

## MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

**Meeting Date:** Tuesday, 21 November 2017  
**Location:** Council Chambers, City Administrative Centre, Bridge Road, Nowra  
**Time:** 5.00pm

The following members were present:

Clr John Wells - Chairperson  
Clr Joanna Gash  
Clr Patricia White  
Clr Kaye Gartner  
Clr Nina Cheyne  
Clr Amanda Findley  
Clr John Levett  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Mark Kitchener  
Clr Bob Proudfoot  
Mr Russ Pigg - General Manager

### Apologies / Leave of Absence

Apologies were received from Clr Alldrick and Clr Guile.

### Confirmation of the Minutes

**RESOLVED** (Clr White / Clr Cheyne) MIN17.970

That the Minutes of the Strategy and Assets Committee held on Tuesday 17 October 2017 be confirmed.

CARRIED

### Declarations of Interest

Nil

## MAYORAL MINUTES

### MMS17.9 Mayoral Minute - Danjera Dam Camping Ground

HPERM Ref:  
D17/385694

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

That the closure of the Danjera Camping Ground be delayed pending a further report to Council in 2018.

**RESOLVED** (Clr Findley / Clr Watson)

MIN17.971

That the closure of the Danjera Camping Ground be delayed pending a further report to Council in 2018.

CARRIED

Note: Council can expect to receive a report in the first quarter 2018.

## DEPUTATIONS AND PRESENTATIONS

Nil

## NOTICES OF MOTION / QUESTIONS ON NOTICE

### SA17.271 Notice of Motion - Illegal Camping - Red Head Villages Beaches

HPERM Ref:  
D17/372670

#### Recommendation

That Council take immediate action to inhibit illegal and destructive camping on Red Head Villages beaches and reserves 2017-18 summer season by:

1. Hiring 2 mobile roadside signs as currently in use on roadworks at Bendalong road for period December 1 to January 31.
2. Placing the signs at suitable locations on Bendalong Rd
3. Program messages to be on display 24/7 like
  - a. Prebooked camping only beyond this point. To book a campsite visit [www.bendalongpoint.holidayhaven.com.au/](http://www.bendalongpoint.holidayhaven.com.au/)
  - b. Rangers patrol these communities. Prebooked camping only. Fines apply. [www.bendalongpoint.holidayhaven.com.au/](http://www.bendalongpoint.holidayhaven.com.au/)
4. Council ask RHVCF to survey the community at regular intervals during this period to provide data for evaluation of these deterrents to illegal, unsafe camping.

#### Recommendation (Clr Gartner / Clr Levett)

That Council take immediate action to inhibit illegal and destructive camping on Red Head Villages beaches and reserves 2017-18 summer season by:

1. Hiring 2 mobile roadside signs as currently in use on roadworks at Bendalong road for period December 1 to January 31.
2. Placing the signs at suitable locations on Bendalong Rd

3. Program messages to be on display 24/7 like
  - a. Prebooked camping only beyond this point. To book a campsite visit [www.bendalongpoint.holidayhaven.com.au/](http://www.bendalongpoint.holidayhaven.com.au/)
  - b. Rangers patrol these communities. Prebooked camping only. Fines apply. [www.bendalongpoint.holidayhaven.com.au/](http://www.bendalongpoint.holidayhaven.com.au/)
4. Council ask RHVCF to survey the community at regular intervals during this period to provide data for evaluation of these deterrents to illegal, unsafe camping.
5. The General Manager in consultation with the Red Head Villages Association, organise for the installation of 4 portable toilets from 22 December for 2 weeks and an optional week in the Red Head Villages area.

FOR: Clr Wells, Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Levett, Clr Pakes, Clr Watson, Clr Kitchener, Clr Proudfoot and Russ Pigg

AGAINST: Nil

CARRIED

### Procedural Motion – Introduce Addendum and Bring Item Forward

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

MIN17.972

That the following Addendum Report and Item be brought forward and dealt with at the conclusion of SA17.272 – Question on Notice – Container Deposit Scheme:

1. Addendum Report - SA17.301 – Risk and Audit Committee Annual Report 2016 - 2017
2. SA17.296 - CL17.225 - Collingwood Beach Dune Vegetation Management - Deferred from August Ordinary - Ministers Response

CARRIED

### SA17.272 Question on Notice - Container Deposit Scheme

HPERM Ref:  
D17/372561

#### Question

1. Has Council applied to be a collection point operator for the NSW govt Container Deposit Scheme?
2. Does Council have any role in the scheme?
3. Is Council aware of any collection points planned in the Shoalhaven?

Data demonstrates 2 things about waste and plastic litter in low socio-economic areas. Litter and plastic waste are more prevalent in low socio-economic communities. Container Deposit Schemes have most effect in these communities.

4. Council is able to determine where low socio-economic communities are. Is Council able to influence location of CDS banks in these communities, for maximal effectiveness of the scheme?
5. Will Council be publicising the introduction of the scheme and available collection points?
6. How can community groups participate?

## Response

1. Council has applied to use our Recycling and Waste transfer facilities as drop off points, both through the EPA in November 2016, and directly to the EPA appointed Network operator, TOMRA-Cleanaway, in August 2017.
2. Council has no role in the scheme. It was drafted by the state government (EPA) and the EPA have appointed a Scheme Coordinator, Exchange for Change, and a Network Operator to implement the scheme.
3. To date Council has not been advised of any local collection points, except that TOMRA-Cleanaway indicated that they are tying up various Woolworths and Aldi Supermarkets around NSW to locate drop off collection points. The most recent returnandearn website change reads "Collection Points are beginning to roll out, and already there are reverse vending machines in locations from Granville to Glenorie, and others such as Tumut, Lisarow, Medowie and Vincentia. We will provide details of collection points as they continue to roll out." Interesting to see Vincentia in the list.
4. With the total lack of response from the Network Operator, Council is unable to influence the location of drop off points. However, once the scheme has commenced and the frenzy of getting the whole thing up and running in less than 4 months has passed, it may be possible to approach them with recommended locations. The final decision, however, is with the Network Operator.
5. Council intend to publicise the scheme and available collection points as soon as we have sufficient detail to be able to provide usable information to the community.
6. Any fundraising group, such as a charity, school, community or sporting group, can collect donations of eligible containers from the community that they can then redeem for the 10-cent refund at an approved collection point. As stated previously, approved collection points still need to be published by the Network Operator.

### SA17.301 Risk and Audit Committee Annual Report 2016 - 2017

HPERM Ref:  
D17/376132

Dr Phillip Ross – Chairperson of the Risk and Audit Committee provided a verbal presentation to the Committee.

Dr Ross thanked the Councillors, members of the Committee and senior staff for the continued support.

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

That Council receive and note the Risk and Audit Committee annual report 2016 – 2017.

**RESOLVED** (Clr Wells / Clr Proudfoot)

MIN17.973

That the report regarding the Risk and Audit Committee annual report 2016 – 2017 be received for information.

CARRIED

**SA17.296 CL17.225 - Collingwood Beach Dune Vegetation Management - Deferred from August Ordinary - Ministers Response**

**HPERM Ref:  
D17/368902**

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

That Council

1. Consider the advice received from the Office of the Hon. Gabrielle Upton MP, Minister for the Environment, Minister for local Government, Minister for Heritage.
2. In view of advice from Manly Hydraulics Laboratory (MHL), Government agencies and NGH Environmental and the objectives of the Coastal Management Act, Council engage NGH Environmental to prepare a revised draft Collingwood Beach Dune Vegetation Management Plan that addresses this advice, the objectives of the Act and:
  - a. Removes all zones and actions relating to vegetation pruning and removal;
  - b. Includes a revegetation plan in accordance with MHL's report;
  - c. Identifies locations for 2 viewing platforms in accordance with MHL's report; and
  - d. Includes a monitoring and evaluation program during the 5-year trial implementation period.
3. Receive a future report containing the revised draft Collingwood Beach Dune Vegetation Management Plan for adoption.
4. The anti-vandalism strategy as outlined in this report be adopted and implemented immediately to mitigate against continuing vandalism.
5. Update the Foreshore Reserves Policy and Compliance Policy to include the adopted anti-vandalism strategy so this becomes a city-wide approach to managing and deterring vegetation vandalism.

**RESOLVED** (Clr White / Clr Levett)

MIN17.974

That Council:

1. Receive the advice received from the Office of the Hon. Gabrielle Upton MP, Minister for the Environment, Minister for Local Government, and Minister for Heritage.
2. In view of advice from Manly Hydraulics Laboratory (MHL), Government agencies and NGH Environmental and the objectives of the Coastal Management Act, adopt the following:-
  - a. Recognise the final draft recommendations and proposed management and communication methods compiled by the Collingwood Beach Dune Vegetation Reference Group (Chaired by Allan Baptist in the former Council) were adopted as a broad framework on which to build and should be utilised as a reference document.
  - b. Develop two trial sections at Collingwood Beach beachfront, each of approximately 50 mtrs in length, to be monitored over a two year period:-
    - i. Section One will be a damaged and denuded section to be revegetated in accordance with an agreed plan and with appropriate plants (not of the banksia species) in accordance with the five management objectives of the "Baptist" draft recommendation. The first stage of restoration will include the cutting down and spreading of dead wood on the selected site in recognition of its value as habitat.
    - ii. Section Two will be a current vegetated area of Banksia species to be trimmed progressively over time to provided filtered views of the Bay.
    - iii. Identifies location for 1 viewing platforms in accordance with MHL's report; and
    - iv. Includes a monitoring and evaluation program during the 2-year trial implementation

period.

- v. The aim of the trial is to show good foreshore management.
- c. Prior to any implementation of the trial:-
  - i. A Management plan for the two sites be developed;
  - ii. Pictorial records will be made of the beachfront from the land and air in order to have a means of measurement of outcomes;
- d. All existing signs regarding tree vandalism will be removed from Collingwood Beach and a new signage program developed in the new Tree Vandalism policy.
- e. All Management planning and assessments of the Trial to be managed by:-
  - i. Council staff
  - ii. Reference Group - Community members;  
Bruce McKenzie, Noel Ross-Kelly, Dawn Thompson and Barbara Liddle
  - iii. Councillors –
  - iv. Jo Gash, Kaye Gartner, Patricia White, John Levett, Mitch Pakes and other interested Councillors.
- f. A strong engagement and communication strategy be established with identified stakeholders including a program of public consultation and education throughout the trial period and ongoing. Explanatory signs should be erected to encourage the local community to take ownership of the plan.

3. Pursue funding options of:-

- a. The current Collingwood budget
- b. Grant funding
- c. Council budget at quarterly reviews

4. Develop a robust Shoalhaven Tree Vandalism policy to be rolled out across the Shoalhaven. In the interim Council immediately adopt the anti-vandalism strategy as outlined in this report be adopted and implemented to mitigate against continuing vandalism.

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

AGAINST: Clr Watson

CARRIED

## **REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 3 NOVEMBER 2017**

**TC17.81 Regulatory Signage and Line Marking - Plunkett Street and Haigh Avenue, Nowra (PN 3404)**

**HPERM Ref: D17/356830**

### **Recommendation**

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed regulatory signage and line marking to be installed within the service station (BP) and food and drink premises (McDonalds) off-street car park in order to time restrict 26 parking spaces to 2 hour (2P) parking between the times of 7am to 5pm Monday to Friday and between the times of 7am and 12pm Saturday on the corner of Plunkett Street and Haigh Avenue, Nowra as detailed in the attached plan TRAF2017/81.

**RESOLVED** (Clr Wells / Clr Proudfoot)

MIN17.975

That the matter regarding Regulatory Signage and Line Marking - Plunkett Street and Haigh Avenue, Nowra (PN 3404), be referred to the Council meeting to be held on 28 November 2017 pending further information in relation to existing covenants on the property for parking.

CARRIED

## REPORTS

### SA17.274 Update with External Organisations

**HPERM Ref:  
D17/376056**

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

That Council receive the report regarding the proceedings from the Country Mayors Association meeting held on 3/11/2017, for information.

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

MIN17.976

That Council:

1. Receive the report regarding the proceedings from the Country Mayors Association meeting held on 3/11/2017, for information.
2. Supports Lithgow City Council's resolution to reduce the per capita component of Federal Assistance Grants from 30% to 14% to facilitate the reallocation of funds on a needs basis.

CARRIED

### SA17.275 Community Led Strategic Plans

**HPERM Ref:  
D17/363920**

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

That:

1. Council recognise the following Community Led Strategic Plans:
  - Shoalhaven Heads Community Strategic Plan
  - Berry Community Strategic Plan
  - Lake Conjola Strategic Plan
  - Sussex Inlet Resilience Plan
2. Council develop a Community Led Strategic Planning framework and guide (including templates) to assist in the development of community led plans
3. As part of this framework and guide Council clearly communicate the expectations of Council in relation to the planning process.
4. This communication process explains what can and cannot be achieved through plans including Council recognition, resource allocation, limitations, clarification of support or agreement with actions and that plans do not guarantee funding.
5. Council use Community Led Strategic Plans to assist in determining community priorities and community needs as part of its overall community engagement strategy particularly for the corporate process carried out each year.

6. All Community Led Strategic Plans be provided on Council's website and to relevant staff within Council.

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

MIN17.977

That:

1. Council recognise the following Community Led Strategic Plans:
  - Shoalhaven Heads Community Strategic Plan
  - Berry Community Strategic Plan
  - Lake Conjola Strategic Plan
  - Sussex Inlet Resilience Plan
2. Council develop a Community Led Strategic Planning framework and guide (including templates) to assist in the development of community led plans
3. As part of this framework and guide Council clearly communicate the expectations of Council in relation to the planning process.
4. This communication process explains what can and cannot be achieved through plans including Council recognition, resource allocation, limitations, clarification of support or agreement with actions and that plans do not guarantee funding.
5. Council use Community Led Strategic Plans to assist in determining community priorities and community needs as part of its overall community engagement strategy particularly for the corporate process carried out each year.
6. All Community Led Strategic Plans be provided on Council's website and to relevant staff within Council.

CARRIED

Note: Clr Pakes raised a Point of Order against Clr Cheyne in relation to her comments that the villages of Nowra East and Sanctuary Point lack the expertise to develop these strategic plans and requested that the comments be withdrawn.

The Chair ruled against the Point of Order.

**SA17.276 Code of Conduct Complaints - Annual Statistics Report -  
1 September 2016 - 31 August 2017**

**HPERM Ref:  
D17/376237**

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

That the report of the General Manager concerning complaints under the Code of Conduct for the period 1 September 2016 to 31 August 2017, be received for information.

Note: Clr White left the meeting at 6.50pm

**RESOLVED** (Clr Gartner / Clr Gash)

MIN17.978

That the report of the General Manager concerning complaints under the Code of Conduct for the period 1 September 2016 to 31 August 2017, be received for information.

CARRIED



**SA17.277 Review of Council Policy - Fee Waivers, Subsidies and Support**

**HPERM Ref:  
D17/348644**

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

That Council adopt the Fee Waivers, Subsidies and Support Policy with the changes highlighted

**RESOLVED** (Clr Findley / Clr Gartner)

MIN17.979

That Council adopt the Fee Waivers, Subsidies and Support Policy with the changes highlighted in the report attachment.

CARRIED

**SA17.278 Grant Funding - Staying Active Program - Shoalhaven Swim & Fitness**

**HPERM Ref:  
D17/350667**

Note: Clr Gash left the meeting at 6.55pm

**Recommendation**

That Council

1. Accept the Aquatic & Recreation Institute (ARI) of Australia's offer of \$8,800 (GSTinc) grant funding to enable Shoalhaven Swim & Fitness Centres to host the Institute's Staying Active Program at Nowra Aquatic Park and vote the funds accordingly.
2. Write to the Aquatic & Recreation Institute to thank them and accept the grant offer.

**Recommendation** (Clr Proudfoot / Clr Pakes)

That Council:

1. Accept the Aquatic & Recreation Institute (ARI) of Australia's offer of \$8,800 (GSTinc) grant funding to enable Shoalhaven Swim & Fitness Centres to host the Institute's Staying Active Program at Nowra Aquatic Park and vote the funds accordingly.
2. Write to the Aquatic & Recreation Institute to thank them and accept the grant offer.

CARRIED

**SA17.279 Donation Request - Shoalhaven Heads Chamber of Commerce & Tourism - New Years Eve Fireworks**

**HPERM Ref:  
D17/355624**

Note: Clr White returned to the meeting at 6.58pm

Note: Clr Gash returned to the meeting at 6.59pm

**Recommendation**

That Council consider donating \$1,500 to the Shoalhaven Heads Chamber of Commerce and Tourism for the New Year's Eve Fireworks event.

**MOTION** (Clr Watson / Clr Wells)

That:

1. Council donate \$1,500 to the Shoalhaven Heads Chamber of Commerce and Tourism for the New Year's Eve Fireworks event.

2. Council staff report back on possible funding sources for an increase in the unallocated donation budget

FOR: Clr Wells, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Levett and Russ Pigg

LOST

**RESOLVED** (FORESHADOWED MOTION) (Clr White / Clr Gash)

MIN17.980

That this matter be deferred until a briefing can be held on the unallocated donations budget.

FOR: Clr Wells, Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Proudfoot and Russ Pigg

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

CARRIED

**Note:** A rescission motion was received on this item.

**SA17.280 2018 Australian Coastal Councils Conference**

**HPERM Ref:  
D17/356572**

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

That Council

1. Notes the details of the 2018 Australian Coastal Councils Conference scheduled for Wednesday 21 March to Friday 23 March 2018 in Geelong, Victoria.
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 Pakes / Clr Gartner)

MIN17.981

That Council

1. Notes the details of the 2018 Australian Coastal Councils Conference scheduled for Wednesday 21 March to Friday 23 March 2018 in Geelong, Victoria.
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

**SA17.281 Council Representatives of other Committees or Organisations Outside of Council - Australian Coastal Councils Association Inc.**

**HPERM Ref:  
D17/373969**

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

That Council nominate a Councillor as its representative on the Australian Coastal Councils Association Inc.

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

MIN17.982

That Council nominate Councillor Levett as its representative on the Australian Coastal Councils Association Inc.

CARRIED

**SA17.282 September 2017 - Quarterly Budget Review**

**HPERM Ref:  
D17/375179**

**Recommendation**

That Council:

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

**Recommendation** (Clr Wells / Clr Gartner)

That Council:

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

CARRIED

**SA17.283 Proposed Lease to Kids Korner 23 -25 Park Road Nowra**

**HPERM Ref:  
D17/371151**

**Recommendation**

That Council:

1. Enter into a 5 year lease agreement with Kids Korner Combined Occasional Care Centre Inc for the continued use and occupation of 23 -25 Park Road Nowra for the purpose of a community preschool with an initial annual rent of \$7,220.60 per annum with annual CPI increases;
2. Approve the allocation of rent received under the lease agreement into the Property Reserve restricted account; and
3. 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.

**Recommendation** (Clr Pakes / Clr Findley)

That Council:

1. Enter into a 5 year lease agreement with Kids Korner Combined Occasional Care Centre Inc for the continued use and occupation of 23 -25 Park Road Nowra for the purpose of a community preschool with an initial annual rent of \$7,220.60 per annum with annual CPI increases;
2. Approve the allocation of rent received under the lease agreement into the Property Reserve restricted account; and
3. 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

**SA17.284 Telecommunications Lease - NBN Co Limited - Shoalhaven Heads**

**HPERM Ref: D17/340712**

**Recommendation**

That Council:

1. Enter into four (4) consecutive five (5) year lease agreements with NBN Co Limited for the use and occupation of Part Lot 1 DP 615003, 31 Gerroa Road, Shoalhaven Heads at an annual rental of \$ 15,771.00 with annual increases at 3% including a 3% increase at the commencement of each consecutive lease term; and
2. Delegate Authority to the General Manager to approve and execute all future telecommunications leases and licences relating to this site known as Part Lot 1 DP 615003.

**Recommendation** (Clr Findley / Clr Gash)

That Council:

1. Enter into four (4) consecutive five (5) year lease agreements with NBN Co Limited for the use and occupation of Part Lot 1 DP 615003, 31 Gerroa Road, Shoalhaven Heads at an annual rental of \$ 15,771.00 with annual increases at 3% including a 3% increase at the commencement of each consecutive lease term; and
2. Delegate Authority to the General Manager to approve and execute all future telecommunications leases and licences relating to this site known as Part Lot 1 DP 615003.

CARRIED

**SA17.285 Reservation of unformed roads by National Parks and Wildlife Service - Roads South of The Wool Road, Vincentia**

**HPERM Ref: D17/351101**

**Recommendation**

That Council:-

1. Request National Parks & Wildlife Service to reserve the roads within Lot 5 DP875010 for nil consideration, with the exception of the roads outlined in points 2, 3 and 4 below, for addition to Jervis Bay National Park pursuant to S30C(a) of the National Parks and Wildlife Act 1974;

2. Retain ownership of the unformed roads within Lot 5 DP875010 containing Council owned infrastructure such as water, sewer and drainage assets to ensure continued unrestricted access for upgrade and maintenance of such infrastructure;
3. Retain ownership of the unformed road providing secondary frontage to Lot 1 DP270528;
4. Retain ownership of the unformed road directly adjoining the rear of Vincentia High School that is occasionally used for offsite parking;
5. Consent to the revocation of the public road status following reservation by NPWS through publication of a notice in the Government Gazette;
6. 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.

**Recommendation** (Clr Proudfoot / Clr Levett)

That Council:

1. Request National Parks & Wildlife Service to reserve the roads within Lot 5 DP875010 for nil consideration, with the exception of the roads outlined in points 2, 3 and 4 below, for addition to Jervis Bay National Park pursuant to S30C(a) of the National Parks and Wildlife Act 1974;
2. Retain ownership of the unformed roads within Lot 5 DP875010 containing Council owned infrastructure such as water, sewer and drainage assets to ensure continued unrestricted access for upgrade and maintenance of such infrastructure;
3. Retain ownership of the unformed road providing secondary frontage to Lot 1 DP270528;
4. Retain ownership of the unformed road directly adjoining the rear of Vincentia High School that is occasionally used for offsite parking;
5. Consent to the revocation of the public road status following reservation by NPWS through publication of a notice in the Government Gazette;
6. 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

**SA17.286 Release of Restriction on the use of land - 124 - 126  
Jacobs Drive Sussex Inlet**

**HPERM Ref:  
D17/367728**

**Recommendation**

That Council:

1. Resolve to release the restriction on title in dealing number V604054 over the land known as Lot 97 DP 21038 - 124 Jacobs Drive Sussex Inlet; and
2. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

**Recommendation** (Clr Pakes / Clr White)

That Council:

1. Resolve to release the restriction on title in dealing number V604054 over the land known as Lot 97 DP 21038 - 124 Jacobs Drive Sussex Inlet; and

2. Grant authority to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and the General Manager be authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

**SA17.287 Objection- Sale of Council Land - 10 Jojejija Cres,  
Culburra Beach**

**HPERM Ref:  
D17/369390**

**Recommendation**

That Council:

1. Resolve to dispose of 10 Jojejija Crescent, Culburra Beach (Lot 1 DP579906) by way of public auction in accordance with Policy 16/256 (Development and/or Disposal of Council Lands);
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 of 10 Jojejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;
4. Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;
5. Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and
6. 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.

**MOTION (Clr Pakes / Clr Watson)**

That Council:

1. Resolve to dispose of 10 Jojejija Crescent, Culburra Beach (Lot 1 DP579906) by way of public auction in accordance with Policy 16/256 (Development and/or Disposal of Council Lands);
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 of 10 Jojejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;
4. Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;
5. Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and
6. 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.
7. Consider the allocation of funds from the sale of the land to the upgrade and piping of the drainage on Prince Edward Avenue, Culburra Beach

FOR: Clr Pakes and Clr Watson

AGAINST: Clr Wells, Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Findley, Clr Levett, Clr Kitchener, Clr Proudfoot and Russ Pigg

LOST

**Recommendation** (Clr Findley / Clr Gartner)

That Council:

1. Resolve to dispose of 10 Jopejija Crescent, Culburra Beach (Lot 1 DP579906) by way of public auction in accordance with Policy 16/256 (Development and/or Disposal of Council Lands);
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 of 10 Jopejija Crescent, Culburra Beach from Job Number 88823 and the net income from the sale be placed in the Strategic Property Reserve;
4. Resolve to extinguish the easement for water supply 2 wide and 4 wide over Lot 10 DP261880 at Culburra Beach;
5. Fund all costs associated with pipe removal and easement extinguishment of Lot 10 DP261880 from Job Number 18850; and
6. 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

**Procedural Motion - Adjournment of Meeting**

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

That the meeting be adjourned for 10 Minutes.

CARRIED

The meeting adjourned the time being 7.45pm.

The meeting reconvened the time being 7.55pm

The following members were present:

Clr John Wells - Chairperson  
Clr Joanna Gash  
Clr Patricia White  
Clr Kaye Gartner  
Clr Nina Cheyne  
Clr Amanda Findley  
Clr John Levett  
Clr Mitchell Pakes  
Clr Greg Watson  
Clr Mark Kitchener  
Clr Bob Proudfoot  
Mr Russ Pigg - General Manager

**SA17.288 Acquisition - Drainage Easement - Woollamia - Pt Lot  
196 DP 15266 - 10 Pritchard Ave**

**HPERM Ref:  
D17/371858**

**Recommendation**

That Council rescind part (1) only of MIN17.923 and resolve to acquire a 6 metre wide by 150 metre length Easement for Drainage over part Lot 196 DP 15266 at 10 Pritchard Avenue, Woollamia, as shown in Attachment 1.

**Recommendation (Clr Proudfoot / Clr White)**

That Council rescind part (1) only of MIN17.923 and resolve to acquire a 6 metre wide by 150 metre length Easement for Drainage over part Lot 196 DP 15266 at 10 Pritchard Avenue, Woollamia, as shown in Attachment 1.

CARRIED

**SA17.289 Water Quality in Harry Sawkins Park & Marriott Park**

**HPERM Ref:  
D17/321423**

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

That Council:

1. Undertake maintenance at Harry Sawkins and Marriott Parks to improve pond water quality, including removal of vegetation, litter and sediments; and
2. Consider allocating funding of \$50,000 in FY18/19 or subsequent years for installation of a Gross Pollutant Trap in the ponds at Marriott Park.

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

MIN17.983

That Council:

1. Undertake maintenance at Harry Sawkins and Marriott Parks to improve pond water quality, including removal of vegetation, litter and sediments; and
2. Consider allocating funding of \$50,000 in FY18/19 or subsequent years for installation of a Gross Pollutant Trap in the ponds at Marriott Park.

CARRIED

**SA17.290 Biodiversity Conservation Act - Resource Recovery Park  
- Retiring Credits**

**HPERM Ref:  
D17/351082**

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

That Council:

1. Purchase 52 Species Credits from the NSW Office of Environment & Heritage Biodiversity Conservation Fund to meet obligations for the Waste Service's Resource Recovery Park at an estimated cost of \$31,000; and
2. If the bio-banking site on land surrounding the Huskisson Recycling and Waste Facility is not accepted as a suitable offer for all 133 Environmental Offsets, purchase any required credits from NSW Office of Environment & Heritage Biodiversity Conservation fund at an estimated cost of \$245,000.



**RESOLVED** (Clr Findley / Clr Gartner)

MIN17.984

That Council:

1. Purchase 52 Species Credits from the NSW Office of Environment & Heritage Biodiversity Conservation Fund to meet obligations for the Waste Service's Resource Recovery Park at an estimated cost of \$31,000; and
2. If the bio-banking site on land surrounding the Huskisson Recycling and Waste Facility is not accepted as a suitable offer for all 133 Environmental Offsets, purchase any required credits from NSW Office of Environment & Heritage Biodiversity Conservation fund at an estimated cost of \$245,000.

CARRIED

**SA17.291 Statement of Expectations - Roads to Recovery Program**

**HPERM Ref:  
D17/377052**

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

That Council receives the report for information.

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

MIN17.985

That Council:

1. Receive the report regarding Statement of Expectations - Roads to Recovery Program for information;
2. Write to the Local Member Ann Sudmalis and the Federal Minister for Transport and Infrastructure Darren Chester to thank them for the funding given to Council under the Roads to Recovery Program

CARRIED

**SA17.292 Drainage Options - 2 to 28 Prince Edward Ave Culburra Beach**

**HPERM Ref:  
D17/380538**

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

That Council receive for information only:

1. The open drain channel at Prince Edward Ave Culburra Beach was last cleared between 2<sup>nd</sup> and 4<sup>th</sup> August 2017
2. Staff have made offers to residents/owners of houses numbered 2 to 12 Prince Edward Ave to construct a piped drain in front of their properties. Each property is to contribute 50% of the cost of works. This offer closed on 6 October 2017

**RESOLVED** (Clr Pakes / Clr Gartner)

MIN17.986

That Council:

1. Continue with the maintenance of the drainage along Prince Edward Avenue, Culburra Beach
2. Consider including the piping works as a priority in the 2018/19 – 2019/20 storm water capital works budget
3. Report back on which projects will be removed from the top of the list if we prioritise this project
4. The report also include the funding estimate to complete the required work

CARRIED

**SA17.293 Policy Review - POL16/233 - Compliance and Enforcement Policy**

**HPERM Ref:  
D17/347619**

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

That Council affirm the reviewed policy for Compliance and Enforcement with the adjustments as attached to this report and the policy be made available on Council's website.

**RESOLVED** (Clr Findley / Clr White)

MIN17.987

Council affirm the reviewed policy for Compliance and Enforcement with the adjustments as attached to this report and the policy be made available on Council's website.

CARRIED

**SA17.294 Council options for reducing impacts of wood smoke**

**HPERM Ref:  
D17/334828**

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

That existing policy be amended to tighten controls on the production of wood smoke by:

1. Prior to finalising amend the Draft Local Approval Policy to:
  - a. prohibit the installation of second hand heaters not having a compliance plate stating compliance with the emission requirements of AS/NZS 4013:2014 & AS/NZS 4012:2014.
  - b. Require a timber storage area that is out of the weather so that timber used in solid fuel heaters has a maximum moisture content of 20%.
2. The NSW EPA be notified to change the Shoalhaven City Council's listing under Schedule 8 of the Protection of the Environment Operations (clean Air) regulation 2010 from Part 3 - Areas in which all burning (other than burning of vegetation) is prohibited except with approval or in relation to certain domestic waste to:
  - a. **Schedule 8 Part 1** – Areas in which all burning (including burning of vegetation and domestic waste) is prohibited except with approval.

**RESOLVED** (Clr Cheyne / Clr Levett)

MIN17.988

That the existing policy be amended to tighten controls on the production of wood smoke by:

1. Prior to finalising amend the Draft Local Approval Policy to:
  - a. prohibit the installation of second hand heaters not having a compliance plate stating compliance with the emission requirements of AS/NZS 4013:2014 & AS/NZS 4012:2014.
  - b. Require a timber storage area that is out of the weather so that timber used in solid fuel heaters has a maximum moisture content of 20%.
2. The NSW EPA be notified to change the Shoalhaven City Council's listing under Schedule 8 of the Protection of the Environment Operations (clean Air) regulation 2010 from Part 3 - Areas in which all burning (other than burning of vegetation) is prohibited except with approval or in relation to certain domestic waste to:
  - a. **Schedule 8 Part 1** – Areas in which all burning (including burning of vegetation and domestic waste) is prohibited except with approval.

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

AGAINST: Clr Pakes, Clr Watson and Clr Kitchener

CARRIED

**Note:** A rescission motion regarding Part 2 was received after the meeting closed. The rescission motion was dealt with at the Ordinary Meeting 19 December 2017.

**SA17.295 Improving Your Parks and Environment - Shoalhaven  
River Bank Restoration**

**HPERM Ref:  
D17/314591**

**Recommendation**

That Council support the acceptance of the \$300,000 grant to Council from the Australian Government – Department of Industry, Innovation and Science for the riverbank restoration works on the Shoalhaven River at Bolong Rd and vote the funds accordingly.

**Recommendation** (Clr Pakes / Clr White)

That Council support the acceptance of the \$300,000 grant to Council from the Australian Government – Department of Industry, Innovation and Science for the riverbank restoration works on the Shoalhaven River at Bolong Rd and vote the funds accordingly.

CARRIED

**SA17.296 CL17.225 - Collingwood Beach Dune Vegetation  
Management - Deferred From August Ordinary -  
Ministers Response**

**HPERM REF:  
D17/368902**

Item dealt with earlier in the meeting.

**SA17.297 Shoalhaven River Levee Flood Damage Restoration  
2017 project - Department of Industry - Lands & Forestry  
Offer of Licence to work at Crown Lands property**

**HPERM Ref:  
D17/378616**

**Recommendation**

That:

1. Council accept the licence offer from the Minister administering the Crown Lands Act 1989 that allows Council to access Crown Lands for the purposes of undertaking flood levee repairs.
2. Council agrees to be bound by the terms, conditions and provisions of the Licence.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to the signed licence offer and any other documents to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

**Recommendation** (Clr Pakes / Clr Levett)

That:

1. Council accept the licence offer from the Minister administering the Crown Lands Act 1989 that allows Council to access Crown Lands for the purposes of undertaking flood levee repairs.
2. Council agrees to be bound by the terms, conditions and provisions of the Licence.

3. The Common Seal of the Council of the City of Shoalhaven be affixed to the signed licence offer and any other documents to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

**SA17.298 Acquisition of Sewerage Easement at 300 Kings Point Drive Ulladulla**

**HPERM Ref:  
D17/352466**

**Recommendation**

That:

1. Council resolve to acquire a Sewerage Easement 10 wide and variable over Lot 18 DP805460, No. 300 Kings Point Drive Ulladulla, as shown by cross hatching on easement plan DP1109183, attached.
2. Council pay compensation of \$5,000 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
3. Compensation and costs associated with the acquisition be met from Council's Sewer Fund.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

**Recommendation (Clr Proudfoot / Clr White)**

That:

1. Council resolve to acquire a Sewerage Easement 10 wide and variable over Lot 18 DP805460, No. 300 Kings Point Drive Ulladulla, as shown by cross hatching on easement plan DP1109183, attached.
2. Council pay compensation of \$5,000 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
3. Compensation and costs associated with the acquisition be met from Council's Sewer Fund.
4. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

**SA17.299 Grant of electricity easement over Council land at Terara**

**HPERM Ref:  
D17/365047**

**Recommendation**

That:

1. Council grant an Easement for Overhead Powerlines 9 wide over Council land Lot 1 DP1224568 and Lot 4 DP634042 at Terara Road, Terara. The easement is delineated (E) and highlighted yellow on the attached draft survey plan.
2. Costs associated with the transaction are to be met from Council's Sewer Fund. The Easement and Restriction are to be granted at \$nil consideration.
3. The Common Seal of the Council of the City of Shoalhaven to be fixed to any document required to be sealed.

**Recommendation** (Clr White / Clr Gartner)

That:

1. Council grant an Easement for Overhead Powerlines 9 wide over Council land Lot 1 DP1224568 and Lot 4 DP634042 at Terara Road, Terara. The easement is delineated (E) and highlighted yellow on the attached draft survey plan.
2. Costs associated with the transaction are to be met from Council's Sewer Fund. The Easement and Restriction are to be granted at \$nil consideration.
3. The Common Seal of the Council of the City of Shoalhaven to be fixed to any document required to be sealed.

CARRIED

**SA17.300 NSW Local Government Aboriginal Network Conference  
2017**

**HPERM Ref:  
D17/361632**

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

That Council receive the report from Clr John Levett on the NSW Local Government Aboriginal Network Conference 2017 for information.

**RESOLVED** (Clr Levett / Clr Findley)

MIN17.989

That Council receive the report from Clr John Levett on the NSW Local Government Aboriginal Network Conference 2017 for information.

CARRIED

## CONFIDENTIAL REPORTS

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

No members of the public made representations.

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

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.

- CSA17.16 Request to Waive Fees for Approval to Operate a System of Sewage Management  
*Personnel matters concerning particular individuals (other than Councillors). 10(A)(2)(a)*  
*Discussion in relation to the personal hardship of a resident or ratepayer. 10(A)(2)(b)*  
*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal an individual's personal information or contravene an information protection principle under the Privacy and Personal Information Protection Act 1998 or a Health Privacy Principle under the Health Records and Information Privacy Act 2002.*

CARRIED

The meeting moved into confidential the time being 8.35pm.

The meeting moved into open session, the time being 8.39pm.

## **REPORT FROM CONFIDENTIAL SESSION**

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

### **CSA17.16 Request to Waive Fees for Approval to Operate a System of Sewage Management**

**HPERM Ref:  
D17/356351**

**RESOLVED** (Clr Gash / Clr Gartner)

MIN17.990C

That in relation to the Request to Waive Fees for Approval to Operate a System of Sewage Management, Council:

1. Decline the request to waive the fee
2. Authorise the General Manager to undertake negotiations with the applicant for a 5 year payment plan.

CARRIED

Note: Rescission Motions were received in relation to the following item:

- SA17.279 Donation Request - Shoalhaven Heads Chamber of Commerce & Tourism - New Years Eve Fireworks

There being no further business, the meeting concluded, the time being 8.39pm.

Clr Wells  
CHAIRPERSON