

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 12 November 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 – arrived 5.04pm
Clr Patricia White
Clr Kaye Gartner – arrived 5.02pm
Clr Nina Digiglio
Clr Annette Alldrick – arrived 5.03pm
Clr John Levett
Clr Mark Kitchener
Clr Bob Proudfoot
Stephen Dunshea - Chief Executive Officer

Apologies / Leave of Absence

Apologies were received from Clr Watson, Clr Pakes, and Clr Guile.

Confirmation of the Minutes

RESOLVED (Clr Gash / Clr Digiglio) MIN19.823

That the Minutes of the Strategy and Assets Committee held on Tuesday 08 October 2019 be confirmed.

CARRIED

Declarations of Interest

Nil

Call Over of the Business Paper

The following items were called up for debate:

SA19.172, SA19.174, SA19.178, SA19.179, SA19.182, SA19.184, SA19.185, SA19.189,
SA19.190, SA19.195, SA19.196

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

DEPUTATIONS AND PRESENTATIONS

Clrs Findley, Gartner and Alldrick arrived during the following deputations.

SA19.171 Notice of Motion - Dog Off Leash Area – West Street, Greenwell Point

Ms Debra Robertson addressed the meeting and spoke in favour of the recommendation.

SA19.178 Falls Road Falls Creek – Bicycle Access

Mr Cliff Wilson addressed the meeting and spoke against the recommendation.

MAYORAL MINUTES

MMS19.4 Mayoral Minute - Plan to Save-our-Recycling

**HPERM Ref:
D19/378240**

Recommendation (Item to be determined under delegated authority)

That Council support the Save Our Recycling campaign, which is being coordinated on behalf of the sector by LGNSW.

1. Shoalhaven City Council has and will continue to advocate for faster change in the waste and recycling sector. The growing imperative to manage waste and recycling within NSW needs urgent action from the State Government to assist in building a circular economy.
2. That Council recognises initiatives and projects taken within the Shoalhaven local government area to help achieve this goal for example our Home Sustainability Program, supporting Take3Forthe Sea, and more recently our adoption of a recycled content procurement policy.
3. That Council endorses Local Government NSW's sector wide *Save our Recycling* campaign, and asks the State Government to reinvest the Waste Levy in:
 - a. Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions.
 - b. The delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified
 - c. Support for the purchase of recycled content by all levels of government, to help create new markets
 - d. Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance
4. That Council write to the local State Members The Hon. Shelley Hancock MP and The Hon. Gareth Ward MP, the Minister for Energy and Environment The Hon. Matthew Kean MP, NSW Treasurer The Hon. Dominic Perrottet MP, Premier The Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP and Shadow Minister for Local Government Greg Warren MP to confirm their support for recycling and outline the urgent need to educate, innovate and invest in local waste and recycling services via the Waste Levy.
5. That Council formally write to its own Youth Advisory Committee advising its members of its

support for the *Save Our Recycling* campaign and asking them to consider endorsing and sharing it with their own networks across the Shoalhaven local government area.

6. That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute
7. That Council shares and promotes the *Save Our Recycling* campaign via its digital and social media channels and via its networks.

RESOLVED (Clr Findley / Clr Digiglio)

MIN19.824

That Council support the *Save Our Recycling* campaign, which is being coordinated on behalf of the sector by LGNSW.

1. Shoalhaven City Council has and will continue to advocate for faster change in the waste and recycling sector. The growing imperative to manage waste and recycling within NSW needs urgent action from the State Government to assist in building a circular economy.
2. That Council recognises initiatives and projects taken within the Shoalhaven local government area to help achieve this goal for example our Home Sustainability Program, supporting Take3Forthe Sea, and more recently our adoption of a recycled content procurement policy.
3. That Council endorses Local Government NSW's sector wide *Save our Recycling* campaign, and asks the State Government to reinvest the Waste Levy in:
 - a. Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions.
 - b. The delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified
 - c. Support for the purchase of recycled content by all levels of government, to help create new markets
 - d. Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance
4. That Council write to the local State Members The Hon. Shelley Hancock MP and The Hon. Gareth Ward MP, the Minister for Energy and Environment The Hon. Matthew Kean MP, NSW Treasurer The Hon. Dominic Perrottet MP, Premier The Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP and Shadow Minister for Local Government Greg Warren MP to confirm their support for recycling and outline the urgent need to educate, innovate and invest in local waste and recycling services via the Waste Levy.
5. That Council formally write to all of its advisory committees and Community Consultative Bodies, and more broadly across the Shoalhaven community, advising of its support for the *Save Our Recycling* campaign and asking them to consider endorsing and sharing it with their own networks across the Shoalhaven local government area.
6. That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute
7. That Council shares and promotes the *Save Our Recycling* campaign via its digital and social media channels and via its networks.

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Digiglio / Clr White)

MIN19.825

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

- SA19.171 – Notice of Motion - Dog Off Leash Area – West Street, Greenwell Point
- SA19.178 – Falls Road Falls Creek – Bicycle Access

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA19.171 Notice of Motion - Dog Off Leash Area - West Street, Greenwell Point

**HPERM Ref:
D19/379461**

Recommendation (Item to be determined under delegated authority)

That Council

1. In conjunction with Greenwell Point Community Association and other representative groups in the area, implement a twelve-month trial of a designated 24/7 dog off leash area in West Street, Greenwell Point adjacent to and south of the Pine Park Tourist Grounds.
2. Provide the appropriate signage, fencing and infrastructure to conduct the trial and report back to Council at its conclusion with funding options to formalise the area as a permanent facility if that is the consensus view of the Community.

RESOLVED (Clr Levett / Clr Findley)

MIN19.826

That Council

1. In conjunction with Greenwell Point Community Association and other representative groups in the area, commit to implement a designated 24/7 dog off leash area in West Street, Greenwell Point adjacent to and south of the Pine Park Tourist Grounds.
2. Subject to the identification of appropriate funding, provide the appropriate signage and fencing and report back to Council with funding options to formalise the area as a facility if that is the consensus view of the Community.

CARRIED

REPORTS

SA19.178 Falls Road Falls Creek – Bicycle Access

**HPERM Ref:
D19/299762**

Recommendation (Item to be determined under delegated authority)

That Council note the public feedback in relation to the proposed low-cost mountain trail bike (MTB) route (to be established on the existing unformed section of Falls Road, Falls Creek) and given the objections from the property owners adjacent to the unformed road section, take no action to progress this route until the PAMP is reviewed and adopted. Any action from then on would be in accordance with the newly adopted PAMP.

RESOLVED (Clr Alldrick / Clr Digiglio)

MIN19.827

That Council note the public feedback in relation to the proposed low-cost mountain trail bike (MTB) route (to be established on the existing unformed section of Falls Road, Falls Creek) and given the objections from the property owners adjacent to the unformed road section, take no action to progress this route until the Pedestrian Access Mobility Plan (PAMP) is reviewed and adopted. Any action from then on would be in accordance with the newly adopted PAMP.

FOR: Clr Wells, Clr Gash, Clr Findley, Clr White, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Stephen Dunshea
 AGAINST: Clr Kitchener and Clr Proudfoot
 CARRIED

SA19.172 Sanctuary Point Skatepark Minor Upgrade

**HPERM Ref:
D19/346776**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive and note the contents of the report for information.
2. Approve the use of the NSW Crime Prevention Grant monies up to \$50,000 to do additional works as described at Sanctuary Point Skatepark
3. Continue to prepare grant funding application to source monies to contribute to this project.

RESOLVED (Clr Proudfoot / Clr Gartner)

MIN19.828

That Council:

1. Receive and note the contents of the report for information.
2. Approve the use of the NSW Crime Prevention Grant monies up to \$50,000 to do additional works as described at Sanctuary Point Skatepark
3. Continue to prepare grant funding application to source monies to contribute to this project.

CARRIED

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

SA19.173 Acceptance Grant Funding - NSW State Funding - \$4,000,000 Stage 1 Berry Rotary Nature Play - Boongaree

**HPERM Ref:
D19/351678**

RESOLVED* (Clr Levett / Clr White)

MIN19.829

That Council

1. Accept the State Government grant funding offer of \$4,000,000 for the delivery of Stage 1 of the Project (Berry Rotary Nature Play)
2. Delegate authority to the CEO or nominee, to negotiate the Memorandum of Understanding (MoU) with Berry Rotary, and The Deed of Agreement with the NSW State Government and Berry Rotary to accept and acquit the grant funding
3. Write to the State Government Minister for Planning, The Hon. Rob Stokes and the Minister for Families, Communities and Disability Services, The Hon. Gareth Ward to thank them for the grant offer

CARRIED

SA19.174 St Georges Basin - Siltation - Silt Trap Screening

**HPERM Ref:
D18/433429**

Recommendation (Item to be determined under delegated authority)

That Council

1. Note that staff are undertaking the following activities in an effort to adopt best practice soil and water management practices as the most effective way to prevent siltation build up in St. George's Basin:
 - a. Carrying out targeted audits of Council owned and managed land within the Collett Place catchment and work with asset managers to ensure compliance with best practice.
 - b. Actively maintain existing sedimentation retention traps already installed about the Basin area.
 - c. Being more diligent in the inspections of compliance of sedimentation management systems, of new developments.
2. Note that an achievable plan to remove the silt build-up in St George's Basin, located near the discharge point of the drain at the bottom of Collett Place, is as follows and this plan will be included in Council's Draft 10 Year Capital Listing for consideration during its 2020-2021 budget deliberations
 - a. Excavate the plume to a depth of 300mm using a land-based excavator and trucks
 - b. Dry the material on site and
 - c. Dispose of the material at the Huskisson Landfill
 - d. Estimated cost of \$70,000 (exc GST)
3. Note that all development applications for subdivision and building works with the Shoalhaven require a sedimentation and erosion control plan which forms part of the overall approval. Development consents also contain conditions requiring the need to maintain sedimentation and erosion controls until sites are stabilised (e.g. the grassing of bare earth areas). These conditions are enforced by Council's Certifiers, Compliance Officers and Rangers. Council can also issue directions under the Protection of the Environment Operations Act to have pollution incidents remedied.

RESOLVED (Clr Proudfoot / Clr Findley)

MIN19.830

That Council

1. Note that staff are undertaking the following activities in an effort to adopt best practice soil and water management practices as the most effective way to prevent siltation build up in St. George's Basin:
 - a. Carrying out targeted audits of Council owned and managed land within the Collett Place catchment and work with asset managers to ensure compliance with best practice.
 - b. Actively maintain existing sedimentation retention traps already installed about the Basin area.
 - c. Being more diligent in the inspections of compliance of sedimentation management systems, of new developments.
2. Note that an achievable plan to remove the silt build-up in St George's Basin, located near the discharge point of the drain at the bottom of Collett Place, is as follows and this plan will be

included in Council’s Draft 10 Year Capital Listing for consideration during its 2020-2021 budget deliberations

- a. Excavate the plume to a depth of 300mm using a land-based excavator and trucks
 - b. Dry the material on site and
 - c. Dispose of the material at the Huskisson Landfill should the excavated material not be suitable for a beneficial public use
 - d. Estimated cost of \$70,000 (exc GST)
3. Note that all development applications for subdivision and building works with the Shoalhaven require a sedimentation and erosion control plan which forms part of the overall approval. Development consents also contain conditions requiring the need to maintain sedimentation and erosion controls until sites are stabilised (e.g. the grassing of bare earth areas). These conditions are enforced by Council’s Certifiers, Compliance Officers and Rangers. Council can also issue directions under the Protection of the Environment Operations Act to have pollution incidents remedied.

CARRIED

SA19.175 Millards Creek and Ulladulla Harbour - Gross Pollutant Traps and Water Quality Feasibility	HPERM Ref: D19/187333
--	------------------------------

RESOLVED* (Clr Levett / Clr White) MIN19.831

That Council note:

1. There are in excess of 30 drainage outlets discharging into the Millard’s Creek Catchment and that installing a Gross Pollutant Trap at each location would cost in excess of \$1.5 million in total.
2. The CEO (Director Assets and Works) has identified projects to the approximate value of \$500,000 that includes, restoring current headwalls and structures, rock lining outlets and installing waste nets as appropriate to improve the quality of water entering the Ulladulla Harbour from the Millard’s catchment and that these projects will be listed in the draft 10 year capital listing for Council’s 2020/2021 budget considerations.

CARRIED

SA19.176 Ulladulla Boat Launching Ramp – Urgent Maintenance Funding	HPERM Ref: D19/299788
--	------------------------------

RECOMMENDATION* (Clr Levett / Clr White)

That Council

1. Note that in relation to the Ulladulla Boat Launching Ramp:
 - a. There are large voids under the existing concrete slabs. The slabs have been designed as “slab on ground” structures and not suspended structures;
 - b. The toe of the eastern ramp has completely failed resulting in large sections of concrete dislodging and becoming a potential navigation/boating hazard for users. Failure of the ramp toe also makes it more restrictive for use at lower tides.
 - c. The estimated cost to reconstruct the ramp is approximately \$200,000 (exc GST)
2. Allocate \$10,000 in the next quarterly review to allow the CEO (Director Assets and Works) to undertake the necessary designs and approvals to allow an accurate cost estimate and project plan to be produced, and that a reconstruction allocation to be considered in the 2020-2021

budget deliberations.

CARRIED

SA19.177 Lake Conjola Boating Infrastructure Improvements

**HPERM Ref:
D19/299774**

RESOLVED* (Clr Levett / Clr White)

MIN19.832

That Council:

1. Note the outcome of the August 2019 community consultation process and proceed with improvements to the Conjola Lake entrance carpark at an estimated cost of \$100,000 (as approved by the RMS and funded from Round 2 of Transport for NSW Boating Now program).
2. Reconfirm Havilland Street West Conjola Master plan (Ref D19/177478) – a ball park cost estimate for this project is approximately \$3M – as the preferred location for a new boat launching facility in Lake Conjola and undertake preliminary earthworks, clearing and a preliminary boat ramp to accommodate a single launching to the value of \$300,000 in accordance with the Master Plan, and the CEO (Director Assets and Works) identify further stages in Council's Draft 10 Year Capital List (Council Funds and Grant Funds) for consideration during the 2020-2021 budget deliberations.

CARRIED

SA19.178 FALLS ROAD FALLS CREEK – BICYCLE ACCESS

**HPERM REF:
D19/299762**

Item dealt with earlier in the meeting see MIN19.827

**SA19.179 Local Government Road Safety Program 2019/2020 -
Approved Projects - Thank RMS for Funding Assistance.**

**HPERM Ref:
D19/352942**

Recommendation

That Council writes to NSW Roads and Maritime Services (RMS) and the local State Members, thanking them for funding towards the 2019/20 Road Safety Program and accept and vote the grant funding offer of \$12,850(Ex GST) from RMS as follows:

1. \$2,200 for Motorcycle Safety – Motorcycle Accident Management Training.
2. \$9,150 for Share the Track – the path is ours to share pedestrian and cycling safety.
3. \$600 for Helping learner drivers become safer drivers – GLS workshops.
4. \$900 for Look out before you step out pedestrian safely.
5. \$5000 for Bike Week (directly paid by RMS).
6. Slow Down Hold my Hand – Holiday time pedestrian Little Blue Dinosaur campaign (no funds required).
7. Speed Monitoring on Local Roads (paid directly by RMS).
8. Breath Testing at Local Events (paid directly by RMS).
9. 65 + Older Drivers Presentations (paid directly by RMS).
10. U turn the Wheel youth program (paid directly by Rotary).

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council writes to NSW Roads and Maritime Services (RMS) and the local State Members, thanking them for funding towards the 2019/20 Road Safety Program and accept and vote the grant funding offer of \$12,850(Ex GST) from RMS as follows:

1. \$2,200 for Motorcycle Safety – Motorcycle Accident Management Training.
2. \$9,150 for Share the Track – the path is ours to share pedestrian and cycling safety.
3. \$600 for Helping learner drivers become safer drivers – GLS workshops.
4. \$900 for Look out before you step out pedestrian safely.
5. \$5000 for Bike Week (directly paid by RMS).
6. Slow Down Hold my Hand – Holiday time pedestrian Little Blue Dinosaur campaign (no funds required).
7. Speed Monitoring on Local Roads (paid directly by RMS).
8. Breath Testing at Local Events (paid directly by RMS).
9. 65 + Older Drivers Presentations (paid directly by RMS).
10. U turn the Wheel youth program (paid directly by Rotary).

CARRIED

SA19.180 Use of Recycled Materials in Road Construction and Maintenance

HPERM Ref: D18/436148

RESOLVED* (Clr Levett / Clr White)

MIN19.833

That Council note that Shoalhaven City Council currently uses an array of recycled materials for road construction, rehabilitation and repair and that staff are constantly on the lookout for economically and environmentally sustainable use of recycled materials.

CARRIED

SA19.181 Hyams Beach - Seamans Beach Carpark - Illegal Camping and Noise Complaints

HPERM Ref: D19/331405

RESOLVED* (Clr Levett / Clr White)

MIN19.834

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

1. Provide kerb and gutter and a driveway at the entrance to the carpark as well as a path along the northern boundary of the carpark in accordance with the concept plan (D19/358695) at an estimated cost \$90,000 to be funded from the Seamans Beach Amenities Extension budget (81557) for the 2019/2020 financial year.
2. Install a lockable gate at the entrance in accordance with the concept plan (D19/358695) at an estimated installation cost of \$5,000 to be funded from the Seamans Beach Amenities Extension budget (81557) for the 2019/2020 financial year.
3. Trial locking the carpark during the 2019/20 Christmas school holiday period between the hours of 10:00 pm and 6:00 am nightly.
4. Engage commercial security to lock the carpark at 9:30 pm and volunteers sought to unlock the gate at 6 am during the trial period (41 days), the cost of \$4,510 to be funded from the Coastal Villages Traffic Management fund (28340) for the 2019/2020 financial year.
5. Consider a future report on the ongoing operation (locking) of the carpark and toilets following the trial period and further consultation with the community.

6. Not install additional disabled spaces due to non-compliant grades or accessible paths of travel currently existing in the carpark and given the demand for such access is considered to be low.
7. At this stage not install a CCTV system to monitor any illegal activity at the carpark.

CARRIED

**SA19.182 Far North Collector Road Network - upgrade of
Taylors Lane, Cambewarra**

**HPERM Ref:
D19/375319**

Recommendation (Item to be determined under delegated authority)

That Council

1. Note the preferred option for the upgrade of Taylors Lane (off Moss Vale Road) is Option 4 which is to maintain the existing centerline with the following characteristics:
 - a. Widen the road 5m each side of the existing centerline, in accordance with the Development Control Plan for the Moss Vale Road Urban Release Area
 - b. Remove both stands of mature trees on either side of the existing pavement.
 - c. Plant suitable Street Trees along the upgraded Taylors Lane to complement driveways, services and drainage.
 - d. Plant replacement trees as a biodiversity offset in another identified local location.
2. Place the four options for the upgrade of Taylors Lane on public exhibition (highlighting the preferred option) and conduct a presentation to the Cambewarra CCB.
3. The CEO (Director Works and Assets) report back to the Strategy & Assets Committee on the response to the public exhibition, and thus allow Council to determine the adopted option for the upgrade of Taylors Lane (off Moss Vale Road).

RESOLVED (Clr Proudfoot / Clr Gash)

MIN19.835

That Council

1. Note the preferred option for the upgrade of Taylors Lane (off Moss Vale Road) is Option 4 which is to maintain the existing centerline with the following characteristics:
 - a. Widen the road 5m each side of the existing centerline, in accordance with the Development Control Plan for the Moss Vale Road Urban Release Area
 - b. Remove both stands of mature trees on either side of the existing pavement.
 - c. Plant suitable Street Trees along the upgraded Taylors Lane to complement driveways, services and drainage.
 - d. Plant replacement trees as a biodiversity offset in another identified local location.
2. Place the four options for the upgrade of Taylors Lane on public exhibition (highlighting the preferred option).
3. As a matter of priority, Council explore opportunities to implement a new biodiversity area of an area no less than 150% of the area to be impacted by the construction of the Far North Collector Road.
4. The CEO (Director Works and Assets) report back to the Strategy & Assets Committee on the response to the public exhibition, and thus allow Council to determine the adopted option for the upgrade of Taylors Lane (off Moss Vale Road).

CARRIED

SA19.183 Classification of Land - Lot 86 DP 29970 - Unnamed Road Nowra Hill

HPERM Ref: D19/339200

RECOMMENDATION* (Clr Levett / Clr White)

That Council classify the land described as Lot 86 DP 29970 Unnamed Road Nowra Hill as Operational Land.

CARRIED

SA19.184 Classification of Land - Lot 21 DP 2886 Sec 25 - 48 Coomea St Bomaderry

HPERM Ref: D19/369673

Recommendation

That Council resolve to classify the land described as Lot 21 DP 2886 Sec 25, 48 Coomea Street, Bomaderry as Operational Land.

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council resolve to classify the land described as Lot 21 DP 2886 Sec 25, 48 Coomea Street, Bomaderry as Operational Land.

CARRIED

SA19.185 Lake Conjola - Former landfill - Investigation Results

HPERM Ref: D19/377418

Recommendation (Item to be determined under delegated authority)

That Council

1. Note that Environment & Natural Resource Solutions (ENRS Pty Ltd) were commissioned as independent environmental consultants to conduct a soil and groundwater investigation at the Lake Conjola Waste Transfer Station, Lake Conjola, pursuant to Minute Number MIN19.307, and that the results (ENRS Project Number ENRS1154 – Issued 30 October 2019) do not trigger any further investigation or action because;
 - a. Results for soil report concentrations are below the adopted Site Assessment Criteria for residential land use or the Laboratory Limit of Reporting (LOR)
 - b. Results for groundwater do not report any significant exceedances of the Australian Drinking Water Guidelines (2018) Trigger Values for Health
2. Write to the local residents (householders and landowners) advising them of this report and the ENRS results and providing them a link to this information on Council’s webpage.

RESOLVED (Clr Levett / Clr Digiglio)

MIN19.836

That Council

1. Note that Environment & Natural Resource Solutions (ENRS Pty Ltd) were commissioned as independent environmental consultants to conduct a soil and groundwater investigation at the Lake Conjola Waste Transfer Station, Lake Conjola, pursuant to Minute Number MIN19.307, and that the results (ENRS Project Number ENRS1154 – Issued 30 October 2019) do not trigger any further investigation or action because;
 - a. Results for soil report concentrations are below the adopted Site Assessment Criteria for residential land use or the Laboratory Limit of Reporting (LOR)

- b. Results for groundwater do not report any significant exceedances of the Australian Drinking Water Guidelines (2018) Trigger Values for Health
- 2. Write to the local residents (householders and landowners) advising them of this report and the ENRS results and providing them a link to this information on Council's webpage.

CARRIED

SA19.186 Tree Planting Mark Radium Park Berry **HPERM Ref: D19/374715**

RESOLVED* (Clr Levett / Clr White) MIN19.837

That Council accept the Berry Landcare's proposal to plant two or three locally indigenous trees in Mark Radium Park to mark the 30th Anniversary of the formation of Landcare and to celebrate the life of Bob Hawke as a founder of Landcare.

CARRIED

SA19.187 Tenders - Waste Depot Recycling Services **HPERM Ref: D19/386093**

RESOLVED* (Clr Levett / Clr White) MIN19.838

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

CARRIED

SA19.188 Proposed Purchase of Vacant Land, Sanctuary Point **HPERM Ref: D19/313356**

RESOLVED* (Clr Levett / Clr White) MIN19.839

That Council in accordance with Section 10(a)(2)(c) of the Local Government Act 1993 consider a separate confidential report on the proposed purchase of vacant land at Sanctuary Point.

CARRIED

SA19.189 Vegetation Management in Coastal Dunes **HPERM Ref: D19/322429**

Recommendation (Item to be determined under delegated authority)

That Council receive the report on the investigation into the management of vegetation in coastal dunes for information.

RESOLVED (Clr Proudfoot / Clr White) MIN19.840

That Council receive the report on the investigation into the management of vegetation in coastal dunes for information.

CARRIED

SA19.190 Independent Pricing & Regulatory Tribunal (IPART) - Compliance & Enforcement

HPERM Ref: D19/334068

Recommendation (Item to be determined under delegated authority)

That Council endorse the draft feedback on the recommendations made by IPART as presented in Attachment 1 of this report, and submit to the Office of Local Government.

RESOLVED (Clr Proudfoot / Clr White)

MIN19.841

That Council endorse the draft feedback on the recommendations made by IPART as presented in Attachment 1 of this report, and submit to the Office of Local Government.

CARRIED

SA19.191 Readoption of Council's Policy for the Waiving of Development Application Fees and Other Fees

HPERM Ref: D19/340725

RESOLVED* (Clr Levett / Clr White)

MIN19.842

That Council adopt the exhibited Waiving of Development Application Fees and Other Fees for Charitable Organisations and Community Groups Policy.

CARRIED

SA19.192 NoM - Update - Penguin Head Viewing Platforms - Pathway Maintenance and Upgrade

HPERM Ref: D19/368412

RESOLVED* (Clr Levett / Clr White)

MIN19.843

That Council:

1. Receive the report on the progress of works at Penguin Head lookout area for information; and
2. Endorse staff to seek designs and costing for the following works and report these back to Council along with any additional funding request;
 - a. upgrading the three viewing platforms, in accordance with the geotechnical advice received; and
 - b. options for the re-location of the picnic table.

CARRIED

SA19.193 Affordable Housing Project - Council Land, Coomea Street, Bomaderry - Options to Realise

HPERM Ref: D19/372663

RESOLVED* (Clr Levett / Clr White)

MIN19.844

That Council consider the separate confidential report on this matter in accordance with Sections 10A(2)(c) and 10A(2)(e) of the NSW Local Government Act 1993.

CARRIED

**SA19.194 Acquisition of Easement for Water Supply -
Commonwealth land at Nowra Hill**

**HPERM Ref:
D19/358572**

RECOMMENDATION* (Clr Levett / Clr White)

That Council:

1. Acquire an Easement for Water Supply 10m & 15m wide and variable width over part of Lot 1 DP385671 at Albatross Road Nowra Hill, as marked (A) and highlighted on attached easement plan DP1257513.
2. Pay compensation of \$13,000, plus GST and reasonable legal and property consultancy costs, associated with the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Water Fund.
3. Authorise the Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

CARRIED

**SA19.195 Energy Management and Sustainability Initiatives
Update**

**HPERM Ref:
D19/360041**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive and note:
 - a. The Annual Energy Review report presented as Attachment 1.
 - b. The Energy Matters Update Summaries presented as Attachment 2.
 - c. The Sustainability Initiatives Updates presented as Attachment 3.
2. Endorse the preparation of Annual Energy Review reports to track Council's performance against energy and emission reduction targets established in Council's Sustainable Energy Policy.

RESOLVED (Clr Wells / Clr Proudfoot)

MIN19.845

That Council:

1. Receive and note:
 - a. The Annual Energy Review report presented as Attachment 1.
 - b. The Energy Matters Update Summaries presented as Attachment 2.
 - c. The Sustainability Initiatives Updates presented as Attachment 3.
2. Endorse the preparation of Annual Energy Review reports to track Council's performance against energy and emission reduction targets established in Council's Sustainable Energy Policy.

CARRIED

SA19.196 National Sports Convention

**HPERM Ref:
D19/373939**

Recommendation (Item to be determined under delegated authority)

That Council receive the report from Clr Mark Kitchener on the National Sports Convention for

information.

RESOLVED (Clr Kitchener / Clr Proudfoot)

MIN19.846

That Council receive the report from Clr Mark Kitchener on the National Sports Convention for information.

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Gartner / Clr Digiglio)

MIN19.847

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.

CSA19.16 Tenders – Confidential Report - Waste Depot Recycling Services

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

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to

CSA19.17 Proposed Purchase of Vacant Land - Sanctuary Point

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.

CSA19.18 Affordable Housing Project - Council Land, Coomea Street, Bomaderry - Options to Realise

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)

Information that would, if disclosed, prejudice the maintenance of law. 10(A)(2)(e)

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 6.29pm.

The meeting moved into open session, the time being 6.33pm.

REPORT FROM CONFIDENTIAL SESSION

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

CSA19.16 Tenders – Confidential Report - Waste Depot Recycling Services

HPERM Ref:
D19/380903

RESOLVED

MIN19.848C

That

1. Council (Strategy & Assets Committee) endorse the recommendation of the Tender Evaluation Team and accept the tenders from ten service providers, by appointing the providers to the Recycling Services Panel according to categories (a) to (k) below, for Waste Depot Recycling Services. The total estimated value of the tender is as follows (excluding category (k))

total estimated income to Council of	\$1,406,000 (excluding GST)
total estimated cost to Council of	<u>\$ 567,000</u> (excluding GST)
total transaction value (income + cost) of	\$1,972,500 (excluding GST)

- a. Ferrous metal recycling
 - i. Sell & Parker Pty Ltd
 - ii. JLW Services Pty Ltd
 - iii. SIMS Group Australia Holdings Limited, and
 - iv. Cleanaway Pty Ltd
- b. Non-ferrous metal recycling
 - i. Sell & Parker Pty Ltd, and
 - ii. Cleanaway Pty Ltd
- c. Mattress recycling
 - i. JLW Services Pty Ltd, and
 - ii. Community Resources Limited t/as Soft Landing
- d. Cardboard and paper recycling
 - i. Cleanaway Pty Ltd, and
 - ii. QSSR Pty Ltd atf The Trustee for The QSSR Unit Trust t/as Shoalhaven Recycling
- e. Non-scheme electronic waste recycling
 - i. Cleanaway Pty Ltd
- f. Refrigerant removal and disposal
 - i. Air Conditioning Refrigeration Engineering
- g. Glass
 - i. Cleanaway Pty Ltd, and
 - ii. QSSR Pty Ltd atf The Trustee for The QSSR Unit Trust t/as Shoalhaven Recycling

- h. Plastics
 - i. QSSR Pty Ltd atf The Trustee for The QSSR Unit Trust t/as Shoalhaven Recycling
 - i. Tyres
 - i. JLW Services Pty Ltd, and
 - ii. C.J Bellenger & N Bellenger t/as ZTEC Tyres
 - j. Wood
 - i. Soilco Pty Limited
 - k. 'Other'
 - i. Cleanaway Pty Ltd (process engineered fuel (PEF) recovery alternative for recycling residuals)
 - ii. Soilco Pty Limited (garden waste recycling backup for Council processing, if required)
 - iii. JLW Services Pty Ltd (on site wet hire shredding and sorting as a processing step for some recyclables and for PEF), and
 - iv. Total Drain Cleaning Services Pty Ltd (street sweeper waste, stormwater waste (e.g. caught in gross pollutant traps), non-destructive drilling mud, and other 'spadable' wastes)
2. Council endorse the options for staff to utilise the 'Other' category service providers where:
 - a. in the case of the Cleanaway Pty Ltd PEF and JLW Services Pty Ltd wet hire shredding options, the overall outcome is financially beneficial to Council and does not result in an outcome not in alignment with the waste management hierarchy (plan, avoid, reduce, recycle, recover, treat, dispose),
 - b. in the case of Soilco Pty Limited, it becomes an operational emergency option due to a potential failure in Council's processing,
 - c. in the case of Total Drain Cleaning Services Pty Ltd, an operational trial is planned and carried out under the panel agreement, on 30 tonnes of street sweeper waste, that shows the tangible and intangible costs of the service are of greater benefit to Council than those of landfilling this waste stream (921 tonnes in 2018/19).
 3. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the Director Assets & Works, as the Principal's Representative.
 4. Council (Strategy & Assets) authorise the General Manager (Director Assets & Works) to adjust the contracts for variations under the contracts, authorise orders and purchase orders for a total estimated income to Council of \$1,406,000 (excluding GST) and a total estimated cost of \$567,000 (excluding GST) for the contracts and adjust the Waste Services operational budget accordingly.

CARRIED

CSA19.18 Affordable Housing Project - Council Land, Coomea Street, Bomaderry - Options to Realise

HPERM Ref: D19/338213

RESOLVED

MIN19.849C

That Council

1. Restate its commitment to make the land that it owns in Coomea Street, Bomaderry available for an affordable housing development consistent with the adopted Shoalhaven Affordable

Housing Strategy

2. Arrange a Councillor Briefing to discuss the options that are available in this regard and to help identify the preferred option to take this key opportunity forward in a timely manner, with the aim of making the site available for the proposed intended use in early 2020 (or sooner).

CARRIED

There being no further business, the meeting concluded, the time being 6.39pm.

Clr Wells
CHAIRPERSON