

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 27 June 2017
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 John Levett
Clr Nina Cheyne
Clr Annette Alldrick
Clr Kaye Gartner
Clr Andrew Guile – 5.21pm
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

The meeting was opened by an Acknowledgement of Traditional Custodians by the Chairperson, followed with a Prayer by Rev Matthew Wilson, Nowra Uniting Church and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Nil

Confirmation of the Minutes

RESOLVED (Clr Wells / Clr White)

MIN17.534

That the Minutes of the Ordinary Meeting held on Tuesday 23 May 2017, and the Extra Ordinary Meeting held on Tuesday 13 June 2017 and the Extra Ordinary Meeting held on Thursday 15 June 2017 be confirmed.

CARRIED

Declarations of Interest

Clr Kitchener – Less than significant non pecuniary interest declaration – CL17.187 - 2017 Floodplain Management Australia National Conference – he is a member of the State Emergency Services, he does not hold an executive position or portfolio. A reasonable person may think he is showing favouritism – will remain in the room and will take part in discussion and vote.

Clr Alldrick – Less than significant non pecuniary interest declaration – CL17.159 Nowra Poultry Show 60th Anniversary – she and her family are members Nowra Poultry Club and her husband is a past president, she will not personally be involved in the show – will remain in the room and will take part in discussion and vote.

Clr Wells – Less than significant non pecuniary interest declaration – CL17.174 Policy Changes & Reaffirmation – Shoalhaven City Arts Collection – Acquisition and Management – he owns a work of art which is on long term loan to the Art Collection, as an owner of a work on loan, he should have no entitlement to develop or vote on the Acquisition and Management Policy – will leave the room and will not take part in discussion and vote.

MAYORAL MINUTE

MM17.13 Mayoral Minute - Queens Birthday Honours

HPERM Ref:
D17/199051

Recommendation

That Council receive the report for information and write a letter of congratulations to the recipients.

RESOLVED (Clr Findley / Clr Pakes)

MIN17.535

That Council receive the report for information and write a letter of congratulations to the recipients.

CARRIED

MM17.14 Mayoral Minute - Refugee Week

HPERM Ref:
D17/203556

Recommendation

That Council sign the pledge to become a Refugee Welcome Zone.

RESOLVED (Clr Findley / Clr Proudfoot)

MIN17.536

That Council sign the pledge to become a Refugee Welcome Zone.

CARRIED

**MM17.15 Mayoral Minute - Passing of Lieutenant Commander
Henry 'Nobby' Hall MBE OAM****HPERM Ref:
D17/203587****Recommendation**

That Council receive the report for information.

RESOLVED (Clr Findley / Clr Wells)

MIN17.537

That Council receive the report for information and pass on its condolences to the family of the late Henry 'Nobby' Hall.

CARRIED**PUBLIC APOLOGY FROM CLR GASH**

On 27 June 2017 at the Ordinary Meeting of Shoalhaven City Council, Councillor Gash made the following statement of apology with respect to the previous resolution of Council – Code of Conduct Investigation:

"Firstly, I would like to thank council for allowing me to present these comments in open council. I would have wished for the full report to have been made public, however, council has determined that the full report is to remain confidential.

As the Shoalhaven citizens are aware, I have always provided transparency and accountability to our residents both as a previous Federal Member, and as Mayor and now as a councillor.

In October, last year, I made statements in the South Coast Register and radio 2ST regarding the city wide "Gash must Go" brochure and materials that were distributed in the lead up to the 2016 September Council elections and the thank you flyers distributed by Mrs. Watson.

I hasten to add that the South Coast Register absolutely printed my words verbatim, however it was this statement that was the cause of the Code of Conduct Review.

Following a review of the statements made under Council's Code of Conduct, I made a mistake and used incorrect words . . However, due to confidentiality I was unable to prove why I made these statements. My other mistake was that I was under the misapprehension that even though Mrs. Watson was campaign manager, Director, and spokesperson for the Shoalhaven Independents Group, under the Code Mrs. Watson is classified as a member of the public and consequently is protected from comments made by myself as a councillor.

I had no intention of causing any upset by what I said and I recognise that my statements did not accurately reflect my values, and I am very sorry for having called Mrs Watson a hypocrite.

I am very sorry for my regrettable words and I offer this public apology to Councillors and Mrs. Watson.

Councillors, Ladies and Gentlemen, I firmly believe in the Proverbs 28:13 " He who covers his sins will not prosper, but whoever confesses and forsakes them will have mercy"

DEPUTATIONS AND PRESENTATIONS

Ms Jackie Kay and Annette Pham addressed the Ordinary Council Meeting in relation to SAA17.22 – Changing Place Toilet for Huskisson (CL17.162 – Report of the Shoalhaven Access Advisory Committee – 22 May 2017)

Note: Cllr Watson left the meeting and was absent from the meeting for this deputation.

Note: Cllr Guile arrived – 5.21pm

Note: Cllr Watson returned to the meeting, the time being 5.25pm.

Mr Stephen Campbell addressed the Ordinary Council Meeting in relation to CL17.183 Draft Worroving Heights Precinct Plan - Update & Next Steps

Procedural Motion - Bring Item Forward

RESOLVED (Cllr Pakes / Cllr Guile)

MIN17.538

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

- SAA17.22 – Changing Place Toilet for Huskisson (CL17.162 – Report of the Shoalhaven Access Advisory Committee – 22 May 2017)
- CL17.183 – Draft Worroving Heights Precinct Plan - Update & Next Steps
- CL17.187 2017 – Floodplain Management Australia National Conference

CARRIED

SAA17.22 Changing Place Toilet For Huskisson

HPERM Ref:
D17/149775

Recommendation

That Council consider co-funding a Lift and Change facility for people with disabilities at White Sands Park Huskisson.

RESOLVED (Cllr Cheyne / Cllr Gartner)

MIN17.539

That

1. Council consider co-funding a Lift and Change facility for people with disabilities at White Sands Park Huskisson as a priority
2. The terminology used by Council for these facilities be corrected to be changed to a “lift and change” facility in accordance with the Australian standards.

CARRIED

CL17.183 Draft Worroving Heights Precinct Plan - Update & Next Steps

HPERM Ref:
D17/157861

Recommendation

That Council:

1. Adopt the draft Worroving Heights Precinct Plan and Strategic Directions Report for the purposes of landowner and broader community consultation.
2. The draft Worroving Heights Precinct Plan and Strategic Directions Report be made publicly

available for minimum period of 28 days.

3. Request the proponent of the Planning Proposal for 1310 Naval College Road, Worroing Heights to consider the draft Precinct Plan as exhibited and modify their proposal accordingly.
4. Council staff report back after the landowner/community consultation and dialogue with the proponent of the Precinct Plan.

RESOLVED (Clr Guile / Clr Proudfoot)

MIN17.540

That Council:

1. Adopt the draft Worroing Heights Precinct Plan and Strategic Directions Report for the purposes of landowner and broader community consultation.
2. The draft Worroing Heights Precinct Plan and Strategic Directions Report be made publicly available for minimum period of 28 days.
3. Request the proponent of the Planning Proposal for 1310 Naval College Road, Worroing Heights to consider the draft Precinct Plan as exhibited and modify their proposal accordingly.
4. Council staff report back after the landowner/community consultation and dialogue with the proponent of the Precinct Plan.

CARRIED

CL17.187 2017 Floodplain Management Australia National Conference

**HPERM Ref:
D17/196668**

Clr Kitchener – Less than significant non pecuniary interest declaration – CL17.187 2017 Floodplain Management Australia National Conference – he is a member of the State Emergency Services, he does not hold an executive position or portfolio. A reasonable person may think he is showing favouritism – will remain in the room and will take part in discussion and vote.

Recommendation

That Council report on possible funding sources and costs for delivering a staged approach to providing the local State Emergency Service Units with the following:

1. Siting of gauge boards at Burrill and Tabourie lakes, so residents may gain an understanding of current water depths and provide the SES with additional data, to correlate with the automated gauges, located at different sites in the same lake.
2. Install rainfall gauges in Lake Burrill and Lake Tabourie catchments in order to correlate rainfall data with lake levels.
3. Mapping of possible evacuation areas and routes with contours to enable the SES to rapidly provide evacuation details for door-knocking teams.
4. Provide a system to obtain from Shoalhaven City Council information related to road closures due to flooding.
5. Provide updated tourist park evacuation plans to the SES.
6. Provide electronic contour maps of 200 mm intervals to the SES.
7. Provide 'Road Closed' sign boards to the SES
8. Provide for all local SES units, contour maps with floor heights of residential buildings for the towns in their precincts. Ulladulla for example would need maps for Lake Conjola, Conjola Park, Lake Tabourie, Lake Burrill, Narrawallee, and Fisherman's Paradise.
9. Support the Shoalhaven SES units financially by subsidizing the SMS emergency alert system during a major flood event. (approximately 3 x \$200 per major event)
10. A flood information pack to be distributed with new Development Applications.

11. Hold discussions with the four SES controllers of the Shoalhaven and determine an appropriate priority list for the above.

RESOLVED (Clr Kitchener / Clr Guile)

MIN17.541

That Council report on possible funding sources and costs for delivering a staged approach to providing the local State Emergency Service Units with the following:

1. Siting of gauge boards at Burrill and Tabourie lakes, so residents may gain an understanding of current water depths and provide the SES with additional data, to correlate with the automated gauges, located at different sites in the same lake.
2. Install rainfall gauges in Lake Burrill and Lake Tabourie catchments in order to correlate rainfall data with lake levels.
3. Mapping of possible evacuation areas and routes with contours to enable the SES to rapidly provide evacuation details for door-knocking teams.
4. Provide a system to obtain from Shoalhaven City Council information related to road closures due to flooding.
5. Provide updated tourist park evacuation plans to the SES.
6. Provide electronic contour maps of 200 mm intervals to the SES.
7. Provide 'Road Closed' sign boards to the SES
8. Provide for all local SES units, contour maps with floor heights of residential buildings for the towns in their precincts. Ulladulla for example would need maps for Lake Conjola, Conjola Park, Lake Tabourie, Lake Burrill, Narrawallee, and Fisherman's Paradise.
9. Support the Shoalhaven SES units financially by subsidizing the SMS emergency alert system during a major flood event. (approximately 3 x \$200 per major event)
10. A flood information pack to be distributed with new Development Applications.
11. Hold discussions with the four SES controllers of the Shoalhaven and determine an appropriate priority list for the above.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL17.157 Notice of Motion - Smoking Ban - Local Shops & Public Spaces - Supporting Public Health & Healthy Cities Philosophy in Practice

**HPERM Ref:
D17/163738**

Recommendation

That Council erect signage and enforce no Smoking in places where children and elderly congregate such as shopping centres & bus stops in our major towns and villages.

RESOLVED (Clr Cheyne / Clr Gartner)

MIN17.542

That Council erect signage and enforce no Smoking in places where children and elderly congregate such as shopping centres & bus stops in our major towns and villages.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick, Clr Gartner and Clr Proudfoot

AGAINST: Clr Guile, Clr Pakes, Clr Watson and Clr Kitchener

CARRIED

**CL17.158 Notice of Motion - Maintenance of Overgrown Open Trail
at Southern End of Dolphin Point**

**HPERM Ref:
D17/189279**

Recommendation

That maintenance of the overgrown open trail at the southern end of Dolphin Point (leading into the National Park near the escarpment) be undertaken.

RESOLVED (Clr Proudfoot / Clr Kitchener)

MIN17.543

That Council write to the National Parks and Wildlife Services requesting that the bushwalking trails through the Meroo National Park, at the Southern end of Highview Drive and Seaside Parade, Dolphin Point, be better maintained, so as to provide greater recreational opportunities for the local community.

CARRIED

**CL17.159 Notice of Motion - Nowra Poultry Club Show - 60th
Anniversary**

**HPERM Ref:
D17/195748**

Clr Alldrick – Less than significant non pecuniary interest declaration – CL17.159 Nowra Poultry Show 60th Anniversary – she and her family are members Nowra Poultry Club and her husband is a past president, she will not personally be involved in the show – will remain in the room and will take part in discussion and vote.

Recommendation

That Council sponsor the 60th Anniversary Nowra Poultry Club Show to the extent of \$195.

RESOLVED (Clr Wells / Clr Guile)

MIN17.544

That Council sponsor the 60th Anniversary Nowra Poultry Club Show to the extent of \$195.

CARRIED

**CL17.160 Notice of Motion - Donation request - Hayley Dun -
Firefighter Climb for Motor Neurone Disease (MND)**

**HPERM Ref:
D17/196444**

Recommendation

That Council sponsor Miss Hayley Dun for \$1500.00 to participate in Firefighter Climb for Motor Neurone Disease

1. Allocate the money from the unallocated donations fund 2016/2017 financial year.
2. Write to Miss Dun wishing her the best of luck for when she undertakes the Firefighter Climb for Motor Neurone Disease.

RESOLVED (MOTION) (Clr Pakes / Clr Proudfoot)

MIN17.545

That Council

1. Sponsor Miss Hayley Dun for \$1,000.00 to participate in Firefighter Climb for Motor Neurone Disease
2. Allocate the money from the unallocated donations fund 2016/2017 financial year.

3. Write to Miss Dun wishing her the best of luck for when she undertakes the Firefighter Climb for Motor Neurone Disease.

AMENDMENT (Clr Gartner / Clr Gash)

That Council:

1. Sponsor Miss Hayley Dun for \$1,000.00 to participate in Firefighter Climb for Motor Neurone Disease
2. Allocate the money from the unallocated donations fund 2016/2017 financial year.
3. Write to Miss Dun wishing her the best of luck for when she undertakes the Firefighter Climb for Motor Neurone Disease.
4. Sponsor Clr Nina Cheyne for \$1,000.00 for her work with PCYC for disadvantaged children
5. Sponsor Clr Jo Gash for \$1,000.00 for her work with Relay For Life
6. Sponsor Clr Amanda Findley for \$1,000.00 for her work with Dancing with the Stars

Clr Gartner raised a Point of Order against Clr Guile for disrespecting the amendment. The Mayor did not rule as a Point of Order.

Clr Gartner raised a Point of Order against Clr Guile. The Mayor ruled as a Point of Order and asked Clr Guile to withdraw his comments indicating that Clr Gartner was a bully.

Clr Guile withdrew his comments.

The Amendment was withdrawn.

THE MOTION WAS PUT AND CARRIED

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

AGAINST: Clr Gash, Clr White, Clr Cheyne and Clr Gartner

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 13 JUNE 2017
Items marked with an * were resolved 'en block'.

SA17.147 Sale of Council Industrial Land - Lot 105 Cumberland Ave, South Nowra - Revision of Sale Price	HPERM Ref: D17/183462
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RESOLVED* (Clr Guile / Clr White) MIN17.546

That Council set the minimum sale price for Lot 105 DP 1096630 Cumberland Ave South Nowra at \$355,000 plus GST.

CARRIED

SA17.159 Proposed Road Closure of Part Battys Road Upper Kangaroo River, sale to Robert McCarron and Annette Miles and consolidation with Lot 2 DP839210 and Lot 1 DP846976	HPERM Ref: D17/146784
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RESOLVED* (Clr Guile / Clr White) MIN17.547

That:

1. Council resolves to make an application to the Minister administering the Roads Act 1993, for the northern part of Battys Road, Upper Kangaroo River shown by hatching on Attachment "1"

to be closed and sold to the owners of the adjoining Lot 2 DP839210 and Lot 1 DP846976, Robert McCarron and Annette Miles;

2. Authority be granted to affix the Common Seal of the Council of the City of Shoalhaven to any documents requiring to be sealed;
3. Council authorise the sale of the closed road to Robert McCarron and Annette Miles for \$7,000.00 (plus GST if applicable) provided that the land comprised in the closed road, Lot 2 DP 839210 and Lot 1 DP 846976 are consolidated into one (1) lot; and
4. All costs associated with this road closure are to be met by Robert McCarron and Annette Miles.

CARRIED

**SA17.160 Transfer of Land within Heritage Estates to NSW
National Parks & Wildlife Service**

**HPERM Ref:
D17/156728**

RESOLVED* (Clr Guile / Clr White)

MIN17.548

That Council:

1. Advertise its intention to transfer, for nil consideration, the Council owned lots located within the Heritage Estates at Worrowing Heights, listed in the table below, transfer to the NSW National Parks and Wildlife Service (or their nominee) and if no objections are received and subject to no adverse implications for the transfer from the pending court case, authorise the transfer of the Council owned lots:

DEPOSITED PLAN	LOTS
DP8590	47-48, 74, 77, 130, 136, 138-139, 162, , 172, 183, 186, 188, 194-195, 217, 274, 309, 357
DP8591	1, 14, 25, 28, 58, 60, 81, 87, 106-107, 148, 152-155, 199, 209, 228, 259, 264, 315
DP8770	8, 23, 27, 31, 34, 44, 71, 73, 97, 100-101, 110-112, 189A, 195
DP8771	26, 35, 40, 44
DP8772	4-6, 76, 104-105, 125, 135, 137, 144-145, 158, 167, 201, 204, 210, 223, 224, 244, 251
DP625153	1

2. Grant authority to affix the Common Seal of the Council to any documents required to be sealed.

CARRIED

**SA17.161 Surrender of Lease - Milton Ulladulla Ex-Servos Club Ltd
- Ulladulla Civic Centre, Princes Highway, Ulladulla**

**HPERM Ref:
D17/156785**

RESOLVED* (Clr Guile / Clr White)

MIN17.549

That Council:

1. Resolve to approve the surrender of the consecutive lease agreements (including the associated licence agreements) with Milton Ulladulla Ex-Servos Club Ltd for the use and occupation of the Council owned café / bar area of Ulladulla Civic Centre;
2. In its capacity as Reserve Trust Manager of Ulladulla (R87268) Reserve Trust, resolve to

approve the surrender of the licence agreement between The Trust, the Minister for Lands and Forestry and Milton Ulladulla Ex-Servos Club Ltd for the Crown Land component of the Ulladulla Civic Centre and surrounds; and

3. Grant authority to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.

CARRIED

**SA17.162 Classification of Operational Land - Sewer Pump Station
- Lot 3 DP1227133 - The Links Road, Nowra Hill**

**HPERM Ref:
D17/167768**

RESOLVED* (Clr Guile / Clr White)

MIN17.550

That Council resolve to classify the land described as Lot 3 DP1227133 at The Links Road, Nowra Hill as Operational Land.

CARRIED

**SA17.163 Extinguishment of Drainage Easement - 32 Kings Point
Dr, Kings Point**

**HPERM Ref:
D17/174320**

Recommendation

That Council:

1. Resolve to extinguish the easement for drainage 3 wide over Lot 72 DP28562 at Kings Point;
2. Accept the offer of compensation of \$5,000 plus costs from the owner; and
3. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN17.551

That Council:

1. Resolve to extinguish the easement for drainage 3 wide over Lot 72 DP28562 at Kings Point;
2. Accept the offer of compensation of \$5,000 plus costs from the owner; and
3. Authorise the General Manager to sign all documents required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

SA17.167 Coastal Hazard Review- Outcome of public exhibition

**HPERM Ref:
D17/36024**

Recommendation

That Council:

1. Adopt the Shoalhaven Coastal Hazard Review, that includes Council's adopted sea level rise projections, in accordance with Council's resolution (D15/39660); and
2. Submit the adopted Shoalhaven Coastal Hazard Review to the NSW Government, replacing the 2009 Coastal Hazard Assessment, as part of the Shoalhaven draft 2012 Coastal Zone

Management Plan for certification, in accordance with Council's resolution (MIN16.849); and

3. Review the Shoalhaven Local Environmental Plan 2014 and Shoalhaven Development Control Plan 2014 to reflect the outcomes of the Shoalhaven Coastal Hazard Review and a further report be provided on the proposed amendments.
4. Write to the Office of Environment and Heritage (OEH) to confirm whether or not a more accurate engineering alternative to the Bruun Rule can be used to assess coastal hazards and if not what level of error is the OEH prepared to attribute to the Bruun Rule.

RESOLVED (Clr Proudfoot / Clr Guile)

MIN17.552

That Council:

1. Adopt the Shoalhaven Coastal Hazard Review, that includes Council's adopted sea level rise projections, in accordance with Council's resolution (D15/39660); and
2. Submit the adopted Shoalhaven Coastal Hazard Review to the NSW Government, replacing the 2009 Coastal Hazard Assessment, as part of the Shoalhaven draft 2012 Coastal Zone Management Plan for certification, in accordance with Council's resolution (MIN16.849); and
3. Review the Shoalhaven Local Environmental Plan 2014 and Shoalhaven Development Control Plan 2014 to reflect the outcomes of the Shoalhaven Coastal Hazard Review and a further report be provided on the proposed amendments.
4. Write to the Office of Environment and Heritage (OEH) to confirm whether or not a more accurate engineering alternative to the Bruun Rule can be used to assess coastal hazards and if not what level of error is the OEH prepared to attribute to the Bruun Rule.

Note: Clr Gash left the meeting, the time being 6.56pm.

CARRIED

SA17.168 Installation of Barriers to Regulate Traffic - Captain St - Blenheim Beach Reserve - Vincentia

HPERM Ref:
D17/93251

RESOLVED* (Clr Guile / Clr White)

MIN17.553

That Council seek approval from the NSW Roads and Maritime Services to erect a gate and barriers at Captain St for the purpose of regulating traffic to prevent illegal activities, such as camping and rubbish dumping and the risk to the public from dangerous driving following community consultation undertaken by Council.

CARRIED

SA17.170 Renew Deed of Agreement - Shoalhaven REMS

HPERM Ref:
D17/67782

RESOLVED* (Clr Guile / Clr White)

MIN17.554

That Council:

1. Authorise the General Manager to sign the new REMS Deeds of Agreement with each participating land manager using reclaimed water
2. Approve the signing and use of the Common Seal of Council on the Deeds if required;
3. Provide reclaimed water at no charge to end users for a further 15 year period.

CARRIED

REPORT OF THE SHOALHAVEN ACCESS ADVISORY COMMITTEE - 22 MAY 2017

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

SAA17.13 Application for Membership

HPERM Ref:
D17/85961

RESOLVED* (Clr Wells / Clr Cheyne)

MIN17.555

That Council

1. Appoint Mr Stephen Taylor as a community member to the Shoalhaven Access Advisory Committee
2. Write to Mr Taylor to notify him of his appointment and invite him to all future meetings.

Note: Clr Gash was absent from the meeting

CARRIED

SAA17.14 Membership - NSW Ageing Disability and Home Care

HPERM Ref:
D17/120270

RESOLVED* (Clr Wells / Clr Cheyne)

MIN17.556

That Council

1. Accept the membership resignation of NSW Ageing Disability and Home Care and write to thank them for their contribution.
2. Invite Uniting National Disability Insurance Scheme Local Area Coordination Team to nominate a member to participate on the Shoalhaven Access Advisory Committee.
3. Update the Shoalhaven Access Advisory Committee membership once confirmed.

Note: Clr Gash was absent from the meeting

CARRIED

SAA17.22 CHANGING PLACE TOILET FOR HUSKISSON

HPERM REF:
D17/149775

Item dealt with earlier/later in the meeting see MIN17.539.

REPORT OF THE SHOALHAVEN NATURAL RESOURCES & FLOODPLAIN MANAGEMENT COMMITTEE - 6 JUNE 2017

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

SN17.1 Vacant Community Member Position

**HPERM Ref:
D17/168184**

RESOLVED* (Clr Gartner / Clr White)

MIN17.557

That

1. Mr Peter Hanson and Ms Robyn Flack be appointed as a Community Members on the Shoalhaven Natural Resources and Floodplain Management Committee, filling the current vacancies on the Committee.
2. Mr Hanson and Ms Robyn Flack be notified of their appointment and be invited to all future meetings.
3. That the ten (10) other persons who applied for the position be thanked for their applications and interest in the Committee.
4. A further report be submitted to the SNRFMC to consider another Oyster Farmer / Primary Industry Producer representative.

CARRIED

SN17.3 Update on the certification process for the draft CZMP and update on the development of the new Coastal Management Plan

**HPERM Ref:
D17/159762**

RESOLVED* (Clr Gartner / Clr White)

MIN17.558

That Council:

1. Allocate \$40,000 from the 2018/19 coast and estuary budget, as its 50% contribution, towards the development of the Coastal Management Plan subject to the Coastal Management Act being enacted; and
2. Allocate \$30,000 from the 2018/19 coast and estuary budget to update three (3) estuary health report cards to inform the development of the Coastal Management Program.

CARRIED

SN17.7 2016 East Coast Low Storm Damage Remediation review May 2017

**HPERM Ref:
D17/165314**

RESOLVED* (Clr Gartner / Clr White)

MIN17.559

That Council receive the report for information, subject to funding being allocated in the 2017/18 Budget to progress the coastal erosion remediation projects:

1. Council proceed with detailed design, Review of Environmental Factors, Aboriginal Heritage assessment for coastal erosion management works at Currarong including a trial geotextile sand groyne and sand nourishment and protection of the Beecroft Avenue precinct subject to undertaking the necessary consultation and obtaining the necessary permits and approvals. That further community consultation be undertaken as part of this process.
2. Council seek advice from NSW Office of Environment & Heritage about the potential development of an emergency action plan or interim management plan for the South Mollymook coastal protection structure as an interim measure until a long-term management strategy is developed as a result of the cost benefit analysis and impact assessment.

CARRIED

SN17.8 Environmental Strategy and Planning**HPERM Ref:
D17/114940**

RESOLVED* (Clr Gartner / Clr White)

MIN17.560

That Council review and develop its current approach to align vision, values, principles, priorities, guidelines, strategies and plans for strategically managing the natural environment.

CARRIED

SN17.10 Crookhaven Heads - Erosion Behind the Training Wall

RESOLVED* (Clr Gartner / Clr White)

MIN17.561

That Council write to Crown Land and request an investigation be undertaken in relation to the erosion behind the training wall and what restoration work is required.

CARRIED

Note: Clr Gash returned to the meeting, the time being 6.59pm.

REPORT OF THE SHOALHAVEN SPORTS BOARD - 7 JUNE 2017**SB17.11 Policy Review - Elite Athlete Support Program****HPERM Ref:
D17/104114****Recommendation**

That:

1. Council adopt the Elite Athlete Support Program Policy POL16/182
2. This policy be workshopped with the members (Lisa Kennedy and Elizabeth Tooley) in conjunction with the Aquatics Manager and reported back at a future Board Meeting.

RESOLVED (Clr Guile / Clr Proudfoot)

MIN17.562

That:

1. Council adopt the Elite Athlete Support Program Policy POL16/182
2. This policy be workshopped with the members (Lisa Kennedy and Elizabeth Tooley) in conjunction with the Aquatics Manager and reported back at a future Board Meeting and that any further changes from the Sports Board be reported back to Council

CARRIED

SB17.13 DRAFT Healthy Living Policy**HPERM Ref:
D17/155581****Recommendation**

That:

1. Council adopt the Healthy Living Policy.
2. The Sports Board will continue to monitor and review the policy.

RESOLVED (Clr Guile / Clr White)

MIN17.563

That

1. Council adopt the Healthy Living Policy with the following amendments:
 - a. Delete the word diabetes from the purpose.
 - b. Delete the following words from the statement:
 - i. In line with the NSW Healthy Eating and Active Living Strategy 2013-2018
 - ii. 'And out of hospital'
2. The Sports Board will continue to monitor and review the policy.

CARRIED

Note: The meeting adjourned, the time being 7.13pm and the Mayor left the meeting.

Note: The meeting reconvened, and the Assistant Deputy Mayor, Clr White took the Chair, the time being 7.29pm.

When the following members were present:

Clr Patricia White - Chairperson
Clr Joanna Gash
Clr John Wells
Clr John Levett
Clr Nina Cheyne
Clr Annette Alldrick
Clr Kaye Gartner
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

REPORT OF THE SHOALHAVEN ARTS BOARD - 15 JUNE 2017

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

AB17.10 Policy Changes - Public Art Policy POL12/351**HPERM Ref:
D17/72726****Recommendation:**

That

1. The words "*and the proceeds from the sale shall be added to the arts collection reserve*" be added to page 4 of the Public Art Policy.
2. Council place the revised Public Art Policy on Public Exhibition for a 28 days and if no

significant adverse comment is received the Policy be deemed adopted. (Attachment 1)

RESOLVED (Clr Wells / Clr Gartner)

MIN17.564

That

1. The words "*and the proceeds from the sale shall be added to the arts collection reserve*" be added to page 4 of the Public Art Policy.
2. Council place the revised Public Art Policy on Public Exhibition for a 28 days and if no significant adverse comment is received the Policy be deemed adopted. (Attachment 1)
3. All key stakeholders be included in the consultation process.

CARRIED

AB17.14 Policy Review - Shoalhaven Arts Board Terms of Reference

**HPERM Ref:
D17/132516**

Recommendation:

That

1. On page 3 of the Terms of Reference insert the word "*practice*" in the first dot point
2. Council adopt the revised Shoalhaven Arts Board Terms of Reference. (Attachment 2)

RESOLVED (Clr Wells / Clr Gartner)

MIN17.565

That

1. On page 3 of the Terms of Reference insert the word "*practice*" in the first dot point
2. Council adopt the revised Shoalhaven Arts Board Terms of Reference. (Attachment 2)
3. All key stakeholders be consulted with regards to the changes.

CARRIED

AB17.15 Council Policy Revision - Internet, Operation and Children's

**HPERM Ref:
D17/133598**

RESOLVED* (Clr Wells / Clr Gartner)

MIN17.566

That Council adopt the revision of the following policies as detailed in this report:

- Shoalhaven Libraries – Operations (Attachment 3)
- Shoalhaven Libraries – Internet (Attachment 4)
- Shoalhaven Libraries – Children's (Attachment 5)

CARRIED

AB17.16 Arts Board Awards

**HPERM Ref:
D17/150635**

RESOLVED* (Clr Wells / Clr Gartner)

MIN17.567

1. That the Shoalhaven Arts Board Awards sub-committee continues to work with the Riverfest committee members to scope, plan and finalise the inclusion of the Shoalhaven Arts Awards at an event on October 20, 2017.

2. Shoalhaven Arts Board Awards sub-committee finalise the budget for the Shoalhaven Arts Awards. This is contingent on the Council revoting the 2016-17 balance of funds allocated in Job Number 21596/10722 of \$9,143 to enable the awards to be held beyond June 2017.
3. A new structure for the Awards be implemented which comprises four categories, with each award winner to receive a cash prize of \$500, and a certificate.

CARRIED

REPORT OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE - 14 JUNE 2017

CBD17.34 Appointment of Members - Community and CBD Retailer Positions

**HPERM Ref:
D17/188506**

Recommendation:

That

1. Luke Sikora be appointed as a Community member on the Nowra CBD Revitalisation Strategy Committee.
2. Lynnette Kearney be appointed as a CBD Business Retailer member on the Nowra CBD Revitalisation Strategy Committee.
3. Luke Sikora and Lynnette Kearney be notified of their appointments and be invited to all future meetings.
4. The other five (5) persons who applied for the Community member position be thanked for their applications and interest in the Committee.

RESOLVED (Clr Gash / Clr Alldrick)

MIN17.568

That

1. Luke Sikora be appointed as a Community member on the Nowra CBD Revitalisation Strategy Committee.
2. Lynnette Kearney be appointed as a CBD Business Retailer member on the Nowra CBD Revitalisation Strategy Committee.
3. Luke Sikora and Lynnette Kearney be notified of their appointments and be invited to all future meetings.
4. The other five (5) persons who applied for the Community member position be thanked for their applications and interest in the Committee.

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

AGAINST: Clr Kitchener

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 13 JUNE 2017

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

TC17.34	Intersection Priority - Intersection Sydney Ave / Derwent St / Sealark Rd, Callala Bay (PN 1861)	HPERM Ref: D17/184264
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RESOLVED* (Clr Guile / Clr Wells) MIN17.569

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following Give way and associated line marking changes at the intersection of Sydney Avenue, Sealark Road and Derwent Street, Callala Bay, as detailed in the attached plan TRAF 2017/33:

1. Give Way (R1-2B) signage and associated hold line (TB/TB1) line marking control on all minor legs of the intersection
2. 25m of single barrier (B1) line marking for the northern leg of Sealark Road
3. 35m of single barrier (B1) line marking for the southern leg of Sealark Road with a 7m break at the intersection of Derwent Street
4. 15m of single barrier (B1) line marking on the western intersection approach with a 15m gap prior to the splayed edge (E1) line markings
5. Edge (E1) and continuity (C1) line marking to delineate the central island whilst permitting through movements along Sealark Road

CARRIED

TC17.35	No Stopping Zone - Halloran Street, Vincentia (PN 3180)	HPERM Ref: D17/184300
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RESOLVED* (Clr Guile / Clr Wells) MIN17.570

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 33m No Stopping zone on the western side of Halloran Street, Vincentia between Seabreeze Street and Moona Creek Road as detailed in the attached plan TRAF 2017/34.

CARRIED

TC17.36	Line Marking - Lotus Street, Hyams Beach (PN 3396)	HPERM Ref: D17/184311
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RESOLVED* (Clr Guile / Clr Wells) MIN17.571

That the General Manager (Director Assets and Works) be requested to arrange for the installation of give way (TB/TB1) hold line markings, pavement arrows, guide posts and edge (E1) line marking changes in Lotus Street, Hyams Beach, as detailed in the attached plan TRAF 2017/35.

CARRIED

TC17.37	Bridge Load Limit & One Lane Treatment - Bengalee Creek Bridge, Koloona Dr, Bangalee (PN 3398)	HPERM Ref: D17/184331
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RESOLVED* (Clr Guile / Clr Wells) MIN17.572

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the installation of a 13 tonne gross bridge load limit and one lane

controls on the Bengalee Creek Bridge, Koloona Drive, Bangalee as detailed in the attached plan TRAF 2017/36.

CARRIED

TC17.38 No Stopping Zone - Francis Ryan Reserve Car Park, Sanctuary Point (PN 3403)	HPERM Ref: D17/184363
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RESOLVED* (Clr Guile / Clr Wells) MIN17.573

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following changes at the Francis Ryan Reserve car park Access Road, Sanctuary Point as detailed in the attached plan TRAF 2017/37:

1. Install a 22m No Stopping zone on the eastern side of the access road covering the car park entrance and footpath.
2. Extend the existing western No Stopping zone 38m south.

CARRIED

TC17.39 Regulatory Signage & Line Marking - Plunkett St and Haigh Avenue, Nowra (PN3404)	HPERM Ref: D17/184376
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RESOLVED* (Clr Guile / Clr Wells) MIN17.574

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking plan associated with the development of No.103 Plunkett Street and No.18 Haigh Avenue, Nowra, as detailed in the attached plan TRAF 2017/38, subject to the following:

1. Internal motorbike parking signage be installed as R5-1-4 'motor bikes only' signage.
2. Relocate the internal pedestrian crossing which crosses the drive through, further to the west.
3. Installation of pedestrian crossing signage (R3-1B) on the westbound approach of the crossing in accordance with AS 1742.10-2009.
4. The 2 hour (2P) sign time restricted parking sign on the southern side of Plunkett Street, reflect the existing 8.30am-6pm Mon-Fri 8.30am-12.30pm Sat time restriction.

CARRIED

TC17.40 Edge Line Marking - Main Road, Cambewarra (PN 3405)	HPERM Ref: D17/184411
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RESOLVED* (Clr Guile / Clr Wells) MIN17.575

That the General Manager (Director Assets and Works) be requested to arrange for the installation of 120m of edge (E1) line marking on both sides of the Browns Creek Bridge, Main Road, Cambewarra as detailed in the attached plan TRAF 2017/39.

CARRIED

TC17.41	Regulatory Signage & Line Marking - Nowra Hill Road, Nowra Hill (PN 3406)	HPERM Ref: D17/184429
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RESOLVED* (Clr Guile / Clr Wells)

MIN17.576

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking plan associated upgrade of the intersection of BTU Road and Nowra Hill Road to a BAR / BAL, as detailed in the attached TRAF 2017/40, subject to:

1. The Give Way hold line to be reflected as TB/TB1 hold line markings
2. The southern edge (E1) line marking to be installed along the travel lane

CARRIED

TC17.42	Bridge Load Limit - Chisolms Creek Bridge, Bundewallah Road, Bundewallah (PN 3407)	HPERM Ref: D17/184442
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RESOLVED* (Clr Guile / Clr Wells)

MIN17.577

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the installation of a 15 tonne gross bridge load limit on the Chisolms Creek Bridge, Bundewallah Road, Bundewallah as detailed in the attached plan TRAF 2017/41.

CARRIED

TC17.43	Regulatory Signage - Car Park Service Agreement - Aldi, Kinghorne St, Nowra (PN 3408)	HPERM Ref: D17/184478
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RESOLVED* (Clr Guile / Clr Wells)

MIN17.578

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed regulatory signage to be installed within the Aldi car park to time restrict parking to 2 hour (2P) between the times of 8am and 4pm Monday to Friday and between the times of 8am to 4pm Saturday To Sunday, Kinghorne Street, Nowra as detailed in the attached plan TRAF 2017/42.

CARRIED

TC17.44	Upgrade T-intersection to CHR - Intersection of Forest Rd & Callala Beach Rd, Wollumboola (PN 3409)	HPERM Ref: D17/184507
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RESOLVED* (Clr Guile / Clr Wells)

MIN17.579

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking plan associated with the upgrade of the intersection of Forest Road and Callala Beach Road, Woollumboola, to a CHR (S) as detailed in the attached plan TRAF 2017/43, subject to the following:

1. The double barrier (BB) centre line marking in Callala Beach Road terminating at the TB hold line.

CARRIED

REPORTS

CL17.168 Smart Cities and Suburbs Program - Round 1

HPERM Ref:
D17/189911

Recommendation

1. That the Council approve Council's participation in projects that seek grant funding from the Smart Cities and Suburbs Program being:
 - a. A Smart Illawarra and Shoalhaven collaborative project, led by the Illawarra Pilot Joint Organisation, to extend the LoRaWAN network in the region and associated sub projects.
 - b. An ActewAGL regional project that seeks funding to offset the cost of the installation of electric car superchargers.
2. That Council approve its funding contribution and vote funds required and detailed in this report from Shoalhaven Water and the Economic Development Reserve.

RESOLVED (Clr Wells / Clr Gartner)

MIN17.580

1. That the Council approve Council's participation in projects that seek grant funding from the Smart Cities and Suburbs Program being:
 - a. A Smart Illawarra and Shoalhaven collaborative project, led by the Illawarra Pilot Joint Organisation, to extend the LoRaWAN network in the region and associated sub projects.
 - b. An ActewAGL regional project that seeks funding to offset the cost of the installation of electric car superchargers.
2. That Council approve its funding contribution and vote funds required and detailed in this report from Shoalhaven Water and the Economic Development Reserve.

CARRIED

CL17.169 International Cities Town Centres & Communities (ICTC) - Mainstreet 2017 - Conference

HPERM Ref:
D17/188633

Recommendation

That Council

1. Notes the details of the ICTC Mainstreet conference scheduled for 25-27 October 2017 in Melbourne, VIC.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

RESOLVED (Clr Gash / Clr Gartner)

MIN17.581

That Council

1. Notes the details of the ICTC Mainstreet conference scheduled for 25-27 October 2017 in Melbourne, VIC.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.

3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

CL17.170 Sustainable Futures Community Membership Appointment

**HPERM Ref:
D17/193432**

Recommendation

That

1. The following community members be appointed to the Sustainable Futures Committee:
 - a. David Brawn
 - b. Oisin Sweeney
 - c. Robert Hayward
 - d. Peter McVay
 - e. Lorraine Larri
2. They be notified and invited to all future meetings
3. The unsuccessful applicants be advised and thanked for their application

RESOLVED (Clr Gartner / Clr Cheyne)

MIN17.582

That

1. The following community members be appointed to the Sustainable Futures Committee:
 - a. David Brawn
 - b. Oisin Sweeney
 - c. Robert Hayward
 - d. Peter McVay
 - e. Lorraine Larri
2. They be notified and invited to all future meetings
3. The unsuccessful applicants be advised and thanked for their application

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

AGAINST: Clr Guile

CARRIED

CL17.171 Investment Report May 2017

**HPERM Ref:
D17/191868**

Recommendation

That the Report of the General Manager (Finance Corporate and Community Services Group) on the Record of Investments for the period to 31 May 2017 be received for information.

RESOLVED (Clr Wells / Clr Gash)

MIN17.583

That the Report of the General Manager (Finance Corporate and Community Services Group) on the Record of Investments for the period to 31 May 2017 be received for information.

CARRIED

CL17.172 Disability Inclusion Action Plan - Adoption of Plan**HPERM Ref:
D17/152684****Recommendation**

That Council

1. Finalise and adopt the Disability Inclusion Action Plan with the minor amendments as summarised in this report and outlined in the attachment to this report.
2. Council acknowledge that no funds have been specifically provided in the 2017/18 budget for the implementation of the plan, however noting that some infrastructure works will have outcomes consistent with the Plan.
3. Allocate \$100,000 in the 2018/19 budget to commence the implementation of actions contained in the Disability Inclusion Action Plan.

RESOLVED (MOTION) (Clr Cheyne / Clr Alldrick)

MIN17.584

That Council:

1. Finalise and adopt the Disability Inclusion Action Plan with the minor amendments as summarised in this report and outlined in the attachment to this report.
2. Council acknowledge that no funds have been specifically provided in the 2017/18 budget for the implementation of the plan, however noting that some infrastructure works will have outcomes consistent with the Plan.
3. Council consider at each quarterly budget review the possibility of allocating \$100,000 for the DIAP and if not provided that council allocate \$100,000 in the 2018/19 budget to commence the implementation of actions contained in the Disability Inclusion Action Plan.
4. Continue to highlight the tourism capacity and possibilities in the Shoalhaven for people with a disability
5. Write to Jackie Kay thanking and recognising her for her leadership in tourism inclusion and advocating for people with a disability.

AMENDMENT (Clr Proudfoot)

That Council:

1. Finalise and adopt the Disability Inclusion Action Plan with the minor amendments as summarised in this report and outlined in the attachment to this report.
2. Council acknowledge that no funds have been specifically provided in the 2017/18 budget for the implementation of the plan, however noting that some infrastructure works will have outcomes consistent with the Plan.
3. Allocate \$100,000 in the 2017/18 budget to commence the implementation of actions contained in the Disability Inclusion Action Plan.
4. Continue to highlight the tourism capacity and possibilities in the Shoalhaven for people with a disability

The AMENDMENT LAPSED due to lack of a seconder.

THE MOTION WAS PUT AND CARRIED

CL17.173 AB17.9 - Shoalhaven Arts Board - Vacancies

**HPERM Ref:
D17/197921**

Recommendation

1. That Karen Morrow Akehurst be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
2. That Barbara Dawson be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
3. That Peter Lavelle be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
4. That Alison Chiam be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
5. Thank Merilynn Weiss and Robert Swieca for their contribution and service to the Shoalhaven Arts Board.

RESOLVED (Clr Wells / Clr Gartner)

MIN17.585

1. That Karen Morrow Akehurst be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
2. That Barbara Dawson be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
3. That Peter Lavelle be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
4. That Alison Chiam be appointed to the Shoalhaven Arts Board as a community member for a term to expire on 30 June 2019.
5. Thank Merilynn Weiss and Robert Swieca for their contribution and service to the Shoalhaven Arts Board.

CARRIED

**CL17.174 AB17.11 - Policy Changes and Reaffirmation -
Shoalhaven City Art Collection - Acquisition and
Management**

**HPERM Ref:
D17/197956**

Clr Wells – Less than significant non pecuniary interest declaration – CL17.174 Policy Changes & Reaffirmation – Shoalhaven City Arts Collection – Acquisition and Management – he owns a work of art which is on long term loan to the Art Collection, as an owner of a work on loan, he should have no entitlement to develop or vote on the Acquisition and Management Policy – left the room and did not take part in discussion or vote.

Recommendation

That Council reaffirm the Shoalhaven City Art Collection – Acquisition and Management policy with the proposed changes as outlined in the attachment.

1. Name change from Shoalhaven City Arts Centre to Shoalhaven Regional Gallery
2. Minor changes to Section 3 Provisions, sub-section 3.2 Gifts and Donations
3. Minor changes to Section 4 Procedures:
 - a. Sub-section 4.2 Accession

b. Sub-section 4.3 Deaccessioning

RESOLVED (Clr Gartner / Clr Levett)

MIN17.586

That Council reaffirm the Shoalhaven City Art Collection – Acquisition and Management policy with the proposed changes as outlined in the attachment.

1. Name change from Shoalhaven City Arts Centre to Shoalhaven Regional Gallery
2. Minor changes to Section 3 Provisions, sub-section 3.2 Gifts and Donations
3. Minor changes to Section 4 Procedures:
 - a. Sub-section 4.2 Accession
 - b. Sub-section 4.3 Deaccessioning

CARRIED

CL17.175 Tender - Shoalhaven Indoor Sports Centre - Trade Package No. 7 - Civil Works**HPERM Ref:
D17/197634****Recommendation**

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

RESOLVED (Clr Guile / Clr Gartner)

MIN17.587

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

Note: Clr Wells was absent from the meeting.

CARRIED

CL17.176 Tenders - IEMC Pad Mount Electrical Sub Station**HPERM Ref:
D17/198676****Recommendation**

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

RESOLVED (Clr Guile / Clr Gartner)

MIN17.588

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

Note: Clr Wells was absent from the meeting.

CARRIED

**CL17.177 Classification of Operational Land - Road Dedication -
Lot 1 DP 1084959 - Upper Kangaroo River**

**HPERM Ref:
D17/176326**

Note: Cllr Wells returned to the meeting, the time being 8.12pm.

Recommendation

That Council resolve to classify the land described as Lot 1 DP1084959 at Upper Kangaroo River as Operational Land

RESOLVED (Cllr Guile / Cllr Gartner)

MIN17.589

That Council resolve to classify the land described as Lot 1 DP1084959 at Upper Kangaroo River as Operational Land

CARRIED

**CL17.178 SA17.158 - Proposed Sale of Land - 11 Grandview Street,
Erowal Bay**

**HPERM Ref:
D17/192417**

Recommendation

That Council:

1. Advertise its intention to dispose of 11 Grandview Street, Erowal Bay (Lot 24 Sec 1 DP9182) in accordance with Policy 16/256 (POL16/256) and advise the local CCB, and if no objections are received, authorise the sale of the property by public auction;
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction;
3. Fund all costs associated with the sale from Job Number 88650 and the net income from the sale be placed in the Strategic Property Reserve; and
4. Grant authority to affix the Common Seal of the Council to any contract or sale documents required to be sealed.

RESOLVED (Cllr Guile / Cllr Gartner)

MIN17.590

That Council:

1. Advertise its intention to dispose of 11 Grandview Street, Erowal Bay (Lot 24 Sec 1 DP9182) in accordance with Policy 16/256 (POL16/256) and advise the local CCB, and if no objections are received, authorise the sale of the property by public auction;
2. Authorise the General Manager to set the auction reserve (based on valuation advice) and to finalise the terms of a sale within 10% of the reserve or list price in the case of a private treaty sale if the property fails to sell at auction;
3. Fund all costs associated with the sale from Job Number 88650 and the net income from the sale be placed in the Strategic Property Reserve; and
4. Grant authority to affix the Common Seal of the Council to any contract or sale documents required to be sealed.

CARRIED

**CL17.179 Report for Council - Updates on the Shoalhaven River
Levee Flood Damage Restoration 2017 Project**

**HPERM Ref:
D17/171801**

Recommendation

That Council consider and support a separate confidential tender recommendation report on this matter in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

RESOLVED (Clr Guile / Clr Gartner)

MIN17.591

That Council consider and support a separate confidential tender recommendation report on this matter in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

**CL17.180 Review of Draft Bush Fire Environmental Assessment
Code and Planning for Bush Fire Protection - Council
Submission**

**HPERM Ref:
D17/179434**

Recommendation

That Council make a submission to the NSW Rural Fire Service based on the content of the report including Attachments 1 & 2 regarding Bushfire Environmental Assessment Code and Planning for Bush Fire Protection.

RESOLVED (Clr Guile / Clr Levett)

MIN17.592

That Council make a submission to the NSW Rural Fire Service based on the content of the report including Attachments 1 & 2 regarding Bushfire Environmental Assessment Code and Planning for Bush Fire Protection.

CARRIED

CL17.181 Cities Power Partnership - Climate Council

**HPERM Ref:
D17/193605**

Recommendation

That

1. Council sign up as a Power Partner as part of the Climate Council's Cities for Power Partnership; and
2. Request the Sustainable Futures Committee to report back to Council on 5 key recommended actions as a partnership pledge.

RESOLVED (Clr Gartner / Clr Cheyne)

MIN17.593

That

1. Council sign up as a Power Partner as part of the Climate Council's Cities for Power Partnership; and
2. Request the Sustainable Futures Committee to report back to Council on 5 key recommended actions as a partnership pledge.

FOR: Clr Gash, Clr Wells, Clr White, Clr Levett, Clr Cheyne, Clr Alldrick and Clr Gartner

AGAINST: Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

CARRIED

CL17.182 Proposed Submission - Amendments to State Environmental Planning Policy No. 64 Advertising and Signage

**HPERM Ref:
D17/153143**

Recommendation

That Council make the submission attached to this report to the NSW Department of Planning and Environment (DP&E) on the consultation draft of *State Environmental Planning Policy No 64 - Advertising and Signage (Amendment No 3)* and *Environmental Planning and Assessment Amendment (Penalty Notices for Parked Trailer Advertisements) Regulation 2017*.

Clr Gash raised a Point of Order against Clr Guile. The Chair did not rule as a Point of Order.

Clr Gash raised a Point of Order against Clr Pakes. The Chair ruled as a Point of Order and asked Clr Pakes to withdraw his comment telling Clr Gash to sit down.

Clr Pakes withdrew his comment.

RESOLVED (Clr Wells / Clr Levett)

MIN17.594

That Council make the submission attached to this report to the NSW Department of Planning and Environment (DP&E) on the consultation draft of *State Environmental Planning Policy No 64 - Advertising and Signage (Amendment No 3)* and *Environmental Planning and Assessment Amendment (Penalty Notices for Parked Trailer Advertisements) Regulation 2017*.

CARRIED

CL17.183 DRAFT WORROWING HEIGHTS PRECINCT PLAN - UPDATE & NEXT STEPS

**HPERM REF:
D17/157861**

Item dealt with earlier/later in the meeting see MIN17.540.

CL17.184 Council Submission - Proposed Greenfield Housing Code

**HPERM Ref:
D17/174166**

Recommendation

That Council:

1. Endorse the attached submission (Attachment 1) to the NSW Department of Planning and Environment on the proposed Greenfield Housing Code; and
2. Advise the NSW Department of Planning and Environment of this resolution.

RESOLVED (Clr Guile / Clr Pakes)

MIN17.595

That Council:

1. Endorse the attached submission (Attachment 1) to the NSW Department of Planning and Environment on the proposed Greenfield Housing Code; and
2. Advise the NSW Department of Planning and Environment of this resolution.

CARRIED

CL17.185 Funding Offer - NSW Heritage Grants 2017-18 and 2018-19**HPERM Ref:
D17/179789****Recommendation**

That Council:

1. Accept the NSW Heritage Grants funding offers for 2017-18 and 2018-19 for the Local Heritage Places and Local Government Heritage Advisor streams; and
2. Allocate sufficient funding through the 2018-19 Council Budget process to meet Councils matching commitment in this regard.

RESOLVED (Clr Wells / Clr Pakes)

MIN17.596

That Council:

1. Accept the NSW Heritage Grants funding offers for 2017-18 and 2018-19 for the Local Heritage Places and Local Government Heritage Advisor streams; and
2. Allocate sufficient funding through the 2018-19 Council Budget process to meet Councils matching commitment in this regard.

CARRIED

CL17.186 OZ Water Conference 2017**HPERM Ref:
D17/187888****Recommendation**

That Council receive the report from Clr John Wells and Clr Patricia White on the OZ Water Conference 2017 for information.

RESOLVED (Clr Wells / Clr Guile)

MIN17.597

That Council receive the report from Clr John Wells and Clr Patricia White on the OZ Water Conference 2017 for information.

CARRIED

**CL17.187 2017 FLOODPLAIN MANAGEMENT AUSTRALIA
NATIONAL CONFERENCE****HPERM REF:
D17/196668**

Item dealt with earlier/later in the meeting see MIN17.541.

Introduction of Items as Matters of Urgency**RESOLVED** (Clr Wells / Clr Levett)

MIN17.598

That the following addendum reports be introduced as matters of urgency:

1. CL17.188 Nowra Sailing Club Update

CARRIED

The Chairperson ruled the matter as one of urgency as it relates to the fire last Wednesday and allowed its introduction.

ADDENDUM REPORTS

CL17.188 Nowra Sailing Club Update

HPERM Ref:
D17/202010

Recommendation

That Council receive a further report on options when insurance advice is received

RESOLVED (Clr Wells / Clr Proudfoot)

MIN17.599

That Council receive a further report on options when insurance advice is received.

CARRIED

CONFIDENTIAL REPORTS

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

No members of the public made representations.

RESOLVED (Clr Wells / Clr Cheyne)

MIN17.600

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.

CCL17.33 Tenders – Shoalhaven Indoor Sports Centre - Trade Package No. 7 - Civil Works

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 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.

CCL17.34 Tenders - IEMC Pad Mount Electrical Sub Station

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 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.

CCL17.35 Tenders - Shoalhaven River Levee Flood Damage Restoration 2017

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 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 9.10pm.

The meeting moved into open session, the time being 9.19pm.

REPORT FROM CONFIDENTIAL SESSION

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

CCL17.33 Tenders – Shoalhaven Indoor Sports Centre - Trade Package No. 7 - Civil Works

**HPERM Ref:
D17/196903**

RESOLVED

MIN17.601C

That the recommendation remain Confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until practical completion

CARRIED

CCL17.34 Tenders - IEMC Pad Mount Electrical Sub Station

**HPERM Ref:
D17/198650**

RESOLVED

MIN17.602C

That

1. Council accept the Tender from Great Southern Electrical Pty Ltd for the IEMC Pad Mount Sub Station a total cost of \$361,028.00 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation.
3. Council vote additional funds of \$80,000 from the S94 Recoupment Reserve with these funds being recouped from future contributions being received on project CWFIRE2002.

CARRIED

CCL17.35 Tenders - Shoalhaven River Levee Flood Damage Restoration 2017

**HPERM Ref:
D17/182307**

RESOLVED

MIN17.603C

The recommendation remain confidential in accordance with Section 10(A)(2)(d)(i) of the Local Government Act until a successful contract is negotiated.

CARRIED

There being no further business, the meeting concluded, the time being 9.20pm.

Clr White
CHAIRPERSON