

## MINUTES OF THE EXTRA ORDINARY MEETING

**Meeting Date:** Friday, 20 September 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 Annette Alldrick  
Clr John Levett  
Clr Andrew Guile  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Mark Kitchener – arrived 5.09 pm  
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 Mayor acknowledged Country and acknowledging that the land we are meeting on is, was and always will be Aboriginal land and pay respects to elders past, present and emerging. In speaking to those emerging, the Mayor advised the Council that she had witnessed the actions of emerging elders at the Global Strike for Climate Change this morning and read a speech by Alana from Bomaderry High School.

Clr Guile raised a Point of Order against the Mayor not dealing with matters in the Agenda. The Mayor ruled against the Point of Order as Councillor Guile failed to identify which provision of the Code the Point of Order was called.

The Mayor continued to address the meeting.

### **Procedural Motion – Motion of Dissent**

#### **PROCEDURAL MOTION** (Clr Guile / Clr Pakes)

That the Mayor should no longer be heard as this topic is not on the Agenda and moved dissent against the ruling of the Chair.

The Mayor asked the Councillor to clarify the provision of the Code which he was relying upon. He did not.

**Apologies / Leave of Absence**

**RESOLVED** (Clr Gartner / Clr Alldrick)

MIN19.644

Apologies have been received from Clr Digiglio for this meeting.

CARRIED

**Declarations of Interest**

Nil

**MAYORAL MINUTE**

Nil

**DEPUTATIONS AND PRESENTATIONS**

Nil

**Call Over of the Business Paper**

Note: Clr Kitchener arrived 5.09pm

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

DE19.89, SA19.132, SA19.134, SA19.135, SA19.147, BE19.18, AB19.15, AB19.16, AB19.23, CBD19.33, CBD19.35, TC19.46.

The remaining items were dealt with in accordance with the Agenda.

**REPORT OF THE DEVELOPMENT & ENVIRONMENT COMMITTEE - 3  
SEPTEMBER 2019**

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

**DE19.89 Grant application - Grey Headed Flying Fox Berry Camp**

**HPERM Ref:  
D19/259892**

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

MIN19.645

That Council:

1. Accept the maximum grant of \$50,000 from Local Government NSW, if the application is successful.
2. Provide an in-kind contribution from existing operational budgets, a maximum of \$50,000, of Environmental Services officers time; and
3. Write to Local Government NSW thanking them for the grant funding, if the application is successful.

CARRIED

## **REPORT OF THE STRATEGY & ASSETS COMMITTEE - 10 SEPTEMBER 2019**

### **SA19.132 June 2019 Quarterly Budget Review**

**HPERM Ref:  
D19/275447**

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

MIN19.646

That Council:

1. Receive and endorse the June Quarterly Budget Review and budget carry forwards (Works in Progress)
2. Adopt the adjustments, including movements to and from Reserves, as outlined in the June Quarterly Budget Review Statement
3. Adopt the Revotes (Committed), as recommended in the June Quarterly Budget Review document
4. Adopt the Revotes (Uncommitted), as recommended in the June Quarterly Budget Review document.

CARRIED

### **SA19.134 Shoalhaven Heads Tennis Courts - Future Use**

**HPERM Ref:  
D19/216182**

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

MIN19.647

That the Chief Executive Officer (Finance Corporate & Community Services) undertake the following action for Shoalhaven Heads Tennis Courts 3 and 4:

1. As the concrete slab does not require reinstallation for synthetic resurfacing, Council support the local community to install and manage synthetic grass multipurpose uses on Shoalhaven Heads Tennis Courts 3 and 4, conditional on available grant funding.
2. Council and the Shoalhaven Heads Tennis Court Management Committee work with the Shoalhaven Heads Chamber of Commerce & Tourism Inc. to develop new procedures for operation of the multipurpose facility.
3. Council invite respondents to the recent Community Survey to join the Shoalhaven Heads Tennis Courts Management Committee.
4. Council vote \$25,000 from operational revenue to be made up in the quarterly budget review, and should that funding be inadequate that the Chief Executive Officer submit a further report to the Council on the ultimate job costs.

CARRIED

### **SA19.135 Milton Ulladulla Croquet Club Facility Update**

**HPERM Ref:  
D19/288932**

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

MIN19.648

That Council:

1. Receive and note the report regarding the onsite meeting with Milton Ulladulla Croquet Club for information.

2. Note that staff will proceed with previous resolution MIN19.583 Parts 2, 3 and 4, being:
  - a. Maintain status quo with the Milton Ulladulla Croquet Club continuing to use the court at the Milton Showground, whilst further investigating to confirm the possibility for 4 courts at the Ulladulla Sports Park, following an on-site meeting.
  - b. Council receive a further report on outcomes of environmental investigation at Ulladulla Sports Park with the aim to definitively confirm the possibility of 4 courts at the site under the current legislation requirements.
  - c. Subject to funding, Council commence the construction of courts 1 and 2 at the Ulladulla Sports Park without delay.

CARRIED

**SA19.142 Ratepayers' Advance Kerb & Gutter Installation - 39 to 45 Basin View Parade Basin View**

**HPERM Ref: D19/270316**

**Recommendation**

That:

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council, with D Hager of 39 Basin View Parade, Basin View 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. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council, with D L Mood of 41 Basin View Parade, Basin View 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.
3. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council, with D L Mood of 43 Basin View Parade, Basin View 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.
4. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council, with C J Hobbs of 45 Basin View Parade, Basin View 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.
5. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed otherwise the CEO be authorised to sign any documentation necessary to give effect to the resolution.

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

MIN19.649

That:

1. Council enter into a Ratepayers Advance Agreement, executed under the Seal of Council, with D Hager of 39 Basin View Parade, Basin View 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.

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5. The Common Seal of Council of the City of Shoalhaven be affixed to any documentation required to be sealed otherwise the CEO be authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

<b>SA19.146 Coastal Management Program Scoping Study - community engagement</b>	<b>HPERM Ref: D19/298881</b>
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**Recommendation**

That Council:

1. Endorse the holding of three (3) additional focus group workshops and drop-in sessions for the coastal management program citywide Scoping Study at Shoalhaven Heads, Sussex Inlet and Lake Conjola in addition to those planned for Nowra, St Georges Basin and Ulladulla; also the overall framework for community consultation as outlined in this report in regard to the preparation of the city wide scoping study.
2. Allocate an additional budget of \$19,228 from the September 2019 quarterly budget review to job number 15885.
3. Staff formulate a draft list of questions for inclusion in a Question and Answer sheet / online questionnaire for the Scoping Study community engagement and distribute to involved coastal groups for comment and suggestions in regard possible gaps that can be addressed as in final community consultation documents.

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

MIN19.650

That Council:

1. Endorse the holding of three (3) additional focus group workshops and drop-in sessions for the coastal management program citywide Scoping Study at Shoalhaven Heads, Sussex Inlet and Lake Conjola in addition to those planned for Nowra, St Georges Basin and Ulladulla; also the overall framework for community consultation as outlined in this report in regard to the preparation of the city wide scoping study.
2. Allocate an additional budget of \$19,228 from the September 2019 quarterly budget review to job number 15885.
3. Staff formulate a draft list of questions for inclusion in a Question and Answer sheet / online questionnaire for the Scoping Study community engagement and distribute to involved coastal

groups for comment and suggestions in regard possible gaps that can be addressed as in final community consultation documents.

CARRIED

**SA19.147 Grant of Electricity Easements to Endeavour Energy - Nowra Sewage Treatment Plant** **HPERM Ref: D19/276423**

**RESOLVED\*** (Clr Gartner / Clr Alldrick) MIN19.651

That:

1. Council resolve to grant the following easements for electricity purposes over Council land proposed Lots 401 and 402 DP1256042 at Terara Road, Terara. The easements are highlighted yellow on the attached draft copy of DP1256042, sheets 1 & 2.
  - An Easement for Overhead Powerlines 9 wide, marked (E) on the attached plans.
  - An Easement for Underground Cables 3 wide, marked (C) on the attached plans.
  - A Restriction on the use of land 3 wide, marked (R1) on the attached plans.
  - A Restriction on the use of land 4 wide, marked (R2) on the attached plans.
  - An Easement for Padmount Substation 5.5 wide, marked (P) on the attached plans.
2. Costs associated with the transaction are to be met from Council's Sewer Fund. The easements are to be granted at \$nil consideration.
3. The Common Seal of the Council of the City of Shoalhaven be fixed to any document required to be sealed.

CARRIED

**REPORT OF THE SHOALHAVEN COAST & ESTUARY MANAGEMENT COMMITTEE - 20 AUGUST 2019**

**CE19.4 Shoalhaven Citywide Coastal Management Program Scoping Study - Community Engagement** **HPERM Ref: D19/276616**

**Recommendation**

That the Committee:

1. Receive the Shoalhaven Citywide Coastal Management Program Scoping Study - Community Engagement report for information, and
2. Suggest Council review the resourcing and delivery of the community engagement strategy for the Citywide Scoping Study.

**RESOLVED** (Clr Proudfoot / Clr Alldrick) MIN19.652

That the Committee:

1. Receive the Shoalhaven Citywide Coastal Management Program Scoping Study - Community Engagement report for information, and
2. Suggest Council review the resourcing and delivery of the community engagement strategy for the Citywide Scoping Study.

CARRIED

## **REPORT OF THE BUSINESS & EMPLOYMENT DEVELOPMENT COMMITTEE - 28 AUGUST 2019**

**BE19.18 Update - Shoalhaven Business Chamber**

**HPERM Ref:  
D19/253228**

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

MIN19.653

That the large plaque featuring the winners of “Business Leader of the Year”, currently located within the Shoalhaven Business Chamber Office, be relocated to the foyer of Council’s Nowra Administrative Building. This would recognise the important partnership between Council and the business community while celebrating its success.

CARRIED

## **REPORT OF THE SHOALHAVEN ARTS BOARD - 5 SEPTEMBER 2019**

**AB19.15 Shoalhaven Arts Board - Terms of Reference - Update and Amend.**

**HPERM Ref:  
D19/267826**

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

MIN19.654

The Shoalhaven Art Board recommend that Council adopt the following changes to the Shoalhaven Arts Board Terms of Reference 3.3 - Membership:

1. Amend the total membership of the Shoalhaven Arts Board to be twelve (12) members
2. Amend the number of community representatives to be seven (7) members
3. Formalise the relationship of the Shoalhaven Arts Board and the Aboriginal Advisory Committee by updating in relation to the Aboriginal community member position as follows:
  - a. “One (1) designated Aboriginal Local Member. A nomination for this position will be made by the Aboriginal Advisory Committee when the position comes vacant or the member term expires. The nominee need not be a member of that committee”
4. Formalise the relationship between the Shoalhaven Arts Board and the Shoalhaven Tourism Advisory Group (STAG) by allowing the representative from STAG voting rights, thus updating the wording as follows:
  - a. “One (1) representative from the Shoalhaven Tourism Advisory Group (STAG). A nomination for this position will be made by STAG when the position comes vacant or the member term expires.”
5. Attendance at meeting be extended to all Councillors, with the three member Councillors able to nominate alternates.

CARRIED

**AB19.16 Shoalhaven Arts Board - Vacancies**

**HPERM Ref:  
D19/253447**

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

MIN19.655

That the Shoalhaven Arts Board, as recommended by the selection panel, appoint the following community members to a two (2) year term:

1. Frank Howarth

2. Dr Lynda Kelly
3. Stephen Buzacott
4. Jennifer Thompson

CARRIED

**AB19.23 Gift of personal collection to Shoalhaven City Council**

**HPERM Ref:  
D19/295724**

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

MIN19.656

That:

1. Shoalhaven Arts Board give In Principle support to accept the offer from Jim Birkett and Roy Weatherhead to gift their personal art collection to Shoalhaven City Council,
2. Shoalhaven Arts Board give In Principle support for Council staff to enter into a Deed of Gift agreement with Jim Birkett and Roy Weatherhead,
3. Upon finalisation of the Deed of Gift an appropriate mark of appreciation be made to Jim Birkett and Roy Weatherhead.
4. The CEO (Director, Finance Corporate & Community Services) prepare a report on the identification and/or provision of appropriate storage facilities to accommodate the Shoalhaven City's expanding collection.
5. The Shoalhaven Arts Board extend its gratitude to Mr Birkett and Mr Weatherhead for their generous contribution to the City of Shoalhaven.

CARRIED

**REPORT OF THE NOWRA CBD REVITALISATION STRATEGY  
COMMITTEE - 11 SEPTEMBER 2019**

**CBD19.33 Report - Annual Financial Statements - Nowra CBD  
Promotions Budget - 2018-2019 Financial Year**

**HPERM Ref:  
D19/290810**

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

MIN19.657

That the Annual Financial Statements (2018-2019 Financial Year) (Attached) provided by the Nowra CBD Business Chamber for the Promotions Budget be received for information.

CARRIED

**CBD19.35 Committee Membership**

**HPERM Ref:  
D19/302329**

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

MIN19.658

That:

1. The Terms of Reference for the Nowra CBD Revitalisation Strategy Committee be updated as follows:



Voting Members

The membership of the Cttee shall be, as far as practicable:

- Three Councillors
- Director of Assets and Works or delegate
- Director of Planning and Development Services or delegate
- Two (2) Community members (non-business operator or CBD property owner)
- One (1) Nowra CBD Retail/Business operators (non CBD property owner)
- Two (2) Nowra CBD Property Owners
- One (1) Nowra CBD Business Chamber representative
- Two (2) Nowra CBD Business owner/operator

In the event that a Member's personal circumstances change in a manner that would impact their eligibility for the position they hold, that Member will notify the Committee.

2. The current Committee members retain their membership, and hold positions as follows:
  - a. Two (2) Community members (non-business operator or landowner): Wesley Hindmarch
  - b. Two (2) Nowra CBD Property Owners: James Caldwell & Annie Aldous
  - c. One (1) Nowra CBD Business Chamber representative: Scott Baxter
  - d. Two (2) Nowra CBD Business owner/operator: Brendan Goddard & George Parker
3. That the selection criteria for vacancies outlined in the report be adopted and included in the Terms of Reference.

CARRIED

**REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 10  
SEPTEMBER 2019**

<b>TC19.46 Disabled Access Parking Space – Ulladulla Leisure Centre Carpark – Warden Street Ulladulla (PN 3557)</b>	<b>HPERM Ref: D19/305567</b>
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**RESOLVED\*** (Clr Gartner / Clr Alldrick) MIN19.659

That the Chief Executive Officer (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed installation of a disabled access parking space in the Ulladulla Leisure Centre carpark located adjacent to Warden Street, Ulladulla as detailed in the attached plan.

CARRIED

**REPORTS**

<b>CL19.222 Election of Deputy Mayor and Assistant Deputy Mayor</b>	<b>HPERM Ref: D19/289095</b>
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**Recommendation**

That Council determine the method of election and then conduct an election for Deputy Mayor and Assistant Deputy Mayor for the period until September 2020.

**RESOLVED** (Clr Gash / Clr Wells)

MIN19.660

That the election of Deputy Mayor and Assistant Deputy Mayor be conducted by an open show of hands.

CARRIED

Melissa McCoy, Acting Director Finance Corporate and Community Services as the Returning Officer informed the meeting that three (3) nominations had been received for the position of Deputy Mayor, the nominations being for Clr White, Clr Alldrick and Clr Digiglio.

Ms McCoy called for a show of hands for all candidates. Voting for candidates was as follows:

Clr White – 8 Votes

Clr Alldrick – 4 Votes

Clr Digiglio – No votes

As Clr Digiglio had the lowest number of votes, her nomination was excluded from the election.

**Ms McCoy, called for a show of hands for the remaining candidates (Clr White and Clr Alldrick) and declared Clr White the Deputy Mayor for the remainder of the Council Term on a count of 8 votes.**

Melissa McCoy, Acting Director Finance Corporate and Community Services as the Returning Officer informed the meeting that one (1) nomination had been received for the position of Assistant Deputy Mayor, the nominations being for Clr Pakes.

Ms McCoy called for nominations from the floor and no more were received.

**Ms McCoy declared Clr Pakes the Assistant Deputy Mayor for the remainder of the Council Term.**

**CL19.223 Ordinary Meeting - Order of Business**

**HPERM Ref:  
D19/289111**

**Recommendation**

That Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:

1. Acknowledgement of Traditional Custodians
2. Opening Prayer
3. Australian National Anthem
4. Apologies/Leave of Absence
5. Confirmation of Minutes
6. Declarations of Interest
7. Call Over of the Business Paper
8. Presentation of Petitions
9. Mayoral Minutes
10. Deputations & Presentations
11. Notices of Motion and Questions on Notice
12. Report of Committees
13. Report of the Shoalhaven Traffic Committee

- 14. Officers Reports
- 15. Addendum Reports
- 16. Confidential Report of the General Manager

\*If any items of business require attendance of specialist staff (e.g. Legal, Insurance, Property) then Council will generally consider those items following the Deputations

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

MIN19.661

That:

1. Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:

- a. Acknowledgement of Traditional Custodians
- b. Opening Prayer
- c. Australian National Anthem
- d. Apologies/Leave of Absence
- e. Confirmation of Minutes
- f. Declarations of Interest
- g. Call Over of the Business Paper
- h. Presentation of Petitions
- i. Mayoral Minutes
- j. Deputations & Presentations
- k. Notices of Motion and Questions on Notice
- l. Report of Committees
- m. Report of the Shoalhaven Traffic Committee
- n. Officers Reports
- o. Addendum Reports
- p. Confidential Report of the General Manager

2. The Order of Business shall not be altered by the Chairperson without the resolution of Council.

\*If any items of business require attendance of specialist staff (e.g. Legal, Insurance, Property) then Council will generally consider those items following the Deputations

CARRIED

**CL19.224 Determination of Core Committees**

**HPERM Ref:  
D19/289487**

**Recommendation**

That

- 1. Pursuant to Section 355(b) of the *Local Government Act 1993* and Clause 260 of the Local Government (General) Regulation 2005, Council establish the 'Core' Council Committees as:
  - a. Strategy and Assets Committee
  - b. Development and Environment Committee

2. The membership and quorums be set as follows:
  - a. Strategy and Assets Committee
    - Membership
      - Mayor
      - All Councillors
      - CEO (or nominee)
    - Chairperson has casting vote
    - Quorum: Five (5)
  - b. Development and Environment Committee
    - Membership
      - Mayor
      - All Councillors
      - CEO (or nominee)
    - Chairperson has casting vote
    - Quorum: Five (5)
3. That a Chairperson and Deputy Chairperson be appointed for each of the Core Committees:
  - a. Strategy and Assets Committee
    - i. Chairperson
    - ii. Deputy Chairperson
  - b. Development and Environment Committee
    - i. Chairperson
    - ii. Deputy Chairperson
4. The Delegations of the Strategy and Assets Committee be as follows:

**Strategy and Assets Committee**

THAT pursuant to s377(1) of the *Local Government Act 1993* (LG Act) the Committee is delegated the functions conferred on Council by the LG Act 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 Council's 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 Council's 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 matters, and any other matter referred to the Committee by the General Manager;
  - 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 Council's 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 Council's 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 Council's 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 Council's strategic land holdings and make recommendations to Council;
  - k. Review and make recommendations to Council in relation to:
    - i. The sale prices of land in connection with residential and industrial Council subdivisions;
    - ii. The sale of Council property or the purchase or resumption of land;
    - iii. The compensation to be offered in respect of land resumed by Council; and
    - iv. Properties leased/rented by Council, or properties leased/rented from Council other than those delegated to the Chief Executive Officer for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.

*Note: MIN14.912 delegates authority to the Chief Executive Officer to approve and execute leases and licences that are for a maximum term of 5 years; and are in accordance with current policies and relevant legislation; and have an annual rental of \$5,000 or less; and have not been objected to as a result of the public exhibition process (Community Land).*

*In addition, MIN14.912 delegates authority to the Chief Executive Officer to approve and execute telecommunications licences where the agreement relates to an existing telecommunication site.*

*Note: MIN15.237 delegates authority to the Chief Executive Officer to approve and finalise all lease negotiations in relation to the properties now managed by Integrity Real Estate ... and to sign any documents necessary to give effect to this resolution.*

- l. 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).

5. The Delegations of the Development and Environment Committee be as follows:

**Development and Environment Committee**

THAT pursuant to s377(1) of the *Local Government Act 1993* (LG Act) the Committee is delegated the functions conferred on Council by the *Environmental Planning & Assessment Act 1979* (EPA Act), 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 Chief Executive Officer 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 Chief Executive Officer 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.

**RESOLVED** (Clr Gartner / Clr Levett)

MIN19.662

That:

1. Pursuant to Section 355(b) of the *Local Government Act 1993* and Clause 260 of the Local Government (General) Regulation 2005, Council establish the 'Core' Council Committees as:
  - a. Strategy and Assets Committee
  - b. Development and Environment Committee
2. The membership and quorums be set as follows:
  - a. Strategy and Assets Committee
    - Membership  
Mayor  
All Councillors  
CEO (or nominee)
    - Chairperson has casting vote
    - Quorum: Five (5)
  - b. Development and Environment Committee
    - Membership  
Mayor  
All Councillors  
CEO (or nominee)
    - Chairperson has casting vote
    - Quorum: Five (5)
3. That a Chairperson and Deputy Chairperson be appointed for each of the Core Committees:
  - a. Strategy and Assets Committee
    - i. Chairperson – Clr Wells
    - ii. Deputy Chairperson – Clr Proudfoot
  - b. Development and Environment Committee
    - i. Chairperson – Clr Gash
    - ii. Deputy Chairperson – Clr Watson
4. The Delegations of the Strategy and Assets Committee be as follows:

**Strategy and Assets Committee**

THAT pursuant to s377(1) of the *Local Government Act 1993* (LG Act) the Committee is delegated the functions conferred on Council by the LG Act 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 Council's 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 Council's 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 matters, and any other matter referred to the Committee by the General Manager;
- 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 Council's 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 Council's 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 Council's 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 Council's strategic land holdings and make recommendations to Council;
- k. Review and make recommendations to Council in relation to:
  - i. The sale prices of land in connection with residential and industrial Council subdivisions;
  - ii. The sale of Council property or the purchase or resumption of land;
  - iii. The compensation to be offered in respect of land resumed by Council; and
  - iv. Properties leased/rented by Council, or properties leased/rented from Council other than those delegated to the Chief Executive Officer for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.

*Note: MIN14.912 delegates authority to the Chief Executive Officer to approve and execute leases and licences that are for a maximum term of 5 years; and are in accordance with current policies and relevant legislation; and have an annual rental of \$5,000 or less; and have not been objected to as a result of the public exhibition*



process (Community Land).

*In addition, MIN14.912 delegates authority to the Chief Executive Officer to approve and execute telecommunications licences where the agreement relates to an existing telecommunication site.*

*Note: MIN15.237 delegates authority to the Chief Executive Officer to approve and finalise all lease negotiations in relation to the properties now managed by Integrity Real Estate ... and to sign any documents necessary to give effect to this resolution.*

- I. 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).

5. The Delegations of the Development and Environment Committee be as follows:

**Development and Environment Committee**

THAT pursuant to s377(1) of the *Local Government Act 1993* (LG Act) the Committee is delegated the functions conferred on Council by the *Environmental Planning & Assessment Act 1979* (EPA Act), 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 Chief Executive Officer 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 Chief Executive Officer 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

**CL19.225 Determination of Date and Time of "Core" Council Committee Meetings, Ordinary Meetings and Councillor Briefings**

**HPERM Ref: D19/289542**

**Recommendation**

That Council:

1. Adopt a schedule of meeting dates as per the attached schedule providing:
  - a. a Three (3) week cycle of meeting dates per month, held on a Tuesday as follows:
    - i. Week 1 – Development and Environment Committee;
    - ii. Week 2 – Strategy and Assets Committee;
    - iii. Week 4 – Ordinary Meeting.
  - b. Meetings and briefings not being held during the following periods:
    - i. Christmas break, including the first Two (2) weeks of January 2020
    - ii. Easter break
    - iii. Australian Local Government Association General Assembly – 14 to 17 June 2020
    - iv. The second and third weeks of July 2020 (school holidays).
    - v. Local Government Association Conference – 19 to 21 October 2020 (dates not confirmed)
2. Reaffirm the authorisations to the Chief Executive Officer as set out in the report; and
3. Determine the start time for Council and Committee meetings to be generally at 5.00pm
4. Determine the start time for Councillor Briefings to be generally at 4:00 pm.

**RESOLVED** (Clr Gartner / Clr Levett)

MIN19.663

That Council:

1. Adopt a schedule of meeting dates as per the attached schedule providing:
  - a. a Three (3) week cycle of meeting dates per month, held on a Tuesday as follows:
    - i. Week 1 – Development and Environment Committee;
    - ii. Week 2 – Strategy and Assets Committee;
    - iii. Week 4 – Ordinary Meeting.
  - b. Meetings and briefings not being held during the following periods:
    - i. Christmas break, including the first Two (2) weeks of January 2020

- ii. Easter break
  - iii. Australian Local Government Association General Assembly – 14 to 17 June 2020
  - iv. The second and third weeks of July 2020 (school holidays).
  - v. Local Government Association Conference – 19 to 21 October 2020 (dates not confirmed)
2. Reaffirm the authorisations to the Chief Executive Officer as set out in the report; and
  3. Determine the start time for Council and Committee meetings to be generally at 5.00pm
  4. Determine the start time for Councillor Briefings to be generally at 4:00 pm.

CARRIED

**CL19.226 Community Consultation & Committee System****HPERM Ref:  
D19/289614****Recommendation**

That Council continue the operation of the following committees, boards & reference groups pursuant to Section 355 – Local Government Act and pursuant to Section 377 with purpose, delegation and sitting fee (if applicable), membership and quorum as outlined in the attachment to the report

1. Audit, Risk and Improvement Committee (39763E) and authorise the Committee to carry out the roles and responsibilities in accordance with the Audit Committee guidelines published by the Office of Local Government and Council's Audit, Risk & Improvement Committee charter.
2. Regional Development Committee (39964E)
3. Senior Staff Contractual Matters Committee (5001E).
4. Central Floodplain Risk Management Committee (59951E)
5. Northern Floodplain Risk Management Committee (59952E)
6. Southern Floodplain Risk Management Committee (59950E)
7. Shoalhaven Coast and Estuary Management Committee (60680E)
8. Aboriginal Advisory Committee (1209E)
9. Business and Employment Development Committee (38821E)
10. Council Bushcare Representative Group (42643E)
11. Homelessness Taskforce Shoalhaven (55584E)
12. Inclusion and Access Advisory Group (1228E)
13. Nowra CBD Revitalisation Strategy Committee (50242E)
14. Rural Fire Service Strategic Planning Committee (1227E)
15. Shoalhaven Arts Board (2123E)
16. Shoalhaven City Mayor's Relief Fund (3926E)
17. Shoalhaven Heads Estuary Taskforce (45866E)
18. Shoalhaven Sports Board (12623E)
19. Shoalhaven Tourism Advisory Group (1490E)
20. Youth Advisory Committee (1506E)

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

MIN19.664

That Council continue the operation of the following committees, boards & reference groups pursuant to Section 355 – Local Government Act and pursuant to Section 377 with purpose, delegation and sitting fee (if applicable), membership and quorum as outlined in the attachment to the report

1. Audit, Risk and Improvement Committee (39763E) and authorise the Committee to carry out the roles and responsibilities in accordance with the Audit Committee guidelines published by the Office of Local Government and Council’s Audit, Risk & Improvement Committee charter.
2. Regional Development Committee (39964E)
3. Senior Staff Contractual Matters Committee (5001E).
4. Central Floodplain Risk Management Committee (59951E)
5. Northern Floodplain Risk Management Committee (59952E)
6. Southern Floodplain Risk Management Committee (59950E)
7. Shoalhaven Coast and Estuary Management Committee (60680E)
8. Aboriginal Advisory Committee (1209E)
9. Business and Employment Development Committee (38821E)
10. Natural Area Volunteer Group (Previously Council Bushcare Representative Group) (42643E)
11. Homelessness Taskforce Shoalhaven (55584E)
12. Inclusion and Access Advisory Group (1228E)
13. Nowra CBD Revitalisation Strategy Committee (50242E)
14. Rural Fire Service Strategic Planning Committee (1227E)
15. Shoalhaven Arts Board (2123E)
16. Shoalhaven City Mayor’s Relief Fund (3926E)
17. Shoalhaven Heads Estuary Taskforce (45866E)
18. Shoalhaven Sports Board (12623E)
19. Shoalhaven Tourism Advisory Group (1490E)
20. Youth Advisory Committee (1506E)

CARRIED

Clr Levett raised a Point of Order against Clr Guile for his insults.

The Mayor asked Clr Levett to quote the section of the Code that the Point of Order is being raised. Clr Levett did not quote the section, the Mayor ruled against the Point of Order.

Clr Watson raised a Point of Order against Clr Levett who insulted him and asked him to apologise for his comments.

The Mayor asked Clr Watson to quote the section of the Code that the Point of Order is being raised. Clr Watson did not quote the section, the Mayor ruled against the Point of Order.

Clr Alldrick raised a Point of Order against Clr Guile, as he had implied that some Councillors were not working hard.

The Mayor asked Clr Alldrick to quote the section of the Code that the Point of Order is being raised. Clr Alldrick did not quote the section, the Mayor ruled against the Point of Order.

**CL19.232 Audit, Risk and Improvement Committee (39763E)**

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

MIN19.665

That Council continue the operation of Risk and Audit Committee for the period to 30 September 2020 as outlined below:

<u>Meetings per year</u> – 5 & others as required Commencement time – 4pm	<u>Quorum:</u> Three (3) – including 1 Councillor & 1 External member <u>Charter:</u> <a href="#">D19/261344</a> <u>Amended:</u> 30/7/2019
<b>Objective</b> The objective of the Audit, Risk and Improvement Committee (ARIC, the Committee) is to provide independent assurance and assistance to Shoalhaven City Council on risk management, control, governance, business improvement related matters and external accountability responsibilities.	
<b>Authority</b> The Council authorises the Committee, within the scope of its role and responsibilities to: 1 Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information). 2 Discuss any matters with the internal or external auditor or other external parties (subject to confidentiality considerations). 3 Request the attendance of any employee or councillor at Committee meetings. 4 Obtain external legal or other professional advice considered necessary to meet its responsibilities.	
<b>Chairperson</b> - Independent Member appointed by Committee	
<b>2019-2020 Councillor / Staff Membership</b> Clr Wells Clr White Clr Pakes (alternate)	
<b>Independent Community Representatives</b> 3 Independent community representatives	
<b>Sitting Fee for Community Members</b> Monthly payment of \$250 on the proviso 80% of meetings are attended <u>plus</u> a travel per kilometre allowance based on the Councillor rates for external members only.	

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

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

CARRIED

**CL19.233 Regional Development Committee (39964E)**

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

MIN19.666

That Council continue the operation of Regional Development Committee for the period to 30 September 2020 as outlined below:

<u>Meetings per year</u> – As Required No set commencement time	<u>Quorum</u> – Three (3)
<b>Objective:</b> To consider staff reports sent to the Joint Regional Planning Panel	
<b>Delegation:</b> To make determinations in support or otherwise in relation to reports sent to the Joint Regional Planning Panel, including making representations to the Joint Regional Planning Panel.	

<b>Chairperson</b> – Appointed by Council
<b>2019-2020 Membership</b> Clr Gash (Chairperson) All Councillors CEO or nominee

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

**CL19.234 Senior Staff Contractual Matters Committee (5001E)**

**RESOLVED** (Clr Pakes / Clr Gash) MIN19.667

That Council continue the operation of Senior Staff Contractual Matters Committee for the period to 30 September 2019 as outlined below:

<u>Meetings per year</u> – As required No set commencement time	<u>Quorum</u> – Five (5)
<b>Purpose and Delegated Authority</b> The Committee be delegated authority under Section 377 of the Local Government Act to:	
<ol style="list-style-type: none"> <li>1. Review the CEOs performance against the agreement, at least annually.</li> <li>2. Deal with matters relating to requirements of the contract including the annual review of remuneration and to make any determinations where necessary.</li> <li>3. Receive the CEO’s annual reports on other Senior Staff contracts where Council is required to deal with contractual matters.</li> <li>4. Consider and determine:           <ul style="list-style-type: none"> <li>• The organisational structure.</li> <li>• Industrial Relations Policy.</li> <li>• Other staff matters requiring Council consideration</li> </ul> </li> </ol>	
<b>Chairperson</b> – Appointed by Council	
<b>2019-2020 Councillor / Staff Membership</b> Mayor Clr Findley (Chairperson) All Councillors CEO	
<u>Sub- Committee to undertake Delegations 1&amp;2:</u> CHAIRPERSON - Mayor Deputy Mayor Assistant Deputy Mayor Clr Wells Clr Watson Clr Gash	

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

**CL19.235 Central Floodplain Risk Management Committee (59951E)**

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

MIN19.668

That Council continue the operation of Central Floodplain Risk Management Committee for the period to 30 September 2020 as outlined below:

Meetings per year – As required	Quorum – Not set yet
Commencement time – 4pm	Terms of Reference: Not yet adopted
<b>Purpose</b>	
<ul style="list-style-type: none"> <li>Provide advice to Council on flood management risk plans in the central area of the city</li> </ul>	
<b>Delegation – NIL</b>	
<b>Chairperson</b> – Appointed by Council	
<b>2019-2020 Councillor / Staff Membership</b>	
Clr Proudfoot (Chairperson)	
All Councillors	
CEO or nominee	
<b>Community/Organisational Representatives</b>	
5 Community Representatives	
SES	
NSW Office of Environment & Heritage	

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

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

CARRIED

**CL19.236 Northern Floodplain Risk Management Committee (59952E)**

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

MIN19.669

That Council continue the operation of Northern Floodplain Risk Management Committee for the period to 30 September 2020 as outlined below:

Meetings per year – As required	Quorum – Not set yet
Commencement time – 4pm	Terms of Reference: Not yet adopted
<b>Purpose</b>	
<ul style="list-style-type: none"> <li>Provide advice to Council on flood management risk plans in the northern area of the city</li> </ul>	
<b>Delegation – NIL</b>	
<b>Chairperson</b> – Appointed by Council	
<b>2019-2020 Councillor / Staff Membership</b>	
Clr Wells (Chairperson)	
All Councillors	
CEO or nominee	
<b>Community/Organisational Representatives</b>	
5 Community Representatives	
SES	
NSW Office of Environment & Heritage	

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

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

CARRIED

**CL19.237 Southern Floodplain Risk Management Committee (59950E)**

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

MIN19.670

That Council continue the operation of Southern Floodplain Risk Management Committee for the period to 30 September 2020 as outlined below:

Meetings per year – As required	Quorum – Not set yet
Commencement time – 4pm	Terms of Reference: Not yet adopted
<b>Purpose</b>	
<ul style="list-style-type: none"> <li>Provide advice to Council on flood management risk plans in the Southern area of the city</li> </ul>	
<b>Delegation – NIL</b>	
<b>Chairperson</b> – Appointed by Council	
<b>2019-2020 Councillor / Staff Membership</b>	
Clr White (Chairperson)	
All Councillors	
CEO or nominee	
<b>Community/Organisational Representatives</b>	
5 Community Representatives	
SES	
NSW Office of Environment & Heritage	

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

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

CARRIED

**CL19.239 Shoalhaven Coast and Estuary Management Committee (60680E)**

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

MIN19.671

That Council continue the operation of Shoalhaven Coast and Estuary Management Committee for the period to 30 September 2020 as outlined below:

Meetings per year – As required	Quorum – Not set yet
Commencement time – 4pm	Terms of Reference: Not yet adopted
<b>Purpose</b>	
An interim advisory 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.	
<b>Delegation – NIL</b>	
<b>Chairperson</b> – Appointed by Council	
<b>2019-2020 Councillor / Staff Membership</b>	
Clr White (Chairperson)	
Chairperson of each of the Floodplain Risk Management Committees (Clrs Proudfoot, Wells and White)	
Chairperson of Shoalhaven Heads Estuary Taskforce (Clr Pakes)	



CEO or nominee
<b>Community/Organisational Representatives</b> NSW Office of Environment & Heritage Department of Planning Industry & Environment Jervis Bay Marine Park Crown Lands RMS NPWS Booderee National Park Jerringa LALC Ulladulla LALC Nowra LALC Australian Defence Force

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

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

CARRIED

**CL19.240 Aboriginal Advisory Committee (1209E)**

**RESOLVED** (Clr Pakes / Clr Gash) MIN19.672

That Council continue the operation of Aboriginal Advisory Committee for the period to 30 September 2020 as outlined below:

Meetings per year – Four (4) Commencement time – 4pm	Quorum – Five (5) Terms of Reference: <a href="#">POL19/56</a> Amended: 25 September 2018
<p><b>Purpose</b>                  To provide appropriate and considered advice to Council on all relevant issues affecting Aboriginal and Torres Strait Islander people within the Shoalhaven LGA, and to influence Council’s support &amp; intent in achieving their objectives for the current Statement of Commitment 2010 (SoC) and the Shoalhaven City Council Community Strategic Plan 2023 (SCCSP).</p> <p><b>Role of the Committee</b>                  All members are encouraged to become actively involved in the business of the AAC and to be an advocate between community and Council. The role of the Committee is:</p> <ul style="list-style-type: none"> <li>• To advise Shoalhaven City Council on necessary issues relating to Aboriginal communities in the LGA.</li> <li>• Promote and increase knowledge &amp; understanding of Aboriginal society, history &amp; culture in the LGA.</li> <li>• Facilitate access and accessibility to services and facilities for Aboriginal people.</li> <li>• Advise on the development and implementation of the Shoalhaven City Council Community Strategic Plan.</li> <li>• Develop strong collaborative partnerships between Aboriginal communities and Shoalhaven City Council.</li> <li>• Maintain strong links between Council and Aboriginal communities throughout the Shoalhaven to accomplish the relationships and outcomes required for genuine reconciliation.</li> <li>• Foster and safeguard a spirit of mutual trust and respect which allows the AAC and Shoalhaven City Council to work together in their commitment towards intelligent, well informed decision making processes that are sensitive to all Aboriginal issues.</li> </ul>	

<ul style="list-style-type: none"> <li>Recognise, support &amp; uphold past and present local cultural heritage and its place in future Council directions.</li> <li>Remain a meaningful 'place' for the communication of messages and information from Aboriginal community voices that identify local needs for services, facilities and activities.</li> <li>Support and promote significant celebrations and events within the Shoalhaven Aboriginal and Torres Strait Islander community.</li> </ul>
<b>Delegation – NIL</b>
<b>Chairperson &amp; Co-Chairperson – Appointed by Committee (Until November 2020)</b>
<b>2019-2020 Councillor / Staff Membership</b> All Councillors CEO or nominee
<b>Community / Organisational Representatives</b> Up to 13 local Aboriginal Community Representatives (Elders, 2 Youth reps or Government/Non Government Agencies/Organisation delegates) NPWS Nowra LALC Jerrinja LALC Ulladulla LALC

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

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

CARRIED

#### **CL19.241 Business and Employment Development Committee (38821E)**

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

MIN19.673

That Council continue the operation of Business and Employment Development Committee for the period to 30 September 2020 as outlined below:

Meetings per year – Four (4)	Quorum – Six (6)
Commencement time – 4pm	Terms of Reference: NIL
<b>Purpose</b> <ul style="list-style-type: none"> <li>To assist in the implementation of the Economic Development Strategy and monitor and report on performance.</li> <li>Support the expansion of industry activities within the Shoalhaven, across all sectors.</li> <li>Encourage the location of new industries in the region which will lead to an increase in the number of employment opportunities for the residents of the region</li> <li>Grow the socio economic base of the Shoalhaven.</li> <li>Examine and review employment development strategies and report on initiatives to carry their strategies forward.</li> </ul>	
<b>Delegation – NIL</b>	
<b>Chairperson – Appointed by Committee</b>	
<b>2019-2020 Councillor / Staff Membership</b> All Councillors CEO or Nominee	
<b>Organisational Representatives</b> Member for Gilmore or nominee; Member for South Coast or nominee; Member for Kiama or nominee; Shoalhaven Tourism Advisory Group Shoalhaven Arts Board	

<p>Aboriginal Advisory Committee Regional Development Australia (2 representatives) University of Wollongong Shoalhaven Campus NSW TAFE Bomaderry Campus – Manager NSW Department of Premier &amp; Cabinet Shoalhaven Business Chamber (2 representatives) Milton Ulladulla Business Chamber Secondary Schools Representative Shoalhaven Professional Business Association Southern Regional Business Enterprise Centre Department of Industry, Innovation and Science – AusIndustry Manufacturing (Vacant); Defence (Vacant); Construction (Vacant)</p> <p><b>Community Representatives</b> Three (3) Community Representatives</p>
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FOR: Clr Gash, Clr Wells, Clr White, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

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

CARRIED

**CL19.242 Natural Area Volunteers Group (Previously Council Bushcare Representative Group) (42643E)**

**RESOLVED** (Clr Pakes / Clr Gash) MIN19.674

That Council:

1. Change the name of the Council Bushcare Representative Group to the Natural Area Volunteers Group;
2. The operation of the Natural Area Volunteers (Previously Council Bushcare Representative Group) for the period to 30 September 2020 as outlined below:

<p><u>Meetings per year</u> – As required Commence time – 4.00pm</p>	<p>Quorum – Five (5) Terms of Reference: Nil</p>
<p><b>Purpose:</b> To act as an advisory group on all matters relating to the future directions of the Bushcare Policy and program</p>	
<p><b>Delegation – NIL</b></p>	
<p><b>Chairperson – Appointed by the Council</b></p>	
<p><b>2019-2020 Councillor/Staff Membership</b> Clr Proudfoot (Chairperson) Clr Watson (Alternate Chair) All Councillors</p>	
<p><b>Community/ Organisational Representatives</b> 7 Bushcare Group members Local Land Services Office of Environment &amp; Heritage (Vacant)</p>	

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

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

CARRIED

**CL19.243 Homelessness Taskforce Shoalhaven (55584E)**

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

MIN19.675

That Council continue the operation of Homelessness Taskforce Shoalhaven for the period to 30 September 2020 as outlined below:

<u>Meetings per year</u> – Four (4) Commencement time: 4pm	Quorum – Eight (8) Terms of Reference: <a href="#">POL17/77</a> Amended: 15 August 2017
<b>Purpose</b> To provide appropriate and considered strategic advice on homelessness and related issues that can be dealt with at Council level. The Taskforce will work with Council to address issues, develop options and assist with the identification of preferred solutions as part of Council’s decision making process.	
<b>Role of the Committee</b> The role of the Homelessness Taskforce is:- <ul style="list-style-type: none"> <li>• Provide Council with strategic advice on homelessness and related issues that can be dealt with at a Local Government level.</li> <li>• Work with Council to address issues, develop options and assist with the identification of preferred solutions as part of Council’s decision making process</li> <li>• Advise on the development and application of a Homelessness Strategic Plan</li> <li>• Provide comment on relevant Council policies and strategies</li> <li>• Advocate community views on homelessness issues</li> </ul>	
<b>Delegation</b> – NIL	
<b>Chairperson</b> – Appointed by the Committee (previously appointed Clr Findley)	
<b>2019-2020 Councillor/Staff Membership</b> Clr Findley (Chairperson) All Councillors CEO	
<b>Community / Organisational Representatives</b> Currently 18 representatives from Government/Non-government agencies, Organisations, and community members	

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

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

CARRIED

**CL19.244 Inclusion and Access Advisory Group (1228E)**

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

MIN19.676

That Council continue the operation of Inclusion and Access Advisory Group for the period to 30 September 2020 as outlined below:

<u>Meetings per year</u> – Four (4) Commencement time – 11.00 am	Quorum – Five (5) Terms of Reference: <a href="#">POL18/7</a> Adopted 27 March 2018
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<p><b>Purpose:</b> To inform, educate and advise Shoalhaven City Council, its staff and residents on accessibility and inclusion with the purpose of creating accessible and inclusive community infrastructure by:</p> <ul style="list-style-type: none"> <li>Actively engaging with Council on policies,</li> <li>Inputting on submissions and relevant legislation affecting accessibility and inclusion</li> <li>Being a conduit for information and communication between community and Council,</li> <li>Raising awareness in the Council, with its staff and in the community around inclusion and accessibility issues</li> </ul>
<p><b>Delegation – NIL</b></p>
<p><b>Chairperson – Appointed by Committee and reaffirmed by Council</b></p>
<p><b>2019-2020 Councillor/Staff Membership*</b>            Clr White (Chairperson)            Clr Alldrick (Alternate Chairperson)            Clr Kitchener            Clr Proudfoot (Alternate)            Clr Digiglio (Alternate)            CEO or Nominee</p>
<p><b>Community / Organisational Representatives</b>            Currently 12 Community representatives            Member for Gilmore or nominee;            Member for South Coast or nominee;            Member for Kiama or nominee;            Currently six (6) representatives from disability organisations            One (1) Health representative            One (1) Education representative</p>

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

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

CARRIED

**CL19.245 Nowra CBD Revitalisation Strategy Committee (50242E)**

**RESOLVED** (Clr Pakes / Clr Gash) MIN19.677

That Council continue the operation of Nowra CBD Revitalisation Strategy Committee for the period to 30 September 2020 as outlined below:

<p><u>Meetings per year</u> – Four (4) &amp; others as required            Commencement time – 4.00pm</p>	<p>Quorum – Five (5)            Terms of Reference: <a href="#">POL19/5*</a>            Amended: 26 March 2019</p>
<p><b>Role of the Committee</b></p> <p>Note: Tasks in relation to 1.4 will not be undertaken by Councillors</p> <p>For the purpose of this Terms of Reference, Councils annual Capital Works Budget which is defined as any Special Rate on the CBD (currently \$500,000) plus any top up funding (such as grants, or loans obtained by council or other council budgetary allocations) that Council provides to deliver a project initiated by Special Rate Funding.</p> <p>Note: Any other Capital Works Funding in excess of \$100,000 within the CBD will be discussed with the Committee prior to expenditure of funding.</p> <p>1. Recommend to Council possible refinement of, and improvements to, the Nowra CBD Revitalisation Strategy as the committee considers appropriate.</p>	

2. Develop a list of projects (with estimated costings) for Council to consider priorities over a rolling three year time frame, that will assist in achieving the ten elements of the Nowra CBD Revitalisation Strategy. The list is to be presented to an Ordinary Meeting of Council in February each year, and thus adopted by the Council.
3. Make a formal submission to Council's annual capital works budget as it relates to the Nowra CBD, in accordance with Council's budgeting process.
4. Monitor the expenditure of Council's annual capital works budget as it relates to the Nowra CBD, in particular;
  - a) Approving design plans and specifications at the preliminary concept stage and prior to the detailed drafting and then at final approval stage.
  - b) In cases where the General Manager (or delegate) determines that capital works within the Nowra CBD, will be tendered out, the Committee Chair (or delegate) will approve the tender documentation before tenders are advertised.
  - c) The Committee Chair and delegate are to participate on tender evaluation panels for capital expenditure in the Nowra CBD.
  - d) Assign a Project Steering Working Group to endorse the payment of progress claims and endorse the approval of variations, for capital expenditure in the Nowra CBD.
  - e) In the case where Council staff undertake substantial capital expenditure (greater than \$150,000) in the Nowra CBD, the Committee will receive a report outlining progress (including expenditure updates) and plans at each of the Committee's Meetings.
5. Act as a communication conduit between Council and the CBD stakeholders in respect to the ten elements within the Nowra CBD Revitalisation Strategy and approved Capital Works within the Nowra CBD with reasonable support from Council, at Council's expense, as determined by the General Manager.
6. Assist Council in advocating to the community the adopted list of projects that seek to deliver on the ten elements of the CBD Revitalisation Strategy.
7. Provide a report to Council each quarter outlining the year to date expenditure of Council's annual capital works budget as it relates to the Nowra CBD and present a report to an Ordinary Meeting of Council in August each year that explains the capital expenditure and any non-expenditure, for the previous financial year.
8. Consult with relevant stakeholders as needed.

**Delegations:**

- 1 To expend the funds allocated by Council annually from the Business – Nowra subcategory (currently \$500,000) to the CBD Nowra Revitalisation Strategy Committee, as the committee deems appropriate in accordance with objectives of the Nowra CBD Strategic Plan.
- 2 To establish Working Groups as deemed appropriate.
- 3 To promote the advantages of the CBD inside and outside the Local Government area, including making press releases and promoting the Nowra CBD Revitalisation Strategy and its projects.
- 4 Council will provide "in-kind" support to the committee in relation to
  - Project Design and Documentation
  - Facilitation of meetings
  - Preparation of reports for the Committee consideration

**Chairperson** – Appointed by the Committee

<p><b>2019-2020 Councillor/Staff Membership</b>                  Clr Gash                  Clr White                  Clr Wells                  All other Councillors (non-voting members)                  Director of Assets and Works or delegate                  Director of Planning Environment and Development or delegate</p>
<p><b>Community Representatives</b>                  Two (2) community members (non-business operator or CBD property owner)                  One (1) CBD Business retailer/Business operator (non CBD property owner)                  Two (2) Nowra CBD Property Owners                  Two (2) Nowra CBD Business owner/operator                  One (1) Nowra CBD Business Chamber representative</p>

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

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

CARRIED

**CL19.246 Rural Fire Service Strategic Planning Committee (1227E)**

**RESOLVED** (Clr Pakes / Clr Gash) MIN19.678

That Council continue the operation of Rural Fire Service Strategic Planning Committee for the period to 30 September 2020 as outlined below:

<p><u>Meetings per year</u> – Two (2) – others as required                  Commencement time – 5.30 pm</p>	<p>Quorum – Five (5)                  Terms of Reference: Nil</p>
<p><b>Objectives:</b> To advise Council on issues of a strategic and policy nature relating to the operation of the Rural Fire Services having regard to the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> That the core communication between brigades and Fire Control Officer on operational issues be raised through the Group Officers utilising the committee structure.</li> <li><input type="checkbox"/> All issues be raised through Fire Control so that statutory matters can be resolved immediately.</li> <li><input type="checkbox"/> Policy matters raised can be referred to the Strategy and Assets Committee through the CEO so that statutory matters can be resolved.</li> <li><input type="checkbox"/> That the Strategic Planning Committee be developed as the body advising Council on Rural Fire Service policy issues</li> </ul>	
<p><b>Delegation – NIL</b></p>	
<p><b>Chairperson</b> – Appointed by the Council</p>	
<p><b>2019-2020 Councillor / Staff Membership</b>                  Clr Pakes (Chairperson)                  Clr White                  Clr Kitchener                  CEO or Nominee</p>	
<p><b>Community / Organisational Representatives</b>                  District Manager RFS                  Staff Representative RFS                  Group Officer Primary Representative (and alternate)                  Group 1 Area Representative (and alternate)                  Group 2 Area Representative (and alternate)                  Group 3 Area Representative (and alternate)</p>	

Group 4 Area Representative (and alternate)  
 Group 5 Area Representative (and alternate)  
 Group 6 Support Brigades Representative (and alternate))  
 Operations Manager – Jervis Bay Territory Administration or nominee

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

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

CARRIED

**CL19.247 Shoalhaven Arts Board (2123E)**

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

MIN19.679

That Council continue the operation of Shoalhaven Arts Board for the period to 30 September 2020 as outlined below:

<p><u>Meetings per year</u> – Four (4) per year          Commencement time – 1.00pm</p>	<p>Quorum – Majority of the members          Terms of Reference: <a href="#">POL16/267*</a>          Amended: 27 June 2017</p>
<p><b>Purpose:</b></p> <p>a) To contribute to and develop strategy and policy both for the Shoalhaven City Council as well as in alignment with the Region.</p> <p>b) To develop and implement policy, planning and vision for the broad arts within existing resources and use a co-opted panel of peers for professional advice. They include:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Visual Arts</li> <li><input type="checkbox"/> Heritage and Museum Sector</li> <li><input type="checkbox"/> Literature</li> <li><input type="checkbox"/> Performing Arts</li> </ul> <p>c) Advocate and maintain specific arts related portfolios.</p> <p>d) Advocate and promote Board recommendations.</p>	
<p><b>Delegations:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Act within adopted budgets aligning with Council’s strategic plans and document, and make recommendations on the arts to Council</li> <li><input type="checkbox"/> Appoint suitable representatives to fill casual vacancies on a set term basis</li> <li><input type="checkbox"/> Inform and recommend policy for arts related funding programs, and where required by Council, vote on related matters</li> <li><input type="checkbox"/> Establish a peer panel of professionals, experts and practitioners across art forms, heritage and cultural platforms to be co-opted as needed for input and advice to the Shoalhaven Arts Board</li> <li><input type="checkbox"/> Establish a Shoalhaven Arts Foundation:             <ul style="list-style-type: none"> <li>o to support the development and enrichment of broad arts across the Shoalhaven including visual, heritage, literature &amp; performing arts</li> <li>o to ensure that the Foundation in its governance, membership and charter are independent/ and at arms-length from Council yet works in concert with the Shoalhaven Arts Board, Council and the community needs</li> <li>o to fundraise and develop a sustainable principal investment to generate ongoing grant funds</li> </ul> </li> </ul> <p>Relevant staff will work collaboratively with the Shoalhaven Arts Board to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Develop and implement activities to achieve objectives in line with the Shoalhaven Arts Board recommendations, the Council’s policies and corporate plan</li> </ul>	
<p><b>Chairperson</b> – Appointed by the Board</p>	
<p><b>2019-2020 Councillor/ Staff Membership</b>          (Ward 1) Clr Wells</p>	



(Ward 2) Clr Gash (Ward 3) Clr Kitchener
<b>Community / Organisational Representatives</b> Seven* (7) Community representatives, one (1) designated Aboriginal Local Member position, nominated by the Aboriginal Advisory Committee) One (1) representative of the Shoalhaven Tourism Advisory Group, nominated by the Shoalhaven Tourism Advisory Group

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

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

CARRIED

**CL19.248 Shoalhaven City Mayor’s Relief Fund (3926E)**

**RESOLVED** (Clr Watson / Clr Gash)

MIN19.680

That Council continue the operation of Shoalhaven City Mayor’s Relief Fund for the period to 30 September 2020 as outlined below:

<u>Meetings per year</u> – One (1) & others as required	Quorum – Three (3)
No determined commencement time	Terms of Reference: Nil
<b>Purpose:</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> The fund has been established and maintained as a public fund for the relief of persons in Australia who are in necessitous circumstances and it is intended that the public be invited to contribute to the fund.</li> <li><input type="checkbox"/> A person will be in necessitous circumstances where his or her financial resources are insufficient to obtain all that is necessary, not only for a bare existence, but for a modest standard of living in the Australian community.</li> <li><input type="checkbox"/> Necessitous circumstances may result from a disaster caused by flood, fire, drought, tempest or other calamity.</li> </ul>	
<b>Delegations:</b>	
The management of the fund is vested in the Shoalhaven City Mayor’s Relief Fund Committee. Rules have been adopted by Council.	
<b>Chairperson</b> – Appointed by Council	
<b>2019-2020 Councillor/ Staff Membership</b>	
Mayor – Clr Findley (Chairperson) All Councillors CEO or nominee Director Finance Corporate & Community Services	
<b>Organisational Representatives</b>	
Shoalhaven City Fire Control Officer Coordinator Shoalhaven City State Emergency Services Chairman – Nowra Ministers Association or nominee	

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

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

CARRIED

**CL19.249 Shoalhaven Heads Estuary Taskforce (45866E)**

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

MIN19.681

That Council continue the operation of Shoalhaven Heads Estuary Taskforce for the period to 30 September 2020 as outlined below:

<p><u>Meetings per year</u> – One (1) &amp; others as required Commencement time – 4.00pm</p>	<p>Quorum – Three (3) – One (1) Councillor and Two (2) Community Members Terms of Reference: Nil</p>
<p><b>Purpose</b></p> <ul style="list-style-type: none"> <li>• Examine options for pursuing a partial or complete opening of Shoalhaven Heads</li> <li>• Review Councils current Entrance and Estuary Management Plans for Shoalhaven Heads</li> <li>• Report directly to Council</li> </ul>	
<p><b>Delegation</b> – NIL</p>	
<p><b>Chairperson</b> – Appointed by the Council</p>	
<p><b>2019-2020 Councillor/Staff Membership</b> Clr Pakes (Chairperson) All Councillors</p>	
<p><b>Community / Organisational Representatives</b> Member for Kiama or nominee Currently 9 Community representatives Greenwell Point CCB Shoalhaven Heads Community Forum</p>	

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

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

CARRIED

**CL19.250 Shoalhaven Sports Board (12623E)**

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

MIN19.682

That Council continue the operation of Shoalhaven Sports Board for the period to 30 September 2020 as outlined below:

<p><u>Meetings per year</u> – Four (4) – Quarterly Commencement time – 5.00pm</p>	<p>Quorum – Seven (7) Terms of Reference: <a href="#">POL19/29</a> Amended: 30 April 2019</p>
<p><b>Purpose:</b> To provide advocacy for the sporting community on policy, direction and strategic planning related to Council's objectives. To achieve this policy and strategic objective, the Board will be strategic in nature and focus on appointments to achieve this outcome.</p>	
<p><b>Role:</b></p> <ul style="list-style-type: none"> <li>• Represent the whole Shoalhaven Sporting Community (all sports)</li> <li>• Provide ongoing, high level policy and planning advice to Council.</li> <li>• Make recommendations to the Council on all relevant business presented before it</li> <li>• Advocate and maintain specific sports related portfolios.</li> <li>• Advocate and promote Board recommendations.</li> </ul>	
<p><b>Delegation</b> – NIL</p>	
<p><b>Chairperson</b> – Appointed by Board</p>	

<p><b>2019-2020 Councillor/Staff Membership</b> All Councillors CEO or Nominee</p>
<p><b>Community / Organisational Representatives</b> Eleven (11) Local Community Members (includes 2 positions from disadvantaged sporting groups) NSW Sport and Recreation</p>

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

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

CARRIED

**CL19.251 Shoalhaven Tourism Advisory Group (1490E)**

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

MIN19.683

That Council continue the operation of Shoalhaven Tourism Advisory Group for the period to 30 September 2020 as outlined below:

<p>Meetings per year – At least Four (4) Commencement time – 5.00pm</p>	<p>Quorum – Seven (7) Terms of Reference: <a href="#">POL17/62</a> Amended 23 May 2017</p>
<p><b>Role and Purpose</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Inform the development, implementation and review of council priorities from the Shoalhaven Tourism Master Plan and councils corporate plan</li> <li><input type="checkbox"/> Represent the tourism industry and advise and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in the Shoalhaven.</li> <li><input type="checkbox"/> Promote the direct and in-direct value and benefits of tourism within the Shoalhaven and on a regional, state and national basis.</li> </ul>	
<p><b>Delegations:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Make recommendation on the expenditure of the annual Shoalhaven marketing budget as provided by Council.</li> <li><input type="checkbox"/> Appoint suitable representatives to fill casual vacancies</li> <li><input type="checkbox"/> Inform and recommend policy for tourism related funding programs, and where required by Council, vote on related matters.</li> </ul>	
<p><b>Chairperson</b> – Appointed by the Committee</p>	
<p><b>2019-2020 Councillor/Staff Membership</b> Mayor All Councillors – Two (2) with voting Rights Clr Gash – Voting Delegate Clr White – Voting Delegate Clr Kitchener Alternate Voting Delegate Clr Alldrick – Alternate Voting Delegate</p>	
<p><b>Community/ Organisational Representatives</b> Nine (9) Industry representatives Shoalhaven Sports Board Chairperson National Parks &amp; Wildlife Service Representative</p>	

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

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

CARRIED

**CL19.302 Shoalhaven River Festival Committee**

Note: Council has also appointed the following s355 Committee which reports to the Shoalhaven Tourism Advisory Group.

**RESOLVED** (Clr Pakes / Clr Gash) MIN19.684

That Council continue the operation of Shoalhaven River Festival Committee for the period to 30 September 2020 as outlined below:

<u>Meetings per year</u> – As required	<u>Terms of Reference:</u> POL19/28
<p><b>Role and Purpose</b></p> <ul style="list-style-type: none"> <li>• To plan, promote and manage the Shoalhaven River Festival community event.</li> <li>• To identify and approve all expenditure of funds, including those allocated by Council and grants or funds from any other source.</li> <li>• Provide reports to Council via the Shoalhaven Tourism Advisory Group, outlining the event, expenditure and recommendations for future events.</li> <li>• To put in place appropriate risk management measures to provide a safe community event for participants, volunteers and visitors.</li> <li>• Consult with relevant stakeholders as needed.</li> </ul>	
<p><b>Delegations:</b></p> <ul style="list-style-type: none"> <li>• To expend funds allocated/obtained for the purpose of the Shoalhaven River Festival</li> <li>• To establish working groups as deemed appropriate.</li> <li>• To promote the Festival including issuing press releases and other promotional activities</li> <li>• To raise other funds to support the Festival, with a view to the event becoming self-sufficient.</li> </ul>	
<p><b>Chairperson</b> – Appointed by the Committee</p>	
<p><b>Membership</b> (total 15)</p> <ul style="list-style-type: none"> <li>• Members of the Shoalhaven Tourism Advisory Group who nominate for membership</li> <li>• Other community members who bring requisite skills and experience to the Committee</li> </ul>	

CARRIED

**CL19.252 Youth Advisory Committee (1506E)**

**RESOLVED** (Clr Pakes / Clr Gash) MIN19.685

That Council continue the operation of Youth Advisory Committee for the period to 30 September 2020 as outlined below:

<u>Meetings per year</u> – Four (4) Commencement time – 10.00am	<p>Quorum – Six (6)</p> <p>Terms of Reference: <a href="#">POL18/49</a> Amended: 21/8/2018</p>
<p><b>Purpose:</b></p> <ol style="list-style-type: none"> <li>a) To represent the interests and views of young people to Council and the Community</li> <li>b) To provide an opportunity for young people to discuss issues of concern to young people</li> <li>c) To provide a mechanism for young people to make representations to organisations and various spheres of Government requesting appropriate action to improve facilities and services available to young people</li> <li>d) To give young people experience in Local Government and community affairs</li> <li>e) To create greater awareness and appreciation within the general community of the needs and talents of young people</li> <li>f) To provide a mechanism for young people to address youth issues themselves</li> </ol>	

<p><b>Delegation:</b> Act within adopted budgets aligning with council's strategic plans and documents to deliver youth programs and activities that meet the needs of local young people.</p>
<p><b>Chairperson</b> – Appointed by Committee at each meeting</p>
<p><b>2019-2020 Councillor/Staff Membership</b> All Councillors CEO or Nominee</p>
<p><b>Community / Organisational Representatives</b> Eight (8) Community Youth Representatives 18 students from Year 9 &amp; above (Two (2) voting representatives from each local High School) Member for Gilmore or nominee Member for Kiama or nominee Member for South Coast or nominee Shoalhaven Local Area Command NSW Police Sanctuary Point Youth &amp; Community Centre Bay &amp; Basin Community Resources Nowra Youth Centre Police Citizens Youth Club Regional Development Australia Shoalhaven Business Chamber 330 Squadron Australian Air Force Cadets</p>

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

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

CARRIED

**CL19.227 Council Representative on Other Committees or Organisations Outside of Council**

**HPERM Ref: D19/289669**

**Recommendation**

That Council resolve the representative membership of Councillors and other delegates on other Committees or Organisations Outside of Council for the period to 30 September 2020.

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

MIN19.686

That Council resolve the representative membership of Councillors and other delegates on other Committees or Organisations Outside of Council for the period to 30 September 2020.

CARRIED

**CL19.253 Council Representation - Australian Coastal Councils Association - 4043E**

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

MIN19.687

That Council appoints Clr Kitchener as its representative on the Australian Coastal Councils Association for the period to 30 September 2020.

CARRIED

**CL19.254 Council Representation - Batemans Marine Park Advisory Committee - 33451E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.688

That Council appoints Clr White and Clr Kitchener as its representatives on the Batemans Marine Park Advisory Committee for the period to 30 September 2020.

CARRIED

**CL19.255 Council Representation - Cemeteries and Crematoria Association of NSW – 24714E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.689

That Council appoints Pamela Green (Unit Manager – Bereavement Services) as its representatives on the Cemeteries and Crematoria Association of NSW for the period to 30 September 2020.

CARRIED

**CL19.256 Council Representation - Healthy Cities Illawarra Management Committee – 4043E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.690

That Council appoints Clr Alldrick and CEO (or Nominee) and Clr Kitchener (alternative) as its representatives on the Healthy Cities Illawarra Management Committee for the period to 30 September 2020.

CARRIED

**CL19.257 Council Representation - Illawarra Academy of Sports – 2388E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.691

That Council appoints Clr Wells (Mayor's Representative) as its representative on the Illawarra Academy of Sports for the period to 30 September 2020.

CARRIED

**CL19.258 Council Representation - Illawarra Shoalhaven Joint Organisation – 2172E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.692

That Council appoints Clr Findley (Mayor), Clr Wells and Clr Kitchener (alternate) as its representatives on the Illawarra Shoalhaven Joint Organisation for the period to 30 September 2020.

CARRIED

**CL19.259 Council Representation - Jervis Bay Marine Park Authority Advisory Committee – 1462E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.693

That:

1. Council appoints Clr Findley and Clr Pakes (alternate) as its representatives on the Jervis Bay Marine Park Authority Advisory Committee for the period to 30 September 2020;
2. That ISJO be advised that Council would like to nominate Clr White as the ISJO representative on the Jervis Bay Marine Park Authority Advisory Committee.

CARRIED

**CL19.260 Council Representation - Joint Regional Planning Panel – 39782E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.694

That Council appoints its representatives on the Joint Regional Planning Panel for the period to 30 September 2020 as follows:

1. Council Members:
  - a. Clr Watson
  - b. Clr White
2. Alternative Members:
  - a. Clr Alldrick
  - b. Clr Kitchener
  - c. Mr Ernie Royston – Community Member

CARRIED

**CL19.261 Council Representation - NSW Country Mayors Association – 14214E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.695

That Council appoints Clr Findley (Mayor), Clr White (Deputy Mayor, alternate delegate) and Mr Stephen Dunshea – CEO as its representatives on the NSW Country Mayors Association for the period to 30 September 2020.

CARRIED

**CL19.262 Council Representation - NSW Public Libraries Association – 4442E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.696

That Council appoints Clr Findley and Library Services Manager as its representative on the NSW Public Libraries Association for the period to 30 September 2020.

CARRIED

**CL19.263 Council Representation - Rural Fire Service Shoalhaven District Liaison Committee – 2122E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.697

That Council appoints Clr Pakes, Clr Kitchener and Stephen Dunshea – CEO (or nominee) as its representatives on the Rural Fire Service Shoalhaven District Liaison Committee for the period to 30 September 2020.

CARRIED

**CL19.264 Council Representation - Shoalhaven Bush Fire Management Committee – 2820E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.698

That Council appoints Clr Pakes, Clr Kitchener (alternate) and Stephen Dunshea – CEO (or nominee as an observer) as its representatives on the Shoalhaven Bush Fire Management Committee for the period to 30 September 2020.

CARRIED

**CL19.265 Council Representation - Safer Community Action Team – 3519E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.699

That Council appoints all Councillors as its representatives on the Safer Community Action Team for the period to 30 September 2020.

CARRIED

**CL19.266 Council Representation - Shoalhaven Traffic Committee – 1491E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.700

That Council appoints the following representatives to the Shoalhaven Traffic Committee for the period to 30 September 2020:

Clr Pakes – Informal

Clr White – Informal

Clr Gash – Informal

CONVENOR/CHAIRPERSON – Mr Tom Dimec (Assets Manager)

CARRIED

**CL19.267 Council Representation - South Coast Co-operative Library Services – 3934E**

**RESOLVED** (Clr Pakes / Clr White) MIN19.701

That Council appoints the following representatives to the South Coast Co-operative Library Services for the period to 30 September 2020:

Clr White

Stephen Dunshea – CEO (or nominee)

Director Finance Corporate and Community Services

Library Services Manager



CARRIED

**CL19.268 Council Representation - South Coast Correctional Centre Community Consultative Committee – 4043E**

MOTION (Clr Pakes / Clr White)

That Council:

1. Appoints the following representatives to the South Coast Correctional Centre Community Consultative Committee for the period to 30 September 2020:
  - Clr Gash
  - Clr Watson
  - Mr Paul Keech – Director Assets and Works
2. Receive a report back to the next Ordinary meeting should a further member or delegate on the Committee be permitted.

AMENDMENT (Clr Levett / Clr Alldrick)

That Council:

1. Appoints the following representatives on the South Coast Correctional Centre Community Consultative Committee for the period to 30 September 2020:
  - Clr Digiglio
  - Mr Paul Keech – Director Assets and Works
2. Receive a report back to the next meeting if a further member or delegate on the Committee is permitted.

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

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

AMENDMENT LOST

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

MIN19.702

That Council:

1. Appoints the following representatives on the South Coast Correctional Centre Community Consultative Committee for the period to 30 September 2020:
  - Clr Gash
  - Clr Watson
  - Mr Paul Keech – Director Assets and Works
2. Receive a report back to the next Ordinary meeting should a further member or delegate on the Committee be permitted.

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

AGAINST: Clr Gartner and Clr Alldrick

CARRIED

**CL19.269 Council Representation - South East Australian Transport Strategy Inc – 3678E**

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

MIN19.703

That Council appoints the following representatives on the South East Australian Transport Strategy Inc for the period to 30 September 2020:

- Clr White
- Clr Kitchener
- Mr Greg Pullen (Alternate)

CARRIED

**CL19.270 Council Representation - Southern Tablelands and South Coast Regional Noxious Plants Committee – 3201E**

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

MIN19.704

That Council appoints The Mayor or delegate as its representative on the Southern Tablelands and South Coast Regional Noxious Plants Committee for the period to 30 September 2020.

CARRIED

**CL19.271 Council Representation - Southern Water Services Pty Ltd – 4043E**

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

MIN19.705

That Council appoints the following representatives on the Southern Water Services Pty Ltd for the period to 30 September 2020:

- Clr Watson
- Clr Pakes
- Clr Wells
- Clr White
- Clr Gash
- Ms Vanessa Phelan - Secretary

CARRIED

**CL19.272 Council Representation - Ulladulla Harbour User Group – 4043E**

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

MIN19.706

That Council appoints Mr Michael Strachan – Project Manager as its representative on the Ulladulla Harbour User Group for the period to 30 September 2020.

CARRIED

**CL19.273 Council Representation - Ulladulla Working Port Committee – 4043E**

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

MIN19.707

That Council appoints the following representatives on the Ulladulla Working Port Committee for the period to 30 September 2020:

- Clr White
- Clr Kitchener (alternate)

- Clr Gartner (alternate)

CARRIED

**CL19.228 2020 Local Government Election Arrangements - Update**

**HPERM Ref:  
D19/307651**

**Recommendation**

That Council

1. Note the information provided in the report
2. Confirm its previous resolution (MIN19.97) of February 2019 to engage the NSW Electoral Commission to conduct the 2020 Shoalhaven City Local Government Election
3. Receive a further report which outlines the estimated costs for the 2020 Local Government Election when received from the NSW Electoral Commission
4. Enter into contractual arrangements with the NSW Electoral Commission prior to the required date of 1 January 2020 as outlined in Section 296 (5A) b of the Local Government Act, 1993.

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

MIN19.708

That Council:

1. Note the information provided in the report
2. Confirm its previous resolution (MIN19.97) of February 2019 to engage the NSW Electoral Commission to conduct the 2020 Shoalhaven City Local Government Election
3. Receive a further report which outlines the estimated costs for the 2020 Local Government Election when received from the NSW Electoral Commission
4. Enter into contractual arrangements with the NSW Electoral Commission prior to the required date of 1 January 2020 as outlined in Section 296 (5A) b of the Local Government Act, 1993.

CARRIED

**CL19.229 Hyams Beach - Seamans Beach Carpark - Illegal  
Camping and Noise Complaints**

**HPERM Ref:  
D19/319348**

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

That Council:

1. Note the consultation that occurred on the 16 September 2019 with the Hyams Beach Village Association in relation to the overnight camping issue at Seamans Beach Carpark.
2. Note that the suggestions raised at that meeting will be presented to the Strategy and Assets Committee in October/November 2019 after further consultation with the HBVA.

**RESOLVED** (Clr Levett / Clr Gartner)

MIN19.709

That Council:

1. Note the consultation that occurred on the 16 September 2019 with the Hyams Beach Village Association in relation to the overnight camping issue at Seamans Beach Carpark.
2. Note that the suggestions raised at that meeting will be presented to the Strategy and Assets Committee in October/November 2019 after further consultation with the HBVA.

CARRIED

**CL19.230 Notification to Minister for Lands & Forestry of  
Appointment of Acting Native Title Managers**

**HPERM Ref:  
D19/300596**

**Recommendation**

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

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

MIN19.710

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

CARRIED

**CL19.231 Additional Costs - Voluntary Planning Agreement -  
Enterprise Avenue, South Nowra**

**HPERM Ref:  
D19/320127**

**Recommendation**

That Council

1. Note the additional costs that have been encountered in the construction of the extension of Enterprise Avenue, South Nowra that is underway in accordance with an endorsed/executed Voluntary Planning Agreement.
2. Commit funding of up to \$300,000 from the Contributions Plan 2019 (Project 01ROAD2143 and/or Deleted Funds Pool).
3. Identify a funding source in the September 2019 Quarterly Budget Review for an amount of up to \$123,750 that is required to resolve the unclean fill on the Council land (Lot 2)
4. Review Shoalhaven Contributions Plan 2019 Project 01ROAD2143 (Quinns Land/Browns Road Link Road) as a result of the detailed costing that are now known and to also possibly include the stormwater drainage work.

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

MIN19.711

That Council

1. Note the additional costs that have been encountered in the construction of the extension of Enterprise Avenue, South Nowra that is underway in accordance with an endorsed/executed Voluntary Planning Agreement.
2. Commit funding of up to \$300,000 from the Contributions Plan 2019 (Project 01ROAD2143 and/or Deleted Funds Pool).
3. Identify a funding source in the September 2019 Quarterly Budget Review for an amount of up to \$123,750 that is required to resolve the unclean fill on the Council land (Lot 2)
4. Review Shoalhaven Contributions Plan 2019 Project 01ROAD2143 (Quinns Land/Browns Road Link Road) as a result of the detailed costing that are now known and to also possibly include the stormwater drainage work.

CARRIED

There being no further business, the meeting concluded, the time being 6.11pm.

Clr Findley  
CHAIRPERSON