

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 25 September 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr Kaye Gartner
Clr Nina Cheyne
Clr Kaye Alldrick (amended in confirmation of minutes 30 October 2018)
Clr John Levett
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

The Chairperson read a statement advising those present that the proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice.

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

Apologies / Leave of Absence

RESOLVED (Clr Pakes / Clr Watson) MIN18.723

That the request from Clr Guile for a leave of absence for this meeting be granted.

CARRIED

Confirmation of the Minutes

RESOLVED (Clr White / Clr Cheyne) MIN18.724

That the Minutes of the Ordinary Meeting held on Tuesday 28 August 2018 be confirmed.

CARRIED

Declarations of Interest

Clr Findley – SA18.230 – Water rebate drought affected Farmers – significant non pecuniary interest declaration – She is the director/secretary of Brooman Farm Co which may or may not benefit from Drought Relief assistance – will leave the room and will not take part in discussion or vote.

PRESENTATION OF PETITIONS

Presentation of Petitions

Clr Pakes presented a petition containing 216 signatures which states:

We object to the proposal that Greenwell Point Gazette is considering supporting an “off leash area” for dogs in Greenwell Point. A letter to the editor has suggested the waterfront locations at Greenwell Point, part of which includes the Adelaide Street Reserve, provide “fantastic waterfront locations to take your dog off the leash”. Residents of Adelaide Street already have serious dog problems and Council Rangers are patrolling the area, issuing fines for dogs not on a leash, and to those owners who do not pick up after their dogs foul the paths and lawns. There are also problems with aggressive dogs, constant barking, even dog fights and at times residents and visitors unable to use the path or the beach due to the number of unrestrained dogs taking over the area. Adelaide Street residents will not tolerate this proposal.

APOLOGY – CLR PAKES

On 25 September 2018 at the Ordinary Meeting of Shoalhaven City Council, Councillor Pakes made the following statement of apology.

“I wish to make the following statement,

At the Strategy and Assets meeting on July 24th, I made comments about a community member's conduct.

It was regrettable that Ms. Frances Bray's name was brought into the debate, this was never my intention. I can understand how it may appear my comments were in relation to Ms. Bray and her conduct.

I wish to confirm to you that at the Independent Planning Commissions public meeting held earlier that day, 24th of July Ms. Brays conduct was professional, Ms. Bray was also respectful while all other community members spoke at the meeting.

I would like to say that if any of my comments offended or caused Ms. Bray stress or harm I unreservedly apologise, this was never my intention.”

MAYORAL ACKNOWLEDGMENT

Councils Section Manager Strategic Planning Gordon Clark was awarded the Local Government NSW Planning Award, Excellence in Leadership at the Local Government NSW Awards in Sydney.

Councils Trainee Environmental Health Officer, Mark Sneesby was presented with the Environmental Health Australia (NSW) Award for Early Career EHO Professional of the Year.

DEPUTATIONS AND PRESENTATIONS

CL18.210 – Rescission Motion – CL18.193 (Notice of Motion - Draft Medium Density Amendment - Shoalhaven Development Control Plan 2014 - Post Exhibition Consideration and Finalisation (page 1)

Note: Clr Watson left the meeting at 5.10pm

Mr John Willmott addressed the meeting to speak against the Rescission Motion

Ms Jackie Kay addressed the meeting – speaking for the Rescission Motion

Note: Clr Watson returned to the meeting during the Deputation at 5.18pm

CL18.217 – Notice of Motion - Introducing the Bird Haven Festival - Donation (page 22)

Ms Cathy Law and Penny Croshaw, representing Bird Haven Festival Inc., addressed the meeting in favour of the recommendation for this item.

CL18.219 – Notice of Motion – Literary Awards – Shoalhaven Aboriginal People in Custody (page 22)

Mr Juan Alvarez addressed the meeting in favour of the recommendation for this item

CL18.238 – DA18/1598 – 145 & 159 Princes Highway, South Nowra – Lot A DP 403839 & Lot 100 DP 1101535 (page 90)

Mr Philip Drew, the Applicant, addressed the meeting in favour of the recommendation for this item

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL18.210 Rescission Motion - CL18.193 - Draft Medium Density Amendment - Shoalhaven Development Control Plan 2014 - Post Exhibition Consideration and Finalisation

**HPERM Ref:
D18/301999**

Recommendation

That Council rescind the Motion relating to Item CL18.193 of the Council Meeting held Tuesday 28 August 2018.

MOTION (Clr Gartner / Clr Levett)

MIN18.725

That Council rescind the Motion relating to Item CL18.193 of the Council Meeting held Tuesday 28 August 2018.

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

AGAINST: Clr Gash, Clr Wells, Clr White, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST

CL18.211 Notice of Motion - Draft Medium Density Amendment - Shoalhaven Development Control Plan 2014 - Post Exhibition Consideration and Finalisation

**HPERM Ref:
D18/302011**

This item was not dealt with as the preceding Rescission Motion was LOST. See MIN18.725

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr White)

MIN18.726

That the following matters be brought forward for consideration:

CL18.217 – Notice of Motion – Introducing the Bird Haven Festival - Donation

CL18.219 – Notice of Motion – Literary Awards – Shoalhaven Aboriginal People in Custody

CL18.238 – DA18/1598 – 145 & 159 Princes Highway, South Nowra – Lot A DP 403839 & Lot 100 DP 1101535

CARRIED

CL18.217 Notice of Motion - Introducing the Bird Haven Festival - Donation

HPERM Ref: D18/323188

Recommendation

That Council consider donating \$1000 from the unallocated donations fund to support the local Bird Haven Festival in October 2018.

RESOLVED (Clr Cheyne / Clr Wells)

MIN18.727

That:

1. Council donate \$1000 from the unallocated donations fund to support the local Bird Haven Festival in October 2018.
2. Councils Tourism section include this event on the Tourism Event Calendar
3. Councils Donation not be used for program coordination

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

AGAINST: Clr Pakes and Clr Proudfoot

CARRIED

CL18.219 Notice of Motion - Literary Awards - Shoalhaven Aboriginal People in Custody

HPERM Ref: D18/324010

Recommendation

That Council

1. Give full support to the inaugural Aboriginal People in Custody Literary competition and Awards.
2. Allocate sponsorship of \$2,000 per year for the next two years to assist with the awards program from the Unallocated Donations Funding.

RESOLVED (Clr White / Clr Wells)

MIN18.728

That Council:

1. Give full support to the inaugural Aboriginal People in Custody Literary competition and Awards.
2. Allocate sponsorship of \$2,000 per year for the next two years to assist with the awards program from the Unallocated Donations Funding.

3. The funding allocation be subject to confirming an auspicing group to receive the funding and confirming the naming of the awards

CARRIED

**CL18.238 DA18/1598 – 145 & 159 Princes Highway, South Nowra –
Lot A DP 403839 & Lot 100 DP 1101535**

**HPERM Ref:
D18/304198**

Recommendation

That Council:

1. Confirm 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 15.5m; and
2. Refer the development application (DA18/1598) back to staff for determination.

RESOLVED (Clr Wells / Clr Gash)

MIN18.729

That Council:

1. Confirm 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 15.5m; and
2. Refer the development application (DA18/1598) back to staff for determination.

CARRIED

**CL18.212 Rescission Motion - CL18.209 - Penalty Infringement
Notices**

**HPERM Ref:
D18/302054**

Recommendation

That Council rescind the Motion relating to Item CL18.209 Penalty Infringement Notices (Compliance) of the Council Meeting held Tuesday 28 August 2018.

PROCEDURAL MOTION (Clr Wells)

That the MOTION be PUT.

CARRIED

RESOLVED (Clr Cheyne / Clr Gartner)

MIN18.730

That Council rescind the Motion relating to Item CL18.209 Penalty Infringement Notices (Compliance) of the Council Meeting held Tuesday 28 August 2018.

CARRIED

CL18.213 Notice of Motion - Penalty Infringement Notices

**HPERM Ref:
D18/302060**

Recommendation

That Council provide a briefing to Council on the Compliance Policy and provide legal advice to Councillors on the proposition that Council be involved with the review of all fines.

RESOLVED (Clr Gartner / Clr Cheyne)

MIN18.731

That Council provide a further briefing to Council on the Compliance Policy and provide legal advice to Councillors on the proposition that Council be involved with the review of all fines.

CARRIED

CL18.214 Notice of Motion - Appointment - Independent Penalty Review Panel - Appeals

**HPERM Ref:
D18/322664**

Recommendation

That:

1. Council and the General Manager appoint an Independent Penalty Review Panel to consider and determine appeals made pursuant to Councils application of POL16/233
2. The General Manager report to Council on the potential membership of the independent review panel;
3. The application of POL16/233 be regularly reported to Council.

RESOLVED (Clr Wells / Clr Gartner)

MIN18.732

That:

1. Council and the General Manager appoint an Independent Penalty Review Panel to consider and determine appeals made pursuant to Councils application of POL16/233
2. The General Manager report to Council on the potential membership of the independent review panel;
3. The application of POL16/233 be regularly reported to Council.

CARRIED

CL18.215 Notice of Motion - Tree Management Policy

**HPERM Ref:
D18/323095**

Recommendation

That Council

1. Re-affirm it's "45 degree-rule" tree removal policy
2. Staff prepare a draft policy on "compensatory tree planting" following the legal removal of trees in our city. This policy would need to address, but not be restricted to the following
 - a. Suitable sites to plant new trees, especially in non-residential locations.
 - b. The ideal new tree to old tree ratio.
 - c. The possibility of recoupment costs.

- d. The investigation of similar policies that may exist in other municipal areas

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.733

That Council:

1. Re-affirm it's "45 degree-rule" tree removal policy
2. Staff prepare a draft policy on "compensatory tree planting" following the legal removal of trees in our city. This policy would need to address, but not be restricted to the following
 - a. Suitable sites to plant new trees, especially in non-residential locations.
 - b. The ideal new tree to old tree ratio.
 - c. The possibility of recoupment costs.
 - d. The investigation of similar policies that may exist in other municipal areas

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

AGAINST: Clr Findley, Clr Cheyne and Clr Levett

CARRIED

CL18.216 Notice of Motion - Review Of Ward Boundaries

**HPERM Ref:
D18/324480**

Recommendation

That:

1. Council staff undertake a full review of the three ward boundaries with a view, to in some way, correcting anomalies such as the situation at Sanctuary Point, where the boundary cuts the township down the middle.
2. The results of the review together with possible scenarios be the topic of a Councillor Workshop in order to progress a way forward.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.734

That:

1. Council staff undertake a full review of the three ward boundaries with a view, to in some way, correcting anomalies such as the situation at Sanctuary Point, where the boundary cuts the township down the middle.
2. The results of the review together with possible scenarios be the topic of a Councillor Workshop in order to progress a way forward.

CARRIED

**CL18.217 Notice of Motion - Introducing The Bird Haven Festival -
Donation**

**HPERM REF:
D18/323188**

Item dealt with earlier in the meeting see MIN18.727

**CL18.218 Notice of Motion - Amendment to the Shoalhaven DCP -
Change of Use - Car Parking / Developer contributions**

**HPERM Ref:
D18/323911**

Recommendation

That Council adopt the following:

1. As a matter of policy, Shoalhaven City Council not require the provision of additional car parking or payment of developer contributions for development applications involving a change of use within the B3 Commercial core, B4 mixed use Business use zones and other appropriate Zones within the City's retail centres
2. A draft amendment to the Shoalhaven DCP be prepared to reflect this policy position.
3. The draft amendment be placed on public exhibition.
4. Following exhibition, the matter be reported back to Council for finalisation.

RESOLVED (Clr Watson / Clr Pakes)

MIN18.735

That this matter be deferred for 1 month pending a further report to council and to allow for a briefing.

CARRIED

**CL18.219 Notice of Motion - Literary Awards - Shoalhaven
Aboriginal People in Custody**

**HPERM REF:
D18/324010**

Item dealt with earlier in the meeting see MIN18.728

**REPORT OF THE STRATEGY & ASSETS COMMITTEE - 18 SEPTEMBER
2018**

SA18.216 Floodlighting Charges Review

**HPERM Ref:
D18/295712**

Recommendation

That:

1. The Floodlighting fee for sportsgrounds be amended to \$0.47/kwhr for the 2018/19 financial year.
2. The Floodlighting fee is to be Consumer Price Indexed (CPI) annually thereafter, in line with Councils other Fees & Charges, and adjusted to accommodate any future increases to electricity charges beyond CPI.
3. All fees for sportsground floodlighting for local clubs, be waived and no charges to apply, for the period 1 July 2017 to 30 March 2019. This includes both Council and Management Committee public facilities.
4. Local clubs be reimbursed for any invoices already paid for sportsground floodlighting for the period 1 July 2017 to 30 March 2019. Local clubs at Management Committee facilities to be refunded from the Sportsgrounds operational budget.
5. 2018/19 Floodlight fees for local clubs be charged quarterly from 1 April 2019.
6. Council staff to administer all invoicing, and payments for floodlighting to be made directly from clubs to Management Committees where applicable.

7. Staff to ensure that all electricity accounts are held in the name of Shoalhaven City Council or Management Committee. Local clubs at all public facilities are to be invoiced according to this Resolution.
8. Staff install floodlight controllers on all Council sportsgrounds by 1 April 2019, subject to funding availability.
9. Council allocate the balance of \$42,500 to the Floodlight Controllers budget, required to facilitate the installation of illuminators at currently unfunded sportsgrounds, thus enabling all controllers to be in place and operational by 1 April 2019.
10. Amendments to the Floodlighting fee (Fees and Charges Policy) be placed on Public Exhibition for a period of 28 days, in accordance with Section 705 of the Local Government Act. If no adverse comments are received, the amended Policy be deemed adopted.
11. Staff amend the Sportsground Management Policy to reflect this Resolution, and the Policy be placed on Public Exhibition for a period of 28 days. If no adverse comments are received, they amended Policy be deemed adopted.

RESOLVED (Clr Proudfoot / Clr Watson)

MIN18.736

That:

1. There be no Floodlighting fee for sportsgrounds commencing from the 2018/19 financial year.
2. All fees for sportsground floodlighting for local clubs, be waived and no charges to apply, for the period 1 July 2017 to 30 March 2019. This includes both Council and Management Committee public facilities.
3. Local clubs be reimbursed for any invoices already paid for sportsground floodlighting for the period 1 July 2017 to 30 March 2019. Local clubs at Management Committee facilities to be refunded from the Sportsgrounds operational budget.
4. Staff install floodlight controllers on all Council sportsgrounds by 1 April 2019, subject to funding availability.
5. Council allocate the balance of \$42,500 to the Floodlight Controllers budget, required to facilitate the installation of illuminators at currently unfunded sportsgrounds, thus enabling all controllers to be in place and operational by 1 April 2019.
6. Staff amend the Sportsground Management Policy to reflect this Resolution, and the Policy be placed on Public Exhibition for a period of 28 days. If no adverse comments are received, they amended Policy be deemed adopted.
7. The Floodlighting charges be kept under review.

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

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

CARRIED

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

SA18.221 Local Government Road Safety Program 2018/19 (Approved Projects) HPERM Ref: D18/288506

RESOLVED* (Clr Wells / Clr White) MIN18.737

That Council writes to NSW Roads and Maritime Services (RMS) thanking it for its funding assistance towards the 2018/19 Road Safety Program and accept and vote the grant funding offer of \$11,400 from RMS as follows:

1. \$900 for Shoalhaven Look out before you step out pedestrian safety
2. \$600 for Shoalhaven Youth Graduated Licensing Scheme (GLS)
3. \$4200 for Shoalhaven Free Cuppa for the Driver Fatigue program
4. \$200 for Motorcycle Safety- Motorcycle Awareness Week
5. \$500 for the Safety around Schools Forum
6. \$5000 for Bike Week
7. Slow Down / Hold my Hand / There's Kids Around Pedestrian safety - Little Blue Dinosaur campaign (no funds required)
8. Speed Monitoring on Local Roads (paid directly by RMS).
9. Breath Testing at Local Events (paid directly by RMS).
10. 65 + Older Drivers Presentations (paid directly by RMS).
11. U turn the Wheel youth program (paid directly by Rotary).

CARRIED

SA18.225 Classification of Land - Lot 137 DP 1236274 - Vendetta St Nowra HPERM Ref: D18/298418

RESOLVED* (Clr Wells / Clr White) MIN18.738

That Council resolve to classify the land described as Lot 137 DP 1236274 Vendetta Street Nowra, as Operational Land.

CARRIED

SA18.226 Proposed Licence to Berry Riding Club Inc HPERM Ref: D18/260965

RESOLVED* (Clr Wells / Clr White) MIN18.739

That Council resolves to:

1. Enter into a 5 year licence agreement over Lot 6 DP 1188080 at Schofields Lane Berry with a 5 year option period with Berry Riding Club Incorporated commencing at an annual rent of \$3,000.00 + GST with annual CPI increases as offered by Berry Riding Club.
2. Approve the allocation of rent received under the licence agreement into the Property Reserve Restricted Asset Account.
3. Approve that the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA18.230 Water rebate drought affected Farmers

**HPERM Ref:
D18/281564**

Note: Clr Cheyne left the meeting 8.04pm

Clr Findley – significant non pecuniary interest declaration – She is the director/secretary of Brooman Farm Co which may or may not benefit from Drought Relief assistance – left the room and did not take part in discussion or vote.

Note: Clr White assumed the Chair

Recommendation

That Council

1. Provide upon application a water rebate to customers classified for the purposes of water consumption as rural/agricultural to take effect from 1 October 2018 and for the duration of the drought.
2. The rebate be calculated as a 50% reduction of the water usage charge for the difference between the calculated daily average consumption on a billed account and the daily average consumption of the previous corresponding three periods.
3. This proposal be publicly notified in accordance with Section 356 of the Local Government Act, and a further report be provided following the notification period and review of any written submissions received.

RESOLVED (Clr Pakes / Clr Wells)

MIN18.740

That Council

1. Provide upon application a water rebate to customers classified for the purposes of water consumption as rural/agricultural to take effect from 1 October 2018 and for the duration of the drought.
2. The rebate be calculated as a 50% reduction of the water usage charge for the difference between the calculated daily average consumption on a billed account and the daily average consumption of the previous corresponding three periods.
3. This proposal be publicly notified in accordance with Section 356 of the Local Government Act, and a further report be provided following the notification period and review of any written submissions received.

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Pakes / Clr Gash)

MIN18.741

That the meeting be adjourned to allow for refreshments.

CARRIED

The meeting adjourned the time being 8.05pm

The meeting reconvened the time being 8.36pm

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 John Levett
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

REPORT OF THE ABORIGINAL ADVISORY COMMITTEE - 13 AUGUST 2018

AA18.23 Uluru Statement From the Heart

**HPERM Ref:
D18/245400**

Recommendation

That:

1. The report regarding the Uluru Statement from the Heart be received for information.
2. The Aboriginal Advisory Committee adopt and support the Statement from the Heart (and remove the word Uluru); and
3. Request that Council give in principal support for the Statement from the Heart and urge the Federal Government to do the same and adopt the Statement.

MOTION (Clr Proudfoot / Clr Kitchener)

That Council:

1. Receive the report regarding the Uluru Statement from the Heart for information
2. Undertake widespread community consultation regarding the following Aboriginal Advisory Committee recommendation, with the results of the public consultation being subject of a report to council;

“Should Council give in principal support for the Statement from the Heart and urge the Federal Government to do the same and adopt the Statement.”

AMENDMENT (Clr Pakes / Clr Wells)

That Council:

1. Receive the report regarding the Uluru Statement from the Heart for information
2. Note that the Aboriginal Advisory Committee has adopted and supports the Statement from the Heart (and remove the word Uluru); and
3. Write to the Federal and State Government advising that Aboriginal Advisory Committee have adopted and are supportive of the Statement from the Heart

Note: The Mayor ruled the Amendment out of order as it negated the Motion and advised Clr Pakes to move it as a Foreshadowed Motion.

RESOLVED (Clr Proudfoot / Clr Kitchener)

MIN18.742

That Council:

1. Receive the report regarding the Uluru Statement from the Heart for information
2. Undertake widespread community consultation regarding the following Aboriginal Advisory Committee recommendation, with the results of the public consultation being subject of a report to council;

“Should Council give in principal support for the Statement from the Heart and urge the Federal Government to do the same and adopt the Statement.”

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

AGAINST: Clr Gash, Clr Wells, Clr White, Clr Pakes and Clr Watson

CARRIED

REPORT OF THE INCLUSION & ACCESS ADVISORY GROUP - 3 SEPTEMBER 2018

IA18.13 Beach Wheelchair Access

**HPERM Ref:
D18/276058**

Note: This item was withdrawn as it was dealt with under delegation at the Strategy and Assets Committee Tuesday 18 September 2018.

IA18.15 Application for Membership - Grace Kennedy

**HPERM Ref:
D18/286049**

Note: This item was withdrawn as it was dealt with under delegation at the Strategy and Assets Committee Tuesday 18 September 2018.

REPORT OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE - 5 SEPTEMBER 2018

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

CBD18.54 Request from Shoalhaven Arts Board - Appointment Representative	HPERM Ref: D18/252643
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RESOLVED* (Clr Gash / Clr White)

MIN18.743

That:

1. The request for membership from the Shoalhaven Arts Board be acknowledged
2. The Shoalhaven Arts Board be advised that the Nowra CBD Revitalisation Strategy Committee welcomes representations on items of interest and/or projects relating to Arts Projects, however do not support the inclusion of an additional member on the Nowra CBD Revitalisation Strategy Committee.

CARRIED

CBD18.55 Successful Heritage Grant - Nowra CBD Historical Walk - Historical interpretative signage and app content development	HPERM Ref: D18/295472
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RESOLVED* (Clr Gash / Clr White)

MIN18.744

That:

1. Council accepts the grant offer of \$30,751 from NSW Officer of Environment and Heritage under the *Heritage Near Me* Activations Grant 2018-19 for the Nowra CBD Historical Walk – interpretative signage and digital content development to create a physical and interactive trail.
2. Given the limited timeframe required for project completion, Council staff commence the project working with the Shoalhaven Historical Society and the Nowra CBD Heritage Walk Working Party to prepare digital content for the Heritage Near Me app and designs for the interpretative signage to create a physical and interactive trail for the Nowra CBD historical walk.
3. That Scott Baxter, Ros Holmes and Wesley Hindmarch as the existing Nowra CBD Heritage Walk Working Party, consider the design of the signage and promotional material and to assist with research and delivery of this project including discussions with shop and building owners where plaques and signs are proposed to be located.
4. The Nowra CBD Historical Walk project be completed by 30 April 2019 in accordance with the grant requirements.

CARRIED

CBD18.59 Proposed O'Keefe Avenue Traffic Lights

**HPERM Ref:
D18/305940**

Recommendation

That Council seek to move the proposed crossing near the Coles carpark on O'Keefe Avenue, Nowra to the intersection of O'Keefe Avenue and Junction Street and include the provision of fencing to direct pedestrians to the crossing.

RESOLVED (Clr Gash / Clr White)

MIN18.745

That Council

1. Note the recommendation of the Nowra CBD Revitalisation Strategy Committee stating:

That Council seek to move the proposed crossing near the Coles carpark on O'Keefe Avenue, Nowra to the intersection of O'Keefe Avenue and Junction Street and include the provision of fencing to direct pedestrians to the crossing.

2. Refer the matter to the Shoalhaven Traffic Committee.

CARRIED

CBD18.62 Additional item - Resignation - Luke Sikora

RESOLVED* (Clr Gash / Clr White)

MIN18.746

That the resignation from Luke Sikora be accepted and Council not go out to EOI at this stage until the Terms of Reference is discussed and adopted.

CARRIED

**REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 11
SEPTEMBER 2018**

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

**TC18.90 No Stopping Zone - Driveways 72-74 Osborne Street,
Nowra (PN 3509)**

**HPERM Ref:
D18/306093**

RESOLVED* (Clr White / Clr Pakes)

MIN18.747

That the General Manager (Director Assets & Works) be requested to arrange for the installation of 11m (approx) of No Stopping zone yellow edge (C3) line marking across the accesses of 72 and 74 Osborne Street, Nowra, as detailed in the attached plan.

CARRIED

**TC18.91 Bus Zone - Basil Street, South Nowra (PN 3510) HPERM Ref:
D18/306103**

RESOLVED* (Clr White / Clr Pakes) MIN18.748

That the General Manager (Director Assets and Works) be requested to arrange for the installation of bus zone signage time restricted to the hours of 7am-9am and 3pm-5pm, Monday to Friday, within the existing indented bays on Basil Street, South Nowra, as detailed in the attached plan.

CARRIED

TC18.92 Additional Item - Northern End of Donlan Road, Mollymook - Line-marking

Recommendation

That Council investigate line-marking for Donlan Road, Mollymook.

RESOLVED (Clr Proudfoot / Clr White) MIN18.749

That Council investigate line-marking for Donlan Road, Mollymook.

CARRIED

TC18.93 Additional Item - Burrill Lake Boat Ramp - Parking

RESOLVED* (Clr White / Clr Pakes) MIN18.750

That Council investigate dedicated parking at the boat ramp on Commonwealth Avenue, Burrill Lake.

CARRIED

REPORTS

**CL18.225 Election of Deputy Mayor and Assistant Deputy Mayor HPERM Ref:
D18/307395**

Recommendation

That Council determine the method of election and then conduct an election for Deputy Mayor and Assistant Deputy Mayor for the period until September 2019.

RESOLVED (Clr Pakes / Clr Gash) MIN18.751

That the election of Deputy Mayor and Assistant Deputy Mayor be determined by show of hands and open ballot.

CARRIED

Mr Stephen Dunshea, Director Finance Corporate and Community Services as the Returning Officer informed the meeting that two nominations had been received for the position of Deputy Mayor, the nominations being for Clr White, and Clr Levett.

Mr Dunshea called for a show of hands and declared Clr White the Deputy Mayor for the ensuing year on a count of 7 votes.

Mr Stephen Dunshea, Director Finance Corporate and Community Services as the Returning Officer informed the meeting that two nominations had been received for the position of Assistant Deputy Mayor, the nominations being for Cllr Pakes, and Cllr Levett.

Mr Dunshea called for a show of hands and declared Cllr Pakes the Assistant Deputy Mayor for the ensuing year on a count of 7 votes.

CL18.226 Ordinary Meeting - Order of Business

**HPERM Ref:
D18/314959**

Recommendation

That Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:

1. Acknowledgement of Traditional Custodians
2. Opening Prayer
3. Australian National Anthem
4. Apologies/Leave of Absence
5. Confirmation of Minutes
6. Declarations of Interest
7. Presentation of Petitions
8. Mayoral Minutes
9. Deputations & Presentations
10. Notices of Motion and Questions on Notice
11. Report of Committees (** matters requiring council resolution)
12. Report of the Shoalhaven Traffic Committee
13. Officers Reports
14. Addendum Reports
15. Confidential Report of the General Manager

*If any items of business require attendance of specialist staff (eg Legal, Insurance, Property) then Council will generally consider those items following the Deputations

**Any matters from Committee Reports that can be dealt with by delegation at either Development or Strategy & Assets Committee will be referred to those committees.

RESOLVED (Cllr Pakes / Cllr Proudfoot)

MIN18.752

That Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:

1. Acknowledgement of Traditional Custodians
2. Opening Prayer
3. Australian National Anthem
4. Apologies/Leave of Absence
5. Confirmation of Minutes
6. Declarations of Interest
7. Presentation of Petitions
8. Mayoral Minutes

9. Deputations & Presentations
10. Notices of Motion and Questions on Notice
11. Report of Committees (** matters requiring council resolution)
12. Report of the Shoalhaven Traffic Committee
13. Officers Reports
14. Addendum Reports
15. Confidential Report of the General Manager

*If any items of business require attendance of specialist staff (eg Legal, Insurance, Property) then Council will generally consider those items following the Deputations

**Any matters from Committee Reports that can be dealt with by delegation at either Development or Strategy & Assets Committee will be referred to those committees.

CARRIED

CL18.227 Determination of Core Committees

**HPERM Ref:
D18/317412**

MOTION (Clr Gartner / Clr Levett)

That:

1. The Core committees purpose, delegation, membership and quorum remain unchanged
2. A Chairperson and Deputy Chairperson be appointed at the first meeting for each of the Core Committees.

AMENDMENT (RESOLVED) (Clr Pakes / Clr White)

MIN18.753

That:

1. Pursuant to Section 355(b) – Local Government Act ,1993 and Clause 260 of the Local Government (General) Regulation, 2005 Council establish the 'Core' Council Committees as;
 - a. Strategy and Assets Committee
 - b. Development Committee
2. The Delegations of the Strategy and Assets Committee be as follows

Strategy and Assets Committee

THAT pursuant to s377 (1) of the *Local Government Act 1993* the Committee is delegated the functions conferred on Council by the *Local Government Act 1993* (LG Act) or any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:

- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
- iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
- iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

SCHEDULE

- a. Make recommendations to Council and consider, formulate, review and adopt policies in relation to Councils corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to make recommendations to Council in respect of the content of Councils community strategic plan, delivery program, resourcing strategy and operational plan within the meaning of Part 2 of Chapter 13 of the LG Act;
 - b. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental matters, and any other matter referred to the Committee by the General Manager.
 - c. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Councils next operational plan within the meaning of s405 of the LG Act;
 - d. Monitor, review and consider matters relating to the operations and strategic direction of Councils Holiday Haven Tourist Parks Group;
 - e. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'Crown Land Manager' under Division 3.4 of the Crown Lands Management Act, 2016 and the making of recommendations to Council regarding such matters where the function is not dealt with under the delegations to the General Manager or cannot be delegated by Council;
 - f. Provision of corporate direction to the Shoalhaven Water Group in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
 - g. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Councils adopted Development Servicing Plan and other relevant adopted Council policies;
 - h. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
 - i. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;
 - j. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Councils strategic land holdings and make recommendations to Council.
 - k. Review and make recommendations to Council in relation to:
 - l. The sale prices of land in connection with residential and industrial Council subdivisions;
 - m. The sale of Council property or the purchase or resumption of land;
 - n. The compensation to be offered in respect of land resumed by Council; and
 - o. Properties leased or rented by Council, other than those delegated to the General Manager for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.
 - p. To determine and accept all tenders with a value of \$1 Million or more, except those tenders required by law to be determined by full Council (MIN17.334).
3. The Delegations of the Development Committee be as follows;

Development Committee

THAT pursuant to s377 (1) of the Local Government Act 1993 the Committee is delegated the functions conferred on Council by the Environmental Planning & Assessment Act 1979 (EPA Act), Local Government Act 1993 (LG Act) or any other Act or delegated to Council, as are specified in the attached Schedule, subject to the following limitations:

- i. The Committee cannot make a decision to make a local environmental plan to classify or reclassify public land under Division 1 of Part 2 of Chapter 6 of the LG Act;
- ii. The Committee cannot review a section 8.11 or section 8.9 EPA Act determination made by the Council or by the Committee itself;
- iii. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- iv. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council; and
- v. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council.

SCHEDULE

- a. All functions relating to the preparation, making, and review of local environmental plans (LEPs) and development control plans (DCPs) under Part 3 of the EPA Act.
 - b. All functions relating to the preparation, making, and review of contributions plans and the preparation, entry into, and review of voluntary planning agreements under Part 7 of the EPA Act.
 - c. The preparation, adoption, and review of policies and strategies of the Council in respect of town planning and environmental matters and the variation of such policies.
 - d. Determination of variations to development standards related to development applications under the EPA Act where the development application involves a development which seeks to vary a development standard by more than 10% and the application is accompanied by a request to vary the development standard under clause 4.6 of Shoalhaven Local Environmental Plan 2014 or an objection to the application of the development standard under State Environmental Planning Policy No. 1 – Development Standards.
 - e. Determination of variations from the acceptable solutions and/or other numerical standards contained within the DCP or a Council Policy that the General Manager requires to be determined by the Committee
 - f. Determination of development applications that Council requires to be determined by the Committee on a case by case basis.
 - g. Review of determinations of development applications under sections 8.11 and 8.9 of the EP&A Act that the General Manager requires to be determined by the Committee.
 - h. Preparation, review, and adoption of policies and guidelines in respect of the determination of development applications by other delegates of the Council.
4. The membership and quorums be as set as follows;
- a. Strategy and Assets Committee
 - Membership
Mayor
All Councillors
General Manager (or nominee)
 - Chairperson has casting vote
 - Quorum: Five (5)
 - b. Development Committee
 - Membership
Mayor
All Councillors

General Manager (or nominee)

- Chairperson has casting vote
- Quorum: Five (5)

5. That a Chairperson and Deputy Chairperson be appointed for each of the Core Committees;

a. Strategy and Assets Committee

- i. Chairperson – Clr Wells
- ii. Deputy Chairperson – Clr Proudfoot

b. Development Committee

- i. Chairperson – Clr Gash
- ii. Deputy Chairperson – Clr Watson

CARRIED

The AMENDMENT upon becoming the MOTION was put and declared CARRIED.

Note: The delegations to the Strategy & Assets Committee were amended during discussion and resolution of item CL18.229 Community Consultation & Committee System (MIN18.755).

CL18.228 Determination of Date and Time of "Core" Council Committee Meetings, Ordinary Meetings and Councillor Briefings

HPERM Ref: D18/315064

Recommendation

That Council:

1. Adopt a schedule of meeting dates as per the attached schedule providing:
 - a. a Three (3) week cycle of meeting dates per month, held on a Tuesday as follows:
 - i. Week 1 – Development Committee
 - ii. Week 2 – Strategy and Assets Committee;
 - iii. Week 4 – Ordinary Meeting.
 - b. Meetings and briefings not being held during the following periods:
 - i. Christmas break, including the first Two (2) weeks of January 2019
 - ii. Easter break
 - iii. Australian Local Government Association General Assembly – 16 to 19 June 2018 (2019 dates not confirmed)
 - iv. The second and third weeks of July 2019 (school holidays).
 - v. Local Government Association Conference – 21 to 23 October 2019 (not confirmed)
2. Reaffirm the authorisations to the General Manager as set out in the report; and
3. Determine the start time for Council and Committee meetings to be generally at 5.00pm
4. Determine the start time for Councillor Briefings to be generally at 4:00 pm.

RESOLVED (Clr Pakes / Clr White)

MIN18.754

That Council:

1. Adopt a schedule of meeting dates as per the attached schedule providing:
 - a. a Three (3) week cycle of meeting dates per month, held on a Tuesday as follows:

- i. Week 1 – Development Committee
- ii. Week 2 – Strategy and Assets Committee;
- iii. Week 4 – Ordinary Meeting.
- b. Meetings and briefings not being held during the following periods:
 - i. Christmas break, including the first Two (2) weeks of January 2019
 - ii. Easter break
 - iii. Australian Local Government Association General Assembly – 16 to 19 June 2018 (2019 dates not confirmed)
 - iv. The second and third weeks of July 2019 (school holidays).
 - v. Local Government Association Conference – 21 to 23 October 2019 (not confirmed)
2. Reaffirm the authorisations to the General Manager as set out in the report; and
3. Determine the start time for Council and Committee meetings to be generally at 5.00pm
4. Determine the start time for Councillor Briefings to be generally at 4:00 pm.

CARRIED

CL18.229 Community Consultation & Committee System

**HPERM Ref:
D18/319925**

Clr White – less than significant non pecuniary interest declaration – she has previously operated a children’s service – will remain in the room and will take part in discussion and vote.

Recommendation

That Council continue the operation of the following committees, boards & reference groups pursuant to Section 355 – Local Government Act and pursuant to Section 377 with purpose, delegation & sitting fee (if applicable), membership and quorum as outlined in the attachment to the report

1. Risk and Audit Committee (39763E) and authorize the Committee to carry out the roles and responsibilities in accordance with the Audit Committee guidelines published by the Office of Local Government and Councils Audit Committee charter.
2. Regional Development Committee (39964E).
3. Senior Staff Contractual Matters Committee (5001E).
4. Aboriginal Advisory Committee (1209E)
5. Business and Employment Development Committee (38821E)
6. Children’s Services Reference Group (46176E)
7. Council Bushcare Representative Group (42643E)
8. Homelessness Taskforce Shoalhaven (55584E)
9. Inclusion and Access Advisory Group (1228E)
10. Nowra CBD Revitalisation Strategy (50242E)
11. Rural Fire Service Strategic Planning Committee (1227E)
12. Shoalhaven Arts Board (2123E)
13. Shoalhaven City Mayor’s Relief Fund (3926E)
14. Shoalhaven Heads Estuary Taskforce (45866E)

15. Shoalhaven Natural Resources & Floodplain Management Committee (53021E)
16. Shoalhaven Sports Board (12623E)
17. Shoalhaven Tourism Advisory Group (1490E)
18. Sustainable Futures Committee (37211E)
19. Youth Advisory Committee (1506E)

MOTION (Clr Gartner / Clr Cheyne)

That Council continue the operation of the following committees, boards & reference groups pursuant to Section 355 – Local Government Act and pursuant to Section 377 with purpose, delegation & sitting fee (if applicable), membership and quorum as outlined in the attachment to the report

1. Risk and Audit Committee (39763E) and authorize the Committee to carry out the roles and responsibilities in accordance with the Audit Committee guidelines published by the Office of Local Government and Councils Audit Committee charter.
2. Regional Development Committee (39964E).
3. Senior Staff Contractual Matters Committee (5001E).
4. Aboriginal Advisory Committee (1209E)
5. Business and Employment Development Committee (38821E)
6. Children’s Services Reference Group (46176E)
7. Council Bushcare Representative Group (42643E)
8. Homelessness Taskforce Shoalhaven (55584E)
9. Inclusion and Access Advisory Group (1228E)
10. Nowra CBD Revitalisation Strategy (50242E)
11. Rural Fire Service Strategic Planning Committee (1227E)
12. Shoalhaven Arts Board (2123E)
13. Shoalhaven City Mayor’s Relief Fund (3926E)
14. Shoalhaven Heads Estuary Taskforce (45866E)
15. Shoalhaven Natural Resources & Floodplain Management Committee (53021E)
16. Shoalhaven Sports Board (12623E)
17. Shoalhaven Tourism Advisory Group (1490E)
18. Sustainable Futures Committee (37211E)
19. Youth Advisory Committee (1506E)

AMENDMENT (RESOLVED) (Clr Pakes / Clr Watson)

MIN18.755

That:

1. Council continue the operation of the following committees, boards & reference groups pursuant to Section 355 & Section 377 of the Local Government Act and that the purpose, delegation & sitting fee (if applicable), membership and quorum for the period to 30 September 2019 as outlined in the individual additional items. (refer MIN18.756 to MIN18.771)
 - a. Risk and Audit Committee (39763E) and authorize the Committee to carry out the roles and responsibilities in accordance with the Audit Committee guidelines published by the Office of Local Government and Councils Audit Committee charter.

- b. Regional Development Committee (39964E).
 - c. Senior Staff Contractual Matters Committee (5001E).
 - d. Aboriginal Advisory Committee (1209E)
 - e. Business and Employment Development Committee (38821E)
 - f. Council Bushcare Representative Group (42643E)
 - g. Homelessness Taskforce Shoalhaven (55584E)
 - h. Inclusion and Access Advisory Group (1228E)
 - i. Nowra CBD Revitalisation Strategy (50242E)
 - j. Rural Fire Service Strategic Planning Committee (1227E)
 - k. Shoalhaven Arts Board (2123E)
 - l. Shoalhaven City Mayor's Relief Fund (3926E)
 - m. Shoalhaven Heads Estuary Taskforce (45866E)
 - n. Shoalhaven Sports Board (12623E)
 - o. Shoalhaven Tourism Advisory Group (1490E)
 - p. Youth Advisory Committee (1506E)
2. Council disband the following committees:
- a. Children's Services Reference Group (46176E)
 - b. Shoalhaven Natural Resources & Floodplain Management Committee (53021E) and its functions be absorbed into the Strategy & Assets Committee. The Strategy & Assets committee be given the power to form Sub-Committees and the sub Committees be given the authority to co-opt community members when the committee is undertaking specific tasks where community input is required
 - c. Sustainable Futures Committee (37211E)

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

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

CARRIED

The AMENDMENT upon becoming the MOTION was put and declared CARRIED

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

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

Note: The Shoalhaven Heads Estuary Taskforce was disbanded during discussion and resolution of the membership of the individual committees.

CL18.240 Risk & Audit Committee

Note: Clr Gartner left the meeting at 10.10pm

RESOLVED (Clr Pakes / Clr White)

MIN18.756

That Council continue the operation of Risk and Audit Committee for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – 5 & others as required Commencement time – 4pm	<u>Quorum</u> – Three (3) – including 1 Councillor & 1 External member
Objective The objective of the Risk and Audit Committee is to provide independent assurance and assistance to Shoalhaven City Council on risk management, control, governance, and external accountability responsibilities.	
Chairperson - Independent Member appointed by Committee	
2018-2019 Councillor / Staff Membership Clr White Clr Wells Clr Gash (Alternate)	
Independent Community Representatives Dr Philip Ross – Chairperson – independent person (until 31/12/18) - Ms Diana Price – independent person (until 31/12/19) Mr Peter McLean - independent person (until 31/01/20)	
Sitting Fee for Community Members Monthly payment of \$250 on the proviso 80% of meetings are attended <u>plus</u> a travel per kilometre allowance based on the Councillor rates for external members only.	

CARRIED

CL18.241 Regional Development Committee

Note: Clr Gartner returned to the meeting at 10.11pm.

RESOLVED (Clr Pakes / Clr White)

MIN18.757

That Council continue the operation of the Regional Development Committee for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – As Required No set commencement time	<u>Quorum</u> – Three (3)
Objective: To consider staff reports sent to the Joint Regional Planning Panel	
Delegation: To make determinations in support or otherwise in relation to reports sent to the Joint Regional Planning Panel, including making representations to the Joint Regional Planning Panel.	
Chairperson – Appointed by Council	
2018-2019 Membership Clr Joanna Gash (Chairperson) All Councillors General Manager or nominee	

CARRIED

CL18.242 Senior Staff Contractual Matters Committee

MOTION (Clr Pakes / Clr White)

That Council continue the operation of the Senior Staff Contractual Matters Committee for the period to 20 September 2019 with:

1. The Chairperson being the Mayor (Clr Findley) and membership of all Councillors and the General Manager.
2. The Sub - Committee Members being the Mayor (Clr Findley), Deputy Mayor (Clr White), Assistant Deputy Mayor (Clr Pakes) and Councillors Gash and Proudfoot.

AMENDMENT (RESOLVED) (Clr Gartner / Clr Cheyne)

MIN18.758

That Council continue the operation of the Senior Staff Contractual Matters Committee for the period to 20 September 2019 as outlined below

<u>Meetings per year</u> – As required No set commencement time	<u>Quorum</u> – Five (5)
<p>Purpose and Delegated Authority The Committee be delegated authority under Section 377 of the Local Government Act to:</p> <ol style="list-style-type: none"> 1. Review the General Managers performance against the agreement, at least annually. 2. Deal with matters relating to requirements of the contract including the annual review of remuneration and to make any determinations where necessary. 3. Receive the General Manager’s annual reports on other Senior Staff contracts where Council is required to deal with contractual matters. 4. Consider and determine : <ul style="list-style-type: none"> • The organisational structure. • Industrial Relations Policy. • Other staff matters requiring Council consideration 	
<p>Chairperson – Appointed by Council</p>	
<p>2018-2019 Councillor / Staff Membership Mayor Clr Findley (Chairperson) All Councillors General Manager</p> <p><u>Sub- Committee to undertake Delegations 1&2:</u> CHAIRPERSON - Mayor Deputy Mayor (Clr White) Asst. Deputy Mayor (Clr Pakes) Clr Gash Clr Proudfoot Clr Gartner</p>	

CARRIED

The AMENDMENT upon becoming the MOTION was declared CARRIED.

CL18.243 Aboriginal Advisory Committee

RESOLVED (Clr Pakes / Clr White)

MIN18.759

That Council continue the operation of the Aboriginal Advisory Committee for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – Four (4)	<u>Quorum</u> – Five (5)
Commencement time – 4pm	Terms of Reference: POL16/172: Amended: 28 February 2017
<p>Purpose To provide appropriate and considered advice to Council on all relevant issues affecting Aboriginal and Torres Strait Islander people within the Shoalhaven LGA, and to influence Councils support & intent in achieving their objectives for the current Statement of Commitment 2010 (SoC) and the Shoalhaven City Council Community Strategic Plan 2023 (SCCSP).</p> <p>Role of the Committee All members are encouraged to become actively involved in the business of the AAC and to be an advocate between community and Council. The role of the Committee is:</p> <ul style="list-style-type: none"> • To advise Shoalhaven City Council on necessary issues relating to Aboriginal communities in the LGA. • Promote and increase knowledge & understanding of Aboriginal society, history & culture in the LGA. • Facilitate access and accessibility to services and facilities for Aboriginal people. • Advise on the development and implementation of the Shoalhaven City Council Community Strategic Plan. • Develop strong collaborative partnerships between Aboriginal communities and Shoalhaven City Council. • Maintain strong links between Council and Aboriginal communities throughout the Shoalhaven to accomplish the relationships and outcomes required for genuine reconciliation. • Foster and safeguard a spirit of mutual trust and respect which allows the AAC and Shoalhaven City Council to work together in their commitment towards intelligent, well informed decision making processes that are sensitive to all Aboriginal issues. • Recognise, support & uphold past and present local cultural heritage and its place in future Council directions. • Remain a meaningful ‘place’ for the communication of messages and information from Aboriginal community voices that identify local needs for services, facilities and activities. • Support and promote significant celebrations and events within the Shoalhaven Aboriginal and Torres Strait Islander community. 	
Delegation – NIL	
Chairperson & Co-Chairperson – Appointed by Committee	
2018-2019 Councillor / Staff Membership All Councillors General Manager or Nominee	
Community Representatives Sue Cutmore (Chairperson); Janet Atkins; Sylvia Timbery; Patricia Lester; Shane Brown; Leonie Ebzery; Noel Wellington; Paul McLeod; Charlie Ashby; Janaya Hennessy; Morgan Blakeney; Valda Corrigan (NPWS); Sharlene Cruickshank (Nowra LALC); Rebecca Woods (Jerrinja LALC); Paul Keith (Ulladulla LALC)	

CARRIED

CL18.244 Business & Employment Development Committee

RESOLVED (Clr Pakes / Clr Watson)

MIN18.760

That Council continue the operation of the Business & Employment Development Committee for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – Four (4)	<u>Quorum</u> – Six (6)
Commencement time – 4pm	Terms of Reference: Nil
<p>Purpose</p> <ul style="list-style-type: none"> • To assist in the implementation of the Economic Development Strategy and monitor and report on performance. • Support the expansion of industry activities within the Shoalhaven, across all sectors. • Encourage the location of new industries in the region which will lead to an increase in the number of employment opportunities for the residents of the region • Grow the socio economic base of the Shoalhaven. • Examine and review employment development strategies and report on initiatives to carry their strategies forward. 	
Delegation – NIL	
Chairperson – Appointed by Committee	
2018-2019 Councillor / Staff Membership	
All Councillors General Manager or Nominee	
<p>Organisational Representatives</p> <p>John Lamont (Regional Development Australia) - Chairperson; Member for Gilmore Ann Sudmalis MP or nominee; Member for South Coast Shelley Hancock MP or nominee; Member for Kiama Gareth Ward MP or nominee; Robert Crow (Shoalhaven Tourism Advisory Group); Alison Chaim (Shoalhaven Arts Board); David Goodman, Debra Langton (President) (Shoalhaven Business Chamber); University of Wollongong Shoalhaven Campus (Vacant); NSW Department of Industry (Vacant); Milton Ulladulla Business Chamber (Vacant); Fiona Hatcher (Regional Development Australia); Kate Morris (NSW TAFE Bomaderry Campus – Manager); Ian Morris (Secondary Schools Representative); Scott Inman / Graham Baxter (Southern Regional Business Enterprise Centre), Steven Bayer (Shoalhaven Professional Business Association); Peter Masterson (Department of Industry, Innovation and Science); Representative – Manufacturing (Vacant); Representative – Defence (Vacant); Representative – Construction (Vacant)</p>	
<p>Community Representatives</p> <p>Three (3) Community Representatives - Lexie Meyer; James Coburn; Mary-Jean Ardent, Steve Prothero.</p>	

CARRIED

CL18.245 Council Bushcare Representatives Group

RESOLVED (Clr Pakes / Clr Levett)

MIN18.761

That Council continue the operation of the Council Bushcare Representatives Group for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – As required	<u>Quorum</u> – Five (5)
Commence time – 4.00pm	Terms of Reference: Nil
<p>Purpose:</p> <p>To act as an advisory group on all matters relating to the future directions of the Bushcare Policy and program</p>	

Delegation – NIL
Chairperson – Appointed by the Council
2018-2019 Councillor/Staff Membership Clr Levett (Chairperson) Clr White (Alternate) All Councillors
Community/ Organisational Representatives 7 Bushcare Group Representatives – Frances Bray; Mike Clear; Tony Jennings; Bryan Lenne; Bill Pigott; Kelly Cowlshaw; Len White Jason Carson (Local Land Services); Office of Environment & Heritage Representative (Vacant)

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

AGAINST: Clr Proudfoot

CARRIED

CL18.246 Homelessness Taskforce Shoalhaven

RESOLVED (Clr Pakes / Clr Gartner)

MIN18.762

That Council continue the operation of the Homelessness Taskforce Shoalhaven for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – Four (4) Commencement time: 4pm	Quorum – Eight (8) Terms of Reference: POL17/77 Amended: 15 August 2017
Purpose To provide appropriate and considered strategic advice on homelessness and related issues that can be dealt with at Council level. The Taskforce will work with Council to address issues, develop options and assist with the identification of preferred solutions as part of Councils decision making process.	
Role of the Committee The role of the Homelessness Taskforce is:- <ul style="list-style-type: none"> • Provide Council with strategic advice on homelessness and related issues that can be dealt with at a Local Government level. • Work with Council to address issues, develop options and assist with the identification of preferred solutions as part of Councils decision making process • Advise on the development and application of a Homelessness Strategic Plan • Provide comment on relevant Council policies and strategies • Advocate community views on homelessness issues 	
Delegation – NIL	
Chairperson – Appointed by the Committee	
2018-2019 Councillor/Staff Membership Clr Findley (Chairperson) All Councillors General Manager or Nominee	
Community Representatives Tamie Harvie (Community member), Penni Wildi (Waminda), Wendy Woodward (Nowra Show Society/community volunteer), Deborah Ferrier (Community volunteer), Lesley Labka (SAHSSI – Shoalhaven Women’s Homeless and DV Service), Wendi Hobbs (Shoalhaven Suicide Prevention and Awareness Network), Rev. Matthew Wilson (Nowra Uniting Church), Patricia David (Unions Shoalhaven), Peter Dover (Salt Ministries), Roslyn Poole (ISLHD - Homelessness Mental Health Program), Ashleigh Hudson (Mobile Response Vehicle	

coordinator), Max Zalakos (Nowra Baptist Church), Julie Bugden (Shoalhaven Homelessness Hub), Bernard Gleeson (St Vincent De Paul Nowra), Sharlene Naismith (Legal Aid), Natalie Beckett (HARP Unit – Sexual Health & Blood Borne Infections; and Aboriginal community member), Grant Johnson (Southern Cross Community Housing), Community Industry Group (formerly Illawarra Forum) (Vacant)

CARRIED

CL18.247 Inclusion and Access Advisory Group

MOTION (Clr Cheyne / Clr Gartner)

That Council continue the operation of the Inclusion and Access Advisory Group for the period to 20 September 2019 with Councillor membership being:

- Clr Alldrick (Chairperson)
- Clr Cheyne (Alternate Chairperson)
- All other Councillors observers
- General Manager or Nominee

AMENDMENT (RESOLVED) (Clr Pakes / Clr White)

MIN18.763

That Council continue the operation of the Inclusion and Access Advisory Group for the period to 20 September 2019 with Councillor membership being:

Meetings per year – Four (4) Commencement time – 11.00 am	Quorum – Five (5) Terms of Reference: POL18/7 Adopted 27 March 2018
<p>Purpose: To inform, educate and advise Shoalhaven City Council, its staff and residents on accessibility and inclusion with the purpose of creating accessible and inclusive community infrastructure by:</p> <ul style="list-style-type: none"> • Actively engaging with Council on policies, • Inputting on submissions and relevant legislation affecting accessibility and inclusion • Being a conduit for information and communication between community and Council, • Raising awareness in the Council, with its staff and in the community around inclusion and accessibility issues 	
Delegation – NIL	
Chairperson – Appointed by Committee and reaffirmed by Council	
<p>2018-2019 Councillor/Staff Membership Clr White (Chairperson) – to be confirmed by the committee Clr Pakes (Alternate Chairperson) – to be confirmed by the committee All other Councillors observers General Manager or Nominee</p>	
<p>Community Representatives Jackie Kay AM; Bill Deaves; Neville Foord; Andrea Wallace; Theo Bagou; Arthur Ball; Nola Stephens; Annette Pham; Stephen Taylor; Chris Mitchell; Kylie Knight; Grace Kennedy</p> <p>Organisational Representatives: Member for Gilmore – Anne Sudmalis MP or nominee; Leonie Dippel (Shoalhaven Community Transport); Alex Collins (Vision Australia); Jodie Hoyer (Vision Impairment Australia); Mel Gorman (Spinal Cord Injuries Australia); Murray Hair (Occupational Therapy Department, Shoalhaven Hospital – non attending member); Deb McKenzie (FOCAS Shoalhaven); Paul Snudden (NDIS/LAC)</p>	

CARRIED

The AMENDMENT upon becoming the MOTION was put and declared CARRIED

CL18.248 Nowra CBD Revitalisation Strategy Committee

MOTION (Clr Pakes / Clr White)

That Council continue the operation of the Nowra CBD Revitalisation Strategy Committee for the period to 20 September 2019 with Councillor membership being:

- Director of Assets and Works or delegate
- Director of Planning and Development or delegate
- All Councillors as non voting members

FOR: Clr Gash, Clr Wells, Clr White and Clr Pakes

AGAINST: Clr Findley, Clr Gartner, Clr Cheyne, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST

RESOLVED (Clr Pakes / Clr White)

MIN18.764

That Council continue the operation of the Nowra CBD Revitalisation Strategy Committee for the period to 20 September 2019 with Councillor membership being:

<p><u>Meetings per year</u> – Four (4) & others as required Commencement time – 4.00pm</p>	<p>Quorum – Five (5) Terms of Reference: POL18/22 Amended: 27 March 2018</p>
<p>Role of the Committee</p> <ul style="list-style-type: none"> • To direct the development and implementation of the Revitalisation Strategy for the Nowra CBD and review as appropriate. • To determine overall capital works programs established by the Nowra CBD Revitalisation Strategy, as amended from time to time. • To agree an annual capital works budget with council • To identify and approve all expenditure of funds identified in the Nowra CBD Revitalisation Strategy, additional funds allocated by council for capital expenditure in the Nowra CBD including any loans, grants or from funds from any other source. • To act as a communication conduit between Council and the CBD stakeholders in respect to the Nowra CBD Revitalisation Strategy with appropriate support from council as required. • Assist council in advocating the adopted CBD Revitalisation Strategy to the community. • Provide a report to council each year outlining progress towards achieving the goals set out in the CBD Revitalisation Strategy together with any recommendations for updating the Revitalisation Strategy. • Consult with relevant stakeholders as needed. 	
<p>Delegations:</p> <ul style="list-style-type: none"> • To expend funds allocated to the CBD Nowra Revitalisation Strategy Committee by Council within the approved budget. Budget adopted \$500,000. • To establish sub Committees as deemed appropriate. • To promote the advantages of the CBD inside and outside the area, including making press releases and promoting the Nowra CBD Revitalisation Strategy project. • To raise funds other than rates and loans to fund the objectives of the Committee. • To expend funds raised outside of Council as the Committee deems appropriate, e.g. promotions, entertainment etc. 	
<p>Chairperson – Appointed by the Committee</p>	
<p>2018-2019 Councillor/Staff Membership Clr Gash Clr White</p>	

<p>Clr Cheyne Director of Assets and Works or delegate Director of Planning and Development or delegate All other Councillors are non voting members</p>
<p>Community Representatives Two (2) community members: Wesley Hindmarch, vacant Two (2) land owners: James Caldwell (Chairperson), Annie Aldous Three (3) Business owner/operators: Scott Baxter, Brendan Goddard, George Parker One (1) Business retailer: Lynnette Kearney</p>

CARRIED

CL18.249 Rural Fire Service Strategic Planning Committee

Clr Pakes raised a Point of Order against Clr Levett

Clr Levett apologised for bringing the meeting into disrepute.

RESOLVED (Clr Pakes / Clr White)

MIN18.765

That Council continue the operation of the Rural Fire Service Strategic Planning Committee for the period to 30 September 2019 as outlined below:

<p><u>Meetings per year</u> – Two (2) – others as required Commencement time – 5.30 pm</p>	<p>Quorum – Five (5) Terms of Reference: Nil</p>
<p>Objectives: To advise Council on issues of a strategic and policy nature relating to the operation of the Rural Fire Services having regard to the following:</p> <ul style="list-style-type: none"> • That the core communication between brigades and Fire Control Officer on operational issues be raised through the Group Officers utilising the committee structure. • All issues be raised through Fire Control so that statutory matters can be resolved immediately. • Policy matters raised can be referred to the Strategy and Assets Committee through the General Manager so that statutory matters can be resolved. • That the Strategic Planning Committee be developed as the body advising Council on Rural Fire Service policy issues 	
<p>Delegation – NIL</p>	
<p>Chairperson – Appointed by the Council</p>	
<p>2018-2019 Councillor / Staff Membership Clr Pakes (Chairperson) Clr Kitchener Clr Gash General Manager or Nominee</p>	
<p>Community Representatives District Manager RFS – Mark Williams Staff Representative RFS – Chris Palmer Group Officer Primary Representative – Jennifer Lawther (Alternate – TBA) Group 1 Area Representative – Andrew Fielding (Alternate – Bob Johnston) Group 2 Area Representative – Vic Walker (Alternate – Jacqui Cox) Group 3 Area Representative – Martin Gaffey (Alternate – Ron Rollinson) Group 4 Area Representative – Paul Gleeson (Alternate – Geoff Phillips) Group 5 Area Representative – John Ashton (Alternate – TBA) Group 6 Support Brigades Representative – Bill Bean (Alternate – TBA) Operations Manager – Jervis Bay Territory Administration – Chris Baseler or nominee</p>	

CARRIED

CL18.250 Shoalhaven Arts Board

RESOLVED (Clr White / Clr Gash)

MIN18.766

That Council continue the operation of the Shoalhaven Arts Board for the period to 30 September 2019 as outlined below:

<p><u>Meetings per year</u> – Four (4) per year Commencement time – 1.00pm</p>	<p>Quorum – Majority of the members Terms of Reference: POL16/267 Amended: 27 June 2017</p>
<p>Purpose:</p> <ul style="list-style-type: none"> a) To contribute to and develop strategy and policy both for the Shoalhaven City Council as well as in alignment with the Region. b) To develop and implement policy, planning and vision for the broad arts within existing resources and use a co-opted panel of peers for professional advice. They include: <ul style="list-style-type: none"> • Visual Arts • Heritage and Museum Sector • Literature • Performing Arts c) Advocate and maintain specific arts related portfolios. d) Advocate and promote Board recommendations. 	
<p>Delegations:</p> <ul style="list-style-type: none"> • Act within adopted budgets aligning with Councils strategic plans and document, and make recommendations on the arts to Council • Appoint suitable representatives to fill casual vacancies on a set term basis • Inform and recommend policy for arts related funding programs, and where required by Council, vote on related matters • Establish a peer panel of professionals, experts and practitioners across art forms, heritage and cultural platforms to be co-opted as needed for input and advice to the Shoalhaven Arts Board • Establish a Shoalhaven Arts Foundation: <ul style="list-style-type: none"> o To support the development and enrichment of broad arts across the Shoalhaven including visual, heritage, literature & performing arts o To ensure that the Foundation in its governance, membership and charter are independent/ and at arms-length from Council yet works in concert with the Shoalhaven Arts Board, Council and the community needs o To fundraise and develop a sustainable principal investment to generate ongoing grant funds <p>Relevant staff will work collaboratively with the Shoalhaven Arts Board to:</p> <ul style="list-style-type: none"> • Develop and implement activities to achieve objectives in line with the Shoalhaven Arts Board recommendations, the Councils policies and corporate plan 	
<p>Chairperson – Appointed by the Board</p>	
<p>2018-2019 Councillor/ Staff Membership (Ward 1) Clr Wells (Ward 2) Clr Watson (Ward 3) Clr Kitchener</p>	
<p>Community Representatives Alison Chiam; Karen Akehurst; Barbara Dawson; Peter Lavelle; Shane Brown; Rob Crow (Shoalhaven Tourism Advisory Group)</p>	

CARRIED

CL18.251 Shoalhaven City Mayor's Relief Fund

RESOLVED (Clr Pakes / Clr Gash)

MIN18.767

That Council continue the operation of the Shoalhaven City Mayor's Relief Fund for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – One (1) & others as required	Quorum – Three (3)
No determined commencement time	Terms of Reference: Nil
Purpose:	
<ul style="list-style-type: none"> • The fund has been established and maintained as a public fund for the relief of persons in Australia who are in necessitous circumstances and it is intended that the public be invited to contribute to the fund. • A person will be in necessitous circumstances where his or her financial resources are insufficient to obtain all that is necessary, not only for a bare existence, but for a modest standard of living in the Australian community. • Necessitous circumstances may result from a disaster caused by flood, fire, drought, tempest or other calamity. 	
Delegations:	
The management of the fund is vested in the Shoalhaven City Mayor's Relief Fund Committee. Rules have been adopted by Council.	
Chairperson – Appointed by Council	
2018-2019 Councillor/ Staff Membership	
Mayor – Clr Findley (Chairperson)	
All Councillors	
General Manager or nominee	
Director Finance Corporate & Community Services	
Organisation Representatives	
Shoalhaven City Fire Control Officer; Coordinator Shoalhaven City State Emergency Services; Chairman – Nowra Ministers Association or nominee	

CARRIED

CL18.252 Shoalhaven Heads Estuary Taskforce

MOTION (Clr Pakes / Clr White)

That Council continue the operation of the Shoalhaven Heads Estuary Taskforce for the period to 30 September 2019 with Councillor Membership being comprised of all Councillors with Councillor Pakes as the Chairperson.

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

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

MOTION LOST ON THE CASTING VOTE OF THE CHAIR

RESOLVED (Clr Gartner / Clr Alldrick)

MIN18.768

That the Shoalhaven Heads Estuary Taskforce be disbanded.

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

AGAINST: Clr Gash, Clr Wells, Clr White, Clr Pakes, Clr Watson and Clr Proudfoot

CARRIED ON THE CASTING VOTE OF THE CHAIR

CL18.253 Shoalhaven Sport Board

RESOLVED (Clr Pakes / Clr White) MIN18.769

That Council continue the operation of the Shoalhaven Sports Board for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – Four(4) – Quarterly Commencement time – 5.00pm	Quorum – Seven (7)
	Terms of Reference: POL16/211 Amended: 16 August 2016
Purpose: To provide advocacy for the sporting community on policy, direction and strategic planning related to Councils objectives. To achieve this policy and strategic objective, the Board will be strategic in nature and focus on appointments to achieve this outcome.	
Role: <ul style="list-style-type: none"> • Represent the whole Shoalhaven Sporting Community (all sports) • Provide ongoing, high level policy and planning advice to Council. • Make recommendations to the Council on all relevant business presented before it • Advocate and maintain specific sports related portfolios. • Advocate and promote Board recommendations. 	
Delegation – NIL	
Chairperson – Appointed by Board	
2017-2018 Councillor/Staff Membership All Councillors General Manager or Nominee	2018-2019 Councillor/Staff Membership
Community Representatives – Nine (9) Local Community Members David Goodman (Chairperson); Elaine Caswell; Andrew Johnstone; Roger Walker; Syd Weller, Tony Hardman, Elizabeth Tooley, Lisa Kennedy, Phil Newlyn	
Organisational Representatives Keith Wallace (NSW Sport and Recreation)	

CARRIED

CL18.254 Shoalhaven Tourism Advisory Group

RESOLVED (Clr Pakes / Clr Alldrick) MIN18.770

That Council continue the operation of the Shoalhaven Tourism Advisory Group for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – At least Four (4) Commencement time – 5.00pm	Quorum – Seven (7)
	Terms of Reference: POL17/62 Amended 16 May 2017
Role and Purpose <ul style="list-style-type: none"> • Inform the development, implementation and review of council priorities from the Shoalhaven Tourism Master Plan and councils corporate plan. • Represent the tourism industry and advise and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in the Shoalhaven. • Promote the direct and in-direct value and benefits of tourism within the Shoalhaven and on a regional, state and national basis. 	
Delegations: <ul style="list-style-type: none"> • Make recommendation on the expenditure of the annual Shoalhaven marketing budget as provided by Council. • Appoint suitable representatives to fill casual vacancies 	

<ul style="list-style-type: none"> • Inform and recommend policy for tourism related funding programs, and where required by Council, vote on related matters.
Chairperson – Appointed by the Committee
2018-2019 Councillor/Staff Membership All Councillors – Two (2) with voting Rights Clr Gash – Voting Delegate Clr Alldrick – Voting Delegate Clr Pakes – Alternate Voting Delegate Clr Kitchener – Alternate Voting Delegate
Community/ Organisational Representatives Lynn Locke (Chairperson); Louise Hallum; Neil Rodgers; Paul McLeod; Robert Crow; Brenda Sambrook; James Lin; Juliet Barr; Kylie Pickett; David Goodman (Shoalhaven Sports Board Chairperson); David Duffy (NPWS Representative)

CARRIED

CL18.255 Youth Advisory Committee

RESOLVED (Clr Pakes / Clr White)

MIN18.771

That Council continue the operation of the Youth Advisory Committee for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – Four (4) Commencement time – 10.00am	Quorum – Six (6) Terms of Reference: POL18/49 Amended: 21/8/2018
Purpose: a) To represent the interests and views of young people to Council and the Community b) To provide an opportunity for young people to discuss issues of concern to young people c) To provide a mechanism for young people to make representations to organisations and various spheres of Government requesting appropriate action to improve facilities and services available to young people d) To give young people experience in Local Government and community affairs e) To create greater awareness and appreciation within the general community of the needs and talents of young people f) To provide a mechanism for young people to address youth issues themselves	
Delegation: Act within adopted budgets aligning with Councils strategic plans and documents to deliver youth programs and activities that meet the needs of local young people.	
Chairperson – Appointed by Committee at each meeting	
2018-2019 Councillor/Staff Membership All Councillors General Manager or Nominee	
Community Representatives Pallas Retimana; Hannah Schofield (Community Youth Representatives) 18 students from Year 9 & above (Two (2) voting representatives from each local High School) Member for Gilmore – Anne Sudmalis MP or nominee (Federal Member of Parliament); Member for Kiama – Gareth Ward MP or nominee; Member for South Coast – Shelley Hancock MP or nominee Jacob Williams Representatives from Shoalhaven Local Area Command NSW Police; Sanctuary Point Youth & Community Centre; Bay & Basin Community Resources; Regional Development Australia; Shoalhaven Business Chamber; 330 Squadron Australian Air Force Cadets	

CARRIED

CL18.230 Council Representative on Other Committees or Organisations Outside of Council

**HPERM Ref:
D18/315133**

Recommendation

That Council resolve the representative membership of Councillors and other delegates on other Committees or Organisations Outside of Council for the period to 30 September 2019.

RESOLVED (Clr Wells / Clr Pakes)

MIN18.772

That Council consider the representative membership of Councillors on other Committees or Organisations Outside of Council for the period to 30 September 2019 as individual additional items. (Refer to MIN18.773 to MIN18.793)

CARRIED

CL18.256 Council Representation - Australian Coastal Councils Association – 4043E

RESOLVED (Clr Wells / Clr Pakes)

MIN18.773

That Council appoints Councillor Wells as its representative on the Australian Coastal Councils Association for the period to 30 September 2019.

CARRIED

CL18.257 Council Representation - Batemans Marine Park Advisory Committee - 33451E

RESOLVED (Clr Pakes / Clr Kitchener)

MIN18.774

That Council appoints Councillors Proudfoot and Kitchener as its representatives on the Batemans Marine Park Advisory Committee for the period to 30 September 2019.

CARRIED

CL18.258 Council Representation - Cemeteries and Crematoria Association of NSW – 24714E

RESOLVED (Clr Pakes / Clr Findley)

MIN18.775

That Council appoints the Unit Manager - Bereavement Services - Ms Pamela Green as its representative on the Cemeteries and Crematoria Association of NSW for the period to 30 September 2019.

CARRIED

CL18.259 Council Representation - Healthy Cities Illawarra Management Committee – 4043E

RESOLVED (Clr Alldrick / Clr Pakes)

MIN18.776

That Council appoints the following Councillors as its representatives on the Healthy Cities Illawarra Management Committee for the period to 30 September 2019:

- Clr Alldrick
- Clr Kitchener (Alternate)

CARRIED

CL18.260 Council Representation - Illawarra Academy of Sport – 2388E

RESOLVED (Clr Pakes / Clr White)

MIN18.777

That Council appoints Councillor Wells as its representative on the Illawarra Academy of Sport for the period to 30 September 2019.

CARRIED

CL18.261 Council Representation - Illawarra Shoalhaven Joint Organisation – 2172E

MOTION (Clr Gartner / Clr Cheyne)

That Council appoints the following Councillors as its representatives on the Illawarra Shoalhaven Joint Organisation for the period to 30 September 2019:

- Clr Findley (Mayor)
- Clr Gartner
- Clr Kitchener (Alternate)

AMENDMENT (RESOLVED) (Clr Pakes / Clr White)

MIN18.778

That Council appoints the following Councillors as its representatives on the Illawarra Shoalhaven Joint Organisation for the period to 30 September 2019:

- Clr Findley (Mayor)
- Clr Wells
- Clr Kitchener (Alternate)

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

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

CARRIED

The AMENDMENT upon becoming the MOTION was put and declared CARRIED

CL18.262 Council Representation - Jervis Bay Marine Park Advisory Authority Committee – 1462E

MOTION (Clr Pakes / Clr Wells)

That with respect to the Jervis Bay Marine Park Advisory Authority Committee that Council:

1. Note the previous appointment of Clr Findley to the Committee for a period of 4 (four) years from 7 August 2015
2. Appoint Councillor Pakes as the Council alternate representative for the period to 30 September 2019

AMENDMENT (Clr Levett / Clr Gartner)

That with respect to the Jervis Bay Marine Park Advisory Authority Committee that Council

1. Note the previous appointment of Clr Findley to the Committee for a period of 4 (four) years from 7 August 2015
2. Appoint Councillor Levett as the Council alternate representative for the period to 30 September 2019

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

AGAINST: Clr Gash, Clr Wells , Clr White , Clr Pakes , Clr Watson , Clr Kitchener and Clr Proudfoot

AMENDMENT LOST

RESOLVED (Clr Pakes / Clr Wells)

MIN18.779

That with respect to the Jervis Bay Marine Park Advisory Authority Committee that Council:

1. Note the previous appointment of Clr Findley to the Committee for a period of 4 (four) years from 7 August 2015
2. Appoint Councillor Pakes as the Council alternate representative for the period to 30 September 2019

CARRIED

CL18.263 Council Representation - Joint Regional Planning Panel – 39782E

RESOLVED (Clr Pakes / Clr Watson)

MIN18.780

That Council appoints the following representatives on the Joint Regional Planning Panel for the period to 30 September 2019:

- Clr Watson (Council Member)
- Clr Pakes (Council Member)
- Clr White (Alternate Member)
- Mr Royston (Alternate Community Member)

CARRIED

CL18.264 Council Representation - NSW Country Mayors Association – 14214E

RESOLVED (Clr Pakes / Clr Findley)

MIN18.781

That Council appoints the following representatives on the NSW Country Mayors Association for the period to 30 September 2019:

- Clr Findley – Mayor
- Clr White – Deputy Mayor (alternate delegate)
- Russ Pigg – General Manager

CARRIED

CL18.265 Council Representation - NSW Public Libraries Association – 4442E

RESOLVED (Clr Gartner / Clr Levett)

MIN18.782

That Council appoints the following representatives on the NSW Public Libraries Association for the period to 30 September 2019:

- Clr Wells
- Library Services Manager

CARRIED

CL18.266 Council Representation - Rural Fire Service Shoalhaven District Liaison Committee – 2122E

RESOLVED (Clr Gartner / Clr Levett) MIN18.783

That Council appoints the following representatives on the Rural Fire Service Shoalhaven District Liaison Committee for the period to 30 September 2019:

- Clr Pakes
- Clr Gash
- General Manager (or nominee)

CARRIED

CL18.267 Council Representation - Shoalhaven Bush Fire Management Committee – 2820E

RESOLVED (Clr Gash / Clr Pakes) MIN18.784

That Council appoints the following representatives on the Shoalhaven Bush Fire Management Committee for the period to 30 September 2019:

- Clr Pakes
- Clr Gash (Alternate)
- General Manager (or nominee)

CARRIED

CL18.268 Council Representation - Safer Community Action Team – 3519E

RESOLVED (Clr Gartner / Clr Cheyne) MIN18.785

That Council appoints the following representatives on the Safer Community Action Team for the period to 30 September 2019:

- Clr Cheyne
- Clr Alldrick
- Clr White
- Clr Kitchener
- Clr Proudfoot
- Clr Pakes

CARRIED

CL18.269 Council Representation - Shoalhaven Traffic Committee – 1491E

RESOLVED (Clr Gartner / Clr Cheyne) MIN18.786

That Council appoints the following representatives on the Shoalhaven Traffic Committee for the period to 30 September 2019:

- Clr Gash – Informal Member
- Clr White – Informal Member
- Clr Pakes – Informal Member
- Assets Manager (Mr Tom Dimec) – Convenor/ Chairperson

CARRIED

CL18.270 Council Representation - South Coast Co-operative Library Services – 3934E

RESOLVED (Clr Gartner / Clr Levett)

MIN18.787

That Council appoints the following representatives on the South Coast Co-operative Library Services for the period to 30 September 2019:

- Clr Findley – Mayor
- All Councillors
- General Manager or nominee
- Director Finance Corporate & Community Services
- Library Services Manager

CARRIED

CL18.271 Council Representation – South Coast Correctional Centre Community Consultative Committee – 4043E

MOTION (Clr Cheyne / Clr Levett)

That Council appoints the following representatives on the South Coast Correctional Centre Community Consultative Committee for the period to 30 September 2019:

- Clr Levett
- Clr Cheyne
- Mr Paul Keech - Director Assets & Works

AMENDMENT (RESOLVED) (Clr Pakes / Clr Watson)

MIN18.788

That Council appoints the following representatives on the South Coast Correctional Centre Community Consultative Committee for the period to 30 September 2019:

- Clr Watson
- Clr Gash
- Mr Paul Keech - Director Assets & Works

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

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

CARRIED

The AMENDMENT upon becoming the MOTION was put and declared CARRIED

CL18.272 Council Representation - South East Australian Transport Strategy Inc – 3678E

MOTION (Clr Gash / Clr White)

That Council appoints the following representatives on the South East Australian Transport Strategy Inc. for the period to 30 September 2019:

- Clr White
- Clr Gash
- Mr Greg Pullen – Economic Development Manager (Alternate)

AMENDMENT (RESOLVED) (Clr Pakes / Clr Kitchener)

MIN18.789

That Council appoints the following representatives on the South East Australian Transport Strategy Inc. for the period to 30 September 2019:

- Clr White
- Clr Kitchener
- Mr Greg Pullen – Economic Development Manager (Alternate)

CARRIED

The AMENDMENT upon becoming the MOTION was put and declared CARRIED

CL18.273 Council Representation - Southern Tablelands and South Coast Regional Noxious Plants Committee – 3201E

RESOLVED (Clr Pakes / Clr Watson)

MIN18.790

That Council appoints the following representatives on the Southern Tablelands and South Coast Regional Noxious Plants Committee for the period to 30 September 2019:

- Clr White
- Clr Gash

CARRIED

CL18.274 Council Representation - Southern Water Services Pty Ltd – 4043E

RESOLVED (Clr Gartner / Clr Levett)

MIN18.791

That Council appoints the following representatives on Southern Water Services Pty Ltd for the period to 30 September 2019:

- Clr Wells
- Clr Watson
- Clr White
- Clr Gash
- Clr Pakes
- Ms Vanessa Phelan – Secretary

CARRIED

CL18.275 Council Representation - Ulladulla User Group – 4043E

RESOLVED (Clr Gartner / Clr Levett)

MIN18.792

That Council appoints Michael Strachan – Project Manager as its representative on the Ulladulla User Group for the period to 30 September 2019.

CARRIED

CL18.276 Council Representation - Ulladulla Working Port Committee – 4043E

RESOLVED (Clr Pakes / Clr Kitchener)

MIN18.793

That Council appoints the following representatives on the Ulladulla Working Port Committee for the period to 30 September 2019:

- Clr Kitchener
- Clr Proudfoot
- Clr White (Alternate)

CARRIED

CL18.231 Venue for Ordinary Council Meetings - Community Participation in Decision Making.

**HPERM Ref:
D18/319154**

Recommendation

That Council conducts

1. Ordinary and Extraordinary Meetings of the Council in the Council Chambers in Nowra to ensure the meetings are accessible to the community via Webcasting.
2. Additional Community Information Nights during the year to facilitate community participation in decision making and engagement with Councillors and staff. These nights be held as part of a broad yearly schedule which includes a range of other events and engagement opportunities undertaken with the community.

RESOLVED (Clr Gartner / Clr Wells)

MIN18.794

That Council conducts

1. Ordinary and Extraordinary Meetings of the Council in the Council Chambers in Nowra to ensure the meetings are accessible to the community via Webcasting.
2. Additional Community Information Nights during the year to facilitate community participation in decision making and engagement with Councillors and staff. These nights be held as part of a broad yearly schedule which includes a range of other events and engagement opportunities undertaken with the community.

CARRIED

CL18.232 Appointment of Replacement Voting Delegate - 2018 Local Government NSW Annual Conference

**HPERM Ref:
D18/322787**

Recommendation

That Council nominate Councillor [*insert name*] as the replacement Voting Delegate for the 2018 Local Government NSW Annual Conference scheduled for 21-23 October 2018 in Albury, NSW

RESOLVED (Clr Gartner / Clr Cheyne)

MIN18.795

That Council receive the report regarding Appointment of Replacement Voting Delegate - 2018 Local Government NSW Annual Conference for information.

CARRIED

**CL18.233 Donation Request - Wreck Bay Sharks Football Club -
3rd National Indigenous Football Championships**

**HPERM Ref:
D18/296549**

Recommendation

That Council donate \$4,000 to the Wreck Bay Sharks Football Club, for the 3rd National Indigenous Football Championships.

RESOLVED (Clr Cheyne / Clr Pakes)

MIN18.796

That Council donate \$4,000 to the Wreck Bay Sharks Football Club, for the 3rd National Indigenous Football Championships.

CARRIED

CL18.234 Section 355 Management Committees

**HPERM Ref:
D18/315165**

Recommendation

That:

1. The Section 355 Management Committees listed in this report, retain their delegated responsibility pursuant to Section 377 – LG Act for the care control and management of their facilities with authority to expend up to an amount of \$5,000 consistent with the delegation
2. The authorisation to the General Manager to appoint members as required be confirmed.
3. The following Section 355 Management Committees be renewed, however negotiations to transition these Committees to occupancy agreements continue. Management Committee to be dissolved upon formalised lease agreements. Update be provided to Council in the September 2019 Ordinary Meeting, Section 355 Management Committees Report:
 - a. Ahimsa Sailing Club Management Committee
 - b. Jervis Bay Maritime Museum
 - c. Vincentia Sailing Club
4. The following Section 355 Management Committee be acknowledged to have dissolved and management of the facility has reverted to Council:
 - a. West Street Oval Management Committee
5. The following Section 355 Management Committee be acknowledged to be disbanded, management of the facility revert to Council until such time as an occupancy agreement with current occupant be formalised:
 - a. Nowra Communal Youth Hall Management Committee

RESOLVED (Clr Proudfoot / Clr White)

MIN18.797

That:

1. The Section 355 Management Committees listed in this report, retain their delegated responsibility pursuant to Section 377 – LG Act for the care control and management of their facilities with authority to expend up to an amount of \$5,000 consistent with the delegation
2. The authorisation to the General Manager to appoint members as required be confirmed.
3. The following Section 355 Management Committees be renewed, however negotiations to transition these Committees to occupancy agreements continue. Management Committee to be dissolved upon formalised lease agreements. Update be provided to Council in the

September 2019 Ordinary Meeting, Section 355 Management Committees Report:

- a. Ahimsa Sailing Club Management Committee
 - b. Jervis Bay Maritime Museum
 - c. Vincentia Sailing Club
4. The following Section 355 Management Committee be acknowledged to have dissolved and management of the facility has reverted to Council:
- a. West Street Oval Management Committee
5. The following Section 355 Management Committee be acknowledged to be disbanded, management of the facility revert to Council until such time as an occupancy agreement with current occupant be formalised:
- a. Nowra Communal Youth Hall Management Committee

CARRIED

CL18.235 Acceptance of Grant Funding - NSW Stronger Country Communities Fund

HPERM Ref: D18/303808

Recommendation

That Council

1. Accept the NSW Government grant funding (\$2,721,451) to provide:
 - Air conditioning units at five (5) Community Centres - \$62,570,
 - Drainage &/or Irrigation at six (6) sportsgrounds - \$738,725,
 - Added Area Floodlight & Power boards Upgrade – Nowra Showground - \$188,613.
 - Amenities – Public Toilets to Tourist locations - \$280,000
 - Shade structures over five (5) local playgrounds - \$136,785
 - Pergola Shade Structures & Picnic installations at four (4) local reserves - \$53,147
 - Playground Installations – Upgrade existing aged infrastructure at four (4) local reserves - \$380,000
 - BBQ & Shelter Installations at five (5) local reserves - \$115,657
 - Beach Accessway – Inclusive beach access Balfleur Beach, Plantation Point Jervis Bay - \$150,000
 - Community Fitness Stations – Outdoor Gymnasiums (exercise equipment) at two (2) local reserves - \$139,750
 - Floodlight Controller upgrade – Installation of automatic controllers at sportsgrounds – seventeen (17) sportsgrounds - \$114,943
 - Tennis court fencing – four (4) local courts - \$181,366
 - Tennis Court Resurfacing – fifteen (15) courts / nine (9) local facilities - \$179,895
2. Delegate authority to the General Manager or nominee, to accept and acquit the grant funding
3. Write to NSW Government and local Members of Parliament, and thank them for the grant offer.

RESOLVED (Clr Gartner / Clr Wells)

MIN18.798

That Council

1. Accept the NSW Government grant funding (\$2,721,451) to provide:
 - Air conditioning units at five (5) Community Centres - \$62,570,
 - Drainage &/or Irrigation at six (6) sportsgrounds - \$738,725,
 - Added Area Floodlight & Power boards Upgrade – Nowra Showground - \$188,613.
 - Amenities – Public Toilets to Tourist locations - \$280,000

- Shade structures over five (5) local playgrounds - \$136,785
 - Pergola Shade Structures & Picnic installations at four (4) local reserves - \$53,147
 - Playground Installations – Upgrade existing aged infrastructure at four (4) local reserves - \$380,000
 - BBQ & Shelter Installations at five (5) local reserves - \$115,657
 - Beach Accessway – Inclusive beach access Balfleur Beach, Plantation Point Jervis Bay - \$150,000
 - Community Fitness Stations – Outdoor Gymnasiums (exercise equipment) at two (2) local reserves - \$139,750
 - Floodlight Controller upgrade – Installation of automatic controllers at sportsgrounds – seventeen (17) sportsgrounds - \$114,943
 - Tennis court fencing – four (4) local courts - \$181,366
 - Tennis Court Resurfacing – fifteen (15) courts / nine (9) local facilities - \$179,895
2. Delegate authority to the General Manager or nominee, to accept and acquit the grant funding
 3. Write to NSW Government and local Members of Parliament, and thank them for the grant offer.

CARRIED

CL18.236 Investment Report - August 2018

**HPERM Ref:
D18/319889**

Recommendation

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

RESOLVED (Clr Gartner / Clr Wells)

MIN18.799

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

CARRIED

**CL18.237 Proposed Submission - State Heritage Register Listing -
Hampden Bridge, Kangaroo Valley**

**HPERM Ref:
D18/288444**

Recommendation

That Council make a submission to the Heritage Council of NSW in relation to the Notice of Intention to consider listing Hampden Bridge, Kangaroo Valley on the State Heritage Register (**Attachment 1**), prior to the end of the comment period.

RESOLVED (Clr Alldrick / Clr Gartner)

MIN18.800

That Council make a submission to the Heritage Council of NSW in relation to the Notice of Intention to consider listing Hampden Bridge, Kangaroo Valley on the State Heritage Register (**Attachment 1**), prior to the end of the comment period.

CARRIED

**CL18.238 DA18/1598 – 145 & 159 Princes Highway, South Nowra –
Lot A DP 403839 & Lot 100 DP 1101535**

**HPERM REF:
D18/304198**

Item dealt with earlier in the meeting see MIN18.729

CL18.239 Tenders - TM7 Bolong Road Watermain Replacement

**HPERM Ref:
D18/314767**

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 White)

MIN18.801

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 White)

MIN18.802

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.

CCL18.16 Tenders - TM7 Bolong Road Watermain Replacement

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 10.54pm.

The meeting moved into open session, the time being 10.56pm.

REPORT FROM CONFIDENTIAL SESSION

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

CCL18.16 Tenders - TM7 Bolong Road Watermain Replacement

**HPERM Ref:
D18/313791**

RESOLVED

MIN18.803C

That

1. Council accept the Tender from Lynch Civil for TM7 Bolong Road Watermain Replacement project at a total cost of \$947,710.00 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General Manager (Director Shoalhaven Water).
3. Authorise the General Manager (Director Shoalhaven Water) to adjust the contract for variations for components under the contract.

CARRIED

There being no further business, the meeting concluded, the time being 10.58pm.

Clr Findley
CHAIRPERSON