

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 18 December 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.03pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells (left 8.52pm)
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile
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 Pastor Trevor Aspin, City Church Nowra and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Nil.

Confirmation of the Minutes

RESOLVED (Clr Digiglio / Clr White) MIN18.979

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 13 November 2018 and the Extra Ordinary Meeting of Ordinary Meeting held on Tuesday 04 December 2018 be confirmed.

CARRIED

Declarations of Interest

Clr Pakes – CL18.370 – Proposed Retail Lease of Shop 39a/43 Kinghorne St, Nowra – pecuniary interest declaration – family member is an employee of the proposed lessee – will leave the room and will not take part in discussion or vote.

PRESENTATION OF PETITIONS

Presentation of Petitions

Clr White presented a petition containing 11,000 signatures which states:

Lake Conjola Entrance has closed up, barely months after being dredged, in the wrong location, by Council!

Despite numerous please, to have the Lake dredged and the sand removed, nothing has been undertaken or acknowledged by Council. This town and surrounding suburbs and their businesses rely on Tourism to keep them financially viable. When the Lake dries up, so will Tourism. Holiday makers spend hundreds and thousands to enjoy what the Lake has to offer. There was an abundance of sea life, which was created by monies gained from Fishing Licence fees. Sadly the number of fish are rapidly dwindling with no fresh currents. We need Council to dredge correctly and not dump the sand back, but have it removed, or look at a permanent sea wall, like Lake Tabourie.

Peak season is around the corner, and people will look elsewhere to holiday as the lake is now a stinking mess and people will get sick.

ENOUGH IS ENOUGH!

DEPUTATIONS AND PRESENTATIONS

MM18.20 – Congratulations to Canberra Nature Map

Fiona Stewart of Nature Mapr spoke in favour of the recommendation.

CL18.345 – Rescission Motion – CL18.344 – Employee Remuneration Review – Funding Strategies (Page 1)

Arthur Rorris spoke against the recommendation.

CL18.361 – Stage 1 – Artie Smith Oval – Status Update – Stage 2 – Progression of SCaRP Master Plan with Athletics Track, Pavilion Incorporating 50m Indoor Pool (Page 54)

Jessie Boardman and Emerson Brian spoke in favour of the recommendation.

CL18.362 – Boongaree – Update and Next Steps (Page 61)

Bill Seelis spoke in favour of the recommendation.

CL18.374 – 8 Admiralty Crescent (Page 128)

Viv Latimer spoke against the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Wells / Clr Pakes)

MIN18.980

That the following items be brought forward for consideration:

- MM18.20 – Mayoral Minute – Congratulations to Canberra Nature Map and Milton Rural Landcare partners of the NatureMapr Network; and
- CL18.361 – Stage 1 – Artie Smith Oval – Status Update – Stage 2 – Progression of SCaRP Master Plan with Athletics Track, Pavilion Incorporating 50m Indoor Pool.
- CL18.362 – Boongaree - Update and Next Steps
- CL18.374 – Development Application – 8 Admiralty Crescent Huskisson – Lot 4 DP 16055

CARRIED

MAYORAL MINUTE

MM18.20 Mayoral Minute - Congratulations to Canberra Nature Map and Milton Rural Landcare partners of the NatureMapr Network

**HPERM Ref:
D18/436521**

Recommendation

That Council write a letter of congratulations to both Canberra Nature Map and Milton Rural Landcare for receiving the 2018 Banksia Community Award. Council has also partnered with Milton Rural Landcare to deliver some funds for this project which enables ground truthing of flora and fauna sightings across the region.

RESOLVED (Clr Findley / Clr Wells)

MIN18.981

That Council write a letter of congratulations to both Canberra Nature Map and Milton Rural Landcare for receiving the 2018 Banksia Community Award. Council has also partnered with Milton Rural Landcare to deliver some funds for this project which enables ground truthing of flora and fauna sightings across the region.

CARRIED

CL18.361 Stage 1 - Artie Smith Oval - Status Update - Stage 2 - Progression of SCaRP Master Plan with Athletics Track, Pavilion Incorporating 50m Indoor Pool

**HPERM Ref:
D18/335938**

Recommendation

That Council:

1. Receive the status update report on Stage 1 – detailed design for Artie Smith Oval for information.
2. Reactivate Stage 2 of Shoalhaven Community and Recreation Precinct, noting the inclusion of the athletics track and an amended concept plan for the pavilion to include a 50-metre indoor pool.
3. Allocate a budget of \$30,000 to undertake further investigation and consultation regarding possible uses and works required of the existing Bomaderry Basketball Stadium.
4. Allocate a budget of \$150,000 from the forward design budget to amend the master plan and develop a preliminary Quantity Survey, cost benefit analysis and business case for the whole of Shoalhaven Community and Recreation Precinct prior to proceeding with detail design.

5. Report back to Council with the findings of the Quantity Survey, Cost Benefit, Business Case, and investigations regarding the existing Basketball Stadium prior to proceeding to detail design for stage 2 of Shoalhaven Community and Recreation Precinct.
6. Identify the \$180,000 funding requirements for Recommendations 3 & 4 above in future quarterly reviews of the 2018/19 budget.

RESOLVED (Clr Wells / Clr White)

MIN18.982

That Council:

1. Receive the status update report on Stage 1 – detailed design for Artie Smith Oval for information.
2. Reactivate Stage 2 of Shoalhaven Community and Recreation Precinct, noting the inclusion of the athletics track and an amended concept plan for the pavilion to include a 50-metre indoor pool.
3. Allocate a budget of \$30,000 to undertake further investigation and consultation regarding possible uses and works required of the existing Bomaderry Basketball Stadium.
4. Allocate a budget of \$150,000 from the forward design budget to amend the master plan and develop a preliminary Quantity Survey, cost benefit analysis and business case for the whole of Shoalhaven Community and Recreation Precinct prior to proceeding with detail design.
5. Identify the \$180,000 funding requirements for Recommendations 3 & 4 above in future quarterly reviews of the 2018/19 budget.
6. That the location of the athletics track be subject to consultation with surrounding neighbours.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

AGAINST: Clr Kitchener

CARRIED

CL18.362 Boongaree - Update and Next Steps

**HPERM Ref:
D18/379707**

Recommendation

That Council:

1. Support the amendments to the revised Master Plan and adopt the detail design for Boongaree.
2. Council receive a further report in relation to the skate park extension following further investigations.
3. Identify at a future quarterly budget review an initial budget allocation of \$200,000 to utilise for matching funding for upcoming grant applications, including NSW Government Everyone Can Play Grant Initiative.
4. Develop a Business Case and Funding Plan for the staged delivery of Boongaree that identifies funding sources, including grant funding and community fundraising opportunities, over several budget cycles commencing 2018/19 for inclusion in Council's long-term financial plan.

RESOLVED (Clr Wells / Clr White)

MIN18.983

That Council:

1. Support the amendments to the revised Master Plan and adopt the detail design for

Boongaree.

2. Council receive a further report in relation to the skate park extension following further investigations.
3. Identify at a future quarterly budget review an initial budget allocation of \$200,000 to utilise for matching funding for upcoming grant applications, including NSW Government Everyone Can Play Grant Initiative.
4. Develop a Business Case and Funding Plan for the staged delivery of Boongaree that identifies funding sources, including grant funding and community fundraising opportunities, over several budget cycles commencing 2018/19 for inclusion in Council's long-term financial plan.

CARRIED

**CL18.374 Development Application – 8 Admiralty Crescent
Huskisson – Lot 4 DP 16055**

**HPERM Ref:
D18/424902**

Recommendation

That Development Application DS 18/1343 for the modification of an approved attached dual occupancy development be **refused** as per the Reasons for Refusal at **Attachment 1** to this report.

RESOLVED (Clr Watson / Clr Gash)

MIN18.984

That Development Application DS 18/1343 for the modification of an approved attached dual occupancy development be **refused** as per the Reasons for Refusal at **Attachment 1** to this report.

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

AGAINST: Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

CARRIED

**MM18.21 Mayoral Minute - PFAS/PFOS – Jervis Bay and the
Booderee Peninsula**

**HPERM Ref:
D18/437954**

Recommendation

That:

1. Council write to the Federal Government (Ministers for Defence, Health and Aboriginal Affairs CC to Prime Minister) to advocate on behalf of the people living and working on the Booderee peninsula. The community are very concerned for their ongoing health and request that the Government undertake urgent blood testing. The Government also need to support people with their long-term health outcomes and should work in collaboration with the community to monitor their health into the future.
2. The Government assist Shoalhaven City Council in getting the facts into the media and encouraging residents and visitors to stay abreast of facts not fiction.

RESOLVED (Clr Findley / Clr Digiglio)

MIN18.985

That:

1. Council write to the Federal Government (Ministers for Defence, Health and Aboriginal Affairs

CC to Prime Minister) to advocate on behalf of the people living and working on the Booderee peninsula. The community are very concerned for their ongoing health and request that the Government undertake urgent blood testing. Council acknowledges the failure of the ACT Government in supporting their residents. The Government also need to support people with their long-term health outcomes and should work in collaboration with the community to monitor their health into the future.

2. The Government assist Shoalhaven City Council in getting the facts into the media and encouraging residents and visitors to stay abreast of facts not fiction.
3. Council invites the Department of Defence to brief Council in the New Year on their findings of the location of PFAS contamination in the Shoalhaven.

CARRIED

MM18.22 Mayoral Minute - Standing Orders for Committees and Ordinary Meeting

HPERM Ref: D18/438096

Recommendation

That Council amend the standing order of the Committees and Ordinary meetings so that Notices of Motion come at the completion of the staff reports. In the event that there are community members in the gallery in respect to a Notice of Motion the usual practice of bringing forward a motion will be maintained.

RESOLVED (Clr Findley / Clr Digiglio)

MIN18.986

That Council receive the Mayoral Minute regarding Standing Orders for Committees and Ordinary Meeting for information.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL18.345 Rescission Motion - CL18.344 - Employee Remuneration Review - Funding Strategies

HPERM Ref: D18/424101

Recommendation

That Council rescind the Motion relating to Item CL18.344 – Employee Remuneration Review – Funding Strategies of the Extra Ordinary Council Meeting held on Tuesday 4 December 2018.

MOTION (Clr Proudfoot / Clr Guile)

That Council rescind the Motion relating to Item CL18.344 – Employee Remuneration Review – Funding Strategies of the Extra Ordinary Council Meeting held on Tuesday 4 December 2018.

PROCEDURAL MOTION (Clr Gash / Clr Wells)

That the Motion be put.

CARRIED

MOTION (Clr Proudfoot / Clr Guile)

MIN18.987

That Council rescind the Motion relating to Item CL18.344 – Employee Remuneration Review – Funding Strategies of the Extra Ordinary Council Meeting held on Tuesday 4 December 2018.

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

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Clr Watson

LOST

CL18.346 Notice of Motion - Employee Remuneration Review - Funding Strategies

HPERM Ref: D18/424104

Recommendation

That a report be prepared by staff for Council clearly outlining the effectiveness and efficiency of the systems and technologies currently being used by staff in all areas where there is an apparent shortfall in suitably qualified personnel. The report would essentially address recent detailed reviews of said systems and technologies providing specific detail and informed conclusions based on the findings of these reviews.

This item was not dealt with as the preceding rescission motion was LOST see MIN18.987.

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Pakes / Clr Gash)

MIN18.988

That the meeting be adjourned until 7.30pm.

CARRIED

Note: the meeting adjourned, the time being 7.05pm.

Note: the meeting reconvened, the time being 7.33pm, when the following members were present:

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

CL18.347 Rescission Motion - SA18.282 - Sustainability Program Update

HPERM Ref: D18/433481

Recommendation

That Item SA18.282 be rescinded.

MOTION (Clr Watson / Clr Pakes)

That Item SA18.282 be rescinded.

PROCEDURAL MOTION (Clr Wells / Clr Gash)

That the Motion be put.

CARRIED

Clr Gartner raised a Point of Order against Clr Watson for disrespecting Clr Alldrick's argument.

The Chair requested Clr Watson to withdraw his comment.

Clr Watson withdrew his comment.

MOTION (Clr Watson / Clr Pakes)

MIN18.989

That Item SA18.282 be rescinded.

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

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

LOST

CL18.348 Notice of Motion - Toilet Block Maintenance - Burrill Lake Park

**HPERM Ref:
D18/426954**

Recommendation

That the toilet block at Burrill Lake Park, McDonald Parade, Burrill Lake be maintained and kept in good working order for the foreseeable future.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN18.990

That the toilet block at Burrill Lake Park, McDonald Parade, Burrill Lake be maintained and kept in good working order for the foreseeable future.

CARRIED

CL18.349 Notice of Motion - Burrill Lake View from Lions Park

**HPERM Ref:
D18/426990**

Recommendation

That the view of Burrill Lake, as seen from Lions Park, Burrill Lake, be maintained in its present condition for both locals and visitors to enjoy.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.991

That the view of Burrill Lake, as seen from Lions Park, Burrill Lake, be maintained in its present condition for both locals and visitors to enjoy.

CARRIED

CL18.350 Notice of Motion - Reporting on Status of Notices of Motion

**HPERM Ref:
D18/426998**

Recommendation

That the progress status of councillors' notices of motion be reported regularly at Ordinary Meetings of Council.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN18.992

That the progress status of councillors' notices of motion be reported quarterly at Ordinary Meetings of Council.

CARRIED

CL18.351 Notice of Motion - DE18.76 - Amendment - Shoalhaven Development Control Plan 2014 - Medium Density 'Housekeeping' Amendments

**HPERM Ref:
D18/432898**

Recommendation

That Council

1. Retain A6.2 as originally adopted and instead amend A6.4 as follows:

The landscaping provided at **A6.1**, **A6.2** and **A6.3** excludes any ~~encroachments (i.e. any part of a building or structure), hardstand areas and any~~ areas used for storage, clothes drying, and water tanks.

2. **(as per staff recommendation)**: Amend P1.1 as follows:

To promote good built form outcomes and the efficient utilisation of land, lot consolidation/ amalgamation avoids the isolation of smaller lots that would prevent future medium density development on those lots.

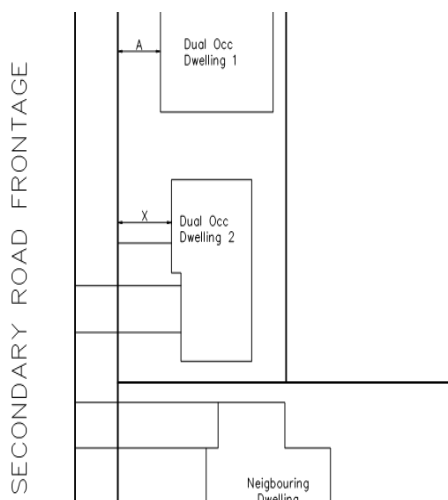
This performance criteria only relates to:

- • Dual occupancies in the R3 Medium Density Residential zone.
- • Multi dwelling housing in any zone.
- • Multi dwelling housing (terraces) in any zone.
- • A manor house in any zone.

3. **Recommendation (as per staff recommendation)**: Delete P28.1 and P28.2. The performance criteria do not add any additional value to the assessment of an application beyond what is already covered in effective P28.3 and P28.4.

4. **Recommendation**: Table 2 and Figure 3 of Chapter G13 of the Shoalhaven DCP 2014 be amended as follows:

Front Setback	Front Setback Secondary Road	Side Setback	Side Setback Secondary Road	Rear Setback	Rear / Side Setback to Foreshore reserve
<p>Lots under 600m²:</p> <ul style="list-style-type: none"> 5m to walls of dwellings & 4m to verandahs, patios and awnings. <p>Lots over 600m²:</p> <ul style="list-style-type: none"> 6m to walls of dwellings & 5m to verandahs, patios and awnings. <p>Lots over 900m²:</p> <ul style="list-style-type: none"> 7.5m to walls of dwellings & 6.5m to verandahs, patios and awnings. <p>For any of the above setback requirements, reduced setbacks may be approved where the prevailing street character permits and the future desired character of the area is not prejudiced. The suitability of reduced setbacks must be demonstrated through addressing the relevant objectives and performance criteria of the DCP in support of the application.</p>	<p>Detached Dual Occupancy: Average of the setbacks of the front and adjacent dwelling or 5m, whichever is the lesser. Refer to figure 3 below.</p> <p>Attached Dual Occupancy Dwelling: 3m to the wall of the dwelling & 5.5m to garage.</p>	<p>900mm for single storey structures</p> <p>1.2m for any two storey component / structures</p>	3m	<p>Attached Dual Occupancies & side by side: 3m (average)</p> <p>Detached Dual Occupancies (one behind the other): 3m (average) for rear of the rear dwelling.</p> <p>Note: No rear setback applies for front dwelling (i.e. dwelling closest to the street).</p>	7.5m



5. **Recommendation:** Amend A20.1 to read:

In addition to storage in kitchens, bathrooms and bedrooms, the following storage is ~~to be provided~~ **encouraged** per dwelling:

- 1 bed: 6m³.
- 2 bed: 8m³.
- 3+ bed: 10m³.

6. **Recommendation:** A20.2 of Chapter G13 of the Shoalhaven DCP 2014 be deleted.

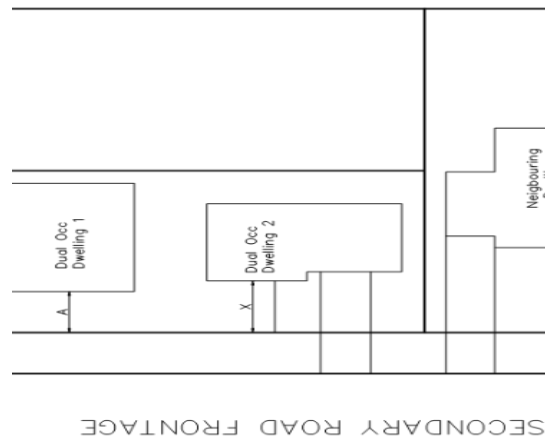
7. **Recommendation:** The General Manager prepare a draft amendment to Chapter G13 of the Shoalhaven DCP 2014 as follows:

a. Table 2 and Figure 3 of Chapter G13 of the Shoalhaven DCP 2014 be updated as follows:

Replacement Table 2 – Chapter 13

Front Setback	Front Setback Secondary Road	Side Setback	Side Setback Secondary Road	Rear Setback	Rear / Side Setback to Foreshore reserve
<p>Lots under 600m²:</p> <ul style="list-style-type: none"> 5m to walls of dwellings & 4m to verandahs, patios and awnings. <p>Lots over 600m²:</p> <ul style="list-style-type: none"> 6m to walls of dwellings & 5m to verandahs, patios and awnings. <p>Lots over 900m²:</p> <ul style="list-style-type: none"> 7.5m to walls of dwellings & 6.5m to verandahs, patios and awnings. <p>For any of the above setback requirements, reduced setbacks may be approved where the prevailing street character permits and the future desired character of the area is not prejudiced. The suitability of reduced setbacks must be demonstrated through addressing the relevant objectives and performance criteria of the DCP in support of the application.</p>	<p>Detached Dual Occupancy: Average of the setbacks of the front and adjacent dwelling or 5m, whichever is the lesser. Refer to figure 3 below.</p> <p>Attached Dual Occupancy Dwelling: 3m to the wall of the dwelling & 5.5m to garage.</p>	<p>900mm for single storey structures</p> <p>1.2m for any two storey component / structures</p>	3m	<p>Attached Dual Occupancies & side by side: 3m (average)</p> <p>Detached Dual Occupancies (one behind the other): 3m (average) for rear of the rear dwelling.</p> <p>Note: No rear setback applies for front dwelling (i.e. dwelling closest to the street).</p>	7.5m

Replacement Figure 3 – Chapter 13



b. A20.2 of Chapter G13 of the Shoalhaven DCP 2014 be deleted.

8. **Recommendation:** The draft DCP amendment be place on public exhibition.
9. **Recommendation:** Following public exhibition, a further report be prepared for Council’s consideration detailing the results of any submissions and for finalisation.

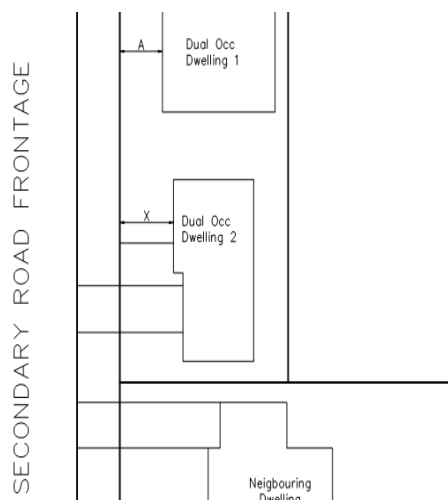
RESOLVED (Clr Guile / Clr Proudfoot)

MIN18.993

That Council

1. Retain A6.2 as originally adopted and instead amend A6.4 as follows:
The landscaping provided at **A6.1**, **A6.2** and **A6.3** excludes any ~~encroachments (i.e. any part of a building or structure), hardstand areas and any~~ areas used for storage, clothes drying, and water tanks.
2. **(as per staff recommendation):** Amend P1.1 as follows:
To promote good built form outcomes and the efficient utilisation of land, lot consolidation/ amalgamation avoids the isolation of smaller lots that would prevent future medium density development on those lots.
This performance criteria only relates to:
 - • Dual occupancies in the R3 Medium Density Residential zone.
 - • Multi dwelling housing in any zone.
 - • Multi dwelling housing (terraces) in any zone.
 - • A manor house in any zone.
3. **Recommendation (as per staff recommendation):** Delete P28.1 and P28.2. The performance criteria do not add any additional value to the assessment of an application beyond what is already covered in effective P28.3 and P28.4.
4. **Recommendation:** Table 2 and Figure 3 of Chapter G13 of the Shoalhaven DCP 2014 be amended as follows:

Front Setback	Front Setback Secondary Road	Side Setback	Side Setback Secondary Road	Rear Setback	Rear / Side Setback to Foreshore reserve
<p>Lots under 600m²:</p> <ul style="list-style-type: none"> 5m to walls of dwellings & 4m to verandahs, patios and awnings. <p>Lots over 600m²:</p> <ul style="list-style-type: none"> 6m to walls of dwellings & 5m to verandahs, patios and awnings. <p>Lots over 900m²:</p> <ul style="list-style-type: none"> 7.5m to walls of dwellings & 6.5m to verandahs, patios and awnings. <p>For any of the above setback requirements, reduced setbacks may be approved where the prevailing street character permits and the future desired character of the area is not prejudiced. The suitability of reduced setbacks must be demonstrated through addressing the relevant objectives and performance criteria of the DCP in support of the application.</p>	<p>Detached Dual Occupancy: Average of the setbacks of the front and adjacent dwelling or 5m, whichever is the lesser. Refer to figure 3 below.</p> <p>Attached Dual Occupancy Dwelling: 3m to the wall of the dwelling & 5.5m to garage.</p>	<p>900mm for single storey structures</p> <p>1.2m for any two storey component / structures</p>	3m	<p>Attached Dual Occupancies & side by side: 3m (average)</p> <p>Detached Dual Occupancies (one behind the other): 3m (average) for rear of the rear dwelling.</p> <p>Note: No rear setback applies for front dwelling (i.e. dwelling closest to the street).</p>	7.5m



5. **Recommendation:** Amend A20.1 to read:

In addition to storage in kitchens, bathrooms and bedrooms, the following storage is ~~to be provided~~ **encouraged** per dwelling:

- 1 bed: 6m³.
- 2 bed: 8m³.
- 3+ bed: 10m³.

6. **Recommendation:** A20.2 of Chapter G13 of the Shoalhaven DCP 2014 be deleted.

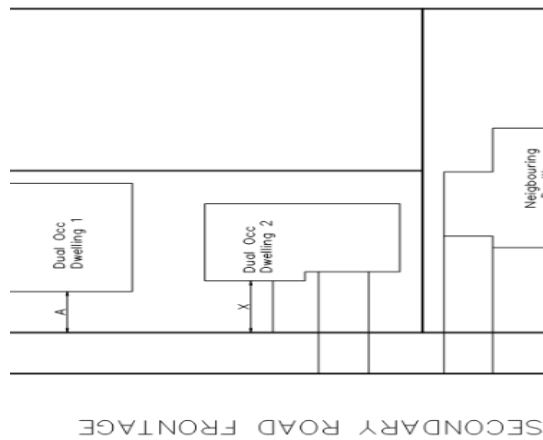
7. **Recommendation:** The General Manager prepare a draft amendment to Chapter G13 of the Shoalhaven DCP 2014 as follows:

a. Table 2 and Figure 3 of Chapter G13 of the Shoalhaven DCP 2014 be updated as follows:

Replacement Table 2 – Chapter 13

Front Setback	Front Setback Secondary Road	Side Setback	Side Setback Secondary Road	Rear Setback	Rear / Side Setback to Foreshore reserve
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Replacement Figure 3 – Chapter 13



b. A20.2 of Chapter G13 of the Shoalhaven DCP 2014 be deleted.

- 8. **Recommendation:** The draft DCP amendment be place on public exhibition.
- 9. **Recommendation:** Following public exhibition, a further report be prepared for Council’s consideration detailing the results of any submissions and for finalisation.

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

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

CARRIED

Note: A Rescission Motion was received on this item.

REPORT OF THE DEVELOPMENT COMMITTEE - 4 DECEMBER 2018

DE18.80 Development Application – 20 Norfolk Avenue, SOUTH NOWRA - Lot 30 DP 790535 - Concrete Batching Plant	HPERM Ref: D18/382826
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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 23m; and
- 2. Refer the development application (DA18/2054) back to staff for determination.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.994

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 23m; and
- 2. Refer the development application (DA18/2054) back to staff for determination.

CARRIED

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 11 DECEMBER 2018

SA18.261 Notice of Motion - Indoor Sporting Stadium / Old Basketball Courts

HPERM Ref: D18/413072

Recommendation

That

1. Council confirm its earlier considerations to have a 6 court basketball complex at Bomaderry by refurbishing the existing 2 courts.
2. An urgent application be made to the State Government for a grant to facilitate the refurbishment works, with Council's contribution being made up from Government subsidised loans or revenue.

RESOLVED (Clr Watson / Clr Gash)

MIN18.995

That

1. Council confirm its earlier considerations to have a 6 court basketball complex at Bomaderry by refurbishing the existing 2 courts.
2. An urgent application be made to the State Government for a grant to facilitate the refurbishment works, with Council's contribution being made up from Government subsidised loans or revenue.

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

AGAINST: Clr Findley, Clr Gartner, Clr Digiglio and Clr Levett

CARRIED

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

SA18.269 Council Committee Structure & Purpose

HPERM Ref: D18/412074

RESOLVED* (Clr Wells / Clr White)

MIN18.996

That Council:

1. Adopt the new scheduled (Purpose/Delegation) for the Strategy and Assets Committee as follows:

Strategy and Assets Committee

Delegation:

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, **natural resources / assets, floodplain, estuary and coastal management and sustainability matters that are dealt with by the Development and Environment Committee.**
- 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).

2. Rename the Development Committee to Development and Environment Committee.
3. Adopt the new schedule (Purpose/Delegation) for the Development and Environment Committee as follows:

Development and Environment Committee

Delegation:

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.
- i. **The preparation, adoption, and review of policies and strategies of the Council in respect to sustainability matters related to climate change, biodiversity, waste, water, energy, transport, and sustainable purchasing.**

- j. **The preparation, adoption and review of policies and strategies of the Council in respect to management of natural resources / assets, floodplain, estuary and coastal management.**

CARRIED

SA18.271 Milton Library - Budget Reallocation - Ongoing Funding

**HPERM Ref:
D18/205789**

RESOLVED* (Clr Wells / Clr White)

MIN18.997

That Council:

1. Reinststate the budget for Milton Library operations through the allocation of recurrent funding of \$31,000 for financial year 2019/20 onwards to be indexed linked with an annual CPI increase
2. Note that the reinstatement of the budget will ensure that there is a level of library service in Milton that is commensurate to the community's request.

CARRIED

SA18.279 Licence to Desert Developments Pty Ltd - 83 South Street Ulladulla

**HPERM Ref:
D18/379537**

Recommendation

That Council:

1. Grant a licence to Desert Developments Pty Ltd giving rights for vehicles using the Licensee's car wash business on Lot A DP157079 to exit the property over Council's adjoining land being Lot 11 DP791198 on the same terms as that granted to D & D Dale, R Hitchcock at a rental of \$1 per annum for a term expiring when the traffic corridor on Lot 11 DP791198 ceases to be available or when Lot 11 DP791198 is required by Council for redevelopment.
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.

RESOLVED (Clr Proudfoot / Clr Kitchener)

MIN18.998

That Council:

1. Grant a licence to Desert Developments Pty Ltd giving rights for vehicles using the Licensee's car wash business on Lot A DP157079 to exit the property over Council's adjoining land being Lot 11 DP791198 on the same terms as that granted to D & D Dale, R Hitchcock at a rental of \$1 per annum for a term expiring when the traffic corridor on Lot 11 DP791198 ceases to be available or when Lot 11 DP791198 is required by Council for redevelopment.
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

SA18.289 Lease of land at Yalwal for new communications tower site

HPERM Ref: D18/417030

RESOLVED* (Clr Wells / Clr White)

MIN18.999

That Council

1. Lease an area of approximately 10m x10m over part of Lot 3 DP252335 at Yalwal Road, Yalwal from Edward McPartland for a period of 20 years at an annual rental of \$5,000 pa, annual increases to CPI and 20% of rent received by Council from other future users of the site. The final area to be leased to be determined by design of the communications tower.
2. Grant a licence to Edward McPartland at a nominal \$1 pa to allow installation of his equipment on the communications tower when constructed.
3. Delegate Authority to the General Manager to approve and execute all future telecommunication leases and licences relating to this site, know as Part Lot 3 DP252335 Yalwal.

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Wells / Clr Gash)

MIN18.1000

That the following items be brought forward for consideration:

- 18.366 - Intersection of Jervis Bay Road & Princes Highway - Falls Creek – Update; and
- 18.367 - Traffic Calming - River Road, Shoalhaven Heads.

CARRIED

CL18.366 Intersection of Jervis Bay Road & Princes Highway - Falls Creek - Update

HPERM Ref: D18/407960

Recommendation

That Council notes the representations that have been made in relation to the upgrade of the intersection of Jervis Bay Road and Princes Highway Falls Creek and that the RMS has

- a. allocated funding and commenced the detailed investigation phase, and
- b. are developing short term measures to assist in alleviating congestion in the coming summer holiday period.

RESOLVED (Clr Wells / Clr Findley)

MIN18.1001

That Council

1. Notes the representations that have been made in relation to the upgrade of the intersection of Jervis Bay Road and Princes Highway, Falls Creek, and the RMS:
 - a. Has allocated funding and commenced the detailed design investigation phase
 - b. Are developing short-term measures to assist in alleviating congestion in the coming summer holiday period
2. Conveys to the Hon. Melinda Pavey, Minister for Roads; Gareth Ward, Member for Kiama; and Shelley Hancock, Member for South Coast, strong support for the RMS's Concept 2 which shows a grade separated interchange to exit Jervis Bay Road onto the highway heading north (preferred as soon as possible option), and

3. Continues to actively engage with the Vincentia Matters Executive throughout the consultation process.

CARRIED

CL18.367 Traffic Calming - River Road, Shoalhaven Heads

**HPERM Ref:
D18/332921**

Recommendation

That

1. Council receives the report on the possible installation of traffic calming measures in River Road (between Mathews Street and Renown Avenue), Shoalhaven Heads (vicinity of Shoalhaven Heads Hotel), for information; and
2. The General Manager (Director Assets & Works) continues to monitor traffic and pedestrian movement along River Road (between Mathews Street and Renown Avenue), Shoalhaven Heads on an annual basis to ensure that the area is managed effectively with respect to traffic and pedestrian facilities.

RESOLVED (Clr Wells / Clr Gash)

MIN18.1002

That Council consults with the local residents in regard to the possibility of constructing a 'low cost' rubber speed hump in River Road (between Mathews St and Renown Ave adjacent to the Heads Hotel), Shoalhaven Heads, in response to the request from the Shoalhaven Heads Community Consultative Body.

CARRIED

**REPORT OF THE ABORIGINAL ADVISORY COMMITTEE - 26
NOVEMBER 2018**

**AA18.33 Expressions of Interest for Aboriginal Advisory
Committee Membership**

**HPERM Ref:
D18/344347**

Recommendation

That the Aboriginal Advisory Committee:

1. Endorse the appointment of Nicole Moore and Caryn Carpenter as members of the Shoalhaven Aboriginal Advisory Committee.
2. Recommend their appointment as members of the Shoalhaven Aboriginal Advisory Committee to Council.

RESOLVED (Clr Pakes / Clr White)

MIN18.1003

That the Aboriginal Advisory Committee:

1. Endorse the appointment of Nicole Moore and Caryn Carpenter as members of the Shoalhaven Aboriginal Advisory Committee.
2. Recommend their appointment as members of the Shoalhaven Aboriginal Advisory Committee to Council.

CARRIED

REPORT OF THE SHOALHAVEN ARTS BOARD - 29 NOVEMBER 2018

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

AB18.35	Shoalhaven Arts Board Action Plan - Audience Engagement Projects - Reallocation of Arts Awards Funding	HPERM Ref: D18/311723
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RESOLVED* (Clr Wells / Clr White) MIN18.1004

That the Shoalhaven Arts Board:

1. Allocate \$4,500 in funding from the former Shoalhaven Arts Awards budget (21596/10722) for the purchase of three (3), single year licences of the Culture Counts Software; and
2. Transfer residual funds of the Arts Award budget to an expanded Arts Board grants program.

CARRIED

AB18.39	Shoalhaven Regional Gallery 2020 Strategic Plan update	HPERM Ref: D18/380597
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RESOLVED* (Clr Wells / Clr White) MIN18.1005

1. The Shoalhaven Arts Board receive this report for information and continue to champion the integral role of the Regional Gallery in the cultural offerings of the Shoalhaven.
2. The Shoalhaven Arts Board request Council fund MIN17.1092 and allocate \$100,000 recurrent funding to the Shoalhaven Regional Gallery to support its continued growth in line with the Strategic Plan 2020 from financial year 2019/20 onwards.

CARRIED

AB18.40	NOW Contemporary Art Prize - Information and Update	HPERM Ref: D18/384315
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RESOLVED* (Clr Wells / Clr White) MIN18.1006

That the Shoalhaven Arts Board:

1. Receive this report for information and consider how they may support the development of the Art Prize.
2. Recommend to Council that the following entry fees be introduced and placed on public exhibition for a period of 28 days, after which, if no significant adverse comment is received the fees be deemed adopted
 - a. \$40 for **NOW** ContempoRAry,
 - b. \$30 for **NOW** ContempoRAry for members of Jervis Bay and Basin Arts.

CARRIED

AB18.41 Policy Changes - Public Art - Maintenance and Conservation

**HPERM Ref:
D18/393774**

RESOLVED* (Clr Wells / Clr White)

MIN18.1007

That Council place the revised Public Art Policy on Public Exhibition for 28 days and if no significant adverse comment is received that the Policy be deemed adopted.

CARRIED

**REPORT OF THE INCLUSION & ACCESS ADVISORY GROUP - 3
DECEMBER 2018**

IA18.30 Access to Council Owned Property

**HPERM Ref:
D18/388140**

Recommendation

That:

1. The report be received for information;
2. A Sub-Committee be formed (consisting of members Colin Wood, Arthur Ball, Annette Pham, Bill Deaves and Jackie Kay) to review access audits and reports for Development Applications;
3. Note that for future meetings, any Council Building (Class 6 – Major Shops and Class 9 – Public Facilities) that is proposed to be the subject to a future access audit, are to be identified via a member report from the Sub-Committee or correspondence to Council.

RESOLVED (Clr Guile / Clr Proudfoot)

MIN18.1008

That the report be received for information.

CARRIED

IA18.31 Citywide DCP Chapter for Accessibility

**HPERM Ref:
D18/388163**

Recommendation

That when Council considers the 2019/20 Strategic Planning Works Program, Council consider the preparation of a DCP Chapter related to accessibility or the integration of accessibility requirements into relevant DCP Chapters.

RESOLVED (Clr Guile / Clr Wells)

MIN18.1009

That when Council considers the 2019/20 Strategic Planning Works Program, Council consider the preparation of a DCP Chapter related to accessibility or the integration of accessibility requirements into relevant DCP Chapters.

CARRIED

Note: Clr Wells left the meeting, the time being 8.52pm.

REPORT OF THE COUNCIL BUSHCARE REPRESENTATIVES GROUP - 4 DECEMBER 2018

BR18.8 Bushcare Group Action Plan Schedule

**HPERM Ref:
D18/398859**

Recommendation

That

1. The Bushcare Representative Group support changing the review period of the Bushcare Group Action Plans from three (3) years to six (6) years.
2. Individual Bushcare groups provide annual interim reports through Council's Bushcare Field Officers.

RESOLVED (Clr Gash / Clr Guile)

MIN18.1010

That

1. The Bushcare Representative Group support changing the review period of the Bushcare Group Action Plans from three (3) years to six (6) years.
2. Individual Bushcare groups provide annual interim reports through Council's Bushcare Field Officers.

CARRIED

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

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

CBD18.110 Progress Update - Nowra CBD Historical Walk Interpretive Signage and Heritage Near Me App Grant Funding Project

**HPERM Ref:
D18/413784**

RESOLVED* (Clr Gash / Clr Guile)

MIN18.1011

That Council:

1. Receive this update report for information
2. Confirms the Nowra CBD Revitalisation Strategy Committee supports the 5 sites as follows:
 - a. Near Bridge Hotel/Batts Folly
 - b. Near Hyper Hyper Coffee
 - c. In Junction Court near seats/planter boxes
 - d. Historical Society/Museum
 - e. Near School of Arts/ In the vicinity of Corner Junction and Berry Streets.
3. Write to landowners and tenants of relevant properties/buildings to provide information and seek feedback about the project and the preferred signage locations.
4. Notes that any communication concerns or feedback on the project should be provided to The General Manager.

CARRIED

CBD18.112 Nowra CBD Revitalisation Strategy Committee Terms of Reference - Committee Role

HPERM Ref: D18/305199

RESOLVED* (Clr Gash / Clr Guile)

MIN18.1012

That given the Councillor membership on the committee, the Council adopt the following as the Role of the Nowra CBD Revitalisation Committee and thus allow the Terms of Reference to now be reviewed in the context of these roles.

Note: Tasks in relation to 1.4 will not be undertaken by Councillors

1. Committee's Role:
 - 1.1. Recommend to Council possible refinement of, and improvements to, the Nowra CBD Revitalisation Strategy as the committee considers appropriate.
 - 1.2. Develop a list of projects (with estimated costings) for Council to consider funding over a rolling three-year time frame, that will assist in achieving the ten elements of the Nowra CBD Revitalisation Strategy. The list is to be presented to an Ordinary Meeting of Council in February each year, and thus adopted by the Council.
 - 1.3. Make a formal submission to Council's annual capital works budget as it relates to the Nowra CBD, in accordance with Council's budgeting process.
 - 1.4. Monitor the expenditure of Council's annual capital works budget as it relates to the Nowra CBD, in particular;
 - 1.4.1. Approving design plans and specifications at the 20% complete and the 80% complete milestones.
 - 1.4.2. In cases where the General Manager (or delegate) determines that capital works within the Nowra CBD, will be tendered out, the Committee Chair (or delegate) will approve the tender documentation before tenders are advertised.
 - 1.4.3. The Committee Chair (or delegate) is to participate on tender evaluation panels for capital expenditure in the Nowra CBD.
 - 1.4.4. Assign a Project Steering Sub Committee to endorse the payment of progress claims and endorse the approval of variations, for capital expenditure in the Nowra CBD.
 - 1.4.5. In the case where Council staff undertake capital expenditure in the Nowra CBD the Committee will receive a report outlining progress (including expenditure updates) and plans at each of the Committee's Meetings.
 - 1.5. Act as a communication conduit between Council and the CBD stakeholders in respect to the ten elements within the Nowra CBD Revitalisation Strategy and approved Capital Works within the Nowra CBD with reasonable support from Council, at Council's expense, as determined by the General Manager.
 - 1.6. Assist Council in advocating to the community the adopted list of projects that seek to deliver on the ten elements of the CBD Revitalisation Strategy.
 - 1.7. Provide a report to Council each quarter outlining the year to date expenditure of Council's annual capital works budget as it relates to the Nowra CBD and present a report to an Ordinary Meeting of Council in August each year that explains the capital expenditure and any non-expenditure, for the previous financial year.
 - 1.8. Consult with relevant stakeholders as needed.

CARRIED

CBD18.119 Additional Item - Streetscape / Landscape Budget - Distribute Report

RESOLVED* (Clr Gash / Clr Guile) MIN18.1013

That Council consider the Berry Street Footpath upgrade may require an additional (to the annual streetscape budget) \$500,000 in the 2019/20 budget.

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 13 NOVEMBER 2018

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

TC18.102 Proposed Pedestrian Signals - O'Keeffe Avenue Nowra **HPERM Ref:
D18/370480**

RESOLVED* (Clr White / Clr Gash) MIN18.1014

That in response to Council's resolution

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

the report of the Shoalhaven Traffic Committee in reply be received for information.

CARRIED

TC18.103 Proposed No Stopping Zone - Links Ave, Sanctuary Point **HPERM Ref:
D18/388123**

Recommendation

That the General Manager (Director Assets and Works) be requested to arrange for the extension of the No Stopping Zone and associated signage and line marking on the South Western side of Links Avenue opposite Waratah Crescent by approximately 58m, as detailed in the attached plan.

RESOLVED (Clr Proudfoot / Clr Pakes) MIN18.1015

That the General Manager (Director Assets and Works) be requested to arrange for the extension of the No Stopping Zone and associated signage and line marking on the South Western side of Links Avenue opposite Waratah Crescent by approximately 58m, as detailed in the attached plan.

CARRIED

TC18.104 Proposed Relocation Pedestrian Refuge - Victoria St, Berry **HPERM Ref:
D18/388125**

RESOLVED* (Clr White / Clr Gash) MIN18.1016

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed pedestrian island modifications on Victoria Street, Berry, as detailed in the attached plan.

CARRIED

TC18.105 Raised Concrete Island With Pedestrian Refuge - Yurunga Dr, North Nowra **HPERM Ref: D18/388128**

RESOLVED* (Clr White / Clr Gash) MIN18.1017

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed raised concrete island and associated signage and line marking in Yurunga Drive at its intersection with Illaroo Road, North Nowra, as detailed in the attached plan.

CARRIED

TC18.106 Proposed No Stopping Zone - Isa Rd, Worrigee **HPERM Ref: D18/388136**

RESOLVED* (Clr White / Clr Gash) MIN18.1018

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the installation of a No Stopping zone across the driveway access points of the proposed development on Isa Road, Worrigee, as detailed in the attached plan, subject to the No Stopping zone extending across the access points, one metre beyond the driveway laybacks.

CARRIED

TC18.107 Raised Pedestrian Crossings & 40km/h High Pedestrian Activity Area - Jacobs Dr, Sussex Inlet **HPERM Ref: D18/388139**

Recommendation

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the two proposed raised pedestrian crossings and associated signage and line marking in Jacobs Drive, Sussex Inlet, as detailed in the attached plan, subject to:

1. Relocating the proposed crossing east of River Road approximately 1.5m west of the path leading to the facility is 0.5m clear of the existing power pole.

RESOLVED (Clr Proudfoot / Clr Pakes) MIN18.1019

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the two proposed raised pedestrian crossings and associated signage and line marking in Jacobs Drive, Sussex Inlet, as detailed in the attached plan, subject to:

1. Relocating the proposed crossing east of River Road approximately 1.5m west of the path leading to the facility is 0.5m clear of the existing power pole.

CARRIED

TC18.108 Proposed Roundabout - Green St & Warden St, Ulladulla **HPERM Ref: D18/388148**

Recommendation

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed mountable roundabout and associated signage and line marking at the intersection of Green Street and Warden Street, Ulladulla, as detailed in the

attached plan.

RESOLVED (Clr Proudfoot / Clr Kitchener)

MIN18.1020

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed mountable roundabout and associated signage and line marking at the intersection of Green Street and Warden Street, Ulladulla, as detailed in the attached plan.

CARRIED

REPORTS

CL18.360 Industrial Land Development - Woollamia

**HPERM Ref:
D18/419775**

Recommendation

That

1. Council set the minimum prices for Council's industrial sites at Woollamia as set out in the Confidential Attachment to the report;
2. The General Manager be authorised to sign the Contracts of Sale of the industrial land at Woollamia based on the minimum prices; and
3. The Transfers to complete Contracts of Sale for Council's industrial estate sites be executed under the seal of Council, if required.

Note: Clr Gartner left the meeting, the time being 8.54pm.

RESOLVED (Clr Guile / Clr Gash)

MIN18.1021

That

1. Council set the minimum prices for Council's industrial sites at Woollamia as set out in the Confidential Attachment to the report;
2. The General Manager be authorised to sign the Contracts of Sale of the industrial land at Woollamia based on the minimum prices; and
3. The Transfers to complete Contracts of Sale for Council's industrial estate sites be executed under the seal of Council, if required.

CARRIED

CL18.361 Stage 1 - Artie Smith Oval - Status Update - Stage 2 - Progression Of Scarp Master Plan with Athletics Track, Pavilion incorporating 50m Indoor Pool

**HPERM REF:
D18/335938**

Item dealt with earlier in the meeting see MIN18.982.

CL18.362 Boongaree - Update and Next Steps

**HPERM REF:
D18/379707**

Item dealt with earlier in the meeting see MIN18.983.

**CL18.363 Acceptance of Grant Funding - Museums & Galleries
NSW - Audience Development Fund**

**HPERM Ref:
D18/421666**

Recommendation

That Council:

1. Accept the grant funding of \$9,416 (ex GST) to ensure delivery of the project 'Breaking Down Barriers' as part of the Shoalhaven Regional Gallery's audience development strategy.
2. Write to Museums and Galleries NSW to thank them for the grant.

RESOLVED (Clr Proudfoot / Clr Gash)

MIN18.1022

That Council:

1. Accept the grant funding of \$9,416 (ex GST) to ensure delivery of the project 'Breaking Down Barriers' as part of the Shoalhaven Regional Gallery's audience development strategy.
2. Write to Museums and Galleries NSW to thank them for the grant.

CARRIED

CL18.364 Annual Review of POL18/8 Investment Policy

**HPERM Ref:
D18/420574**

Recommendation (Item to be determined under delegated authority)

That Council adopt the unamended POL18/8 Investment Policy for 2019.

Note: Clr Gartner returned to the meeting, the time being 8.56pm.

RESOLVED (Clr Gash / Clr White)

MIN18.1023

That Council adopt the unamended POL18/8 Investment Policy for 2019.

FOR: Clr Findley, Clr Gash, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Guile

CARRIED

CL18.365 Investment Report - November 2018

**HPERM Ref:
D18/413829**

Recommendation

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

RESOLVED (Clr Gash / Clr Gartner)

MIN18.1024

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

CARRIED

**CL18.366 Intersection of Jervis Bay Road & Princes Highway -
Falls Creek - Update**

**HPERM REF:
D18/407960**

Item dealt with earlier in the meeting see MIN18.1001.

**CL18.367 TRAFFIC CALMING - RIVER ROAD, SHOALHAVEN
HEADS**

**HPERM REF:
D18/332921**

Item dealt with earlier in the meeting see MIN18.1002.

**CL18.368 Egan's Lane Precinct - Expression of Interest - Auric
International**

**HPERM Ref:
D18/431031**

Recommendation

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

RESOLVED (Clr Proudfoot / Clr White)

MIN18.1025

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

CARRIED

**CL18.369 Proposed Retail Lease of Shop 43/43 Kinghorne Street
Nowra**

**HPERM Ref:
D18/415739**

Recommendation

That Council;

1. Enter into a lease with Fadcam Investments Pty Ltd trading as Penzo's, for three (3) years with a three (3) year option at a commencing rent of \$25,000 plus GST, per annum, with annual 3% fixed increases; and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.1026

That Council;

1. Enter into a lease with Fadcam Investments Pty Ltd trading as Penzo's, for three (3) years with a three (3) year option at a commencing rent of \$25,000 plus GST, per annum, with annual 3% fixed increases; and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

**CL18.370 Proposed Retail Lease of Shop 39a/43 Kinghorne St
Nowra**

**HPERM Ref:
D18/418215**

Clr Pakes – pecuniary interest declaration – family member is an employee of the proposed lessee – left the room and did not take part in discussion or vote.

Recommendation

That Council:

1. Enter into a three (3) year lease with 2 x three (3) year option periods (3 x 3 x 3) with Meet & Veg Pty Ltd trading as The Cake Store at a commencing rent of \$25,187.16 per annum, plus GST, with annual 3% fixed increases; and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.1027

That Council:

1. Enter into a three (3) year lease with 2 x three (3) year option periods (3 x 3 x 3) with Meet & Veg Pty Ltd trading as The Cake Store at a commencing rent of \$25,187.16 per annum, plus GST, with annual 3% fixed increases; and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

CL18.371 Solar Garden - Final Report

**HPERM Ref:
D18/418845**

Recommendation

That with respect to the proposed Solar Garden Project Council continue to:

1. Take the lead in resolving land issues relating to the Old North Nowra Tip site; and
2. Work with Repower Shoalhaven in an in-kind capacity to get this project to a “shovel ready” status.

RESOLVED (Clr Proudfoot / Clr Alldrick)

MIN18.1028

That with respect to the proposed Solar Garden Project Council continue to:

1. Take the lead in resolving land issues relating to the Old North Nowra Tip site; and
2. Work with Repower Shoalhaven in an in-kind capacity to get this project to a “shovel ready” status.

CARRIED

**CL18.372 Supply and delivery of Drainage and Recycled Pavement
Materials - Recycling and Waste Facilities**

**HPERM Ref:
D18/432585**

Recommendation

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

RESOLVED (Clr Digiglio / Clr Gartner)

MIN18.1029

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

CARRIED

**CL18.373 Proposed Council Submission - Draft Community
Participation Plan, NSW Department of Planning &
Environment**

**HPERM Ref:
D18/412572**

Recommendation

That Council make a submission (Attachment 1 of this report) to the NSW Department of Planning and Environment in relation to its Draft Community Participation Plan.

RESOLVED (Clr Gartner / Clr Digiglio)

MIN18.1030

That Council make a submission (Attachment 1 of this report) to the NSW Department of Planning and Environment in relation to its Draft Community Participation Plan.

CARRIED

**CL18.374 Development Application – 8 Admiralty Crescent
Huskisson – Lot 4 DP 16055**

**HPERM REF:
D18/424902**

Item dealt with earlier in the meeting see MIN18.984.

CL18.375 Halloran Trust Lands - Ownership of Paper Roads

**HPERM Ref:
D18/416201**

Recommendation

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

RESOLVED (Clr White / Clr Gartner)

MIN18.1031

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

CARRIED

CL18.376 Tenders - Berrara Creek & Nerrindillah Creek HDD Crossing

**HPERM Ref:
D18/416765**

Recommendation

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

RESOLVED (Clr Proudfoot / Clr White)

MIN18.1032

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

CARRIED

CL18.377 30th Anniversary - Aboriginal Conference

**HPERM Ref:
D18/430868**

Recommendation

That Council receive the report from Clr John Levett on the 30th Anniversary Local Government Conference 2018 for information.

RESOLVED (Clr Levett / Clr Proudfoot)

MIN18.1033

That Council receive the report from Clr John Levett on the 30th Anniversary Local Government Conference 2018 for information.

CARRIED

Introduction of Items as Matters of Urgency

RESOLVED (Clr Pakes / Clr White)

MIN18.1034

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

1. CL18.378 Report of the Strategy & Assets Committee - 11 December 2018
2. CL18.380 Risk and Audit Committee Independent Member Appointment
3. CL18.381 Hyams Beach Update
4. CL18.382 Acceptance of Grant Funding - Dept of Communications and Arts - Visions of Australia Touring Fund - Promiscuous Provenance Exhibition
5. CCL18.24 Confidential report – Infrastructure Funding – Moss Vale Road South and North Urban Release Areas

CARRIED

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

ADDENDUM REPORTS

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 11 DECEMBER 2018

**SA18.277 Kerb & Gutter Ratepayer Advance - 9 Minerva St & 27 -
33 Anne St Vincentia**

**HPERM Ref:
D18/386019**

Recommendation

That Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with:

1. David & Wendy Michelle Wilson, 9 Minerva Avenue, Vincentia NSW 2540 in respect of Kerb and Gutter construction along the side boundary (Anne Street) to the value of \$12,797.26 (advance) of which \$2,416.82 is the contribution, \$10,380.44 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$12,975.55.
2. Anthony John & Christine Janette Hanson, 27 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
3. Anka & Mato Bautovish, 29 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
4. Julian Blakeney & Sue Gosper Carr, 31 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
5. Maria Kosiak, 33 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
6. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

RESOLVED (Clr White / Clr Pakes)

MIN18.1035

That Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with:

1. David & Wendy Michelle Wilson, 9 Minerva Avenue, Vincentia NSW 2540 in respect of Kerb and Gutter construction along the side boundary (Anne Street) to the value of \$12,797.26 (advance) of which \$2,416.82 is the contribution, \$10,380.44 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$12,975.55.
2. Anthony John & Christine Janette Hanson, 27 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
3. Anka & Mato Bautovish, 29 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.

4. Julian Blakeney & Sue Gosper Carr, 31 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
5. Maria Kosiak, 33 Anne Street, Vincentia in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 is the contribution, \$3,992.88 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$4,991.10.
6. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

REPORTS

CL18.380 Risk and Audit Committee Independent Member Appointment

**HPERM Ref:
D18/438733**

Recommendation

That Donna Rygate be appointed as the new Independent External Member of the SCC Risk and Audit Committee for the term of January 2019-December 2022.

RESOLVED (Clr Pakes / Clr Gartner)

MIN18.1036

That Donna Rygate be appointed as the new Independent External Member of the SCC Risk and Audit Committee for the term of January 2019-December 2022.

CARRIED

CL18.381 Hyams Beach Update

**HPERM Ref:
D18/437926**

Recommendation

That Council:

1. Receive and note:
 - a. The Hyams Beach Community Engagement Presentation from Micromex Research provided as Attachment 1.
 - b. The minutes of Hyams Beach Community Consultation Meeting held on 8 December 2018 provided as Attachment 2.
 - c. The Hyams Beach 2018/19 Peak Season Traffic Management Overview presentation provided as Attachment 3.
2. Note the following key findings presented in the Micromex Research Presentation report as suggested potential actions for Council to consider:
 - a. Investigate a carpark out of the village with a walking track and/or shuttle bus into the village.
 - b. Set up temporary one-way roads within the village during peak periods, with Council staff monitoring/enforcing the systems.

- c. Explore community opinions on paid parking, or trial paid parking during peak periods only.
 - d. Set up bus drop off points close to the beach/places of high tourist interest, rather than establishing bus parking stations within the village.
 - e. Trial the use of temporary portaloos to meet the increased demand for toilet facilities during peak periods.
 - f. Continue to engage with the community about changes/plans to Hyams Beach, ensuring that all residents are included in correspondence and that opinions represent the whole community.
3. Note that Council staff are to meet with representatives of the Hyams Beach Villagers Association on Wednesday 19 December with a view to reaching agreement on the prioritisation of short and long-term traffic management options.
 4. Note that further traffic and parking counts will be undertaken at Hyams Beach over the Christmas/New Year holiday period in order that all future grant applications to progress traffic management projects are supported by current reliable data.
 5. Receive a full report in the new year advising on the following:
 - a. Outcomes and learnings from the short-term traffic management solutions implemented over the Christmas / New Year period.
 - b. Details of any agreement reached with the Hyams Beach Villagers Association on a priority list of short and long-term traffic management solutions.
 - c. Opportunities for grant funding to progress any long-term traffic management solutions that have clear and widespread community support.

RESOLVED (Clr Alldrick / Clr Gartner)

MIN18.1037

That Council:

1. Receive and note:
 - a. The Hyams Beach Community Engagement Presentation from Micromex Research provided as Attachment 1.
 - b. The minutes of Hyams Beach Community Consultation Meeting held on 8 December 2018 provided as Attachment 2.
 - c. The Hyams Beach 2018/19 Peak Season Traffic Management Overview presentation provided as Attachment 3.
2. Note the following key findings presented in the Micromex Research Presentation report as suggested potential actions for Council to consider:
 - a. Investigate a carpark out of the village with a walking track and/or shuttle bus into the village.
 - b. Set up temporary one-way roads within the village during peak periods, with Council staff monitoring/enforcing the systems.
 - c. Explore community opinions on paid parking, or trial paid parking during peak periods only.
 - d. Set up bus drop off points close to the beach/places of high tourist interest, rather than establishing bus parking stations within the village.
 - e. Trial the use of temporary portaloos to meet the increased demand for toilet facilities during peak periods.
 - f. Continue to engage with the community about changes/plans to Hyams Beach, ensuring

that all residents are included in correspondence and that opinions represent the whole community.

3. Note that Council staff are to meet with representatives of the Hyams Beach Villagers Association on Wednesday 19 December with a view to reaching agreement on the prioritisation of short and long-term traffic management options.
4. Note that further traffic and parking counts will be undertaken at Hyams Beach over the Christmas/New Year holiday period in order that all future grant applications to progress traffic management projects are supported by current reliable data.
5. Receive a full report in the new year advising on the following:
 - a. Outcomes and learnings from the short-term traffic management solutions implemented over the Christmas / New Year period.
 - b. Details of any agreement reached with the Hyams Beach Villagers Association on a priority list of short and long-term traffic management solutions.
 - c. Opportunities for grant funding to progress any long-term traffic management solutions that have clear and widespread community support.

CARRIED

CL18.382 Acceptance of Grant Funding - Dept of Communications and Arts - Visions of Australia Touring Fund - Promiscuous Provenance Exhibition

HPERM Ref: D18/439555

Recommendation

That Council:

1. Accept the grant funding of \$75,502 (ex GST) to support the regional tour of *Promiscuous Provenance* as part of the Shoalhaven Regional Gallery's audience development strategy.
2. Write to the Department of Communications and the Arts, Senator the Honourable Mitch Fifield, to thank him for the grant.

RESOLVED (Clr Pakes / Clr Alldrick)

MIN18.1038

That Council:

1. Accept the grant funding of \$75,502 (ex GST) to support the regional tour of *Promiscuous Provenance* as part of the Shoalhaven Regional Gallery's audience development strategy.
2. Write to the Department of Communications and the Arts, Senator the Honourable Mitch Fifield, to thank him for the grant.

CARRIED

Note: Clr Alldrick left the meeting, the time being 9.08pm.

Procedural Motion - Matters of Urgency

RESOLVED (Clr Kitchener / Clr Proudfoot)

MIN18.1039

That an additional item regarding a request for a donation for the Catholic Church at Milton be introduced as a matter of urgency.

CARRIED

The chairperson ruled the matter as urgent due to public interest and allowed its introduction.

CL18.383 Additional Item - Donation - St Marys Star of the Sea Catholic Church - Milton

RESOLVED (Clr Kitchener / Clr Proudfoot) MIN18.1040

That Council offer a \$1,500 donation to St Marys Star of the Sea Catholic Church at Milton from the unallocated donations fund to repair or replace the Cross, subject to confirmation from the Church that the repairs cannot be covered by insurance.

CARRIED

Note: Clr Alldrick returned to the meeting, the time being 9.12pm.

Procedural Motion - Matters of Urgency

RESOLVED (Clr Pakes / Clr Proudfoot) MIN18.1041

That an additional item regarding to the replacement of the Crookhaven River/floodgate bridge be introduced as a matter of urgency.

CARRIED

The chairperson ruled the matter as urgent due to public interest and allowed its introduction.

CL18.384 Additional Item -

RESOLVED (Clr Pakes / Clr Proudfoot) MIN18.1042

That Council provide a letter providing an update on replacement of the Crookhaven River/floodgate bridge on Culburra Road to update the following CCBs: Culburra, Currarong, Callala Bay, Callala Beach and Greenwell Point.

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 Guile / Clr Pakes) MIN18.1043

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.

CCL18.20 Egan's Lane Precinct - Expression of Interest - Auric International

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.

- CCL18.21 Tenders – Supply and Delivery of Drainage and Recycled Pavement Materials - Recycling and Waste Facilities
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.
- CCL18.22 Halloran Trust Lands - Ownership of Paper Roads
Advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. 10(A)(2)(g)
There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice any court proceedings by revealing matter prepared for the purposes of or in relation to current or future proceedings or prejudice the fair trial of any person, the impartial adjudication of any case or a person's right to procedural fairness.
- CCL18.23 Tenders – Confidential - Berrara Creek & Nerrindillah Creek HDD Crossing
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.
- CCL18.24 Confidential Report - Infrastructure Funding - Moss Vale Road South and North Urban Release Areas
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 constitute a contravention of a provision of any other Act or statutory rule (of this or another State or of the Commonwealth) that prohibits the disclosure of information, whether or not the prohibition is subject to specified qualifications or exception.

CARRIED

The meeting moved into confidential the time being 9.15pm.

The meeting moved into open session, the time being 9.26pm.

REPORT FROM CONFIDENTIAL SESSION

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

CCL18.20 Egan's Lane Precinct - Expression of Interest - Auric International

**HPERM Ref:
D18/431405**

RESOLVED

MIN18.1044C

That Auric International Group be:

1. thanked for its expression of interest in the development of the Egan's Lane Precinct; and
2. advised that Council has resolved not to take any further action on this matter at this stage.

CCL18.21 Tenders – Supply and Delivery of Drainage and Recycled Pavement Materials - Recycling and Waste Facilities

**HPERM Ref:
D18/422609**

RESOLVED

MIN18.1045C

That

1. Council endorses the recommendation of the Tender Evaluation Team and accepts the tender from Schmidt Quarries for the Supply and Delivery of Drainage Materials – Recycling and Waste Facilities at an estimated initial annual cost of \$188,800 (excluding GST) for the construction of landfill cell stages at the West Nowra and Huskisson Recycling and Waste Facilities for a period of three (3) years with an option to extend for a further two (2) years.
2. Council endorses the recommendation of the Tender Evaluation Team and accepts the tender from Bulk Materials Australia Pty Ltd for the Supply and Delivery of Recycled Pavement Materials – Recycling and Waste Facilities at an estimated initial annual total cost of \$209,806 (excluding GST) for the construction of hardstand areas and access roads at all the Recycling and Waste Facilities for a period of three (3) years with an option to extend for a further two (2) years.
3. 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 Assets and Works), as the Principal's Representative.

CCL18.22 Halloran Trust Lands - Ownership of Paper Roads

**HPERM Ref:
D18/404300**

RESOLVED (Clr Proudfoot / Clr White)

MIN18.1046C

That:

1. The resolution remain confidential until the negotiations are complete.

**CCL18.23 Tenders – Confidential - Berrara Creek & Nerrindillah
Creek HDD Crossing**

**HPERM Ref:
D18/416281**

RESOLVED

MIN18.1047C

That

1. The resolution remain confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until negotiations are complete.

**CCL18.24 Confidential Report - Infrastructure Funding - Moss Vale
Road South and North Urban Release Areas**

**HPERM Ref:
D18/432359**

RESOLVED

MIN18.1048C

That

1. The resolution remain Confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until the Deed of Agreements are executed and the NSW State Government has made public announcement on the funding.
2. Write to the NSW Department of Planning and Environment and thank them for the funding offer.

Clr Watson moved to acknowledge the work of the General Manager and express appreciation for his work during his employment with Shoalhaven City Council, both as Assistant General Manager and then General Manager.

Clr Watson noted that the General Manager came into a difficult position in an organisation with an unhealthy culture, applied himself diligently and did an incredible job.

Clr Findley thanked the General Manager and his family for his service and sacrifice to Shoalhaven City Council. Clr Findley noted the impact that he has had on the community and that councillors, staff and thousands of community members appreciate the General Manager and that he'll be greatly missed.

Clr Findley commended the General Manager for working quietly, steadfastly and without complaint and commented that he is an exemplary human being.

The General Manager thanked the Mayor and Clr Watson for their kind words.

Note: A Rescission Motion was received in relation to CL18.351 Notice of Motion - DE18.76 - Amendment - Shoalhaven Development Control Plan 2014 - Medium Density 'Housekeeping' Amendments signed by Clr Gartner, Clr Digiglio & Clr Levett.

There being no further business, the meeting concluded, the time being 9.38pm.

Clr Findley
CHAIRPERSON