

## MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

**Meeting Date:** Tuesday, 10 September 2019  
**Location:** Council Chambers, City Administrative Centre, Bridge Road, Nowra  
**Time:** 5.00pm

The following members were present:

Clr John Wells - Chairperson  
Clr Joanna Gash  
Clr Amanda Findley  
Clr Patricia White  
Clr Kaye Gartner  
Clr Nina Digiglio  
Clr Annette Alldrick  
Clr John Levett  
Clr Andrew Guile – arrived 5.04pm  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Bob Proudfoot  
Stephen Dunshea - Chief Executive Officer

### Apologies / Leave of Absence

An apology was received from Clr Kitchener.

### Confirmation of the Minutes

**RESOLVED** (Clr White / Clr Gash) MIN19.628

That the Minutes of the Strategy and Assets Committee held on Tuesday 13 August 2019 be confirmed.

CARRIED

### Declarations of Interest

Nil

## Call Over of the Business Paper

The following items were called up for debate:

SA19.131, SA19.132, SA19.133, SA19.134, SA19.137, SA19.138, SA19.139, SA19.140, SA19.141, SA19.142, SA19.143, SA19.146, CSA19.9

The remaining items were resolved en bloc (Clr Proudfoot / Clr White) at this time. They are marked with an asterisk (\*) in these Minutes.

Note: Clr Guile arrived at 5.04pm.

## MAYORAL MINUTES

Nil.

## DEPUTATIONS AND PRESENTATIONS

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

Ms Christine Talbot, representing the Shoalhaven Heads Tennis Court Management Committee and Shoalhaven Heads Tennis Club, addressed the meeting and spoke in favour of the recommendation.

### SA19.137 Hyams Beach Community Hall

### SA19.138 Hyams Beach - Seamans Beach Carpark - Illegal Camping and Noise Complaints

### SA19.139 Hyams Beach Additional Parking - Long Term Solutions

### SA19.140 Hyams Beach - Pedestrian Access and Safety - Footpaths

### SA19.141 Hyams Beach - Public Amenities (toilets)

Mr Mark Crowther addressed the meeting and spoke against the recommendations.

### SA19.143 NSW Government CPTIGS Program 2015-17 (Proposed Bus Shelter - Kangaroo Valley) - Request for Clear Direction

Mr David Gazzard, representing various committees including the Chamber of Tourism & Commerce, addressed the meeting and spoke against the recommendation.

Mrs Joan Bray addressed the meeting and spoke against the recommendation.

### SA19.146 Coastal Management Program Scoping Study - community engagement

Ms Lexie Meyer and Mr Dirk Treloar, representing the Red Head Villages Association and Conjola Community Association, addressed the meeting and spoke against the recommendation.

## Procedural Motion - Bring Item Forward

**RESOLVED** (Clr White / Clr Digiglio)

MIN19.629

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

- SA19.134 Shoalhaven Heads Tennis Courts - Future Use

- SA19.137 Hyams Beach Community Hall
- SA19.138 Hyams Beach - Seamans Beach Carpark - Illegal Camping and Noise
- Complaints
- SA19.139 Hyams Beach Additional Parking - Long Term Solutions
- SA19.140 Hyams Beach - Pedestrian Access and Safety - Footpaths
- SA19.141 Hyams Beach - Public Amenities (toilets)
- SA19.143 NSW Government CPTIGS Program 2015-17 (Proposed Bus Shelter - Kangaroo Valley) - Request for Clear Direction
- SA19.146 Coastal Management Program Scoping Study - community engagement

CARRIED

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

**HPERM Ref:  
D19/216182**

**Recommendation**

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 courts 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.

**RECOMMENDATION** (Clr Wells / Clr Proudfoot)

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

**SA19.138 Hyams Beach - Seamans Beach Carpark - Illegal Camping and Noise Complaints**

**HPERM Ref:  
D19/233337**

This item dealt with in conjunction with:

- SA19.139 Hyams Beach Additional Parking - Long Term Solutions
- SA19.140 Hyams Beach - Pedestrian Access and Safety - Footpaths
- SA19.141 Hyams Beach - Public Amenities (toilets)

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

That in respect to Seamans Carpark, Hyams Beach, Council:

1. Install a lockable gate at the entrance in accordance with the (D19/275486) sketch at an estimated installation cost of \$12,000 to be funded from the Coastal Villages Traffic Management fund for the 2019/2020 financial year.
2. Engage commercial security to lock the toilets and carpark at 7pm and volunteers sought to unlock the gate at 6am during Christmas and Easter school holiday periods (including the weekends either side of these periods), the cost of \$6,000 to be funded from the Coastal Villages Traffic Management fund for the 2019/2020 financial year and then after from a specific operating budget to be determined during Council 2020/2021 budget deliberations
3. Not install additional disabled spaces due to non-compliant grades or accessible paths of travel currently exist in the carpark and given the demand for such access is considered to be low.
4. Not install a CCTV system to monitor illegal activity at the carpark.

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

MIN19.630

That

1. Council refer the reports SA19.139 to SA19.141 back to staff for further development and consultation with the Hyams Beach community, to be brought back to the next Strategy & Assets Committee meeting. Such consultation and development should place the proposals in the context of a broader management plan for the village and include consideration of possible outcomes from the smart technologies advisory process and other matters relating to earlier Council resolutions to explore cost offsets such as paid parking.
2. SA19.138 be deferred for further community consultation and reported back to the next Council meeting to allow consultation with the Hyams Beach community.

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

AGAINST: Clr Findley, Clr Digiglio and Stephen Dunshea

CARRIED

**SA19.137 Hyams Beach Community Hall**

**HPERM Ref:  
D19/257794**

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

That:

- 1 Council note that a portion of the Hyams Beach Community Hall site is on land that is part of a successful Aboriginal land claim by the Jerrinja Local Aboriginal Land Council (JLALC) and the land is also subject to a Native Title claim. This means that the JLALC cannot conduct any

dealings on the land until Native Title matters are resolved. In the interim Council is seeking to negotiate a licence to operate the facility so an action plan for repairs can be developed and implemented. Based on recent inspections of the building it's estimated that extensive repairs will cost in the order of \$135,000 and demolition of the building would be approximately \$60,000.

- 2 Staff continue to make representations to Jerrinja Local Aboriginal Land Council to negotiate an agreement for use and occupation of the building.
- 3 An update report be provided to Council at the November 2019 Strategy and Assets Committee.

**RESOLVED** (Clr Pakes / Clr Guile)

MIN19.631

That:

- 1 Council note that a portion of the Hyams Beach Community Hall site is on land that is part of a successful Aboriginal land claim by the Jerrinja Local Aboriginal Land Council (JLALC) and the land is also subject to a Native Title claim. This means that the JLALC cannot conduct any dealings on the land until Native Title matters are resolved. In the interim Council is seeking to negotiate a licence to operate the facility so an action plan for repairs can be developed and implemented. Based on recent inspections of the building it's estimated that extensive repairs will cost in the order of \$135,000 and demolition of the building would be approximately \$60,000.
- 2 Staff continue to make representations to Jerrinja Local Aboriginal Land Council to negotiate an agreement for use and occupation of the building.
- 3 An update report be provided to Council at the November 2019 Strategy and Assets Committee.

CARRIED

**SA19.143 NSW Government CPTIGS Program 2015-17 (Proposed Bus Shelter - Kangaroo Valley) - Request for Clear Direction**

**HPERM Ref: D19/272416**

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

That Council note the recent objections to the proposal to install a bus shelter at 167 Moss Vale Road, Kangaroo Valley and that the CEO (Director Assets & Works) proceed with the installation as previously resolved in MIN19.397 to meet approved grant funding requirements under the CPTIGS 2015-17 program.

**RESOLVED** (Clr Findley / Clr Guile)

MIN19.632

That Council abandon the Kangaroo Valley location for the bus shelter in lieu of another location in the Shoalhaven.

CARRIED

**Procedural Motion - Reintroduction of Item**

**RESOLVED** (Clr Gash / Clr Proudfoot)

MIN19.633

That SA19.145 Shared User Path – Terara Rd – Shoalhaven Caravan Village to Ferry Lane, which was dealt with en bloc, be reintroduced for discussion.

CARRIED

**SA19.146 Coastal Management Program Scoping Study -  
community engagement**

**HPERM Ref:  
D19/298881**

**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.

**RECOMMENDATION (Clr White / Clr Proudfoot)**

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

**NOTICES OF MOTION / QUESTIONS ON NOTICE**

**SA19.131 Notice of Motion - Dog off Leash Area – Thurgate Oval**

**HPERM Ref:  
D19/299807**

Note: Clr Pakes left the meeting at 7.32pm

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

That Council

1. Implement a 12 month trial for a designated 24/7 off leash dog area at Thurgate Oval Bomaderry.
2. Provide the appropriate signage and information for the trial area.
3. A further report be provided to Council on the outcomes and community feedback following the trial or as required.
4. CEO provide a report back to Council on fencing options available and costing to enable grant applications.
5. Senior staff meet with Bomaderry Community Inc to discuss options and way forward for this project.

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

MIN19.634

That Council

1. Implement a 12 month trial for a designated 24/7 off leash dog area at Thurgate Oval Bomaderry.
2. Provide the appropriate signage and information for the trial area.
3. A further report be provided to Council on the outcomes and community feedback following the trial or as required.
4. CEO provide a report back to Council on fencing options available and costing to enable grant applications.
5. Senior staff meet with Bomaderry Community Inc to discuss options and way forward for this project.

CARRIED

Note: Clr Pakes returned to the meeting at 7.36pm

## REPORTS

### SA19.132 June 2019 Quarterly Budget Review

**HPERM Ref:  
D19/275447**

#### Recommendation

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.

#### RECOMMENDATION (Clr Wells / Clr Guile)

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

Note: Councillors thanked Stephanie Moorley, Supervisor - Management Accountant, for producing the report following the departure of the Chief Financial Officer.

**SA19.133 Recycled Product - General Procurement Strategy**

**HPERM Ref:  
D19/276914**

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

That Council:

1. Receive and note the report in response to MIN18.560.
2. Request the CEO (Finance, Corporate and Community Services) develop and include a Sustainable Procurement Strategy as an appendix to the corporate Procurement Procedure (PRD17/8) to provide guidance and resources for staff to consider recycled products and services in organisational procurement.

**RESOLVED** (Clr Proudfoot / Clr Findley)

MIN19.635

That Council:

1. Receive and note the report in response to MIN18.560.
2. Request the CEO (Finance, Corporate and Community Services) develop and include a Sustainable Procurement Strategy as an appendix to the corporate Procurement Procedure (PRD17/8) to provide guidance and resources for staff to consider recycled products and services in organisational procurement.

CARRIED

**SA19.134 SHOALHAVEN HEADS TENNIS COURTS - FUTURE USE**

**HPERM REF:  
D19/216182**

Item dealt with earlier in the meeting.

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

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

**HPERM Ref:  
D19/288932**

**RECOMMENDATION\*** (Clr Proudfoot / Clr White)

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



**SA19.136 2019/2020 Conferences**

**HPERM Ref:  
D19/290224**

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

MIN19.636

That Council

1. Authorises available Councillors to attend the following conferences and such attendance be deemed Council Business.
  - a. 2019 NSW Local Government Aboriginal Network Conference
  - b. 28<sup>th</sup> NSW Coastal Conference
  - c. 19<sup>th</sup> International Cities and Town Centres Conference
  - d. 2019 National Local Roads & Transport Congress
  - e. Local Government Parking Summit 2019
  - f. 2019 Global Eco Asia-Pacific Tourism Conference
  - g. 2020 Australian Coastal Councils Conference
  - h. 2020 Australian Local Government Women's Association NSW State Conference
  - i. 2020 OzWater Conference
  - j. 2020 National Australian Women's Association Conference
  - k. 10<sup>th</sup> Australian Small Bridges Conference
  - l. 2020 National General Assembly of Local Government
  - m. Local Government Planning & Environmental Law Conference 2020
  - n. 2020 LGNSW Water Management Conference
  - o. 2020 NSW Local Government Aboriginal Network Conference
  - p. 2020 LGNSW Annual Conference
  - q. 20<sup>th</sup> International Cities and Town Centres Conference
  - r. Local Government Parking Summit 2020
  - s. 2020 National Local Roads & Transport Congress
  - t. 2020 Global Eco Asia-Pacific Tourism Conference
2. Require that travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with Council Members – Payment of Expenses and Provision of Facilities Policy.
3. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

**SA19.137 HYAMS BEACH COMMUNITY HALL**

**HPERM REF:  
D19/257794**

Item dealt with earlier in the meeting see MIN19.631

**SA19.138 HYAMS BEACH - SEAMANS BEACH CARPARK -  
ILLEGAL CAMPING AND NOISE COMPLAINTS**

**HPERM REF:  
D19/233337**

Item dealt with earlier in the meeting see MIN19.630

**SA19.139 Hyams Beach Additional Parking - Long Term Solutions**

**HPERM Ref:  
D19/233738**

Item dealt with earlier in the meeting in conjunction with SA19.138 Hyams Beach - Seamans Beach Carpark - Illegal Camping and Noise Complaints - see MIN19.630

**SA19.140 Hyams Beach - Pedestrian Access and Safety -  
Footpaths**

**HPERM Ref:  
D19/234111**

Item dealt with earlier in the meeting in conjunction with SA19.138 Hyams Beach - Seamans Beach Carpark - Illegal Camping and Noise Complaints - see MIN19.630

**SA19.141 Hyams Beach - Public Amenities (toilets)**

**HPERM Ref:  
D19/253025**

Item dealt with earlier in the meeting in conjunction with SA19.138 Hyams Beach - Seamans Beach Carpark - Illegal Camping and Noise Complaints - see MIN19.630

**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.

**RECOMMENDATION** (Clr Proudfoot / Clr White)

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.

CARRIED

**SA19.143 NSW GOVERNMENT CPTIGS PROGRAM 2015-17  
(PROPOSED BUS SHELTER - KANGAROO VALLEY) -  
REQUEST FOR CLEAR DIRECTION**

**HPERM REF:  
D19/272416**

Item dealt with earlier in the meeting see MIN19.632

**SA19.144 Kinghorne Street and North Street Nowra Traffic lights –  
Proposed Time Parking Moss Street Nowra**

**HPERM Ref:  
D19/274619**

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

MIN19.637

That after considering the final community consultation process (proposed timed parking in Moss Street); Council does not proceed with the proposed traffic lights at Kinghorne and North Streets as indicated at the 30 July 2019 Ordinary Meeting (MIN19.500).

CARRIED

**SA19.145 Shared User Path - Terara Rd - Shoalhaven Caravan Village to Ferry Lane**

**HPERM Ref: D19/268657**

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

That Council add the following project to the Forward Capital Works Listing:

Shared user Pathway – Terara Road (Shoalhaven Caravan Village – Ferry Lane)

|                           |           |             |
|---------------------------|-----------|-------------|
| Design and Investigations | \$5,000   | (2020/2021) |
| Construction              | \$145,000 | (2021/2022) |
| Total                     | \$150,000 |             |

**RESOLVED** (Clr Proudfoot / Clr Findley)

MIN19.638

That Council add the following project to the Forward Capital Works Listing:

Shared user Pathway – Terara Road (Shoalhaven Caravan Village – Ferry Lane)

|                           |           |             |
|---------------------------|-----------|-------------|
| Design and Investigations | \$5,000   | (2020/2021) |
| Construction              | \$145,000 | (2021/2022) |
| Total                     | \$150,000 |             |

CARRIED

Note: This item was reintroduced after initial Resolution en bloc.

**SA19.146 COASTAL MANAGEMENT PROGRAM SCOPING STUDY - COMMUNITY ENGAGEMENT**

**HPERM REF: D19/298881**

Item dealt with earlier in the meeting.

**SA19.147 Grant of Electricity Easements to Endeavour Energy - Nowra Sewage Treatment Plant**

**HPERM Ref: D19/276423**

**RECOMMENDATION\*** (Clr Proudfoot / Clr White)

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

**SA19.148 Berrara Creek and Nerrindillah Creek Crossing Update**

**HPERM Ref:  
D19/299317**

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

MIN19.639

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

CARRIED

## CONFIDENTIAL REPORTS

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

No members of the public made representations.

**RESOLVED**

MIN19.640

That the press and public be excluded from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

CSA19.9 Berrara Creek & Nerrindillah Creek Crossing Tender Resolution Update

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

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

CARRIED

The meeting moved into confidential the time being 7.52pm.

The meeting moved into open session, the time being 7.54pm.

## REPORT FROM CONFIDENTIAL SESSION

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

**CSA19.9 Berrara Creek & Nerrindillah Creek Crossing Tender  
Resolution Update**

**HPERM Ref:  
D19/279770**

**RESOLVED**

MIN19.641C

That Council:

1. Note the information in the Report outlining the reasons why negotiations to redesign the HDD

crossing of Berrara Creek & Nerrindillah Creek resolved by Council MIN18.1047C will not proceed.

2. Investigate and procure (if appropriate) an alternate construction methodology, such as relining, that will allow the creek crossings to be constructed within the existing easement for services.

CARRIED

There being no further business, the meeting concluded, the time being 7.55pm.

Clr Wells  
CHAIRPERSON