

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 15 May 2018
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 6.45pm

The following members were present:

Clr Bob Proudfoot - Chairperson
Clr Joanna Gash
Clr Amanda Findley
Clr Patricia White
Clr Annette Alldrick – left the meeting at 7.53pm
Clr Kaye Gartner
Clr Nina Cheyne
Clr John Levett
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener – left the meeting at 9.59pm
Russ Pigg - General Manager

Apologies / Leave of Absence

Apologies were received from Clr Wells and Clr Guile

Confirmation of the Minutes

RESOLVED (Clr Pakes / Clr Gartner) MIN18.345

That the Minutes of the Strategy and Assets Committee held on Tuesday 17 April 2018 be confirmed.

CARRIED

Declarations of Interest

Russ Pigg, General Manager - significant non pecuniary interest declaration – SA18.119 Operations – Tomerong Quarry – Lot 4 DP 775296 Parnell Rd Tomerong – when the initial motion was moved on that item he advised that as the current motion was calling for him to consider making an apology, he would declare a significant non pecuniary interest and leave the room.

DEPUTATIONS AND PRESENTATIONS

SA18.100 - Notice of Motion - Footpath Construction Osborne Street Nowra - Incomplete Section

Mr Denis Hilaire spoke in favour of the recommendation.

SA18.119 - Operations - Tomerong Quarry - Lot 4 DP 775296 Parnell Rd Tomerong

Mr Pete Allison (Tomerong Community Forum) spoke against the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr White) MIN18.346

That the matter of items SA18.100 and SA18.119 be brought forward for consideration.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA18.100 Notice of Motion - Footpath Construction - Osborne Street Nowra - Incomplete Section

HPERM Ref:
D18/141066

Recommendation (Item to be determined under delegated authority)

That Council include the remaining section of unpaved footpath in Osborne St Nowra, located between Hyam St and North St (Western side) in the operation plan for paving.

RESOLVED (Clr Watson / Clr Gash) MIN18.347

That Council include the remaining section of unpaved footpath in Osborne St Nowra, located between Hyam St and North St (Western side) in the operation plan for paving.

CARRIED

SA18.119 Operations - Tomerong Quarry - Lot 4 DP 775296 Parnell Rd Tomerong

HPERM Ref:
D18/25617

Recommendation (Item to be determined under delegated authority)

That Council receive the report and information.

MOTION (Clr Levett / Clr Gartner)

That :

1. The report be received for information on the proviso that no assumptions are made in regard to its conclusions and adequacy.
2. That the General Manager consider making a public apology on behalf of Shoalhaven City Council to the Tomerong Community for the failure of his administration to adequately police the conditions of consent relating to DA90/1912 and Tomerong Quarry during the period June 1997 to April 2017.

The General Manager advised that as the current motion was calling for him to consider making an apology, he was declaring a significant non - pecuniary interest and would leave the room.

Note: Russ Pigg left the meeting at 7:33pm

Note : The Motion was amended during debate.

RESOLVED (Clr Levett / Clr Gartner)

MIN18.348

That :

1. The report be received for information on the proviso that no assumptions are made in regard to its conclusions and adequacy.
2. The General Manager commission an independent external investigation into the issues that have been raised by the community in respect of the compliance action of Council and operation of Tomerong Quarry.
3. Further reports on the Quarry be provided to Council as the matter is further investigated.

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Pakes / Clr White)

MIN18.349

That the meeting be adjourned until 8.15pm.

CARRIED

Note: The meeting adjourned, the time being 7.53pm

Note: The meeting reconvened, the time being 8.16pm

The following members were present:

Clr Bob Proudfoot - Chairperson
Clr Joanna Gash
Clr Amanda Findley
Clr Patricia White
Clr Kaye Gartner
Clr Nina Cheyne
Clr John Levett
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Mr Russ Pigg - General Manager

Procedural Motion - Bring Item Forward

RESOLVED (Clr Gash / Clr Pakes)

MIN18.350

That the matter of item SA18.112 be brought forward for consideration.

CARRIED

SA18.112 Proposed Sale - 76 Bridge Road Nowra

**HPERM Ref:
D18/126506**

Recommendation

That Council

1. Advertise its intention to dispose of Lot E DP 39320 known as 76 Bridge Road, Nowra in accordance with Policy 16/256 and if no objections received, authorise the sale of the property by way of public auction;
2. Fund all costs associated with the sale from Job No 88809 and the net income be placed in the Strategic Property Reserve;
3. Authorise the General Manager to set the auction reserve price (based on valuation advice) and to finalise the terms of a sale on auction day or to finalise the terms of a sale based on the list price in the case of a private treaty sale if the property fails to sell at auction; and
4. 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.

RECOMMENDATION (Clr Gash / Clr Pakes)

That Council

1. Advertise its intention to dispose of Lot E DP 39320 known as 76 Bridge Road, Nowra in accordance with Policy 16/256 and if no objections received, authorise the sale of the property by way of public auction;
2. Fund all costs associated with the sale from Job No 88809 and the net income be placed in the Strategic Property Reserve;
3. Authorise the General Manager to set the auction reserve price (based on valuation advice) and to finalise the terms of a sale on auction day or to finalise the terms of a sale based on the list price in the case of a private treaty sale if the property fails to sell at auction; and
4. 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

SA18.99 Notice of Motion - Beach Access Warrain Beach, Currarong

**HPERM Ref:
D18/138448**

Recommendation

That

1. Council urgently fund the upgrade or replacement of two access points to Warrain Beach, Currarong (making the total of 5 beach access points).
2. Possible funding options, 2018/19 Operational Budget, Holiday Haven.
3. That Council consider some sand / beach nourishment to Currarong Beach if necessary.

RECOMMENDATION (Clr Pakes / Clr White)

That Council

1. Urgently fund the upgrade or replacement of two access points to Warrain Beach, Currarong

(making the total of 5 beach access points).

2. Consider funding the project from the 2018/19 Operational Budget, Holiday Haven.
3. Consider some sand / beach nourishment to Currarong Beach if necessary.

CARRIED

SA18.100 Notice of Motion - Footpath Construction - Osborne Street Nowra - Incomplete Section

HPERM Ref: D18/141066

Item dealt with earlier in the meeting see MIN18.347

REPORT OF THE SHOALHAVEN ARTS BOARD - 9 MAY 2018

AB18.11 Policy Changes - Shoalhaven City Art Collection - Acquisition & Management

HPERM Ref: D18/144102

Recommendation (Item to be determined under delegated authority)

That Council reaffirm the Shoalhaven City Art Collection – Acquisition and Management Policy (POL18/23) with the proposed changes as outlined in the attachment.

1. Delete the requirement for the Acquisition Sub-Committee to include the Shoalhaven Arts Board Executive Officer as Convenor,
2. Amend the position title within the Acquisition Sub-Committee members from Shoalhaven Arts Manager to Manager – Arts and Culture, Shoalhaven City Council.

RESOLVED (Clr Gartner / Clr White)

MIN18.351

That:

1. Council reaffirm the Shoalhaven City Art Collection – Acquisition and Management Policy (POL18/23) with the following proposed changes as outlined in the attachment.
 - a. Delete the requirement for the Acquisition Sub-Committee to include the Shoalhaven Arts Board Executive Officer as Convenor,
 - b. Amend the position title within the Acquisition Sub-Committee members from Shoalhaven Arts Manager to Manager – Arts and Culture, Shoalhaven City Council.
2. The adopted policy reflect the inclusion of two Arts Board representatives as nominated by the Board, one with a visual arts background.

CARRIED

AB18.12 Art Acquisition Subcommittee - Formation - Membership

HPERM Ref: D18/141858

Recommendation (Item to be determined under delegated authority)

1. That the Art Acquisition Subcommittee of the Shoalhaven Arts Board be established as per the Shoalhaven City Council Art Collection – Acquisition and Management Policy (POL18/23) with the following members:
 - i. Clr John Wells (as Councillor member nominated by Council),
 - ii. Alison Chiam (Arts Board representative as nominated by the Board),

- iii. Barbara Dawson (Arts board representative as nominated by the Board),
- iv. Manager – Arts and Culture as Convenor,
- v. An invited / co-opted member of the arts community.

RESOLVED (Clr Gartner / Clr White)

MIN18.352

1. That the Art Acquisition Subcommittee of the Shoalhaven Arts Board be established as per the Shoalhaven City Council Art Collection – Acquisition and Management Policy (POL18/23) with the following members:
 - i. Clr John Wells (as Councillor member nominated by Council),
 - ii. Alison Chiam (Arts Board representative as nominated by the Board),
 - iii. Barbara Dawson (Arts board representative as nominated by the Board),
 - iv. Manager – Arts and Culture as Convenor,
 - v. An invited / co-opted member of the arts community.

CARRIED

REPORTS

SA18.102 Review of Council policies

HPERM Ref:
D18/124273

Recommendation (Item to be determined under delegated authority)

That Council adopt the following policies, as amended:

1. POL18/12 Revenue – Stormwater Management Policy
2. POL18/19 Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups
3. POL16/183 Fee Waivers, Subsidies and Support Policy

RESOLVED (Clr Gash / Clr White)

MIN18.353

That Council adopt the following policies, as amended:

1. POL18/12 Revenue – Stormwater Management Policy
2. POL18/19 Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups, with an amendment to Section 2.1.a to retain reference to “a local or sporting group”
3. POL16/183 Fee Waivers, Subsidies and Support Policy

CARRIED

SA18.103 Requests for Donations - SeeChange Festival and Nowra Waterdragons Dragonboat and Outrigger Canoe Club

HPERM Ref:
D18/142247

Recommendation

That Council declines the following requests for donations to:

1. Jervis Bay & Basin Arts Inc. for the SeeChange Festival, on the grounds that they will receive \$15,000 from Shoalhaven Tourism and \$20,000 from the NSW Government, the donations budget for 2017/2018 is in deficit and the request does not meet the requirements of Council's Donations Policy; and
2. Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc, on the grounds that the donations budget for 2017/2018 is in deficit and the request does not meet the requirements of Council's Donations Policy.

MOTION (RECOMMENDATION) (Clr White / Clr Gartner)

That Council declines the following requests for donations to:

1. Jervis Bay & Basin Arts Inc. for the SeeChange Festival, on the grounds that they will receive \$15,000 from Shoalhaven Tourism and \$20,000 from the NSW Government, the donations budget for 2017/2018 is in deficit and the request does not meet the requirements of Council's Donations Policy; and
2. Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc, on the grounds that the donations budget for 2017/2018 is in deficit and the request does not meet the requirements of Council's Donations Policy.

AMENDMENT (Clr Pakes / Clr Watson)

That Council:

1. Provide donations to the amount of \$2000 to the Jervis Bay & Basin Arts Inc. and Nowra Waterdragons Dragonboat & Outrigger Canoe Club Inc.
2. Allocate the funding from next year's unallocated donations budget.

FOR: Clr Pakes and Clr Watson

AGAINST: Clr Gash, Clr Findley, Clr White, Clr Gartner, Clr Cheyne, Clr Levett, Clr Kitchener, Clr Proudfoot and Russ Pigg

LOST

MOTION WAS PUT AND CARRIED

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

AGAINST: Clr Pakes, Clr Watson and Clr Kitchener

SA18.104 March 2018 Quarterly Budget Review

**HPERM Ref:
D18/149865**

Recommendation

That Council:

1. Receive the March Quarterly Budget Review information
2. Adopt the adjustments, including movements to and from Reserves, as outlined in the March Quarterly Budget Review Statement.

RECOMMENDATION (Clr Gash / Clr Cheyne)

That Council:

1. Receive the March Quarterly Budget Review information

2. Adopt the adjustments, including movements to and from Reserves, as outlined in the March Quarterly Budget Review Statement.
3. That Councillors be provided with a list of revoted projects/ funding from the 2017-18 to 2018-19 Budget.

CARRIED

SA18.105 2018 Future of Local Government National Summit - The Game Has Changed

**HPERM Ref:
D18/152524**

Recommendation (Item to be determined under delegated authority)

That Council

1. Notes the details of the 2018 Future of Local Government National Summit scheduled for 30-31 May 2018 in Melbourne, VIC.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

RESOLVED (Clr White / Clr Cheyne)

MIN18.354

That Council

1. Notes the details of the 2018 Future of Local Government National Summit scheduled for 30-31 May 2018 in Melbourne, VIC.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

SA18.106 Waste Reduction Management Strategy

**HPERM Ref:
D17/276381**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse the draft Waste Reduction Management Strategy 2015/16 to 2020/21 and it be publicly exhibited for 28 days;
2. Review the feedback and submissions from the public exhibition in a further report. [Note: Adopting this strategy does not specifically commit any funding to the initiatives within. If the budget allocation is not in line with the strategy then the strategy will be reviewed to reflect this.]

MOTION (Clr White / Clr Gartner)

That Council:

1. Endorse the draft Waste Reduction Management Strategy 2015/16 to 2020/21 and it be publicly exhibited for 28 days;
2. Review the feedback and submissions from the public exhibition in a further report. [Note: Adopting this strategy does not specifically commit any funding to the initiatives within. If the budget allocation is not in line with the strategy then the strategy will be reviewed to reflect this.]

RESOLVED (AMENDMENT) (Clr Pakes / Clr Watson)

MIN18.355

That Council:

1. Endorse the draft Waste Reduction Management Strategy 2015/16 to 2020/21 and it be publicly exhibited for 28 days;
2. Review the feedback and submissions from the public exhibition in a further report. [Note: Adopting this strategy does not specifically commit any funding to the initiatives within. If the budget allocation is not in line with the strategy then the strategy will be reviewed to reflect this.]
3. As part of a formal review, Council review the operating hours of its waste transfer facilities, including reopening on public holidays.

FOR: Clr Levett, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

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

AMENDMENT CARRIED

The AMENDMENT became the MOTION and was CARRIED unanimously.

SA18.107 Shoalhaven River pontoons

**HPERM Ref:
D18/141315**

Recommendation

That Council proceeds with the Shoalhaven River special event pontoon project and the Greys Beach Boat launching ramp pontoon project minimising costs by using flexible anchorage. This will require approximately \$178,000 (exc GST) in additional funding and that budget shortfall is to be addressed as part of the June 2018 budget quarterly review.

RECOMMENDATION (Clr Cheyne / Clr Gash)

That Council

1. Not proceed with the additional pontoon project at Greys Beach.
2. Proceed with the Shoalhaven River special event pontoon project minimising costs by using flexible anchorage. This will require approximately \$63,000 (exc GST) in additional funding and that budget shortfall is to be addressed as part of the June 2018 budget quarterly review.

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

AGAINST: Clr Pakes, Clr Watson and Clr Proudfoot

CARRIED

Note: Urgent briefing to be held prior to May 2018 Ordinary Council meeting.

SA18.108 Positive Covenant - Asset Protection Zone - Over Part Council Road - Park Way, Old Erowal Bay

HPERM Ref: D18/66652

Recommendation

That Council:

1. Resolve to approve the creation of a 3 metre wide by 47 metre length Asset Protection Zone over part of Council unmade road at Park Way, Old Erowal Bay adjoining the common north/eastern boundary of Lot 1 Sec C DP 12958 by way of Section 88E, Positive Covenant;
2. Require the adjoining land owner of Lot 1 Sec C DP12958, Mark Bentley and Emily Crosthwaite, to pay compensation to Council in the amount of \$3,375.00 plus GST (if applicable);
3. Require that all costs associated with the creation of the positive covenant be met by Mark Bentley and Emily Crosthwaite; and
4. Grant authority 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 the resolution.

RECOMMENDATION (Clr Findley / Clr Levett)

That Council:

1. Resolve to approve the creation of a 3 metre wide by 47 metre length Asset Protection Zone over part of Council unmade road at Park Way, Old Erowal Bay adjoining the common north/eastern boundary of Lot 1 Sec C DP 12958 by way of Section 88E, Positive Covenant;
2. Require the adjoining land owner of Lot 1 Sec C DP12958, Mark Bentley and Emily Crosthwaite, to pay compensation to Council in the amount of \$3,375.00 plus GST (if applicable);
3. Require that all costs associated with the creation of the positive covenant be met by Mark Bentley and Emily Crosthwaite; and
4. Grant authority 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 the resolution.

CARRIED

SA18.109 Establishment of Feral Animal Control All Areas Parkcare Group and Waratah Park Parkcare Group

HPERM Ref: D18/102063

Recommendation

That Council endorse 'Parkcare' Plans for Feral Animal Control (All Areas) and Waratah Park and allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per plan to cover safety PPE, miscellaneous materials, waste disposal, purchase of minor tools commencing in Financial Year 2018/19.

RECOMMENDATION (Clr White / Clr Findley)

That Council endorse 'Parkcare' Plans for Feral Animal Control (All Areas) and Waratah Park and allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per plan to cover safety PPE, miscellaneous materials, waste disposal, purchase of minor tools commencing in Financial Year 2018/19.

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

AGAINST: Clr Pakes, Clr Watson and Clr Kitchener

CARRIED

SA18.110 Compulsory Acquisition of Right of Access for Bushfire Vehicles at Jerberra Estate - Lot 57 DP11629, Invermay Ave, Tomerong

**HPERM Ref:
D18/110179**

Recommendation

That Council:

1. Resolve to compulsorily acquire a right of access for bushfire vehicles over part of Lot 57 DP 11629, known as Lot 57 Invermay Ave, Tomerong (Jerberra Estate).
2. Pay compensation for the acquisition including all ancillary costs, in accordance with the determination of the Valuer General under the terms and conditions of the Land Acquisition (Just Terms) Compensation Act 1991 from job number 85291;
3. Approve the making of the necessary applications to the Minister for Local Government and the Governor; and
4. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

RECOMMENDATION (Clr Findley / Clr Gash)

That Council:

1. Resolve to compulsorily acquire a right of access for bushfire vehicles over part of Lot 57 DP 11629, known as Lot 57 Invermay Ave, Tomerong (Jerberra Estate).
2. Pay compensation for the acquisition including all ancillary costs, in accordance with the determination of the Valuer General under the terms and conditions of the Land Acquisition (Just Terms) Compensation Act 1991 from job number 85291;
3. Approve the making of the necessary applications to the Minister for Local Government and the Governor; and
4. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

SA18.111 Land Classification Lot 159 DP 11629 - Rolfe Street, Tomerong

**HPERM Ref:
D18/122156**

Recommendation

That Council resolve to classify the land described as Lot 159 DP 11629 - Rolfe Street, Tomerong as Operational Land.

RECOMMENDATION (Clr Findley / Clr Gash)

That Council resolve to classify the land described as Lot 159 DP 11629 - Rolfe Street, Tomerong as Operational Land.

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

AGAINST: Clr Pakes, Clr Watson and Clr Proudfoot
CARRIED

SA18.112 Proposed Sale - 76 Bridge Road Nowra

**HPERM Ref:
D18/126506**

Item dealt with earlier in the meeting.

**SA18.113 Proposed Licence - R & B Packer Pty Limited - Mt
Cambewarra Lookout Tearooms & Residence**

**HPERM Ref:
D18/125929**

Recommendation

That Council:

1. Enter into a licence agreement with R & B Packer Pty Limited for the use and occupation of Part Lot 2 in Deposited Plan 849185 known as 182 Cambewarra Lookout Rd, Beaumont for an initial term of three (3) years with two (2) option periods of three (3) years each (i.e. 3 + 3 + 3 year licence) with gross rent for the first three years as follows:
 - a. Year 1 - \$21,635.37 + GST;
 - b. Year 2 - \$33,757.00 + CPI + GST;
 - c. Year 3 – (\$33,757.00 + CPI) + CPI + GST;and with market rent review at end of year 3 and year 6, and with CPI increases annually from the commencement of the option period;
2. Approve the allocation of rent received under the licence agreement into the Property Reserve restricted account;
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.

RECOMMENDATION (Clr Findley / Clr Cheyne)

That Council:

1. Enter into a licence agreement with R & B Packer Pty Limited for the use and occupation of Part Lot 2 in Deposited Plan 849185 known as 182 Cambewarra Lookout Rd, Beaumont for an initial term of three (3) years with two (2) option periods of three (3) years each (i.e. 3 + 3 + 3 year licence) with gross rent for the first three years as follows:
 - a. Year 1 - \$21,635.37 + GST;
 - b. Year 2 - \$33,757.00 + CPI + GST;
 - c. Year 3 – (\$33,757.00 + CPI) + CPI + GST;and with market rent review at end of year 3 and year 6, and with CPI increases annually from the commencement of the option period;
2. Approve the allocation of rent received under the licence agreement into the Property Reserve restricted account;
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

**SA18.114 Proposed Retail Lease of Shop 37a/43 Kinghorne Street
Nowra**

**HPERM Ref:
D18/129736**

Recommendation

That Council:

1. Enter into a lease with Amie Gibson (trading as Beloved Scents and Beloved Boho) for two (2) years with a two (2) year option at a commencing gross rent of \$21,000 (including outgoings) per annum, plus GST, with annual 3% fixed increases; and
2. 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.

RECOMMENDATION (Clr Pakes / Clr Findley)

That Council:

1. Enter into a lease with Amie Gibson (trading as Beloved Scents and Beloved Boho) for two (2) years with a two (2) year option at a commencing gross rent of \$21,000 (including outgoings) per annum, plus GST, with annual 3% fixed increases; and
2. 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

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

**SA18.115 Tenders - Holiday Haven Tourist Parks - Management &
Operation - Ulladulla Headland Holiday Park**

**HPERM Ref:
D18/103178**

RESOLVED* (Clr Gash / Clr Findley)

MIN18.356

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

CARRIED

**SA18.116 Tenders - Management & Operation of the Shoalhaven
Heads Holiday Park**

**HPERM Ref:
D18/135394**

RESOLVED* (Clr Gash / Clr Findley)

MIN18.357

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

CARRIED

SA18.117 Tenders - Management & Operation of the Bendalong Point Holiday Park

HPERM Ref: D18/140433

RESOLVED* (Clr Gash / Clr Findley)

MIN18.358

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

CARRIED

SA18.118 Potential site for the Sanctuary Point Library

HPERM Ref: D18/137306

Recommendation

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

RECOMMENDATION (Clr Pakes / Clr Gartner)

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

CARRIED

SA18.119 Operations - Tomerong Quarry - Lot 4 DP 775296 Parnell Rd Tomerong

HPERM Ref: D18/25617

Item dealt with earlier in the meeting see MIN18.348

Note: Clr Kitchener left the meeting at 9:59pm

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

SA18.120 REMS Stage 1B Review of Environmental Factors - Proposed Modifications to Project Scope - Bomaderry to Nowra Transfer Main

HPERM Ref: D18/80717

RESOLVED* (Clr Gash / Clr Gartner)

MIN18.359

That

1. After consideration of the REF for the REMS Stage 1B works, Proposed Modifications to Project Scope, March 2018, Council determine that it is unlikely that there will be any significant environmental impact as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity.
2. The proposed mitigation measures and controls outlined in the REF addendum (and summarised in Sections 6.2, 7.2, 8.2, 9.2, 10.2, 11.2, 12.2, 13.2, 14.2 and 15.2) be adopted and implemented.

CARRIED

**SA18.121 Request for Connection to Town Water Supply - 230A
Tannery Road, Cambewarra**

**HPERM Ref:
D18/127259**

RESOLVED* (Clr Gash / Clr Gartner)

MIN18.360

That Council approve the connection to the town water supply, subject to the property owner:

1. Paying the Separate System Connection fee for water supply (\$6,578.00/ET (2017/18)), and
2. Paying the 20mm metered service fee (\$847.00 (2017/18)), and
3. Carrying out a backflow assessment and where required installing an approved backflow device, and
4. Providing an internal pressurised system to provide adequate flow and pressure to support the development upon the property at their own cost, and
5. Placing a **Restriction As To User** on the property (Lot 1 DP 719118) for water supply servicing as follows:

“Connection to the town water supply shall be by the installation of a private internal pressurised water supply system.

Such private internal pressurised system (or part of the system) shall be inspected and approved by Council.”

CARRIED

**SA18.122 Milestone 6 Offer - REMS 1B - WP2.1: Transfer Main from
Bomaderry to Nowra**

**HPERM Ref:
D18/146579**

RECOMMENDATION* (Clr Gash / Clr Gartner)

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

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Pakes / Clr Gartner)

MIN18.361

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.

CSA18.7 Tenders - Holiday Haven Tourist Parks - Management & Operation - Ulladulla Headland Holiday Park

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.

CSA18.8 Tenders – Management & Operation Shoalhaven Heads Holiday Park

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.

CSA18.9 Tenders – Management & Operation of the Bendalong Point Holiday Park

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.

CSA18.10 Potential site for the Sanctuary Point Library

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

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

CSA18.11 Milestone 6 Offer - REMS 1B - WP2.1: Transfer Main from Bomaderry to Nowra

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

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

CARRIED

The meeting moved into confidential the time being 10.05pm.

The meeting moved into open session, the time being 10.28pm.

REPORT FROM CONFIDENTIAL SESSION

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

CSA18.7 Tenders - Holiday Haven Tourist Parks - Management & Operation - Ulladulla Headland Holiday Park	HPERM Ref: D18/103501
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RESOLVED (Clr Gash / Clr Gartner) MIN18.362C

That

1. Council not accept any of the tenders for Ulladulla Headland Holiday Park;
2. In accordance with Clause 173(3)(e) Council authorise the General Manager (Director Assets & Works), to negotiate with suitable contractors for the Management & Operation of the Ulladulla Headland Holiday Park; and

CARRIED

CSA18.8 Tenders – Management & Operation Shoalhaven Heads Holiday Park	HPERM Ref: D18/133527
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RESOLVED (Clr Pakes / Clr White) MIN18.363C

That

1. Council accept the tender from Davann Pty Ltd for Management and Operation of the Shoalhaven Heads Holiday Park for a term of three (3) years + three (3) years + three (3) years commencing 15 July 2018 at 25% of gross profit.
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.

CARRIED

CSA18.9 Tenders – Management & Operation of the Bendalong Point Holiday Park	HPERM Ref: D18/133524
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RESOLVED (Clr Pakes / Clr Gash) MIN18.364C

That

1. Council accept the Tender from Daron Seaton and Belinda Buckley for the Management and Operation of Bendalong Point Holiday Park for a term of three (3) years + three (3) years + three (3) years commencing 1 July 2018 at 29% of gross profit.
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 Assets & Works.

CARRIED

There being no further business, the meeting concluded, the time being 10.29pm.

Clr Proudfoot
CHAIRPERSON