

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 27 March 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.05pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr Kaye Gartner
Clr Nina Cheyne
Clr Annette Alldrick
Clr John Levett
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 Monckton and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Nil

Confirmation of the Minutes

RESOLVED (Clr Gash / Clr Cheyne) MIN18.191

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 27 February 2018 be confirmed.

CARRIED

Declarations of Interest

Clr Gash – CL18.75 - Encroachment onto Public Reserve – 1 Walton Way, Currarong – less than significant non pecuniary declaration – will remain in the room and will take part in discussion and vote – co-owner of the property is a “friend known to me”.

Russ Pigg – CL18.67 – Recycling – Collapse of Market – significant non pecuniary interest declaration – his neighbour and friend is involved in recycling – will leave the room and will not take part in discussion.

PRESENTATION OF PETITIONS

Presentation of Petitions

Clr Proudfoot presented a petition containing 14 signatures which states:

“We, the undersigned, residents of Tahnee Street, Sanctuary Point, are concerned with the recent increase in traffic volume using this street. Tahnee Street has become a thoroughfare for through traffic due to recent road infrastructure changes, connecting with links Avenue, Corella Street and Jean Street. Tahnee Street is not sufficiently wide enough (4m) to allow two way traffic to pass safely. This has caused traffic to encroach on and damage the nature strip. The location of storm water drain entrances near the corners of Tahnee Street has led to tyre damage. Cars travelling at unsafe speeds have been noted and could result in vehicle collisions.

We, the undersigned, request to installation of speed humps to slow the traffic and to minimise the volume of traffic using Tahnee Street as a thoroughfare.”

MAYORAL MINUTE

MM18.10 Mayoral Minute - Harmony Day

HPERM Ref:
D18/102316

Recommendation

That Council receive the report for information.

RESOLVED (Clr Findley / Clr Pakes)

MIN18.192

That Council receive the report for information.

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL18.52 - Notice of Motion - Various Issues - Sanctuary Point & St Georges Basin

Mr Dennis Williams (Sanctuary Point A Concerned Citizens Newsletter) spoke for the recommendation.

CL18.68 - Electric Vehicle Charging Points - Proposed Berry Location and Council Policy

Ms Amelia Starr (representing NRMA) –spoke for the recommendation

CL18.75 - Encroachment onto Public Reserve – 1 Walton Way Currarong

Mr Robin Graham – spoke against the recommendation

Procedural Motion – Introduction of Items as Matters of Urgency – Bring Item Forward

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.193

That:

1. The following addendum reports be introduced as matters of urgency:
 - CL18.74 Planning for current and future funding opportunities
 - CL18.75 Encroachment onto Public Reserve - 1 Walton Way Currarong
 - CL18.76 Local Government Conference - 2018 National General Assembly of Local Government - Proposed Motions
2. The following items be brought forward for consideration:
 - CL18.50 – Rescission Motion - Bay and Basin Community Hub - Draft Master Plan Exhibition Complete - Request for Detailed Design Phase
 - CL18.51 – Notice of Motion - Bay and Basin Community Hub - Draft Master Plan Exhibition Complete - Request for Detailed Design Phase
 - CL18.52 – Notice of Motion - Various Issues - Sanctuary Point & St Georges Basin
 - CL18.68 – Electric Vehicle Charging Points – Proposed Berry Location and Council Policy
 - CL18.75 – Encroachment onto Public Reserve – 1 Walton Way, Currarong
 - SA18.45 – Hyams Beach- Workshop Outcomes- Easter Actions and Resource Requirements
 - CL18.74 – Planning for Current and Future Funding Opportunities
 - CL18.76 – Local Government Conference – 2018 National General Assembly of Local Government – Proposed Motions
 - CL18.54 – Notice of Motion - Warden Head Lighthouse - Ulladulla

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

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL18.50 Rescission Motion - Bay and Basin Community Hub - Draft Master Plan Exhibition Complete - Request for Detailed Design Phase

HPERM Ref: D18/69582

Recommendation

That Council rescind the Motion relating to Item CL18.29 of the Council Meeting held Tuesday 27 February 2018.

MOTION (Clr Proudfoot / Clr Pakes)

That Council rescind the Motion relating to Item CL18.29 of the Council Meeting held Tuesday 27 February 2018.

PROCEDURAL MOTION (Clr Guile / Clr Gartner)

That the motion be PUT.

PROCEDURAL MOTION CARRIED

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.194

That Council rescind the Motion relating to Item CL18.29 of the Council Meeting held Tuesday 27 February 2018.

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

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

CARRIED

CL18.51 Notice of Motion - Bay and Basin Community Hub - Draft Master Plan Exhibition Complete - Request for Detailed Design Phase

**HPERM Ref:
D18/69619**

Recommendation

That Council construct a District Library at Sanctuary Point as a priority.

MOTION (Clr Proudfoot / Clr Guile)

That Council:

1. Construct a District Library at Sanctuary Point as a priority;
2. Redesign the Draft Bay and Basin Community Hub Master Plan without the library.

PROCEDURAL MOTION (Clr Guile / Clr Wells)

That the motion be PUT.

PROCEDURAL MOTION CARRIED

RESOLVED (Clr Proudfoot / Clr Guile)

MIN18.195

That Council:

1. Construct a District Library at Sanctuary Point as a priority;
2. Redesign the Draft Bay and Basin Community Hub Master Plan without the library.

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

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

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Pakes / Clr Gash) MIN18.196

That the meeting be adjourned to a date and time set by the General Manager.

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

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

CARRIED

Note: The meeting adjourned, the time being 6.25pm.

Note: The meeting reconvened Tuesday 3 April 2018, the time being 5pm.

The following members were present:

Clr Amanda Findley - Chairperson
 Clr John Wells
 Clr Patricia White
 Clr Kaye Gartner
 Clr Nina Cheyne
 Clr Annette Alldrick
 Clr John Levett
 Clr Mitchell Pakes
 Clr Mark Kitchener
 Clr Bob Proudfoot

Apologies / Leave of Absence

RESOLVED (Clr Findley / Clr Wells) MIN18.197

That:

1. An apology be received from Clr Watson.
2. A leave of absence be granted to Clr Gash for the period of 1 April 2018 to 7 April 2018 inclusive.

CARRIED

CL18.52 Notice of Motion - Various Issues - Sanctuary Point & St Georges Basin

HPERM Ref: D18/89913

Recommendation

That following a meeting with several concerned community members, that the ensuing list of requests be given serious consideration for inclusion in future budgets, work's programmes and funding applications. Staff would need to provide their professional input and report back to Council with a realistic way forward:

1. Traffic calming measures on Larmer Avenue, Sanctuary Point on the approach to Cockrow Creek bridge where the 70 km/hr becomes 50 km/hr, be installed. Local residents are adamant that motor vehicles, garbage trucks and delivery wagons are travelling across the bridge at speeds in excess of 80 km/hr, with noise levels being intolerable and the risk of accidents high.
2. Urgent road maintenance works be carried out on The Park Drive at, Sanctuary Point at

various locations, but in particular from Larmer Avenue to Boronia Avenue and to Boronia Avenue itself.

3. A roundabout be constructed at the corner of Sanctuary Point Road and Larmer Avenue/ Paradise Beach Road, Sanctuary Point.
4. Acknowledge and promote Palm Beach as the iconic beach that it is, and support this acknowledgement with enlightened expenditure on infrastructure.
5. Upgrading of the Basin Walking track through Sanctuary Point, as proposed in 2015.
6. Provision of at least 3 new barbeque shelters where users can also enjoy their meals under cover, similar to the way that it occurs in other locations such as Mollymook, Plantation Point and Sussex Inlet, and who knows how many other locations within the Shoalhaven.
7. Removal of the dangerous, sharp and pointy, introduced grasses around the trees and seating areas throughout Ray Brooks Reserve, Paradise Beach and other St George's Basin public foreshore reserves.
8. Reconsideration of the dangerous stairs, recently constructed from Ray Brooks Reserve to the 5 star, "By the Beach B and B," with only a one-sided handrail, with a long drop to the bottom. Modification at the top also needs attention.
9. Removal of the large sand and wrack piles from alongside of the toilet block together with the large piles of mulch.
10. A serious review of the deterioration of the ageing ramp from Greville Avenue to the bottom of Ray Brooks Reserve.
11. The construction of a boardwalk to allow a safe continuation of the Basin Walking track around it's original course at the base of the cliff beneath and around Red-head Point, as properly shown on Google Earth. This would make it available for everyone to complete their walk or ride in safety, including the disabled, mothers with prams, mothers with children, children on bikes, older citizens requiring a level platform to walk on, sports' enthusiasts, as well as the future influx of tourists.
12. A safety audit regarding the impact of foreshore vegetation on the capacity of parents and carers to adequately supervise young children whilst they swim at beaches such as Palm and Paradise Beaches, Sanctuary Point.

MOTION (Clr Proudfoot / Clr Pakes)

That following a meeting with several concerned community members, that the ensuing list of requests be given serious consideration for inclusion in future budgets, work's programmes and funding applications. Staff would need to provide their professional input and report back to Council with a realistic way forward:

1. Traffic calming measures on Larmer Avenue, Sanctuary Point on the approach to Cockrow Creek bridge where the 70 km/hr becomes 50 km/hr, be installed. Local residents are adamant that motor vehicles, garbage trucks and delivery wagons are travelling across the bridge at speeds in excess of 80 km/hr, with noise levels being intolerable and the risk of accidents high.
2. Urgent road maintenance works be carried out on The Park Drive at, Sanctuary Point at various locations, but in particular from Larmer Avenue to Boronia Avenue and to Boronia Avenue itself.
3. A roundabout be constructed at the corner of Sanctuary Point Road and Larmer Avenue/ Paradise Beach Road, Sanctuary Point.
4. Acknowledge and promote Palm Beach as the iconic beach that it is, and support this acknowledgement with enlightened expenditure on infrastructure.
5. Upgrading of the Basin Walking track through Sanctuary Point, as proposed in 2015.

6. Provision of at least 3 new barbeque shelters where users can also enjoy their meals under cover, similar to the way that it occurs in other locations such as Mollymook, Plantation Point and Sussex Inlet, and who knows how many other locations within the Shoalhaven.
7. Removal of the dangerous, sharp and pointy, introduced grasses around the trees and seating areas throughout Ray Brooks Reserve, Paradise Beach and other St George's Basin public foreshore reserves.
8. Reconsideration of the dangerous stairs, recently constructed from Ray Brooks Reserve to the 5 star, "By the Beach B and B," with only a one-sided handrail, with a long drop to the bottom. Modification at the top also needs attention.
9. Removal of the large sand and wrack piles from alongside of the toilet block together with the large piles of mulch.
10. A serious review of the deterioration of the ageing ramp from Greville Avenue to the bottom of Ray Brooks Reserve.
11. The construction of a boardwalk to allow a safe continuation of the Basin Walking track around it's original course at the base of the cliff beneath and around Red-head Point, as properly shown on Google Earth. This would make it available for everyone to complete their walk or ride in safety, including the disabled, mothers with prams, mothers with children, children on bikes, older citizens requiring a level platform to walk on, sports' enthusiasts, as well as the future influx of tourists.
12. A safety audit regarding the impact of foreshore vegetation on the capacity of parents and carers to adequately supervise young children whilst they swim at beaches such as Palm and Paradise Beaches, Sanctuary Point.
13. The following works at Tahnee Street, Sanctuary Point be given urgent attention:
 - a. Replacement of damaged kerb near the junction with Nadine Street (already scheduled) be progressed in conjunction with a minor road widening at that point.
 - b. The provision of speed humps be given a high priority in future works programmes.
 - c. Concrete trucks, delivery wagons and trade trucks be directed, by signage, to by-pass Tahnee Street and use Kean Street, further South.

AMENDMENT (Clr Findley / Clr Gartner)

That the following items be considered as part of a review of the Sanctuary Point Place-making Action Plan and that members of the community be invited to participate in the review:

1. Traffic calming measures on Larmer Avenue, Sanctuary Point on the approach to Cockrow Creek bridge where the 70 km/hr becomes 50 km/hr, be installed. Local residents are adamant that motor vehicles, garbage trucks and delivery wagons are travelling across the bridge at speeds in excess of 80 km/hr, with noise levels being intolerable and the risk of accidents high.
2. Urgent road maintenance works be carried out on The Park Drive at, Sanctuary Point at various locations, but in particular from Larmer Avenue to Boronia Avenue and to Boronia Avenue itself.
3. A roundabout be constructed at the corner of Sanctuary Point Road and Larmer Avenue/ Paradise Beach Road, Sanctuary Point.
4. Acknowledge and promote Palm Beach as the iconic beach that it is, and support this acknowledgement with enlightened expenditure on infrastructure.
5. Upgrading of the Basin Walking track through Sanctuary Point, as proposed in 2015.
6. Provision of at least 3 new barbeque shelters where users can also enjoy their meals under cover, similar to the way that it occurs in other locations such as Mollymook, Plantation Point

and Sussex Inlet, and who knows how many other locations within the Shoalhaven.

7. Removal of the dangerous, sharp and pointy, introduced grasses around the trees and seating areas throughout Ray Brooks Reserve, Paradise Beach and other St George's Basin public foreshore reserves.
8. Reconsideration of the dangerous stairs, recently constructed from Ray Brooks Reserve to the 5 star, "By the Beach B and B," with only a one-sided handrail, with a long drop to the bottom. Modification at the top also needs attention.
9. Removal of the large sand and wrack piles from alongside of the toilet block together with the large piles of mulch.
10. A serious review of the deterioration of the ageing ramp from Greville Avenue to the bottom of Ray Brooks Reserve.
11. The construction of a boardwalk to allow a safe continuation of the Basin Walking track around it's original course at the base of the cliff beneath and around Red-head Point, as properly shown on Google Earth. This would make it available for everyone to complete their walk or ride in safety, including the disabled, mothers with prams, mothers with children, children on bikes, older citizens requiring a level platform to walk on, sports' enthusiasts, as well as the future influx of tourists.
12. A safety audit regarding the impact of foreshore vegetation on the capacity of parents and carers to adequately supervise young children whilst they swim at beaches such as Palm and Paradise Beaches, Sanctuary Point.
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 - a. Replacement of damaged kerb near the junction with Nadine Street (already scheduled) be progressed in conjunction with a minor road widening at that point.
 - b. The provision of speed humps be given a high priority in future works programmes.
 - c. Concrete trucks, delivery wagons and trade trucks be directed, by signage, to by-pass Tahnee Street and use Kean Street, further South.

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

AGAINST: Clr Wells, Clr White, Clr Aldrick, Clr Pakes, Clr Kitchener and Clr Proudfoot

LOST

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.198

That following a meeting with several concerned community members, that the ensuing list of requests be given serious consideration for inclusion in future budgets, work's programmes and funding applications. Staff would need to provide their professional input and report back to Council with a realistic way forward:

1. Traffic calming measures on Larmer Avenue, Sanctuary Point on the approach to Cockrow Creek bridge where the 70 km/hr becomes 50 km/hr, be installed. Local residents are adamant that motor vehicles, garbage trucks and delivery wagons are travelling across the bridge at speeds in excess of 80 km/hr, with noise levels being intolerable and the risk of accidents high.
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3. A roundabout be constructed at the corner of Sanctuary Point Road and Larmer Avenue/ Paradise Beach Road, Sanctuary Point.
4. Acknowledge and promote Palm Beach as the iconic beach that it is, and support this acknowledgement with enlightened expenditure on infrastructure.

5. Upgrading of the Basin Walking track through Sanctuary Point, as proposed in 2015.
6. Provision of at least 3 new barbeque shelters where users can also enjoy their meals under cover, similar to the way that it occurs in other locations such as Mollymook, Plantation Point and Sussex Inlet, and who knows how many other locations within the Shoalhaven.
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9. Removal of the large sand and wrack piles from alongside of the toilet block together with the large piles of mulch.
10. A serious review of the deterioration of the ageing ramp from Greville Avenue to the bottom of Ray Brooks Reserve.
11. The construction of a boardwalk to allow a safe continuation of the Basin Walking track around it's original course at the base of the cliff beneath and around Red-head Point, as properly shown on Google Earth. This would make it available for everyone to complete their walk or ride in safety, including the disabled, mothers with prams, mothers with children, children on bikes, older citizens requiring a level platform to walk on, sports' enthusiasts, as well as the future influx of tourists.
12. A safety audit regarding the impact of foreshore vegetation on the capacity of parents and carers to adequately supervise young children whilst they swim at beaches such as Palm and Paradise Beaches, Sanctuary Point.
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 - a. Replacement of damaged kerb near the junction with Nadine Street (already scheduled) be progressed in conjunction with a minor road widening at that point.
 - b. The provision of speed humps be given a high priority in future works programmes.
 - c. Concrete trucks, delivery wagons and trade trucks be directed, by signage, to by-pass Tahnee Street and use Kean Street, further South.

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

AGAINST: Clr Levett

CARRIED

CL18.68 Electric Vehicle Charging Points - Proposed Berry Location and Council Policy

HPERM Ref: D18/54555

Recommendation

That Council

1. Support in principle the proposal received from the NRMA Pty Ltd (Bringing electric vehicle fast- charging to Berry – January 2018) and authorise the General Manager to work through its implementation and delivery with the NRMA Pty Ltd and relevant stakeholders; and
2. Prepare a policy position on the Electric Vehicle Charging facilities that seek to use public land, including public reserves, road reserves, car parks and other freehold land used as open space.

RESOLVED (Clr Wells / Clr Gartner)

MIN18.199

That Council

1. Support in principle the proposal received from the NRMA Pty Ltd (Bringing electric vehicle fast- charging to Berry – January 2018) and authorise the General Manager to work through its implementation and delivery with the NRMA Pty Ltd and relevant stakeholders; and
2. Prepare a policy position on the Electric Vehicle Charging facilities that seek to use public land, including public reserves, road reserves, car parks and other freehold land used as open space.

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

AGAINST: Nil

CARRIED

CL18.75 Encroachment onto Public Reserve - 1 Walton Way Currarong

HPERM Ref: D18/96988

Recommendation

That Council resolves to:

1. Support an application by the owner of Lot 220 DP 16854 at 1 Walton Way Currarong, Robin Nicholas Graham, to the Land and Environment Court of New South Wales for an order under the Encroachment of Buildings Act 1922 that an easement right be created in relation to the encroachment onto Council owned land known as Dolphin Reserve at Currarong comprised in Lot 222 DP 16584 and shown by hatching on Attachment "A" provided that compensation in the form of the market value of the easement right is payable to Council, all costs are met by the applicant and that the easement is to be extinguished upon demolition of the building which forms the encroachment;
2. Take no action in relation to the other encroachments onto Dolphin Reserve in the form of fencing adjacent to the western boundaries of properties at 3 to 9 Walton Way inclusive other than to acknowledge the encroachments and to inform the registered proprietors of those properties that Council requires that fencing be relocated to the surveyed boundaries whenever the properties are redeveloped for any reason; and
3. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any document required to be sealed and to delegate to the General Manager the authority required to finalise this matter including, if required, any submission to the Land and Environment Court of New South Wales in relation to an application for orders under the Encroachment of Buildings Act 1922 in (1) above.

MOTION (Clr Levett / Clr Gartner)

That Council resolves to:

1. Support an application by the owner of Lot 220 DP 16854 at 1 Walton Way Currarong, Robin Nicholas Graham, to the Land and Environment Court of New South Wales for an order under the Encroachment of Buildings Act 1922 that an easement right be created in relation to the encroachment onto Council owned land known as Dolphin Reserve at Currarong comprised in Lot 222 DP 16584 and shown by hatching on Attachment "A" provided that compensation in the form of the market value of the easement right is payable to Council, all costs are met by the applicant and that the easement is to be extinguished upon demolition of the building which forms the encroachment;
2. Take no action in relation to the other encroachments onto Dolphin Reserve in the form of

fencing adjacent to the western boundaries of properties at 3 to 9 Walton Way inclusive other than to acknowledge the encroachments and to inform the registered proprietors of those properties that Council requires that fencing be relocated to the surveyed boundaries whenever the properties are redeveloped for any reason; and

3. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any document required to be sealed and to delegate to the General Manager the authority required to finalise this matter including, if required, any submission to the Land and Environment Court of New South Wales in relation to an application for orders under the Encroachment of Buildings Act 1922 in (1) above.

FOR: Clr Findley, Clr Gartner and Clr Levett

AGAINST: Clr Wells, Clr White, Clr Cheyne, Clr Alldrick, Clr Pakes, Clr Kitchener and Clr Proudfoot

LOST

RESOLVED (Clr White / Clr Pakes)

MIN18.200

That Council support an application to the Land and Environment Court for an order that the land affected by the encroachment of Lot 220 DP 16854 at 1 Walton Way, Currarong be sold to the owner of that land.

FOR: Clr Wells, Clr White, Clr Cheyne, Clr Alldrick, Clr Pakes, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Findley, Clr Gartner and Clr Levett

CARRIED

SA18.45 Hyams Beach- Workshop Outcomes- Easter Actions and Resource Requirements

**HPERM Ref:
D18/84701**

Recommendation

That:

1. Council support the implementation of actions for the Hyams Beach as a trial for the Easter period 2018.
2. Council allocate a budget up to a total of \$39,000 to implement the trial.
3. A further allocation of \$21,000 be made for a long-term traffic management plan for Hyams Beach.
4. A report is provided back to Council on the outcome of the trial and a consideration of ongoing resource provision in the Hyams Beach location.
5. Council continue discussions with key stakeholders from Hyams Beach (including the Hyams Beach Village Association) and stakeholders from the wider Shoalhaven to develop long term solutions to increasing visitor numbers and infrastructure needs.
6. A working party is formed to assess long term strategic and sustainable infrastructure solutions to current and potential hotspots throughout the region, taking into consideration the Sustainable Tourism Model currently being created.
7. Consideration be given to the purchase of variable message board signs (VMS) to assist with future peak summer holiday periods to reduce the costs of hiring. These signs can also be utilised by Council for other festivals, events and emergency situations.
8. The General Manager have regard to the submission from the Hyams Beach Village Association in the implementation of the action plan.

RESOLVED (Clr Wells / Clr Cheyne)

MIN18.201

That:

1. Council support the implementation of actions for the Hyams Beach as a trial for the Easter period 2018.
2. Council allocate a budget up to a total of \$39,000 to implement the trial.
3. An urgent report is provided back to Council on the outcome of the trial and a consideration of ongoing resource provision in the Hyams Beach location indicating the success of the implementation of trial measures.
4. Council continue discussions with key stakeholders from Hyams Beach (including the Hyams Beach Village Association) and stakeholders from the wider Shoalhaven to develop long term solutions to increasing visitor numbers and infrastructure needs.
5. A working party is formed to assess long term strategic and sustainable infrastructure solutions to current and potential hotspots throughout the region, taking into consideration the Sustainable Tourism Model currently being created.
6. Consideration be given to the purchase of variable message board signs (VMS) to assist with future peak summer holiday periods to reduce the costs of hiring. These signs can also be utilised by Council for other festivals, events and emergency situations.
7. The General Manager have regard to the submission from the Hyams Beach Village Association in the implementation of the action plan.
8. Council invites local State and Federal Members of Parliament to the next meeting with community members to discuss funding options and seek their commitment and support.

CARRIED

CL18.74 Planning for current and future funding opportunities

**HPERM Ref:
D18/93253**

Recommendation

1. That Council note the report for consideration during the budget discussions for 2018/19 especially related to funding projects to progress to “shovel ready” stage;
2. That the following projects be worked up for submission as an EoI under the specific programs as soon as possible:
 - a. Regional Growth Fund (Australia)
 - i. No Council project, but support be given to other organisations submitting projects for development within the Shoalhaven & wider region
 - b. Growing Local Economies (NSW)
 - i. Council’s Industrial estate development program and ancillary works (eg NBN to AATP, Sth Nowra roads)
 - ii. Nowra Key Road Projects
 - c. Stronger Country Communities Fund (NSW)
 - i. As listed in the attachment to the report
 - d. Heavy Vehicle Safety Productivity Program (Aust) & Fixing Country Roads (NSW)
 - i. Slaughterhouse Rd, Milton
 - ii. Yalwal Rd intersection with Albatross Rd and upgrade of Yalwal Rd to Flat Rock

Dam.

iii. Projects within the Nowra Key Road Projects

e. Regional Sports Infrastructure Fund

i) No Council project, but support be given to any sporting association wishing to submit an application for a project on council sports fields or facilities;

3. Other projects to be added to the above list for future funding applications once worked up to a sufficient level to support an application.

RESOLVED (Clr White / Clr Proudfoot)

MIN18.202

That:

1. Council:

a. Allocate funding during the budget discussions for 2018/19 especially related to funding projects to progress to “shovel ready” stage;

b. Employ a Grants/Research Officer – this position may best positioned under Economic Development and the Officer would be available to assist all areas of Council operations.

2. The following projects be worked up for submission as an Expression of Interest under the specific programs as soon as possible:

a. Regional Growth Fund (Australia)

i. No Council project, but support be given to other organisations submitting projects for development within the Shoalhaven & wider region.

b. Growing Local Economies (NSW) (see point 7 below).

c. Stronger Country Communities Fund (NSW)

i. As listed in the attachment to the report

d. Heavy Vehicle Safety Productivity Program (Australia) & Fixing Country Roads (NSW)

i. Slaughterhouse Road, Milton;

ii. Yalwal Road intersection with Albatross Rd and upgrade of Yalwal Road to Flat Rock Dam; and

iii. Projects within the Nowra Key Road Projects.

e. Regional Sports Infrastructure Fund

i. No Council project, but support be given to any sporting association wishing to submit an application for a project on council sports fields or facilities.

3. Other projects to be added to the above list for future funding applications once worked up to a sufficient level to support an application.

4. Council create a list of eligible projects for grant funding and request the General Manager to identify the projects most eligible to secure funding with regards to the grant guidelines to be addressed by each application.

5. Projects so identified be submitted to the respective governments as Council applications for grant funding and reported to Council for information.

6. A briefing be held with Federal and State Members of Parliament to discuss grants and funding opportunities.

7. The decision on Growing Local Economies (NSW grants) for the following projects be deferred until after the briefing with members of Parliament:

a. Council’s Industrial estate development program and ancillary works (for example NBN to

- AATP, Sth Nowra roads)
- b. Nowra Key Road Projects
- c. Marine Industry Infrastructure and Support
- d. Stewart Place Master Plan and business case which prepares the way for the development of Council's car park
- e. Nowra Riverfront Master Plan

CARRIED

CL18.76 Local Government Conference - 2018 National General Assembly of Local Government - Proposed Motions

HPERM Ref: D18/98970

Recommendation

That Council endorse the nine (9) motions as detailed in this report for submission to the Australian Local Government Association – 2018 National Assembly.

RESOLVED (Clr White / Clr Cheyne)

MIN18.203

That Council endorse the nine (9) motions as detailed in this report for submission to the Australian Local Government Association – 2018 National Assembly.

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

AGAINST: Clr Wells and Clr Proudfoot

CARRIED

CL18.54 Notice of Motion - Warden Head Lighthouse - Ulladulla

HPERM Ref: D18/91106

Recommendation

That Council

1. Give full support the Ulladulla Lighthouse Suicide Group in establishing a safe environment to the precinct surrounding the Ulladulla Lighthouse.
2. Allocate a budget of up to \$75,000 to assist with project management, design, scopes of work.
3. Assist the group with applying for funding opportunities with all levels of government.
4. Liaise with the Department of Crown Lands for the future management/maintenance costs of the Lighthouse precinct but not including the Lighthouse structure that will remain the responsibility of RMS.

RESOLVED (Clr White / Clr Pakes)

MIN18.204

That Council:

1. Support the Ulladulla Lighthouse Suicide Prevention Group in making representations to the Department of Industry - Crown Lands, to establish a safe environment within the precinct surrounding the Ulladulla Lighthouse.
2. Make representations directly to the Department of Primary Industry - Crown Lands and local State and Federal members of Parliament.
3. Allocate in the 2018/19 budget discussions co-funding works up to \$75,000 to assist with

project management, design, scopes of work.

4. Assist the group with applying for funding opportunities with all levels of government.
5. Liaise with the Department of Primary Industry - Crown Lands for the future management/maintenance costs of the Lighthouse precinct but not including the Lighthouse structure that will remain the responsibility of RMS.
6. Organise a meeting as soon as possible with the member for South Coast Shelley Hancock MP to discuss the current Department of Primary Industry - Crown Lands funding for the precinct.
7. Council support the Hon Shelley Hancock MP in making representations to the Hon Niall Blair MLC, Minister for Trade and Industry, to enable the allocation of available funding to this project.

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Gartner / Clr Pakes)

MIN18.205

That the meeting be adjourned for 15 minutes for a short break.

CARRIED

Note: the meeting adjourned, the time being 7.27pm.

Note: the meeting reconvened, the time being 7.46pm.

The following members were present:

Clr Amanda Findley - Chairperson
Clr John Wells
Clr Patricia White
Clr Kaye Gartner
Clr Nina Cheyne
Clr Annette Alldrick
Clr John Levett
Clr Mitchell Pakes
Clr Mark Kitchener
Clr Bob Proudfoot

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr Levett)

MIN18.206

That the matter of item CI18.70 - Nowra Riverfront Precinct - Proposed Planning and Development Controls be brought forward for consideration.

CARRIED

CL18.70 Nowra Riverfront Precinct - Proposed Planning and Development Controls

**HPERM Ref:
D18/40290**

Recommendation

That Council:

1. Receive the attached Nowra Riverfront Entertainment and Leisure Precinct Proposed Planning Controls Report prepared by Studio GL for information and endorse it being placed on public exhibition for a minimum period of 28 days to enable community comment.
2. During the exhibition period, directly consult with NSW Roads and Maritime Services in relation to the Nowra Bridge Project.
3. Consider a further report following the exhibition of the Nowra Riverfront Entertainment and Leisure Precinct Proposed Planning Controls Report that details any comments received, with a view to proceeding to: prepare a Planning Proposal for submission for initial Gateway determination to revise relevant Local Environmental Plan provisions; and a supporting Area Specific Chapter to be inserted in Shoalhaven Development Control Plan 2014.
4. Receive a further report on the insurance options for the former Nowra Sailing Club site.

RESOLVED (Clr Wells / Clr Gartner)

MIN18.207

That Council:

1. Receive the attached Nowra Riverfront Entertainment and Leisure Precinct Proposed Planning Controls Report prepared by Studio GL for information and endorse it being placed on public exhibition for a minimum period of 28 days to enable community comment.
2. During the exhibition period, directly consult with NSW Roads and Maritime Services in relation to the Nowra Bridge Project.
3. Consider a further report following the exhibition of the Nowra Riverfront Entertainment and Leisure Precinct Proposed Planning Controls Report that details any comments received, with a view to proceeding to: prepare a Planning Proposal for submission for initial Gateway determination to revise relevant Local Environmental Plan provisions; and a supporting Area Specific Chapter to be inserted in Shoalhaven Development Control Plan 2014.
4. Receive a further report on the insurance options for the former Nowra Sailing Club site.

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

Against: Nil

CARRIED

CL18.53 Notice of Motion - Community Engagement

**HPERM Ref:
D18/90129**

Recommendation

That Council explore the feasibility of engaging a private company to carry out community consultation for large or potentially controversial council projects.

RESOLVED (Clr Alldrick / Clr Proudfoot)

MIN18.208

That Council explore the feasibility of engaging a private company to carry out community consultation for large or potentially controversial council projects.

FOR: Clr Findley, Clr Wells, Clr White, Clr Gartner, Clr Alldrick, Clr Levett and Clr Proudfoot

AGAINST: Clr Cheyne, Clr Pakes and Clr Kitchener
CARRIED

CL18.54 NOTICE OF MOTION - WARDEN HEAD LIGHTHOUSE - ULLADULLA

**HPERM REF:
D18/91106**

Item dealt with earlier in the meeting see MIN18.204.

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 20 MARCH 2018

SA18.44 Notice of Motion - Black Spot Funding - Princes Hwy Jervis Bay Rd Intersection to Ulladulla

**HPERM Ref:
D18/77771**

Recommendation

That Council apply for urgent black spot funding from the federal government's Black Spot Programme through the RMS for the stretch of the Princes Highway from the Jervis Bay Rd intersection to Ulladulla.

RESOLVED (Clr Alldrick / Clr Cheyne)

MIN18.209

That Council apply for urgent black spot funding from the federal government's Black Spot Programme through the RMS for the stretch of the Princes Highway from the Jervis Bay Rd intersection to Ulladulla.

CARRIED

SA18.45 HYAMS BEACH- WORKSHOP OUTCOMES- EASTER ACTIONS AND RESOURCE REQUIREMENTS

**HPERM REF:
D18/84701**

Item dealt with earlier in the meeting see MIN18.201.

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

SA18.46 South Coast Regional Jobs Initiative Grant - Woollamia Boat Lift Facility

**HPERM Ref:
D18/85080**

RESOLVED* (Clr Gartner / Clr Alldrick)

MIN18.210

That Council:

1. Accept the grant of \$180,900 towards the cost of boat lifting facilities at Woollamia under the South Coast Regional Jobs Initiative.
 - a. The Contract be signed by the General Manager
2. Vote \$200,000 from the Economic Development Reserve towards this project as its contribution.

CARRIED

SA18.47 South Coast Regional Jobs Initiative Grant - Greenwell Point Boating Facilities	HPERM Ref: D18/85372
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Recommendation

That Council:

1. Accept the grant of \$744,339 towards the cost of additional boating facilities at Greenwell Point under the South Coast Regional Jobs Initiative.
 - a. The Contract be signed by the General Manager
2. Vote \$750,000 from the Economic Development Reserve towards this project as its contribution.
3. That Council write to and thank the Federal Member for the funding.

RESOLVED (Clr Pakes / Clr Gartner)

MIN18.211

That Council:

1. Accept the grant of \$744,339 towards the cost of additional boating facilities at Greenwell Point under the South Coast Regional Jobs Initiative.
 - a. The Contract be signed by the General Manager
2. Vote \$750,000 from the Economic Development Reserve towards this project as its contribution.
3. That Council write to and thank the Federal Member for the funding.

CARRIED

SA18.55 Classification of land - Part Lots 2 & 3 DP1205656 Dolphin Point Road Burrill Lake	HPERM Ref: D18/35106
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RESOLVED* (Clr Gartner / Clr Alldrick)

MIN18.212

That Council resolve to classify the land described as part Lots 2 & 3 DP1205656 being proposed Lots 2 & 3 DP1228719 Dolphin Point Road, Burrill Lake as Operational Land.

CARRIED

SA18.56 Classification of land - Part Lot 100 DP1222232 Field Street Huskisson	HPERM Ref: D18/35337
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RESOLVED* (Clr Gartner / Clr Alldrick)

MIN18.213

That Council resolve to classify the land described as part Lot 100 DP1222232 Field Street, Huskisson as Operational land.

CARRIED

SA18.57 Encroachment onto Public Reserve - 1 Walton Way, Currarong	HPERM Ref: D18/24295
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Recommendation

That Council defer the item to next Ordinary meeting pending further legal advice on the transfer of title.

RESOLVED (Clr White / Clr Gartner)

MIN18.214

That the report be received for information.

CARRIED

SA18.58 Classification of land - Part Lot 1 DP608937 Captain Street Vincentia

HPERM Ref: D18/42878

RESOLVED* (Clr Gartner / Clr Alldrick)

MIN18.215

That Council resolve to classify the land described as part Lot 1 DP608937 being proposed Lot 1 DP1236981 Captain Street Vincentia as Operational Land.

CARRIED

SA18.65 Acquisition of easement over Crown land at Shoalhaven Heads

HPERM Ref: D18/46636

RESOLVED* (Clr Gartner / Clr Alldrick)

MIN18.216

That:

1. Council resolve to compulsorily acquire an Easement for Access, Sewer Pipeline and Electricity Purposes variable width over Crown land, Lot 70 DP751268 at Gerroa Road, Shoalhaven Heads, as shown marked (E) and highlighted yellow on attached draft survey plan.
2. Council to pay compensation and costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer fund.
3. The necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

SA18.66 Interest Grace Period - Water Accounts

HPERM Ref: D18/49097

RESOLVED* (Clr Gartner / Clr Alldrick)

MIN18.217

That Council

1. Remove the extended grace period for the payment of eligible pensioner water accounts effective 1 July 2018.
2. Rescind Council resolution 1814 adopted 18 December 2007.
3. Increase the Council component of the annual concession for eligible pensioners under the conditions of Section 575 of the Local Government Act by \$10.00 for the water availability charge and \$10.00 for the sewerage availability charge effective 1 July 2018.
4. Adopt the amended policy 17/1 attached to reflect Part 1 of the Recommendation.

CARRIED

SA18.68 Draft Proposal for 2018-19 Water and Sewer Charges	HPERM Ref: D18/62537
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RESOLVED* (Clr Gartner / Clr Alldrick) MIN18.218

That Council adopt the following proposal for inclusion in the draft 2018/19 budget:

1. Water Availability Charge 20mm – No increase from \$82/connection
2. Water Usage Charge – No increase from \$1.70/kL
3. Sewer Availability Charge 20mm – Increase of \$18.00 per annum from \$830 to \$848 per annum.

CARRIED

SA18.69 Acquisition of easements over Crown roads - Milton Ulladulla Sewer Trunk Main project	HPERM Ref: D18/68403
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RESOLVED* (Clr Gartner / Clr Alldrick) MIN18.219

That:

1. Council resolve to vary MIN16.59 of 27/1/2016 and compulsorily acquire from the Crown easements for drainage of sewage 6 wide over:
 - a. Unmade Crown roads off Slaughterhouse Road and Turnbull Lane at Ulladulla, as shown highlighted and marked (E) on attached copy of DP1238712, and
 - b. Unmade and closed Crown roads off Green Street at Ulladulla and Kings Point Drive at Kings Point, highlighted and marked (A) on attached copy of DP1228174.
2. Council to pay compensation and costs associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer fund.
3. The necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

SA18.70 Extension of Town Water Supply along Tannery Road, Cambewarra	HPERM D18/71530	Ref:
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RESOLVED* (Clr Gartner / Clr Alldrick) MIN18.220

That Council:

1. Approve the extension of the town water supply along Tannery Road to the eastern boundary of 261 Tannery Road, Cambewarra.
2. Approve the funding of the water main extension from the Water Capital Fund.
3. Following completion of the water main extension, discontinue the raw water supply to 245, 246 and 261 Tannery Road, Cambewarra.
4. Take appropriate steps to minimise the risk to Council in respect to the raw water supply on 230B Tannery Road and Lot 85 DP 751273.

CARRIED

REPORT OF THE COUNCIL BUSHCARE REPRESENTATIVES GROUP - 21 FEBRUARY 2018

BR18.1 Applications for Membership - Len White and Kelly Cowlshaw HPERM Ref: D18/1819

Recommendation

That Len White and Kelly Cowlshaw be appointed as community members on the Council Bushcare Representative Group.

RESOLVED (Clr Gartner / Clr Cheyne)

MIN18.221

That Len White and Kelly Cowlshaw be appointed as community members on the Council Bushcare Representative Group.

CARRIED

BR18.2 Four (4) Bushcare Action Plans - Review

**HPERM
D18/34937**

Ref:

Recommendation

That Council adopt the following four (4) reviewed Bushcare Group Action Plans:

1. Broughton Vale Bushcare Action Plan
2. Tallyan Point Bushcare Action Plan
3. Mia Way Bushcare Action Plan
4. Callala Boat Ramp Reserve Bushcare Action Plan

RESOLVED (Clr Gartner / Clr Cheyne)

MIN18.222

That:

1. Council adopts the following reviewed Bushcare Group Action Plans:
 - a. Broughton Vale Bushcare Action Plan; and
 - b. Callala Bay Boat Ramp Reserve Bushcare Action Plan.
2. Interested Councillors meet with the Director or his nominee to discuss the following reviewed Bushcare Group Action Plans:
 - a. Tallyan Point Bushcare Action Plan; and
 - b. Mia Way Bushcare Action Plan.
3. All future Bushcare Action Plans be reported to a Councillor briefing.

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

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

CARRIED

REPORT OF THE SHOALHAVEN TOURISM ADVISORY GROUP - 26 FEBRUARY 2018

**TA18.9 Support Request - Byron Shire Council - Tourism
Accommodation Levy (Bed Tax)**

**HPERM Ref:
D18/28830**

Recommendation

That the Shoalhaven Tourism Advisory Group request that Council respond to Byron Shire via a Mayoral letter stating the following:

1. At this time the Shoalhaven Tourism Advisory Group and Council does not support the request for a trial of a tourism levy; and
2. The Shoalhaven Tourism Advisory Group and Council support investigation into the issue of revenue raising for Councils to improve their infrastructure.

RESOLVED (Clr Alldrick / Clr Pakes)

MIN18.223

That the Shoalhaven Tourism Advisory Group request that Council respond to Byron Shire via a Mayoral letter stating the following:

1. At this time the Shoalhaven Tourism Advisory Group and Council does not support the request for a trial of a tourism levy; and
2. The Shoalhaven Tourism Advisory Group and Council support investigation into the issue of revenue raising for Councils to improve their infrastructure.

CARRIED

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

AGAINST: Clr Gartner

REPORT OF THE SHOALHAVEN ACCESS ADVISORY COMMITTEE - 5 MARCH 2018

SAA18.4 Adoption of Terms of Reference

HPERM Ref: D18/7699

Recommendation

That Council adopt the changes decided by the group at the Planning Day held on 15/11/2017 and supported by the Shoalhaven Access Advisory Committee.

1. Adopt the Terms of Reference as outlined in the attached document.
2. Change the name of the committee to Inclusion and Access Advisory Group.

RESOLVED (Clr Cheyne / Clr Alldrick)

MIN18.224

That Council:

1. Adopt the Terms of Reference as outlined in the attached document, with the following changes:
 - a. deletion of the third point of clause 1.9 – communication,
 - b. all references to “the Board” be changed to “the Advisory Group”.
2. Change the name of the committee to Inclusion and Access Advisory Group.

CARRIED

SAA18.7 Additional Item - Action Table - Adult Lift and Change Toilet for Huskisson

Recommendation

That:

1. Kylie Knight write to the provider of the funding to enquire whether, if funds were to be reallocated, would Council need to re-apply for the funding; and, if Council would not need to re-apply for the funding, then:
2. The Committee to write to Council seeking a variation/diversion of the funds (\$600,000.00) previously provided for the pathways and the memorial at White Sands Park, for the White Sands toilet facility

RESOLVED (Clr Wells / Clr White)

MIN18.225

That the recommendation not be accepted and that the report is received for information.

CARRIED

SAA18.8 Additional item - Action Table - Lift and Change - Regulatory Impact Statement (RIS)

Recommendation

That:

1. Council make a submission on the Regulatory Impact Statement (RIS).
2. The Shoalhaven Access Advisory Committee drafts a letter to include as an attachment to Council's submission.

RESOLVED (Clr Wells / Clr White)

MIN18.226

That:

1. Council make a submission on the Regulatory Impact Statement (RIS).
2. The Shoalhaven Access Advisory Committee drafts a letter to include as an attachment to Council's submission.

CARRIED

REPORT OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE - 7 MARCH 2018

CBD18.13 Funding - Nowra CBD Revitalisation Strategy Committee

**HPERM Ref:
D18/66774**

Recommendation

That Council allocate a sum of \$500,000 p.a. for the remaining term of the current Council, (indexed annually to Rate Peg amount), to the Nowra CBD Revitalisation Strategy Committee to implement specific areas identified in the Nowra CBD Revitalisation Strategy.

RESOLVED (Clr Gartner / Clr White)

MIN18.227

That:

1. Council and the Nowra CBD Revitalisation Strategy Committee participate in a workshop to develop a strategy and action plan to optimise the functioning of the Committee as it addresses its task of revitalising the Nowra CBD.
2. Following the workshop, Council allocate a sum of up to \$500,000 p.a. for the remaining term of the current Council, (indexed annually to Rate Peg amount), to the Nowra CBD Revitalisation Strategy Committee to implement the strategy and action plan identified at the workshop.

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

AGAINST: Clr Kitchener and Clr Proudfoot

CARRIED

CBD18.14 Annual Promotions Budget

**HPERM Ref:
D18/70802**

Recommendation

That:

1. The Committee's allocation of \$50,000 p.a. for promotional events be reconfirmed.
2. The promotional funds be allocated to the Nowra CBD Business Chamber Inc for the expenditure and completion of promotional activities
3. The Nowra CBD Business Chamber provide audited quarterly reports to Council on the promotional activities and expenditure
4. The terms of reference for the Committee be amended to reflect the above provisions for promotional events.

RESOLVED (Clr Wells / Clr Levett)

MIN18.228

That:

1. The Committee's allocation of \$50,000 p.a. for promotional events be reconfirmed.
2. The promotional funds be allocated to the Nowra CBD Business Chamber Inc for the expenditure and completion of promotional activities
3. The Nowra CBD Business Chamber provide audited quarterly reports to Council on the promotional activities and expenditure

4. The terms of reference for the Committee be amended to reflect the above provisions for promotional events.

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

AGAINST: Clr Kitchener and Clr Proudfoot

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 13 MARCH 2018

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

TC18.37	Recommendations from Previous Meeting	HPERM Ref: D18/71268
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RESOLVED* (Clr Gartner / Clr Cheyne) MIN18.229

That the report regarding the recommendations from the previous meeting be received for information.

CARRIED

TC18.38	Roundabout - Intersection of Mitchell Pde and Donlan Rd (south) - Mollymook (PN 3474)	HPERM Ref: D18/71824
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RESOLVED* (Clr Gartner / Clr Cheyne) MIN18.230

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the mountable roundabout and associated line marking and signage at the intersection of Mitchell Parade and Donlan Road (south), Mollymook, as detailed in the attached plan TRAF 2018/21, subject to E4 line marking to outline the painted medians to be E5.

CARRIED

TC18.39	Intersection Upgrade - Signage & Line Marking - Jervis Bay Rd & Gardner Rd - Falls Creek (PN 3475)	HPERM Ref: D18/71870
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RESOLVED* (Clr Gartner / Clr Cheyne) MIN18.231

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed CHR(S) treatment at the intersection of Jervis Bay Road and Gardner Road, Falls Creek as detailed in the attached plan TRAF 2018/22.

CARRIED

TC18.40	Private Use of Public Car Parking - 39 Wason St - Milton (PN 3478)	HPERM Ref: D18/71897
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RESOLVED* (Clr Gartner / Clr Cheyne) MIN18.232

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objections to the temporary use of 4 parking spaces for a period of

approximately 9 weeks during the redevelopment of 39 Wason St, Milton, as detailed in the attached plan TRAF 2018/23, subject to payment of associated fees in accordance with Council's Private Use of Public Parking Policy 16/154.

CARRIED

TC18.41 Temporary Road Closures for ANZAC Day Services and Marches (PN 3477)

**HPERM Ref:
D18/71916**

RESOLVED* (Clr Gartner / Clr Cheyne)

MIN18.233

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 be held on Wednesday 25 April 2018:

1. 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.
2. 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.
3. Callala Beach – A Memorial Service will be held at the Cenotaph in the grounds of the Callala RSL Country Club commencing at 10.00am.
4. Culburra – Assemble in Culburra Bowling and Recreation Club car park at 11.30am. March to the War Memorial adjacent to the Culburra Community Centre at 11.45am via West Crescent and Culburra Road for service at 12noon.
5. Greenwell Point – Dawn Service – Assemble at Greenwell Point Memorial Hall at 5.00am and march to ANZAC Park via Greenwell Point Road for service commencing at 5.25am.
6. 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.
7. 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 approximately 11.00am.
8. Milton – Assemble at the intersection of the Princes Highway and Church Street at 10.15am for the march to commence at 10.30am along the Princes Highway to Milton Cenotaph for service expected to be completed by 11.15am.
9. 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.
10. 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.
11. St Georges Basin – Memorial Service – Assemble in the Lions Park Memorial, Island Point Road (opposite hardware store) at 10.50am for service commencing at 11.00am.
12. Sussex Inlet – Assemble in Neilson 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

TC18.42 Shared Path Missing Link Project - Vincent and Twyford Sts - Vincentia (PN 3476)

HPERM Ref: D18/71926

RESOLVED* (Clr Gartner / Clr Cheyne)

MIN18.234

Subject to the proposed 10km/h shared zone fronting property numbers 2,4,6,8,10 & 12 Vincent St, currently being applied for through NSW Road and Maritime Services directly (separate from the Shoalhaven Traffic Committee process):

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed shared path and associated signage and line marking plan for the proposed as detailed in the attached plan TRAF 2018/24, and includes;

1. Removal of the reinforced turf roadway and construction of a 3.5m wide road pavement in Vincent St.
2. Signposting the area in front of property #2, 4, 6, 8 & 12 Vincent St as a 10km/h shared zone. Due to constraints in this area a separated path cannot be provided.
3. The construction of a 2.5m shared path on the back of new kerb and guttering on the northern side of Twyford Street.
4. Constructing 19 x 90° parking spaces (including 1 disabled parking space).

CARRIED

TC18.43 Signs and Lines - Bolong Road - Proposed Packing Facility Upgrade Works Manildra Pty Ltd - (PN 2613)

HPERM Ref: D18/79080

RESOLVED* (Clr Gartner / Clr Cheyne)

MIN18.235

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed line marking and regulatory signage for the proposed entry road intersection for the Manildra Group, Bolong Road, Bomaderry, as detailed in the attached plan (drawing no. 25003-200_210) TRAF 2018/2.

CARRIED

Note: Clr Pakes left the meeting, the time being 9.30pm.

Procedural Motion - Adjournment of Meeting

MOTION (Clr Wells / Clr Proudfoot)

That the meeting be adjourned until 5.00pm Wednesday 4 April 2018.

FOR: Clr Wells, Clr White, Clr Kitchener and Clr Proudfoot

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

LOST

REPORTS

**CL18.61 Sale of Council Employment Land - Lot 127 Trim St
South Nowra**

**HPERM Ref:
D18/85017**

Recommendation

That

1. Council employment land (Lot 127 DP 1124258, 36 Trim Street, South Nowra) be sold for \$296,000 (plus GST) to Lynch Civil Contractors Pty Ltd;
2. The General Manager be authorised to sign the Contracts for Sale; and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council.

RESOLVED (Clr Wells / Clr Gartner)

MIN18.236

That

1. Council employment land (Lot 127 DP 1124258, 36 Trim Street, South Nowra) be sold for \$296,000 (plus GST) to Lynch Civil Contractors Pty Ltd;
2. The General Manager be authorised to sign the Contracts for Sale; and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council.

CARRIED

**CL18.62 Draft Homelessness Policy - Amendments incorporating
public submissions.**

**HPERM Ref:
D18/61420**

Recommendation

That Council adopt the Homeless Policy supplied at Attachment 1, taking into account the changes made following public exhibition (see tracked changes).

RESOLVED (Clr Gartner / Clr Cheyne)

MIN18.237

That Council adopt the Homeless Policy supplied at Attachment 1, taking into account the changes made following public exhibition (see tracked changes) together with the following amendments:

1. Addition of the following to Clause 3.1: "The role of local government in addressing homelessness has not been specified in Australian Legislation and is largely that of advocacy."
2. Amendment to Clause 3.3(b) to include the identification of Crown land that may be made available for low cost housing.

CARRIED

CL18.63 Crime Prevention Plan 2018 - 2023

**HPERM Ref:
D18/65997**

Recommendation

That Shoalhaven City Council:

1. Endorse and adopt the Crime Prevention Plan 2018 – 2023
2. Seek certification and registration of the adopted Crime Prevention Plan 2018 – 2023 with the NSW Attorney Generals Department as a crime prevention strategy.

RESOLVED (Clr White / Clr Cheyne)

MIN18.238

That Shoalhaven City Council:

1. Endorse and adopt the Crime Prevention Plan 2018 – 2023
2. Seek certification and registration of the adopted Crime Prevention Plan 2018 – 2023 with the NSW Attorney Generals Department as a crime prevention strategy.

CARRIED

CL18.64 Appointment - New Members to the Shoalhaven Tourism Advisory Group

**HPERM Ref:
D18/90396**

Recommendation

That Council

1. Appoint to the Shoalhaven Tourism Advisory Group Committee the following:
 - a. Dr James Lin
 - b. Ms Kylie Pickett
 - c. Ms Brenda Sambrook
 - d. Ms Juliet Barr
2. Formally acknowledge and thank retiring members for the valued contribution to the Shoalhaven Tourism Advisory Group: Matthew Forbes, Annie Cochrane, Jo Thomas and Catherine Shields.

RESOLVED (Clr Cheyne / Clr Aldrick)

MIN18.239

That Council

1. Appoint to the Shoalhaven Tourism Advisory Group Committee the following:
 - a. Dr James Lin
 - b. Ms Kylie Pickett
 - c. Ms Brenda Sambrook
 - d. Ms Juliet Barr
2. Formally acknowledge and thank retiring members for the valued contribution to the Shoalhaven Tourism Advisory Group: Matthew Forbes, Annie Cochrane, Jo Thomas and Catherine Shields.

CARRIED

CL18.65 Investment Report - February 2018

**HPERM Ref:
D18/91948**

Recommendation

That the Report of the General Manager (Finance, Corporate and Community Services Group) on the Record of Investments for the period to 28 February 2018 be received for information.

RESOLVED (Clr Gartner / Clr Wells)

MIN18.240

That the Report of the General Manager (Finance, Corporate and Community Services Group) on the Record of Investments for the period to 28 February 2018 be received for information.

CARRIED

CL18.66 Policy Update - Film & Video Production in Public Reserves & Public Places

**HPERM Ref:
D18/47240**

Recommendation

That Council endorse the updated Film and Video Production in Public Reserves and Public Places Policy taking into consideration the changes made to bring the policy in line with current requirements.

RESOLVED (Clr Cheyne / Clr Wells)

MIN18.241

That Council endorse the updated Film and Video Production in Public Reserves and Public Places Policy taking into consideration the changes made to bring the policy in line with current requirements.

CARRIED

CL18.67 Recycling - Collapse of Market

**HPERM Ref:
D18/87335**

Russ Pigg – CL18.67 – Recycling – Collapse of Market – significant non pecuniary interest declaration – his neighbour and friend is involved in recycling – left the room and did not take part in discussion.

Recommendation

That Council:

1. Receives the report into declining recycling markets and the local impacts for information;
2. Approves a transfer of up to \$225,000, with the final total to be determined in the June quarterly budget review, from the Waste Reserve into the current year operation budget to support the additional costs associated with processing recyclable materials; and
3. The General Manager (Director of Assets & Works) provide a report outlining the Action Plan, for submission to the State Government, to minimise the impact of the industry conditions on Waste Management in the Shoalhaven.

RESOLVED (Clr Wells / Clr White)

MIN18.242

That Council:

1. Receives the report into declining recycling markets and the local impacts for information;
2. Approves a transfer of up to \$225,000, with the final total to be determined in the June quarterly budget review, from the Waste Reserve into the current year operation budget to support the additional costs associated with processing recyclable materials; and
3. The General Manager (Director of Assets & Works) provide a report outlining the Action Plan, for submission to the State Government, to minimise the impact of the industry conditions on Waste Management in the Shoalhaven.

CARRIED

**CL18.68 ELECTRIC VEHICLE CHARGING POINTS - PROPOSED
BERRY LOCATION AND COUNCIL POLICY**

**HPERM REF:
D18/54555**

Item dealt with earlier in the meeting see MIN18.199

Note: Russ Pigg returned to the meeting.

CL18.69 Submission - Proposed Remediation of Land SEPP

**HPERM Ref:
D18/56268**

Recommendation

That Council make a submission to the NSW Department of Planning & Environment on the proposed *Remediation of Land State Environmental Planning Policy* based on the content of this report.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN18.243

That Council make a submission to the NSW Department of Planning & Environment on the proposed *Remediation of Land State Environmental Planning Policy* based on the content of this report.

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

AGAINST: Nil

CARRIED

**CL18.70 NOWRA RIVERFRONT PRECINCT - PROPOSED
PLANNING AND DEVELOPMENT CONTROLS**

**HPERM REF:
D18/40290**

Item dealt with earlier in the meeting see MIN18.207

**CL18.71 Lessons for the Shoalhaven from the Californian
Bushfires**

**HPERM Ref:
D18/74574**

Recommendation

The Council receive the report on lessons for the Shoalhaven from the Californian Bushfires for information.

RESOLVED (Clr Proudfoot / Clr Gartner)

MIN18.244

That Council receive the report on lessons for the Shoalhaven from the Californian Bushfires for information.

CARRIED

**CL18.72 Tenders - Management and Operation of the Shoalhaven
Animal Shelter**

**HPERM Ref:
D18/76691**

Recommendation

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

RESOLVED (Clr Gartner / Clr Cheyne)

MIN18.245

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

CARRIED

**CL18.73 Berrara to North Bendalong Creek Crossings - Review of
Environmental Factors**

**HPERM Ref:
D18/85108**

Recommendation

That Council determine that:

1. After consideration of the Review of Environmental Factors (REF) for the Berrara to North Bendalong Creek Crossings it is unlikely that there will be any significant environmental impacts as a result of the proposed works and
 - a. Council adopt the proposed mitigation and control measures identified in the REF
 - b. Council concur with the mitigation and control measures identified in the Office of Environment and Heritage's Determination Notice
 - c. Council determine that no Environmental Impact Statement (EIS) is required for the proposed works
 - d. Council determine that no Species Impact Statement (SIS) is required for the works
2. The Berrara to North Bendalong Creek Crossing project can proceed
3. The General Manager (Shoalhaven Water) be authorised to sign the Aboriginal Heritage Impact Permit (AHIP) application on behalf of Shoalhaven City Council

RESOLVED (Clr Wells / Clr Proudfoot)

MIN18.246

That Council determine that:

1. After consideration of the Review of Environmental Factors (REF) for the Berrara to North Bendalong Creek Crossings it is unlikely that there will be any significant environmental impacts as a result of the proposed works and
 - a. Council adopt the proposed mitigation and control measures identified in the REF
 - b. Council concur with the mitigation and control measures identified in the Office of Environment and Heritage's Determination Notice
 - c. Council determine that no Environmental Impact Statement (EIS) is required for the proposed works
 - d. Council determine that no Species Impact Statement (SIS) is required for the works
2. The Berrara to North Bendalong Creek Crossing project can proceed.
3. The General Manager (Shoalhaven Water) be authorised to sign the Aboriginal Heritage Impact Permit (AHIP) application on behalf of Shoalhaven City Council.

CARRIED

ADDENDUM REPORTS

CL18.74 PLANNING FOR CURRENT AND FUTURE FUNDING OPPORTUNITIES

**HPERM REF:
D18/93253**

Item dealt with earlier in the meeting see MIN18.202.

CL18.76 LOCAL GOVERNMENT CONFERENCE - 2018 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - PROPOSED MOTIONS

**HPERM REF:
D18/98970**

Item dealt with earlier in the meeting see MIN18.203.

CL18.75 ENCROACHMENT ONTO PUBLIC RESERVE - 1 WALTON WAY CURRARONG

**HPERM REF:
D18/96988**

Item dealt with earlier in the meeting see MIN18.200.

Introduction of Items as Matters of Urgency

RESOLVED (Clr Wells / Clr Levett)

MIN18.247

The following addendum reports be introduced as matters of urgency

1. CL18.77 Tender – Shoalhaven Indoor Sports Centre – Trade Package No 7 – Civil Works – Re-Award
2. CCL18.5 Tender – Shoalhaven Indoor Sports Centre – Trade Package No 7 – Civil Works – re-award

CARRIED

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

CL18.77 Tender - Shoalhaven Indoor Sports Centre - Trade Package No 7 - Civil Works - re-award

**HPERM Ref:
D18/105488**

Recommendation

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

RESOLVED (Clr Wells / Clr Gartner)

MIN18.248

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

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Proudfoot) MIN18.249

That an additional item 79 MacGibbon Parade, Old Erowal Bay be introduced as a matter of urgency.

CARRIED

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

CL18.78 79 MacGibbon Parade, Old Erowal Bay

RESOLVED (Clr Proudfoot / Clr Levett) MIN18.250

That Council continue to assist the owners of 79 MacGibbon Pde, Old Erowal Bay to resolve the issues of their ongoing building dispute.

CARRIED

Note: Clr Proudfoot tabled an email from the owner of the property.

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 Cheyne / Clr Gartner) MIN18.251

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.

CCL18.3 Tenders - Management and Operation of the Shoalhaven Animal Shelter

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 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.

CCL18.4 Nowra Sailing Club

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.

CCL18.5 Tender – Shoalhaven Indoor Sports Centre – Trade Package No 7 – Civil Works – re-award

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 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.

CARRIED

The meeting moved into confidential the time being 9.56pm.

The meeting moved into open session, the time being 10.07pm.

REPORT FROM CONFIDENTIAL SESSION

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

CCL18.3 Tenders - Management and Operation of the Shoalhaven Animal Shelter

**HPERM Ref:
D18/41985**

RESOLVED

MIN18.252C

That:

1. In accordance with Section 178(1)(b) of the Local Government Regulations Council decline to accept the sole tender from Dr Tony Kuipers for the Management & Operation of the Shoalhaven Animal Shelter for the following reasons:
 - (a) There was insufficient information on the running costs and how the quoted tender price was reached;
 - (b) The business plan had insufficient detail and was deemed inadequate to evaluate;
 - (c) Dr Kuipers failed to demonstrate an understanding of the Companion Animals legislation;
 - (d) Dr Kuipers did not demonstrate sufficient understanding of the requirements to successfully manage and operate the animal shelter on a day-to-day basis;
 - (e) There was evidence that Dr Kuipers intended to run a veterinary practice from the premises and if this was not supported by Council, then he would not accept the offer to provide the service.
2. Council postpone the proposal for the contract in accordance with Clause 178(3)(a) and invite fresh tenders in accordance with Clause 178(3)(b).
3. Council Officers prepare detailed costings to manage and operate the Shoalhaven Animal Shelter in-house (i.e. a Council run service) and that this be reported back to Council as an option in the event that a tender is not received as a result of item 2 above.

CCL18.4 Nowra Sailing Club

**HPERM Ref:
D18/77248**

RESOLVED

MIN18.253C

That the resolution remains confidential until settlement is made with the insurer.

**CCL18.5 Tenders - Shoalhaven Indoor Sports Centre - Trade
Package No 7 - Civil Works re-award**

**HPERM Ref:
D18/105519**

RESOLVED

MIN18.254C

That:

1. Council endorse the trade package recommendation of Zauner Constructions P/L for SISC Trade Package No.7 Civil Works – Re-award and extend the contract value at a total cost of \$1,260,630.00 (excluding GST).
2. Council authorise the General Manager (Director Assets and Works) to adjust the contract with Zauner Constructions Pty Ltd for Trade Package No.7 and contingency adjustments on behalf of Council

There being no further business, the meeting concluded, the time being 10.08pm.

Clr Findley
CHAIRPERSON