

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 27 April 2021
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash – left at 9.58pm
Clr Patricia White
Clr John Wells
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile – arrived at 5.35pm, left 9.43pm
Clr Mitchell Pakes
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 Peter Dover and the playing of the Australian National Anthem.

Apologies / Leave of Absence

Nil

Confirmation of the Minutes

RESOLVED (Clr White / Clr Digiglio) MIN21.219

That the Minutes of the Ordinary Meeting held on Tuesday 23 March 2021 and the Extra Ordinary Meeting held on Thursday 22 April 2021 be confirmed.

CARRIED

Declarations of Interest

Stephen Dunshea - CEO – SA21.68 - Feasibility Report – Provision of Sewer to Tomerong Village – significant non pecuniary interest declaration – he is a home owner and resident of Tomerong – will leave the room and will not take part in discussion.

Clr White – TC21.26 - Shared User Path and Parking Restrictions - Sussex Road - Sussex Inlet (PN 3643) – less than significant non pecuniary interest declaration – She is the Director of the Inasmuch Aged Care facility and Council is constructing a footpath around the facility – will remain in the room and will take part in discussion and vote.

Clr Gash – TC21.25 - Proposed One Way Restrictions - The Marina - Culburra Beach (PN 3648) – pecuniary interest declaration – she is co-owner of a property in The Marina and lives in the street – will leave the room and will not take part in discussion or vote.

MAYORAL MINUTE

Nil

DEPUTATIONS AND PRESENTATIONS

CL21.58 - Rescission Motion - DE21.33 - Development Application - DA20/1494 - 25 Sunnymede Lane, Berry - Lot 3 DP 713138 (Page 2)

Ms Melissa Scarr addressed the meeting to speak in favour of the recommendation.

CL21.62 – Notice of Motion - International Campaign to Abolish Nuclear Weapons Cities Appeal (Page 6)

Ms Gem Romuld (International Campaign to Abolish Nuclear Weapons, Australia) addressed the meeting to speak in favour of the recommendation.

Dr Helen Caldicott addressed the meeting to speak in favour of the recommendation.

CL21.64 – Notice of Motion - Croobyar Rd, Milton (Page 9)

Ms Cathy Stewart addressed the meeting to speak for the recommendation.

Note: Clr Guile arrived at 5.35pm

CL 21.68 - Notice of Motion – Purchase of Private Land – National Parks (Page 14)

Mr Peter Winkler addressed the meeting to speak against the recommendation.

CL21.80 - RD21/1000 – 15 Vallon Road Woollamia – Lot 3 DP 832984 (Page 56)

Ms Dina Carter addressed the meeting to speak against the recommendation

Colin Irwin (Architect – representing Sze Chun Lui) addressed the meeting to speak in favour of the recommendation

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr Digiglio)

MIN21.220

That the following matters be brought forward for consideration:

- CL21.58 – Rescission Motion - DE21.33 - Development Application - DA20/1494 - 25 Sunnymede Lane, Berry - Lot 3 DP 713138

- CL21.62 – Notice of Motion - SA21.49 Draft Delivery Program Operational Plan and Budget 2021-2022 - Public Exhibition
- CL21.64 – Notice of Motion - Croobyar Road, Milton
- CL21.68 – Notice of Motion - Purchase of Private Land - National Parks
- CL21.80 – RD21/1000 – 15 Vallon Road Woollamia – Lot 3 DP 832984

CARRIED

CL21.58	Rescission Motion - DE21.33 - Development Application - DA20/1494 - 25 Sunnymede Lane, Berry - Lot 3 DP 713138	HPERM Ref: D21/134086
----------------	---	------------------------------

Recommendation

That Council rescind the Motion relating to item DE21.33 of the Development and Environment Committee held on Tuesday 6 April 2021.

Clr Wells raised a Point of Order against Clr Gash for her assertion that Clr Wells said that staff are not qualified. Clr Wells reiterated that staff had advised that they had not fully inspected the property. The Mayor did not rule on the Point of Order.

PROCEDURAL MOTION (Clr Gartner / Clr Pakes)

That the MOTION be PUT.

PROCEDURAL MOTION CARRIED

RESOLVED (Clr Wells / Clr White) MIN21.221

That Council rescind the Motion relating to item DE21.33 of the Development and Environment Committee held on Tuesday 6 April 2021.

FOR: Clr Findley, Clr White, Clr Wells, Clr Guile, Clr Gartner, Clr Digiglio, Clr Alldrick and Clr Levett

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

CARRIED

CL21.59	Notice of Motion - DE21.33 - Development Application - DA20/1494 - 25 Sunnymede Lane, Berry - Lot 3 DP 713138	HPERM Ref: D21/134131
----------------	--	------------------------------

Recommendation

That Council determine Development Application DA20/1494 by way of refusal in the public interest.

RESOLVED (Clr Wells / Clr White) MIN21.222

That Council determine Development Application DA20/1494 by way of refusal in the public interest.

FOR: Clr Findley, Clr White, Clr Wells, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Clr Guile

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

CARRIED

CL21.62 Notice of Motion - International Campaign to Abolish Nuclear Weapons Cities Appeal

**HPERM Ref:
D21/137282**

Recommendation

That Shoalhaven City Council:

1. Joins other Australian councils in endorsing the International Campaign to Abolish Nuclear Weapons Cities Appeal, which reads:

Our city is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far reaching and long-lasting consequences for people and the environment.

In doing so we welcome the entry into force of the UN Treaty on the Prohibition of Nuclear Weapons on 22 January, 2021.

2. Writes to Prime Minister of Australia, The Hon Scott Morrison MP and the Minister for Foreign Affairs, The Hon Marise Payne MP, requesting that the Australian Government sign and ratify the Treaty without delay.

RESOLVED (Clr Alldrick / Clr Proudfoot)

MIN21.223

That Shoalhaven City Council:

1. Joins other Australian councils in endorsing the International Campaign to Abolish Nuclear Weapons Cities Appeal, which reads:

Our city is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far reaching and long-lasting consequences for people and the environment.

In doing so we welcome the entry into force of the UN Treaty on the Prohibition of Nuclear Weapons on 22 January, 2021.

2. Writes to Prime Minister of Australia, The Hon Scott Morrison MP and the Minister for Foreign Affairs, The Hon Marise Payne MP, requesting that the Australian Government sign and ratify the Treaty without delay.
3. Reaffirms its position that the Shoalhaven is a Nuclear Free Zone.
4. Writes to the President of the Australian Local Government Association and Local Government NSW Councillor Linda Scott requesting this matter be added to the next Board Agendas and that the matter be added as an urgent item of business at the National General Assembly.

CARRIED

CL21.64 Notice of Motion - Croobyar Road, Milton

**HPERM Ref:
D21/139661**

Recommendation

That Council:

1. Rebuild Croobyar Road between Wilfords Lane and the Princes Highway to a standard suitable for carrying heavy vehicles, surfaced with a low-noise road pavement rather than by patching potholes or standard local road resurfacing.

2. Discourage speeding on Croobyar Road by:
 - a. Installing traffic calming devices, such as a pedestrian refuge just west of Drury Lane
 - b. Installing traffic speed measuring signage that displays vehicle speed and requests a "slow down"
3. Erect signs at the entrance to Milton town requiring truck drivers to avoid compression braking. This in fact is a Shoalhaven-wide issue which needs to be considered city-wide.

MOTION (Clr Digiglio / Clr Findley)

That Council:

1. Rebuild Croobyar Road between Wilfords Lane and the Princes Highway to a standard suitable for carrying heavy vehicles, surfaced with a low-noise road pavement rather than by patching potholes or standard local road resurfacing.
2. Discourage speeding on Croobyar Road by:
 - a. Installing traffic calming devices, such as a pedestrian refuge just west of Drury Lane
 - b. Installing traffic speed measuring signage that displays vehicle speed and requests a "slow down"
3. Erect signs at the entrance to Milton town requiring truck drivers to avoid compression braking. This in fact is a Shoalhaven-wide issue which needs to be considered city-wide.

AMENDMENT (RESOLVED) (Clr Findley / Clr Wells)

MIN21.224

That Council contact Transport for NSW to gain a better understanding of how Croobyar Road, Milton fits with their plans for the Milton/Ulladulla bypass, and that a report come back to Council addressing the following points 1-3:

1. Rebuild Croobyar Road between Wilfords Lane and the Princes Highway to a standard suitable for carrying heavy vehicles, surfaced with a low-noise road pavement rather than by patching potholes or standard local road resurfacing.
2. Discourage speeding on Croobyar Road by:
 - a. Installing traffic calming devices, such as a pedestrian refuge just west of Drury Lane
 - b. Installing traffic speed measuring signage that displays vehicle speed and requests a "slow down"
3. Erect signs at the entrance to Milton town requiring truck drivers to avoid compression braking. This in fact is a Shoalhaven-wide issue which needs to be considered city-wide.

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

AGAINST: Nil

AMENDMENT CARRIED

The AMENDMENT became the MOTION and PUT and CARRIED.

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

AGAINST: Nil

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr Proudfoot)

MIN21.225

That the matter of item CL21.80 - RD21/1000 – 15 Vallon Road Woollamia – Lot 3 DP 832984 be brought forward for consideration.

CARRIED

**CL21.80 RD21/1000 – 15 Vallon Road Woollamia – Lot 3 DP
832984**

**HPERM Ref:
D21/136413**

Recommendation

That Council support the application for review under section 8.2 of the EP&A Act and approve Development Application No. DA19/2165 for construction of six (6) primitive camping sites "glamping" and associated site amenities buildings, fire refuge building, car parking and landscaping in accordance with the draft Notice of Determination (Attachment 1) to this report.

RESOLVED (Clr Watson / Clr Proudfoot)

MIN21.226

That Council maintain its previous decision (see MIN20.770) to not support the review and as presented below:

"That Council determine the development application by way of refusal for the following reasons:

1. *General community concern about the application being out of character with the local area.*
2. *The application is located adjacent to two flood ways and becomes isolated during heavy rain.*
3. *The intersection with Vallon Rd and Jervis Bay Road does not provide contemporary standards of intersection design and will be particularly dangerous for visitors and patrons visiting the site.*
4. *The proposal is in a high hazard bushfire corridor.*
5. *The proposal will have a highly disruptive impact on the quite residential amenity of area.*
6. *The application does not comply with the SLEP definition of a 'camping ground' – "an area of land on which tents or similar portable, lightweight temporary shelters are placed" as it proposes very large permanent timber platform structures for the 6 'tent' sites.*
7. *The proposed luxury accommodation and extensive facilities provided close to neighbouring properties and only a few minutes' drive from Huskisson do not align with the nature of a 'primitive camping ground' (PCG) as listed under Subdivision 9 of Part 3, Division 3 of the Local Government (Caravan Parks and Camping Grounds) Regulation 2005.*
8. *Being within 10kms of Huskisson, a major town centre in the Bay and Basin Area, the development is not commensurate with DPIE guidelines which state Primitive Camping Grounds 'are generally remote from urban areas with only a limited range of facilities.'*

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

AGAINST: Nil

CARRIED

CL21.68 Notice of Motion - Purchase of Private Land - National Parks

**HPERM Ref:
D21/157515**

Recommendation

That Shoalhaven City Council

1. Write to the State Minister For Planning and Public Spaces, Mr Rob Stokes, to once again affirm that this Council has no objection to the State Government purchasing any private land at Manyana that it deems necessary for inclusion as part of an adjacent National Park. Further, Shoalhaven City Council affirms that when a previous State Government re-zones land for residential purposes and then a future State Government expresses an intention to de-zone same land for environmental purposes, then the incumbent State Government acknowledges its responsibility in wholly financing the acquisition, as well as compensating Council for infrastructure monies expended in all good faith as a direct result of the original re-zoning.
2. Condemns any organised group or person or persons from Manyana who seek to misrepresent previous resolutions of Council regarding the State Government's stated desire to have said land at Manyana included as National Park, as a blatantly and a deceptive political attempt to divide the Council and to bring it into disrepute.

MOTION (Clr Proudfoot / Clr Pakes)

That Shoalhaven City Council:

1. Write to the State Minister For Planning and Public Spaces, Mr Rob Stokes, to once again affirm that this Council has no objection to the State Government purchasing any private land at Manyana that it deems necessary for inclusion as part of an adjacent National Park. Further, Shoalhaven City Council affirms that when a previous State Government re-zones land for residential purposes and then a future State Government expresses an intention to de-zone same land for environmental purposes, then the incumbent State Government acknowledges its responsibility in wholly financing the acquisition, as well as compensating Council for infrastructure monies expended in all good faith as a direct result of the original re-zoning.
2. Condemns any organised group or person or persons from Manyana who seek to misrepresent previous resolutions of Council regarding the State Government's stated desire to have said land at Manyana included as National Park, as a blatantly and a deceptive political attempt to divide the Council and to bring it into disrepute.

Clr Gartner raised a Point of Order against Clr White regarding the remarks about Clr Gartner being at the public meeting. The Mayor did not rule on the Point of Order and asked Councillors to keep to debate and facts.

Clr Pakes raised a Point of Order under Section 10.2(a) of the Code of Meeting Practice. The Mayor did not rule on the Point of Order.

AMENDMENT (Clr Levett / Clr Digiglio)

That Shoalhaven City Council:

1. Write to the State Minister For Planning and Public Spaces, Mr Rob Stokes, to once again affirm that this Council has no objection to the State Government purchasing any private land at Manyana that it deems necessary for inclusion as part of an adjacent National Park. Further, Shoalhaven City Council affirms that when a previous State Government re-zones land for residential purposes and then a future State Government expresses an intention to de-zone same land for environmental purposes, then the incumbent State Government acknowledges its responsibility in wholly financing the acquisition, as well as compensating Council for infrastructure monies expended in all good faith as a direct result of the original re-zoning.

Clr Guile raised a Point of Order against the Amendment being moved as it negates the Motion and therefore is a Foreshadowed Motion. The Mayor ruled against the Point of Order and allowed the Amendment.

MOTION OF DISSENT (Clr Guile / Clr Watson)

Clr Guile moved a Motion of Dissent against the ruling of the Mayor that the Amendment did not negate the original Motion.

The Mayor did not PUT the MOTION OF DISSENT.

Clr Gartner raised a Point of Order against Clr Guile regarding his derogatory comments about the Office of Local Government staff. The Mayor ruled in favour of the Point of Order and asked Clr Guile to withdraw his comment and apologise. Clr Guile apologised for his reference to the Office of Local Government.

The Mayor asked Clr Guile to withdraw his comment and apologise unequivocally and unreservedly. Clr Guile apologised.

Clr Gartner raised a Point of Order against Clr Guile for disrespecting the leadership of the Chamber. The Mayor did not rule on the Point of Order.

The AMENDMENT was PUT to the meeting and LOST.

FOR: Clr Findley, Clr Gartner, Clr Digiglio, Clr Alldrick, Clr Levett and Clr Kitchener

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

AMENDMENT LOST

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN21.227

That Shoalhaven City Council:

1. Write to the State Minister For Planning and Public Spaces, Mr Rob Stokes, to once again affirm that this Council has no objection to the State Government purchasing any private land at Manyana that it deems necessary for inclusion as part of an adjacent National Park. Further, Shoalhaven City Council affirms that when a previous State Government re-zones land for residential purposes and then a future State Government expresses an intention to de-zone same land for environmental purposes, then the incumbent State Government acknowledges its responsibility in wholly financing the acquisition, as well as compensating Council for infrastructure monies expended in all good faith as a direct result of the original re-zoning.
2. Condemns any organised group or person or persons from Manyana who seek to misrepresent previous resolutions of Council regarding the State Government's stated desire to have said land at Manyana included as National Park, as a blatantly and a deceptive political attempt to divide the Council and to bring it into disrepute.

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

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

CARRIED

Procedural Motion - Adjournment of Meeting

RESOLVED (Clr Gartner / Clr Gash)

MIN21.228

That the meeting be adjourned to allow for refreshments.

CARRIED

The Meeting adjourned the time being 7.52pm.

The meeting reconvened the time being 8.24pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash – left at 9.58pm
Clr Patricia White
Clr John Wells
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile – left at 9.43pm
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL21.57 Rescission Motion - DE21.23 Notice of Motion -
Biodiversity Conservation Act Exemption for
Employment Lands**

**HPERM Ref:
D21/134158**

Recommendation

That Council rescind the Motion relating to Item DE21.23 of the Development and Environment Committee meeting held Tuesday 6 April 2021.

MOTION (Clr Gartner / Clr Levett)

That Council rescind the Motion relating to Item DE21.23 of the Development and Environment Committee meeting held Tuesday 6 April 2021.

Clr Pakes raised a Point of Order relating to material from the media being shown in debate, as he has been previously denied this on the grounds of it being a breach of the Code of Meeting Practice. The Mayor did not rule on the Point of Order.

PROCEDURAL MOTION (Clr Wells / Clr White)

That the MOTION be PUT.

PROCEDURAL MOTION CARRIED

MOTION (Clr Gartner / Clr Levett)

MIN21.229

That Council rescind the Motion relating to Item DE21.23 of the Development and Environment Committee meeting held Tuesday 6 April 2021.

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

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

MOTION LOST

CL21.58 Rescission Motion - DE21.33 - Development Application - DA20/1494 - 25 Sunnymede Lane, Berry - Lot 3 DP 713138

HPERM REF: D21/134086

Item dealt with earlier in the meeting see MIN21.221

CL21.59 Notice Of Motion - DE21.33 - Development Application - DA20/1494 - 25 Sunnymede Lane, Berry - Lot 3 DP 713138

HPERM REF: D21/134131

Item dealt with earlier in the meeting see MIN21.222

CL21.60 Rescission Motion - SA21.49 Draft Delivery Program Operational Plan and Budget 2021-2022 - Public Exhibition

HPERM Ref: D21/147042

Recommendation

That Council rescind the Motion relating to Item SA21.49 of the Strategy & Assets Committee meeting held Tuesday 13 April 2021.

MOTION (Clr Pakes / Clr Kitchener)

That Council rescind the Motion relating to Item SA21.49 of the Strategy & Assets Committee meeting held Tuesday 13 April 2021.

PROCEDURAL MOTION – EXTENSION OF MEETING (Clr Wells / Clr Pakes)

That the meeting be extended beyond past 9.00pm.

PROCEDURAL MOTION CARRIED.

PROCEDURAL MOTION (Clr Gash / Clr Gartner)

That the MOTION be PUT.

FOR: Clr Findley, Clr Gash, Clr Gartner, Clr Digiglio, Clr Levett and Clr Kitchener

AGAINST: Clr White, Clr Wells, Clr Alldrick, Clr Guile, Clr Pakes, Clr Watson and Clr Proudfoot

PROCEDURAL MOTION LOST

PROCEDURAL MOTION (Clr Proudfoot / Clr Gartner)

That the MOTION be PUT.

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

AGAINST: Clr Pakes

PROCEDURAL MOTION CARRIED

RESOLVED (Clr Pakes / Clr Kitchener)

MIN21.230

That Council rescind the Motion relating to Item SA21.49 of the Strategy & Assets Committee meeting held Tuesday 13 April 2021.

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

AGAINST: Clr Findley, Clr Gash, Clr Gartner, Clr Digiglio and Clr Levett

CARRIED

**CL21.61 Notice of Motion - SA21.49 Draft Delivery Program
Operational Plan and Budget 2021-2022 - Public
Exhibition**

**HPERM Ref:
D21/147353**

Recommendation

That Council receive a report back on the Budget cuts required to only adopt the 2% rate peg.

RESOLVED (Clr Guile / Clr Wells)

MIN21.231

That Council:

1. Endorse the 2021/22 Draft Delivery Program and Operational Plan, Budget, Fees and Charges (amended to include a rating structure limited to the 2% rate peg increase) for the purpose of placing on public exhibition for a period of 28 days.
2. Approve the Minister's allowable limit of a 2% rate peg in 2021/22 to the notional yield as permitted by Section 511 of the Local Government Act 1993.
3. Maintain the 2020/21 rating structure, comprising both base and ad valorem amounts noting that the use of a base amount results in bringing the higher and lower values closer together and in effect spreads the burden across the board to all ratepayers – noting also that this is a commonly used rating structure that is considered to provide the fairest and most equitable distribution of the rate levy across the LGA.
4. In accordance with Section 566(3) of the Act, endorse the rate of interest payable on overdue rates and charges for the period 1 July 2021 to 30 June 2022 (inclusive) to be 1.5% per annum. It is noted that this is significantly lower than the 2020 OLG recommended maximum of 7%. Interest charges will continue to be waived for ratepayers that are experiencing financial hardship and apply for financial assistance under Council's Hardship Policy.
5. Note that the proposed Waste Fees and Charges for 2021/22 have been included in the Draft DPOP and are tabled to Council for endorsement in a separate report to this Strategy & Assets Committee Meeting.
6. Receive a report on feedback from the community on the Draft 2021/22 DPOP and Budget following the 28 days public exhibition period.

FOR: Clr Findley, Clr Gash, Clr Wells, Clr Gartner, Clr Digiglio, Clr Levett, Clr Guile, Clr Pakes and Clr Proudfoot

AGAINST: Clr White, Clr Alldrick, Clr Watson and Clr Kitchener

CARRIED

Note: Cllr Guile left the meeting at 9.43pm.

Procedural Motion

RESOLVED (Cllr Wells / Cllr Pakes)

MIN21.232

That the following matters be brought forward and resolved en-bloc and that the meeting move into confidential session:

- CL21.77 – Purchase of Vacant Land Milton
- CL21.78 - Tenders - Comerong Island Ferry - Survey and Refurbishment, Approach Ramps and Rock Retenments.

CARRIED

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

CL21.77 Purchase of Vacant Land - Milton

HPERM Ref:
D21/147655

RESOLVED* (Cllr Wells / Cllr Pakes)

MIN21.233

That Council, in accordance with Section 10A(2)(c) of the Local Government Act 1993, consider a separate confidential report in relation to a property matter in Milton.

CARRIED

CL21.78 Tenders - Comerong Island Ferry - Survey and Refurbishment, Approach Ramps and Rock Retenments

HPERM Ref:
D21/119733

RESOLVED* (Cllr Wells / Cllr Pakes)

MIN21.234

That Council, in accordance with Section 10A(2)(c) & Section 10A(2)(d)(i) of the Local Government Act 1993, consider a separate confidential report in relation to the Ferry approach ramp and rock retenment works and associated works and services.

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 (Cllr Wells / Cllr Pakes)

MIN21.235

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.

CSA21.4 Land Acquisition Matters - Cambewarra Locality

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.

CSA21.8 Shoalhaven Entertainment Centre - Progress and Funding

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.

CCL21.3 Purchase of Vacant Land - Milton

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

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

CCL21.4 Tenders - Comerong Island Ferry - Survey and Refurbishment, Approach Ramps and Rock Revetments

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

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

Note: Clr Proudfoot left at 9.45pm

The meeting moved into confidential the time being 9.45pm.

Note: Clr Proudfoot returned during confidential session.

The meeting moved into open session, the time being 9.47pm.

**CL21.62 Notice of Motion - International Campaign to Abolish
Nuclear Weapons Cities Appeal**

**HPERM REF:
D21/137282**

Item dealt with earlier in the meeting see MIN21.223

CL21.63 Notice Of Motion - Creating a Dementia Friendly Shoalhaven **HPERM REF: D21/127978**

Item dealt with later in the meeting see MIN21.251

CL21.64 Notice of Motion - Croobyar Road, Milton **HPERM REF: D21/139661**

Item dealt with earlier in the meeting see MIN21.224

CL21.65 Notice of Motion - Cost of Installation of Fire Warning Sign for Cudmirrah Berrara **HPERM REF: D21/155877**

Item dealt with later in the meeting see MIN21.247

CL21.66 Notice of Motion - Assistance Wandandian Hall **HPERM REF: D21/155938**

Item dealt with later in the meeting see MIN21.248

CL21.67 Notice of Motion - Kioloa Basketball Courts - Refurbishment **HPERM REF: D21/157067**

Item dealt with later in the meeting see MIN21.249

CL21.68 Notice of Motion - Purchase of Private Land - National Parks **HPERM REF: D21/157515**

Item dealt with earlier in the meeting see MIN21.227

CL21.69 Notice of Motion - Amenities Block - Francis Ryan Reserve, Sanctuary Point **HPERM REF: D21/157633**

Item dealt with later in the meeting see MIN21.250

CL21.70 Question on Notice - Road Renewals & Building Maintenance **HPERM REF: D21/157188**

Item dealt with later in the meeting.

Procedural Motion – Resolve en-bloc – Report of Strategy & Assets Committee

Stephen Dunshea - CEO – SA21.68 - Feasibility Report – Provision of Sewer to Tomerong Village – significant non pecuniary interest declaration – he is a home owner and resident of Tomerong – The CEO left the room.

RESOLVED (Clr Watson / Clr Wells) MIN21.240

That the following items contained in the report of Strategy and Assets Committee be resolved en-

bloc:

- SA21.45 - Notice of Motion - Thompson St Sporting Complex - Supply of Front Deck Mower
- SA21.53 - 2020/2021 Council Borrowings - Loan Agreement - Holiday Haven
- SA21.58 - Proposed Licence - Council as Lessee from Wardens of the Anglican Parish of Ulladulla
- SA21.59 - Appointment of Native Title Manager and Notification to Minister for Planning, Industry & Environment
- SA21.68 - Feasibility Report - Provision of Sewer to Tomerong Village
- SA21.72 - Payment of Dividend from Shoalhaven Water 2019-20

CARRIED

REPORT OF THE STRATEGY & ASSETS COMMITTEE - 13 APRIL 2021

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

SA21.45	Notice of Motion - Thompson St Sporting Complex - Supply of Front Deck Mower	HPERM Ref: D21/122842
----------------	---	------------------------------

RESOLVED* (Clr Watson / Clr Wells)

MIN21.241

That:

1. Council supply a front deck mower, type to be determined by Director City Services, for the use of the Thompson Sporting Complex Committee in maintaining the grounds.
2. The funds for the acquisition to be sourced from the Plant Replacement Reserve or other source, as determined by the CEO.

CARRIED

SA21.53	2020/2021 Council Borrowings - Loan Agreement - Holiday Haven	HPERM Ref: D21/128852
----------------	--	------------------------------

RESOLVED* (Clr Watson / Clr Wells)

MIN21.242

That Council:

1. Enter into a loan agreement with Commonwealth Bank of Australia for the amount of \$3,590,000 with a term of 10 years @ 1.94% to cover Holiday Haven's borrowing requirements that were included in the 2020/21 Operational Plan.
2. Execute the following documents:
 - a. Letter of offer.
 - b. Authorised officer's certificate.
 - c. Drawdown notice.

CARRIED

SA21.58 Proposed Licence - Council as Lessee from Wardens of the Anglican Parish of Ulladulla **HPERM Ref: D21/77497**

RESOLVED* (Clr Watson / Clr Wells) MIN21.243

That Council:

1. Enter into a Licence agreement with Wardens of the Anglican Parish of Ulladulla for the carpark area of the Church grounds from 16 March 2021 to 14 February 2026 for an annual rent amount of \$3,000 + GST per annum;
2. Authorise the rent to be paid from Finance Project 101771 Southern Local Roads;
3. Authorise the Common Seal of the Council of the City of Shoalhaven to be affixed to any document required to be sealed and delegate to the Chief Executive Officer authority to sign any documentation necessary to give effect to this resolution.

CARRIED

SA21.59 Appointment of Native Title Manager and Notification to Minister for Planning, Industry & Environment **HPERM Ref: D21/106791**

RESOLVED* (Clr Watson / Clr Wells) MIN21.244

That Council:

1. Appoint Melissa Boundy – Senior Property Officer, Technical Services, City Services, as Shoalhaven City Council’s Native Title Manager;
2. Reconfirm appointment of the following relieving Native Title Managers in the absence of the Senior Property Officer, Technical Services, City Services:
 - a. Property Officer – Amanda Walker; and
 - b. Property Officer – Michelle Deudney.
3. Advise the Minister for Planning, Industry & Environment as required by Section 8.8 of the Crown land Management Act 2016.

CARRIED

SA21.68 Feasibility Report - Provision of Sewer to Tomerong Village **HPERM Ref: D21/85066**

Stephen Dunshea - CEO – SA21.68 - Feasibility Report – Provision of Sewer to Tomerong Village – significant non pecuniary interest declaration – he is a home owner and resident of Tomerong – The CEO left the room.

RESOLVED* (Clr Watson / Clr Wells) MIN21.245

That Council include \$7.3 million for the Tomerong Sewerage Scheme (as a pressure sewer scheme) in the Sewer Capital Works Program, for completion in the 2028/29 financial year based on the following:

1. Design of the scheme to commence in 2026/27 and construction commence in 2027/28,
2. Noting that the scheme is not currently funded, review the sewer availability charge as part of the 2022/23 DPOP preparation to ensure the project is accommodated in the Long Term Financial Plan,
3. The scheme also encompass any zoned land which has not been developed at this stage.
4. Shoalhaven Water to seek grant funding to assist with the financing of the scheme.

CARRIED

SA21.72 Payment of Dividend from Shoalhaven Water 2019-20

**HPERM Ref:
D21/116211**

RESOLVED* (Clr Watson / Clr Wells)

MIN21.246

That Council:

1. Determines substantial compliance with the *Best Practice Management of Water Supply and Sewerage Guidelines* has been achieved and the dividend will be paid from the Sewer Fund as declared in 2019-20.
2. Make representation to DPIE (Water) for exemption under the Best Practice Management Guidelines to pay a dividend from the Water Fund, and if successful seek advice as to a methodology for calculation of such dividend.

CARRIED

Note: Stephen Dunshea – CEO returned to the meeting.

CL21.65 Notice of Motion - Cost of installation of Fire Warning Sign for Cudmirrah Berrara

**HPERM Ref:
D21/155877**

Recommendation

That Council support the Cudmirrah Progress Association by allocating funds of \$2,200 to pay the Council invoice for the installation of the fire warning sign at Cudmirrah from the Unallocated Donations fund.

RESOLVED (Clr White / Clr Proudfoot)

MIN21.247

That Council support the Cudmirrah Progress Association by allocating funds of \$2,200 to pay the Council invoice for the installation of the fire warning sign at Cudmirrah from the Unallocated Donations fund.

CARRIED

CL21.66 Notice of Motion - Assistance Wandandian Hall

**HPERM Ref:
D21/155938**

Recommendation

That Council provide a financial grant of \$5,000 to the Wandandian Hall Association to assist the Association with ongoing costs following lost revenue due to the Bush Fires and Covid-19, the funds to be provided from the Unallocated Donations fund.

RESOLVED (Clr White / Clr Proudfoot)

MIN21.248

That Council provide a financial grant of \$5,000 to the Wandandian Hall Association to assist the Association with ongoing costs following lost revenue due to the Bush Fires and Covid-19, the funds to be provided from the Unallocated Donations fund.

CARRIED

**CL21.67 Notice of Motion - Kioloa Basketball Courts -
Refurbishment**

**HPERM Ref:
D21/157067**

Recommendation

That Council:

1. Staff engage and meet with Kioloa Bawley Point Sports & Recreation Association's working committee, Richard Nesbitt, other stakeholders, and available Councillors on their proposal to refurbish the existing Basketball Court on Kioloa Reserve.
2. Assist the working group to apply for Grant funding (including letters of support) for the project once the proposal has been finalised and approved by Council staff.
3. Staff report to the Council on any issues that may arise during the course of refurbishment.

RESOLVED (Clr White / Clr Levett)

MIN21.249

That Council:

1. Staff engage and meet with Kioloa Bawley Point Sports & Recreation Association's working committee, Richard Nesbitt, other stakeholders, and available Councillors on their proposal to refurbish the existing Basketball Court on Kioloa Reserve.
2. Assist the working group to apply for Grant funding (including letters of support) for the project once the proposal has been finalised and approved by Council staff.
3. Staff report to the Council on any issues that may arise during the course of refurbishment.

CARRIED

**CL21.69 Notice of Motion - Amenities Block - Francis Ryan
Reserve, Sanctuary Point**

**HPERM Ref:
D21/157633**

Recommendation

That:

1. A gymnasium space and CCTV security be included in the concept design for the new amenities block at Francis Ryan Reserve, Sanctuary Point.
2. Council staff assist with the best location for an electronic scoreboard at Francis Ryan Reserve, Sanctuary Point.

RESOLVED (Clr Proudfoot / Clr Pakes)

MIN21.250

That:

1. A gymnasium space and CCTV security be included in the concept design for the new amenities block at Francis Ryan Reserve, Sanctuary Point.
2. Council staff assist with the best location for an electronic scoreboard at Francis Ryan Reserve, Sanctuary Point.

CARRIED

CL21.63 Notice of Motion - Creating a Dementia Friendly Shoalhaven

HPERM Ref: D21/127978

Recommendation

That Shoalhaven City Council:

1. Implement the principles and recommendations in the *Alzheimer's Support Australia – Creating Dementia-Friendly Communities toolkit for Local Government* to make the Shoalhaven a “Dementia-Friendly Community” and enable best practice outcomes for those in our city living with dementia.
2. Acknowledge the Ageing population of the Shoalhaven deserve the values we uphold: Respect, Collaboration, Adaptability and Integrity.

RESOLVED (Clr Digiglio / Clr Levett)

MIN21.251

That this matter be deferred to the Strategy & Assets Committee meeting of 18 May 2021.

CARRIED

CL21.70 Question on Notice - Road Renewals & Building Maintenance

HPERM Ref: D21/157188

Question

1. What are the implications of the recent survey results that show 34% of SCC’s sealed road network is in Fair condition?
2. How does SCC’s Road renewals budget for 2016-2020 compare with the previous Council, 2012-2016?
3. How does the building maintenance spend compare for the same period?
4. What is the impact on road renewals and building maintenance of the slowed uptake of the SRV approved by IPART in 2017?
5. What is the impact of grant funded community projects on Council’s asset maintenance and renewal budget? Like a new BBQ for instance.
6. What is the impact of deferred renewal and maintenance spending on the lifecycle of Councils Assets?
7. How does the general fund asset renewal and maintenance budget compare with that of Shoalwater?

Response

A report will be provided in response to the Questions on Notice at the next Strategy and Assets Committee Meeting.

Procedural Motion – Items en bloc

RESOLVED (Clr Wells / Clr White)

MIN21.252

That the following items be resolved en bloc:

- SH20.2 River Road Foreshore Precinct Rehabilitation Project Progress Report
- TA21.10 Shoalhaven Tourism Advisory Group - Extension of Membership
- TC21.21 Private Use of Public Parking - 13 Prince Alfred Street - Berry (PN 3645)
- TC21.22 Signage and Line Marking Plan - 320 Princes Highway Bomaderry - Lot 1 DP 1249319 (PN 3644)

- TC21.23 Traffic Signals - O'Keeffe Avenue - Nowra (PN 3650)
- TC21.24 Proposed Road Safety Improvements - BTU Road - Nowra Hill (PN 3646)
- TC21.27 Traffic Signals - Princes Highway and Wason Street - Milton - (PN 3649)
- TC21.28 Signage and Line Marking Plan - 25 Ilett Street Mollymook - Lot 61 DP 596244 (PN 3647)
- TC21.29 Proposed Raised Pedestrian Crossing - St Vincent St - Ulladulla (PN 3651)

CARRIED

Note: Clr Gash left the meeting at 9.58pm

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

REPORT OF THE SHOALHAVEN HEADS ESTUARY TASKFORCE - 3 DECEMBER 2020

SH20.2	River Road Foreshore Precinct Rehabilitation Project Progress Report	HPERM Ref: D20/524277
---------------	---	------------------------------

RESOLVED* (Clr Wells / Clr White) MIN21.253

That the Taskforce

1. Receive the River Road Foreshore Precinct Rehabilitation Project Progress Report for information.
2. Request Council provide an explanatory letter to the Member for Kiama outlining the points of contact with the community, how the project has changed, the details of the final proposed project, and how the objectives of the original grant application to the State are being achieved.

CARRIED

REPORT OF THE SHOALHAVEN TOURISM ADVISORY GROUP - 24 MARCH 2021

TA21.10	Shoalhaven Tourism Advisory Group - Extension of Membership	HPERM Ref: D21/100240
----------------	--	------------------------------

RESOLVED* (Clr Wells / Clr White) MIN21.254

That the Shoalhaven Tourism Advisory Group request that Council:

1. Endorse the recommendation to extend current memberships for the Shoalhaven Tourism Advisory Group
2. Extend the following members to October 2021:
 - a. James Lin
 - b. Brenda Sambrook
 - c. Juliet Barr
3. Extend the following members to October 2022:
 - a. Rob Crow
 - b. Mat Lock

- c. Mark Thirwall
 - d. David Fleeting
 - e. Neil Rogers
4. Formally acknowledge the resignation of Kylie Pickett and thank Kylie for her service and commitment as a member of the Shoalhaven Advisory Group.
 5. Move the upcoming STAG meeting on the 19 April 2021 to 10 May 2021 to allow time for confirmation of new memberships via Council's Ordinary meeting.

CARRIED

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - 13 APRIL 2021

TC21.21 Private Use of Public Parking - 13 Prince Alfred Street - Berry (PN 3645)	HPERM Ref: D21/128903
--	------------------------------

RESOLVED* (Clr Wells / Clr White) MIN21.255

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the temporary use of 4 parallel parking spaces on the western side of Prince Alfred Street, Berry for a period of 52 weeks during the works associated with the development at 13 Prince Alfred Street, Berry, as detailed in Plan No: D21/128911.

CARRIED

TC21.22 Signage and Line Marking Plan - 320 Princes Highway Bomaderry - Lot 1 DP 1249319 (PN 3644)	HPERM Ref: D21/128876
---	------------------------------

RESOLVED* (Clr Wells / Clr White) MIN21.256

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking associated with the development at 320 Princes Highway, Bomaderry (per development consent condition 39(vii)), as per Plan No D21/128883.

CARRIED

TC21.23 Traffic Signals - O'Keeffe Avenue - Nowra (PN 3650)	HPERM Ref: D21/130094
--	------------------------------

RESOLVED* (Clr Wells / Clr White) MIN21.257

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed Traffic Signals at O'Keeffe Avenue, Nowra as per Plan No D21/130117, subject to:

- Supplementing the existing "No Stopping" signage with C3 linemarking on both eastern and western sides of O'Keeffe Avenue

CARRIED

TC21.24 Proposed Road Safety Improvements - BTU Road - Nowra Hill (PN 3646) **HPERM Ref: D21/128967**

RESOLVED* (Clr Wells / Clr White) MIN21.258

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed road safety improvements along BTU Road, Nowra Hill, as per Plan No: D21/129000.

CARRIED

TC21.25 Proposed One Way Restrictions - The Marina - Culburra Beach (PN 3648) **HPERM Ref: D21/129187**

Clr Gash – TC21.25 - Proposed One Way Restrictions - The Marina - Culburra Beach (PN 3648) – pecuniary interest declaration – she is co-owner of a property in The Marina and lives in the street – was absent from the meeting and did not take part in discussion or vote.

Recommendation

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed one-way restrictions along the Marina, between Mia Way and the Mall, Culburra Beach as per Plan No: D21/129192.

RESOLVED (Clr Digiglio / Clr White) MIN21.259

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed one-way restrictions along the Marina, between Mia Way and the Mall, Culburra Beach as per Plan No: D21/129192.

CARRIED

TC21.26 Shared User Path and Parking Restrictions - Sussex Road - Sussex Inlet (PN 3643) **HPERM Ref: D21/128829**

Clr White – TC21.26 - Shared User Path and Parking Restrictions - Sussex Road - Sussex Inlet (PN 3643) – less than significant non pecuniary interest declaration – She is the Director of the Inasmuch Aged Care facility and Council is constructing a footpath around the facility – remained in the room and took part in discussion and voted.

Recommendation

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed shared user path and associated parking restrictions along Sussex Road, Sussex Inlet, as per Plan No: D21/128838.

RESOLVED (Clr Pakes / Clr Wells) MIN21.260

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed shared user path and associated parking restrictions along Sussex Road, Sussex Inlet, as per Plan No: D21/128838.

CARRIED

TC21.27 Traffic Signals - Princes Highway and Wason Street - Milton - (PN 3649)	HPERM Ref: D21/130417
--	------------------------------

RESOLVED* (Clr Wells / Clr White) MIN21.261

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed traffic signals and associated parking restrictions at the intersection of the Princes Highway and Wason Street, Milton as per Plan No: D21/130436, subject to:

1. Transport for NSW installing four G7-7 white on blue parking signs (with directional arrows) to help alleviate the loss of parking from the project, by guiding traffic towards the off-street Council carpark in Church Street. Signs are to be provided in both directions on the Princes Highway at Church Street, and in both directions at the access to the carpark in Church Street

CARRIED

TC21.28 Signage and Line Marking Plan - 25 Ilett Street Mollymook - Lot 61 DP 596244 (PN 3647)	HPERM Ref: D21/129077
---	------------------------------

RESOLVED* (Clr Wells / Clr White) MIN21.262

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and line marking associated with the development at 25 Ilett Street, Mollymook (per development consent condition 29), as per Plan No D21/129094, subject to:

1. The raised threshold within the internal parking area to be upgraded to a raised pedestrian crossing, with associated signage and linemarking

CARRIED

TC21.29 Proposed Raised Pedestrian Crossing - St Vincent St - Ulladulla (PN 3651)	HPERM Ref: D21/130843
--	------------------------------

RESOLVED* (Clr Wells / Clr White) MIN21.263

That the Chief Executive Officer (Director City Services) be advised that the Shoalhaven Traffic Committee has no objection to the proposed raised pedestrian crossing at St Vincent St, Ulladulla as per Plan No D21/130851.

CARRIED

REPORTS

CL21.75 Draft Submission - Remote Attendance by Councillors at Council Meetings	HPERM Ref: D21/117136
--	------------------------------

Recommendation

That Council endorse the attached draft submission to the Office of Local Government's Consultation Paper on Remote Attendance at Council Meetings.

RESOLVED (Clr Pakes / Clr Levett) MIN21.264

That Council endorse the attached draft submission to the Office of Local Government's Consultation Paper on Remote Attendance at Council Meetings.

CARRIED

CL21.76 Investment Report - March 2021

**HPERM Ref:
D21/145817**

Recommendation

That:

1. The report of the Chief Executive Officer (City Performance) on the Record of Investments for the period to 31 March 2021 be received for information.
2. Council note Council's Investment Portfolio returned 1.20% for the month of March 2021, exceeding the benchmark AusBond Bank Bill Index (0.02% pa) by 118 basis points (1.18%).

RESOLVED (Clr Wells / Clr Gartner)

MIN21.265

That:

1. The report of the Chief Executive Officer (City Performance) on the Record of Investments for the period to 31 March 2021 be received for information.
2. Council note Council's Investment Portfolio returned 1.20% for the month of March 2021, exceeding the benchmark AusBond Bank Bill Index (0.02% pa) by 118 basis points (1.18%).

CARRIED

CL21.77 Purchase of Vacant Land - Milton

**HPERM REF:
D21/147655**

Item dealt with earlier in the meeting see MIN21.233

**CL21.78 Tenders - Comerong Island Ferry - Survey And
Refurbishment, Approach Ramps and Rock Revetments**

**HPERM REF:
D21/119733**

Item dealt with earlier in the meeting see MIN21.234

**CL21.79 Variations to Development Standards - March Quarter
2021**

**HPERM Ref:
D21/85126**

Recommendation

That Council receive the Variations to Development Standards –March Quarter Report 2021 for information.

RESOLVED (Clr Gartner / Clr Digiglio)

MIN21.266

That Council receive the Variations to Development Standards –March Quarter Report 2021 for information.

CARRIED

CL21.80 RD21/1000 – 15 Vallon Road Woollamia – Lot 3 DP 832984 **HPERM REF: D21/136413**

Item dealt with earlier in the meeting see MIN21.226

CL21.81 Creation of Easement on the Village Green - 132 Island Point Road St Georges Basin **HPERM Ref: D21/152971**

Recommendation

That Council note the status of the tree situation on the Village Green at St Georges Basin as requested by MIN21.215.

RESOLVED (Clr Levett / Clr Gartner) MIN21.267

That Council:

1. Note the status of the tree situation on the Village Green at St Georges Basin as requested by MIN21.215.
2. Facilitate a public meeting to explain the development in question and what it may look like at the conclusion of the process.

CARRIED

REPORT FROM CONFIDENTIAL SESSION

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

CSA21.4 Land Acquisition Matters - Cambewarra Locality **HPERM Ref: D21/76821**

RESOLVED MIN21.236C

That the Chief Executive Officer (Director – City Services) undertake the future actions for proposed land acquisition as detailed in the report to the Strategy & Assets Committee Meeting on 13 April 2021.

CARRIED

CSA21.8 Shoalhaven Entertainment Centre - Progress and Funding **HPERM Ref: D21/105721**

RESOLVED MIN21.237C

That:

1. The report on progress of Stage 1 works associated with Shoalhaven Entertainment Centre be received and Council note that the SEC is on target to re-open for normal operations during May this year.
2. Council endorse the option to install a new Fire Sprinkler System (Option 2 on page 3 of this report) to address the outstanding Fire Safety Order provisions for the Shoalhaven Entertainment Centre.
3. Council commits to providing additional funding of \$2.1M for the preferred Option 2 on page 3 of this report in the 2021/22 Budget with a recommended funding strategy, inclusive of

potential loan funds, to be presented back to Council in conjunction with the outcomes of public consultation on the draft 2021/22 Budget.

5. With respect to the negotiations with the existing contractor as per Confidential Recommendation (4), maintain confidentiality in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 until reported back to Council

CARRIED

CCL21.3 Purchase of Vacant Land - Milton

**HPERM Ref:
D21/126312**

RESOLVED

MIN21.238C

That the Chief Executive Officer (Director, City Futures) undertake the proposed property acquisition (future) actions as detailed in the report for the purchase of the property in Milton.

CARRIED

CCL21.4 Tenders - Comerong Island Ferry - Survey and Refurbishment, Approach Ramps and Rock Revetments

**HPERM Ref:
D21/147030**

RESOLVED

MIN21.239C

That Council

1. Note the significant variation between the design estimate based budget and tender prices for the critical approach ramps and the considerable financial and service impact should an approach ramp fail before the next ferry out of water survey in 5 years.
2. Approve additional funding of \$357,000 to enable the concurrent completion of both approach ramps and the ferry refurbishment with funding as outlined in this report to be confirmed as part of the March Quarterly Budget Review.
3. Note that the CEO has approved the contract for the ferry survey and refurbishment and will approve the contract for the approach ramps and rock revetments following the Council approval of the additional funds.

CARRIED

There being no further business, the meeting concluded, the time being 10.08pm.

Clr Findley
CHAIRPERSON