

## MINUTES OF THE ORDINARY MEETING

**Meeting Date:** Tuesday, 30 July 2019  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5.00pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr Joanna Gash  
Clr John Wells  
Clr Patricia White  
Clr Kaye Gartner  
Clr Nina Digiglio  
Clr Annette Alldrick – arrived 5.43pm  
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 Joel Noonan and the playing of the Australian National Anthem.

### Apologies

**RESOLVED** (Clr Findley) MIN19.494

Apologies have been received from Clr Alldrick for part of the meeting 30 July 2019, she will arrive later in the meeting.

CARRIED

### Confirmation of the Minutes

**RESOLVED** (Clr Guile / Clr White) MIN19.495

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 25 June 2019 and the Extra Ordinary Meeting of Ordinary Meeting held on Tuesday 25 June 2019 be confirmed.

CARRIED

## Declarations of Interest

Clr Wells – CL19.182 - “The Blockstars”! - Lego League Report- less than significant non pecuniary interest declaration – his daughter Kate and grandchildren Jessica and Joshua are members of the Blockstars who received the donation, perception that he was associated with Council funding of the Blockstars trip to USA, he declared a significant pecuniary interest when the funding was considered – remain in the room and will take part in discussion and vote.

Clr Findley – CSA19.7 - Processing of kerbside collected recycling - Confidential Report – less than significant non pecuniary interest declaration – one of the Directors of Shoalhaven Recycling is known to her – will leave the room and will not take part in discussion or vote.

## Call Over of the Business Paper

The Following items were called up for debate:

CL19.171, CBD19.27, CL19.182, CL19.188, CL19.172, CL19.173, CL19.174, CL19.175,  
CL19.176, CL19.177, SA19.104, SA19.105, TC19.37, CL19.181, CL19.184, CL19.187, CL19.189,  
CL19.192

The remaining items were resolved en-block (Clr Wells / Clr Gartner) at this time. They are marked with an asterisk (\*) in these Minutes.

## MAYORAL MINUTE

Nil

## DEPUTATIONS AND PRESENTATIONS

### **CL19.171 Notice of Motion - Footpath – Shoalhaven Caravan Village (Page 1)**

Mr Peter Cross addressed the meeting to speak for the recommendation.

### **CBD19.27 Proposed Establishment of Architectural Ideas Competition in Nowra CBD**

Mr Wesley Hindmarch addressed the meeting to speak for the recommendation.

### **CL19.182 “The Blockstars”! - Lego League Report (Page 25)**

Ms Jess Weakley and members of the Blockstars team addressed the meeting to speak for the recommendation.

### **CL19.188 Summary of Events - Proposed Changes to Parking Arrangements - Moss St / North St Nowra (page 45)**

Mr Pip de Pulford, of Hyper Hyper Coffee, addressed the meeting to speak for the recommendation.

Note: Clr Alldrick arrived at 5.43pm during the deputations.

**Procedural Motion - Bring Item Forward**

**RESOLVED** (Clr Pakes / Clr Gash)

MIN19.496

That the following matters be brought forward for consideration:

- CL19.171 – Notice of Motion - Footpath - Shoalhaven Caravan Village
- CBD19.27 – Proposed Establishment of Architectural Ideas Competition in Nowra CBD
- CL19.182 – “The Blockstars”! - Lego League Report
- CL19.188 - Summary of Events - Proposed Changes to Parking Arrangements - Moss St / North St Nowra

CARRIED

**CL19.171 Notice of Motion - Footpath - Shoalhaven Caravan Village**

**HPERM Ref:  
D19/236545**

**Recommendation**

That Council provide a report on the following:

1. Cost of providing a continuing footpath from outside of the Shoalhaven Caravan Village to connect to the existing footpath at Ferry Lane.
2. Cost of same in the most economic way.
3. Time frame of same both in construction and schedule of start date.

**RESOLVED** (Clr Gash / Clr Findley)

MIN19.497

That Council provide a report on the following:

1. Cost of providing a continuing footpath from outside of the Shoalhaven Caravan Village to connect to the existing footpath at Ferry Lane.
2. Cost of same in the most economic way.
3. Time frame of same both in construction and schedule of start date.

CARRIED

**CBD19.27 Proposed Establishment of Architectural Ideas Competition in Nowra CBD**

**HPERM Ref:  
D19/198093**

**Recommendation**

That a Nowra CBD Revitalisation Strategy Committee consider establishing a Strategic Working Party to investigate the suitability of an architectural design competition in the Nowra CBD, which:

1. Discusses the potential competition locations noted in the report;
2. Works towards a competition objective, organisational structure and funding model to be submitted to NRSC
3. Includes membership of a relevant Council Officer and other Nowra CBD Revitalisation Strategy Committee members.

**RESOLVED** (Clr Guile / Clr Digiglio)

MIN19.498

That a Nowra CBD Revitalisation Strategy Committee consider establishing a Strategic Working Party to investigate the suitability of an architectural design competition in the Nowra CBD, which:

1. Discusses the potential competition locations noted in the report;

2. Works towards a competition objective, organisational structure and funding model to be submitted to NRSC
3. Includes membership of a relevant Council Officer and other Nowra CBD Revitalisation Strategy Committee members.

CARRIED

**CL19.182 “The Blockstars”! - Lego League Report**

**HPERM Ref:  
D19/240350**

Clr Wells - less than significant non pecuniary interest declaration – his daughter Kate and grandchildren Jessica and Joshua are members of the Blockstars who received the donation, perception that he was associated with Council funding of the Blockstars trip to USA, he declared a significant pecuniary interest when the funding was considered – remained in the room and took part in discussion and voted.

**Recommendation**

That Council receive the report of The Blockstars team’s participation in the FIRST Lego League USA Open International Tournament for information.

**RESOLVED** (Clr Pakes / Clr Gartner)

MIN19.499

That Council receive the report of The Blockstars team’s participation in the FIRST Lego League USA Open International Tournament for information.

CARRIED

**CL19.188 Summary of Events - Proposed Changes to Parking Arrangements - Moss St / North St Nowra**

**HPERM Ref:  
D19/248215**

**Recommendation**

That Council receive a deputation from Mr Pip de Pulford at the July Council meeting regarding his concerns in relation to parking impacts from Council’s proposed North Street - Kinghorne Street traffic signals project.

**RESOLVED** (Clr Gartner / Clr Digiglio)

MIN19.500

That Council:

1. Receive a deputation from Mr Pip de Pulford at the July Council meeting regarding his concerns in relation to parking impacts from Council’s proposed North Street - Kinghorne Street traffic signals project.
2. Indicate to the CEO that it is not prepared to proceed with the proposed traffic lights at the intersection of Kinghorne and North Streets, Nowra.

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

AGAINST: Clr Findley

CARRIED

## NOTICES OF MOTION / QUESTIONS ON NOTICE

### CL19.172 Notice of Motion - Coastal Dunes - Management Plans

HPERM Ref:  
D19/239964

#### Recommendation

That in enhancing the resilience of our coastal dunes Council staff integrate the points raised in this notice of motion regarding current vegetation issues and those of new plantings or self-propagations, into all current and future plans of management.

1. Damage to public infrastructure and private property needs to be carefully foreseen and avoided by planting the correct species in the correct locations, making a generous allowance for the impact of the fully grown vegetation on its surroundings. Existing vegetation causing damage to public infrastructure or private property may, as a matter of course, necessitate removal.
2. All necessary steps must be taken to ensure that safety is paramount in public areas as well as adjacent to private homes. Selection of the ideal species and the location of new plantings is crucial if bushfire risk and fall hazard is to be eliminated. Assessment of existing vegetation in this regard may need to occur.
3. Staff will give serious consideration to the differentiation between accreting dunes and eroding dunes and the need to potentially have different planting and management regimes in each instance and report their deliberations back to Council for further discussion.
4. Staff advise how the Coastal Dune Management Manual classifications of "incipient foredune", "foredune" and hind dune are applied in situations where hind dunes are developed, and how the appropriate vegetation species recommended for planting is implemented on the ground and into local management plans in such situations.
5. Where residents are prepared to pay for private contractors to carry out work, under the direction of Council staff and according to an approved plan of management, this necessary work proceeds pending availability of staff to approve and oversight works.

#### RESOLVED (Clr Proudfoot / Clr Pakes)

MIN19.501

That in enhancing the resilience of our coastal dunes Council staff integrate the points raised in this notice of motion regarding current vegetation issues and those of new plantings or self-propagations, into all current and future plans of management.

1. Damage to public infrastructure and private property needs to be carefully foreseen and avoided by planting the correct species in the correct locations, making a generous allowance for the impact of the fully grown vegetation on its surroundings. Existing vegetation causing damage to public infrastructure or private property may, as a matter of course, necessitate removal.
2. All necessary steps must be taken to ensure that safety is paramount in public areas as well as adjacent to private homes. Selection of the ideal species and the location of new plantings is crucial if bushfire risk and fall hazard is to be eliminated. Assessment of existing vegetation in this regard may need to occur.
3. Staff will give serious consideration to the differentiation between accreting dunes and eroding dunes and the need to potentially have different planting and management regimes in each instance and report their deliberations back to Council for further discussion.
4. Staff advise how the Coastal Dune Management Manual classifications of "incipient foredune", "foredune" and hind dune are applied in situations where hind dunes are developed, and how the appropriate vegetation species recommended for planting is implemented on the ground and into local management plans in such situations.

5. Where residents are prepared to pay for private contractors to carry out work, under the direction of Council staff and according to an approved plan of management, this necessary work proceeds pending availability of staff to approve and oversight works.
6. Our community be encouraged to report to Council any incidents covered by the parts 1-5 above to council staff to enable their follow up.

CARRIED

**CL19.173 Notice of Motion - Narrawallee Beach - Victor Avenue - Beach Access**

**HPERM Ref: D19/240566**

**Recommendation**

That the Victor Avenue access stairs to Narrawallee Beach be replaced with a much wider set of stairs to allow more comfortable “passing“ of beach users as they go to and from the beach. The design would ideally incorporate a landing and a slightly decreased grade for ease of access. Funding for the construction could be sourced from savings in a quarterly budget review or a future budget.

**RESOLVED** (Clr Proudfoot / Clr White)

MIN19.502

That the Victor Avenue access stairs to Narrawallee Beach be replaced with a much wider set of stairs to allow more comfortable “passing“ of beach users as they go to and from the beach. The design would ideally incorporate a landing and a slightly decreased grade for ease of access. Funding for the construction could be sourced from savings in a quarterly budget review or a future budget.

CARRIED

**CL19.174 Notice of Motion - Dogs on Leash Signage - Sanctuary Point**

**HPERM Ref: D19/240660**

**Recommendation**

That:

1. Council staff install additional signs to reinforce the status quo of ‘dogs on leash’ in the vicinity of the carpark at the junction of Paradise Beach Road and Walmer Avenue Sanctuary Point, along the Basin walking track to the other side of Paradise Beach and the adjacent reserve.
2. Before installation, Council staff liaise with local residents regarding the most strategic locations for the signs, as well as the most appropriate times and locations to apprehend those people who continue to ignore the rules.

**RESOLVED** (Clr Proudfoot / Clr Digiglio)

MIN19.503

That:

1. Council staff install additional signs to reinforce the status quo of ‘dogs on leash’ in the vicinity of the carpark at the junction of Paradise Beach Road and Walmer Avenue Sanctuary Point, along the Basin walking track to the other side of Paradise Beach and the adjacent reserve.
2. Before installation, Council staff liaise with local residents regarding the most strategic locations for the signs, as well as the most appropriate times and locations to apprehend those people who continue to ignore the rules.

CARRIED

**CL19.175 Notice of Motion - Sanctuary Point Skatepark**

**HPERM Ref:  
D19/240669**

**Recommendation**

That Council staff prepare a report on a "minor up-grade" of the Sanctuary Point Skatepark. The target audience for the potential improvements would ideally be the younger users of say around the under twelves.

**RESOLVED** (Clr Proudfoot / Clr Pakes)

MIN19.504

That Council staff prepare a report on a "minor up-grade" of the Sanctuary Point Skatepark. The target audience for the potential improvements would ideally be the younger users of say around the under twelves.

CARRIED

**CL19.176 Notice of Motion - Yulunga Hall Playground Upgrade**

**HPERM Ref:  
D19/247682**

**Recommendation**

That Council

1. Purchase and install an additional piece of equipment known as "Fire Truck Rocker" as part of the upgrade works to Yulunga Hall Playground.
2. Extend the playground area fencing to ensure that this piece of equipment will fit into the detailed design of the playground area.

**RESOLVED** (Clr White / Clr Wells)

MIN19.505

That Council:

1. Purchase and install an additional piece of equipment known as "Fire Truck Rocker" as part of the upgrade works to Yulunga Hall Playground.
2. Extend the playground area fencing to ensure that this piece of equipment will fit into the detailed design of the playground area.
3. Council allocate the funding required from the Quarterly Budget Review.

CARRIED

**CL19.177 Notice of Motion - Lake Conjola (West) Sewerage Connection**

**HPERM Ref:  
D19/247707**

**Recommendation**

That

1. Council immediately carry out a scoping study and detailed design for extension of the existing sewer in Lake Conjola to achieve the connection of the properties at the west end of Lake Conjola which are currently unsewered.
2. A further report be provided to Council on funding options and timeframe for works to be completed.

3. The CEO independently review all fines issued in accordance with Council's Compliance and Enforcement Policy, and the CEO meet with the residents to discuss the fines and way forward for sewer connections.

**RESOLVED** (Clr White / Clr Pakes)

MIN19.506

That:

1. Council immediately carry out a scoping study and detailed design for extension of the existing sewer in Lake Conjola to achieve the connection of the properties at the west end of Lake Conjola which are currently unsewered.
2. A further report be provided to Council on funding options and timeframe for works to be completed.
3. The CEO independently review all fines issued in accordance with Council's Compliance and Enforcement Policy, and the CEO meet with the residents to discuss the fines and way forward for sewer connections.

CARRIED

## **REPORT OF THE STRATEGY & ASSETS COMMITTEE - 23 JULY 2019**

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

### **SA19.97 Risk and Audit Committee Charter Amendments**

**HPERM Ref:  
D19/193770**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.507

That Council:

1. Receive the report.
2. Endorse the proposed amendments to the Risk and Audit Committee Charter.

CARRIED

Note: This resolution includes the change of name of the Committee to Audit, Risk and Improvement Committee.

### **SA19.99 Donation Request - Shoalhaven Art Society**

**HPERM Ref:  
D19/226232**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.508

That Council provide sponsorship of \$2,500 to the Shoalhaven Art Society for the 54<sup>th</sup> Annual Open Art Exhibition held from 3 to 31 August 2019, from the Holiday Haven Promotional Budget.

CARRIED



**SA19.104 Community Connect, Bawley Point to Kioloa shared pathway project - Lot 1 DP 782318 - Australian National University Licence to Shoalhaven City Council**

**HPERM Ref:  
D19/193885**

**Recommendation**

That Council:

1. Enter into the Licence agreement with the Australian National University (ABN 52 234 063 906) for twenty (20) years at \$1.00 (plus GST) per annum over part Lot 1 DP 782318, Murramarang Road, Kioloa commencing 1 June 2019;
2. Authorise the CEO 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 Wells)

MIN19.509

That Council:

1. Enter into the Licence agreement with the Australian National University (ABN 52 234 063 906) for twenty (20) years at \$1.00 (plus GST) per annum over part Lot 1 DP 782318, Murramarang Road, Kioloa commencing 1 June 2019;
2. Authorise the CEO 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

**SA19.105 Kerb & Gutter Construction - Ratepayer Advance - 35 Elizabeth Dr Vincentia**

**HPERM Ref:  
D19/190538**

**Recommendation**

That

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with G Antonelli of 21 Crescent Street, Dobroyd Point NSW 2045 in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 (excluding GST) 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.
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.

**RESOLVED** (Clr Proudfoot / Clr White)

MIN19.510

That

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council with G Antonelli of 21 Crescent Street, Dobroyd Point NSW 2045 in respect of Kerb and Gutter construction to the value of \$5,852.16 (advance) of which \$1,859.28 (excluding GST) 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.
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

**SA19.106 Proposed Lease - 3 Stewart Place Nowra**

**HPERM Ref:  
D19/203225**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.511

That Council:

1. Accept the surrender of the lease with Alfred & Roslyn Parker for the occupation of part Lot 1 DP 115782 and part Lot 1 DP 434714 known as 3 Stewart Place Nowra (previously known as 1 Stewart Place Nowra);
2. Enter into a lease for three (3) years with three (3) year option with Franco & Narelle Fulginiti over part Lot 1 DP 115782 and part Lot 1 DP 434714 known as 3 Stewart Place Nowra, at a commencing rent of \$18,712.44 per annum, plus GST, with an annual CPI increase, commencing 1 August 2019; and
3. Authorise the Chief Executive Officer 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 where required to give effect to this resolution.

CARRIED

**SA19.107 Notification to Council - EOI for Lease & Management of Building 3, 80 Park Road, Nowra - Authorisation of Lease**

**HPERM Ref:  
D19/203338**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.512

That:

1. Central Shoalhaven Mobile Preschool be offered a lease to occupy Building 3, 80 Park Road, Nowra;
2. Concurrence be granted to finalise the terms of the lease with Central Shoalhaven Mobile Preschool;
3. The Chief Executive Officer be delegated authority to endorse the terms of the lease, that are not yet settled; and
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the Chief Executive Officer be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

**SA19.113 Acquisition of Easement for Water Supply - Lot 174 DP755952 - 67 Wogamia Road Longreach**

**HPERM Ref:  
D19/173884**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.513

That Council:

1. Acquire an Easement for Water Supply 3m wide over part of Lot 174 DP755952, at 67 Wogamia Road, Longreach, shown coloured yellow on attached easement sketch plan.
2. Pay compensation of \$20,000, plus GST if applicable, and reasonable legal costs associated with the acquisition in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Water Fund. If warranted, the compensation is to be adjusted based on the area determined by final survey plan.

3. 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 Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

CARRIED

## REPORT OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE - 3 JULY 2019

**CBD19.27 Proposed Establishment of Architectural Ideas Competition in Nowra CBD**

**HPERM REF: D19/198093**

Item dealt with earlier in the meeting see MIN19.498

## REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 9 JULY 2019

**TC19.37 Proposed Roundabout - Green St & Warden St, Ulladulla (PN 3523)**

**HPERM Ref: D19/220421**

### Recommendation

That the Chief Executive Officer (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed alterations and additions to the signage at the newly constructed roundabout at the intersection of Green Street and Warden Street Ulladulla, as detailed in the attached plan.

**RESOLVED** (Clr Proudfoot / Clr Kitchener)

MIN19.514

That the Chief Executive Officer (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed alterations and additions to the signage at the newly constructed roundabout at the intersection of Green Street and Warden Street Ulladulla, as detailed in the attached plan.

CARRIED

**TC19.39 Isa Rd WORRIGEE - Lot 2 DP 1130415 -New Commercial - construct neighbourhood shopping village (PN 3531)**

**HPERM Ref: D19/224773**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.515

That the Chief Executive Officer (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed concept plans plan for the privately owned and operated, off street carpark on Isa Road as part of the Worrige Shopping Complex (DA16/2477).

CARRIED

## REPORTS

### CL19.181 Instrument of Delegation - Chief Executive Officer

**HPERM Ref:  
D19/232828**

#### Recommendation

That Council

1. Delegate to the Chief Executive Officer the authority as outlined in the Instrument of Delegation provided as Attachment 1.
2. That for the period 1 August 2019 to 30 September 2020, one of the persons (determined by the Mayor at the relevant time) holding the position of:
  - a. Director of Assets & Works or
  - b. Director of Planning & Development, or
  - c. Director of Finance, Corporate and Community Services, or
  - d. Director of Shoalhaven Water.

be appointed to act as the Chief Executive Officer if the Chief Executive Officer is sick or otherwise absent from work on leave or for any other purpose. Such appointment is to cease upon the return to work of the Chief Executive Officer or by other resolution of the Council.

3. That any person acting as the Chief Executive Officer pursuant to this resolution has all the functions, delegations, and sub-delegations given to the Chief Executive Officer by the Council.

**RESOLVED** (Clr Watson / Clr Guile)

MIN19.516

That CL19.181 – Instrument of Delegation – Chief Executive Officer be deferred pending further clarification on the precise working of the required resolution.

CARRIED

### CL19.182 “The Blockstars”! - Lego League Report

**HPERM REF:  
D19/240350**

Item dealt with earlier in the meeting see MIN19.499

### CL19.183 Nomination - Replacement Nominated Member of Joint Regional Planning Panel

**HPERM Ref:  
D19/242467**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.517

That Council nominate Clr White as the second member of the Southern Joint Regional Planning Panel until the September 2019 call meeting.

CARRIED

### CL19.184 Number of Councillors and other Electoral Matters for Consideration

**HPERM Ref:  
D19/228354**

#### Recommendation

That Council not seek a Constitutional Referendum in conjunction with the 2020 Local Government Election to change the number of Councillors for Shoalhaven City Council.

**RESOLVED** (Clr Proudfoot / Clr Gartner)

MIN19.518

That Council not seek a Constitutional Referendum in conjunction with the 2020 Local Government Election to change the number of Councillors for Shoalhaven City Council.

CARRIED

**CL19.185 Policy Review - Internal Reporting Policy**

**HPERM Ref:  
D19/243112**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.519

That the Draft Internal Reporting (POL19/36) be reported to Council for adoption

CARRIED

**CL19.186 The Local Government Amendment Bill 2019**

**HPERM Ref:  
D19/243132**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.520

That the information in relation to the legislative amendments arising from the assent of the Local Government Bill 2019 be noted.

CARRIED

**CL19.187 Investment Report - June 2019**

**HPERM Ref:  
D19/244284**

**Recommendation**

That the report of the Chief Executive Officer (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 30 June 2019 be received for information.

**RESOLVED** (Clr Wells / Clr Gartner)

MIN19.521

That the report of the Chief Executive Officer (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 30 June 2019 be received for information.

CARRIED

**CL19.188 Summary of Events - Proposed Changes to Parking Arrangements - Moss St / North St Nowra**

**HPERM REF:  
D19/248215**

Item dealt with earlier in the meeting see MIN19.500

**CL19.189 Coast and Estuary Consultation Legislative Requirements and Proposed Model, per MIN19.254**

**HPERM Ref: D19/148770**

**Recommendation (Item to be determined under delegated authority)**

That Council:

1. Adopt the proposed coast, estuary and floodplain advisory management committee structure and functions as described in this report to establish:
  - a. Three advisory Floodplain Risk Management Committees (northern, central and southern) to meet on an as needs basis during development and implementation of floodplain risk management studies and plans in accordance with the NSW Floodplain Development Manual; and
  - b. An interim advisory Shoalhaven Coast and Estuary Management Committee until the completion of the citywide Coastal Management Program Scoping Study (for the open coast and all estuaries), during which community feedback will be sought on the future final model for the coast and estuary advisory committee or group.
2. During the development of the citywide Scoping Study hold north, central and southern community engagement sessions that will scope the Open Coast and St Georges Basin, Lake Conjola and the Lower Shoalhaven River Coastal Management Programs as well as the future strategic coastal management program approach for all other estuaries.
3. Following completion of the citywide Scoping Study, establish Working Groups for the preparation of the Open Coast and St Georges Basin, Lake Conjola and the Lower Shoalhaven River Coastal Management Programs.

**RESOLVED** (Clr White / Clr Proudfoot)

MIN19.522

That Council:

1. Adopt the proposed coast, estuary and floodplain advisory management committee structure and functions as described in this report to establish:
  - a. Three advisory Floodplain Risk Management Committees (northern, central and southern) to meet on an as needs basis during development and implementation of floodplain risk management studies and plans in accordance with the NSW Floodplain Development Manual; and
  - b. An interim advisory Shoalhaven Coast and Estuary Management Committee until the completion of the citywide Coastal Management Program Scoping Study (for the open coast and all estuaries), during which community feedback will be sought on the future final model for the coast and estuary advisory committee or group.
2. During the development of the citywide Scoping Study hold north, central and southern community engagement sessions that will scope the Open Coast and St Georges Basin, Lake Conjola and the Lower Shoalhaven River Coastal Management Programs as well as the future strategic coastal management program approach for all other estuaries.
3. Following completion of the citywide Scoping Study, establish Working Groups for the preparation of the Open Coast and St Georges Basin, Lake Conjola and the Lower Shoalhaven River Coastal Management Programs.

CARRIED

**CL19.190 Exhibition Outcomes and Finalisation - Planning Proposal: 2017 Housekeeping Amendment (Instrument Changes) - Shoalhaven LEP 2014**

**HPERM Ref: D19/121834**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.523

That Council:

1. Adopt and finalise Planning Proposal (PP033) as exhibited, with the changes outlined in Attachment 2.
2. Forward PP033 to NSW Parliamentary Counsel's Office to draft the amendment to Shoalhaven Local Environmental Plan 2014.
3. Make the resulting amendment to the Shoalhaven Local Environmental Plan 2014 using Council's delegation.
4. Undertake a separate future review of Clause 4.2B of Shoalhaven Local Environmental Plan 2014 with the following scope:
  - a. Further consideration of Item 6 (proposed for deletion from PP033) including the appropriateness of the current zoning of certain land in Clause 4.2B.
  - b. Provide clarification as to what 'land' means (i.e. identifying holdings).
  - c. Other matters that are identified during the review or were raised in submissions.
5. Prepare a future report to Council in relation to the outcome of the review at Part 4 of this recommendation, including the scope of a future Planning Proposal as appropriate and its priority in the Strategic Planning Works Program.
6. Advise key stakeholders, including all CCBs, relevant industry representatives and those who made a submission, of this decision, and when the Amendment will be made effective.

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

AGAINST: Nil

CARRIED

**CL19.191 Variations to Development Standards - Second Quarter Report 2019**

**HPERM Ref: D19/231667**

**RESOLVED\*** (Clr Wells / Clr Gartner)

MIN19.524

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

**CL19.192 Lake Conjola Estuary Coastal Management Program -  
Acceptance of NSW OEH Grant - Coast and Estuary  
Grant Program**

**HPERM Ref:  
D19/214909**

**Recommendation**

That Council

1. Accept the NSW Office of Environment & Heritage (OEH) grant funds of \$140,000 for the preparation of Lake Conjola Estuary Coastal Management Program, over two (2) years.
2. Note that Council's matching funds of \$140,000 have been provided for in the 2019/20 Budget adopted at the June 2019 Council Meeting.
3. Write to the NSW Minister for Energy and Environment, Hon Matthew Kean, thanking him for the grant funding offer.

**RESOLVED** (Clr White / Clr Findley)

MIN19.525

That Council:

1. Accept the NSW Office of Environment & Heritage (OEH) grant funds of \$140,000 for the preparation of Lake Conjola Estuary Coastal Management Program, over two (2) years.
2. Note that Council's matching funds of \$140,000 have been provided for in the 2019/20 Budget adopted at the June 2019 Council Meeting.
3. Write to the NSW Minister for Energy and Environment, Hon Matthew Kean, and The Hon. Shelley Hancock Minister for Local Government thanking them for the grant funding offer.

CARRIED

**Procedural Motion - Adjournment of Meeting**

**RESOLVED** (Clr Watson / Clr Guile)

MIN19.526

That the meeting be adjourned to allow for refreshments.

CARRIED

The meeting adjourned the time being 7.01pm

The meeting reconvened the time being 7.32pm

The following members were present:

Clr Amanda Findley - Chairperson  
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



## 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 Gartner)

MIN19.527

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.

CSA19.7 Processing of kerbside collected recycling - Confidential Report

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

*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.*

CCL19.15 Code of Conduct Complaint - Report by Conduct Reviewer

*Alleged contraventions of any code of conduct requirements applicable under section 440.10(A)(2)(i)*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions and/or found an action against an agency for breach of confidence or otherwise result in the disclosure of information provided.*

CARRIED

The meeting moved into confidential the time being 7.33pm.

Note: Clr Pakes left the meeting during confidential session.

The meeting moved into open session, the time being 8.36pm.

Note: Clr Pakes returned to the meeting at 8.36pm

## REPORT FROM CONFIDENTIAL SESSION

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

<b>CSA19.7 Processing of kerbside collected recycling - Confidential Report</b>	<b>HPERM Ref: D19/213523</b>
---------------------------------------------------------------------------------	------------------------------

**RESOLVED** MIN19.528C

That Council:

1. Approve a \$55.31 per tonne increase in the gate fee paid to Shoalhaven Recycling for the processing kerbside commingled recyclable materials, until 31 January 2020. (Note this equates to a total increase from the original \$62.38 to \$150/tonne i.e. \$87.70)
2. Authorise the CEO (Director Assets and Works) to review the effect of this increase in gate fee, and amend as required, with the intention of continuing with a suitable gate fee to the end of the current contract (30 June 2020).
3. Prepare a business plan with the intention to process commingled recyclables in house at West Nowra and thus not contract out this service after 2020.
4. Not invite further tenders for processing of kerbside commingled materials after 2020.
5. Following the adoption of points 1-4, issue a comprehensive press release including most of the items in the report (in summary form).

CARRIED

<b>CCL19.15 Code of Conduct Complaint - Report by Conduct Reviewer</b>	<b>HPERM Ref: D19/247606</b>
------------------------------------------------------------------------	------------------------------

**(RESOLVED)** MIN19.529C

That:

3. In accordance with Section 10A(2)(i) of the Local Government Act, 1993, the Council Confidential report and resolution of the Council and the investigation report remain confidential as the Council considers it is not in the public interest to release them.

CARRIED

There being no further business, the meeting concluded, the time being 8.38pm.

Clr Findley  
CHAIRPERSON