

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 30 October 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 – left during confidential 10.20pm
Clr John Wells
Clr Patricia White – left 9.51pm, returned during confidential session
Clr Kaye Gartner – left 9.16pm
Clr Nina Cheyne
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile – left 9.51pm
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 Guile and the playing of the Australian National Anthem.

Apologies / Leave of Absence

RESOLVED (Clr White / Clr Guile)

MIN18.830

That the request for leave of absence for the following Councillors be granted:

- Clr Gash – 12 – 18 November 2018
- Clr White – 12 – 17 November 2018
- Clr Levett – 3 – 8 November 2018

CARRIED

Confirmation of the Minutes

RESOLVED (Clr Alldrick / Clr Cheyne)

MIN18.831

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 25 September 2018 and the Extra Ordinary Meeting of Ordinary Meeting held on Tuesday 16 October 2018 be confirmed.

CARRIED

Note: Correction for the Minutes of 25 September 2018, Clr Alldrick was present at the meeting.

Declarations of Interest

Clr Wells – CL18.266 – Notice of Motion - Proposed Mobile Phone Tower - 7 Edward Street Berry (Lot 11 DP 771830) – less than significant non pecuniary interest declaration – his wife is a former president of Berry Pre-school – will remain in the room and will take part in discussion and vote.

Stephen Dunshea – Director Finance, Corporate and Community Services – CL18.301 - Management and Operation of the Shoalhaven Indoor Sports Centre & Bomaderry Basketball Stadium – significant non pecuniary interest declaration – he is the Director of Shoalhaven Swim and Fitness who is a party in this matter – will leave the room and will not take part in discussion.

Russ Pigg – General Manager – CCL18.19 - Material Recovery Facility Service Contract – significant non pecuniary interest declaration – this matter involves the company of which my previous neighbour and good friend is involved as Director – will leave the room and will not take part in discussion.

Clr Findley – CL18.309 - Drought affected Farmers - Assistance Measures - significant non pecuniary interest declaration – she may or may not benefit from this decision – will leave the room and will not take part in discussion or vote.

MAYORAL MINUTE

MM18.16 Mayoral Minute - Public Library Funding

**HPERM Ref:
D18/351437**

Recommendation

That:

1. Council endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
2. Council note the announcement by the NSW Government on 24 August 2018 of its intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23.
3. Council support the ongoing *Renew Our Libraries* initiative to secure the pledged funding, clarify the funding components and liaise with the government regarding the funding model.
4. Council support *Renew Our Libraries* to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
5. Council take a leading role in activating the campaign locally.

6. Council endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
7. Council formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

RESOLVED (Clr Findley / Clr Gartner)

MIN18.832

That Council:

1. Endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
2. Note the announcement by the NSW Government on 24 August 2018 of its intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23.
3. Support the ongoing *Renew Our Libraries* initiative to secure the pledged funding, clarify the funding components and liaise with the government regarding the funding model.
4. Support *Renew Our Libraries* to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
5. Take a leading role in activating the campaign locally.
6. Endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
7. Formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

CARRIED

Procedural Motion - Introduction of Addendums

RESOLVED (Clr Pakes / Clr Gartner)

MIN18.833

That the following matters be introduced for consideration:

- MM18.17 – Mayoral Minute - Cities Power Partnership
- MM18.18 – Mayoral Minute - Solarization of Shoalhaven Entertainment Centre
- MM18.19 – Mayoral Minute - Shoalhaven Council support for Save Our Recycling – Waste Levies for Waste Management

CARRIED

MM18.17 Mayoral Minute - Cities Power Partnership

**HPERM Ref:
D18/372080**

Recommendation

That Council

1. Congratulate Darren O’Connell, Energy Management Coordinator and the South East Councils Buddy Group for their recent ‘Knowledge Sharing’ award from the Cities Power Partnership.
2. Write to Bega Valley, Eurobodalla, Wingecarribee and Kiama Councils and acknowledge their contributions as South East buddy group partnership.

3. Write to the Illawarra Shoalhaven Joint Organisation of Councils to alert them to the work of the South East Group so that any advantages can be maximized to include Shellharbour and Wollongong.

RESOLVED (Clr Findley / Clr Gartner)

MIN18.834

That Council

1. Congratulate Darren O'Connell, Energy Management Coordinator and the South East Councils Buddy Group for their recent 'Knowledge Sharing' award from the Cities Power Partnership.
2. Write to Bega Valley, Eurobodalla, Wingecarribee and Kiama Councils and acknowledge their contributions as South East buddy group partnership.
3. Write to the Illawarra Shoalhaven Joint Organisation of Councils to alert them to the work of the South East Group so that any advantages can be maximized to include Shellharbour and Wollongong.

CARRIED

**MM18.18 Mayoral Minute - Solarization of Shoalhaven
Entertainment Centre**

**HPERM Ref:
D18/373360**

Recommendation

That

1. The General Manager report on the economic feasibility of solarization of the Shoalhaven Regional Arts Centre, Shoalhaven Entertainment Centre and the Nowra Library.
2. The General Manager report on how a funding model could provision for these projects with a minimum disruption to the long term financial plan.
3. The General Manager also undertake investigations into the Darebin City Council Solar Savers scheme and report back to Council how such a model could be offered in the Shoalhaven.

RESOLVED (Clr Findley / Clr Gash)

MIN18.835

That the General Manager:

1. Report on the economic feasibility of solarization of the Shoalhaven Regional Arts Centre, Shoalhaven Entertainment Centre, the Nowra Administrative Centre, Shoalhaven Indoor Sports Centre and the Nowra Library.
2. Report on how a funding model could provision for these projects with a minimum disruption to the long term financial plan.
3. Also undertake investigations into the Darebin City Council Solar Savers scheme and report back to Council how such a model could be offered in the Shoalhaven.
4. Submit a report to Council in relation to water collection and a water reuse & reticulation scheme on the roof of the Shoalhaven Indoor Sport Centre.

CARRIED

MM18.19 Mayoral Minute - Shoalhaven Council support for Save Our Recycling – Waste Levies for Waste Management

**HPERM Ref:
D18/374185**

Recommendation

That:

1. Shoalhaven City Council endorse the LGNSW Save Our Recycling campaign.
2. Council use available resources locally.

Note: Clr White left the meeting – 5.49pm

RESOLVED (Clr Findley / Clr Pakes)

MIN18.836

That Shoalhaven City Council:

1. Endorse the LGNSW Save Our Recycling campaign.
2. Use available resources locally.

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL18.287 – Notice of Motion – Hyams Beach – Traffic Management - (Page 21)

Mark Crowther –addressed the meeting to speak **for** the recommendation

Note: Clr White returned to the meeting during the deputation – 5.51pm

CL18.307 – Building Better Regions Fund Round 3 – (Page 4 Addendum 1)

Deborah Ely, Bundanon Trust –addressed the meeting to speak **for** the recommendation

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr White)

MIN18.837

That the following matters be brought forward for consideration:

- CL18.287 – Notice of Motion - Hyams Beach - Traffic Management
- CL18.307 – Building Better Regions Fund Round 3

CARRIED

CL18.287 Notice of Motion - Hyams Beach - Traffic Management

**HPERM Ref:
D18/370035**

Recommendation

That Council

1. Recognises the need for ongoing Community engagement with the Hyams Beach Community to address short and long term options to manage traffic in the village to protect the amenity and safety of both residents and tourists.

2. Convene a meeting in November 2018 with all Hyams Beach residents and ratepayers to provide feedback at the conclusion of the Council Survey process and to hear community views.
3. Invite all Councillors and Senior Heads of Council Departments to that Meeting.

RESOLVED (Clr Levett / Clr Alldrick)

MIN18.838

That Council:

1. Recognises the need for ongoing Community engagement with the Hyams Beach Community to address short and long term options to manage traffic in the village to protect the amenity and safety of both residents and tourists.
2. Convene a meeting in November 2018 with all Hyams Beach residents and ratepayers to provide feedback at the conclusion of the Council Survey process and to hear community views.
3. Invite all Councillors and Senior Heads of Council Departments to that Meeting.

CARRIED

CL18.307 Building Better Regions Fund Round 3

**HPERM Ref:
D18/359852**

Recommendation

That Council:

1. Endorse the following projects to proceed as applications under the Infrastructure Stream of the Building Better Regions Fund (Round 3):
 - a. Burton St (Vincentia) Project to the value of \$3m, seeking grant funding of \$1.5m with a Council contribution of \$1.5m
 - b. Sydney & Owen St roundabout at Huskisson to the value of \$1.4m, seeking grant funding of \$700,000 with a Council contribution of \$700,000
 - c. A project at Myola to provide car park, public amenities, and traffic calming to the value of \$1.2m, seeking grant funding of \$600,000 with a Council contribution of \$600,000
 - d. A project at Berry to provide a nature play area, including learn to ride facility, in Boongaree Park to the value of \$1.0m, seeking grant funding of \$500,000 with a Council contribution of \$500,000
 - e. A project at Swanhaven to provide a shared user path bridge to the value of \$1.5m, seeking grant funding of \$750,000 with a Council contribution of \$750,000
2. Note that Council matching contributions for the Infrastructure Stream projects, totalling \$4.05M, will be sourced from a combination of internal borrowing from reserves and future capital budget allocations over the period 2018/19 to 2020/21
3. Endorse that Shoalhaven City Council auspice Stage 1 of the Riversdale Masterplan at Riversdale, seeking grant funding of up to \$9.5m from the Building Better Regions Fund (Infrastructure Stream) subject to Bundanon Trust providing evidence of the matching funding and a funding pathway to complete the Stage 1 project by December 2021
4. Endorse the following projects to proceed as applications under the Community Investment Stream of the Building Better Regions Fund (Round 3):
 - a. At Ulladulla, a project to address safety and amenity at Warden Headland to the value of \$200,000, seeking grant funding of \$100,000 with the matching contribution of \$100,000 coming from Crown Lands over the period 2018/19 to 2020/21

- b. At each of the four local Showgrounds, a project to create a Master Plan and Plan of Management at a combined cost of \$400,000, seeking grant funding of \$200,000 with the matching contribution of \$200,000 coming from a combination of Crown Lands and the Community & Recreational budget over the period 2018/19 to 2020/21
- c. To develop a Community Needs Gap Report of Disadvantaged Communities, a project to address issues at Bomaderry, Sanctuary Point and Wreck Bay (JB Territory) to the value of \$50,000, seeking grant funding of \$25,000 with the matching contribution of \$25,000 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- d. At Ulladulla Skate Park, a project to undertake a Master Plan and final design to the value of \$100,000, seeking grant funding of \$50,000 with the matching contribution of \$50,000 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- e. To develop a Bay & Basin Community Precinct Detailed Design, to the value of \$250,000, seeking grant funding of \$125,000 with the matching contribution of \$125,000 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- f. At Paringa Park, Nowra, a project to undertake detailed design to the value of \$150,000, seeking grant funding of \$75,000 with the matching contribution of \$75,000 coming from the Community & Recreational budget in 2018/19
- g. To develop a Shoalhaven Public Transport Audit and Strategic Plan to the value of \$75,000, seeking grant funding of \$37,500 with the matching contribution of \$37,500 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- h. To develop a Shoalhaven Health & Wellbeing Strategy to the value of \$100,000, seeking grant funding of \$50,000 with the matching contribution of \$50,000 coming from the Community & Recreational budget over the period 2018/19 to 2020/21

RESOLVED (Clr Wells / Clr White)

MIN18.839

That Council:

1. Endorse the following projects to proceed as applications under the Infrastructure Stream of the Building Better Regions Fund (Round 3) in the following priority order:
 - a. A project at Myola to provide car park, public amenities, and traffic calming to the value of \$1.2m, seeking grant funding of \$600,000 with a Council contribution of \$600,000
 - b. A project at Berry to provide a nature play area, including learn to ride facility, in Boongaree Park to the value of \$1.0m, seeking grant funding of \$500,000 with a Council contribution of \$500,000
 - c. Burton St (Vincentia) Project to the value of \$3m, seeking grant funding of \$1.5m with a Council contribution of \$1.5m
 - d. Sydney & Owen St roundabout at Huskisson to the value of \$1.4m, seeking grant funding of \$700,000 with a Council contribution of \$700,000
 - e. A project at Swanhaven to provide a shared user path bridge to the value of \$1.5m, seeking grant funding of \$750,000 with a Council contribution of \$750,000
2. Note that Council matching contributions for the Infrastructure Stream projects, totalling \$4.05M, will be sourced from a combination of internal borrowing from reserves and future capital budget allocations over the period 2018/19 to 2020/21
3. Endorse that Shoalhaven City Council auspice Stage 1 of the Riversdale Masterplan at Riversdale, seeking grant funding of up to \$9.5m from the Building Better Regions Fund (Infrastructure Stream) subject to Bundanon Trust providing evidence of the matching funding and a funding pathway to complete the Stage 1 project by December 2021
4. Endorse the following projects to proceed as applications under the Community Investment Stream of the Building Better Regions Fund (Round 3):

- a. At Ulladulla, a project to address safety and amenity at Warden Headland to the value of \$200,000, seeking grant funding of \$100,000 with the matching contribution of \$100,000 coming from Crown Lands over the period 2018/19 to 2020/21
- b. At each of the four local Showgrounds, a project to create a Master Plan and Plan of Management at a combined cost of \$400,000, seeking grant funding of \$200,000 with the matching contribution of \$200,000 coming from a combination of Crown Lands and the Community & Recreational budget over the period 2018/19 to 2020/21
- c. To develop a Community Needs Gap Report of Disadvantaged Communities, a project to address issues at Bomaderry, Sanctuary Point, Nowra East and Wreck Bay (JB Territory) to the value of \$50,000, seeking grant funding of \$25,000 with the matching contribution of \$25,000 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- d. At Ulladulla Skate Park, a project to undertake a Master Plan and final design to the value of \$100,000, seeking grant funding of \$50,000 with the matching contribution of \$50,000 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- e. To develop a Bay & Basin Community Precinct Detailed Design, to the value of \$250,000, seeking grant funding of \$125,000 with the matching contribution of \$125,000 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- f. At Paringa Park, Nowra, a project to undertake detailed design to the value of \$150,000, seeking grant funding of \$75,000 with the matching contribution of \$75,000 coming from the Community & Recreational budget in 2018/19
- g. To develop a Shoalhaven Public Transport Audit and Strategic Plan to the value of \$75,000, seeking grant funding of \$37,500 with the matching contribution of \$37,500 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- h. To develop a Shoalhaven Health & Wellbeing Strategy to the value of \$100,000, seeking grant funding of \$50,000 with the matching contribution of \$50,000 coming from the Community & Recreational budget over the period 2018/19 to 2020/21
- i. Investigate the opportunity for a submission for the Stewart Place Masterplan.

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

AGAINST: Clr Alldrick, Clr Levett and Clr Proudfoot

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL18.281 Notice of Motion - Old Sanctuary Point Library

**HPERM Ref:
D18/358526**

Recommendation

That the General Manager undertake an assessment of the possibility of leaving the Existing building onsite to be used by the school community. The assessment consider the following:

1. The cost of relocating the building to Sussex Inlet, as originally intended, as opposed to the construction of a New building.
2. The possible use of an existing building at Sussex Inlet either leased or owned by Council.

3. Should relocation of the building be determined not to be desirable for any of the above reasons Council open negotiations with School Principal and the Department of Education regarding the possibility of leaving the building on site.

RESOLVED (Clr Watson / Clr Pakes)

MIN18.840

That the General Manager undertake an assessment of the possibility of leaving the existing building onsite to be used by the school community. The assessment consider the following:

1. The cost of relocating the building to Sussex Inlet, as originally intended, as opposed to the construction of a New building.
2. The possible use of an existing building at Sussex Inlet either leased or owned by Council.
3. Should relocation of the building be determined not to be desirable for any of the above reasons Council open negotiations with School Principal and the Department of Education regarding the possibility of leaving the building on site.

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr White)

MIN18.841

That the matter of item CL18.298 – Nowra Sailing Club Site – Way Forward be brought forward for consideration.

CARRIED

CL18.298 Nowra Sailing Club Site - Way Forward

**HPERM Ref:
D18/366373**

Recommendation

That Council:

1. Accepts this report for information.
2. Proceeds to detailed designs for the proposed structure in line with the concept of a pavilion picnic facility in the Nowra Riverfront Entertainment and Leisure Precinct Proposed Planning Controls Report (less provision of toilets).
3. Proceeds with detailed design and installation of the interpretative signage and obtain any further advice in relation to heritage requirements in accordance with the Statement of Heritage Impact Report prepared by Cosmos Archaeology.
4. Calls tenders or quotations as necessary for the removal of the existing wharf and construction of the proposed structure.
5. Receives a further report in relation to the above.

RESOLVED (Clr Cheyne / Clr Proudfoot)

MIN18.842

That Council:

1. Accepts this report for information.
2. Proceeds to detailed designs for the proposed structure in line with the concept of a pavilion picnic facility in the Nowra Riverfront Entertainment and Leisure Precinct Proposed Planning Controls Report (less provision of toilets).

3. Proceeds with detailed design and installation of the interpretative signage and obtain any further advice in relation to heritage requirements in accordance with the Statement of Heritage Impact Report prepared by Cosmos Archaeology.
4. Calls tenders or quotations as necessary for the removal of the existing wharf and construction of the proposed structure.
5. Receives a further report in relation to the above.

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Pakes / Clr Guile)

MIN18.843

That the meeting be adjourned to allow for refreshments.

CARRIED

The meeting adjourned the time being 7.02pm

The meeting reconvened the time being 7.28pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr Kaye Gartner
Clr Nina Cheyne
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

Procedural Motion - Bring Item Forward

RESOLVED (Clr Proudfoot / Clr Gartner)

MIN18.844

That the matter of item CL18.302 - SA18.248 - Positive Covenant - Asset Protection Zone - Over Part Crown land - Reserve R89771 - adjoining 2 Greville Ave, Sanctuary Point be brought forward for consideration.

CARRIED

**CL18.302 SA18.248 - Positive Covenant - Asset Protection Zone -
Over Part Crown land - Reserve R89771 - adjoining 2
Greville Ave, Sanctuary Point**

**HPERM Ref:
D18/368566**

Recommendation

That Council:

1. Resolve to approve the creation of a variable width Asset Protection Zone (BAL-40 line) over part of Crown Reserve R89771 adjoining the western boundary of Lot 1 Sec A DP8366 by way of a positive covenant in accordance with the provisions of Section 88E, Conveyancing Act 1919 which requires the owners of Lot 1 to undertake the activities defined in the APZ Management Plan.
2. Require the owners of the benefitting land comprised in Lot 1 Sec A DP8366, to pay compensation to Council in the amount of \$500 plus GST (if applicable) and to meet all costs associated with the creation of the positive covenant;
3. Require that the owners of Lot 1 Sec A DP8366 indemnify Council against any loss, injury or damages incurred whilst on Council managed land and undertaking the activities defined in the APZ Management Plan; and
4. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.845

That Council:

1. Resolve to approve the creation of a variable width Asset Protection Zone (BAL-40 line) over part of Crown Reserve R89771 adjoining the western boundary of Lot 1 Sec A DP8366 by way of a positive covenant in accordance with the provisions of Section 88E, Conveyancing Act 1919 which requires the owners of Lot 1 to undertake the activities defined in the APZ Management Plan.
2. Require the owners of the benefitting land comprised in Lot 1 Sec A DP8366, to pay compensation to Council in the amount of \$500 plus GST (if applicable) and to meet all costs associated with the creation of the positive covenant;
3. Require that the owners of Lot 1 Sec A DP8366 indemnify Council against any loss, injury or damages incurred whilst on Council managed land and undertaking the activities defined in the APZ Management Plan; and
4. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

Procedural Motion – Introduction of Presentation of Petition

RESOLVED (Clr Cheyne)

MIN18.846

That a Presentation of Petition be introduced.

CARRIED

Clr Cheyne presented a petition containing 1213 signatures which states:

Help Save Waratah Park as Public Space. We call on the Shoalhaven City Council to urgently:

1. *Purchase the freehold property known as Waratah Park located at 49 Meroo Street within the precinct of the Bomaderry shopping centre.*
2. *Dedicate the property as public open space for community purposes such as gatherings, picnics, children’s play area and community garden.*

The property was an unkempt vacant block for many years until 18 months ago, when the Pride of Bomaderry CCB, with consent of the owner, developed it as a public park.

The owner is willing to sell the land at a reasonable price. In recognition of its value as a community resource held in public ownership, the community calls on Council to urgently resolve this problem by purchasing the property. Council has paid the insurance for the current year but the park is still under threat.

The Community Consultative Body will assist Council with ongoing maintenance and management of this valued piece of real estate.

CL18.282 Notice of Motion - Media Releases

**HPERM Ref:
D18/364396**

Recommendation

That all Councillors are included and copied in any Council media alerts, releases or other distribution at the same time as that distribution occurs.

RESOLVED (Clr Guile / Clr Wells)

MIN18.847

That the Notice of Motion – Media Releases be received for information.

CARRIED

CL18.283 Notice of Motion - Pedestrian Access & Mobility Plan (PAMP)

**HPERM Ref:
D18/368261**

Recommendation

That Council

1. Consider the inclusion of the VRRRA’s priorities in the Pedestrian Access & Mobility Plan (PAMP) for future work’s programmes
 - a. Priority 1: Pathway extension from corner of Elizabeth Drive and Minerva Avenue up along Minerva Avenue to address significant safety concerns, as well as traffic calming measures to slow traffic down the steep slope of Minerva Avenue;
 - b. Priority 2: Upgrade of the current bush track from Plantation Point to Blenheim Beach (ie continuation of the Round the Bay walk) for tourism and resident amenity purposes;

- c. Priority 3: Pathway through the bush from Erowal Bay to the Wool Road Vincentia or the alternative route adjacent to the golf links at Vincentia.

Each of the above proposals were previously identified in the VRRRA submissions to the Strategic Planning/Delivery Program and Operations Planning Process.

- 2. Investigates the possibility of transferring any existing funding for inclusive access facilities for Huskisson that could be made available for inclusive access facilities at Plantation Point Reserve playground
- 3. Investigates the urgent need to provide a pedestrian refuge at the corner of Elizabeth Drive and Berry St to address the significant safety concerns that arise during the holiday season, as large numbers of pedestrians and cyclists attempt to cross the very busy Elizabeth Drive to gain access to the Round the Bay pathway.

This proposal was previously identified in the VRRRA submissions to the Strategic Planning/Delivery Program and Operations Planning Process.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.848

That Council:

- 1. Consider the inclusion of the VRRRA's priorities in the Pedestrian Access & Mobility Plan (PAMP) for future work's programmes
 - a. Priority 1: Pathway extension from corner of Elizabeth Drive and Minerva Avenue up along Minerva Avenue to address significant safety concerns, as well as traffic calming measures to slow traffic down the steep slope of Minerva Avenue;
 - b. Priority 2: Upgrade (non-hard surface) of the current bush track from Plantation Point to Blenheim Beach (ie continuation of the Round the Bay walk) for tourism and resident amenity purposes;
 - c. Priority 3: Pathway through the bush from Erowal Bay to the Wool Road Vincentia or the alternative route adjacent to the golf links at Vincentia.

Each of the above proposals were previously identified in the VRRRA submissions to the Strategic Planning/Delivery Program and Operations Planning Process.

- 2. Investigates the possibility of transferring any existing funding for inclusive access facilities for Huskisson that could be made available for inclusive access facilities at Plantation Point Reserve playground
- 3. Investigates the urgent need to provide a pedestrian refuge at the corner of Elizabeth Drive and Berry St to address the significant safety concerns that arise during the holiday season, as large numbers of pedestrians and cyclists attempt to cross the very busy Elizabeth Drive to gain access to the Round the Bay pathway.

This proposal was previously identified in the VRRRA submissions to the Strategic Planning/Delivery Program and Operations Planning Process.

CARRIED

CL18.284 Notice of Motion - Community Consultative Body (CCB) Meetings

**HPERM Ref:
D18/368304**

Recommendation

That Council's governance staff clearly outline the role of the elected councillors at C.C.B meetings, in an endeavour to ensure that these incredibly important community engagement forums are free from political interference.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.849

That Council's governance staff clearly outline the role of the elected councillors at C.C.B meetings, in an endeavour to ensure that these incredibly important community engagement forums are free from political interference.

CARRIED

CL18.285 Notice of Motion - West Culburra Development Project

**HPERM Ref:
D18/369367**

Recommendation

That Council

1. Notes the decision of the Independent Planning Commission to refuse the West Culburra State Significant Development Application.
2. Express its disappointment that the Commission has refused the development application.
3. Thank relevant Council staff for their active participation in West Culburra State Significant Development Application consultation process run by the Independent Planning Commission.

RESOLVED (Clr Pakes / Clr Watson)

MIN18.850

That Council:

1. Notes the decision of the Independent Planning Commission to refuse the West Culburra State Significant Development Application.
2. Express its disappointment that the Commission has refused the development application.
3. Thank relevant Council staff for their active participation in West Culburra State Significant Development Application consultation process run by the Independent Planning Commission;
4. Write to the Member for Kiama and Parliamentary Secretary for Illawarra Gareth Ward MP and Member for South Coast the Hon Shelley Hancock MP expressing extreme concern in the manner that this matter was dealt with by the Department of Planning.

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

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

CARRIED

**CL18.286 Notice of Motion - Proposed Mobile Phone Tower - 7
Edward Street Berry (Lot 11 DP 771830)**

**HPERM Ref:
D18/369606**

Recommendation

That Council

1. Formally provide feedback to Kordia regarding the proximity of the Mobile Phone tower to the local Preschool raising the concerns of the Preschool staff and parents about the potential impacts from electromagnetic radiation and the effects this will have on the Preschool children, staff and residents of the local area.
2. Support the position of the Preschool educators and parents to disband the current location due to the risk of health impacts of children.
3. Ask for an extension of submissions till mid November so that proper community consultation can be completed before works commence.

RESOLVED (Clr Cheyne / Clr Alldrick)

MIN18.851

That Council:

1. Formally provide feedback to Kordia regarding the proximity of the telecommunications aerial to the local Preschool raising the concerns of the Preschool staff and parents about the potential impacts from electromagnetic radiation and the effects this will have on the Preschool children, staff and residents of the local area.
2. Support the position of the Preschool educators and parents to disband the current location due to the risk of health impacts of children.
3. Ask for an extension of submissions till mid November so that proper community consultation can be completed before works commence.

CARRIED

CL18.287 Notice of Motion - Hyams Beach - Traffic Management

**HPERM REF:
D18/370035**

Item dealt with earlier in the meeting see MIN18.838

CL18.288 Notice of Motion - Sustainable Energy Policy

**HPERM Ref:
D18/370347**

Recommendation

That

1. Council conduct a workshop for councillors to explore a sustainable energy policy for Shoalhaven City Council.
2. This workshop take the policy produced by Energy Officer Darren O'Connor and explore the risks and opportunities the policy provides.
3. This workshop discuss an action plan that could be based on such a policy.
4. This workshop include consideration of the Revolving Energy Fund prepared by Director Dunshea.

MOTION (Clr Gartner / Clr Cheyne)

That:

1. Council conduct a workshop for councillors to explore a sustainable energy policy for Shoalhaven City Council.
2. Council's Directors prepare a report to a future Strategy and Assets Committee meeting as to what each department has pursued, or is currently pursuing, in the sustainable energy space.

The Mayor advised that the meeting would adjourn for 5 minutes.

The meeting adjourned the time being 9.08pm

The meeting reconvened the time being 9.11pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr Kaye Gartner
Clr Nina Cheyne
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

PROCEDURAL MOTION (Clr Guile)

That the MOTION be PUT.

PROCEDURAL MOTION CARRIED

RESOLVED (Clr Gartner / Clr Cheyne)

MIN18.852

That:

1. Council conduct a workshop for councillors to explore a sustainable energy policy for Shoalhaven City Council.
2. Council's Directors prepare a report to a future Strategy and Assets Committee meeting as to what each department has pursued, or is currently pursuing, in the sustainable energy space.

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

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

CARRIED

Note: A rescission motion was received on this item.

Note: A Rescission Motion was received in relation to CL18.288 - Notice of Motion - Sustainable Energy Policy signed by Clr Proudfoot, Clr Watson & Clr Pakes.

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 16 OCTOBER 2018

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

SA18.240 Shoalhaven Tennis - Decommission 2 Courts and Waive Outstanding Loan	HPERM Ref: D18/326924
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RESOLVED* (Clr Alldrick / Clr Cheyne) MIN18.853

That Council

1. Waive the outstanding loan amount of \$7,500 to Shoalhaven Heads Tennis Courts Management Committee,
2. Proceed to decommission Courts 3 & 4 at Shoalhaven Heads Tennis Courts.
3. That community consultation be undertaken in regard to the future use of the site.

CARRIED

SA18.241 Nowra Showground Buildings Budget	HPERM Ref: D18/330889
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RESOLVED* (Clr Alldrick / Clr Cheyne) MIN18.854

That Council:

1. Expend up to \$400,000 of the \$600,000 2018/19 Special Rate Variation Nowra Showground Buildings Budget on Fire Services Upgrade for the Nowra Showground in order to comply with Building Code of Australia and Local Government Camping Grounds Regulation 2005 requirements.
2. Expend all remaining funds on grandstand leak repair, painting external buildings, roof cleaning and internal painting of Pavilion, Committee Room and Warriors buildings, to the extent that funding permits.

CARRIED

SA18.243 Sale - Council Land - Lot 1 DP579906 at 27c Broadview Ave Culburra Beach	HPERM Ref: D18/295498
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RESOLVED* (Clr Alldrick / Clr Cheyne) MIN18.855

That Council resolves to:

1. Authorise the sale of the land comprised in Lot 1 DP 579906 at 27c Broadview Ave (formerly known as 10 Jopejija Crescent), Culburra Beach to Janet & Paul Francis for \$235,000 (inclusive of GST if applicable); and
2. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed; and
3. Rescind MIN17.1020 (1) & (2).

CARRIED

SA18.245 Proposed Sale of Lot 4 DP 550354 Island Point Road, St Georges Basin

**HPERM Ref:
D18/309787**

RESOLVED* (Clr Alldrick / Clr Cheyne)

MIN18.856

That Council:

1. Approve, in principle, the sale of Council land comprised in a three (3) lot subdivision of Lot 4 DP 550354 Island Point Road, St Georges Basin;
2. Receive a further report in due course regarding the subdivision and final terms and conditions of the proposed sales to adjoining owner(s).

CARRIED

SA18.246 Grant of Electricity Easement for Pad Mount Substation and Restriction on the Use of Land to Endeavour Energy - Lot 1 DP860791 - 92 Albatross Road, South Nowra

**HPERM Ref:
D18/321907**

RESOLVED* (Clr Alldrick / Clr Cheyne)

MIN18.857

That:

1. Council grant an Easement in favour of Endeavour Energy for a Pad Mount Substation and Restriction on the Use of Land over Council owned land at Lot 1 DP860791, 92 Albatross Road, South Nowra; and
2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA18.247 Grant of Easement for Underground Cables to Endeavour Energy - Lot 49 DP243033 - North Nowra

**HPERM Ref:
D18/277754**

RESOLVED* (Clr Alldrick / Clr Cheyne)

MIN18.858

That:

1. Council grant an Easement in favour of Endeavour Energy for underground cables 2 metres wide and overhead cables 9 metres wide (per Endeavour Energy plan Ref: 511156 dated June 2018) over Lot 49 DP243033 (Council public reserve located between Philip Dr and Walsh Cres, North Nowra) and accept compensation of \$7,000 plus GST, provided that all costs associated with the granting of the easement, including valuation, survey and legal costs are met by Endeavour Energy; and
2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

SA18.249 Proposed Ground Licence to Sussex Inlet Men's Shed Inc. - Thomson Street Sporting Complex - 29 Thomson Street Sussex Inlet

**HPERM Ref:
D18/331087**

Recommendation

That Council:

1. Enter into a one year short term ground licence over Part Lot 2 DP 1062625 Thomson Street Sporting Complex with Sussex Inlet Men's Shed for an annual rent of \$493 plus GST, with annual CPI increases, for the purpose of operating a men's shed.
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

Note: Clr Gartner left the meeting at 9.16pm.

RESOLVED (Clr White / Clr Gash)

MIN18.859

That Council:

1. Enter into a one year short term ground licence over Part Lot 2 DP 1062625 Thomson Street Sporting Complex with Sussex Inlet Men's Shed for an annual rent of \$493 plus GST, with annual CPI increases, for the purpose of operating a men's shed.
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

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

AGAINST: Clr Pakes

CARRIED

SA18.251 Proposed Road Closure & Subdivision - Part North Crescent, Culburra Beach

**HPERM Ref:
D18/127393**

RESOLVED* (Clr Alldrick / Clr Cheyne)

MIN18.860

That Council:

1. Resolve, as Roads Authority, to close the surplus road reserve at North Crescent Culburra Beach, adjacent to Lot 738 DP 12278, Lot 1 DP 286157, Lots 7621 and 7622 DP 1205582 and Lots 1 and 2 DP 526508 by a notice published in the Government Gazette.
2. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the General Manager authority to sign any documentation necessary to give effect to this resolution.

CARRIED

SA18.252 NSW Government Saving Lives on Country Roads Program 2018-19 and 2019-20

HPERM Ref: D18/329298

RESOLVED* (Clr Alldrick / Clr Cheyne)

MIN18.861

That:

1. Council accepts the offers of funding from the NSW Government under the new Saving Lives on Country Roads Program, as follows:
 - a. \$770,000 to upgrade Sussex Inlet Road in the vicinity of Old Berrara Road (safety barriers, delineation, sealed shoulders, and intersection improvements), and authorises the expenditure (\$80,000 in 2018-19 and \$690,000 in 2019-20).
 - b. \$740,000 for the shoulder widening and sealing on Greenwell Point Road to the east of Jindy Andy Lane, and including vehicle activated signage on Greenwell Point Road (on the approaches to the Jindy Andy Lane intersection), and authorises the expenditure (\$200,000 in 2018-19 and \$540,000 in 2019-20).
 - c. \$555,000 for the removal of the hazardous crest on Forest Road (to improve safety in one of the few overtaking zones on Forest Road), and authorises the expenditure (\$80,000 in 2018-19 and \$475,000 in 2019-20).
 - d. \$260,000 to extend the existing guardrail and install profile edge and centre lines over the 2.2km length of Naval College Road (to the south of The Wool Road), and authorises the expenditure (completion in 2018-19).
 - e. \$800,000 for the shoulder widening and sealing on Coonemia Road (the first 2km to the south of Culburra Road), and authorises the expenditure (\$100,000 in 2018-19 and \$700,000 in 2019-20).
2. The General Manager (Director Assets & Works) writes to the NSW Roads & Maritime Services, and both local State Members of Parliament, thanking them for their ongoing support of the Shoalhaven Community through the new NSW Government Saving Lives on Country Roads Program, and for the support of RMS staff in reviewing and supporting Council's nominations for these important local road safety improvements.

CARRIED

SA18.260 Acquisition of land and easements at Mundamia for University of Wollongong Shoalhaven Campus

HPERM Ref: D18/300657

RESOLVED* (Clr Alldrick / Clr Cheyne)

MIN18.862

That Council resolve:

1. To compulsorily acquire the following land and easements for Council infrastructure servicing the University of Wollongong Shoalhaven Campus on Lot 6 DP1156684, at nominal compensation of \$1:
 - a. Part of Lot 6 DP1156684, shown as proposed Lot 2 and coloured pink on the attached 'Draft Acquisition Plan'.
 - b. Easements for Sewerage Purposes & Access 6 wide, Sewerage Purposes 6 wide, Sewerage Purposes 3 wide, Access 15 wide & variable, and Underground Cables 1 wide, all shown coloured pink on the attached 'Draft Acquisition Plan'.
2. To compulsorily acquire the following easements for Council infrastructure over Lot 6 DP1156684, but not servicing the University of Wollongong Shoalhaven Campus, at compensation to be determined by the Valuer General:
 - a. A Right of Way variable width and Easements for Water Supply 2 wide, 3 wide and 8

wide, all shown coloured yellow on the attached 'Draft Acquisition Plan'.

- b. An Easement for Sewerage Purposes 3 wide and an Easement for Water Supply 6 wide, shown coloured green and blue respectively on the attached 'Draft Acquisition Plan'.
3. To compulsorily acquire the following easements for Council infrastructure over Crown land Lot 7319 DP1165060, subject to resolving Aboriginal Land Claim and Native Title interests, at compensation determined by the Valuer General:
 - a. An Easement for Access 7m and 15m wide and an Easement for Water Supply 8m wide, shown edged red and blue respectively on the attached 'Crown Lands Plan'.
4. To pay compensation and costs associated with the acquisitions from Shoalhaven Water's Sewer and Water Funds. Compensation determined by the Valuer General to be in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
5. That the necessary applications be made to the Minister for Local Government and the Governor. The acquisitions are to be carried out under the Local Government Act 1993.
6. That the acquired land be classified Operational land in accordance with Section 31(2) of the Local Government Act.
7. That the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

REPORT OF THE SHOALHAVEN SPORTS BOARD - 26 SEPTEMBER 2018

SB18.13 Sports Grants Program 2018/2019 - Funding

**HPERM
D18/300459**

Ref:

Recommendation

That the Shoalhaven Sports Board approve the following 6 applicants for the 2018/19 Sports Grants Program:

1. Shoalhaven Mariners Baseball Club – Construct Batting Cage: \$35,350
2. Shoalhaven Netball Association – Upgrade P.A System: \$22,505.93
3. Berry Shoalhaven Heads Cricket Club – Rebuilding Practice Nets: \$40,000
4. St Georges Basin Football Club Inc – Sub-Surface Drainage Field 1: \$47,667
5. Berry Riding Club Inc – Top Dressing Riding Areas: \$8,674
6. Shoalhaven District Football Association - Ison Park Field 1 - Replace Existing Floodlights with LED: \$30,000

RESOLVED (Clr White / Clr Cheyne)

MIN18.863

That the Shoalhaven Sports Board approve the following 6 applicants for the 2018/19 Sports Grants Program:

1. Shoalhaven Mariners Baseball Club – Construct Batting Cage: \$35,350
2. Shoalhaven Netball Association – Upgrade P.A System: \$22,505.93
3. Berry Shoalhaven Heads Cricket Club – Rebuilding Practice Nets: \$40,000
4. St Georges Basin Football Club Inc – Sub-Surface Drainage Field 1: \$47,667

5. Berry Riding Club Inc – Top Dressing Riding Areas: \$8,674
6. Shoalhaven District Football Association - Ison Park Field 1 - Replace Existing Floodlights with LED: \$30,000

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 9 OCTOBER 2018

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

TC18.94 Proposed Three 'First Response' Parking Spaces - Paradise Beach Road, Sanctuary Point	HPERM Ref: D18/306117
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RESOLVED* (Clr White / Clr Gash) MIN18.864

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed No Stopping zone 'Police Vehicles Excepted' for three parking spaces and associated line marking on the southern side of Paradise Beach Road, west of Kerry Street, Sanctuary Point, as detailed in the attached plan, subject to:

- a) The R5-400(L) No Stopping 'Police Vehicles Excepted' sign located at the western end on Paradise Beach Rd being relocated to the end of the parking spaces.
- b) Removal of the individual parking lines between parking spaces.
- c) The No Stopping Zone across the new driveway in Kerry St noting 'Police Vehicles Excepted' be replaced with a No Stopping zone

CARRIED

TC18.95 Proposed Linemarking and Signage - Alternative High School - 1 Mattes Way, Bomaderry (PN 3513)	HPERM Ref: D18/306127
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RESOLVED* (Clr White / Clr Gash) MIN18.865

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking plans (N27467-401 to 403 Rev 2) for the proposed Shoalhaven Community College, small scale High School at 1 Mattes Way, Bomaderry, subject to:

- a. Addressing the non-compliant sight distance for vehicles travelling westbound on Mattes Way around the north west corner of the building (movements west to south around the corner) which based on the current plans will result in conflicts to both vehicles manoeuvring to / from the 90 degree parking spaces as well as conflicts with pedestrians, including disabled, currently proposed to use the roadway at the intersection to access the existing pathway for access the building, and the deficient sight distance at the sites' car park access, by;
- b. Converting the first two modules of parking south of the intersection (i.e. both north and south of the existing ramp) to all indented parallel parking (for pick up-drop off, including the first two spaces to be disabled compliant), and including the provision of continuous kerb and guttering and footpath along this length and associated pram ramps in accordance with standards, and;
- c. Amending the sight distance drawing to reflect the above change, and checking each of the proposed spaces for a conflict between vehicles manoeuvring out of those spaces with entering traffic (movements west to south around the corner), the drawing shall show clearly the actual individual measurements for each versus the required minimum standard

- d. Reviewing the third module of parking (south of the car park access) to ensure compliance with sight distance standards (which may result in a further loss of car parking adjacent to the access), and;
- e. Amending the times shown on the proposed 40 km/hr school speed zone signage, and the proposed pick up/drop off zone, to be consistent with standard “school times”, and;
- f. Amending the swept path drawing for the Endeavour Energy vehicles to show design swept path movements for both entering and exiting vehicles via the proposed changes to the internal intersection on Mattes Way
- g. Addressing the lack of disabled compliant pedestrian access between the proposed external bus pick up and drop off zone along the highway with the proposed school, by providing a sheltered disabled compliant bus pick up/drop off area for the bus stop on the Highway, a continuous footpath link from the bus stop to the school, and including a disabled compliant raised pedestrian crossing on Mattes Way (as far west as practical from the Highway, and generally to align with the school entry).
- h. Revised plans addressing the above to Council’s satisfaction to be submitted to Council’s Traffic Unit for review prior to issue of engineering approvals.
- i. The assessment required in twelve (12) months’ time shall review whether the implementation of LATM measures such as speed humps or other physical means of slowing vehicles down should be implemented (travelling west on Mattes way, prior to the internal intersection, and travelling north on Mattes Way, prior to the site car park access), and if so, the plans be amended accordingly (will require Shoalhaven Traffic Committee approval).
- j. The assessment required in twelve (12) months’ time shall review whether a ‘No Stopping’ zone should be implemented along the full length of the Endeavour Energy wall along the western side of Mattes Way, and if so, the plans being amended accordingly (will require Shoalhaven Traffic Committee approval).

CARRIED

TC18.96	Time Restricted No Stopping Zone - Moonah Road, Hyams Beach (PN 3504)	HPERM Ref: D18/330138
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RESOLVED* (Clr White / Clr Gash) MIN18.866

That the General Manager (Director Assets & Works) be requested to arrange for the installation of No Stopping zone time restricted between 6.00am and 2.00pm on Fridays, on the western side of Moonah Road for its length, as detailed in the attached plan.

CARRIED

TC18.97	3 hour (3P) Time Restricted Parking - Milton Ulladulla Hospital (PN 3515)	HPERM Ref: D18/333707
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RESOLVED* (Clr White / Clr Gash) MIN18.867

That the General Manager (Director Assets & Works) be requested to arrange for the installation of a 75m (approx.) 3 hour parking (3P) zone, time restricted between 8:30am and 6pm Monday to Friday, and 8:30am to 12:30pm on Saturdays on the southern side of the Princes Highway between Church Street and the existing No Stopping zone opposite the Milton Ulladulla Hospital, Milton, as detailed in the attached plan.

CARRIED

REPORTS

**CL18.292 Sale of Council Employment Land - Lot 91 DP1077878,
27 Tom Thumb Avenue, South Nowra**

**HPERM Ref:
D18/368645**

Recommendation

That

1. Council employment land (Lot 91 DP1077878, 27 Tom Thumb Drive, South Nowra) be sold for \$270,000 (plus GST) to Nathan Kenny.
2. The General Manager be authorised to sign the contracts for Sale, and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council.

RESOLVED (Clr Wells / Clr White)

MIN18.868

That

1. Council employment land (Lot 91 DP1077878, 27 Tom Thumb Drive, South Nowra) be sold for \$270,000 (plus GST) to Nathan Kenny.
2. The General Manager be authorised to sign the contracts for Sale, and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council.

CARRIED

**CL18.293 Acceptance of Grant Funding - Heritage Near Me
Program, Office of Environment and Heritage**

**HPERM Ref:
D18/345375**

Recommendation

1. That Council accept grant funding of \$58,000 from the NSW State Government under the Heritage Near Me Program for the design and production of the multimedia digital resource.
2. That Council write to the Heritage Near Me Program, Office of Environment & Heritage thanking them for the grant.

RESOLVED (Clr Alldrick / Clr Cheyne)

MIN18.869

1. That Council accept grant funding of \$58,000 from the NSW State Government under the Heritage Near Me Program for the design and production of the multimedia digital resource.
2. That Council write to the Heritage Near Me Program, Office of Environment & Heritage thanking them for the grant.

CARRIED

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

CL18.294 NSW Crime Prevention Grant

**HPERM Ref:
D18/346583**

RESOLVED* (Clr Guile / Clr Wells)

MIN18.870

That Council

1. Accept the grant funding of \$75,000 to deliver Crime Prevention through Environment Design (CPTED) training to staff and community members, to conduct safety audits at locations that have been identified by Council and the community and to deliver CPTED treatments at identified sites.
2. Delegate authority to the General Manager or nominee to sign the funding agreement and acquit the grant funding.
3. Write to NSW Government and local Members of Parliament and thank them for the grant offer.

CARRIED

CL18.295 Safety Project - Shoalhaven River Bridge Precinct

**HPERM Ref:
D18/356181**

RESOLVED* (Clr Guile / Clr Wells)

MIN18.871

That Council

1. Formally accept the grant of \$625,000 (exGST) from the Commonwealth Dept of Industry Innovation and Science (Safer Communities Fund) to implement priorities from Shoalhaven City Council's Crime Prevention Plan, in the form of CCTV camera / security lighting and waterfront improvements (pontoons etc) within the Shoalhaven River Bridge Precinct.
2. Write to the Dept of Industry Innovation and Science (Safer Communities Fund), thanking them for the grant and for their support.

CARRIED

CL18.296 Register of Pecuniary Interest Returns 1 July 2017 to 30 June 2018

**HPERM Ref:
D18/333036**

RESOLVED* (Clr Guile / Clr Wells)

MIN18.872

That:

1. The report regarding the Register of Pecuniary Interest Returns lodged for the period of 1 July 2017 to 30 June 2018 be received for information;
2. The General Manager consider appropriate action in respect of any Designated Persons who have failed to provide their return for the period of 1 July 2017 to 30 June 2018.

CARRIED

CL18.297 Investment Report - September 2018

**HPERM Ref:
D18/348510**

RESOLVED* (Clr Guile / Clr Wells)

MIN18.873

That the report of the General Manager (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 30 September 2018 be received for information.

CARRIED

CL18.298 Nowra Sailing Club Site - Way Forward

**HPERM REF:
D18/366373**

Item dealt with earlier in the meeting see MIN18.842

CL18.299 Tenders - West Nowra Waste Processing Facility

**HPERM Ref:
D18/346371**

Recommendation

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

RESOLVED (Clr Wells / Clr Pakes)

MIN18.874

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

CARRIED

**CL18.300 Update - EOI - Sale of 10 Pleasant Way, Nowra - Former
Visitor Information Centre and Graham Lodge**

**HPERM Ref:
D18/359645**

Recommendation

That Council receive the report regarding the withdrawal of Asset Integrated Services P/L from the Deed of Option for the purchase of 10 Pleasant Way, Nowra (the former Visitor Information Centre and Graham Lodge), for information.

RESOLVED (Clr Watson / Clr Cheyne)

MIN18.875

That Council receive the report regarding the withdrawal of Asset Integrated Services P/L from the Deed of Option for the purchase of 10 Pleasant Way, Nowra (the former Visitor Information Centre and Graham Lodge), for information.

CARRIED

CL18.301 Management and Operation of the Shoalhaven Indoor Sports Centre & Bomaderry Basketball Stadium

**HPERM Ref:
D18/362799**

Stephen Dunshea – Director Finance Corporate and Community Services – significant non pecuniary interest declaration – he is the Director of Shoalhaven Swim and Fitness who is a party in this matter – left the room and did not take part in discussion.

Recommendation

That Council:

1. In accordance with Clause 178(3)(f) of the Local Government (General) Regulation 2005 deliver management and operational services for the Shoalhaven Indoor Sports Centre and Bomaderry Basketball Stadium itself;
2. Authorise the General Manager to sign any documentation necessary to give effect to this resolution.

RESOLVED (Clr Wells / Clr Pakes)

MIN18.876

That Council:

1. In accordance with Clause 178(3)(f) of the Local Government (General) Regulation 2005 deliver management and operational services for the Shoalhaven Indoor Sports Centre and Bomaderry Basketball Stadium itself;
2. Authorise the General Manager to sign any documentation necessary to give effect to this resolution.

CARRIED

CL18.302 SA18.248 - Positive Covenant - Asset Protection Zone - Over Part Crown Land - Reserve R89771 - Adjoining 2 Greville Ave, Sanctuary Point

**HPERM REF:
D18/368566**

Item dealt with earlier in the meeting see MIN18.845

CL18.303 Variations to Development Standards - Third Quarter Report 2018

**HPERM Ref:
D18/341644**

Recommendation

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

RESOLVED (Clr Wells / Clr White)

MIN18.877

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

CARRIED

CL18.304 Initial Discussion Paper - Growth Management Strategy 2019-2041 and Draft Shoalhaven Character Assessment Report

**HPERM Ref:
D18/342034**

Recommendation

That Council:

1. Place the Growth Management Strategy 2019-2041 Discussion Paper and Draft Shoalhaven Character Assessments Report on public exhibition for a minimum of 28 days; and
2. Consider a further report following completion of the initial community engagement to help determine the policy direction to be included in the draft Growth Management Strategy 2019-2041.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.878

That Council:

1. Place the Growth Management Strategy 2019-2041 Discussion Paper and Draft Shoalhaven Character Assessments Report on public exhibition for a minimum of 28 days; and
2. Consider a further report following completion of the initial community engagement to help determine the policy direction to be included in the draft Growth Management Strategy 2019-2041.

CARRIED

CL18.305 Consideration of a Car Parking Waiver for Change of Use Applications

**HPERM Ref:
D18/349905**

Recommendation

That Council:

1. Amend Chapter G21: Car Parking and Traffic of Shoalhaven Development Control Plan 2014, in a timely manner as part of a future housekeeping amendment, to introduce a two-year car parking waiver for any additional parking required for change of use applications in the Nowra CBD.
2. Report back to Council towards the end of the two-year period with a recommendation as to whether the waiver in the Nowra CBD should be extended for a further period. The expansion of the waiver to other retail centres across the City should also to be considered.
3. Advise relevant Community Consultative Bodies and Shoalhaven Business Chambers of this decision.

RESOLVED (Clr Watson / Clr Guile)

MIN18.879

That:

1. Council adopt the policy of waiving any contribution, or requirement for additional car parking spaces where a change of use is proposed in an application within the area of any of our shopping centres and the policy apply from the date of this resolution.
2. Council in a timely manner amend Chapter G21 to reflect the policy change.
3. The General Manager report to Council after a 2-year period in respect of the uptake of the scheme.
4. Advise relevant Community Consultative Bodies and Shoalhaven Business Chambers of this decision.

5. In application of this resolution, Shopping centres be defined as traditional shopping centres such as East Nowra, Nowra, Bomaderry, Ulladulla, Berry and such like, excluding industrial type zones.

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

AGAINST: Clr Findley

CARRIED

CL18.306 LG Aboriginal Network Conference

**HPERM Ref:
D18/358972**

Recommendation

That Council receive the report from Clr Mark Kitchener on the LG Aboriginal Network Conference for information and consider the recommendations highlighted in the report as follows:

1. That council work with the Shoalhaven Aboriginal Advisory Committee, to investigate the desire of local Aboriginal people to identify a local dialect acceptable to all local Aboriginal groups and at the commencement of the monthly Ordinary meeting and other appropriate functions and events, have the second verse of the national anthem sung in the chosen Aboriginal language by skilled local Aboriginal musicians and singers. (video-taped)
2. That council work with the Aboriginal Advisory Committee to investigate the appetite for local Aboriginal people to invite the 'Clontarf Foundation' to establish a chapter in the region which will offer an additional experience to the Australian Indigenous Mentoring Experience (AIME) and possibly cater for more Aboriginal youth.

RESOLVED (Clr Kitchener / Clr Proudfoot)

MIN18.880

That Council receive the report from Clr Mark Kitchener on the LG Aboriginal Network Conference for information and consider the recommendations highlighted in the report as follows:

1. That council work with the Shoalhaven Aboriginal Advisory Committee, to investigate the desire of local Aboriginal people to identify a local dialect acceptable to all local Aboriginal groups and at the commencement of the monthly Ordinary meeting and other appropriate functions and events, have the second verse of the national anthem sung in the chosen Aboriginal language by skilled local Aboriginal musicians and singers. (video-taped)
2. That council work with the Aboriginal Advisory Committee to investigate the appetite for local Aboriginal people to invite the 'Clontarf Foundation' to establish a chapter in the region which will offer an additional experience to the Australian Indigenous Mentoring Experience (AIME) and possibly cater for more Aboriginal youth.

CARRIED

ADDENDUM REPORTS

CL18.307 Building Better Regions Fund Round 3

**HPERM REF:
D18/359852**

Item dealt with earlier in the meeting see MIN18.839

Procedural Motion – Introduce Addendums

RESOLVED (Clr Pakes / Clr Guile)

MIN18.881

That the following matters be introduced for consideration:

- CL18.308 – Building Resilience to Climate Change Workshop
- CL18.309 – Drought affected Farmers - Assistance Measures
- CL18.310 - Notification to Minister for Lands & Forestry of appointed Council Native Title Manager

CARRIED

CL18.308 Building Resilience to Climate Change Workshop

**HPERM Ref:
D18/372528**

Recommendation

That Council

1. Notes the details of the Building Resilience to Climate Change Workshop scheduled for 21 November 2018 in Parkes, NSW.
2. Authorises available Councillors to attend the Workshop and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the Workshop to provide a written report within 30 days of returning from the Workshop.

RESOLVED (Clr Wells / Clr White)

MIN18.882

That Council

1. Notes the details of the Building Resilience to Climate Change Workshop scheduled for 21 November 2018 in Parkes, NSW.
2. Authorises available Councillors to attend the Workshop and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the Workshop to provide a written report within 30 days of returning from the Workshop.

CARRIED

CL18.309 Drought affected Farmers - Assistance Measures

**HPERM Ref:
D18/373381**

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 will not take part in discussion or vote.

Clr White assumed the Chair

Recommendation

That Council:

1. Note the details contained in this report
2. Proceed with the financial assistance measures for drought affected farmers as resolved at the Strategy and Assets Committee Meeting of 18 September 2018.

RESOLVED (Clr Pakes / Clr Wells)

MIN18.883

That Council:

1. Note the details contained in this report
2. Proceed with the financial assistance measures for drought affected farmers as resolved at the Strategy and Assets Committee Meeting of 18 September 2018.

CARRIED

**CL18.310 Notification to Minister for Lands & Forestry of
appointed Council Native Title Manager**

**HPERM Ref:
D18/375363**

Clr Findley returned to the meeting and resumed the chair.

Recommendation

That Council confirm the engagement of the Manager, Property Unit as Shoalhaven City Council's Native Title Manager and advise the Minister for Lands and Forestry as required by Section 8.8 Crown Lands Management Act 2016.

RESOLVED (Clr Wells / Clr Pakes)

MIN18.884

That Council confirm the engagement of the Manager, Property Unit as Shoalhaven City Council's Native Title Manager and advise the Minister for Lands and Forestry as required by Section 8.8 Crown Lands Management Act 2016.

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Pakes / Clr Cheyne)

MIN18.885

That the press and public be excluded from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

CSA18.18 Shoalhaven Affordable Housing Strategy - Property Acquisition Matters

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

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

CCL18.18 Tenders – Confidential Report West Nowra Waste Processing Facility

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

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

CCL18.19 Material Recovery Facility Service Contract

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

Note: Clrs White and Guile left at 9.51pm

Note: Russ Pigg advised he will declare an interest and leave the meeting during confidential session.

The meeting moved into confidential the time being 9.52pm.

The meeting moved into open session, the time being 10.51pm.

Note: Clr Gash left the meeting during Confidential session.

REPORT FROM CONFIDENTIAL SESSION

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

CSA18.18 Shoalhaven Affordable Housing Strategy - Property Acquisition Matters	HPERM Ref: D18/206925
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RESOLVED MIN18.886C

That Council:

8. Maintain confidentiality of the resolution until the sales have settled.

CCL18.18 Tenders – Confidential Report West Nowra Waste Processing Facility	HPERM Ref: D18/346514
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RESOLVED MIN18.887C

That:

3. The resolution remains Confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until contract negotiations are completed.

CCL18.19 Material Recovery Facility Service Contract	HPERM Ref: D18/371045
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RESOLVED MIN18.888C

That Council:

1. Receive the report for its information and awareness of difficulties facing kerbside recycling facilities across Australia further to China's National Sword or 'Blue Skies' Policy.
2. This resolution remain confidential.
3. Council write to the founder of the Shoalhaven Recycling business, to wish him well in his retirement and to thank him for his significant contribution to Council and the Shoalhaven community at large.
4. Part 2 of the resolution remain confidential until the agreements are executed.

There being no further business, the meeting concluded, the time being 10.57pm.

Clr Findley
CHAIRPERSON