

## MINUTES OF THE ORDINARY MEETING

**Meeting Date:** Tuesday, 27 February 2018  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5.00pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr Joanna Gash  
Clr John Wells  
Clr Patricia White  
Clr Kaye Gartner  
Clr Nina Cheyne  
Clr Annette Alldrick  
Clr John Levett  
Clr Andrew Guile  
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 Prayer by Clr Guile and the playing of the Australian National Anthem.

### Apologies / Leave of Absence

Nil

### Confirmation of the Minutes

**RESOLVED** (Clr White / Clr Gash) MIN18.104

That the Minutes of the Ordinary Meeting held on Tuesday 30 January 2018 be confirmed.

CARRIED

### Declarations of Interest

Clr Wells – MM18.6 - Mayoral Minute - Annual Company Dividend - 2016 to 2017 - Southern Phone Company – less than significant non pecuniary interest declaration - he is the President of the Illawarra Academy of Sport (IAS) and during 2016/2017 Southern Phone was a sponsor of the IAS – will remain in the room and will take part in discussion and vote.

## MAYORAL MINUTE

**MM18.6 Mayoral Minute - Annual Company Dividend - 2016 to 2017 - Southern Phone Company****HPERM Ref:  
D18/58428**

Clr Wells – less than significant non pecuniary interest declaration – he is the President of the Illawarra Academy of Sport (IAS) and during 2016/2017 Southern Phone was a sponsor of the IAs – will remain in the room and will take part in discussion and vote.

**Recommendation**

That Council receive the report for information and write a thank you letter to Southern Phone Company.

**RESOLVED** (Clr Findley / Clr Cheyne)

MIN18.105

That Council receive the report for information and write a thank you letter to Southern Phone Company.

CARRIED

**Procedural Motion - Bring Item Forward****RESOLVED** (Clr Findley / Clr Gash)

MIN18.106

That the Deputations be brought forward on the Agenda.

CARRIED

## DEPUTATIONS AND PRESENTATIONS

**MM18.7 – Mayoral Minute – West Ulladulla Skate Park – Page 2**

Kiarn Roughley and Brent Johnstone addressed the meeting to speak for the recommendation.

**MM18.9 – Mayoral Minute – Shoalhaven Community and Recreation Precinct (SCaRP) – Cambewarra Rd, Bomaderry – Page 5**

Mel Mustapic (Nowra Athletics Club) and Craig Scott (Little Athletics NSW) addressed the meeting to speak for the recommendation.

**CL18.36 Notice of Motion – Planning Proposal (PP030) – Gateway Application – Building Heights – LEP Southern Ulladulla CBD – Rezoning B4 Over Land Contained in Planning Proposal (PP0250) – Page 14**

Paul Mitchell addressed the meeting to speak against the recommendation.

John Willmott addressed the meeting to speak for the recommendation.

**Procedural Motion - Bring Item Forward****RESOLVED** (Clr Guile / Clr Cheyne)

MIN18.107

That the following matters be brought forward for consideration:

- CL18.30 – Rescission Motion - CL18.21 Shoalhaven Community and Recreation Precinct - Status report and funding requests

- MM18.7 – Mayoral Minute - West Ulladulla Skate Park
- MM18.8 – Mayoral Minute - Thank you
  1. The Queen's Baton Relay
  2. Cleanup by Rangers & South Coast Correctional Facility
- MM18.9 – Mayoral Minute - Shoalhaven Community & Recreation Precinct (SCaRP), Cambewarra Road, Bomaderry
- CL18.36 - Notice of Motion - Planning Proposal (PP030) - Gateway Application - Building Heights - LEP Southern Ulladulla CBD - Rezoning B4 Over Land Contained in Planning Proposal (PP0250)

CARRIED

**CL18.30 Rescission Motion - CL18.21 Shoalhaven Community and Recreation Precinct - Status report and funding requests**

**HPERM Ref:  
D18/45057**

**Recommendation**

That Council rescind the Motion relating to Item CL18.21 of the Council Meeting held 30 January 2018.

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

MIN18.108

That Council rescind the Motion relating to Item CL18.21 of the Council Meeting held 30 January 2018.

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

AGAINST: Clr Cheyne, Clr Levett and Clr Kitchener

CARRIED

**MM18.7 Mayoral Minute - West Ulladulla Skate Park**

**HPERM Ref:  
D18/58448**

**Recommendation**

That:

1. Council support a budget allocation of \$400,000 over a two year budget cycle commencing in 2018/2019 to upgrade the West Ulladulla Skate park to become the regional facility that has been promised since the first stage over 20 years ago.
2. This project be partially funded from the Skate Park Funds and an additional capital works for the 2019/2020 budget. Council work towards obtaining grant funding and the physical work be undertaken in one stage.
3. Council also undertake urgent repairs on the Ulladulla Skate Park to ensure that the users are not at undue risk due to surface damage This could be funded from the balance of the funds in the skate funds.

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

MIN18.109

That:

1. The West Ulladulla Skate Park funding opportunities and plans for the extension be subject to

a Councillor Briefing.

2. Council support a budget allocation of \$400,000 over a two year budget cycle commencing in 2018/2019 to upgrade the West Ulladulla Skate park to become the regional facility that has been promised since the first stage over 20 years ago.
3. This project be partially funded from the Skate Park Funds and an additional capital works for the 2019/2020 budget and that Council work towards obtaining grant funding and the physical work be undertaken in one stage.
4. Council also undertake urgent repairs on the Ulladulla Skate Park to ensure that the users are not at undue risk due to surface damage. This could be funded from the balance of the funds in the skate funds.

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

AGAINST: Nil

CARRIED

**MM18.8 Mayoral Minute - Thank you**

**1. The Queen's Baton Relay**

**2. Cleanup by Rangers & South Coast Correctional Facility**

**HPERM Ref:  
D18/58976**

**Recommendation**

That Council receive the report for information and formally thank everyone concerned via the Resolution.

**RESOLVED** (Cllr Findley / Cllr Gash)

MIN18.110

That Council receive the report for information and formally thank everyone concerned via the Resolution.

CARRIED

**MM18.9 Mayoral Minute - Shoalhaven Community & Recreation Precinct (SCaRP), Cambewarra Road, Bomaderry**

**HPERM Ref:  
D18/61779**

**Recommendation**

That:

1. Council support the Rescission Motion and put the SCaRP Masterplan on hold.
2. Council immediately engage with the Athletics Club to investigate an alternate site for a new facility with a commitment to fund works and seek grant funds in the short term. Funding of up to \$300,000 be provided in the 2018/19 budget for project scoping, consultation, and design work with a view to delivering a plan that will be construction ready by 2020.
3. Council support Bomaderry Aquatic Centre in its present form and should any major failure occur Council consider the options for service at that time.
4. Council advise the Croquet Club it may remain in its current location and to proceed with its expansion plan.
5. Council advise all other Sports Associations and Stakeholders of this decision.
6. A review of the Masterplan design to provide for a new 50m outdoor pool be deferred until 2020/2021 to allow staff to concentrate on the current works plan and priorities which now

includes an athletics facility.

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

MIN18.111

That:

1. Council support the Rescission Motion and put the SCaRP Masterplan on hold.
2. With respect to the Athletics Facility, Council:
  - a. Immediately engage with the Athletics Club to investigate an alternate site for a new facility with a commitment to fund works and seek grant funds in the short term.
  - b. Provide funding of up to \$300,000 in the 2018/19 budget for project scoping, consultation, and design work with a view to delivering a plan that will be construction ready by 2020.
  - c. Immediately apply as is practical, for sporting grants for the construction of the facility
3. Council commit to maintaining the Bomaderry Aquatic Centre in its present form
4. With respect to the Croquet Club:
  - a. Council advise the Croquet Club it may remain in its current location and to proceed with its expansion plan; and
  - b. A report be submitted back to Council on funding options for the croquet facility
5. Council advise all other Sports Associations and Stakeholders of this decision.
6. A review of the Masterplan Design commence to provide for a new 50m outdoor pool and swimming complex as part of the current works plan for SCaRP and priorities which now include an athletics facility.

CARRIED

**CL18.36 Notice of Motion - Planning Proposal (PP030) - Gateway Application - Building Heights - LEP Southern Ulladulla CBD - Rezoning B4 Over Land Contained in Planning Proposal (PP0250)**

**HPERM Ref:  
D18/58589**

### Recommendation

That Council request revised conditions from the Department of Planning for the Gateway application for the Planning Proposal 030, to include a 14m height and a rezoning to B4 over the land contained in Planning Proposal 025.

Clr Watson raised a Point of Order against Clr Findley, for commenting that someone had been "got at" resulting in the Motion. The Mayor ruled against the Point of Order.

However Clr Findley withdrew comments and apologised for comments regarding the Development.

**RESOLVED** (Clr Watson / Clr Pakes)

MIN18.112

That Council request revised conditions from the Department of Planning for the Gateway application for the Planning Proposal 030, to include a 14m height and a rezoning to B4 over the land contained in Planning Proposal 025.

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

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

CARRIED

The meeting adjourned the time being 8.08pm

The meeting reconvened the time being 8.25pm

The following members were present:

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

## NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL18.28 Rescission Motion - CL18.8 - Bay and Basin Community Hub - Draft Master Plan Exhibition Complete - Request for Detailed Design Phase**

**HPERM Ref:  
D18/41030**

### Recommendation

That Council rescind the Motion relating to Item CL18.8 of the Council Meeting held on 30 January 2018.

PROCEDURAL MOTION (Clr Cheyne / Clr Gartner)

That the Motion be put.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Gartner and Clr Cheyne

AGAINST: Clr White, Clr Alldrick, Clr Levett, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

PROCEDURAL MOTION LOST

**RESOLVED** (Clr Gartner / Clr Cheyne)

MIN18.113

That Council rescind the Motion relating to Item CL18.8 of the Council Meeting held on 30 January 2018.

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

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

CARRIED

**CL18.29 Notice of Motion - Bay and Basin Community Hub - Draft**

**HPERM Ref:**

**Master Plan Exhibition Complete - Request for Detailed Design Phase****D18/41072****Recommendation**

That Council

1. Adopt the Draft Bay and Basin Community Hub Master Plan
2. During development of detailed design Council incorporate additional Learn to Swim/Therapy Pool
3. Continue the licence with the Department of Education for the existing building at Sanctuary Point and staff liaise with local community and user groups to maintain the Sanctuary Point Library and develop it further.

**MOTION** (Clr Gartner / Clr Cheyne)

That Council:

1. Adopt the Draft Bay and Basin Community Hub Master Plan
2. During development of detailed design Council incorporate additional Learn to Swim/Therapy Pool
3. Continue the licence with the Department of Education for the existing building at Sanctuary Point and staff liaise with local community and user groups to maintain the Sanctuary Point Library and develop it further in the current location or nearby should the department of Education require the land back.

**AMENDMENT** (Clr Pakes / Clr Guile)

That Council:

1. Adopt and proceed with Stage 1 of the Bay and Basin Community HUB Masterplan; and
2. Remove the district library from the Bay and Basin Community HUB Masterplan

FOR: Clr Alldrick, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Cheyne and Clr Levett

LOST

Clr Pakes raised a Point of Order against Clr Cheyne and asked to withdraw comments disparaging Nowra. The Mayor ruled against the Point of Order, advising that Councillor Cheyne did not make such a statement.

**PROCEDURAL MOTION - ADJOURNMENT OF MEETING** (Clr Findley / Clr Gash)

That the meeting be adjourned.

CARRIED

The Meeting adjourned the time being 9.50pm

The Meeting reconvened the time being 9.55pm

The following members were present:

Clr Amanda Findley - Chairperson

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

**RESOLVED** (Clr Gartner / Clr Cheyne)

MIN18.114

That Council:

1. Adopt the Draft Bay and Basin Community Hub Master Plan
2. During development of detailed design Council incorporate additional Learn to Swim/Therapy Pool
3. Continue the licence with the Department of Education for the existing building at Sanctuary Point and staff liaise with local community and user groups to maintain the Sanctuary Point Library and develop it further in the current location or nearby should the department of Education require the land back.

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

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

CARRIED

**Note:** A Rescission Motion was received on this item.

**CL18.30 RESCISSION MOTION - CL18.21 SHOALHAVEN  
COMMUNITY AND RECREATION PRECINCT - STATUS  
REPORT AND FUNDING REQUESTS**

**HPERM REF:  
D18/45057**

Item dealt with earlier in the meeting see MIN18.111

#### **Procedural Motion - Bring Item Forward**

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

MIN18.115

That the matter of item CL18.37 – Notice of Motion – ANZAC Services - Assistance be brought forward for consideration.

CARRIED

**CL18.37 Notice of Motion - ANZAC Services - Assistance**

**HPERM Ref:  
D18/58691**

#### **Recommendation**

That

1. Council extend its assistance to those organising various Anzac Services in our area. The assistance include, but not be limited to, traffic control and associated activities where



required.

2. The operational budget be adjusted at the next quarterly financial review if necessary.

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

MIN18.116

That:

1. Council extend its assistance to those organising various ANZAC Services in our area. The assistance include, but not be limited to, traffic control and associated activities where required.
2. The operational budget be adjusted at the next quarterly financial review if necessary.

CARRIED

**CL18.31 Notice of Motion - Shoalhaven Community and Recreation Precinct**

**HPERM Ref:  
D18/45061**

**Recommendation**

That Council defer the Shoalhaven Community and Recreation Precinct Masterplan pending further community consultation.

**RESOLVED** (Clr Findley / Clr Wells)

MIN18.117

That the matter of Notice of Motion - Shoalhaven Community and Recreation Precinct be received for information.

CARRIED

**CL18.32 Notice of Motion - "Pride in the Shoalhaven" - Introduction of a comprehensive Shopping Trolley Management Policy**

**HPERM Ref:  
D18/44394**

Note: Clr Watson left the meeting at 10:02pm

**Recommendation**

That Council staff:

1. Undertake investigations concerning current and enforceable methods to manage abandoned shopping trolleys;
2. Provide a budgetary cost to Council to manage the enforcement methods;
3. Report the findings back to Council with the view of developing a Shopping Trolley Management Policy.

**MOTION** (Clr Cheyne / Clr Gartner)

MIN18.118

That Council staff:

1. Undertake investigations concerning current and enforceable methods to manage abandoned shopping trolleys;
2. Provide a budgetary cost to Council to manage the enforcement methods;
3. Report the findings back to Council with the view of developing a Shopping Trolley Management Policy.

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

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

**CL18.33 Notice of Motion - Support for NSW National Parks and Wildlife Service**

**HPERM Ref:  
D18/57387**

**Recommendation**

That Council:

1. Notes that Shoalhaven City Local Government Area is home to eleven National Parks, i.e., Morton, Seven Mile Beach, Budderoo, Bugong, Jervis Bay, Jerrawangala, Conjola, Meroo, Budawang, Murramarang and Bimberamala, as well as seventeen Nature Reserves, two Regional Parks, two State Conservation Areas and one Aboriginal Area.
2. Acknowledges that there are more than forty million visits to NSW National Parks each year with an overwhelming 94 per cent of visitors being satisfied or very satisfied with their experience. Parks within the NPWS *South Coast Branch* (See above) received 5.6m visits in 2016.
3. Notes that this rich heritage of professionally managed biodiverse landscapes constitutes a major attraction for residents and visitors to the Shoalhaven City. Protecting our environment consistently ranks in the top 3 priorities in SCC community surveys. SCC promotes an 'unspoilt' LGA tourism promotion material. Many of the beaches of the successful 100 beaches campaign are also in or surrounded by National Parks. Hyams beach is flanked by National Park.
4. Notes with concern the budget and staff cuts, and restructures currently taking place within the NSW National Parks and Wildlife Service (NPWS), and the risk this places on the SCC economy, visitor safety, public amenity and the environment. In the Shoalhaven, resident risk is also a grave concern.
5. Calls on the NSW Government to treat NPWS staff with the respect they deserve, to stop the undermining of national parks, and to support NPWS at a level concomitant with the number of people and the area of lands they service.
6. Writes to the NSW Premier, The Hon. Gladys Berejiklian MP, the NSW Minister for the Environment, The Hon. Gabrielle Upton MP, the Shadow Minister for the Environment, Penny Sharpe MLC and the Greens NSW Environment Spokesperson, Dr Mehreen Faruqi MLC, expressing the concerns raised in this resolution and;
7. Distribute this resolution to relevant community and environment groups and the Public Services Association.

Clr Guile raised a Point of Order that this matter is not a matter for Local Government and is therefore contrary to the Code of Meeting Practice and therefore the item should be withdrawn. The Mayor ruled against the Point of Order.

**MOTION LOST** (Clr Gartner / Clr Cheyne)

MIN18.119

That Council:

1. Notes that Shoalhaven City Local Government Area is home to eleven National Parks, i.e., Morton, Seven Mile Beach, Budderoo, Bugong, Jervis Bay, Jerrawangala, Conjola, Meroo, Budawang, Murramarang and Bimberamala, as well as seventeen Nature Reserves, two Regional Parks, two State Conservation Areas and one Aboriginal Area.
2. Acknowledges that there are more than forty million visits to NSW National Parks each year

with an overwhelming 94 per cent of visitors being satisfied or very satisfied with their experience. Parks within the NPWS *South Coast Branch* (See above) received 5.6m visits in 2016.

3. Notes that this rich heritage of professionally managed biodiverse landscapes constitutes a major attraction for residents and visitors to the Shoalhaven City. Protecting our environment consistently ranks in the top 3 priorities in SCC community surveys. SCC promotes an 'unspoilt' LGA tourism promotion material. Many of the beaches of the successful 100 beaches campaign are also in or surrounded by National Parks. Hyams beach is flanked by National Park.
4. Notes with concern the budget and staff cuts, and restructures currently taking place within the NSW National Parks and Wildlife Service (NPWS), and the risk this places on the SCC economy, visitor safety, public amenity and the environment. In the Shoalhaven, resident risk is also a grave concern.
5. Calls on the NSW Government to treat NPWS staff with the respect they deserve, to stop the undermining of national parks, and to support NPWS at a level concomitant with the number of people and the area of lands they service.
6. Writes to the NSW Premier, The Hon. Gladys Berejiklian MP, the NSW Minister for the Environment, The Hon. Gabrielle Upton MP, the Shadow Minister for the Environment, Penny Sharpe MLC and the Greens NSW Environment Spokesperson, Dr Mehreen Faruqi MLC, expressing the concerns raised in this resolution and;
7. Distribute this resolution to relevant community and environment groups and the Public Services Association.

PROCEDURAL MOTION (Clr Gartner / Clr Levett)

That the Motion be put.

PROCEDURAL MOTION CARRIED

## **MOTION LOST**

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

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

## **CL18.34 Notice of Motion - Short Term - Holiday Letting - Development of a Contract**

**HPERM Ref:  
D18/55227**

### **Recommendation**

That Council staff prepare a report, as a forerunner to the development of a Policy, on ensuring that short-term holiday lettings do not have an adverse impact on the amenity of neighbouring properties. The report would not embrace a full-scale regulation of the holiday accommodation industry, but rather a practical and simple strategy to work with landlords in establishing a set of protocols that their tenants would absolutely need to adhere to. With this in mind, the report would address but not be restricted to the following:

1. What role does Council currently have?
2. The establishment of a holiday-letting data-base.
3. Curfews on noise related activities such as music and party activities.
4. Fire and other safety regulations.
5. The number of occupants permitted to stay.

6. The possibility of “random checks “regarding the established protocols.
7. The development of a contract to be signed by the tenant, acknowledging acceptance of the protocols.

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

MIN18.120

That the matter relating to Short Term - Holiday Letting - Development of a Contract be referred to a Clr Briefing to allow the Tourism Manager and the Shoalhaven Tourism Advisory Group to comment on what actions Council is undertaking and the current situation.

CARRIED

**CL18.35 Notice of Motion - East Nowra Sub- Arterial Road (ENSA)  
Proposal - report request**

**HPERM Ref:  
D18/58538**

**Recommendation**

That the General Manager prepare a report for Council on the East Nowra Sub- Arterial Road (ENSA) proposal with the report to address:

1. The planning rationale/imperative for the construction of such a road
2. Whether such rationale/imperative remains valid, and if so
  - a) The time frame for future delivery of this proposed asset and
  - b) Resourcing/budget implications attaching to such a project

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

MIN18.121

That the matter relating to East Nowra Sub- Arterial Road (ENSA) Proposal - report request be received for information.

CARRIED

**CL18.36 NOTICE OF MOTION - PLANNING PROPOSAL (PP030) -  
GATEWAY APPLICATION - BUILDING HEIGHTS - LEP  
SOUTHERN ULLADULLA CBD - REZONING B4 OVER  
LAND CONTAINED IN PLANNING PROPOSAL (PP0250)**

**HPERM REF:  
D18/58589**

Item dealt with earlier in the meeting see MIN18.112

**CL18.37 NOTICE OF MOTION - ANZAC SERVICES - ASSISTANCE**

**HPERM REF:  
D18/58691**

Item dealt with earlier in the meeting see MIN18.116

**REPORT OF THE DEVELOPMENT COMMITTEE - 13 FEBRUARY 2018**

Items marked with an \* were resolved ‘en block’.

**DE18.13 Development Application DA17/1958 – 99 Sunset Strip,**

**HPERM Ref:**

**Manyana – Lot 115 DP 31711**

**D18/23344**

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

MIN18.122

That:

1. Council exercise the Secretary's assumed concurrence under clause 4.6 and support the 60% variation to the maximum building height development standard of 7.5m set by clause 4.3 of Shoalhaven LEP 2014 for alterations and additions to existing residence on Lot 115 DP 31711, 99 Sunset Strip, Manyana to a maximum building height of 12m;
2. The application be referred back to staff for determination.

CARRIED

**DE18.14 Development Application – 56 Red Gum Drive Ulladulla –  
Lot 506 DP 1235307**

**HPERM Ref:  
D18/24118**

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

MIN18.123

That:

1. Council exercise the Secretary's assumed concurrence under clause 4.6 and support the 11.3% variation to the 500m<sup>2</sup> minimum lot size set by clause 4.1 of Shoalhaven Local Environmental Plan 2014 for Lot 2 at 443.6m<sup>2</sup> (555.7m<sup>2</sup> with the access handle) for subdivision of the dual occupancy to be erected at Lot 506 DP 1235307, 56 Red Gum Drive Ulladulla; and
2. The mapping anomaly in relation to clause 4.1A in this location is included in a future housekeeping planning proposal to amend Shoalhaven Local Environmental Plan 2014; and
3. The application be referred back to staff for determination.

CARRIED

## **REPORT OF THE STRATEGY & ASSETS COMMITTEE - 20 FEBRUARY 2018**

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

**SA18.24 Notice of Motion - Representation - Construction of a  
Grade Separated Intersection - Jervis Bay Road -  
Princes Hwy**

**HPERM Ref:  
D18/48263**

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

MIN18.124

That Council make vigorous representations to the Minister for Roads and Maritime and Freight The Hon Melinda Pavey, the Parliamentary Secretary for the Illawarra and South Coast Gareth Ward and the Member for South Coast the Hon Shelley Hancock to give high priority to a safer intersection at Jervis Bay Road and the Princes Highway, with a long term view to construct grade separation.

CARRIED

**SA18.25 Notice of Motion - Culburra Youth Skate Park**

**HPERM Ref:  
D18/48787**

**Recommendation**

That:

1. Council allocate \$75,000 to the Culburra Beach Youth Skate Park Project;
2. Council allocate the \$75,000 from the Council's Skate Park Budget;
3. Council acknowledge the work of Mr Alex McNeilly and the committee for their work to date;
4. Council transfer the maintenance and cleaning costs for the Curley's Bay facility from the existing facility at Orient Point and decommission the Orient Point facility due to the condition and usage of that facility;
5. A report be submitted to Council outlining the priorities for the remaining Skate Park Budget.

**RESOLVED** (Clr Pakes / Clr Wells)

MIN18.125

That:

1. Council allocate \$75,000 to the Culburra Beach Youth Skate Park Project;
2. Council allocate the \$75,000 from the Council's Skate Park Budget;
3. Council acknowledge the work of Mr Alex McNeilly and the committee for their work to date;
4. Council transfer the maintenance and cleaning costs for the Curley's Bay facility from the existing facility at Orient Point and decommission the Orient Point facility due to the condition and usage of that facility;
5. A report be submitted to Council outlining the priorities for the remaining Skate Park Budget.

CARRIED

**SA18.30 December 2017 Quarterly Budget Review**

**HPERM Ref:**  
**D18/40621**

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

MIN18.126

That Council:

1. Receive the December Quarterly Budget Review for information
2. Adopt the adjustments, including movements to and from Reserves as outlined in the December Quarterly Budget Review Statement.

CARRIED

**SA18.31 Classification of Land - Lot 1 DP553658 (No.333) Illaroo Road Bangalee**

**HPERM Ref:**  
**D17/430490**

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

MIN18.127

That Council resolve to classify the land described as Lot 1 DP553658 (No.333) Illaroo Road Bangalee as Operational Land.

CARRIED

**SA18.32 Proposed Leases - Illawarra Area Child Care Incorporated - Four Sites- 2\*Sanctuary Point - Shoalhaven Heads - Nowra**

**HPERM Ref: D18/3459**

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

MIN18.128

That Council:

1. Enter into a 5 year lease agreement commencing 1 July 2018 with Illawarra Area Child Care Inc. for the continued use and occupation as a preschool of:
  - a. The Basin Preschool at 34 Paradise Beach Rd, Sanctuary Point with an annual rent of \$11,553.07 (plus GST) with annual CPI increases; and
  - b. Sanctuary Point Children's Centre at 210 Kerry St, Sanctuary Point with an annual rent of \$6,460.80 (plus GST) with annual CPI increases; and
  - c. Clipper Road Children's Centre at 42 Clipper Rd, Nowra with an annual rent of \$4,172.50 (plus GST) with annual CPI increases; and
2. Advertise its intention to enter into a 5 year lease agreement with Illawarra Area Child Care Inc. and if no objections are received, authorise the lease for the continued use and occupation of Jerry Bailey Children's Centre at 16 Celia Pl, Shoalhaven Heads for the purpose of a preschool with an annual rent to commence at 01 July 2018 of \$8,516.16 (plus GST) with annual CPI increases;
3. Approve the allocation of the rent received under each lease agreement into the Property Reserve restricted account; and
4. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

**SA18.33 Proposed Temporary Licence- South Coast Branch NSW of Surf Life Saving Australia Inc.- 177-179 Illaroo Rd, North Nowra HPERM Ref: D18/4819**

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

MIN18.129

That Council:

1. Enter into a 12 month licence agreement with South Coast Branch NSW of Surf Life Saving Australia Incorporated for the use and occupation of Lots 3 & 4 DP234757 and Lot 1 DP814265, 177 – 179 Illaroo Rd, North Nowra for storage purposes with an annual rent of \$486 (plus GST); and
2. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

**SA18.34 Proposed sale of Lot 2 DP1217124 Wire Lane Berry to Merveilleux Pty Ltd and consolidation with Lot 14 DP253806 HPERM Ref: D18/7298**

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

MIN18.130

That Council:

1. Authorise the sale of Lot 2 DP1217124 Wire Lane, Berry to the owner of the adjoining Lot 14 DP253806, Merveilleux Pty Ltd for \$50,000 (plus GST if applicable) provided that each party is to pay its own costs in relation to the sale;
2. Fund all costs associated with the sale from Job Number 88750 and the net proceeds from the sale be placed in the Property Reserve – Roads; to fund future road acquisitions and/or works

on public roads; and

3. Authorise the affixing of the Common Seal of the Council of the City of Shoalhaven to any documents requiring to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.

CARRIED

<b>SA18.35 Proposed New Charge for Commercial Quantities of Recyclable Materials</b>	<b>HPERM Ref: D18/21924</b>
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**RESOLVED\*** (Clr Wells / Clr White) MIN18.131

That Council:

1. Include a charge of \$100/tonne in the Draft 2018/19 Fees & Charges for the acceptance of commercial quantities (>1m<sup>3</sup>) of low value recyclable materials (soft plastics, hard plastics, polystyrene and glass) delivered to Council's Waste Facilities
2. For the remainder of the 2017/18 financial year, authorise the General Manager to apply a 70% discount to the general waste charge for the acceptance of commercial quantities (>1m<sup>3</sup>) of low value recyclable materials (soft plastics, hard plastics, polystyrene and glass) delivered to Council's Waste Facilities

CARRIED

<b>SA18.37 Easements for Access at Coolangatta - Shoalhaven Heads Water Reservoir</b>	<b>HPERM Ref: D18/26278</b>
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**RESOLVED\*** (Clr Wells / Clr White) MIN18.132

That:

1. Council resolve to:
  - a. Extinguish an existing Easement for Access 6 wide over Lots 1 & 2 DP223278 and Lot 1 DP525517 Bolong Road Coolangatta. The easement is shown by pink colour on copy of DP451468, attached.
  - b. Accept an alternative Easement for Access 6 wide over Lot 722 DP1076887 Edward Wollstonecraft Lane Coolangatta in favour of Council. The proposed new easement is shown by hatching and blue colour on extract of DP1076887, attached.
2. Council pay its own costs associated with the transactions from Shoalhaven Water's Water fund. The transactions are to be at \$nil consideration.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

## REPORT OF THE SHOALHAVEN ARTS BOARD - 8 FEBRUARY 2018

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

<b>AB18.1 Support for Funding Request - Shoalhaven Regional Gallery Climate Control System</b>	<b>HPERM Ref: D18/25664</b>
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**RESOLVED\*** (Clr Wells / Clr Gartner) MIN18.133



That:

1. Council vote \$600,000 from the Strategic Project Reserve for the replacement and upgrade of the Shoalhaven Regional Gallery Climate Control System
2. Staff seek any Grant Funding that may be available to assist with the forgoing capital cost
3. The Shoalhaven Arts Board champions the integral role of the Shoalhaven Regional Gallery in the cultural fabric of the region and the need to have a climate control system that meets industry standards

CARRIED

#### **AB18.10 Additional Item - Albury City Council - 2017 Creative Economy Strategy**

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

MIN18.134

That in the planned Councillor Briefing sessions related to CL18.12 – Notice of Motion Health Professionals and Businesses in Shoalhaven and CL18.27 – Beyond Plastic Pollution, the session cover information on the Albury Creative Economy Strategy 2017-2021, taking into account the work done throughout regional Australia in this space.

CARRIED

## **REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 13 FEBRUARY 2018**

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

#### **TC18.25 Amended Time Restriction - Bus Zones - Tallwood Avenue - Mollymook Beach (PN 3449)**

**HPERM Ref:**  
**D18/44138**

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

MIN18.135

That the General Manager (Director Assets and Works) be requested to arrange for the amendment to the existing bus zone time restrictions on the northern and southern sides of Tallwood Ave south of Jones Avenue, Mollymook Beach, as detailed in the attached plan TRAF 2018/12 to:

1. 8:00AM - 12:30PM and 2:30PM - 4:30PM, MON - FRI
2. 8:30AM - 12:30PM, SAT

CARRIED

#### **TC18.26 Time Restricted Parallel Parking - Service Road - Princes Highway - South Nowra (PN 3458)**

**HPERM Ref:**  
**D18/44183**

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

MIN18.136

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following signage and line marking improvements along the eastern service road adjacent to Bunnings, Princes Highway, South Nowra, as detailed in the attached plan TRAF2018/13:

1. realign the existing longitudinal line marking and No Stopping signage within the service road to permit parallel parking along the western side of the road adjacent to the Bunnings car park for approximately 140m.

2. restrict the created parallel parking (140m) to two hour (2P) between 7am and 5pm and to vehicles over 6m only (2P // VEHICLES // OVER 6m // ONLY // 7AM – 5PM).
3. Install six marked 90 degree angled parking spaces fronting #171 Princes Highway.

CARRIED

**TC18.27 Roundabout - Illaroo Road and Page Ave - North Nowra (PN 3463)**

**HPERM Ref: D18/44207**

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

MIN18.137

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the roundabout and associated line marking and signage at the intersection of Illaroo Road and Page Ave, North Nowra as detailed in the attached plan TRAF 2018/14.

CARRIED

**TC18.28 No Parking zone - Sarah Claydon Village - Princes Highway - Milton (PN 3465)**

**HPERM Ref: D18/44226**

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

MIN18.138

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 40m (approx.) No Parking zone on the northern side of the Princes Highway, fronting #128 Princes Highway, Milton and Sarah Claydon lifestyle village, #130 Princes Highway, Milton and extending 6m (approx.) east beyond the existing driveway layback as detailed in the attached plan TRAF2018/15

CARRIED

**TC18.29 No Stopping zone - Central Avenue - South Nowra (PN 3469)**

**HPERM Ref: D18/44242**

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

MIN18.139

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a yellow line marked No Stopping zone extending 6m (approx.) east and west of the driveway access to #28 Central Avenue, South Nowra as detailed in the attached plan TRAF2018/16.

CARRIED

**TC18.30 No Stopping zone - Woollamia Road - Woollamia (PN 3470)**

**HPERM Ref: D18/44252**

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

MIN18.140

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a yellow line marked No Stopping zone across the access, extending 10m (approx.) north and 6m (approx.) south of the driveway access to #783 Woollamia Road, Woollamia as detailed in the attached plan TRAF2018/17.

CARRIED

**TC18.31 No Stopping zone - corner of Fegen Street and Bowen**

**HPERM Ref:**

**Street - Huskisson (PN 3471)**

**D18/44265**

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

MIN18.141

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a yellow line marked No Stopping zone on the southern corner, extending 30m (approx.) west and 10m (approx.) south of the corner of Fegen Street and Bowen Street, Huskisson as detailed in the attached plan TRAF2018/18.

CARRIED

**TC18.32 No Stopping zone - McIntosh Street - Shoalhaven Heads (PN 3472)**

**HPERM Ref:  
D18/44289**

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

MIN18.142

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following items, McIntosh Street, Shoalhaven Heads, as detailed in the attached plan TRAF2018/19:

1. A yellow line marked No Stopping zone on the north-eastern corner of the intersection of McIntosh Street and Staples Street, extending 28m (approx.) east and 10m (approx.) north of the corner.
2. A yellow line marked No Stopping zone on the northern side of the road, extending 30m (approx.) from the western side of the most eastern driveway access to the Shoalhaven Heads Surf Life Saving Club and beach car park.

CARRIED

**TC18.33 Channelised Right Turn (CHR) - Linemarking Gerroa Road and Bolong Road - Coolangatta (PN 3473)**

**HPERM Ref:  
D18/44317**

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

MIN18.143

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 improvements at the intersection of Bolong Road and Gerroa Road, Coolangatta as detailed in the attached plan TRAF 2018/20.

CARRIED

## REPORTS

**CL18.42 2017/18 Council Borrowings - Loan Agreement**

**HPERM Ref:  
D18/46241**

**Recommendation**

That Council enter into a loan agreement, executed under the seal of Council, with New South Wales Treasury Corporation for the following loans:

1. Loan 1: \$50,000,000 (repayment over 20 years) – Reclaimed Effluent Management Scheme Stage 1B
2. Loan 2: \$2,130,000 (repayment over 20 years) – Verons Estate Infrastructure
3. Loan 3: \$5,590,000 (repayment over 10 years) – \$4,600,000 for Shoalhaven Indoor Sports Centre, \$320,000 for community pathways, \$320,000 for skate parks, \$150,000 for Huskisson

town centre service lanes and \$200,000 for Worrigee cemetery memorial gardens expansion

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

MIN18.144

That Council enter into a loan agreement, executed under the seal of Council, with New South Wales Treasury Corporation for the following loans:

1. Loan 1: \$50,000,000 (repayment over 20 years) – Reclaimed Effluent Management Scheme Stage 1B
2. Loan 2: \$2,130,000 (repayment over 20 years) – Verons Estate Infrastructure
3. Loan 3: \$5,590,000 (repayment over 10 years) – \$4,600,000 for Shoalhaven Indoor Sports Centre, \$320,000 for community pathways, \$320,000 for skate parks, \$150,000 for Huskisson town centre service lanes and \$200,000 for Worrigee cemetery memorial gardens expansion

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

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

CARRIED

#### **CL18.43 Banking and Bill Payment Services Tender**

**HPERM Ref:  
D18/50170**

##### **Recommendation**

That Council in accordance with Section 10A (2)(d)(i) of the Local Government Act, 1993 consider a separate confidential report on this matter and that any decision made in confidential session be made public after Council has made its final decision.

**RESOLVED** (Clr Gartner / Clr White)

MIN18.145

That Council in accordance with Section 10A (2)(d)(i) of the Local Government Act, 1993 consider a separate confidential report on this matter and that any decision made in confidential session be made public after Council has made its final decision.

CARRIED

#### **CL18.44 Investment Report - January 2018**

**HPERM Ref:  
D18/48455**

##### **Recommendation**

That the Report of the General Manager (Finance, Corporate and Community Services Group) on the Record of Investments for the period to 31 January 2018 be received for information.

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

MIN18.146

That the Report of the General Manager (Finance, Corporate and Community Services Group) on the Record of Investments for the period to 31 January 2018 be received for information.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr White, Clr Gartner, Clr Cheyne, Clr Aldrick, Clr Levett, Clr Guile, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Pakes

CARRIED

**CL18.45 Low Cost Camping Update in response to MIN17.1012**

**HPERM Ref:  
D18/56465**

**Recommendation**

That Council receive the report for information

**RESOLVED** (Clr Gartner / Clr White)

MIN18.147

That Council receive the report for information.

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

AGAINST: Clr Guile

CARRIED

**Introduction of Items as Matters of Urgency**

**RESOLVED** (Clr Pakes / Clr Wells)

MIN18.148

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

3. CL18.46 Sale of Council Employment Land - Lots 125 & 126 Trim St South Nowra
4. CL18.47 South Coast Regional Jobs and Investment Program - Australian Department of Infrastructure, Regional Development and Cities
5. CL18.48 Moona Moona Creek Shared User Path Bridge Huskisson - Project Update
6. CL18.49 Tenders - Gerroa Road Coolangatta Rehabilitation and Widening
7. CCL18.2 Tenders – Confidential Report – Gerroa Road Coolangatta Rehabilitation & Widening

CARRIED

The Chairperson ruled the matters as ones of urgency as they relate to urgent business of Council and allowed their introduction.

**ADDENDUM REPORTS**

**CL18.46 Sale of Council Employment Land - Lots 125 & 126 Trim  
St South Nowra**

**HPERM Ref:  
D18/61295**

**Recommendation**

That

1. Council employment lands (Lot 125 and Lot 126 DP 1124258, 28 & 32 Trim Street, South Nowra) be each sold for \$296,000 (plus GST) to Younco Constructions P/L.
2. The General Manager be authorised to sign the Contracts for Sale, and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council

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

MIN18.149

That:

1. Council employment lands (Lot 125 and Lot 126 DP 1124258, 28 & 32 Trim Street, South

Nowra) be each sold for \$296,000 (plus GST) to Younco Constructions P/L.

2. The General Manager be authorised to sign the Contracts for Sale, and
3. The Transfer to complete the Contracts for Sale be executed under the Seal of Council
4. A report be submitted to Council in relation to the funds in the Industrial Lands Development Reserve and a plan of how the funds are to be allocated

**AMENDMENT (Clr Guile / Clr Pakes)**

That in relation to the Sale of Council Employment Land - Lots 125 & 126 Trim St South Nowra the funds from the sales be allocated to the Strategic Reserve.

FOR: Clr Guile, Clr Pakes, Clr Kitchener and Clr Proudfoot

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

LOST

**MOTION WAS PUT AND CARRIED**

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

AGAINST: Nil

**CL18.47 South Coast Regional Jobs and Investment Program -  
Australian Department of Infrastructure, Regional  
Development and Cities**

**HPERM Ref:  
D18/62189**

**Recommendation**

That

1. Council accept the report on the South Coast Regional Jobs Initiative Program
2. The Mayor, on behalf of Council, write and congratulate each of the Shoalhaven businesses which have successful projects
3. Council thank the Member for Gilmore for her efforts in ensuring that this funding was made available to grow business on the NSW South Coast

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

MIN18.150

That

1. Council accept the report on the South Coast Regional Jobs Initiative Program
2. The Mayor, on behalf of Council, write and congratulate each of the Shoalhaven businesses which have successful projects
3. Council thank the Member for Gilmore for her efforts in ensuring that this funding was made available to grow business on the NSW South Coast

CARRIED

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

<b>CL18.48 Moona Moona Creek Shared User Path Bridge Huskisson - Project Update</b>	<b>HPERM Ref: D18/61457</b>
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**RESOLVED\*** (Clr Proudfoot / Clr Levett)

MIN18.151

That Council receive the report on the Moona Moona shared User Path Bridge project update for information.

CARRIED

<b>CL18.49 Tenders - Gerroa Road Coolangatta Rehabilitation and Widening</b>	<b>HPERM Ref: D18/62822</b>
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**RESOLVED\*** (Clr Proudfoot / Clr Levett)

MIN18.152

That Council note the submissions received for Tender 57452E – Gerroa Road Coolangatta Rehabilitation and Widening, and consider the assessment of these tenders as a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

## CONFIDENTIAL REPORTS

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

No members of the public made representations.

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

MIN18.153

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.

**CCL18.1 Banking and Bill Payment Services Tender**

*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.*

**CCL18.2 Tenders – Confidential Report - Gerroa Road Coolangatta Rehabilitation & Widening**

*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 10.49pm.

The meeting moved into open session, the time being 11.03pm.

## REPORT FROM CONFIDENTIAL SESSION

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

### **CCL18.1 Banking and Bill Payment Services Tender**

**HPERM Ref:  
D18/50178**

#### **RESOLVED**

MIN18.154C

That:

1. Council accept the Tender from Commonwealth Bank of Australia for the provision of Banking Services with pricing based on the submitted tender documents and the quoted prices, fees and charges.
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 by the General Manager.

### **CCL18.2 Tenders – Confidential Report - Gerroa Road Coolangatta Rehabilitation & Widening**

**HPERM Ref:  
D18/62780**

#### **RESOLVED**

MIN18.155C

That Council:

1. In accordance with the Local Government (General) Regulation 2005; Section 178(1)(b); decline to accept any offer for Tender 57452E Gerroa Road Coolangatta Rehabilitation and Widening as all the tenders exceed the funds available.
2. As the Contract Principal, and in accordance with the Local Government (General) Regulation 2005; Clause 173(3)(e) authorise the General Manager to appoint a Principal's Representative to enter into negotiations with Select Civil Pty Ltd for Gerroa Road Coolangatta Rehabilitation and Widening for the following reasons:
  - a. The tender evaluation process indicated Select Civil Pty Ltd as the preferred tenderer based on the assessment criteria.
  - b. To achieve a negotiated lower contract price through a reduction in the scope of works.
3. As the Contract Principal, authorise the General Manager to appoint a Principal's Representative to execute the appropriate contract documents, as negotiated, on Council's behalf.
4. Authorise any additional cost for the negotiated works to be funded from the Roads to Recovery funds from the Federal Government

Note: A Rescission Motion on CL18.29 - Notice of Motion - Bay and Basin Community Hub - Draft Master Plan Exhibition Complete - Request for Detailed Design Phase was received.



There being no further business, the meeting concluded, the time being 11.04pm.

Clr Findley  
CHAIRPERSON