

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 11 December 2018
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.01pm

The following members were present:

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

Apologies / Leave of Absence

An apology was received from Clr Guile.

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr White) MIN18.949

That the Minutes of the Strategy and Assets Committee held on Tuesday 16 October 2018 be confirmed.

CARRIED

Declarations of Interest

Nil

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

SA18.273 Petition - Green Pots - Inlet Cinema - Sussex Inlet Streetscape (Page 43)

Gail Drummond, representing Sussex Inlet & Districts Community Forum, addressed the meeting to speak against the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Findley / Clr Digiglio)

MIN18.950

That the matter of the following items be brought forward for consideration:

- SA18.267 - Risk and Audit Committee Annual Report 2017 – 2018
- SA18.273 - Petition - Green Pots - Inlet Cinema - Sussex Inlet Streetscape
- SA18.282 - Sustainability Program Update
- SA18.280 - State of the Environment Report Cards 2017/18
- SA18.281 - Trees - Example Audit, Value and Status - Shoalhaven Local Government Area
- SA18.283 - Natural Resources and Floodplain Management Committees Reinstatement - Structure, Governance and Resourcing

CARRIED

SA18.267 Risk and Audit Committee Annual Report 2017 - 2018

HPERM Ref:
D18/400826

The Chairperson introduced Dr Philip Ross, Chair of the Risk and Audit Committee, who presented the Committee's Annual Report 2017-2018.

Recommendation (Item to be determined under delegated authority)

That Council receive and note the Risk and Audit Committee annual report 2017 – 2018.

RESOLVED (Clr Findley / Clr Gash)

MIN18.951

That Council receive and note the Risk and Audit Committee annual report 2017 – 2018.

CARRIED

SA18.273 Petition - Green Pots - Inlet Cinema - Sussex Inlet Streetscape

HPERM Ref:
D18/403015

Recommendation (Item to be determined under delegated authority)

That Council leave the large green pots outside Inlet Cinema, Sussex Inlet in their current location, as per the original consultation relating to the streetscape works.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN18.952

That Council in the first quarter of 2019 review the location and hold discussions with the previous project working party (including Sussex Inlet & District Community Forum) to find a suitable alternate location for the pots.

FOR: Clr Wells, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Gash and Clr Findley

CARRIED

SA18.282 Sustainability Program Update

**HPERM Ref:
D18/376211**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept the report for information.
2. Endorse the General Manager reviewing the Sustainability Coordinator position and the need for a full-time position (currently only 2 days per week) to enable effective coordination and delivery of sustainability programs across all areas of Council (Job No. 15920) and that funding is sourced from existing salary budgets.
3. Note that a Sustainability Planning Workshop (Management Diagnostic) across Council's senior management will be arranged to identify the key issues, actions and priorities the organisation needs to progress for a coordinated sustainability program and that a further report will be provided to Council following the workshop.

MOTION (Clr Proudfoot / Clr Watson)

That Council accept the report for information.

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

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

LOST

RESOLVED (MOTION) (Clr Gartner / Clr Digiglio)

MIN18.953

That Council:

1. Accept the report for information.
2. Endorse the General Manager reviewing the Sustainability Coordinator position and the need for a full-time position (currently only 2 days per week) to enable effective coordination and delivery of sustainability programs across all areas of Council (Job No. 15920) and that funding is sourced from existing salary budgets.
3. Note that a Sustainability Planning Workshop (Management Diagnostic) across Council's senior management will be arranged to identify the key issues, actions and priorities the organisation needs to progress for a coordinated sustainability program and that a further report will be provided to Council following the workshop.

FOR: Clr Wells, Clr Gash, Clr Findley, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Russ Pigg

AGAINST: Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot
CARRIED

Clr Proudfoot raised a Point of Order against Clr Findley for the implied insults in her comments “If Councillors had read the report” and “they will do nothing”. Clr Findley withdrew her comments.

Note: A rescission motion was received on this item.

SA18.280 State of the Environment Report Cards 2017/18

**HPERM Ref:
D18/350799**

Recommendation (Item to be determined under delegated authority)

That Council receive the State of the Environment Report for 2017/18 for information and note its contents.

RESOLVED (Clr Findley / Clr Gartner)

MIN18.954

That Council receive the State of the Environment Report for 2017/18 for information and note its contents.

CARRIED

**SA18.281 Trees - Example Audit, Value and Status - Shoalhaven
Local Government Area**

**HPERM Ref:
D18/293311**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the St Georges Basin urban canopy study area report prepared by the University of Technology Sydney for information.
2. Review relevant current policies to consider opportunities to better protect and enhance the urban tree canopy.
3. Consider a city wide, or larger area audit to better inform Council on the economic, social and environmental value of trees in urban areas. (Refer to 2019/20 Budget considerations.)
4. Consider a subsequent report on the detail of a possible “tree replacement policy” in line with those of other Councils and the previous Council resolution (MIN18.733).

MOTION (Clr Gartner / Clr Digiglio)

That Council:

1. Receive the St Georges Basin urban canopy study area report prepared by the University of Technology Sydney for information.
2. Review relevant current policies to consider opportunities to better protect and enhance the urban tree canopy.
3. Consider a city wide, or larger area audit to better inform Council on the economic, social and environmental value of trees in urban areas. (Refer to 2019/20 Budget considerations.)
4. Consider a subsequent report on the detail of a possible “tree replacement policy” in line with those of other Councils and the previous Council resolution (MIN18.733).

Clr Gartner raised a Point of Order against Clr Watson for allegedly disrespecting the former

Sustainable Futures Committee. The Chairperson ruled that Clr Watson had been disrespectful towards staff.

Clr Findley raised a Point of Order against Clr Pakes for making an imputation that she “picks on” him during meetings. The Chairperson ruled in favour and Clr Pakes withdrew the comment.

Clr Watson raised a Point of Order against Clr Findley for speculating on his age in 1950.

Clr Proudfoot raised a Point of Order against Clr Gartner for stating the 45 degree rule policy was not going to be reviewed by staff; it was confirmed that staff had previously confirmed that it would be.

AMENDMENT (RESOLVED) (Clr Proudfoot / Clr Pakes)

MIN18.955

That Council:

1. Receive the St Georges Basin urban canopy study area report prepared by the University of Technology Sydney for information.
2. Review relevant current policies, with the exception of the 45 degree rule, to consider opportunities to better protect and enhance the urban tree canopy.
3. Consider a city wide, or larger area audit to better inform Council on the economic, social and environmental value of trees in urban areas. (Refer to 2019/20 Budget considerations.)
4. Consider a subsequent report on the detail of a possible “tree replacement policy” in line with those of other Councils and the previous Council resolution (MIN18.733).

FOR: Clr Wells, Clr Gash, Clr White, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

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

CARRIED

The AMENDMENT became the MOTION and was CARRIED.

FOR: Clr Wells, Clr Gash, Clr White, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

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

**SA18.283 Natural Resources and Floodplain Management
Committees Reinstatement - Structure, Governance and
Resourcing**

**HPERM Ref:
D18/394535**

Recommendation (Item to be determined under delegated authority)

That:

1. Council establishes the following four Advisory Groups:
 - a. Southern Coastal, Estuary & Floodplain Management Group
 - b. Central Coastal, Estuary & Floodplain Management Group
 - c. Northern Coastal, Estuary & Floodplain Management Group
 - d. Shoalhaven Heads Estuary Taskforce
2. Council adopt the Purpose, membership and quorum for each of these advisory Groups as detailed in the report;
3. Council:
 - a. Establishes a Citywide Coastal, Estuary & Floodplain Management Committee, which

includes membership from the necessary Government Agencies and from each of the three CE&FM advisory groups, with membership, Purpose and quorum as detailed in the report; OR

- b. That Councillors, staff and government agencies meet as required in a less formal structure to discuss key documents, including studies, plans and strategies as they evolve. If this is the preferred option then government agencies would also be invited to attend the localised Advisory Group meetings as “optional members”. In this option the roles/Purpose of the Citywide committee would be incorporated into the Development & Environment Committee under delegation.
4. Expressions of Interest be called for community membership of each of the three advisory Groups and the Chair of each Group be involved in the selection process and report to council to make appointments.

RESOLVED (Clr Watson / Clr White)

MIN18.956

That:

- 1. Council establishes the following four Advisory Groups:
 - a. Southern Coastal, Estuary & Floodplain Management Group
 - b. Central Coastal, Estuary & Floodplain Management Group
 - c. Northern Coastal, Estuary & Floodplain Management Group
 - d. Shoalhaven Heads Estuary Taskforce
- 2. Council adopt the Purpose, membership and quorum for each of these advisory Groups as detailed in the report;
- 3. Council establishes a liaison group to liaise with Government Agencies, comprising the Group Directors, General Manager, and the Chairs of each of the individual committees.
- 4. Expressions of Interest be called for community membership of each of the three advisory Groups and the Chair of each Group be involved in the selection process and report to council to make appointments.

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

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

CARRIED

Note: The meeting adjourned for refreshments, the time being 7.16pm

Note: The meeting reconvened, the time being 7.43pm

Note: Clr Pakes left the meeting at 7.16pm

The following members were present:

Clr John Wells - Chairperson
Clr Joanna Gash
Clr Amanda Findley
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Greg Watson

Clr Mark Kitchener
Clr Bob Proudfoot
Russ Pigg - General Manager

**SA18.276 Special Rates Review - Streetscape Renewal Budget
2018/19**

**HPERM Ref:
D18/354644**

Recommendation (Item to be determined under delegated authority)

That Council adopts the following list of Landscape/Streetscape renewal projects to be implemented in priority order in accordance with the Special Rates Review – Streetscape Renewal Budget funding of \$512,500.

The estimate of cost for the top six projects overspends this budget by \$18,800; as the actual costs are realised the list/allocations will be revised via Council’s quarterly review process.

1. Huskisson CBD – Footpath and Landscape upgrade works in Owen St \$115,500
2. Kangaroo Valley CBD – upgrade of Moss Vale Road streetscape \$99,000
3. Vincentia Mall – Minor works and Design / Consultation \$68,200
4. Boree Street / Ulladulla Foreshore – Tree planting, decking, refurbishment \$110,000
5. Berry CBD – New kerb and asphalt Queen St and Alexander St \$49,500
6. Jervis Bay Rd & Wool Rd Roundabout – planting and concrete works \$89,100

RESOLVED (Clr White / Clr Gash)

MIN18.957

That Council adopts the following list of Landscape/Streetscape renewal projects to be implemented in priority order in accordance with the Special Rates Review – Streetscape Renewal Budget funding of \$512,500.

The estimate of cost for the top six projects overspends this budget by \$18,800; as the actual costs are realised the list/allocations will be revised via Council’s quarterly review process.

1. Huskisson CBD – Footpath and Landscape upgrade works in Owen St \$115,500
2. Kangaroo Valley CBD – upgrade of Moss Vale Road streetscape \$99,000
3. Vincentia Mall – Minor works and Design / Consultation \$68,200
4. Boree Street / Ulladulla Foreshore – Tree planting, decking, refurbishment \$110,000
5. Berry CBD – New kerb and asphalt Queen St and Alexander St \$49,500
6. Jervis Bay Rd & Wool Rd Roundabout – planting and concrete works \$89,100

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

**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.

MOTION (RECOMMENDATION) (Clr Watson / Clr Gash)

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.

AMENDMENT (Clr Findley / Clr Digiglio)

That this motion be deferred until the December Council meeting when the staff report will be brought forward.

FOR: Clr Findley, Clr Gartner, Clr Digiglio, Clr Levett and Russ Pigg

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

LOST

Clr Findley raised a Point of Order against Clr Watson for asserting that she is or appears "anti basketball". The Chairperson ruled in favour.

Clr Findley raised a Point of Order against Clr Watson for stating she had had prior a conversation with the Group Director which was incorrect. Clr Watson withdrew the comment.

MOTION WAS PUT AND CARRIED

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

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

SA18.262 Notice of Motion - Sports Board Term of Membership

**HPERM Ref:
D18/413110**

Recommendation (Item to be determined under delegated authority)

That in line with its earlier decision to maintain the Board's delegation Council not place any restriction on the number of years a member may serve.

RESOLVED (Clr Watson / Clr Proudfoot)

MIN18.958

That in line with its earlier decision to maintain the Board's delegation Council not place any restriction on the number of years a member may serve.

CARRIED

SA18.263 Notice of Motion - Use of Recycled Materials in Road Construction and Maintenance

**HPERM Ref:
D18/419959**

Recommendation (Item to be determined under delegated authority)

That the General Manager report on Council's use of recycled materials in products used for road construction, rehabilitation and repair and the potential to increase the potential of recycled product for these applications – including products sourced from Council's waste management operations.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN18.959

That the General Manager report on Council's use of recycled materials in products used for road construction, rehabilitation and repair and the potential to increase the potential of recycled product for these applications – including products sourced from Council's waste management operations.

CARRIED

SA18.264 Notice of Motion - Council's Current Electricity Usage

**HPERM Ref:
D18/419995**

Recommendation (Item to be determined under delegated authority)

That the General Manager provide a brief analysis of Council's current electricity usage, such report to include usage by function (water, sewer, leisure centres, street lighting), measures already taken to reduce electricity consumption and potential avenues to further reduce consumption including predictive cost estimates/ROI of those measures.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN18.960

That the General Manager provide a brief analysis of Council's current electricity usage, such report to include usage by function (water, sewer, leisure centres, street lighting), measures already taken to reduce electricity consumption and potential avenues to further reduce consumption including predictive cost estimates/ROI of those measures.

FOR: Clr Wells, Clr Gash, Clr Findley, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Clr Levett

CARRIED

REPORT OF THE YOUTH ADVISORY COMMITTEE - 31 OCTOBER 2018

YA18.25 Shoalhaven School Waste Reduction Initiative

**HPERM
D18/291589**

Ref:

Recommendation (Item to be determined under delegated authority)

That:

1. The Youth Advisory Committee participate in a Council waste tour in 2019, and authorise expenditure from the Youth Advisory Committee budget of an amount up to \$1,000, if necessary.
2. The Youth Advisory Committee dedicate the second meeting of 2019, to be held in term two, to discuss environmental initiatives across Shoalhaven schools.
3. Council writes a letter to the NSW Minister for the Environment to enquire why Shoalhaven City Council is charged metropolitan rates for tipping instead of regional rates.

4. The Youth Advisory Committee nominated members Ruby Frank of Ulladulla High School, James Doosey of St Johns High School, Bridee Lewis of Bomaderry High School, Sebastien Riou of Nowra Anglican College and Lachlan Willis of Shoalhaven High School investigate what is already happening with waste within their schools, consider the option of forming a Working Group and send information to the Community Development Officer.

RESOLVED (Clr White / Clr Gash)

MIN18.961

That:

1. The Youth Advisory Committee participate in a Council waste tour in 2019, and authorise expenditure from the Youth Advisory Committee budget of an amount up to \$1,000, if necessary.
2. The Youth Advisory Committee dedicate the second meeting of 2019, to be held in term two, to discuss environmental initiatives across Shoalhaven schools.
3. Council writes a letter to the NSW Minister for the Environment to enquire why Shoalhaven City Council is charged metropolitan rates for tipping instead of regional rates.
4. The Youth Advisory Committee nominated members Ruby Frank of Ulladulla High School, James Doosey of St Johns High School, Bridee Lewis of Bomaderry High School, Sebastien Riou of Nowra Anglican College and Lachlan Willis of Shoalhaven High School investigate what is already happening with waste within their schools, consider the option of forming a Working Group and send information to the Community Development Officer.

CARRIED

REPORT OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE - 7 NOVEMBER 2018

CBD18.107 Additional Item - Overview and Outcomes - Nowra CBD Workshop

Recommendation (Item to be determined under delegated authority)

That:

1. The Nowra CBD Revitalisation Strategy Committee notes and receives for information the recommendations from the Workshop report of 1 August 2018.
2. The Nowra CBD Revitalisation Strategy be promoted and reviewed regularly.
3. The Nowra CBD Revitalisation Strategy Action Plan be formalised, monitored and revisited annually.
4. The Nowra CBD Revitalisation Strategy Committee be consulted in the preparation of the Draft Capital Works Program in relation to works in the Nowra CBD
5. The Terms of Reference and delegations of the Nowra CBD Revitalisation Strategy Committee be clarified and amended to incorporate the outcomes of the workshop
6. The frequency of meetings of the Nowra CBD Revitalisation Committee be increased to monthly meetings until 31 March 2019 (excluding January 2019), after which meetings will be held bi-monthly meetings (6 per year).

MOTION (Clr Gash / Clr White)

That:

1. The Nowra CBD Revitalisation Strategy Committee notes and receives for information the

recommendations from the Workshop report of 1 August 2018.

2. The Nowra CBD Revitalisation Strategy be promoted and reviewed regularly.
3. The Nowra CBD Revitalisation Strategy Action Plan be formalised, monitored and revisited annually.
4. The Nowra CBD Revitalisation Strategy Committee be consulted in the preparation of the Draft Capital Works Program in relation to works in the Nowra CBD
5. The Terms of Reference and delegations of the Nowra CBD Revitalisation Strategy Committee be clarified and amended to incorporate the outcomes of the workshop
6. The frequency of meetings of the Nowra CBD Revitalisation Committee be increased to monthly meetings until 31 March 2019 (excluding January 2019), after which meetings will be held bi-monthly meetings (6 per year).

AMENDMENT (RESOLVED) (Clr Findley / Clr Digiglio)

MIN18.962

That:

1. The Nowra CBD Revitalisation Strategy Committee notes and receives for information the recommendations from the Workshop report of 1 August 2018.
2. The Nowra CBD Revitalisation Strategy be promoted and reviewed regularly.
3. The Nowra CBD Revitalisation Strategy Action Plan be formalised, monitored and revisited annually.
4. The Nowra CBD Revitalisation Strategy Committee be consulted in the preparation of the Draft Capital Works Program in relation to works in the Nowra CBD
5. The Terms of Reference and delegations of the Nowra CBD Revitalisation Strategy Committee be amended to expand the membership to provide a broader community representation.
6. The frequency of meetings of the Nowra CBD Revitalisation Committee be increased to monthly meetings until 31 March 2019 (excluding January 2019), after which meetings will be held bi-monthly meetings (6 per year).

FOR: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Kitchener, Clr Proudfoot and Russ Pigg

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

CARRIED

The AMENDMENT became the MOTION and was CARRIED.

FOR: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Kitchener, Clr Proudfoot and Russ Pigg

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

REPORTS

SA18.267 Risk and Audit Committee Annual Report 2017 - 2018

**HPERM REF:
D18/400826**

Item dealt with earlier in the meeting see MIN18.951

SA18.268 Model Code of Meeting Practice

**HPERM Ref:
D18/411877**

Recommendation (Item to be determined under delegated authority)

That Council note the report on the Model Code of Meeting Practice for information.

RESOLVED (Clr Gartner / Clr Digiglio)

MIN18.963

That Council note the report on the Model Code of Meeting Practice for information.

CARRIED

SA18.269 Council Committee Structure & Purpose

**HPERM Ref:
D18/412074**

Recommendation

That Council:

1. Adopt the new scheduled (purpose) for the Strategy and Assets Committee as detailed in the report.
2. Rename the Development Committee to Development and Environment Committee.
3. Adopt the new schedule (purpose) for the Development and Environment Committee as detailed in the report.

RECOMMENDATION (Clr Gash / Clr Digiglio)

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

SA18.270 Sustainability Initiatives

**HPERM Ref:
D18/420063**

Recommendation (Item to be determined under delegated authority)

That Council receive the Sustainability Initiatives report for information and further reports are provided bi-monthly.

Clr Gartner raised a Point of Order against Clr Proudfoot, who she said had accused her of belittling staff.

RESOLVED (Clr Findley / Clr White)

MIN18.964

That Council receive the Sustainability Initiatives report for information and further reports are provided bi-monthly.

CARRIED

SA18.271 Milton Library - Budget Reallocation - Ongoing Funding

**HPERM Ref:
D18/205789**

Recommendation

That Council:

1. Reinstate 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.

RECOMMENDATION (Clr Findley / Clr Proudfoot)

That Council:

1. Reinstate 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

SA18.272 Draft Destination Management Plan (DMP)

**HPERM Ref:
D18/409102**

Recommendation (Item to be determined under delegated authority)

That:

1. Council place the Draft Destination Management Plan 2018-2023 on public exhibition for a period of 28 days
2. If no significant adverse comments are received at the close of the public exhibition period, the Draft Destination Management Plan 2018-2023 be deemed adopted.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.965

That:

1. Council place the Draft Destination Management Plan 2018-2023 on public exhibition for a

period of 28 days

2. If no significant adverse comments are received at the close of the public exhibition period, the Draft Destination Management Plan 2018-2023 be deemed adopted.

CARRIED

SA18.273 Petition - Green Pots - Inlet Cinema - Sussex Inlet Streetscape

**HPERM REF:
D18/403015**

Item dealt with earlier in the meeting see MIN18.957

SA18.274 Shoalhaven Indoor Sports Centre - Water Collection and Water Reuse & Reticulation Scheme

**HPERM Ref:
D18/412229**

Recommendation (Item to be determined under delegated authority)

That Council receive the report regarding the installation of Water Collection and Water Reuse & Reticulation Scheme on the roof of the Shoalhaven Indoor Sports Centre for information.

RESOLVED (Clr Findley / Clr Gash)

MIN18.966

That Council receive the report regarding the installation of Water Collection and Water Reuse & Reticulation Scheme on the roof of the Shoalhaven Indoor Sports Centre for information.

CARRIED

SA18.275 Far North Collector Road Network

**HPERM Ref:
D18/344727**

Recommendation (Item to be determined under delegated authority)

That the update report on the proposed alignment and intersection treatments at the southern and northern ends of the Far North Collector Road be noted by the Strategy and Assets Committee for information.

RESOLVED (Clr Proudfoot / Clr Gash)

MIN18.967

That the update report on the proposed alignment and intersection treatments at the southern and northern ends of the Far North Collector Road be noted for information.

CARRIED

SA18.276 Special Rates Review - Streetscape Renewal Budget 2018/19

**HPERM REF:
D18/354644**

Item dealt with earlier in the meeting see MIN18.957

**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.

RECOMMENDATION (Clr Proudfoot / Clr White)

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

**SA18.278 Parkcare Action Plans - Sanctuary Point Graffiti
Parkcare / Cronin Place Reserve Parkcare**

**HPERM Ref:
D18/399361**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse updated 'Parkcare' Plans for Sanctuary Point and Cronin Place (Callala) with no amendments.
2. Continues to allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per plan to cover safety PPE, miscellaneous materials, waste disposal and purchase of minor tools.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.969

That Council:

1. Endorse updated 'Parkcare' Plans for Sanctuary Point and Cronin Place (Callala) with no amendments.
2. Continues to allocate ongoing annual funding of \$400 (CPI adjusted and exc GST) per plan to cover safety PPE, miscellaneous materials, waste disposal and purchase of minor tools.

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.

RECOMMENDATION (Clr Proudfoot / Clr White)

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

SA18.280 State of the Environment Report Cards 2017/18

**HPERM REF:
D18/350799**

Item dealt with earlier in the meeting see MIN18.954

**SA18.281 Trees - Example Audit, Value And Status - Shoalhaven
Local Government Area**

**HPERM REF:
D18/293311**

Item dealt with earlier in the meeting see MIN18.955

SA18.282 Sustainability Program Update

**HPERM REF:
D18/376211**

Item dealt with earlier in the meeting see MIN18.953

**SA18.283 Natural Resources and Floodplain Management
Committees Reinstatement - Structure, Governance and
Resourcing**

**HPERM REF:
D18/394535**

Item dealt with earlier in the meeting see MIN18.956

SA18.284 Solar Saver Program

**HPERM Ref:
D18/406932**

Recommendation (Item to be determined under delegated authority)

That Council receive the report on the Solar Saver Program for information only.

RESOLVED (Clr Findley / Clr Proudfoot)

MIN18.970

That Council

1. That Council receive the report on the Solar Saver Program for information only.
2. Write to the State Government bringing to their attention that NSW Legislation does not permit programs like the Solar Saver and that Council recommends a change to accommodate it.

CARRIED

SA18.285 Sustainable Energy Initiatives

**HPERM Ref:
D18/410635**

Recommendation (Item to be determined under delegated authority)

That the Committee receive the Sustainable Energy Initiatives report for information.

RESOLVED (Clr Gash / Clr White)

MIN18.971

That the Committee receive the Sustainable Energy Initiatives report for information.

CARRIED

SA18.286 Report - REMS Stage 1B - Review of Environmental Factors Addendum - Bomaderry to Nowra Transfer Main - Drilling Mud Management

**HPERM Ref:
D18/363647**

Recommendation (Item to be determined under delegated authority)

That

1. After consideration of the REF Addendum REMS 1B Transfer Main from Bomaderry to Nowra Drilling Mud Management September 2018, Council determine that it is unlikely that there will be any significant environmental impact as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity.
2. The proposed mitigation measures and controls outlined in the REF Addendum (and summarised in Table 5 of that REF) be adopted and implemented.

RESOLVED (Clr Gash / Clr White)

MIN18.972

That

1. After consideration of the REF Addendum REMS 1B Transfer Main from Bomaderry to Nowra Drilling Mud Management September 2018, Council determine that it is unlikely that there will be any significant environmental impact as a result of the proposed work and an Environmental Impact Statement is therefore not required for the proposed activity.
2. The proposed mitigation measures and controls outlined in the REF Addendum (and summarised in Table 5 of that REF) be adopted and implemented.

CARRIED

SA18.287 REMS 1A Work Package 3.1 UV Procurement

**HPERM Ref:
D18/409384**

Recommendation (Item to be determined under delegated authority)

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

RESOLVED (Clr Gartner / Clr White)

MIN18.973

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

CARRIED

SA18.288 Communications Facilities Asset Management Plan

**HPERM Ref:
D18/416397**

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with the Committee's delegated authority, and as no submissions have been received, adopt the Communications Facilities Asset Management Plan.

RESOLVED (Clr Gartner / Clr Digiglio)

MIN18.974

That Council, in accordance with the Committee's delegated authority, and as no submissions have been received, adopt the Communications Facilities Asset Management Plan.

CARRIED

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

HPERM Ref: D18/417030

Recommendation

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.

RECOMMENDATION (Clr Gash / Clr Kitchener)

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

SA18.290 Tenders - Report Provision of Trainees & Apprentices

HPERM Ref: D18/416635

Recommendation (Item to be determined under delegated authority)

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

RESOLVED (Clr Findley / Clr White)

MIN18.975

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

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Proudfoot / Clr White)

MIN18.976

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.

CSA18.19 REMS 1A Work Package 3.1 UV Procurement

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

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

CSA18.20 Tenders – Confidential Report Provision of Trainees & Apprentices

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

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

CARRIED

The meeting moved into confidential the time being 8.52pm.

The meeting moved into open session, the time being 8.58pm.

REPORT FROM CONFIDENTIAL SESSION

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

CSA18.19 REMS 1A Work Package 3.1 UV Procurement

**HPERM Ref:
D18/368325**

RESOLVED (Clr Wells / Clr White)

MIN18.977C

That

1. Council accept the Tender from Xylem Pty Ltd for REMS 1A Work Package 3.1 UV Procurement at a total cost of \$1,076,715 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General

Manager (Shoalhaven Water).

3. Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.

CARRIED

CSA18.20 Tenders – Confidential Report Provision of Trainees & Apprentices

**HPERM Ref:
D18/416590**

RESOLVED (Clr Alldrick / Clr White)

MIN18.978C

That

1. Council accept the Tender from Hunter Valley Training Company for Provision of Trainees and Apprentices based on the schedule of rates in Attachment A of this report.
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General Manager.
3. Council authorise the General Manager to adjust the contract for variations and extensions for components under the contract.

CARRIED

Note: A Rescission Motion was received in relation to SA18.282 - Sustainability Program Update signed by Clrs Watson, Pakes, Proudfoot.

There being no further business, the meeting concluded, the time being 8.58pm.

Clr Wells
CHAIRPERSON