of ESD Principles – to remain in the policy.

CARRIED

**SB17.8 Additional Item - Site Visits for Shoalhaven Sports Board Members**

**RESOLVED\*** (Clr Guile / Clr Cheyne)

MIN17.248

That Council schedule site visits to the Berry Equestrian Centre and the Bomaderry Nowra Sport and Recreation Hub in May 2017 for the Shoalhaven Sports Board members and this be funded from existing relevant budgets.

CARRIED

## REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 14 MARCH 2017

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

**TC17.10 Temporary Road Closures for ANZAC Day Services and Marches (PN 2776)**

**HPERM Ref: D17/75097**

**RESOLVED\*** (Clr White / Clr Levett)

MIN17.249

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the following temporary road closures to enable ANZAC Day marches and commemorative services to be held on Tuesday, 25 April 2017:

- Berry – Assemble in Queen Street adjacent to Apex Park at 10.20am. The march will move off at 10.30am via Queen and Alexandra Streets to War Memorial Gardens for a one (1) hour service.
- Bomaderry – Dawn Service in Walsh Memorial Park, Meroo Street commencing at 5.45am
- Memorial Service – Assemble in Bunberra Street adjacent to Bomaderry RSL Club at 9.00am and march to Walsh Memorial Park in Meroo Street at 9.15am via Bunberra and Meroo Streets for service at 9.30am.
- Callala Beach – A Memorial Service will be held at the Cenotaph in the grounds of the Callala RSL Country Club commencing at 10.00am.
- Culburra – Assemble in Culburra Bowling and Recreation Club car park at 11.30am. March to the Culburra Community Centre at 11.45am via West Crescent and Culburra Road for service at 12 noon.
- Greenwell Point – Dawn Service – Assemble at Greenwell Point Memorial Hall at 5.10am and march to ANZAC Park via Greenwell Point Road for service commencing at 5.25am.
- Huskisson – Assemble in Hawke Street adjacent to White Sands Park at 10.15am. The march will move off at 10.30am via Hawke, Owen and Currumbene Streets to Voyager Park for service commencing at 11.00am.
- Kangaroo Valley – Assemble at the Showground at 9.45am for march to commence at 10.00am travelling along Moss Vale Road to Cenotaph for service, returning along same route for dispersal at the Showground at 11.00am.
- Milton - Assemble at the intersection of the Princes Highway and Church Street at 10.15am for march to commence at 10.30am along the Princes Highway to Milton Cenotaph for service expected to be completed by 11.15am.
- Nowra – Assemble at 10.00am in Junction Street between Berry and Osborne Streets, form up at 10.30am and march to Memorial Gates at Nowra Showground for a one (1) hour service after which the assembly will march along Junction Street to Shoalhaven Street where the parade will be dispersed.
- Shoalhaven Heads – Assemble at 5.30am adjacent to the Centre Shops in Shoalhaven Heads Road with march to commence at 5.45am to the Shoalhaven Heads Memorial Park via Shoalhaven Heads Road for the service.
- St Georges Basin – Memorial Service – Assemble at the Lions Park Memorial, Island Point Road (opposite hardware store) at 10.50am for service commencing at 11.00am.
- Sussex Inlet – Assemble in Nielson Road adjacent to the RSL Sub Branch Hall at 10.00am for march commencing at 10.15am to the Sussex Inlet War Memorial at the RSL Club for the service.

CARRIED

<b>TC17.11 No Stopping Zone - Prince Edward Avenue, Culburra Beach (PN 3364)</b>	<b>HPERM Ref: D17/75227</b>
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**RESOLVED\*** (Clr White / Clr Levett)

MIN17.250

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following parking restrictions in Prince Edward Avenue, Culburra Beach as detailed in the attached plan TRAF 2017/11:

1. Extend the existing western No Stopping zone 50m (approx.) south on Prince Edward Avenue (32m south of the existing median island).
2. Extend the existing eastern No Stopping zone 30m (approx.) south on Prince Edward Avenue (end of the existing median island).
3. Install a 25m No Stopping zone on the western side of Prince Edward Avenue, north of its intersection with Brighton Parade.
4. Install a 10m No Stopping zone on the northern side of Brighton Parade, west of its intersection with Prince Edward Avenue.

CARRIED

<b>TC17.12 No Stopping Zone - Intersection North Street &amp; West Street, Nowra (PN 3365)</b>	<b>HPERM Ref: D17/75420</b>
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**RESOLVED\*** (Clr White / Clr Levett)

MIN17.251

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following parking restrictions in North Street and West Street, Nowra as detailed in the attached plan TRAF 2017/12:

1. a No Stopping zone for a distance of 27m (approx.) on the southern side of North Street, immediately east of its intersection with West Street, Nowra
2. A No Stopping zone for a distance of 10m on the eastern side of West Street, immediately south of its intersection with North Street, Nowra.

CARRIED

<b>TC17.13 No Stopping Zone Amendments - Owen Street, Huskisson (PN 3366)</b>	<b>HPERM Ref: D17/75442</b>
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**RESOLVED\*** (Clr White / Clr Levett)

MIN17.252

That the General Manager (Director Assets and Works) be requested to convert the existing No Stopping zone adjacent to the old service station driveway access on the northern side of Owen Street to 2 hour (2P) parking time restricted to 8.30am-6.30pm, and remove the parallel parking space line marking as detailed in the attached plan TRAF 2017/13.

CARRIED

<b>TC17.14 Centre Line Marking - Intersection Tallwood Avenue &amp; Surfers Avenue, Narrawallee (PN 3367)</b>	<b>HPERM Ref: D17/75453</b>
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**RESOLVED\*** (Clr White / Clr Levett)

MIN17.253

That the General Manager (Director Assets and Works) be requested to arrange for the installation of 20m (approx.) of double barrier (BB) centre line marking on Tallwood Avenue east of its intersection with Surfers Avenue, Narrawallee as detailed in the attached plan TRAF 2017/14.

CARRIED

## REPORTS

**CL17.72 Shoalhaven Economic Development Strategy - Public Exhibition**

**HPERM Ref:  
D17/90982**

**Recommendation**

That

1. Council place the draft Economic Development Strategy (2017-2026) on public exhibition for a minimum of 28 days.
2. A report be submitted to Council including comments from submissions received with the view to have the Economic Development Strategy (2017-2026) adopted by Council.

**RESOLVED** (Clr Gash / Clr Gartner)

MIN17.254

That

1. Council place the draft Economic Development Strategy (2017-2026) on public exhibition for a minimum of 28 days.
2. A report be submitted to Council including comments from submissions received with the view to have the Economic Development Strategy (2017-2026) adopted by Council.

CARRIED

**CL17.73 Community Strategic Plan Review**

**HPERM Ref:  
D17/92622**

**Recommendation**

That Council

1. Endorse the Community Engagement Strategy for the CSP Review
2. Undertake community engagement for four weeks commencing April 1<sup>st</sup> 2017

**RESOLVED** (Clr White / Clr Cheyne)

MIN17.255

That Council

1. Endorse the Community Engagement Strategy for the CSP Review
2. Undertake community engagement for four weeks commencing April 1<sup>st</sup> 2017

CARRIED

**CL17.74 Creation of a Nowra Community Consultative Body (CCB)**

**HPERM Ref:  
D17/74866**

Clr White – CL17.74 – Creation of a Nowra Community Consultative Body (CCB) – less than significant non pecuniary interest declaration – Jemma Tribe was part of Team Gash during the September 2016 Elections, she does not socialise with Jemma and the relationship is of political nature – remained in the room and took part in discussion and vote.

Clr Gash - CL17.74 – Creation of a Nowra Community Consultative Body (CCB) – less than significant non pecuniary interest declaration – Jemma Tribe ran on the Team Gash ticket during the September 2016 Elections, the relationship is of political nature – remained in the room and took part in discussion and vote.

**Recommendation**

That Council:

1. Works with the interested parties to create a charter, purpose and name for the CCB which complies with the CCB guidelines, prior to exhibiting the proposal to form a CCB for the Nowra Area
2. Once charter, name and purpose is in place publicly exhibit the proposal in accordance with the CCB guidelines, for a period of 28 days.
3. As part of the exhibition advise existing local community groups, the Revitalisation Committee and business chambers of the proposal to allow for them to provide comment, as part of the exhibition period
4. Provide a report back to Council following the exhibition outlining the community comments received

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

MIN17.256

That Council:

1. Works with the interested parties to create a charter, purpose and name for the CCB which complies with the CCB guidelines, prior to exhibiting the proposal to form a CCB for the Nowra Area
2. Once charter, name and purpose is in place publicly exhibit the proposal in accordance with the CCB guidelines, for a period of 28 days.
3. As part of the exhibition advise existing local community groups, the Revitalisation Committee and business chambers of the proposal to allow for them to provide comment, as part of the exhibition period
4. Provide a report back to Council following the exhibition outlining the community comments received

CARRIED

**CL17.75 Petition - Proposed Special Rate Increase**

**HPERM Ref:  
D17/83980**

**Recommendation**

That the report be received for information

**RESOLVED** (Clr Watson / Clr Pakes)

MIN17.257

That Council note the petitioners as objectors to the proposed special rate increase.

CARRIED

**CL17.76 Marsden's 2017 Local Government Planning & Environmental Law Conference**

**HPERM Ref:  
D17/70205**

**Recommendation**

That Ordinary Meeting

1. Notes the details of the Marsden's 2017 Local Government Planning & Environmental Law Conference scheduled for Friday 23 June 2017 in Campbelltown NSW.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

**RESOLVED** (Clr Findley / Clr White)

MIN17.258

That the Ordinary Meeting

1. Notes the details of the Marsden's 2017 Local Government Planning & Environmental Law Conference scheduled for Friday 23 June 2017 in Campbelltown NSW.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

**CL17.77 Seminars - The Next Big Business Risk - Sea Level Rise**

**HPERM Ref:  
D17/89527**

**Recommendation**

That Ordinary Meeting

1. Notes the details of the Seminars on '*The Next Big Business Risk – Sea Level Rise*' being scheduled for 19 April 2017 in Melbourne and 20 April 2017 in Sydney.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the Seminars to provide a written report within 30 days of returning from the conference.

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

MIN17.259

That the Ordinary Meeting

1. Notes the details of the Seminars on '*The Next Big Business Risk – Sea Level Rise*' being scheduled for 19 April 2017 in Melbourne and 20 April 2017 in Sydney.

2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the Seminars to provide a written report within 30 days of returning from the conference.

FOR: Clr Findley, Clr Gash, Clr White, Clr Levett, Clr Cheyne, Clr Gartner, Clr Pakes, Clr Watson and Clr Kitchener

AGAINST: Clr Guile

CARRIED

**CL17.78 Investment Report - February 2017**

**HPERM Ref:  
D17/85091**

**Recommendation**

That the Report of the General Manager (Finance Corporate and Community Services Group) on the Record of Investments for the period to 28th February 2017 be received for information.

**RESOLVED** (Clr Guile / Clr White)

MIN17.260

That the Report of the General Manager (Finance Corporate and Community Services Group) on the Record of Investments for the period to 28th February 2017 be received for information.

CARRIED

**CL17.79 2016/17 Council Borrowings - Loan Agreement**

**HPERM Ref:  
D17/89691**

**Recommendation**

That Council enter into a loan agreement, executed under seal of Council, with New South Wales Treasury Corporation for the amount of \$3,526,526 with a term of ten years to cover the General Fund's loan borrowing requirements, excluding Holiday Haven.

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

MIN17.261

That Council;

1. Enter into a loan agreement, executed under seal of Council, with New South Wales Treasury Corporation for the amount of \$3,526,526 with a term of ten years to cover the General Fund's loan borrowing requirements, excluding Holiday Haven.
2. Request the General Manager to make enquiries as to the possibility of refinancing existing loans with T-Corp.

CARRIED

**CL17.80 Property matter - Sale of 10 Pleasant Way, Nowra**

**HPERM Ref:  
D17/80196**

**Recommendation**

That Council amend MIN17.176 (1) by inserting Asset Integrated Services Pty Ltd in lieu of Asset

Group Solutions.

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

MIN17.262

That Council amend MIN17.176 (1) by inserting Asset Integrated Services Pty Ltd in lieu of Asset Group Solutions.

CARRIED

**CL17.81 Affix of Seal - Road Closure - Former Access Road to Bay & Basin Leisure Centre - Off The Wool Road - Vincentia**

**HPERM Ref: D17/70861**

**Recommendation**

That Council affix the Seal of the Council of the City of Shoalhaven to the road closure plan and any other documentation required to be sealed to enable the road closure and transfer of the land within the closed road to the adjoining owner to be finalised.

**RESOLVED** (Clr White / Clr Cheyne)

MIN17.263

That Council affix the Seal of the Council of the City of Shoalhaven to the road closure plan and any other documentation required to be sealed to enable the road closure and transfer of the land within the closed road to the adjoining owner to be finalised.

FOR: Clr Findley, Clr Gash, Clr White, Clr Levett, Clr Cheyne, Clr Gartner and Clr Kitchener

AGAINST: Clr Guile, Clr Pakes and Clr Watson

CARRIED

**CL17.82 Driveway Repair Works - 30 Alexandra Street, Berry - H L Stanger & D J Felton**

**HPERM Ref: D17/73952**

**Recommendation**

That Council accept the report for information, in accordance with Section 67 (4) of the Local Government Act, about driveway rectification works completed at 30 Alexandra St, Berry for H L Stanger & D J Felton.

**RESOLVED** (Clr Guile / Clr Pakes)

MIN17.264

That Council accept the report for information, in accordance with Section 67 (4) of the Local Government Act, about driveway rectification works completed at 30 Alexandra St, Berry for H L Stanger & D J Felton.

CARRIED

**CL17.83 Tenders - Ulladulla Harbour Northern Boat Ramp and Jetty**

**HPERM Ref: D17/85470**

**Recommendation**

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

**RESOLVED** (Clr Cheyne / Clr White)

MIN17.265

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

CARRIED

**CL17.84 Tenders - Construction of Carpark - Ellmoos Avenue  
Sussex Inlet**

**HPERM Ref:  
D17/88470**

**Recommendation**

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

**RESOLVED** (Clr White / Clr Gartner)

MIN17.266

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

CARRIED

**CL17.85 Update - Peak Season - Hyams Beach and Huskisson**

**HPERM Ref:  
D17/40530**

**Recommendation**

1. That the report be received for information.
2. That consideration be given to providing ongoing staffing at Hyams Beach for the purpose of traffic control and visitor information. This will require a budget of \$50,000 for the 2017/2018 year and allocated as follows:

Area	Budget
Ranger Services	\$13,000.00
Tourism	\$17,000.00
Traffic management	\$7,000.00
Waste services	\$13,000.00
Total	\$50,000.00

3. Council identify a funding source for this increased level of service for operations.
4. Rangers include Huskisson in their normal patrols for 2017/2018 peak holiday period.
5. A further report be provided following the 2017/2018 peak holiday period

**RESOLVED** (Clr Guile / Clr Cheyne)

MIN17.267

1. That the report be received for information.
2. That consideration be given to providing ongoing staffing at Hyams Beach for the purpose of traffic control and visitor information. This will require a budget of \$50,000 for the 2017/2018 year and allocated as follows:

Area	Budget
Ranger Services	\$13,000.00
Tourism	\$17,000.00
Traffic management	\$7,000.00
Waste services	\$13,000.00
Total	\$50,000.00

3. Council identify a funding source for this increased level of service for operations.

4. Rangers include Huskisson in their normal patrols for 2017/2018 peak holiday period.
5. A further report be provided following the 2017/2018 peak holiday period
6. That thanks be conveyed to all staff involved in managing Hyams Beach, Huskisson and other highly impacted areas during the peak season.

CARRIED

**CL17.86 Proposed Submission - E Planning Regulation - Online Lodgement Changes**

**HPERM Ref: D17/64886**

**Recommendation**

That Council make the submission attached to this report to the NSW Department of Planning and Environment on the *Environmental Planning and Assessment Amendment (ePlanning) Regulation 2017*.

**RESOLVED** (Clr Guile / Clr Pakes)

MIN17.268

That Council make the submission attached to this report to the NSW Department of Planning and Environment on the *Environmental Planning and Assessment Amendment (ePlanning) Regulation 2017*.

CARRIED

**CL17.87 Proposed Submission - NSW Planning Legislative Updates**

**HPERM Ref: D17/40648**

**Recommendation (Item to be determined under delegated authority)**

That Council make a submission to the NSW Department of Planning and Environment and Environment on the draft Legislative Updates based on Attachment 1.

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

MIN17.269

That Council make a submission to the NSW Department of Planning and Environment and Environment on the draft Legislative Updates based on Attachment 1.

CARRIED

**CL17.88 National Climate Change Adaptation Research Facility (NCCARF) - Support Continuation**

**HPERM Ref: D17/80372**

**Recommendation**

That Council call on the Minister for the Environment and Energy to extend funding for the National Climate Change Adaptation Research Facility (NCCARF) to enable it to continue to provide much-needed support and guidance to coastal councils in their efforts to respond to the projected impacts of climate.

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

MIN17.270

That Council call on the Minister for the Environment and Energy to extend funding for the National Climate Change Adaptation Research Facility (NCCARF) to enable it to continue to provide much-needed support and guidance to coastal councils in their efforts to respond to the projected impacts of climate.

CARRIED

**CL17.89    Readoption and Rescission of On-site Sewage Management Policies** **HPERM Ref: D17/76684**

**Recommendation**

That Council rescind the *Sewage Management Strategy* and re-adopt the Local Approval Policy – *On-site Sewage Management*, with the amendments outlined in the report.

**RESOLVED** (Clr Gartner / Clr White) MIN17.271

That Council rescind the *Sewage Management Strategy* and re-adopt the Local Approval Policy – *On-site Sewage Management*, with the amendments outlined in the report.

CARRIED

**CL17.90    BALLOON RELEASE BAN** **HPERM REF: D17/82961**

Item dealt with earlier in the meeting see MIN17.233.

**Introduction of Items as Matters of Urgency**

**RESOLVED** (Clr Guile / Clr White) MIN17.272

That the following addendum reports be introduced as matters of urgency:

1. CL17.91 Appointment - New Members to the Shoalhaven Tourism Advisory Group
2. CL17.92 Report of the Shoalhaven Heads Estuary Taskforce - 20 March 2017
3. CL17.93 Tenders - Shoalhaven Animal Shelter Construction
4. CCL17.12 Tenders - Shoalhaven Animal Shelter Construction

CARRIED

The Chairperson ruled the matters as ones of urgency as they relate to urgent business of Council and allowed their introduction.

**ADDENDUM REPORTS**

**CL17.91    Appointment - New Members to the Shoalhaven Tourism Advisory Group** **HPERM Ref: D17/92291**

**Recommendation**

That Council appoint to the Shoalhaven Tourism Advisory Group Committee the following:

1. Lynn Locke – reappointed  
    Rob Crow – new member  
    Neil Rodgers – new member

Paul McLeod – new member

Louise Hallum – new member

2. Appoint a representative of the National Parks & Wildlife Service as an additional member of the Shoalhaven Tourism Advisory Group.
3. Formally acknowledge and thank retiring members for their valued contribution to the Shoalhaven Tourism Advisory Group, Steve Bartlett, Melissa McManus, Michelle Bishop, Matt Cross and Stuart King.

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

MIN17.273

That Council appoint to the Shoalhaven Tourism Advisory Group Committee the following:

1. Lynn Locke – reappointed  
Rob Crow – new member  
Neil Rodgers – new member  
Paul McLeod – new member  
Louise Hallum – new member
2. Appoint a representative of the National Parks & Wildlife Service as an additional member of the Shoalhaven Tourism Advisory Group.
3. Formally acknowledge and thank retiring members for their valued contribution to the Shoalhaven Tourism Advisory Group, Steve Bartlett, Melissa McManus, Michelle Bishop, Matt Cross and Stuart King.

CARRIED

## **REPORT OF THE SHOALHAVEN HEADS ESTUARY TASKFORCE - 20 MARCH 2017**

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

### **SH17.1 Progress Update on Taskforce Resolutions**

**HPERM Ref:  
D17/84318**

**RESOLVED\*** (Clr Guile / Clr Pakes)

MIN17.274

Council:

1. Accept the offer from Parramatta Council for the two (2) Water Testing Buoys and the purchase price of \$10,000 be covered from the existing 2016/2017 Water Quality Budget
2. Consider funding allocation from the 2017/2018 Budget for maintenance of the Buoys at a cost of \$6,000

CARRIED

### **SH17.5 Review of Objectives**

**RESOLVED\*** (Clr Guile / Clr Pakes)

MIN17.275

That the Shoalhaven Heads Estuary Taskforce review the Estuary Management Plan as it relates to Shoalhaven Heads and reports to the Shoalhaven Natural Resources and Floodplain Management Committee requesting the following change:

**1. Estuary Management Plan Reflect Community Values**

- a. Ensure the values of the Shoalhaven Heads community are adequately represented within the Estuary Management Plan.

CARRIED

**RESOLVED\*** (Clr Guile / Clr Pakes)

MIN17.276

That Council receive and note these objectives as identified by the Committee and the General Manager report back on the financial and resourcing implications associated with the objectives outlined below:

**1. Storm-water Management River Road (immediate)**

- a. Redirect three storm-water outlets along River Road in front of the Hotel.

**2. River Road Erosion Control Works (immediate)**

- a. Undertake urgent remedial work from Matt Black's report and create a sand buffer along River Road to reinforce erosion control works and provide a recreational space around foreshores.
- b. Further consideration to be given to moving the channel further out from the bank. Create a sand buffer along River Road to reinforce erosion control works and provide a recreational space around foreshores.

**3. Trial Geotechnical Groynes (medium)**

- a. Design and commission groyne system into ocean at entrance to direct flow at the next flood event by producing an entrance design using the groyne system illustrated in WRL Report 2015.
- b. The design to include a dune care works programme that compliments the groyne system and encourages a narrower entrance that scours deeper rather than wider entrance during a flood event.

**4. Dredge or Dragline Programme (medium)**

- a. Investigate alternative boating channels to help protect foreshore sand buffers by providing a more direct access to main river basin.
- b. Around Holiday Haven Caravan Park and River Road foreshore to provide wider bank buffers and restore clean sand, water recreation and boating with better water depth

**5. Pursue Commercial Dredging (long term)**

- a. Options in the Shoalhaven River of Old Man Gut and Kurrajong Island that can offset the cost of maintenance dredging in the basin at Shoalhaven Heads.

**6. Submerged wall or groyne System at O'Keefes Point (long term)**

- a. Investigate placing a groyne or groynes along the river bank near O'Keefe's point deflecting flow from Berry's Canal towards Shoalhaven Heads.

CARRIED

**CL17.93 Tenders - Shoalhaven Animal Shelter Construction**

**HPERM Ref:  
D17/96053**

**Recommendation**

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

**RESOLVED** (Clr Guile / Clr Pakes)

MIN17.277

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

CARRIED

**Procedural Motion - Reintroduction of Item**

**RESOLVED** (Clr Pakes / Clr Guile)

MIN17.278

That CL17.64 Notice of Motion - Shoalhaven Bike Plan be reintroduced for discussion.

CARRIED

**CL17.64 Notice of Motion - Shoalhaven Bike Plan**

**HPERM Ref:  
D17/89127**

**Recommendation**

That in a future review of the Shoalhaven Bike Plan and on an ongoing basis Council & staff consider the following matters:

1. Identify existing routes that can be safely shared with traffic and/or pedestrians & produce a priority list of cycleway routes that need to be made safe for shared use.
2. Complete a survey of signage on shared pathways across the city.
3. Take steps to ensure that all shared paths comply with Australian Standard AS1742.9 (Bicycle facilities) and AUSTRROADS Guide to Road Design Part 6A (Pedestrian and Cyclist paths).
4. Consider a strategy to install additional signage at key locations along the shared path network within existing budget constraints, such as digital Directory Boards; identify on-road shoulder lanes as part of the "bike route networks"; possible use of websites or apps to identify these on-road shoulder lanes. (In some local government areas, these types of on-road facilities are identified with a combination of coloured road markings and identically coloured road signage.)
5. Continue to pursue Section 94 Funds (when justified) or RMS funds to support cycleway infrastructure and signage across the city.
6. Ensure community consultation occurs during the planning phase of cycle paths, shared pathways and any other infrastructure related to cycle ways including:
  - a. On-road bike lanes
  - b. On-road shoulder lanes
  - c. Off-road shared paths
7. That Council consider a "Committee" or a "working group" consisting of Bike user group stakeholders, Council staff and Councillors dedicated to improving cycleways and shared pathways across the city, and to provide input into decisions related to cycleways across the region when reviewing the Bike Plan.

**RESOLVED** (Clr Cheyne / Clr Guile)

MIN17.279

That in a future review of the Shoalhaven Bike Plan and on an ongoing basis Council & staff consider the following matters:

1. Identify existing routes that can be safely shared with traffic and/or pedestrians & produce a priority list of cycleway routes that need to be made safe for shared use.

2. Complete a survey of signage on shared pathways across the city.
3. Take steps to ensure that all shared paths comply with Australian Standard AS1742.9 (Bicycle facilities) and AUSTROADS Guide to Road Design Part 6A (Pedestrian and Cyclist paths).
4. Consider a strategy to install additional signage at key locations along the shared path network within existing budget constraints, such as digital Directory Boards; identify on-road shoulder lanes as part of the “bike route networks”; possible use of websites or apps to identify these on-road shoulder lanes. (In some local government areas, these types of on-road facilities are identified with a combination of coloured road markings and identically coloured road signage.)
5. Continue to pursue Section 94 Funds (when justified) or RMS funds to support cycleway infrastructure and signage across the city.
6. Ensure community consultation occurs during the planning phase of cycle paths, shared pathways and any other infrastructure related to cycle ways including:
  - a. On-road bike lanes
  - b. On-road shoulder lanes
  - c. Off-road shared paths
7. That Council consider a “Committee” or a “working group” consisting of Bike user group stakeholders, Council staff and Councillors dedicated to improving cycleways and shared pathways across the city, and to provide input into decisions related to cycleways across the region when reviewing the Bike Plan.

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 Guile / Clr Pakes)

MIN17.280

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.

CSA17.7 Pump Procurement Contract

*Local Government Act - Section 10A(2)(c) - Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*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.*

CCL17.10 Tenders - Ulladulla Harbour Northern Boat Ramp & Jetty

*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.*

CCL17.11 Tenders – Construction of Carpark - Ellmoos Avenue, Sussex Inlet

*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.*

CCL17.12 Tenders – Shoalhaven Animal Shelter Construction

*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 the ability of Council to attract competitive tenders in the future.*

CARRIED

The meeting moved into confidential the time being 5.07.

The meeting moved into open session, the time being 5.11PM.

## REPORT FROM CONFIDENTIAL SESSION

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

### CSA17.7 Pump Procurement Contract

HPERM Ref: D17/62404

**RESOLVED**

MIN17.281C

That:

1. Council approve the extension of the Xylem contract as per the available provisions for a 12 month period until 27 February 2018
2. The recommendation remain confidential in accordance with Section 10A(2)(c) of the Local Government Act 1993 until determined by council.

### CCL17.10 Tenders - Ulladulla Harbour Northern Boat Ramp & Jetty

HPERM Ref:  
D17/85603

**RESOLVED**

MIN17.282C

That

1. Council accept the Tender from Ferncroft Rural & Landscaping Pty Ltd for Ulladulla Harbour Boat Ramp & Jetty, Separable Portion 1 at a total cost of \$298,865.00 (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 Assets & Works.

3. The recommendation remain Confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until Tenders are determined by Council.
4. Council authorise the General Manager (Director of Asset & Works) to finalise and execute the contract on behalf of Council, and administer the contract including, where appropriate directing variations or works within the separable portions.

**CCL17.11 Tenders – Construction of Carpark - Ellmoos Avenue, Sussex Inlet**

**HPERM Ref: D17/88569**

**RESOLVED**

MIN17.283C

That

1. Council accept the Tender from Civil Logic Pty Ltd for Construction of Carpark – Ellmoos Avenue Sussex Inlet at a total cost of \$197,580.63 (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 Assets & Works).
3. The recommendation remain Confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until Tenders are determined by Council.

**CCL17.12 Tenders – Shoalhaven Animal Shelter Construction**

**HPERM Ref: D17/95993**

**RESOLVED**

MIN17.284C

That Council;

1. In accordance with Section 178(1)(b) of the regulations decline to accept any Tender for the Animal Shelter Construction
2. In accordance with Section 178(3)(e) enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender, in order of ranking from Midson Construction (NSW) Pty Ltd and Project Coordination (Aust) Pty Ltd and then any person that is appropriately experienced.
3. In accordance with Section 178(4)(a) resolve not to invite fresh tenders as a satisfactory result would not be achieved due to the following circumstances:
  - a. Time and cost associated with preparing and advertising a new tender would further delay the relocation of the Animal shelter from west Nowra and defer the development of the west Nowra Resource Recovery Park.
  - b. Council has satisfied itself, through the course of a competitive tender where 4 companies submitted tenders, and tenderers are capable of producing the building and outcomes of the project however require qualifications and scope to be confirmed through a negotiation process. If this is unsuccessful a negotiation may be undertaken in accordance with Section 178(3)(e) with a view to entering into a contract
4. The contract documents, following negotiations, 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 Asset & Works).
5. The recommendation remain confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until determined by Council.

**Note:** A Rescission Motion was received on the following Item CL17.61 – Notice of Motion - Investment Policy.

There being no further business, the meeting concluded, the time being 5.11PM.

Clr Findley  
CHAIRPERSON