

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 28 January 2020
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr Patricia White – Acting Chairperson
Clr Joanna Gash
Clr John Wells
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile – arrived 5.07pm
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

The Chairperson read a statement advising those present that the proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice.

The meeting was opened by an Acknowledgement of Traditional Custodians by the Chairperson, followed with a Prayer by Pastor Trevor Aspin and the playing of the Australian National Anthem.

The Chairperson noted the attendance of the Hon Shelley Hancock MP, Minister for Local Government and thanked her for her attendance.

Apologies / Leave of Absence

An apology was received from Clr Gartner and Clr Pakes for this meeting.

A Leave of Absence has been granted for the Mayor.

Apologies

RESOLVED (Clr White / Clr Digiglio)

MIN20.42

That an apology from Clr Gartner and Clr Pakes be granted.

CARRIED

Confirmation of the Minutes

RESOLVED (Clr Alldrick / Clr Kitchener)

MIN20.43

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 17 December 2019 and the Extra Ordinary Meeting of Ordinary Meeting held on Monday 20 January 2020 be confirmed.

CARRIED

Declarations of Interest

Nil

Call Over of the Business Paper

Note: Clr Guile arrived at 5.07pm

The following items were called up for debate:

YA19.13, IA19.54, HT19.15, CBD19.56, CBD19.58, NA19.9, NA19.10, NA19.11, NA19.12
TC19.63, TC19.67, CL19.373, CL19.374, CL20.16

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

PRESENTATION OF PETITION

Presentation of Petitions – DA19/2098 – Bunberra Street, Bomaderry

Clr Wells presented a petition containing 252 signatures which states:

We the undersigned hereby oppose the DA19/2098 being the proposal for new school bus bays on Bunberra Street, Bomaderry and altered traffic/bus movements. We object on the grounds of public safety, excessive noise, pollution, removal of mature trees and vegetation, the loss of natural habitat and the detrimental effect to the current landscape. We do not believe this development to be in the public's interest and are aware the Anglican Schools Corporation have other options which would have far less impact on the Bomaderry residents.

Procedural Motion - Matters of Urgency

RESOLVED (Clr White)

MIN20.44

That an additional item regarding Lake Conjola Funding Opportunities be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as urgent as it relates to urgent business of council.

CL20.17 Additional Item - Lake Conjola Funding Opportunities

Clr Guile raised a Point of Order against Clr Levett addressing the meeting and sticking to the debate.

RESOLVED (Clr White / Clr Proudfoot)

MIN20.45

That Council:

1. Prepare a detailed, costed proposal/plan to undertake a stable, long-term opening of Lake Conjola;
2. Note a 12-month licence to open Lake Conjola was granted by the NSW Government (NSW Crown Lands Section 2.20) in June 2019;
3. Seek to amend said licence in line with the prepared proposal to open Lake Conjola, specifically to increase the footprint of the present licenced area beyond the boundaries of Lot 487 DP861543 and Lot 7048 DP1094554;
4. Seek to amend the current Review of Environmental Factors in line with the prepared proposal to open Lake Conjola, specifically to update socio-economic and environmental impacts of a closed lake;
5. Seek funding from NSW Government through the Coastal & Estuary Grants Program and explore other funding opportunities to support the opening; and
6. Write to the Hon Shelley Hancock MP, Minister for Local Government and Member for South Coast and Mrs Fiona Phillips MP, Member for Gilmore to seek support for the opening of Lake Conjola.
7. Prepare and submit the proposal to the NSW Ministers and Government forthwith and the CEO provide monthly reports to Council.
8. Acknowledge the Premier of New South Wales The Hon Gladys Berejiklian MP and the Hon Shelley Hancock MP and the Minister for Water Property and Housing The Hon Melinda Pavey MP for consulting with the community and bringing this opportunity to Council.

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

AGAINST: Clr Levett

CARRIED

Procedural Motion – Suspension of Meeting Proceedings

RESOLVED (Clr Gash / Clr Wells)

MIN20.46

That the formal meeting proceedings were suspended to allow the Minister for Local Government The Hon Shelley Hancock MP to address the meeting.

CARRIED

The Hon Shelley Hancock MP Minister for Local Government addressed the meeting in relation to the Lake Conjola Item and responded to questions from Councillors on Bushfire Relief matters.

Introduction of Items as Matters of Urgency

RESOLVED (Clr Watson / Clr Guile)

MIN20.47

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

1. MM20.3 Mayoral Minute - 2020 Australia Day Honours
2. Addendum Report - CL19.380 Notice of Motion - National Security - Extreme Bushfire Events, Drought, Floods & Weather Systems

CARRIED

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

MAYORAL MINUTE

MM20.3 Mayoral Minute - 2020 Australia Day Honours

**HPERM Ref:
D20/25350**

Recommendation

That Council recognise the honours bestowed upon those recipients of a 2020 Australia Day Honour and write a letter of congratulations.

RESOLVED (Clr Watson / Clr Proudfoot)

MIN20.48

That Council:

1. Recognise the honours bestowed upon those recipients of a 2020 Australia Day Honour and write a letter of congratulations.
2. Invite the award recipients to attend a Council Meeting where the recipients can be formally acknowledged and following the meeting a Council dinner at the SEC celebrating their awards.
3. Send a letter signed by the Mayor congratulating all the recipients on their achievements

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL19.363 – Rescission Motion – DE19.128 Proponent Initiated planning Proposal (Rezoning) – Lot 1 DP 1246435, 55 Wire Lane Berry (Page 7)

CL19.364 – Notice of Motion - DE19.128 - Proponent Initiated Planning Proposal (Rezoning) - Lot 1 DP 1246435, 55 Wire Lane, Berry (Page 8)

Mr David Rush, representing the Berry Landcare Working Group & National Park Association, addressed the meeting to speak against the development.

Mrs Leanne Orr, representing the Berry Community Consultative Group, addressed the meeting to speak against the development.

Clr White raised a Point of Order against Clr Levett regarding his comment about Clr Gash and her position on the matter.

Mr Michael Park – addressed the meeting to speak for the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Guile / Clr Wells)

MIN20.49

That the matter of item CL19.361 – Rescission Motion – DE19.128 Proponent Initiated Planning Proposal (Rezoning) - Lot 1 DP 1246435, 55 Wire Lane, Berry be brought forward for consideration.

CARRIED

CL19.363 Rescission Motion - DE19.128 Proponent Initiated Planning Proposal (Rezoning) - Lot 1 DP 1246435, 55 Wire Lane, Berry

**HPERM Ref:
D19/428000**

Note: Clr Digiglio was absent from the meeting at 6.36pm

Recommendation

That Council rescind the Motion relating to Item DE19.128 of the Development & Environment Committee held on Tuesday 3 December 2019.

RESOLVED (Clr Watson / Clr Gash)

MIN20.50

That Council rescind the Motion relating to Item DE19.128 of the Development & Environment Committee held on Tuesday 3 December 2019.

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

AGAINST: Clr Alldrick and Clr Levett

CARRIED

CL19.364 Notice of Motion - DE19.128 Proponent Initiated Planning Proposal (Rezoning) - Lot 1 DP 1246435, 55 Wire Lane, Berry

**HPERM Ref:
D19/434508**

Recommendation

That Council proceed with the Planning Proposal as submitted

Note: Clr Digiglio was absent from the meeting.

RESOLVED (Clr Proudfoot / Clr Gash)

MIN20.51

That:

1. Council support the proponent initiated Planning Proposal request to rezone 55 Wire Lane, Berry (Lot 1 DP 1246435) to R5 Large Lot Residential with a mapped minimum lot size of 1 ha under Shoalhaven LEP2014 on the basis that it is considered to be appropriate for a decision
2. Council submit the proponents Planning Proposal document, with the subsequent proposed zone modification tabled at the December 2019 Council Meeting, to the NSW Department of Planning, Industry & Environment requesting the initial Gateway determination, noting that additional and updated or additional studies will be undertaken post Gateway to support the Planning Proposal;
3. Dependent on the outcome of the Gateway determination Council receive a further report on the Planning Proposal;

4. Council advise the proponents and submitters of this decision

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

AGAINST: Clr Alldrick and Clr Levett

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL19.361 Rescission Motion - DE19.122 - Review of Tabourie Lake Entrance Management Policy

**HPERM Ref:
D19/427154**

Note: Clr Digiglio returned to the meeting at 6.40pm

Recommendation

That Council rescind the Motion relating to item DE19.122 of the Development and Environment Committee Meeting held on Tuesday 5 November 2019.

RESOLVED (Clr Levett / Clr Digiglio)

MIN20.52

That Council rescind the Motion relating to item DE19.122 of the Development and Environment Committee Meeting held on Tuesday 5 November 2019.

FOR: Clr Digiglio, Clr Alldrick, Clr Levett and Clr Guile

AGAINST: Clr Gash, Clr Wells, Clr White, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST

CL19.362 Notice of Motion - DE19.122 - Review of Tabourie Lake Entrance Management Policy

**HPERM Ref:
D19/427170**

Recommendation

That Council adopt the Tabourie Lake Entrance Management Policy (June 2019), with the policy recommendation to increase the trigger level, for mechanical opening, from 1.17m AHD to 1.3m AHD.

This item was not dealt with as the preceding Rescission Motion was LOST. See MIN20.52

CL19.380 Notice of Motion - National Security - Extreme Bushfire Events, Drought, Floods & Weather Systems

**HPERM Ref:
D19/440037**

Recommendation

That Shoalhaven City Council write to the Hon Scott Morrison MP, Prime Minister of Australia urging him to classify extreme bushfire events, relentless droughts, ravaging floods and destructive weather systems as issues of national security, which require a national approach, national planning, national funding and national leadership. The correspondence would ideally place great emphasis on the primary role of our Federal Parliament to ensure that its citizens are afforded the maximum probability of experiencing a high level of personal safety in a multitude of diverse environments.

RESOLVED (Clr Proudfoot / Clr Alldrick)

MIN20.53

That Shoalhaven City Council:

1. Write to The Hon Scott Morrison MP, Prime Minister of Australia:
 - a. Urging him to classify extreme bushfire events, relentless droughts, ravaging floods and destructive weather systems as issues of national security, which require a national approach, national planning, national funding and national leadership.
 - b. The correspondence would ideally place great emphasis on the primary role of our Federal Parliament to ensure that its citizens are afforded the maximum probability of experiencing a high level of personal safety in a multitude of diverse environments.
2. Notify The Hon Gladys Berejiklian, Premier of NSW of the Council resolution and make reference to the representations to the Prime Minister

FOR: Clr Gash, Clr Wells, Clr White, Clr Digiglio, Clr Alldrick, Clr Levett, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Guile

CARRIED

**CL19.363 Rescission Motion - DE19.128 Proponent Initiated
Planning Proposal (Rezoning) - Lot 1 DP 1246435, 55
Wire Lane, Berry**

**HPERM REF:
D19/428000**

Item dealt with earlier in the meeting see MIN20.50

**CL19.364 Notice of Motion - DE19.128 Proponent Initiated
Planning Proposal (Rezoning) - Lot 1 DP 1246435, 55
Wire Lane, Berry**

**HPERM REF:
D19/434508**

Item dealt with earlier in the meeting see MIN20.51

**CL19.365 Notice of Motion - To support the naming of a road at
Sussex Inlet - Ralph Lucas Drive**

**HPERM Ref:
D19/432216**

Recommendation

That Council:

1. Resolve to support the appeal to the Geographical Names Board (GNB) for the naming of a new road in Sussex Inlet "Ralph Lucas Drive".
2. Write to the Member for South Coast the Hon. Shelley Hancock MP Minister for Local Government to seek her support for the appeal.

RESOLVED (Clr Watson / Clr White)

MIN20.54

That Council:

1. Resolve to support the appeal to the Geographical Names Board (GNB) for the naming of a new road in Sussex Inlet "Ralph Lucas Drive".
2. Write to the Member for South Coast the Hon. Shelley Hancock MP Minister for Local Government to seek her support for the appeal.

CARRIED

CL19.366 Notice of Motion - Callala Beach Drainage Maintenance and Construction

**HPERM Ref:
D19/438719**

Recommendation

That the CEO report to Council on the following:

1. A scheduled maintenance programme to maintain the street water absorption pits to clear silt and other debris on a regular basis, including a performance checking procedure to ensure the work is carried out.
2. An amendment to appropriate DCP relating to the disposal of stormwater from hard surfaces to require as much water as possible to be disposed of on site rather than to the street when infill or redevelopment is occurring.
3. The preparation of a long term drainage strategy to increase the diversion of Street drainage to the wetlands West of the Village from streets where significant ponding is occurring.

RESOLVED (Clr Watson / Clr White)

MIN20.55

That the CEO report to Council on the following:

1. A scheduled maintenance programme to maintain the street water absorption pits to clear silt and other debris on a regular basis, including a performance checking procedure to ensure the work is carried out.
2. An amendment to appropriate DCP relating to the disposal of stormwater from hard surfaces to require as much water as possible to be disposed of on site rather than to the street when infill or redevelopment is occurring.
3. The preparation of a long term drainage strategy to increase the diversion of Street drainage to the wetlands West of the Village from streets where significant ponding is occurring.

CARRIED

CL19.367 Notice of Motion - Construction of Accessible Viewing Platform - Surfers Avenue, Narrawallee

**HPERM Ref:
D19/432386**

Recommendation

That Council staff include the construction of a viewing-platform with disabled access at Surfers Avenue, Narrawallee, for consideration in a future budget. The site location would be in the vicinity of the seat which is around 25 metres down (east) from the stairs in Surfers Avenue.

RESOLVED (Clr Proudfoot / Clr Alldrick)

MIN20.56

That Council:

1. Staff include the construction of a viewing-platform with disabled access at Surfers Avenue, Narrawallee, for consideration in a future budget. The site location would be in the vicinity of the seat which is around 25 metres down (east) from the stairs in Surfers Avenue.
2. Report this Resolution to the Inclusion and Access Advisory Group.

CARRIED

CL20.8 Notice of Motion - Revised Management Plan for Reserve - Lot 133 DP 825648 Ulladulla

HPERM Ref: D20/17365

Recommendation

That

1. Council urgently put in place a revised management plan for the reserve being lot 133 DP 825648, Flame Tree Court / Scarlet Gum, Mollymook, in order to greatly reduce the risk of bushfire.
2. The plan would need to address the regular removal of dead vegetation which builds up to an unacceptable level in a very short period of time.
3. Any nearby residents who are in breach of contributing to increased levels of “fuel-load” should be formally reminded of their community responsibility.

RESOLVED (Clr Proudfoot / Clr White)

MIN20.57

That:

1. Council urgently put in place a revised management plan for the reserve being lot 133 DP 825648, Flame Tree Court / Scarlet Gum, Ulladulla, in order to greatly reduce the risk of bushfire.
2. The plan would need to address the regular removal of dead vegetation which builds up to an unacceptable level in a very short period of time.
3. Any nearby residents who are in breach of contributing to increased levels of “fuel-load” should be formally reminded of their community responsibility.

CARRIED

Procedural Motion - Matters of Urgency

MOTION (Clr Wells / Clr Gash)

That an additional item regarding Nowra Show 2020 Donation be introduced as a matter of urgency.

The Chairperson ruled the matter as urgent as it relates to urgent Council business.

CL20.18 Additional Item - Nowra Show 2020 Donation

RESOLVED (Clr Wells / Clr Gash)

MIN20.58

That Council:

1. Allocate a sum of \$6000 from the Unallocated Donations Vote to assist the Nowra Show society deliver and stage the 2020 Nowra show (These funds to supplement the existing \$4000 allocation provided from Tourism Events funding);
2. Should funds for events be forthcoming from the NSW Government, the Council allocate a further \$10,000 to deliver and stage the Nowra Show, and
3. Council consult with the Milton and Kangaroo Valley Show Societies regarding the appropriate level of funding support to enable them to offset any losses to their Shows viability caused by the recent devastating bushfires.

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Guile / Clr Gash)

MIN20.59

That the meeting be adjourned to allow for refreshments.

CARRIED

The meeting adjourned the time being 7.38pm.

The meeting reconvened the time being 8.03pm

The following members were present:

Clr Patricia White – Acting Chairperson
Clr Joanna Gash
Clr John Wells
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

REPORT OF THE YOUTH ADVISORY COMMITTEE - 23 OCTOBER 2019

Note: This item was deferred from the Ordinary meeting of 17 December 2019.

YA19.13 School Bus Transport Safety & Overcrowding Clarification

**HPERM Ref:
D19/342573**

Recommendation

That Council

1. Be informed of the following information with respect to MIN19.343, which referred the issue of school bus transport safety back to the Youth Advisory Committee for clarification:
 - a. Overcrowding of buses occurs from Nowra to Bay and Basin area (route 413) – sometimes a backup bus has had to be called because the bus was too full.
 - b. Up to 15 students have been reported to be regularly standing in the aisles for 30 minutes up to an hour before a seat becomes available.
 - c. Seatbelts are not installed on all buses and where they are, they are not being used by passengers.
2. Write to identified School Principals outlining the concerns of the Youth Advisory Committee and request further information about what has already been done to try to address the issues and advocating for safety:
 - a. St Johns High School
 - b. Nowra Christian School
 - c. Shoalhaven High School
 - d. Tomerong Public School

3. Provide a report to the Youth Advisory Committee on the findings and comments received from School Principals.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN20.60

That Council

1. Be informed of the following information with respect to MIN19.343, which referred the issue of school bus transport safety back to the Youth Advisory Committee for clarification:
 - a. Overcrowding of buses occurs from Nowra to Bay and Basin area (route 413) – sometimes a backup bus has had to be called because the bus was too full.
 - b. Up to 15 students have been reported to be regularly standing in the aisles for 30 minutes up to an hour before a seat becomes available.
 - c. Seatbelts are not installed on all buses and where they are, they are not being used by passengers.
2. Write to identified School Principals outlining the concerns of the Youth Advisory Committee and request further information about what has already been done to try to address the issues and advocating for safety:
 - a. St Johns High School
 - b. Nowra Christian School
 - c. Shoalhaven High School
 - d. Tomerong Public School
3. Provide a report to the Youth Advisory Committee on the findings and comments received from School Principals.

CARRIED

REPORT OF THE INCLUSION & ACCESS ADVISORY GROUP - 4 NOVEMBER 2019

Note: This item was deferred from the Ordinary meeting of 17 December 2019.

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

IA19.53 Additional item - Investigate Improving Beach Access at Tilbury Cove and Ocean Street, Culburra

RESOLVED* (Clr Guile / Clr Gash)

MIN20.61

That Staff investigate and provide a report on the accessibility of beaches at Tilbury Cove and Ocean Street, Culburra.

CARRIED

IA19.54 Additional item - Plantation Point Playground Proposal

Recommendation

That Staff provide a report with updates on potential upgrades at Plantation Point Reserve, including a summary of the Community Consultation outcome.

RESOLVED (Clr Proudfoot / Clr Digiglio)

MIN20.62

That Staff provide a report with updates on potential upgrades at Plantation Point Reserve, including a summary of the Community Consultation outcome.

CARRIED

REPORT OF THE HOMELESSNESS TASKFORCE SHOALHAVEN - 2 DECEMBER 2019

HT19.15 Public Housing in the Shoalhaven

**HPERM Ref:
D19/396415**

Recommendation

That the Homelessness Taskforce recommend that Council:

1. Write to the State Government Minister for Families, Communities and Disability, The Hon. Gareth Ward, MP, State Member for the South Coast, The Hon. Shelley Hancock, and the Federal Member for Gilmore, Fiona Phillips MP to urge an increase in availability for Public Housing be funded and that all levels of governments act to reduce waitlists, especially for people who have been identified as having priority. This action should occur within this current term of government.
2. Note that areas in the Sanctuary Point and St. George's Basin do not have any allocated properties for Public Housing and should be included in funding to support availability.

RESOLVED (Clr Proudfoot / Clr Alldrick)

MIN20.63

That the Homelessness Taskforce recommend that Council:

1. Write to the State Government Minister for Families, Communities and Disability, The Hon. Gareth Ward, MP, State Member for the South Coast, The Hon. Shelley Hancock, and the Federal Member for Gilmore, Fiona Phillips MP to urge an increase in availability for Public Housing be funded and that all levels of governments act to reduce waitlists, especially for people who have been identified as having priority. This action should occur within this current term of government.
2. Note that areas in the Sanctuary Point and St. George's Basin do not have any allocated properties for Public Housing and should be included in funding to support availability.

CARRIED

REPORT OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE - 9 DECEMBER 2019

CBD19.56 Draft Capital Works Program for Adoption

**HPERM Ref:
D19/295288**

Recommendation

That Council:

1. Adopt the Draft Capital Works Program (D19/8951) to promote the Revitalisation of the Nowra CBD with the projects identified for the 2019/2020 financial year being;
 - a. *Berry Street, between Junction St & Worrigeer St - Footpath Upgrade \$1,050,000*
 - b. *Kinghorne Street, Eastern side between Smiths Lane & Worrigeer St - Footpath Upgrade \$600,000. unfunded*
 - c. *Kinghorne Street, Western side between Worrigeer St & Plunkett St - Footpath Upgrade \$640,000. unfunded*
2. Notes that the following projects will also be listed for funding in the 2019-2020 financial year from the General Fund;
 - a. Project Management of CBD Revitalisation Capital Works \$50,000
 - b. Batts Folly, Landscape refurbishment. Maintain memorial, plant curtilage & include footpath & crossings. \$99,000.
 - c. Nowra Sails, landscape, sandstone walling, signage \$52,364
 - d. Junction Street, South side between O'Keeffe & highway - opposite Ex services car park \$315,000
3. Invite The Hon. Shelley Hancock MP and The Hon Gareth Ward MP to a future meeting of the Nowra CBD Revitalisation Strategy Committee regarding identifying potential projects within the CBD from the Draft Capital Works Program for State Government funding.

RESOLVED (Clr Gash / Clr Wells)

MIN20.64

That Council:

1. Adopt the Draft Capital Works Program (D19/8951) to promote the Revitalisation of the Nowra CBD with the projects identified for the 2019/2020 financial year being;
 - a. *Berry Street, between Junction St & Worrigeer St - Footpath Upgrade \$1,050,000*
 - b. *Kinghorne Street, Eastern side between Smiths Lane & Worrigeer St - Footpath Upgrade \$600,000. unfunded*
 - c. *Kinghorne Street, Western side between Worrigeer St & Plunkett St - Footpath Upgrade \$640,000. unfunded*
2. Notes that the following projects will also be listed for funding in the 2019-2020 financial year from the General Fund;
 - a. Project Management of CBD Revitalisation Capital Works \$50,000
 - b. Batts Folly, Landscape refurbishment. Maintain memorial, plant curtilage & include footpath & crossings. \$99,000.
 - c. Nowra Sails, landscape, sandstone walling, signage \$52,364
 - d. Junction Street, South side between O'Keeffe & highway - opposite Ex services car park \$315,000

3. Invite The Hon. Shelley Hancock MP and The Hon Gareth Ward MP to a future meeting of the Nowra CBD Revitalisation Strategy Committee regarding identifying potential projects within the CBD from the Draft Capital Works Program for State Government funding.

CARRIED

CBD19.58 Council Policy Review - POL19/40 - "Occupation of Council Owned or Managed Land"

HPERM Ref: D19/414890

Recommendation

That Council endorse the proposed Policy 19/40 (formerly POL16/150 with amendments) "Occupation of Council Owned & Managed Land", which has been endorsed by Nowra CBD Revitalisation Strategy Committee.

RESOLVED (Clr Gash / Clr Wells)

MIN20.65

That Council endorse the proposed Policy 19/40 (formerly POL16/150 with amendments) "Occupation of Council Owned & Managed Land", which has been endorsed by Nowra CBD Revitalisation Strategy Committee.

CARRIED

REPORT OF THE NATURAL AREA VOLUNTEERS GROUP - 16 DECEMBER 2019

NA19.9 Update - Natural Areas Volunteer Groups

HPERM Ref: D19/410237

Recommendation

That Council

1. Receive the update report on the Natural Areas Volunteer Groups for information.
2. Retain the current names of the individual Natural Area Volunteer Groups to ensure clarity.

RESOLVED (Clr Proudfoot / Clr Digiglio)

MIN20.66

That Council

1. Receive the update report on the Natural Areas Volunteer Groups for information.
2. Retain the current names of the individual Natural Area Volunteer Groups to ensure clarity.

CARRIED

NA19.10 Terms of Reference and Call for Nominations - Natural Areas Volunteer Group

HPERM Ref: D19/410639

Recommendation

That Council

1. Endorse the draft Terms of Reference for the Natural Areas Volunteer Group with the following modifications:
2. The purpose be amended for the group to act as both an Advisory and Representative Group

- a. The Role in the second sentence be amended to read:
*“This will include policies, procedures, resourcing, **natural resources management, environmental restoration and preservation techniques and plans** and community and **volunteer stakeholder engagement.**”*
- b. That Membership includes **Nine (9)** Natural Areas Volunteer Group Representatives.
- c. That the first point at Part 4 read:
*“**Where possible** a minimum of three (3) representatives are to be appointed from each of the **northern, central and southern** program delivery areas. **In the event where nominations for vacancies are insufficient to support three (3) members from one (1) area, the membership can include more than three (3) members from other areas.**”*
- d. The following new points be added under Part 4:
*“**Any casual vacancies will be addressed at the following meeting with the intention to keep the membership at sufficient level to reach quorum***
Resignations should be lodged in writing to Council
No proxy votes are permitted”
- e. An additional criteria for the selection of representatives under Part 4 be:
“the individual must be a current active member of a Natural Area Volunteer Group”
3. Reappoint the following existing members to the Natural Areas Volunteer Group under the new Terms of Reference:
 Ms Frances Bray
 Mr Tony Jennings
 Mr Bill Pigott
 Mr Len White
 Mr Jason Carson
4. Consider the nominations received to fill vacancies and undertake selection of applicants for the Natural Areas Volunteer Group, as outlined in the proposed Terms of Reference for the Group.

RESOLVED (Clr Proudfoot / Clr Levett)

MIN20.67

That Council

1. Endorse the draft Terms of Reference for the Natural Areas Volunteer Group with the following modifications:
2. The purpose be amended for the group to act as both an Advisory and Representative Group
 - a. The Role in the second sentence be amended to read:
*“This will include policies, procedures, resourcing, **natural resources management, environmental restoration and preservation techniques and plans** and community and **volunteer stakeholder engagement.**”*
 - b. That Membership includes **Nine (9)** Natural Areas Volunteer Group Representatives.
 - c. That the first point at Part 4 read:
*“**Where possible** a minimum of three (3) representatives are to be appointed from each of the **northern, central and southern** program delivery areas. **In the event where nominations for vacancies are insufficient to support three (3) members from one (1) area, the membership can include more than three (3) members from other areas.**”*

d. The following new points be added under Part 4:

“Any casual vacancies will be addressed at the following meeting with the intention to keep the membership at sufficient level to reach quorum

Resignations should be lodged in writing to Council

No proxy votes are permitted”

e. An additional criteria for the selection of representatives under Part 4 be:

“the individual must be a current active member of a Natural Area Volunteer Group”

3. Reappoint the following existing members to the Natural Areas Volunteer Group under the new Terms of Reference:

Ms Frances Bray
Mr Tony Jennings
Mr Bill Pigott
Mr Len White
Mr Jason Carson

4. Consider the nominations received to fill vacancies and undertake selection of applicants for the Natural Areas Volunteer Group, as outlined in the proposed Terms of Reference for the Group.

CARRIED

NA19.11 Review - Bushcare/Parkcare Procedures

**HPERM Ref:
D19/413586**

Recommendation

That Council adopt the Draft Bushcare/ Parkcare Procedures attached to the report, which have been endorsed by the Natural Area Volunteers Group with the following amendments:

1. That ‘*other Natural Area Groups*’ be included in the definition of Bushcare at Part 1 of the Procedure.
2. Under part 13.4. Field Days - an additional sentence be included which states that ‘*Field Days will be subject to approval from the Bushcare Coordinator.*”

RESOLVED (Clr Proudfoot / Clr Gash)

MIN20.68

That Council adopt the Draft Bushcare/ Parkcare Procedures attached to the report, which have been endorsed by the Natural Area Volunteers Group with the following amendments:

1. That ‘*other Natural Area Groups*’ be included in the definition of Bushcare at Part 1 of the Procedure.
2. Under part 13.4. Field Days - an additional sentence be included which states that ‘*Field Days will be subject to approval from the Bushcare Coordinator.*”

CARRIED

NA19.12 Resignation - Dr Mike Clear - Natural Areas Volunteer Group

Recommendation

That Council

1. Accept the resignation of Dr Mike Clear from the Natural Areas Volunteer Group.

2. Write to Dr Clear and thank him for his contribution to the group (and the previous Bushcare Representative Group” for the past eight (8) years.

RESOLVED (Clr Digiglio / Clr Proudfoot)

MIN20.69

That Council:

1. Accept the resignation of Dr Mike Clear from the Natural Areas Volunteer Group.
2. Write to Dr Clear and thank him for his contribution to the group (and the previous Bushcare Representative Group” for the past eight (8) years.

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 10 DECEMBER 2019

Note: This item was deferred from the Ordinary meeting of 17 December 2019.

TC19.63 No Parking Zone Extension - Idlewild Avenue - Sanctuary Point Public School (PN 3569)

**HPERM Ref:
D19/426785**

Recommendation

That the Chief Executive Officer (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed extension of the No Parking zone along Idlewild Avenue Sanctuary Point for an additional 17m, as detailed in Plan No: (D19/426909).

RESOLVED (Clr Proudfoot / Clr Wells)

MIN20.70

That the Chief Executive Officer (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed extension of the No Parking zone along Idlewild Avenue Sanctuary Point for an additional 17m, as detailed in Plan No: (D19/426909).

CARRIED

TC19.67 Parking Signage - Owen Street Huskisson (PN 3572)

**HPERM Ref:
D19/426867**

Recommendation

That the Chief Executive Officer (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking within the Owen Street / Morton Street carpark, to establish 3 disabled car parking spaces in lieu of the 2 existing. Additionally, 5 motorcycle parking spaces to be relocated to the north-western corner of the carpark. Plan No: 2408.06 (D19/427102).

RESOLVED (Clr Proudfoot / Clr Wells)

MIN20.71

That the Chief Executive Officer (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking within the Owen Street / Morton Street carpark, to establish 3 disabled car parking spaces in lieu of the 2 existing. Additionally, 5 motorcycle parking spaces to be relocated to the north-western corner of the carpark. Plan No: 2408.06 (D19/427102).

CARRIED

REPORTS

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

**CL19.345 Code of Conduct Complaints - Annual Statistics Report -
1 September 2018 to 31 August 2019**

**HPERM Ref:
D19/378462**

RESOLVED* (Clr Guile / Clr Gash)

MIN20.72

That the Report of the Chief Executive Officer concerning complaints under the Code of Conduct for the period 1 September 2018 to 31 August 2019 be received for information.

CARRIED

**CL19.346 Update - Code of Conduct - Penalties available to
Councils for Breaches by Councillors**

**HPERM Ref:
D19/390012**

RESOLVED* (Clr Guile / Clr Gash)

MIN20.73

That Council:

1. Note the report on Code of Conduct - Penalties for information
2. Receive a further report outlining any further guidance from the Office of Local Government on this matter.

CARRIED

**CL19.373 Office of Local Government Guideline - A New Risk
Management and Internal Audit Framework for Local
Councils in NSW**

**HPERM Ref:
D19/429820**

Recommendation

That Council endorse the Draft Submission (as attached) to the Office of Local Government in response to their proposal on Office of Local Government Guideline on 'A New Risk Management and Internal Audit Framework for Local Councils in NSW' and submit to the OLG prior to the 31 December 2019 deadline.

RESOLVED (Clr Guile / Clr Wells)

MIN20.74

That Council:

1. Endorse the Draft Submission (as attached) to the Office of Local Government in response to their proposal on Office of Local Government Guideline on 'A New Risk Management and Internal Audit Framework for Local Councils in NSW' and submit to the OLG prior to the 31 December 2019 deadline.
2. Make further representations to the OLG and to The Hon Shelley Hancock MP Minister for Local Government with respect to Councils strong opposition to the proposed removal of councillors from Council Audit, Risk and Improvement Committees.

CARRIED

CL19.374 Grant Acceptance - Environment and Tourism Fund - Shoalhaven Sustainable Tourism Infrastructure Package

HPERM Ref: D19/433043

Recommendation

That Council:

1. Accept the grant of \$5,300,000 from the Restart NSW Environment and Tourism Fund for the Shoalhaven Sustainable Tourism Infrastructure Package.
2. Authorise the CEO to sign the funding agreements with the NSW Government for the above project.
3. Source the matching contributions for the project, totalling \$1,500,000, from the Capital Works Program budgets over the period 2021/22 to 2022/23.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN20.75

That Council:

1. Accept the grant of \$5,300,000 from the Restart NSW Environment and Tourism Fund for the Shoalhaven Sustainable Tourism Infrastructure Package.
2. Authorise the CEO to sign the funding agreements with the NSW Government for the above project.
3. Source the matching contributions for the project, totalling \$1,500,000, from the Capital Works Program budgets over the period 2021/22 to 2022/23.

CARRIED

CL19.377 Investment Report - November 2019

HPERM Ref: D19/431618

RESOLVED* (Clr Guile / Clr Gash)

MIN20.76

That:

1. The report of the Chief Executive Officer (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 30 November 2019 be received for information.
2. Council note Council's investment portfolio returned a solid 2.16% for the month of November 2019, exceeding the benchmark AusBond Bank Bill Index (1.00% pa) by 116 basis points (1.16%)

CARRIED

CL20.15 Investment Report - December 2019

HPERM Ref: D20/12621

RESOLVED* (Clr Guile / Clr Gash)

MIN20.77

That

1. The report of the Chief Executive Officer (Finance, Corporate & Community Services Group) on the Record of Investments for the period to 31 December 2019 be received for information.
2. Council note Council's investment portfolio returned a satisfactory 2.02% for the month of December 2019, exceeding the benchmark AusBond Bank Bill Index (0.85% pa) by 117 basis points (1.17%)

CARRIED

CL20.16 Variations to Development Standards - December Quarter 2019

HPERM Ref: D20/9396

Recommendation

That Council receive the Variations to Development Standards – December Quarter Report 2019 for information and forward a copy of this report and table (in the standard format required by the Department) to the Department of Planning and Environment in accordance with the requirements specified in *Circular PS18-003 Variations to development standards*.

RESOLVED (Clr Proudfoot / Clr Wells)

MIN20.78

That Council receive the Variations to Development Standards – December Quarter Report 2019 for information and forward a copy of this report and table (in the standard format required by the Department) to the Department of Planning and Environment in accordance with the requirements specified in *Circular PS18-003 Variations to development standards*.

CARRIED

ADDENDUM REPORTS

CL19.380 Notice of Motion - National Security - Extreme Bushfire Events, Drought, Floods & Weather Systems

HPERM REF: D19/440037

Item dealt with earlier in the meeting see MIN20.53

Note: Clr Guile thanked Clr White for her efficient chairing of the meeting and requested that it be noted in the Minutes.

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 White / Clr Wells)

MIN20.79

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.

CSA20.1 Proposed Acquisition of Land - Moss Vale Road South Urban Release Area

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

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.

CSA20.2 Proposed Sale of Land

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

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.

CSA20.3 Property Matters - Nowra CBD

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

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 8.27pm.

The meeting moved into open session, the time being 8.30pm.

REPORT FROM CONFIDENTIAL SESSION

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

CSA20.1 Proposed Acquisition of Land - Moss Vale Road South Urban Release Area	HPERM Ref: D19/356416
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RESOLVED MIN20.80C

That the resolution remains Confidential in accordance with Section 10A(2)(c) of the Local Government Act 1993 until open space transactions for the Moss Vale Road Urban Release Area have been settled.

CARRIED

CSA20.2 Proposed Sale of Land	HPERM Ref: D19/423722
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RESOLVED MIN20.81C

That Council:

1. Sell part Lot 4 DP 631825 Culburra Road, Culburra Beach,
3. Fund all costs associated with the sale from Job Number 88835 and the net income from the sale be placed in the Property Reserve;

4. 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 Chief Executive Officer be authorised to sign any documents necessary to give effect to this resolution; and
5. Part 2 of the resolution remain confidential until settlement is completed.

CARRIED

CSA20.3 Property Matters - Nowra CBD

HPERM Ref: D19/450525

RESOLVED

MIN20.82C

That the resolution remains confidential in accordance with Section 10A(2)(c) of The Local Government Act until all transactions have been settled.

CARRIED

There being no further business, the meeting concluded, the time being 8.33pm.

Clr White
ACTING CHAIRPERSON