

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 23 May 2017
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5:01pm

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 Rev Rodney Davies North Nowra Baptist Church and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Nil

Confirmation of the Minutes

RESOLVED (Clr Guile / Clr Pakes)

MIN17.404

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Wednesday 26 April 2017 be confirmed.

CARRIED

Declarations of Interest

Clr Gash – SA17.132 - Surrender of Lease - Reflections Café - Slice of Life – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – Karen Anstiss is known to her and stood for Team Gash in the 2012 election.

Clr White – SA17.132 - Surrender of Lease - Reflections Café - Slice of Life – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – Karen Anstiss is known to her and stood for Team Gash in the 2012 election this conflict is of a political nature and I do not socialise with Karen Anstiss.

Clr Wells – SA17.132 - Surrender of Lease - Reflections Café - Slice of Life – less than significant non pecuniary interest declaration – will remain in the room and will take part in discussion and vote – Karen Anstiss is known to her and stood for Team Gash in the 2012 election this conflict is of a political nature and I do not socialise with Karen Anstiss.

Presentation of Petitions

Clr Pakes presented a petition containing 136 signatures (this is a cumulative total of 3,544) which states: we, the undersigned, call on the Mayor, General Managers and Councillors in Council assembled; to abandon all three of the unaffordable rate increase proposals in favour of a financial strategy which will not impose crushing rate, and rent increases on Shoalhaven’s residents.

MAYORAL MINUTE

MM17.11 Mayoral Minute - Farewell & Thank You Highway Patrol Officer Adam Cooper **HPERM Ref: D17/162350**

Recommendation

That Council receive the report for information.

RESOLVED (Clr Findley / Clr Guile) **MIN17.405**

That Council receive the report regarding the Farewell & Thank You Highway Patrol Officer Adam Cooper for information

CARRIED

MM17.12 Mayoral Minute - 2018 Queens Baton Relay Council Nominee **HPERM Ref: D17/162928**

Recommendation

That Council receives the report for information and votes on a community member to run a leg of the Queens Baton Relay.

RESOLVED (Clr Findley / Clr Guile) **MIN17.406**

That Council receives the report regarding the 2018 Queens Baton Relay Council Nominee for information and nominates Turia Pitt as the community member to run a leg of the Queens Baton Relay.

CARRIED

DEPUTATIONS AND PRESENTATIONS

Mr Karl Poulton – From Poulton Property Valuers addressed the meeting in relation to CL17.138 Acquisition of 109, 111, 111A & 113 Cambewarra Road, Bomaderry for the Shoalhaven Community & Recreational Precinct, on behalf of the owners of Nos 111, 111A & 113 Cambewarra Road.

Mr Scott Baxter addressed the meeting in relation to CL17.143 - Nowra CBD Revitalisation Committee – Strategy Implementation

Mr Terry Barratt – President of the Pride of Bomaderry CCB addressed the meeting in relation to CL17.137 Proposed Licence to Council of 'Waratah Park' 49 Meroo St, Bomaderry

Ms Amanda Volpatti – (Parents and Citizens Committee North Nowra Public School) addressed the meeting in relation to CL17.124 Notice of Motion - Pedestrian safety - North Nowra and Havenlee School Communities

Procedural Motion - Bring Item Forward

RESOLVED (Clr Wells / Clr Guile)

MIN17.407

That the matters of the following items be brought forward for consideration:

- CL17.124 Notice of Motion - Pedestrian safety - North Nowra and Havenlee School Communities
- CL17.137 Proposed Licence to Council of 'Waratah Park' 49 Meroo St, Bomaderry
- CL17.138 Acquisition of 109, 111, 111A & 113 Cambewarra Road, Bomaderry for the Shoalhaven Community & Recreational Precinct
- CL17.143 - Nowra CBD Revitalisation Committee – Strategy Implementation

CARRIED

Note: Clr Findley acknowledged Carmel Krogh, Director Shoalhaven Water for the results detailed in the Strategy and Assets SA17.136 Triple Bottom Line (TBL) Performance Reporting 2015-2016.

CL17.124 Notice of Motion - Pedestrian safety - North Nowra and Havenlee School Communities

**HPERM Ref:
D17/157128**

Recommendation

That Council urgently address the construction of a footpath on the northern side of Page Ave from Pitt Street in the west to Judith Drive to the east where currently there is a well-worn goat track, which has trees growing across it which at times forces pedestrians onto the road or into private properties.

RESOLVED (Clr Guile / Clr Wells)

MIN17.408

That the General Manager (Director Assets and Works) report back with financing options to urgently address the construction of a footpath on the northern side of Page Ave from Pitt Street in the west to Judith Drive to the east where currently there is a well-worn goat track, which has trees growing across it which at times forces pedestrians onto the road or into private properties.

CARRIED

CL17.137 Proposed Licence to Council of 'Waratah Park' 49 Meroo St, Bomaderry

**HPERM Ref:
D17/151278**

Recommendation

That Council

1. Recognise and congratulate the efforts of the Pride of Bomaderry Community Consultative Body to beautify the Bomaderry CBD;
2. Request the Pride of Bomaderry form a Parkcare group for the ongoing maintenance of Waratah Park;
3. Enter into a licence with the owners of Waratah Park at 49 Meroo St, Bomaderry for the ongoing public use of the land and delegate authority to the General Manager or his nominee to finalise the details of any agreement;

RESOLVED (Clr Wells / Clr Guile)

MIN17.409

That Council

1. Recognise and congratulate the efforts of the Pride of Bomaderry Community Consultative Body to beautify the Bomaderry CBD;
2. Request the Pride of Bomaderry form a Parkcare group for the ongoing maintenance of Waratah Park;
3. Enter into a licence with the owners of Waratah Park at 49 Meroo St, Bomaderry for the ongoing public use of the land and delegate authority to the General Manager or his nominee to finalise the details of any agreement.

CARRIED

CL17.138 Acquisition of 109, 111, 111A & 113 Cambewarra Road, Bomaderry for the Shoalhaven Community & Recreational Precinct

**HPERM Ref:
D17/152471**

Recommendation

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

RESOLVED (Clr Wells / Clr Guile)

MIN17.410

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

CARRIED

CL17.143 Progress Report - Nowra CBD Revitalisation Committee - Strategy Implementation

**HPERM Ref:
D17/67465**

Recommendation

That the Council:

1. Receive the progress report on the Nowra CBD Revitalisation Committee and the implementation of the Nowra CBD Revitalisation Strategy for information; and
2. Consider which of the options outlined in the report to continue with to ensure that the overall Nowra CBD Revitalisation Strategy is implemented.

RESOLVED (Clr Findley / Clr Proudfoot)

MIN17.411

That

1. Council receive Progress Report - Nowra CBD Revitalisation Committee - Strategy Implementation for information
2. A briefing with Councillors, staff and the Nowra CBD Revitalisation Strategy Committee be

held with respect to the contents of the report

3. The report be referred to the Nowra CBD Revitalisation Strategy Committee for further comment

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL17.122 Notice of Motion - Pedestrian Access - Mollymook Beach - Mitchell Parade

**HPERM Ref:
D17/154969**

Recommendation

That Council provide pedestrian access at the rear of foreshore properties along Mitchell Pde, Mollymook Beach. A passage-way needs to be cleared behind the homes at 14-20 and 88-92 Mitchell Pde by clearing a small amount of scrub to allow people to walk comfortably. In addition, an inspection of "private property" or "no trespassing" signs appears to be required in order to determine whether they are appropriately located.

RESOLVED (Clr Proudfoot / Clr Findley)

MIN17.412

That the matter of Notice of Motion - Pedestrian Access - Mollymook Beach - Mitchell Parade be deferred to a briefing and on site meeting and representatives from Ulladulla CCB be invited to attend.

CARRIED

CL17.123 Notice of Motion - Development Applications - Lodgement & Processing

**HPERM Ref:
D17/154983**

Recommendation

That a report be prepared for Council which includes a range of options to streamline and modernise the lodgement and processing of development applications. The report should include but not be restricted to innovations from other councils and the greater use of technology and on-line possibilities which are available.

RESOLVED (Clr Proudfoot / Clr Guile)

MIN17.413

That the Notice of Motion – Development Applications - Lodgement & Processing be received for information.

CARRIED

CL17.124 NOTICE OF MOTION - PEDESTRIAN SAFETY - NORTH NOWRA AND HAVENLEE SCHOOL COMMUNITIES

**HPERM REF:
D17/157128**

Item dealt with earlier in the meeting see MIN17.408.

CL17.125 Notice of Motion - Residents Rates Guarantee

**HPERM Ref:
D17/157412**

Recommendation

That Council undertake not to impose any special rating variation above a dollar limit of \$150 and that no residential ratepayer pays more than a 13.2% increase based on 2016 residential rates.

MOTION (Clr Guile / Clr Proudfoot)

That Council undertake not to impose any special rating variation above a dollar limit of \$150 and that no residential ratepayer pays more than a 13.2% increase based on 2016 residential rates.

MOTION (Clr Gartner)

That the MOTION be PUT.

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

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

CARRIED

Gartner raised a Point of Order against Clr Guile for shouting bringing meeting into disorder.

Clr Gash raised a Point of Order against Clr Guile for stating the Councillors supporting the rate increase had an unlimited cap on increases. The Mayor ruled this as a Point of Order and asked Clr Guile to withdraw his comments.

Procedural Motion - Adjournment of Meeting

MOTION (Clr Watson)

That the meeting be adjourned for 10 minutes until 6.28pm.

Note: The meeting adjourned, the time being 6.28pm

Note: The meeting reconvened, the time being 6.40pm

When 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 Kaye Gartner

Clr Andrew Guile

Clr Mitchell Pakes

Clr Mark Kitchener

Clr Bob Proudfoot

Procedural Motion - Resumption of Meeting

RESOLVED (Clr Findley)

MIN17.414

That Council proceed with the business of the meeting.

CARRIED

CL17.125 Notice of Motion - Residents Rates Guarantee

**HPERM Ref:
D17/157412**

Clr Guile withdrew his comments relating to the unlimited cap to rates increase.

THE MOTION WAS PUT (Clr Guile / Clr Proudfoot)

MIN17.415

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 and
Clr Gartner, Clr Watson

LOST

**CL17.126 Notice of Motion - Council Contribution - Plastic Free
July**

**HPERM Ref:
D17/157562**

Recommendation

That Council make a contribution of \$1,500 to offset costs in a community led initiative "Plastic Free July" to reduce the amount of plastic in the waste stream and in particular single use plastic bags.

RESOLVED (Clr Levett / Clr Gartner)

MIN17.416

That Council

1. Make a contribution of \$1,500 from the Waste Fund to offset costs in a community led initiative "Plastic Free July" to reduce the amount of plastic in the waste stream and in particular single use plastic bags.
2. Write to Judy Deane and the Shoalhaven Transition Group which assists her to congratulate and thank them.
3. Write to the relevant shopping centre managers to gain further support for the project

CARRIED

Procedural Motion - Matters of Urgency

MOTION (Clr Watson / Clr Alldrick)

That an additional item for consideration of the State Government online auction of land on the corner of Wool Rd and Naval College Roads Vincentia be introduced as a matter of urgency.

The Chairperson ruled the matter as not urgent as the land has been purchased by the NSW State Government Office Environment and Heritage and withdrawn from Auction.

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 16 MAY 2017

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

SA17.119 Proposal to commence Part Year Rating

**HPERM Ref:
D17/130565**

RESOLVED* (Clr Proudfoot / Clr Gartner)

MIN17.417

That Council commence Part Year Rating from the 2017/18 Rating Year and approve the creation of a new full-time Rates Officer position.

CARRIED

SA17.120 March 2017 Quarterly Budget Review

**HPERM Ref:
D17/130938**

Recommendation

That Council:

1. Adopt the March Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement;
2. Fund the Sussex Inlet Streetscape improvements for the full scope of works, which will cost Council an additional \$500K. Council has identified \$500,000 in the draft 2017/18 DP/OP & budget documents for "Streetscape renewals" funded by the SRV. This could be allocated to Sussex Inlet Stage 2 if council decides to adopt the 13.2% rate increase approved by IPART.

RESOLVED (Clr Proudfoot / Clr White)

MIN17.418

That Council:

1. Adopt the March Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement;
2. Fund the Sussex Inlet Streetscape improvements for the full scope of works, which will cost Council an additional \$500K. Council has identified \$500,000 in the draft 2017/18 DP/OP & budget documents for "Streetscape renewals" funded by the SRV. This could be allocated to Sussex Inlet Stage 2 if council decides to adopt the 13.2% rate increase approved by IPART.

CARRIED

SA17.123 Grant Funding - Sanctuary Point Shop CCTV additional cameras

**HPERM Ref:
D17/133195**

Recommendation

That Council accept the Safer Communities Funding to the value of \$31,000 to enable the installation of two additional CCTV units at the rear of the Sanctuary Point Shops and vote the funds for the works.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN17.419

That Council accept the Safer Communities Funding to the value of \$31,000 to enable the installation of two additional CCTV units at the rear of the Sanctuary Point Shops and vote the funds for the works.

CARRIED

SA17.124 Shoalhaven Tourism Advisory Group - Quorum and Membership

**HPERM Ref:
D17/137336**

That:

1. The Terms of Reference for Shoalhaven Tourism Advisory Group (STAG) be amended as follows;
 - a. The membership shall comprise of the following delegates:
 - b. A maximum of 9 skills based Industry Representatives, each position holding one membership vote each
 - c. All Councillors to be recognized as official members, with membership vote limited to two positions, voting Councillors to be nominated to STAG by Council.
 - d. Chairperson of the Shoalhaven Sports Board

- e. A representative of National Parks and Wildlife (NPWS) as nominated by NPWS, holding one membership vote
- f. The Mayor
2. The quorum be set to 7 members.
3. Council delegate to the STAG the following powers
 - a. To endorse the Tourism Promotions budget
 - b. To review the Tourism Promotions budget on a quarterly basis
 - c. To expend the funds from the Tourism promotions budget

RESOLVED (Clr Wells / Clr Alldrick)

MIN17.420

That

1. The Terms of Reference for Shoalhaven Tourism Advisory Group (STAG) be amended as follows;
 - a. The membership shall comprise of the following delegates:
 - b. A maximum of 9 skills based Industry Representatives, each position holding one membership vote each
 - c. All Councillors to be recognized as official members, with membership vote limited to two positions, voting Councillors to be nominated to STAG by Council.
 - d. Chairperson of the Shoalhaven Sports Board
 - e. A representative of National Parks and Wildlife (NPWS) as nominated by NPWS, holding one membership vote
 - f. The Mayor
2. The quorum be set to 7 members.
3. The budget and quartley budget reviews be reported to the Shoalhaven Tourism Advisory Group

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

AGAINST: Clr Guile

CARRIED

NOTE: This item was reintroduced later in the meeting. See MIN17.431

SA17.126 Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees, and the Categorisation of Councils 2017/18	HPERM Ref: D17/143049
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RESOLVED* (Clr Proudfoot / Clr Gartner)

MIN17.421

That Council note the Local Government Remuneration Tribunal review of annual fees and agree to adjust Councillor and Mayoral fees for the 2017/18 financial year to \$19,310 and \$42,120 respectively.

CARRIED

SA17.129 Outdoor dining on public footpaths - Review of fee waiver **HPERM Ref: D17/122659**

RESOLVED* (Clr Proudfoot / Clr Gartner) MIN17.422

That:

1. The report be received for information;
2. The waiving of the flat rate continue and outdoor dining fees be reviewed within 12 months;
3. The application fee of \$161.20 commence 1st July 2017.

CARRIED

SA17.132 Surrender of Lease - Reflections Cafe - Slice of Life **HPERM Ref: D17/137786**

Clr Gash – less than significant non pecuniary interest declaration – remained in the room and took part in discussion and vote – Karen Anstiss is known to her and stood for Team Gash in the 2012 election.

Clr White – less than significant non pecuniary interest declaration – remained in the room and took part in discussion and vote – Karen Anstiss is known to her and stood for Team Gash in the 2012 election this conflict is of a political nature and I do not socialise with Karen Anstiss.

Clr Wells – less than significant non pecuniary interest declaration – remained in the room and took part in discussion and vote – Karen Anstiss is known to her and stood for Team Gash in the 2012 election this conflict is of a political nature and I do not socialise with Karen Anstiss.

Recommendation

That Council, in its capacity as the Worrigeer (R97869) Reserve Trust agrees to the surrender by Slice of Life Australia of the Reflections Café lease as at 31 May 2017.

RESOLVED (Clr Proudfoot / Clr White) MIN17.423

That Council, in its capacity as the Worrigeer (R97869) Reserve Trust agrees to the surrender by Slice of Life Australia of the Reflections Café lease as at 31 May 2017.

CARRIED

SA17.133 Old Bakery - Disposal of property 124 -126 Jacobs Drive, Sussex Inlet **HPERM Ref: D17/139588**

Recommendation

That Council:

1. Advertise its intention to dispose of the Old Sussex Inlet Bakery in accordance with Policy 16/256 and if no objections are received, authorise the sale by public auction of the property located at 124-126 Jacobs Drive, Sussex Inlet comprised in Lots 97 & 98 DP 21038
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction.
3. Fund all costs associated with the sale from job 88818 and the net income be placed in the Strategic Property Reserve; and
4. Grant authority to affix the Common Seal of the Council to any documents required to be

sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.

RESOLVED (Clr Proudfoot / Clr White)

MIN17.424

That Council:

1. Advertise its intention to dispose of the Old Sussex Inlet Bakery in accordance with Policy 16/256 and if no objections are received, authorise the sale by public auction of the property located at 124-126 Jacobs Drive, Sussex Inlet comprised in Lots 97 & 98 DP 21038
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction.
3. Fund all costs associated with the sale from job 88818 and the net income be placed in the Strategic Property Reserve; and
4. Grant authority to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.

CARRIED

SA17.138 Extinguishment of Water Supply Easement - 55 Meroo Road Bomaderry

**HPERM Ref:
D17/147203**

RESOLVED* (Clr Proudfoot / Clr Gartner)

MIN17.425

That

1. Council resolve to extinguish the Easement for Water Supply 3.048 wide over Lot 1 DP249217 at Bomaderry, as shown by hatching on copy of DP249217 marked 'Attachment 1'.
2. Council's costs to extinguish the easement are to be met from Shoalhaven Water's Water Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Guile / Clr Aldrick)

MIN17.426

That the matter of item CL17.134 – Proposal for the Development of an Aged Care Facility on Crown Land at Shoalhaven Heads be brought forward for consideration.

CARRIED

CL17.134 Proposal for the Development of an Aged Care Facility on Crown Land at Shoalhaven Heads

**HPERM Ref:
D17/142348**

Recommendation

That:

1. The advice from the Minister for Lands and Forestry to Gareth Ward MP (Attachment 1) in relation to the Crown land at Shoalhaven Heads be noted.
2. Shoalhaven Heads CCB be advised that Council does not intend to pursue this matter any further on the basis of such advice.

RESOLVED (Clr Gartner / Clr Proudfoot)

MIN17.427

That:

1. The advice from the Minister for Lands and Forestry to Gareth Ward MP (Attachment 1) in relation to the Crown land at Shoalhaven Heads be noted.
2. Shoalhaven Heads CCB be advised that Council does not intend to pursue this matter any further on the basis of such advice.

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

AGAINST: Clr Guile

CARRIED

RESOLVED (Clr Guile / Clr Pakes)

MIN17.428

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.

CSA17.9 Renewal Agreement - Illuminated Street Name Signs - Claude Outdoor Pty Ltd

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.

CSA17.10 Proposed Deed of Agreement with adjoining owner - Lot 25A DP5996 Bryces Road, Far Meadow

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.

CCL17.22 Code of Conduct Complaint - Report by Conduct Reviewer

Alleged contraventions of any code of conduct requirements applicable under section 440.10(A)(2)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions and/or found an action against an agency for breach of confidence or otherwise result in the disclosure of information provided.

CCL17.23 Code of Conduct Complaint - Report by Conduct Reviewer

Alleged contraventions of any code of conduct requirements applicable under section 440.10(A)(2)(i)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions and/or found an action against an agency for breach of confidence or otherwise result in the disclosure of information provided.

- CCL17.24 Corporate Business System & Services - Evaluation & Recommendation Tender Report

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.

- CCL17.25 Proposed Affordable Housing Project at North Nowra

Information that would, if disclosed, confer a commercial advantage on a competitor of the council. 10(A)(2)(d)(ii)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to undermine competitive neutrality in connection with any functions of an agency in respect of which it competes with any person or otherwise place an agency at a competitive advantage or disadvantage in any market.

- CCL17.26 Revised Offer to Purchase Lot 1 DP 1021332 at George Evans Road Mundamia

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.

- CCL17.28 Acquisition of 109,111,111A & 113 Cambewarra Road, Bomaderry for the Shoalhaven Community & Recreational Precinct

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

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.

- CCL17.29 Tenders - Bendalong Road Conjola - Blackspot road work and Shoulder Widening

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.

- CCL17.30 Tenders - Woollamia Boat Ramp and Pontoon 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 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.

CCL17.31 Tenders – Construction of New Waste Transfer Station - West Nowra

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.

CCL17.32 Management & Operation of Comerong Island Ferry Service Tender

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 7.04pm.

The meeting moved into open session, the time being 10.22pm.

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Findley / Clr Cheyne)

MIN17.429

That the meeting be adjourned until Tuesday 30 May 2017 at 4.00pm.

CARRIED

The meeting was reconvened, Tuesday 30 May 2017 at 4.01pm when 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 – arrived 4.02pm
Clr Mitchell Pakes
Clr Greg Watson

Clr Mark Kitchener
Clr Bob Proudfoot

Procedural Motion - Reintroduction of Item

RESOLVED (Clr Alldrick / Clr Pakes) MIN17.430

That SA17.124 be reintroduced for discussion to allow for nomination of the voting delegates.

CARRIED

SA17.124 Shoalhaven Tourism Advisory Group - Quorum and Membership

**HPERM Ref:
D17/137336**

Note: Clr Gartner arrived, the time being 4.02pm.

That:

1. The Terms of Reference for Shoalhaven Tourism Advisory Group (STAG) be amended as follows;
 - a. The membership shall comprise of the following delegates:
 - b. A maximum of 9 skills based Industry Representatives, each position holding one membership vote each
 - c. All Councillors to be recognized as official members, with membership vote limited to two positions, voting Councillors to be nominated to STAG by Council.
 - d. Chairperson of the Shoalhaven Sports Board
 - e. A representative of National Parks and Wildlife (NPWS) as nominated by NPWS, holding one membership vote
 - f. The Mayor
2. The quorum be set to 7 members.
3. Council delegate to the STAG the following powers
 - a. To endorse the Tourism Promotions budget
 - b. To review the Tourism Promotions budget on a quarterly basis
 - c. To expend the funds from the Tourism promotions budget

RESOLVED (Clr White / Clr Wells)

MIN17.431

That

1. The Terms of Reference for Shoalhaven Tourism Advisory Group (STAG) be amended as follows;
 - a. The membership shall comprise of the following delegates:
 - b. A maximum of 9 skills based Industry Representatives, each position holding one membership vote each
 - c. All Councillors to be recognized as official members, with membership vote limited to two positions, voting Councillors to be nominated to STAG by Council.
 - d. Chairperson of the Shoalhaven Sports Board

- e. A representative of National Parks and Wildlife (NPWS) as nominated by NPWS, holding one membership vote
 - f. The Mayor
2. The quorum be set to 7 members.
 3. The budget and quarterly budget reviews be reported to the Shoalhaven Tourism Advisory Group
 4. The Voting delegates be Clr Alldrick and Clr Gash and the alternate voting delegates be Clr Pakes and Clr Kitchener

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 9 MAY 2017

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

TC17.20 Centre Line Marking and No Stopping Extension - Tallwood Avenue, Mollymook Beach (PN 3341)	HPERM Ref: D17/133442
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RESOLVED* (Clr Wells / Clr White)

MIN17.432

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed centre line marking and the No Stopping zone extension in Tallwood Avenue, Mollymook Beach, as detailed in TRAF 2017/20, which includes:

1. extension of the existing double barrier (BB) centre line marking along Tallwood Avenue, from its intersection with Mitchell Parade to its intersection with Jones Avenue.
2. extension of the existing No Stopping zone approximately 35m on the northern side of Tallwood Avenue from the frontage of 88 Tallwood Avenue to the boundary of 86 Tallwood Avenue and 56 Jones Avenue.

CARRIED

TC17.21 Crossing Upgrades - Cambewarra Rd, Bomaderry, Moss St, Osborne St and North St, Nowra, Emmett St, Callala Bay, Hawken Rd, Tomerong and Green St, Ulladulla (PN 3362)	HPERM Ref: D17/133450
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RESOLVED* (Clr Wells / Clr White)

MIN17.433

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the upgrade the existing crossings to raised thresholds adjacent to the following schools; Bomaderry Public School, Cambewarra Road, Bomaderry; Tomerong Public School, Hawken Road, Tomerong; St Michaels Catholic Primary School, North Street & Osborne Street, Nowra; Callala Bay Public School, Emmett Street, Callala Bay and Ulladulla Public School, Green Street, Ulladulla and the upgrade of the kerb extensions adjacent to Nowra High School, Moss Street, Nowra to a pedestrian crossing, as detailed in plan TRAF 2017/21 a, b, c, d, e, f and g.

CARRIED

TC17.22 No Stopping Zone - Intersection Princes Highway and Crescent Street, Ulladulla (PN 3380)	HPERM Ref: D17/133462
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RESOLVED* (Clr Wells / Clr White)

MIN17.434

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a No Stopping zone on the eastern side of Princes Highway for a distance of 20m immediately south of its intersection with Crescent Street, Ulladulla, as detailed in TRAF 2017/22.

CARRIED

TC17.23 Double Barrier Centre Line Marking - Sanctuary Point Rd, Sanctuary Point (PN 3381)

HPERM Ref: D17/133493

Recommendation:

That the General Manager (Director Assets and Works) be requested to arrange for the installation of double barrier centre line marking along Sanctuary Point Road for a distance 60m north and 75m south of Edmund Street intersection, Sanctuary Point, as detailed in TRAF 2017/23.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN17.435

That the General Manager (Director Assets and Works) be requested to arrange for the installation of double barrier centre line marking along Sanctuary Point Road for a distance 60m north and 75m south of Edmund Street intersection, Sanctuary Point, as detailed in TRAF 2017/23.

CARRIED

TC17.24 No Stopping Zone - Duncan Street, Vincentia (PN 3382)

HPERM Ref: D17/133496

RESOLVED* (Clr Wells / Clr White)

MIN17.436

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 10m No Stopping zone in the hammer head (turning area) opposite property number 90 & 92 Duncan Street, Vincentia, as detailed in TRAF 2017/24.

CARRIED

TC17.25 Centre Line Marking & Warning Signage - Donlan Road & Garside Road, Mollymook Beach (PN 3383)

HPERM Ref: D17/133506

RESOLVED* (Clr Wells / Clr White)

MIN17.437

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following line marking and signage, at the intersection of Donlan Road and Garside Road, Mollymook Beach, as detailed in TRAF 2017/25:

1. 60m of double barrier line marking along Donlan Road, centred across its intersection with Garside Road, ensuring a 10m break at the intersection.
2. a T-intersection warning sign on the minor approach to the intersection of Garside Road and Donlan Road.

CARRIED

TC17.26 Car & Trailer Combination Only Parking - Boat Harbour, Bendalong (PN 3384)

HPERM Ref: D17/133515

RESOLVED* (Clr Wells / Clr White)

MIN17.438

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following line marking and signage changes at the Boat Harbour Beach Boat Ramp Area, Bendalong, as detailed in TRAF 2017/26:

1. two (2) marked 'CAR / TRAILER COMBINATION ONLY' parking spaces between the two existing boat ramps at boat harbour beach. As a trial to be reviewed after the 2017/2018 summer period.
2. a 23m 'CAR / TRAILER COMBINATION ONLY' zone, on the southern side of the 'headland overflow' parking.

CARRIED

TC17.27 Parking Restrictions - Red Point Road, Bendalong (PN 3385) HPERM Ref: D17/133526

RESOLVED* (Clr Wells / Clr White) MIN17.439

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 140m (approx.) No Stopping zone on the western side of Red Point Road from its intersection with Boronia Street to its intersection with Waratah Street, Bendalong, as detailed in TRAF 2017/27.

CARRIED

TC17.28 No Stopping Zone - Lister Court, Hyams Beach (PN 3390) HPERM Ref: D17/133527

RESOLVED* (Clr Wells / Clr White) MIN17.440

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 30m (approx.) No Stopping zone on the southern side of Lister Court adjacent to the access to 6 Lister Court, Hyams Beach, as detailed in TRAF 2017/28.

CARRIED

TC17.29 Disabled Parking Space - Crookhaven Heads Boat Ramp, Culburra Beach (PN 3391) HPERM Ref: D17/133535

RESOLVED* (Clr Wells / Clr White) MIN17.441

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a disabled parking space at the Crookhaven Boat Ramp, Culburra Beach, as detailed in TRAF 2017/29.

CARRIED

TC17.30 Disabled Parking Space - Parkes Crescent, Callala Beach (PN 3392) HPERM Ref: D17/133541

RESOLVED* (Clr Wells / Clr White) MIN17.442

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the previously installed disabled parking space and associated shared zone in Parkes Crescent, Callala Beach adjacent to Parkes Crescent Park as detailed in TRAF 2017/30.

CARRIED

TC17.31 Road Weight Restriction - Upper Kangaroo River Road, Barrengarry (PN 3393) HPERM Ref: D17/133549

RESOLVED* (Clr Wells / Clr White) MIN17.443

That the General Manager (Director Assets and Works) be requested to arrange for the installation of 'no trucks' R6-10-2B and 'gross load limit 10t' R6-4B signage at the Council gate located on Upper Kangaroo River Road, Barrengarry, 12km from the intersection of Moss Vale Road, as detailed in TRAF 2017/31.

CARRIED

TC17.32 Raised Pedestrian Crossing - West Birriley Street and North Tarawal Street, Bomaderry (PN 3351) HPERM Ref: D17/142524

RESOLVED* (Clr Wells / Clr White) MIN17.444

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the installation of a raised pedestrian crossing at the curve on West Birriley Street and North Tarawal Street, Bomaderry as detailed in TRAF 2017/32.

CARRIED

REPORTS

CL17.129 Performance Audits HPERM Ref: D17/145402

Recommendation

That Council resolve to note the letter from the Audit Office of NSW.

RESOLVED (Clr Wells / Clr White) MIN17.445

That Council resolve to note the letter from the Audit Office of NSW.

CARRIED

CL17.130 Sale of Council Employment Land - Lot 15 DP 1096605, 24 Duranbah Drive, Huskisson NSW HPERM Ref: D17/152712

Recommendation

That

1. Council employment land (Lot 15 DP 1096605, 24 Duranbah Drive, Huskisson NSW) be sold for \$299,000.00 (plus GST) to BDM Building & Construction of Nowra
2. The General Manager be authorised to sign the Contracts for Sale, and
3. The Transfer to complete Contracts for Sale be executed under the Seal of Council.

RESOLVED (Clr Wells / Clr Gartner) MIN17.446

That

1. Council employment land (Lot 15 DP 1096605, 24 Duranbah Drive, Huskisson NSW) be sold for \$299,000.00 (plus GST) to BDM Building & Construction of Nowra
2. The General Manager be authorised to sign the Contracts for Sale, and
3. The Transfer to complete Contracts for Sale be executed under the Seal of Council.

CARRIED

**CL17.131 Sale of Council Employment Land - Lot 121 DP 1124258,
16 Trim Street, South Nowra NSW**

**HPERM Ref:
D17/152807**

Recommendation

That

1. Council employment land (Lot 121 DP 1124258, 16 Trim Street, South Nowra NSW) be sold for \$297,000.00 (plus GST) to Roadmaster Refrigerated Transport Pty Ltd of Riverstone
2. The General Manager be authorised to sign the Contracts for Sale, and
3. The Transfer to complete Contracts for Sale be executed under the Seal of Council.

RESOLVED (Clr Wells / Clr Gartner)

MIN17.447

That

1. Council employment land (Lot 121 DP 1124258, 16 Trim Street, South Nowra NSW) be sold for \$297,000.00 (plus GST) to Roadmaster Refrigerated Transport Pty Ltd of Riverstone
2. The General Manager be authorised to sign the Contracts for Sale, and
3. The Transfer to complete Contracts for Sale be executed under the Seal of Council.

CARRIED

CL17.132 Investment Report April 2017

**HPERM Ref:
D17/153242**

Recommendation

That the Report of the General Manager (Finance Corporate and Community Services Group) on the Record of Investments for the period to 30 April 2017 be received for information.

RESOLVED (Clr Gartner / Clr Alldrick)

MIN17.448

That the Report of the General Manager (Finance Corporate and Community Services Group) on the Record of Investments for the period to 30 April 2017 be received for information.

CARRIED

**CL17.133 Corporate Business System & Services - Evaluation &
Recommendation Tender Report**

**HPERM Ref:
D17/154546**

Recommendation

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

RESOLVED (Clr Gash / Clr Gartner)

MIN17.449

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

CARRIED

CL17.134 PROPOSAL FOR THE DEVELOPMENT OF AN AGED CARE FACILITY ON CROWN LAND AT SHOALHAVEN HEADS **HPERM REF: D17/142348**

Item dealt with earlier in the meeting see MIN17.427.

CL17.135 Proposed Affordable Housing Project at North Nowra **HPERM Ref: D17/151740**

Recommendation

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

RESOLVED (Clr Wells / Clr Cheyne) **MIN17.450**

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

CARRIED

CL17.136 Revised Offer to Purchase Lot 1 DP 1021332 at George Evans Road Mundamia **HPERM Ref: D17/153045**

Recommendation

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

RESOLVED (Clr Wells / Clr White) **MIN17.451**

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

CARRIED

CL17.137 PROPOSED LICENCE TO COUNCIL OF 'WARATAH PARK' 49 MEROO ST, BOMADERRY **HPERM REF: D17/151278**

Item dealt with earlier in the meeting see MIN17.409

CL17.138 ACQUISITION OF 109, 111, 111A & 113 CAMBEWARRA ROAD, BOMADERRY FOR THE SHOALHAVEN COMMUNITY & RECREATIONAL PRECINCT **HPERM REF: D17/152471**

Item dealt with earlier/later in the meeting see MIN17.410

**CL17.139 Tenders - Bendalong Road Conjola - Blackspot Road
Work and Shoulder Widening**

**HPERM Ref:
D17/150395**

Recommendation

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

RESOLVED (Clr Levett / Clr Wells)

MIN17.452

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

CARRIED

**CL17.140 Tenders - Report Woollamia Boat Ramp and Pontoons
Construction**

**HPERM Ref:
D17/156266**

Recommendation

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

RESOLVED (Clr Pakes / Clr Gartner)

MIN17.453

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

CARRIED

**CL17.141 Construction of New Waste Transfer Station - West
Nowra**

**HPERM Ref:
D17/154617**

Recommendation

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

RESOLVED (Clr Pakes / Clr Gartner)

MIN17.454

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

CARRIED

**CL17.142 Management & Operation of Comerong Island Ferry
Service Tender**

**HPERM Ref:
D17/156522**

Recommendation

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

RESOLVED (Clr Pakes / Clr Cheyne)

MIN17.455

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

Local Government Act 1993.

CARRIED

**CL17.143 PROGRESS REPORT - NOWRA CBD REVITALISATION
COMMITTEE - STRATEGY IMPLEMENTATION**

**HPERM REF:
D17/67465**

Item dealt with earlier/later in the meeting see MIN17.411

CL17.144 Australian Coastal Councils Conference

**HPERM Ref:
D17/154694**

Recommendation

That Council receive the report from Clr Mark Kitchener on the Australian Coastal Councils Conference for information.

RESOLVED (Clr Kitchener / Clr Levett)

MIN17.456

That Council receive the report from Clr Mark Kitchener on the Australian Coastal Councils Conference for information.

Note: Clr Kitchener requested that an erratum for his report be recorded. On page 91 of the business paper, his report states at paragraph 4, "the Shoalhaven has a sixty percent absentee housing market", the words "in some locations" should be included in the end of that sentence.

CARRIED

Introduction of Items as Matters of Urgency

RESOLVED (Clr Gash / Clr Alldrick)

MIN17.457

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

1. CL17.145 Proposed Acquisition of land required for the Far North Collector Road

CARRIED

The Chairperson ruled the matter as one of urgency as they relate to urgent business of Council and allowed its introduction.

ADDENDUM REPORTS

**CL17.145 Proposed Acquisition of land required for the Far North
Collector Road**

**HPERM Ref:
D17/158268**

Recommendation

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

RESOLVED (Clr White / Clr Levett)

MIN17.458

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

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 Cheyne)

MIN17.459

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.

CCL17.27 Proposed Acquisition of land required for the Far North Collector Road

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 4.19pm.

The meeting moved into open session, the time being 4.59pm.

Procedural Motion - Matters of Urgency

MOTION (Clr Pakes)

That an additional item Callala Bay Sailing Club – Dangerous Erosion be introduced as a matter of urgency.

The Chairperson ruled the matter as not urgent and suggested that Clr Pakes should submit a Notice of Motion to Strategy and Assets Committee to deal with this matter.

REPORT FROM CONFIDENTIAL SESSION

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

CCL17.22 Code of Conduct Complaint - Report by Conduct Reviewer

**HPERM Ref:
D17/154130**

RESOLVED

MIN17.460C

That in accordance with Section 10A(2) (i) of the Local Government Act, 1993 the resolution of the

Council and the Investigation Report remain confidential as the Council considers that it is not in the public interest to release it.

CSA17.9 Renewal Agreement - Illuminated Street Name Signs - Claude Outdoor Pty Ltd **HPERM Ref: D17/81612**

RESOLVED MIN17.463C

That;

1. The agreement with Claude Outdoor Pty Ltd for illuminated street signs be extended until 31 January 2026
2. The annual licence fee offer made by Claude Outdoor Pty Ltd as outlined in the report be accepted

CSA17.10 Proposed Deed of Agreement with adjoining owner - Lot 25A DP5996 Bryces Road, Far Meadow **HPERM Ref: D17/118758**

RESOLVED MIN17.464C

That Council:

1. Enter into a Deed of Agreement with the owners of Lot 6 DP618525, Melissa Boyde and Jennie Lawson to facilitate the boundary adjustment of the adjoining Council owned Land at Lot 25A DP5996 Bryces Road, Far Meadow as shown in Attachment 1, to enable a future sale;
2. Fund Council's share of all costs associated with the boundary adjustment/subdivision from Job Number 88813;
3. Consider a further report to Council following development approval for a boundary adjustment/subdivision for the proposed sale to the adjoining owners of the proposed new lot, and
4. Authorise the General Manager to finalise the terms of the Deed of Agreement and sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed

CCL17.24 Corporate Business System & Services - Evaluation & Recommendation Tender Report **HPERM Ref: D17/150382**

RESOLVED MIN17.465C

That following a detailed evaluation of the two vendors and directed by the recommendation of the Tender Evaluation Committee and approved by the ICT Control Group:

1. Council in accordance with Section 178(1)(b) of the Regulations not accept any Tenders for the proposed Contract, as no conforming Tenders were received.
2. Council, in accordance with Clause 178(3)(e) negotiate with Technology One as the preferred vendor, for the procurement of a Corporate Business System & Services solution based on Technology One's RFT and clarification response with Council's Request for Tenders dated 7 March 2017.
3. Failing to execute a contract with Technology One, the General Manager (Director Finance, Corporate & Community Services) is authorised to negotiate and enter into a contract with any other party that is able to supply the required services.
4. Council authorise the General Manager (Director, Finance Corporate & Community Services) to execute the Contract Documents and associated documents, including variations under the

contract.

CCL17.25 Proposed Affordable Housing Project at North Nowra **HPERM Ref: D17/149892**

RESOLVED MIN17.466C

That this decision remains confidential until Part 3 is fully resolved.

CCL17.26 Revised Offer to Purchase Lot 1 DP 1021332 at George Evans Road Mundamia **HPERM Ref: D17/143138**

RESOLVED MIN17.467C

That Council reject the revised offer and take no further action.

CCL17.27 Proposed Acquisition of land required for the Far North Collector Road **HPERM Ref: D17/157834**

RESOLVED MIN17.468C

That the matter of Proposed Acquisition of land required for the Far North Collector Road be deferred for consideration at the reconvened Ordinary Meeting to be held on Tuesday 30 May 2017 in order to allow a briefing of Councillors in relation to the road network in the area.

CCL17.28 Acquisition of 109,111,111A & 113 Cambewarra Road, Bomaderry for the Shoalhaven Community & Recreational Precinct **HPERM Ref: D17/148805**

RESOLVED MIN17.469C

The resolution remain confidential in accordance with Section 10(A)(2)(c) of the Local Government Act until all transactions have been settled

CCL17.29 Tenders - Bendalong Road Conjola - Blackspot road work and Shoulder Widening **HPERM Ref: D17/150513**

RESOLVED MIN17.470C

That Council

1. In accordance with Section 178(1)(b) of the regulations decline to accept any Tender for Bendalong Road Conjola – Shoulder Widening and Pavement Overlay, as sufficient funds are not available for the current scope.
2. In accordance with Clause 173(3)(e) enter into negotiations with any person for Bendalong Road Conjola – Shoulder Widening and Pavement Overlay for the following reasons;
 - a. The project must be completed within the timeframes required by the Federal funding.
 - b. Council will review the scope to achieve savings in the overall price.
3. The resulting 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 & Works).

CCL17.30 Tenders - Woollamia Boat Ramp and Pontoon Construction

**HPERM Ref:
D17/156418**

RESOLVED

MIN17.471C

That Council

1. In accordance with Section 178(1)(b) of the regulations decline to accept any Tender for Woollamia Boat Ramp and Pontoons construction as the tenders received exceed the budget.
2. In accordance with Clause 173(3)(e) enter into negotiations with any party for Woollamia Boat Ramp and Pontoons construction with a reduced scope of work and not advertise or invite fresh tenders for the following reasons
 - a. Limited interest in the work was demonstrated from the open tender process and the prices offered were above the budget allocation.
 - b. Reduction of the initial scope through a negotiation with contractors may reduce the prices offered to within available funds.
 - c. The project will not be delayed and can be undertaken outside of peak holiday periods and satisfy the community demand.
3. Advise RMS of the intention to proceed with the pontoon and boardwalk installation and the requirement to reallocate funds from Woollamia Boating infrastructure to Dent Street kayak launching ramp under the current grant program and seek additional funds for the second works package through the next round of the Better Boating Now Program

CCL17.31 Tenders – Construction of New Waste Transfer Station - West Nowra

**HPERM Ref:
D17/152679**

RESOLVED

MIN17.472C

That

1. Council accept the Tender from Hpac Pty Ltd for the Construction of a New Waste Transfer Station – West Nowra Recycling and Waste Facility at a total cost of \$1,310,889.92 (exc 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 & Works).

CCL17.32 Management & Operation of Comerong Island Ferry Service Tender

**HPERM Ref:
D17/156370**

RESOLVED

MIN17.473C

That

1. Council accept the Tender from Tono Ferry Services Pty Ltd for the Management and Operation of the Comerong Island Ferry Service at a total cost of \$285,555.00 p.a. (excluding GST).
2. The contract be awarded based on the current operating hours of 6am to 10pm, 7 days, however be structured to enable the reduction in operating hours in the future should council so decide.
3. 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 & Works).

4. The budget for operation of the Ferry be increased by \$31,000 in FY17/18 only, with the budget for future years to be finalised following completion of community engagement about the Ferry Service.

CCL17.23 Code of Conduct Complaint - Report by Conduct Reviewer

**HPERM Ref:
D17/157951**

RESOLVED

MIN17.474C

That in accordance with Section 10A(2) (i) of the Local Government Act, 1993 the resolution of the Council and the Investigation Report remain confidential.

CCL17.27 Proposed Acquisition of land required for the Far North Collector Road

**HPERM Ref:
D17/157834**

RESOLVED (Clr Gartner / Clr Alldrick)

MIN17.475C

The resolution remain confidential in accordance with Section 10(A)(2)(c) of the Local Government Act until all transactions have been settled.

There being no further business, the meeting concluded, the time being 5.03pm on Tuesday, 30 May 2017.

Clr Findley
CHAIRPERSON