

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 24 April 2018
Location: St Georges Basin Community Centre, St Georges Basin
Time: 5.00pm

The following members were present:

Clr Patricia White (Deputy Mayor) - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Kaye Gartner
Clr Nina Cheyne
Clr John Levett
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Bob Proudfoot

The meeting was opened by an Acknowledgement of Traditional Custodians by the Chairperson, followed with a Prayer by Rev Glenys Biddle and the playing of the Australian National Anthem.

Apologies / Leave of Absence

An Apology was received from Clr Findley.

A request for leave of absence was received from Clr Kitchener from 22 April to 29 April 2018. The decision of the Development Committee to accept the request for leave of absence from Clr Alldrick 10 April 2018 to 15 May 2018 is affirmed.

RESOLVED (Clr Wells / Clr Cheyne)

MIN18.287

That the request from Clr Alldrick for a leave of absence from 10 April 2018 to 15 May 2018 and Clr Kitchener from 22 April to 29 April 2018 be granted.

CARRIED

Confirmation of the Minutes

Note: Clr Guile arrived at the meeting.

RESOLVED (Clr Gartner / Clr Gash)

MIN18.288

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

CARRIED

Declarations of Interest

Clr Pakes – CL18.95 - Request for Funding Support - Broughton Vale / Berry Rural Fire Station - Site Works – less than significant non pecuniary interest declaration – he is a member of the NSW RFS – will remain in the room and will take part in discussion and vote.

DEPUTATIONS AND PRESENTATIONS

CL18.88 - Notice of Motion - Huskisson Area - Priority Works (Page 19)

Mr Garry Kelson, representing Huskisson Woollamia Community Voice spoke in favour of the recommendation

Procedural Motion - Bring Item Forward

RESOLVED (Clr Gash / Clr Gartner) MIN18.289

That the matter of item CL18.88 – Notice of Motion Huskisson Area – Priority Works be brought forward for consideration.

CARRIED

CL18.88 Notice of Motion - Huskisson Area - Priority Works

**HPERM Ref:
D18/126968**

Recommendation

That

1. Council recognises and acts on the following, (noting the importance of item 1a as a priority)
 - a. Prepare a comprehensive current traffic/parking control plan for the intersection of Owen/Sydney/Tomerong streets (picture theatre corner). In the interim at least a give way sign positioned for WEST/east section of Owen Street at the theatre corner
 - b. Allocates funding in the budget for the outdoor gym equipment in Voyager Park.
 - c. Remove the existing work/dump area at the entrance to Husky Road north side (opposite the new sign) and replant with trees to compliment the other side.
2. The following items be costed and reported to Council
 - a. Sports fields public amenities upgrade
 - b. Car Parking solutions (a significant on-going issue)
 - c. Add trees to village entrance on south side near bowling club (north side already done) to create an avenue.
 - d. Install banners in Owen street on power poles for holidays/ white sands carnival (increasing in numbers every year)

RESOLVED (Clr Gash / Clr Wells)

MIN18.290

That:

1. Council recognises and gives priority consideration in the budget process to the following, (noting the importance of item 1a as a priority)
 - a. Prepare a comprehensive current traffic/parking control plan and fund and construct a

roundabout at the intersection of Owen/Sydney/Tomerong streets (Picture Theatre corner).

- b. Remove the existing work/dump area at the entrance to Husky Road north side (opposite the new sign) and replant with trees to compliment the other side.
 - c. Sports fields public amenities upgrade
2. The following items be costed and reported to Council
- a. Outdoor gym equipment in Voyager Park.
 - b. Car Parking solutions (a significant on-going issue)
 - c. Add trees to village entrance on south side near the Bowling Club to create an avenue.
 - d. Install banners in Owen street on power poles for holidays/ white sands carnival.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL18.81 Rescission Motion - CL18.76 - Local Government Conference - 2018 National General Assembly of Local Government - Proposed Motions	HPERM Ref: D18/125633
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Recommendation

That Council rescind the motion relating to Item CL18.76 of the Council Meeting held Tuesday 27 March 2018 (reconvened Tuesday 3 April 2018).

RESOLVED (Clr Pakes / Clr Guile) MIN18.291

That Council rescind the motion relating to Item CL18.76 of the Council Meeting held Tuesday 27 March 2018 (reconvened Tuesday 3 April 2018).

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

AGAINST: Clr Gartner, Clr Cheyne and Clr Levett

CARRIED

CL18.82 Notice of Motion - Local Government Conference - 2018 National General Assembly of Local Government - Proposed Motions	HPERM Ref: D18/125691
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Recommendation

That Council endorse the motions as detailed in the report submitted to the Council meeting 27 March 2018 (CL18.76) for submission to the Australian Local Government Association – 2018 National Assembly with the exception of Proposed Motion 1 Coastal Hazards (National Policy).

RESOLVED (Clr Pakes / Clr Guile) MIN18.292

That Council endorse the motions as detailed in the report submitted to the Council meeting 27 March 2018 (CL18.76) for submission to the Australian Local Government Association – 2018 National Assembly with the exception of the following:

- 1. Proposed Motion 1 Coastal Hazards (National Policy).
- 2. Proposed Motion 7 - Use of Recyclables

3. Proposed Motion 9 - Gross Pollution Traps

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

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

CARRIED ON THE CASTING VOTE OF THE CHAIR

CL18.83 Notice of Motion - Shoalhaven Anglican School

**HPERM Ref:
D18/125828**

Recommendation

That Council:

1. Supports the provision of an additional educational facility within the Southern Shoalhaven.
2. Notes figures from the Australian Bureau of Statistics' indicate the Southern Shoalhaven's population is set to increase above the state average over the next 18 years.
3. Urges the NSW Government to purchase the former Shoalhaven Anglican School site on Coorbyar Road, Milton for the provision of a future educational facility.
4. Any future planning proposal to rezone the site or development application to change its use (noting for example that the Seniors SEPP could be used without a change in zoning) be reported to Council for consideration/determination.
5. Make representations to the Member for South Coast, Shelley Hancock extending Council's support for the campaign for the NSW Government to purchase the former Shoalhaven Anglican School site.

RESOLVED (Clr Pakes / Clr Guile)

MIN18.293

That Council:

1. Supports the provision of an additional educational facility within the Southern Shoalhaven.
2. Notes figures from the Australian Bureau of Statistics' indicate the Southern Shoalhaven's population is set to increase above the state average over the next 18 years.
3. Urges the NSW Government to purchase the former Shoalhaven Anglican School site on Croobyar Road, Milton for the provision of a future educational facility.
4. Any future planning proposal to rezone the site or development application to change its use (noting for example that the Seniors SEPP could be used without a change in zoning) be reported to Council for consideration/determination.
5. Make representations to the Member for South Coast, Shelley Hancock extending Council's support for the campaign for the NSW Government to purchase the former Shoalhaven Anglican School site.

CARRIED

CL18.84 Notice of Motion - Foreshore Reserves

**HPERM Ref:
D18/125181**

Recommendation

That Council recognises the social and economic benefits that greater activation of many of our foreshore reserves delivers to the overall prosperity of our city. With this in mind Council affirms that it is philosophically committed to ensuring that our foreshore reserves are both well-maintained and ideally suited to an increased and sustainable level of passive recreation. Community members should be encouraged to actively participate in this new and exciting “unlocking” of our foreshore areas by:

1. Registering in an “on-line” format to mow and maintain designated foreshore areas. (to be set up by staff)
2. Donation of appropriate outdoor furniture be encouraged through service clubs, community groups and inspired individuals.
3. Provide a much greater opportunity for both local residents and visitors to our city, to gain an absolutely stimulating appreciation of the foreshore vistas on offer in the fabulous Shoalhaven.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.294

That Council recognises the social and economic benefits that greater activation of many of our foreshore reserves delivers to the overall prosperity of our city. With this in mind Council affirms that it is philosophically committed to ensuring that our foreshore reserves are both well-maintained and ideally suited to an increased and sustainable level of passive recreation. Community members should be encouraged to actively participate in this new and exciting “unlocking” of our foreshore areas by:

1. Registering in an “on-line” format to mow and maintain designated foreshore areas. (to be set up by staff)
2. Donation of appropriate outdoor furniture be encouraged through service clubs, community groups and inspired individuals.
3. Provide a much greater opportunity for both local residents and visitors to our city, to gain an absolutely stimulating appreciation of the foreshore vistas on offer in the fabulous Shoalhaven.
4. A briefing be provided to Councillors and a possible review of the Park Management Policy

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

AGAINST: Clr Gartner, Clr Cheyne and Clr Levett

CARRIED

Note: A Rescission Motion was received on this item.

**CL18.85 Notice of Motion - Drain Maintenance - The Park Drive -
Sanctuary Point**

**HPERM Ref:
D18/125549**

Recommendation

That Council:

1. Consider the piping of the open drain between numbers 23 and 25 The Park Drive, Sanctuary Point be considered as part of the 2018-2019 works programme or for inclusion in a future works programme.
2. As an act of good faith carry out basic maintenance on the easement, including necessary brush-cutting.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.295

That Council:

1. Consider the piping of the open drain between numbers 23 and 25 The Park Drive, Sanctuary Point be considered as part of the 2018-2019 works programme or for inclusion in a future works programme.
2. As an act of good faith carry out basic maintenance on the easement, including necessary brush-cutting.

CARRIED

CL18.86 Notice of Motion - Artie Smith Oval Bomaderry

**HPERM Ref:
D18/125809**

Recommendation

That Council authorise and fund up to \$200,000 for the development of detailed designs for Artie Smith Oval, that is, sports infrastructure on lands on the southern side of Cambewarra Road, Bomaderry.

RESOLVED (Clr Wells / Clr Guile)

MIN18.296

That Council authorise and fund up to \$200,000 for the development of detailed designs for Artie Smith Oval, that is, sports infrastructure on lands on the southern side of Cambewarra Road, Bomaderry.

CARRIED

CL18.87 Notice of Motion - 59 Owen Street, Huskisson

**HPERM Ref:
D18/126554**

Recommendation

That council calls for an urgent briefing on the status of council owned land (car park) known as 59 Owen Street Huskisson and at the briefing include all past community initiated plans that were compiled with outside consultants at many forums and open days, including those prepared by our economic development manager. At the briefing also have the staff that organised the meetings present (although I note some are no longer with council).

Clr Gash raised a Point of order against Clr Guile regarding his comments relating to dodgy developers. The Chairperson asked Clr Guile to withdraw comments and move on with the debate.

RESOLVED (Clr Gash / Clr Levett)

MIN18.297

That Council calls for an urgent briefing on the status of council owned land (car park) known as 59 Owen Street Huskisson and at the briefing include all past community initiated plans that were compiled with outside consultants at many forums and open days, including those prepared by our Economic Development Manager. At the briefing also have the staff that organised the meetings present (although I note some are no longer with council).

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

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

CARRIED

CL18.88 Notice of Motion - Huskisson Area - Priority Works

**HPERM REF:
D18/126968**

Item dealt with earlier in the meeting see MIN18.290

CL18.89 Question on Notice - District Library

**HPERM Ref:
D18/126126**

This item was noted.

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Guile / Clr Proudfoot)

MIN18.298

That the meeting be adjourned for 15 minutes.

CARRIED

The meeting reconvened the time being 7.56pm

The meeting reconvened the time being 8.10pm

The following members were present:

Clr Patricia White (Deputy Mayor) - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Kaye Gartner
Clr Nina Cheyne
Clr John Levett
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Bob Proudfoot

REPORT OF THE DEVELOPMENT COMMITTEE - 10 APRIL 2018

**DE18.26 DA18/1010 – 27 Quinns Lane, South Nowra – Lot 4 DP
519090**

**HPERM Ref:
D18/75316**

Recommendation

That Council:

1. Confirm that it supports, pursuant to clause 4.6 (Exceptions to development standards) of SLEP 2014, the applicant's request to vary the height limit of 11m to 15.63m; and
2. Refer the development application (DA18/1010) back to staff for determination.

RESOLVED (Clr Pakes / Clr Gartner)

MIN18.299

That Council:

1. Confirm that it supports, pursuant to clause 4.6 (Exceptions to development standards) of SLEP 2014, the applicant's request to vary the height limit of 11m to 15.63m; and
2. Refer the development application (DA18/1010) back to staff for determination.

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

AGAINST: Nil

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Cheyne / Clr Pakes)

MIN18.300

That the matter of item CL18.94 – Hyams Beach Easter Trial Outcomes be brought forward for consideration.

CARRIED

CL18.94 Hyams Beach Easter Trial Outcomes

**HPERM Ref:
D18/125026**

Recommendation

That Council:

1. Receive the report on Hyams Beach Easter Trial Outcomes for information.
2. Consider a budget for ongoing actions as part of the draft 2018/19 budget discussions.

RESOLVED (Clr Wells / Clr Gash)

MIN18.301

That Council:

1. Receive the report on Hyams Beach Easter Trial Outcomes for information.
2. Consider a budget for ongoing actions as part of the draft 2018/19 budget discussions.

CARRIED

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 17 APRIL 2018

MMS18.3 Mayoral Minute - Salt Ministries - Homeless Services

**HPERM Ref:
D18/124656**

Recommendation

That Council:

1. Delegate authority to the General Manager to finalise the details of a lease agreement with Salt Ministries in relation to the former Shoalhaven Neighbourhood Services premises at 134 Kinghorne Street Nowra for the establishment and operation of a transitional group home on and within the premises.
2. Prepare a Planning Proposal to change the zoning of the property at 134 Kinghorne Street Nowra from RE1 Public Recreation to B4 Mixed Use, to permit the establishment and operation of a transitional group home on the site, and submit to the Department of Planning & Environment for Gateway determination.
3. Continue to keep open the line of communication with State Government about this initiative and correspond with the two local Members of Parliament.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN18.302

That Council:

1. Delegate authority to the General Manager to finalise the details of a lease agreement with Salt Ministries in relation to the former Shoalhaven Neighbourhood Services premises at 134 Kinghorne Street Nowra for the establishment and operation of a transitional group home on and within the premises.
2. Prepare a Planning Proposal to change the zoning of the property at 134 Kinghorne Street Nowra from RE1 Public Recreation to B4 Mixed Use, to permit the establishment and operation of a transitional group home on the site, and submit to the Department of Planning & Environment for Gateway determination.
3. Continue to keep open the line of communication with State and Federal Government about this initiative and correspond with the two local Members of Parliament, and the Federal Member for Gilmore.

CARRIED

SA18.73 Notice of Motion - Public Toilets - Tomerong

**HPERM Ref:
D18/116928**

Recommendation

That Council

1. Negotiate with the Trustees of the Tomerong School of Arts to procure a site within the grounds of the School of Arts to build a public toilet.
2. Investigate the use of section 94 contributions for the construction of the public toilet.

RESOLVED (Clr Proudfoot / Clr Cheyne)

MIN18.303

That Council:

1. Negotiate with the Trustees of the Tomerong School of Arts to procure a site within the grounds of the School of Arts to build a public toilet.
2. Investigate the use of section 94 contributions for the construction of the public toilet.

CARRIED

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

SA18.77 Sale of Council Employment Land - Lot 119 DP 1124258, 10 Trim St, South Nowra	HPERM Ref: D18/109512
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RESOLVED* (Clr Wells / Clr Gartner) MIN18.304

That:

1. Council employment land (Lot 119 DP 1124258, 10 Trim Street, South Nowra) be sold for \$255,000 (plus GST) to JW & J Schumann 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

SA18.84 Proposed Lease - Milton Ulladulla Preschool - 22 Dowling St, Ulladulla	HPERM Ref: D18/69945
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RESOLVED* (Clr Wells / Clr Gartner) MIN18.305

That Council:

1. Enter into a 5 + 5 year lease agreement with a commencement rent of \$6,218.69 + GST and annual CPI increases commencing 1 May 2018 with Milton Ulladulla Preschool Association for the continued use and occupation of 22 Dowling St, Ulladulla as a preschool.
2. Approve the allocation of the rent received under this lease agreement into the Property Reserve restricted account; and
3. Authorise the General Manager to 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.

CARRIED

SA18.85 Grant of Easement for Underground Cables to Endeavour Energy - Various Sites - North Nowra	HPERM Ref: D18/78260
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RESOLVED* (Clr Wells / Clr Gartner) MIN18.306

That:

1. Council grant an Easement in favour of Endeavour Energy for Underground Cables 3 metres wide over Lot 47 DP264082, Lot 15 DP241820, Lot 22 DP1024489, Lot 20 DP262851 and Lot 41 DP707414 at Gordon Cook Apex Park, North Nowra and accept compensation of \$10,000 plus GST provided that all costs associated with the granting of the easement, including valuation, survey and legal costs are met by Endeavour Energy; and
2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA18.86 Proposed New Leases - Marine Rescue NSW - Huskisson, Kioloa & Crookhaven Heads **HPERM Ref: D18/82557**

RESOLVED* (Clr Wells / Clr Gartner) MIN18.307

That Council:

1. Enter into a 20 year lease agreement commencing 01 January 2018 with Marine Rescue NSW for the continued use and occupation of:
 - a. Part Reserve R64558 – Part Lot 7010 DP 1076858, Part Lot 7012 DP 1021163 and Part Lot 1 DP 209436, being Voyager Memorial Park, Huskisson with an annual rent of \$490 (plus GST) with annual CPI increases; and
 - b. Part Reserve R75773 - Part Lot 34 DP 755941, Part Lot 7009 DP 1020455 and Part Lot 7304 DP 1143028, being O’Hara Head Reserve, Kioloa with an annual rent of \$490 (plus GST) with annual CPI increases.
2. Enter into a 5 year lease agreement commencing 01 January 2018 with Marine Rescue NSW for the continued use and occupation of:
 - a. Part Reserve R180073 – Part Lot 34 DP 755971, being Crookhaven Heads Pilot Cottage Reserve, Crookhaven Heads with an annual rent of \$490 (plus GST) with annual CPI increases.
3. Authorise the General Manager to 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.

CARRIED

SA18.87 Land Acquisition - Easement for Drainage - Lot 102 DP 179622 Forest Meadows Way, Worrigee **HPERM Ref: D18/103228**

RESOLVED* (Clr Wells / Clr Gartner) MIN18.308

That Council:

1. Acquire easements to drain water 5 and 6 metres wide and variable width over part of Lot 102 DP 1179622 Forest Meadows Way, Worrigee as shown on Attachment 1.
2. Agree to pay compensation in the amount of \$20,037 plus reasonable legal costs associated with these acquisitions from Job No 85001 Land Acquisition Fund.
3. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the General Manager authority to sign any documentation necessary to give effect to this resolution.

CARRIED

SA18.89 Proposed Lease - Shoalhaven Trophies - 1 Stewart Place, Nowra	HPERM Ref: D18/107255
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RESOLVED* (Clr Wells / Clr Gartner) MIN18.309

That Council:

1. Enter into a one (1) plus one (1) year lease with Alfred & Roslyn Parker (trading as Shoalhaven Trophies) over part lot 1 DP 115782 and part lot 1 DP 434714 known as 1 Stewart Place, Nowra commencing at an annual rent of \$18,353.52 plus GST with annual CPI increases; and
2. Affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed and to delegate authority to the General Manager to sign all documentation required to effect to this resolution.

CARRIED

SA18.95 Acquisition of Land and Easement - Sewer Purposes - Sussex Inlet	HPERM Ref: D18/92003
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RESOLVED* (Clr Wells / Clr Gartner) MIN18.310

That Council:

1. Acquire part of Lot 2442 DP1074478 at River Rd, Sussex Inlet, shown as proposed Lot 101 on the attached draft survey plan.
2. Acquire an Easement to Drain Sewage variable width over part of Lot 2442 DP1074478 at River Rd, Sussex Inlet, marked (S) on the attached draft survey plan.
3. Pay compensation of \$2,000 (plus GST) and reasonable legal 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.
4. The land to be acquired to be classified as Operational land in accordance with Section 31(2) of the Local Government Act 1993.
5. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

SA18.97 Request for Connection to Town Water Supply - 285 Tannery Road, Cambewarra	HPERM D18/111402	Ref:
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RESOLVED* (Clr Wells / Clr Gartner) MIN18.311

That Council:

1. Approve the connection to the town water supply, subject to the property owner:
 - a. Paying the Separate System Connection fee for water supply (\$6,578.00/ET (2017/18)), and
 - b. Paying the 20mm metered service fee (\$847.00 (2017/18)), and
 - c. Extension of the water supply system in 100mm Nominal Size pipeline at the property owners cost (estimated in the order of \$100,000).

CARRIED

REPORT OF THE HOMELESSNESS TASKFORCE SHOALHAVEN - 5 APRIL 2018

HT18.2 Transport for NSW - Second Life - Conversion of Assets

Recommendation

That Council contact the Department of Premier and Cabinet and Transport for NSW to:

1. Express an interest in the Second Life project for the acquisition of transport assets for homeless initiatives.
2. Request an audit of State Government land that may be available within the Shoalhaven.

RESOLVED (Clr Proudfoot / Clr Cheyne)

MIN18.312

That Council contact the Department of Premier and Cabinet and Transport for NSW to:

1. Express an interest in the Second Life project for the acquisition of transport assets for homeless initiatives.
2. Request an audit of State Government land that may be available within the Shoalhaven.

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 17 APRIL 2018

TC18.45 Regulatory signage & line marking - Service Station - HPERM Ref: 271 Princes Highway, Bomaderry (PN 3485) D18/122179

RESOLVED (Clr Wells / Clr Pakes)

MIN18.313

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed internal regulatory signage and line markings associated with the proposed service station development as detailed in the attached plan TRAF2018/26. Subject to the applicant obtaining separate approval from Roads & Maritime Services regarding proposed changes to the Princes Highway, including signage and line marking.

CARRIED

REPORTS

CL18.94 Hyams Beach Easter Trial Outcomes

**HPERM REF:
D18/125026**

Item dealt with earlier in the meeting see MIN18.301

CL18.95 Request for Funding Support - Broughton Vale / Berry Rural Fire Station - Site Works

**HPERM Ref:
D18/100667**

Clr Pakes – less than significant non pecuniary interest declaration – he is a member of the NSW RFS – will remain in the room and will take part in discussion and vote.

Recommendation

That Council advises the District Manager, Shoalhaven RFS that Council is unable to fund the estimated \$400,000 (exc GST) additional cost of the Berry & Broughton Vale Rural Fire Service Station.

MOTION (Clr Gash / Clr Proudfoot)

That Council advises the District Manager, Shoalhaven RFS that Council is unable to fund the estimated \$400,000 (exc GST) additional cost of the Berry & Broughton Vale Rural Fire Service Station.

PROCEDURAL MOTION - MOVE INTO COMMITTEE OF THE WHOLE (Clr Pakes / Clr Guile)

That Council move into the Committee of the Whole to allow for further discussion.

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

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

LOST ON THE CASTING VOTE

RESOLVED (Clr Gash / Clr Proudfoot)

MIN18.314

That Council advises the District Manager, Shoalhaven RFS that Council is unable to fund the estimated \$400,000 (exc GST) additional cost of the Berry & Broughton Vale Rural Fire Service Station.

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

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

CARRIED

Note: A Rescission Motion was received on this Item.

CL18.96 Management and Policies regarding Client and Visitor Parking - Holiday Haven Tourist Parks

HPERM Ref: D18/107450

Recommendation

That Council receive the report regarding the management and policies pertaining to customer and visitor parking within the Holiday Haven Tourist Parks for information.

RESOLVED (Clr Wells / Clr Guile)

MIN18.315

That Council receive the report regarding the management and policies pertaining to customer and visitor parking within the Holiday Haven Tourist Parks for information.

CARRIED

CL18.97 Waste Less Recycle More Grant - Organics Infrastructure

HPERM Ref: D18/113526

Recommendation

That Council:

1. Accept the grant of \$188,645 from the Environment for their Waste Less, Recycle More Organics Infrastructure (Large and Small) Program, Stream 4: Product Quality.
2. Allocate \$123,600 from the Waste Reserve towards this High Quality Green Waste project as Council's net co-contribution

RESOLVED (Clr Gartner / Clr Cheyne)

MIN18.316

That Council:

1. Accept the grant of \$188,645 from the Environment for their Waste Less, Recycle More Organics Infrastructure (Large and Small) Program, Stream 4: Product Quality.
2. Allocate \$123,600 from the Waste Reserve towards this High Quality Green Waste project as Council's net co-contribution.

CARRIED

CL18.98 Variations to Development Standards - First Quarter Report 2018

HPERM Ref: D18/90833

Recommendation

That Council receive this report for information and forward a copy of this report and attachment table to the Department of Planning and Environment in accordance with the requirements specified in *Circular PS18-003 Variations to development standards*.

RESOLVED (Clr Gash / Clr Cheyne)

MIN18.317

That Council receive this report for information and forward a copy of this report and attachment table to the Department of Planning and Environment in accordance with the requirements specified in *Circular PS18-003 Variations to development standards*.

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

AGAINST: Nil

CARRIED

Introduction of Items as Matters of Urgency

RESOLVED (Clr Pakes / Clr Guile)

MIN18.318

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

1. CL18.99 Amendment to POL16/202 Revenue Pensioner Rates and Charges - Arrears and Interest
2. CL18.100 Investment Report - March 2018
3. CL18.101 Future of the Shoalhaven River Festival
4. CL18.104 Tenders - Provision of Waste Transportation Services in Hook Lift Bins
5. CL18.102 Tenders - Woollamia Industrial Estate Stage 5 Civil Works
6. CL18.103 Successful Grant - Rebuilding NSW - Regional Growth - Environment and Tourist Fund- Shoalhaven Heads River Road Foreshore Precinct
7. CCL18.7 Confidential Report - Tenders – Woollamia Industrial Estate Stage 5 Civil Works
8. CCL18.8 Confidential Report - Tenders – Provision of Waste Transportation Services in Hook Lift Bins

CARRIED

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

ADDENDUM REPORTS

CL18.99 Amendment to POL16/202 Revenue Pensioner Rates and Charges - Arrears and Interest

HPERM Ref: D18/111697

Recommendation

That Council:

1. Agree to the removal of the Interest Free Period provision from POL16/202 Revenue – Pensioner Rates and Charges – Arrears and Interest, effective 1 July 2018
2. Adopt the amended policy POL16/202 Revenue – Pensioner Rates and Charges – Arrears and Interest
3. Adopt the expanded hardship assistance policy, POL16/200 Revenue Hardship Policy, attached to this Report

MOTION (Clr Wells / Clr Pakes)

That the grace period for pensioners be indefinite and encourage rates paid on time by a \$10 discount and then rely on the hardship policy.

(AMENDMENT) RESOLVED (Clr White / Clr Pakes)

MIN18.319

That the matter regarding Amendment to POL16/202 Revenue Pensioner Rates and Charges - Arrears and Interest be deferred to a briefing for further discussion.

CARRIED

The AMENDMENT became the MOTION and was CARRIED.

CL18.100 Investment Report - March 2018

**HPERM Ref:
D18/123380**

Recommendation

That the Report of the General Manager (Finance, Corporate and Community Services Group) on the Record of Investments for the period to 31 March 2018 be received for information.

RESOLVED (Clr Wells / Clr Gash)

MIN18.320

That the Report of the General Manager (Finance, Corporate and Community Services Group) on the Record of Investments for the period to 31 March 2018 be received for information.

CARRIED

CL18.101 Future of the Shoalhaven River Festival

**HPERM Ref:
D18/123958**

Recommendation

That Council

1. Accepts this report for information.
2. Continues to provide the following support to the Shoalhaven River Festival Committee:
 - a. Continue to provide \$20,000 funding and support in line with what Council originally resolved on 21 June 2013.
 - b. Council (included Elected Members) assist the Committee in promoting the event through broader community and industry networks to assist in increasing volunteer numbers and local business support.
 - c. Council staff continue to work with and provide advice to the Committee to improve the sustainability of the event through the review of the ongoing format of the event to identify potential revenue opportunities and manage event costs.

RESOLVED (Clr Pakes / Clr Gash)

MIN18.321

That Council:

1. Accepts this report for information.
2. Continues to provide the following support to the Shoalhaven River Festival Committee:
 - a. Continue to provide \$20,000 funding and support in line with what Council originally resolved on 21 June 2013, provided that the Shoalhaven River Festival Committee is properly constituted
 - b. Council (including Elected Members) assist the Committee in promoting the event through broader community and industry networks to assist in increasing volunteer numbers and local business support.
 - c. Council staff continue to work with and provide advice to the Committee to improve the sustainability of the event through the review of the ongoing format of the event to identify potential revenue opportunities and manage event costs.
 - d. The committee consider a name change such as Shoalhaven Music and River Festival

CARRIED

CL18.102 Tenders - Woollamia Industrial Estate Stage 5 Civil Works

**HPERM Ref:
D18/128684**

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 Guile)

MIN18.322

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

CARRIED

CL18.103 Successful Grant - Rebuilding NSW - Regional Growth - Environment and Tourist Fund- Shoalhaven Heads River Road Foreshore Precinct

**HPERM Ref:
D18/125611**

Recommendation

That:

1. Council accept the NSW Government offer of grant funds of \$1,213,000 from Round One of the Regional Growth - Environment and Tourist Fund for the Shoalhaven Heads River Road Foreshore Precinct;
2. Council allocate \$550,000 matching funds to the project as follows:
 - a. \$350,000 towards funding the stormwater management works from the stormwater levy (current program to be adjusted if necessary); and
 - b. \$150,000 towards funding the rock protection wall and soft foreshore protection works from the Coastal Management and Infrastructure Reserve 2018/19; and
 - c. \$50,000 towards funding of the revegetation works from the coastal maintenance budget (75714) in 2018/19.
3. Council write to the NSW Minister for Regional New South Wales, Skills and Small Business, the Honorable John Barilaro MP thanking him for the grant funding offer.

RESOLVED (Clr Wells / Clr Gash)

MIN18.323

That:

1. Council accept the NSW Government offer of grant funds of \$1,213,000 from Round One of the Regional Growth - Environment and Tourist Fund for the Shoalhaven Heads River Road Foreshore Precinct;
2. Council allocate \$550,000 matching funds to the project as follows:
 - a. \$350,000 towards funding the stormwater management works from the stormwater levy (current program to be adjusted if necessary); and
 - b. \$150,000 towards funding the rock protection wall and soft foreshore protection works from the Coastal Management and Infrastructure Reserve 2018/19; and
 - c. \$50,000 towards funding of the revegetation works from the coastal maintenance budget (75714) in 2018/19.
3. Council write to the NSW Minister for Regional New South Wales, Skills and Small Business, the Honorable John Barilaro MP thanking him for the grant funding offer.

CARRIED

CL18.104 Tenders - Provision of Waste Transportation Services in Hook Lift Bins

**HPERM Ref:
D18/130723**

Recommendation (Item to be determined under delegated authority)

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 Wells)

MIN18.324

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

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Wells / Clr Pakes)

MIN18.325

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.

CSA18.6 Abandonment of Debt - Holiday Haven Unpaid Occupancy Fees

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

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

CCL18.7 Tenders – Woollamia Industrial Estate Stage 5 Civil Works

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.

CCL18.8 Tenders – Confidential Report Provision of Waste Transportation Services in Hook Lift Bins

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

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

CARRIED

The meeting moved into confidential the time being 9.33pm.

The meeting moved into open session, the time being 9.36pm.

REPORT FROM CONFIDENTIAL SESSION

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

CSA18.6 Abandonment of Debt - Holiday Haven Unpaid Occupancy Fees	HPERM Ref: D18/103728
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RESOLVED MIN18.326C

That:

1. Council resolves to write off the following debts:
 - a. Debt 1 – Unpaid Occupancy Fees – Former Van Owners – at Shoalhaven Heads Holiday Park - \$4852.71
 - b. Debt 2 – Unpaid Occupancy Fees – Former Van Owner – at Lake Conjola Holiday Park - \$7027.18
2. The details and identity of the debtors to remain confidential.

CARRIED

CCL18.8 Tenders – Confidential Report Provision of Waste Transportation Services in Hook Lift Bins	HPERM Ref: D18/131746
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RESOLVED* MIN18.327C

That

1. Council accept the Tender from SUEZ Recycling & Recovery Pty Ltd for the provision of Waste Transportation Services at an estimated total cost of \$2,922,207 (exc GST) for a period of five years with an option to extend for a further two years.
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).

CARRIED

CCL18.7 Tenders – Woollamia Industrial Estate Stage 5 Civil Works

**HPERM Ref:
D18/128693**

RESOLVED*

MIN18.328C

That:

1. Council accept the Tender from Lynch Civil Contractors Pty Ltd for Woollamia Industrial Estate Stage 5 Civil Works at a tender value of \$1,570,488.50 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the Group Director, Assets & Works.
4. Council grant easements to Endeavour Energy at the 3 pad mount substations servicing the lots and
5. Council authorise the General Manager to 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.

CARRIED

Note: A Rescission Motion was received in relation to Item CL18.84 - Notice of Motion - Foreshore Reserves signed by Clr Cheyne, Clr Gartner and Clr Levett.

Note: A Rescission Motion was received in relation to Item CL18.95 - Request for Funding Support - Broughton Vale / Berry Rural Fire Station - Site Works signed by Clr Pakes, Clr Watson and Clr Guile.

There being no further business, the meeting concluded, the time being 9.39pm.

Clr White
ACTING CHAIRPERSON