

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 29 January 2019
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.01pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
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 Rev Andrew Smith and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Apologies were received from Clr Gartner

Confirmation of the Minutes

RESOLVED (Clr White / Clr Gash) MIN19.11

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 18 December 2018 be confirmed.

CARRIED

Declarations of Interest

Clr Gash – CL19.9 – Notice of Motion – Vegetation Damage (Mia Way) Culburra Beach – significant non pecuniary interest declaration – the matter may be perceived to be related to me as my residence is located in the vicinity of the vegetation – will leave the room and will not take part in discussion or vote.

DEPUTATIONS AND PRESENTATIONS

CL19.6 Notice of Motion - Various Issues – Sanctuary Point & St Georges Basin (Page 19)

Mr Dennis Williams addressed the meeting to speak for the recommendation

CL19.9 Notice of Motion - Vegetation Damage (Mia Way) Culburra Beach (Page 23)

Clr Gash – significant non pecuniary interest declaration – the matter may be perceived to be related to me as my residence is located in the vicinity of the vegetation – left the room and did not take part in discussion or vote.

Mr Phillip Quast addressed the meeting to speak to the recommendation.

Ms Ann Sudmalis addressed the meeting to speak to the recommendation

Procedural Motion - Bring Item Forward

RESOLVED (Clr Wells / Clr Digiglio) MIN19.12

That the following matters be brought forward for consideration after the Mayoral Minute:

- CL19.5 – Notice of Motion - Shell Service Station - Wandandian - Road repairs
- CL19.9 - Notice of Motion - Vegetation Damage (Mia Way) Culburra Beach

CARRIED

Introduction of Items as Matters of Urgency

RESOLVED (Clr Findley / Clr Pakes) MIN19.13

That the following addendum report be introduced as a matter of urgency:

1. MM19.1 Mayoral Minute - 2019 Australia Day Honours

CARRIED

The Chairperson ruled the matter as one of urgency as it relates to urgent business of Council and allowed its introduction.

MAYORAL MINUTE

MM19.1 Mayoral Minute - 2019 Australia Day Honours

**HPERM Ref:
D19/26621**

Note: Clr Gash returned to the meeting.

Recommendation

That Council recognise the honours bestowed upon Carmel Krogh OAM, Alan Stephenson OAM, Clifford Austen OAM, William Bean ASFM, Captain Darren Rae OAM and Lieutenant Commander Benjamin Crowther CSM and write letters of congratulations.

RESOLVED (Clr Findley / Clr Pakes)

MIN19.14

That Council recognise the honours bestowed upon Carmel Krogh OAM, Alan Stephenson OAM, Clifford Austen OAM, William Bean ASFM, Captain Darren Rae OAM and Lieutenant Commander Benjamin Crowther CSM and write letters of congratulations.

MEDAL (OAM) OF THE ORDER OF AUSTRALIA IN THE GENERAL DIVISION

- **Carmel Krogh OAM** for service to civil engineering.
- **Alan Stephenson OAM** for service to horticulture.
- **Clifford Austen OAM** for service to the sport of shooting.

AUSTRALIAN FIRE SERVICE MEDAL (ASFM)

- **William Bean ASFM** for 54 years of devoted and active service as a volunteer of the NSW RFS.

MEDAL (OAM) OF THE ORDER OF AUSTRALIA IN THE MILITARY DIVISION

- **Captain Darren Rae OAM RAN** for service in the field of Naval Aviation Engineering.

CONSPICUOUS SERVICE MEDAL (CSM)

- **Lieutenant Commander Benjamin Crowther CSM RAN** for the meritorious achievement in the field of Naval unmanned aircraft.

Carmel Krogh OAM responded and thanked the Council for their comments.

The Mayor acknowledged former Mayor Max Atkins and wife Val who have been married for 60 years

The Mayor congratulated all service staff who worked over the Christmas shut down period to keep the bins empty and the toilets clean etc over the peak holiday period.

CARRIED

REPORTS

CL19.6 Notice of Motion - Various Issues - Sanctuary Point & St Georges Basin

**HPERM Ref:
D19/11691**

Recommendation

That:

1. The thirteen-point notice of motion regarding matters at Sanctuary Point, which was previously passed by Council, be acted on as a matter of urgency and as a matter of good faith.
2. A report come to Council as to why no action has occurred to date.

Point of Order – Clr Proudfoot raised a Point of Order against Clr Levett comments regarding the work of the community.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN19.15

That:

1. The thirteen-point notice of motion regarding matters at Sanctuary Point, which was previously passed by Council, be acted on as a matter of urgency and as a matter of good faith.
2. A report come to Council as to why no action has occurred to date.

CARRIED

CL19.9 Notice of Motion - Vegetation Damage (Mia Way) Culburra Beach

**HPERM Ref:
D19/21472**

Clr Gash – significant non pecuniary interest declaration – the matter may be perceived to be related to me as my residence is located in the vicinity of the vegetation – left the room and did not take part in discussion or vote.

Recommendation

That

1. Council to brief councillors on any investigations past or ongoing in regard to the vegetation damage that has accorded at the Mia Way Location, Culburra Beach.
2. Any findings from investigations be reported to council.
3. Brief councillors on any works the Mia Way bush care group has undertaken to restore the damaged vegetation.
4. The installation of vegetation vandalism signs be delayed until after councillors are briefed.

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN19.16

That:

1. Council to brief councillors on any investigations past or ongoing in regard to the vegetation damage that has accorded at the Mia Way Location, Culburra Beach.
2. Any findings from investigations be reported to council.
3. Brief councillors on any works the Mia Way bush care group has undertaken to restore the damaged vegetation.
4. The installation of vegetation vandalism signs be delayed until after councillors are briefed.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL19.1 Notice of Motion - Collaboration with Corrective Services NSW Community Corrections Agency **HPERM Ref: D19/4377**

Note: Clr Gash returned to the meeting.

Recommendation

That a report be provided to Council on additional operational areas in which Council, as a community service work partner, can work with Corrective Services NSW Community Corrections Agency to provide opportunities for offenders to contribute to improving assets in the community, as well as providing effective cost savings to Council.

RESOLVED (Clr Digiglio / Clr Levett)

MIN19.17

That a report be provided to Council on additional operational areas in which Council, as a community service work partner, can work with Corrective Services NSW Community Corrections Agency to provide opportunities for offenders to contribute to improving assets in the community, as well as providing effective cost savings to Council.

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

AGAINST: Clr Guile and Clr Pakes

CARRIED

CL19.2 Rescission Motion - CL18.351 Notice of Motion - DE18.76 - Amendment - Shoalhaven Development Control Plan 2014 - Medium Density 'Housekeeping' Amendments **HPERM Ref: D18/444172**

Recommendation

That Council rescind the Motion relating to Item CL18.351 of the Council Meeting held on Tuesday 18 December 2018.

MOTION LOST (Clr Levett / Clr Digiglio)

MIN19.18

That Council rescind the Motion relating to Item CL18.351 of the Council Meeting held on Tuesday 18 December 2018.

FOR: Clr Findley, Clr Digiglio, Clr Alldrick and Clr Levett

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

LOST

CL19.3 Notice of Motion - CL18.351 (DE18.76) - Amendment - Shoalhaven Development Control Plan 2014 - Medium Density 'Housekeeping' Amendments

**HPERM Ref:
D18/444189**

Recommendation

That Council receive CL18.351 for information.

This item was not dealt with as the preceding Rescission Motion was LOST. See MIN19.18

CL19.4 Notice of Motion - Truck Stop - Lions Park - Burrill Lake

**HPERM Ref:
D19/10139**

Recommendation

That Council write to the R.M.S regarding the designated truck-stop at Lion's Park, Burrill Lake, requesting the following:

1. More effective communication with truck drivers and transport companies occur regarding the location of the truck-stop.
2. More effective signage be installed on the southern end of the new Burrill Lake Bridge indicating the left turn to the truck-stop.
3. The section of Dolphin Point Road from The Princes Highway to Link Road adjacent to Lion's Park be upgraded to clearly indicate the truck parking bays on the southern end as distinct from the park users section on the northern end.
4. The section of road reserve on the left hand side of the Princes Highway (heading south on the highway) from Link Road, at the rear of neighbouring properties (Wuru Drive) for a distance of approximately 400 metres, not be used as a truck rest-stop and appropriate signage be installed.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN19.19

That Council request a meeting with the RMS Southern Regional Manager regarding the designated truck-stop at Lion's Park, Burrill Lake, requesting the following:

1. More effective communication with truck drivers and transport companies occur regarding the location of the truck-stop.
2. More effective signage be installed on the southern end of the new Burrill Lake Bridge indicating the left turn to the truck-stop.
3. The section of road reserve on the left hand side of the Princes Highway (heading south on the highway) from Link Road, at the rear of neighbouring properties (Wuru Drive) for a distance of approximately 400 metres, not be used as a truck rest-stop and appropriate signage be installed.
4. The RMS identify and construct a heavy vehicle truck stop between Burrill Lake and Batemans Bay for both northbound and southbound heavy vehicles.

CARRIED

CL19.5 Notice of Motion - Shell Service Station - Wandandian - Road repairs **HPERM Ref: D19/10148**

Recommendation

That Council write to the R.M.S regarding the entrance to the Shell Service Station, Wandandian, requesting that urgent repair work to the road shoulders both approaching the service station and at the entrances be undertaken.

RESOLVED (Clr Proudfoot / Clr Alldrick) MIN19.20

That Council write to the R.M.S regarding the entrance to the Shell Service Station, Wandandian, requesting that urgent repair work to the road shoulders both approaching the service station and at the entrances be undertaken.

CARRIED

CL19.6 Notice of Motion - Various Issues - Sanctuary Point & St Georges Basin **HPERM REF: D19/11691**

Item dealt with earlier in the meeting see MIN19.15

CL19.7 Notice of Motion - Support to Callala Beach CCB - Toilet Block **HPERM Ref: D18/441303**

Recommendation

That Council allocate \$2,940 from the budget quarterly review to complete the upgrades to the Callala Beach road toilet block.

RESOLVED (Clr Pakes / Clr White) MIN19.21

That:

1. Council allocate \$2,940 from the budget quarterly review to complete the upgrades to the Callala Beach road toilet block.
2. The directional signage for the toilet be moved a few metres to the right away from the mural
3. Taps within the vicinity be placed on the maintenance schedule

CARRIED

CL19.8 Notice of Motion - Parking at Holiday Haven Culburra Beach **HPERM Ref: D19/21540**

Recommendation

That Council investigate possible other parking arrangements over the peak holiday periods.

RESOLVED (Clr Pakes / Clr Gash) MIN19.22

That Council investigate possible other parking arrangements over the peak holiday periods.

CARRIED

**CL19.9 Notice of Motion - Vegetation Damage (Mia Way)
Culburra Beach**

**HPERM REF:
D19/21472**

Item dealt with earlier in the meeting see MIN19.16

**CL19.10 Question on Notice - SA17.296 Collingwood Beach Dune
Vegetation Management Plan**

**HPERM Ref:
D19/21418**

Question

At the Strategy and Assets Committee meeting on Tuesday 21 November 2017, Council resolved item SA17.296, Collingwood Beach Dune Vegetation Management Plan.

Along with a commitment to the Dune Vegetation Management Plan, this resolution states:

- 2.b.iii Identifies location for 1 viewing platforms in accordance with MHL's report;
- 2.d All existing signs regarding tree vandalism will be removed from Collingwood Beach and a new signage program developed in the new Tree Vandalism policy.
- 4. Develop a robust Shoalhaven Tree Vandalism policy to be rolled out across the Shoalhaven. In the interim Council immediately adopt the anti-vandalism strategy as outlined in this report be adopted and implemented to mitigate against continuing vandalism.

It is now January, 2019. The Dune Vegetation Management Plan trial sites were implemented in August and September 2018, including the removal of existing signs identifying tree vandalism along Collingwood Beach.

Can the Acting General Manager please inform Council:

- 1. When the viewing platforms will be in situ?
- 2. When the 'robust' Shoalhaven Tree Vandalism Policy will be presented to Council?
- 3. When the new signage program, developed within the Tree Vandalism policy, will be implemented?

Response from Director Planning & Development

The signage referenced above has been removed.

The location for the viewing platform has been agreed and works for completion have been programmed. It is hoped to complete works by April this year; however this is still subject to confirmation.

The draft Shoalhaven Tree Vandalism Policy has been drafted and is currently being reviewed internally by Staff. This will be reported to Council in the near future and include commentary on signage.

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 15 JANUARY 2019

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

TC19.2 Proposed Signage & Line Marking - 300B & 310 Millbank Road, Worrigea (PN 3524) HPERM Ref: D19/8479

RESOLVED* (Clr Guile / Clr White) MIN19.23

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed regulatory signage and line marking for the proposed intersection treatment and bus bay on Millbank Road for the residential subdivision at 300B and 310 Millbank Road, Worrigea, subject to:

1. the provision of guide posts in accordance with standards at both ends of the works in Millbank Road (where the proposed works transitions back to the existing road formation) and also along Millbank Road (eastern side) along the full extent of the proposed works; and
2. extending the proposed C1 line marking (replacing the proposed E1) on the northbound approach to the proposed intersection.
3. replacing the proposed C1 line marking along the proposed bus bay with E1 line marking.

CARRIED

TC19.3 Installation of No Stopping Zone - Prince Edward Avenue Culburra Beach (PN 3526) HPERM Ref: D19/8554

Recommendation

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a No Stopping zone 20 metres either side of the Holiday Haven Tourist Park access on Prince Edward Avenue, Culburra Beach, as detailed in the attached plan.

RESOLVED (Clr Pakes / Clr Proudfoot) MIN19.24

That this matter be deferred pending discussions with Holiday Haven.

CARRIED

TC19.4 No Right Turn Removed - Queen St & Prince Alfred St Berry (PN 3529) HPERM Ref: D19/8643

RESOLVED* (Clr Guile / Clr White) MIN19.25

That the General Manager (Director Assets and Works) be requested to arrange for the removal of the 'No Right Turn' signage at the intersection of Queen Street and Prince Alfred Street, Berry, as detailed in the attached plan.

CARRIED

TC19.5 No Stopping Zone - Bayview Ave, Hyams Beach (PN HPERM Ref: D19/8683 3530)

Recommendation

That the General Manager (Director Assets and Works) be advised the Shoalhaven Traffic Committee has no objection to the recently installed 15m long 'No Stopping' zone between 10 and 12 Bayview Avenue, Hyams Beach.

RESOLVED (Clr Proudfoot / Clr White)

MIN19.26

That the General Manager (Director Assets and Works) be advised the Shoalhaven Traffic Committee has no objection to the recently installed 15m long 'No Stopping' zone between 10 and 12 Bayview Avenue, Hyams Beach.

CARRIED

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 22 JANUARY 2019

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

SA19.2 Ratepayer Advance Kerb & Gutter Construction

**HPERM Ref:
D18/433030**

RESOLVED* (Clr Wells / Clr Digiglio)

MIN19.27

That:

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council, with:
 - a. R J & M L Speer of 32 Ridglands Drive, Sanctuary Point NSW 2540 in respect of Kerb and Gutter construction to the value of \$7,330.44 (advance) of which \$1,798.32 (excluding GST) is the contribution, \$5,532.12 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,915.15.
 - b. R J & M L Speer of 34 Ridglands Drive, Sanctuary Point NSW 2540 in respect of Kerb and Gutter construction to the value of \$7,330.44 (advance) of which \$1,798.32 (excluding GST) is the contribution, \$5,532.12 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,915.15.
 - c. D L Mood of 43 Basin View Parade, Basin View (same as postal address) in respect of Kerb and Gutter construction to the value of \$7,330.44 (advance) of which \$1,798.32 (excluding GST) is the contribution, \$5,532.12 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,915.15.
 - d. C J Hobbs of 45 Basin View Parade, Basin View in respect of Kerb and Gutter construction to the value of \$7,330.44 (advance) of which \$1,798.32 (excluding GST) is the contribution, \$5,532.12 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,915.15.
 - e. The Roman Catholic Church of St Michaels Parish, 25 St George Avenue, Vincentia in respect of Kerb and Gutter construction to the value of \$6,001.00 (advance) of which \$1,921.00 (excluding GST) is the contribution, \$4,080.00 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,100.00.
 - f. Rennie Marceline D'Souza, 27 St George Avenue, Vincentia NSW 2540 in respect of Kerb and Gutter construction to the value of \$6,071.60 (advance) of which \$1,943.60 (excluding

GST) is the contribution, \$4,128.00 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$5,160.00.

- g. Marcela Evangeline Biguzas & Moses Raudino, 29 St George Avenue, Vincentia NSW 2540 in respect of Kerb and Gutter construction to the value of \$7,413.00 (advance) of which \$2,373.00 is the contribution, \$5,040.00 is the loan and the amount to be repaid to the Ratepayer in 5 years at 5% interest per annum is \$6,300.00.

- 2. 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

SA19.3	Classification of Land - Lot 1 DP 1245988 - 4 Kardella Ave Nowra	HPERM Ref: D18/424564
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RESOLVED* (Clr Wells / Clr Digiglio) MIN19.28

That Council resolve to classify the land described as Lot 1 DP1245988 at 4 Kardella Avenue Nowra as Operational Land.

CARRIED

SA19.4	Land Classification Lots 1452 & 1452 DP1231370 Vincentia	HPERM Ref: D18/433112
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RESOLVED* (Clr Wells / Clr Digiglio) MIN19.29

That Council resolve to classify the land described as Lot 1451 DP1231370 Horizon Crescent Vincentia & Lot 1452 DP1231370 Halloran Street Vincentia DP 1231370 as Community Land with a sub-category of General Community Use.

CARRIED

SA19.5	Acquisition of Water & Sewer Easement at Lot 76 DP 755907 - 66 Wrights Beach Road, Bream Beach	HPERM Ref: D18/433480
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Recommendation

That Council resolve:

- 1. To compulsorily acquire the following easement for Council infrastructure over Crown land Lot 76 DP 755907, subject to resolving Native Title interests, at compensation determined by the Valuer General:
 - a. An Easement for Water Supply and Sewerage variable width, shown in yellow and marked 'E' on the attached plan.
- 2. To pay compensation and costs associated with the acquisition from Shoalhaven Water's Sewer and Water Funds. Compensation determined by the Valuer General to be in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
- 3. That the necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.
- 4. That the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

RESOLVED (Clr Proudfoot / Clr White)

MIN19.30

That Council resolve:

1. To compulsorily acquire the following easement for Council infrastructure over Crown land Lot 76 DP 755907, subject to resolving Native Title interests, at compensation determined by the Valuer General:
 - a. An Easement for Water Supply and Sewerage variable width, shown in yellow and marked 'E' on the attached plan.
2. To pay compensation and costs associated with the acquisition from Shoalhaven Water's Sewer and Water Funds. Compensation determined by the Valuer General to be in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
3. That the necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.
4. That the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

REPORTS

CL19.13 Kangaroo Valley Netball Court - Relocation and Upgrade of Infrastructure

HPERM Ref: D18/396060

Recommendation

That Council

1. Allocate \$37,411 for the rectification works to Kangaroo Valley Netball Court;
2. Staff arrange for the erection of fencing on boundaries shared with private landowner;
3. Staff continue to seek contribution towards the fencing costs from neighbouring landowner;
4. Staff lodge *Application to Modify Development Consent* for the floodlight infrastructure, and install new floodlighting upon consent;
5. Staff arrange for removal of existing floodlight infrastructure if requested and approved by neighbouring landowner.

RESOLVED (Clr Pakes / Clr White)

MIN19.31

At the request of the lawyer acting for the adjoining landowner, that this matter be deferred to the February Ordinary Meeting.

CARRIED

CL19.14 Acceptance of Grant Funding - Gordon Darling Foundation - Domestic Travel Grant

HPERM Ref: D19/7417

Recommendation

That Council:

1. Accept the grant funding of \$3,300 (incl GST) for the Domestic Travel Grant, with the monies being used for staff related expenses in the development and promotion of Shoalhaven Regional Gallery

2. Write to Gordon Darling Foundation to thank them for the grant.

RESOLVED (Clr Pakes / Clr White)

MIN19.32

That Council:

1. Accept the grant funding of \$3,300 (incl GST) for the Domestic Travel Grant, with the monies being used for staff related expenses in the development and promotion of Shoalhaven Regional Gallery
2. Write to Gordon Darling Foundation to thank them for the grant.

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Pakes)

MIN19.33

That the meeting be adjourned to allow for refreshments.

CARRIED

The meeting adjourned the time being 7.07pm

The meeting reconvened the time being 7.33pm

The following members were present:

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

CL19.15 Regional Growth Environment and Tourism Fund - Shoalhaven Sustainable Tourism Infrastructure Package

**HPERM Ref:
D19/19610**

Recommendation

That Council:

1. Note the Expression of Interest submitted for the *Shoalhaven Sustainable Tourism Infrastructure Package* under the State Government's Regional Growth Environment and Tourism Fund Round 2 for information.
2. Endorse the action taken by staff in preparing a Detailed Application for submission by 1 February 2019 for the *Shoalhaven Sustainable Tourism Infrastructure Package* at a project cost of \$6.88M.
3. Commit \$1.5M over the period 2018/19 to 2020/21 as its co-contribution towards the *Shoalhaven Sustainable Tourism Infrastructure Package* should the application be successful

to be funded in future years Capital Works Programs.

4. Receive a further report on the progress of Council's Detailed Application as information is received.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN19.34

That Council:

1. Note the Expression of Interest submitted for the *Shoalhaven Sustainable Tourism Infrastructure Package* under the State Government's Regional Growth Environment and Tourism Fund Round 2 for information.
2. Endorse the action taken by staff in preparing a Detailed Application for submission by 1 February 2019 for the *Shoalhaven Sustainable Tourism Infrastructure Package* at a project cost of \$6.88M.
3. Commit \$1.5M over the period 2018/19 to 2020/21 as its co-contribution towards the *Shoalhaven Sustainable Tourism Infrastructure Package* should the application be successful to be funded in future years Capital Works Programs.
4. Receive a further report on the progress of Council's Detailed Application as information is received.
5. Council receive a report to Strategy and Assets regarding the previous Notice of Motion for Tourism Funding submitted by Clr Proudfoot.

CARRIED

CL19.16 Investment Report - December 2018

**HPERM Ref:
D19/11131**

Recommendation

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

RESOLVED (Clr Proudfoot / Clr Guile)

MIN19.35

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

CARRIED

CL19.17 Amendment to the election provisions of the Local Government (General) Regulation 2005

**HPERM Ref:
D19/17777**

Recommendation

That the report on the Amendments to the Election provisions of the Local Government (General) Regulation 2005 be noted.

RESOLVED (Clr Proudfoot / Clr Digiglio)

MIN19.36

That the report on the Amendments to the Election provisions of the Local Government (General) Regulation 2005 be noted.

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

AGAINST: Clr Guile

CARRIED

CL19.18 Commencement of the new Model Code of Meeting Practice for Local Councils

**HPERM Ref:
D19/18445**

Recommendation

That

1. The Report on the commencement of the new Model Code of Meeting Practice for Local Councils be noted.
2. A workshop of Councillors and Senior Staff be held to discuss the non-mandatory provisions of the Model Code of Meeting Practice prior to consideration of a revised draft Shoalhaven City Council Code of Meeting Practice based on the Model.

RESOLVED (Clr Proudfoot / Clr Gash)

MIN19.37

That:

1. The Report on the commencement of the new Model Code of Meeting Practice for Local Councils be noted.
2. A workshop of Councillors and Senior Staff be held to discuss the non-mandatory provisions of the Model Code of Meeting Practice prior to consideration of a revised draft Shoalhaven City Council Code of Meeting Practice based on the Model.

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

AGAINST: Clr Guile and Clr Pakes

CARRIED

CL19.19 Commencement of the New Model Code of Conduct for Local Councils in NSW and Procedures

**HPERM Ref:
D19/20844**

Recommendation

That Council

1. Note the commencement of the new Model Code of Conduct and Procedures as outlined in the report.
2. Hold a Councillor Workshop to discuss the Model Code of Conduct and Procedures.

RESOLVED (Clr Proudfoot / Clr Digiglio)

MIN19.38

That Council:

1. Note the commencement of the new Model Code of Conduct and Procedures as outlined in the report.
2. Hold a Councillor Workshop to discuss the Model Code of Conduct and Procedures.

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

AGAINST: Clr Guile and Clr Pakes

CARRIED

CL19.20 New Shoalhaven River Bridge at Nowra

**HPERM Ref:
D19/20580**

Recommendation

That:

1. A further report be submitted to Council in relation to the relocation of parking, public toilets and the Rotary monument near the bridge in Illaroo Road and on the relocation, replacement or demolition of the Captain Cook Memorial which is currently located in Moorhouse Park.
2. Council advise RMS that Council does not support any proposal to use Harry Sawkins Park as a car park but otherwise has no objection to the proposed amendments to the areas required for acquisition and leasing as set out in Attachment 1.
3. Council advise RMS that all landscape design work in relation to the Nowra entry, Moorhouse Park and Paringa Park is to be carried out by Council in consultation with RMS at RMS's cost.

RESOLVED (Clr Gash / Clr Digiglio)

MIN19.39

That:

1. A further report be submitted to Council in relation to the relocation of parking, public toilets and the Rotary monument near the bridge in Illaroo Road and on the relocation, replacement or demolition of the Captain Cook Memorial which is currently located in Moorhouse Park.
2. Council advise RMS that Council does not support any proposal to use Harry Sawkins Park as a car park but otherwise has no objection to the proposed amendments to the areas required for acquisition and leasing as set out in Attachment 1.
3. Council advise RMS that all landscape design work in relation to the Nowra entry, Moorhouse Park and Paringa Park is to be carried out by Council in consultation with RMS at RMS's cost.
4. A copy of the submission be forwarded to the Federal Member for Gilmore Ann Sudmalis MP.
5. Council further emphasize to the RMS the absolute necessity for a traffic light controlled intersection to be retained, giving access from the highway to the Riverview Road and Lyrebird Drive precinct

CARRIED

CL19.21 Development Application No.18/1284 – 39 Schofields Lane, Berry – Lot 6 DP 1188080

HPERM Ref: D19/7539

Recommendation

That Council determine Development Application No.18/1284, being for a temporary administration office and storage facility, by way of approval subject to conditions as contained in Attachment 1.

RESOLVED (Clr Wells / Clr Pakes)

MIN19.40

That Council determine Development Application No.18/1284, being for a temporary administration office and storage facility, by way of approval subject to conditions as contained in Attachment 1.

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

AGAINST: Nil

CARRIED

CL19.22 Variations to Development Standards - Fourth Quarter Report 2018 **HPERM Ref: D19/18405**

Recommendation

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

RESOLVED (Clr Wells / Clr White) MIN19.41

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

CARRIED

CL19.23 Milestone 6 Final Offer - REMS 1B - WP2.1 Transfer Main from Bomaderry to Nowra **HPERM Ref: D19/23021**

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 Wells) MIN19.42

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

CARRIED

Procedural Motion - Matters of Urgency

RESOLVED (Clr Pakes) MIN19.43

That an additional item regarding the Bunnings Development Application - DA18/1598 be introduced as a matter of urgency.

CARRIED

The chairperson ruled the matter as urgent due to the public interest.

CL19.24 Additional Item - Determination of DA18/1598 - 145 Princes Highway - South Nowra - Bunnings Development

RESOLVED (Clr Pakes / Clr Guile) MIN19.44

That if the DA18/1598 no longer requires a report to Council that Council delegate authority to staff for determination of the Bunnings Development.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Aldrick, Clr Levett, Clr Guile, Clr Pakes, Clr Watson and Clr Kitchener

AGAINST: Clr Proudfoot

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Wells / Clr Gash)

MIN19.45

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.

CCL19.1 Milestone 6 Final Offer - REMS 1B - WP2.1: Transfer Main from Bomaderry to Nowra

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

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

CARRIED

The meeting moved into confidential the time being 8.25pm.

The meeting moved into open session, the time being 8.35pm.

REPORT FROM CONFIDENTIAL SESSION

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

CCL19.1 Milestone 6 Final Offer - REMS 1B - WP2.1: Transfer Main from Bomaderry to Nowra

HPERM Ref: D19/20538

RESOLVED

MIN19.46C

That the resolution of the Council remain confidential in accordance with section 10A(2)(c) of the Local Government Act until the documents are executed.

There being no further business, the meeting concluded, the time being 8.36pm.

Clr Findley
CHAIRPERSON