

MINUTES OF THE ORDINARY MEETING

Meeting Date: Tuesday, 3 August 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
Clr Patricia White
Clr John Wells
Clr Kaye Gartner
Clr Nina Digiglio
Clr John Levett
Clr Andrew Guile (Remotely)
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot (Remotely)

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 Father Joseph and the playing of the Australian National Anthem.

Apologies / Leave of Absence

An apology was received from Clr Alldrick for this meeting.

Confirmation of the Minutes

RESOLVED (Clr Pakes / Clr White) MIN21.575

That the Minutes of the Ordinary Meeting of Ordinary Meeting held on Tuesday 27 July 2021 be confirmed.

CARRIED

Declarations of Interest

Nil

Introduction of Items as Matters of Urgency

Clr Pakes noted the provisions of Clause 9.9 of the Code of Meeting Practice which outlines that Mayoral Minutes should only be introduced without notice if the matter requires resolution prior to the next available Ordinary Meeting. Clr Pakes asked that the addendum Mayoral Minutes be deferred to the next meeting.

The Mayor ruled the matters as items of urgency given the contemporary nature of the matters and the timing of the next meeting of the Council.

RESOLVED (Clr Gash / Clr Levett)

MIN21.576

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

1. MM21.20 Mayoral Minute - Bomaderry Pump Track and Youth Space
2. MM21.21 Mayoral Minute - Olympic Achievements of Owen Wright
3. MM21.22 Mayoral Minute - More Celebrations for Shoalhaven Olympians Shane Rose Silver Medal Winner and Jye Edwards
4. MM21.23 Mayoral Minute - NSW Infrastructure Contributions Reforms

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

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

CARRIED on the CASTING VOTE of the Chair

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

Procedural Motion – Bring Forward the Deputations

RESOLVED (Clr Gartner / Clr Digiglio)

MIN21.577

That the Deputations be heard prior to the Mayoral Minutes.

CARRIED

DEPUTATIONS AND PRESENTATIONS

MM21.19 – Mayoral Minute - Solar Farm

Mr Bob Hayward addressed the meeting and spoke in favour of the recommendation.

CL21.170 – DA20/1413 – Residential Flat Development of 2 Blocks & Strata Subdivision – Lot 1 Church St, Ulladulla DP 831274

Mr Justin Stanwix and Mr Josh Wooden addressed the meeting and spoke in favour of the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Pakes / Clr Gartner)

MIN21.578

That the following Deputation Item be brought forward at the conclusion of the Mayoral Minute

Items:

- CL21.170 – DA20/1413 – Residential Flat Development of 2 Blocks & Strata Subdivision – Lot 1 Church St, Ulladulla DP 831274

CARRIED

MAYORAL MINUTE

MM21.19 Mayoral Minute - Solar Farm

HPERM Ref:
D21/312620

Recommendation

That

1. Moneys received via the upfront payment of the commercial lease for the South Nowra Solar Farm be contributed to Council's Revolving Energy Fund (REFund) to make more funding available for solar PV, energy efficiency and battery storage projects on Council infrastructure.
2. That energy savings generated by the installation of a 16kW solar array on the Animal Shelter be contributed to the REFund to enable further funds for Council's sustainable energy projects as above.

RESOLVED (Clr Findley / Clr Gartner)

MIN21.579

That:

1. Moneys received via the upfront payment of the commercial lease for the South Nowra Solar Farm be restricted in Council's Revolving Energy Fund (REFund) to make more funding available for solar PV, energy efficiency and battery storage projects on Council infrastructure.
2. Energy savings generated by the installation of a 16kW solar array on the Animal Shelter be restricted to the REFund to enable further funds for Council's sustainable energy projects as above.

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

Against: Clr Guile

CARRIED

MM21.20 Mayoral Minute - Bomaderry Pump Track and Youth Space

HPERM Ref:
D21/322119

Recommendation

That Council:

1. Work with Bomaderry Inc to identify the most suitable location in the Bomaderry area for the establishment of a pump track.
2. Also add the Bomaderry Pump Track to its list of unfunded projects and look for future funding opportunities to progress the project.

RESOLVED (Clr Findley / Clr Digiglio)

MIN21.580

That Council:

1. Work with Bomaderry Inc, Bomaderry CCB, Pride of Bomaderry, sporting clubs and other interested parties to identify the most suitable location in the Bomaderry area for the establishment of a pump track.
2. Add the Bomaderry Pump Track to its list of unfunded projects and look for future funding opportunities to progress the project.

CARRIED

MM21.21 Mayoral Minute - Olympic Achievements of Owen Wright

**HPERM Ref:
D21/322339**

Recommendation

That Council:

1. Acknowledge the achievements of Culburra Surfer Owen Wright in achieving Bronze at the 2021 Tokyo Olympic Games, the inaugural year that surfing has been included as an Olympic event.
2. Invite Owen and other young local athletes from the Illawarra Academy of Sport to a Civic Reception as it will be an encouraging and inspirational experience for them to meet a Olympic Medal holder.
3. Invite Owen to attend the Civic Reception for the 2020/2021 Queen's Birthday Honour Roll Recipients, noting that this event hasn't been held due to COVID restrictions and is likely not to be held until possibly 2022.

RESOLVED (Clr Findley / Clr Pakes)

MIN21.581

That Council:

1. Acknowledge the achievements of Culburra Surfer Owen Wright in achieving Bronze at the 2021 Tokyo Olympic Games, the inaugural year that surfing has been included as an Olympic event.
2. Invite Owen and other young local athletes from the Illawarra Academy of Sport to a Civic Reception as it will be an encouraging and inspirational experience for them to meet a Olympic Medal holder.
3. Invite Owen to attend the Civic Reception for the 2020/2021 Queen's Birthday Honour Roll Recipients, noting that this event hasn't been held due to COVID restrictions and is likely not to be held until possibly 2022.
4. Induct Owen Wright into the Shoalhaven Sporting Hall of Fame.

CARRIED

MM21.22 Mayoral Minute - More Celebrations for Shoalhaven Olympians Shane Rose Silver Medal Winner and Jye Edwards

**HPERM Ref:
D21/324957**

Recommendation

That Council:

1. Acknowledge the achievements of Berry's Shane Rose winning a silver medal in the Team Eventing competition and Jye Edwards for placing 7th in his 1500m men's track event at the 2021 Tokyo Olympic Games.
2. Invite Shane and Jye and young local athletes from the Illawarra Academy of Sport to a Civic

Reception as it will be an encouraging and inspirational experience for them to meet the Olympians.

3. Invite Shane and Jye to attend the Civic Reception for the 2020/2021 Queen's Birthday Honour Roll Recipients, noting that this event hasn't been held due to COVID restrictions and is likely not to be held until possibly 2022.

RESOLVED (Clr Findley / Clr Wells)

MIN21.582

That Council:

1. Acknowledge the achievements of Berry's Shane Rose winning a silver medal in the Team Eventing competition and Jye Edwards for placing 7th in his 1500m men's track event at the 2021 Tokyo Olympic Games.
2. Invite Shane and Jye and young local athletes from the Illawarra Academy of Sport to a Civic Reception as it will be an encouraging and inspirational experience for them to meet the Olympians.
3. Invite Shane and Jye to attend the Civic Reception for the 2020/2021 Queen's Birthday Honour Roll Recipients, noting that this event hasn't been held due to COVID restrictions and is likely not to be held until possibly 2022.
4. Induct Shane Rose into the Shoalhaven Sporting Hall of Fame.

CARRIED

MM21.23 Mayoral Minute - NSW Infrastructure Contributions Reforms

HPERM Ref: D21/324525

Recommendation

That Council:

1. Calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
2. Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
3. Calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms.
4. Write to the Member for Kiama Gareth Ward MP, the Member for South Coast & Minister for Local Government the Hon Shelley Hancock MP, the Premier the Hon Gladys Berejiklian MP, Treasurer the Hon Dominic Perrottet MP, and Minister for Planning and Public Spaces the Hon Rob Stokes MP seeking them to withdraw the Bill.
5. Write to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Pauline Hanson's One Nation the Hon Mark Latham MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.

6. Alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
7. Affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.

RESOLVED (Clr Findley / Clr Digiglio)

MIN21.583

That Council:

1. Calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
2. Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
3. Calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms.
4. Write to the Member for Kiama Gareth Ward MP, the Member for South Coast & Minister for Local Government the Hon Shelley Hancock MP, the Premier the Hon Gladys Berejiklian MP, Treasurer the Hon Dominic Perrottet MP, and Minister for Planning and Public Spaces the Hon Rob Stokes MP seeking them to withdraw the Bill.
5. Write to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Pauline Hanson's One Nation the Hon Mark Latham MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.
6. Alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
7. Affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.

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

AGAINST: Clr Guile

CARRIED

**CL21.170 Development Application DA20/1413 - Church St
Ulladulla – Lot 1 DP 831274**

**HPERM Ref:
D21/239986**

Recommendation (Item to be determined under delegated authority)

That Council in relation to Development Application DA20/1413 for two (2) residential flat buildings containing 22 apartments and basement parking at Lot 1 in DP 831274, Church St, Ulladulla:

1. Confirm that it supports the proposed variation, under clause 4.6 of Shoalhaven Local Environment Plan 2014, to the 11m maximum building height to allow for the development of the residential flat building to a maximum 14.58m in height.
2. Approve Development Application (DA20/1413) in accordance with the recommended conditions of the consent (Attachment 8).

RESOLVED (Clr White / Clr Pakes)

MIN21.584

That Council in relation to Development Application DA20/1413 for two (2) residential flat buildings containing 22 apartments and basement parking at Lot 1 in DP 831274, Church St, Ulladulla:

1. Confirm that it supports the proposed variation, under clause 4.6 of Shoalhaven Local Environment Plan 2014, to the 11m maximum building height to allow for the development of the residential flat building to a maximum 14.58m in height.
2. Approve Development Application (DA20/1413) in accordance with the recommended conditions of the consent (Attachment 8).

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

AGAINST: Nil

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL21.160 Rescission Motion - SA21.164 - Worrigee / South Nowra /
East Nowra Investigations - Aquatic Centre & Integrated
Recreational Strategic Plan**

**HPERM Ref:
D21/313876**

Recommendation

That Council rescind the Motion relating to SA21.164 Worrigee / South Nowra / East Nowra Investigations - Aquatic Centre & Integrated Recreational Strategic Plan of the Strategy & Assets Committee 20 July 2021.

MOTION (Clr Findley / Clr Levett)

MIN21.585

That Council rescind the Motion relating to SA21.164 Worrigee / South Nowra / East Nowra Investigations - Aquatic Centre & Integrated Recreational Strategic Plan of the Strategy & Assets Committee 20 July 2021.

FOR: Clr Findley, Clr Gartner and Clr Levett

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

LOST

CL21.161 Notice of Motion - SA21.164 Worrigeer / South Nowra / East Nowra Investigations - Aquatic Centre & Integrated Recreational Strategic Plan

**HPERM Ref:
D21/313877**

Recommendation

That Council:

1. Further investigate the need for a community centre / facility for the Worrigeer, South Nowra & East Nowra areas under the review of the Community Infrastructure Strategic Plan and continue discussions with Schools Infrastructure NSW regarding access to Department of Education premises.
2. Include the creation of an integrated and connected recreational plan for the Worrigeer / South Nowra and East Nowra areas under the review of the Community Infrastructure Strategic Plan, currently being undertaken by Council.
3. Receive a separate report prepared by the CEO with respect to any Public Private Partnership with Shoalhaven Ex-Services Club.

Note: This item was not dealt with as the Rescission Motion was lost, see MIN21.585

CL21.162 Notice of Motion - Replacement of Playground Soft fall flooring, Orient Point Community Hall / Centre

**HPERM Ref:
D21/315011**

Recommendation

That Council:

1. Commit to replace the soft fall flooring under the play equipment at the Orient Point Community Hall/Centre as a matter of urgency.
2. Fund the replacement of the soft fall flooring at the next budget review.

RESOLVED (Clr Pakes / Clr White)

MIN21.586

That Council:

1. Commit to replace the soft fall flooring under the play equipment at the Orient Point Community Hall/Centre as a matter of urgency.
2. Replace the old and damaged safety fence along the rear of the property and the car park.
3. Fund the replacement of the soft fall flooring at the next quarterly budget review.
4. Investigate the safety of the car park and install bollards or the like if necessary to ensure the safety of the users of the playground.

CARRIED

Procedural Motion - Bring Item Forward

RESOLVED (Clr Digiglio / Clr Pakes)

MIN21.587

That the following matter be brought forward for consideration:

- CL21.167 - Traffic Impact Summary - L'Etape Major Cycling Event 2021.

CARRIED

**CL21.167 Traffic Impact Summary - L'Etape Major Cycling Event
2021**

**HPERM Ref:
D21/287145**

Recommendation

That with regard to the L'Etape Australia cycling event proposed to take place on 28 November 2021, Council:

1. Acknowledges that the key potential traffic impacts associated with this "Class 1" event are as follows:
 - a. Closure of various sections of road at localities including Shoalhaven Heads, Far Meadow, Coolangatta, Berry, Berry Mountain, Bellawongarah, Beaumont, Kangaroo Valley and Barrengarry at various times between 4:30am and 10:45am, excluding emergency vehicles.
 - b. Access to the Shoalhaven via Moss Vale Road will be detoured via the Hume Highway to Picton Road to use the Princes Highway.
 - c. Closure of Queen Street, Berry and all intersecting roads west of Albert Street, Berry. A supervised crossing point at the intersection of Alexandra Street and Queen Street will be maintained, allowing vehicle access when traffic controllers permit it's safe to do so. The total time of this temporary road closure will be between 5am to 9:30am.
 - d. The total time of temporary road closure within the main street of Kangaroo Valley (Moss Vale Road) will be between 5:30am to 10:45am. However, this will consist of approx. 3hrs 9mins of hard closure - between 7:24am to 10:33am.
2. Provides in-principle support for the event after consideration of the proposed traffic impacts.
3. Notes that given Council's in-principle support of the proposed traffic impacts, the Shoalhaven Traffic Committee will undertake a detailed technical assessment of the proposed traffic management measures.

RESOLVED (Clr Watson / Clr Guile)

MIN21.588

That Council:

1. Discourage the L'Etape Major Cycling Event scheduled for 28 November 2021 from being held on roads in the Shoalhaven due to the impacts on the local businesses, residential properties and COVID-19.
2. Writes to the Member for Kiama Gareth Ward MP asking him to support Shoalhaven City Council, the businesses and residents of Berry and Kangaroo Valley in opposing this event to the Department of Premier and Cabinet.

CARRIED

**REPORT OF THE SHOALHAVEN TOURISM ADVISORY GROUP - 19
JULY 2021**

**TA21.26 Appointment - New Members to the Shoalhaven Tourism
Advisory Group - 2021**

**HPERM Ref:
D21/247465**

RECOMMENDATION

That the Shoalhaven Tourism Advisory Group request that Council endorse the following community members as casual memberships (until 31 October 2021) of the Shoalhaven Tourism Advisory Group:

- a. Michelle Bishop
- b. Sandra Gray

RESOLVED (Clr Gash / Clr Digiglio)

MIN21.589

That the Shoalhaven Tourism Advisory Group request that Council endorse the following community members as casual memberships (until 31 October 2021) of the Shoalhaven Tourism Advisory Group:

- a. Michelle Bishop
- b. Sandra Gray

CARRIED

REPORTS

CL21.164 2020/2021 Council Borrowings - Loan Agreement - General Fund

**HPERM Ref:
D21/305606**

Recommendation

That Council enter into a loan agreement with the Commonwealth Bank of Australia for the amount of \$2,500,000 with a term of 10 years at an indicative rate of 1.89% to cover the borrowing requirements of the Corporate Business Systems Implementation project that was approved in principle by Council, as a part of the 2020/21 Delivery Program Operational Plan & Budget adopted on 30 June 2020.

RESOLVED (Clr Wells / Clr White)

MIN21.590

That Council enter into a loan agreement with the Commonwealth Bank of Australia for the amount of \$2,500,000 with a term of 10 years at an indicative rate of 1.89% to cover the borrowing requirements of the Corporate Business Systems Implementation project that was approved in principle by Council, as a part of the 2020/21 Delivery Program Operational Plan & Budget adopted on 30 June 2020.

CARRIED

CL21.165 Reclassification of Land - Lot 1151 DP 1159783 - Larmer Avenue Sanctuary Point

**HPERM Ref:
D21/305239**

Recommendation

That Council classify the area known as BHERWERRE WETLAND (Lot 1151 DP 1159783) as Community land and retain the “non wetland portion” (the hiatus land) as Operational Land to maintain flexibility for investigations into future options for boundary adjustments or reclassification.

RESOLVED (Clr Levett / Clr Findley)

MIN21.591

That:

1. Council classify the area known as BHERWERRE WETLAND (Lot 1151 DP 1159783) as Community land and retain the “non wetland portion” (the hiatus land) as Operational Land to maintain flexibility for investigations into future options for boundary adjustments or reclassification

2. The drainage channel running through BHERWERRE WETLAND (Lot 1151 DP 1159783) be excluded from the community classification and left as operational land to be determined in consultation with the CEO and Director - City Services.
3. Any clearing of the channel be done in a manner that is environmentally sensitive to the wetland area.

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

AGAINST: Clr Pakes, Clr Guile and Clr Watson

CARRIED

**CL21.166 Traffic Impact Summary - NSW Aboriginal Rugby League
Knockout Carnival 2021**

**HPERM Ref:
D21/305876**

Recommendation

With regard to the South Coast Black Cockatoos hosting of the NSW Aboriginal Rugby League Knockout Carnival 50th Anniversary, proposed to take place on 30 September to 4 October 2021 at the Bomaderry Sporting Complex, Council:

1. Acknowledges that the key potential traffic impacts associated with this "Class 1" event are as follows:
 - a. Closure of a section of Cambewarra Road at the Bomaderry Sporting Complex for up to 5 days (from 8am* 29 September to 8am* 5 October), excluding emergency vehicles. *Note: exact times have not been stated in the application nor able to be confirmed at the time of writing this report.
 - b. Provides for detour around the Bomaderry Sporting Complex using local streets which will result in increased traffic congestion and on street parking in those streets.
 - c. Proposes shuttle bus services to various parking locations around the region.
2. Provides in-principle support for the event after consideration of the proposed traffic impacts.
3. Will, through the CEO (Director City Services), continue to work with the event organisers in planning to mitigate the traffic impacts of the event on an in-kind basis.
4. Note that given Council's in-principle support of the proposed traffic impacts, the Shoalhaven Traffic Committee will undertake a detailed technical assessment of the proposed traffic management measures.

Note: Clr Kitchener left the meeting at 7.24pm

RESOLVED (Clr Wells / Clr Digiglio)

MIN21.592

That Council reaffirm its support for the South Coast Black Cockatoos hosting the NSW Aboriginal Rugby League Knockout Carnival and receive the report for information noting it has been postponed until October 2022.

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

AGAINST: Nil

CARRIED

**CL21.167 TRAFFIC IMPACT SUMMARY - L'ETAPE MAJOR
CYCLING EVENT 2021**

**HPERM REF:
D21/287145**

Item dealt with earlier in the meeting see MIN21.588

**CL21.168 Tenders - Construct Building - Materials Recovery
Facility**

**HPERM Ref:
D21/306944**

Recommendation

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

RESOLVED (Clr Wells / Clr White)

MIN21.593

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

CARRIED

**CL21.169 Far North Collector – Variation to the original funding
approved by the Australian Government**

**HPERM Ref:
D21/307398**

Recommendation

That Council accepts the \$19 Million variation to the funding offer of \$13.8 Million from the Australian Federal Government for the Far North Collector Road project and authorises the expenditure on Project Finance Number 103432 in accordance with the approved funding profile (provided below in the report).

RESOLVED (Clr Wells / Clr White)

MIN21.594

That Council accepts the \$19 Million variation to the funding offer of \$13.8 Million from the Australian Federal Government for the Far North Collector Road project and authorises the expenditure on Project Finance Number 103432 in accordance with the approved funding profile (provided below in the report).

CARRIED

**CL21.170 DEVELOPMENT APPLICATION DA20/1413 - CHURCH ST
ULLADULLA – LOT 1 DP 831274**

**HPERM REF:
D21/239986**

Item dealt with earlier in the meeting see MIN21.584

**CL21.171 Acceptance of Grant Funding - Berry Community
Activities Centre**

**HPERM Ref:
D21/307545**

Note: Clr Kitchener returned to the meeting at 7.27pm.

Recommendation

That Council:

1. Accept the grant funding of \$3,000 (incl GST) from the Berry Community Activities Centre for the purposes of subsidising school travel to Shoalhaven Regional Gallery.

2. Write to the Committee of the Berry Community Activities Centre, to thank them for the grant.

RESOLVED (Clr Pakes / Clr Findley)

MIN21.595

That Council:

1. Accept the grant funding of \$3,000 (incl GST) from the Berry Community Activities Centre for the purposes of subsidising school travel to Shoalhaven Regional Gallery.
2. Write to the Committee of the Berry Community Activities Centre, to thank them for the grant.
3. Receive a report on the possibility of adopting a program to provide ongoing financial assistance to enable the City's school children to access the Shoalhaven Regional Gallery.

CARRIED

CL21.172 Create NSW Proposal for a Regional Arts Development Organisation (RADO) for the South Coast

**HPERM Ref:
D21/132696**

Recommendation

That Council:

1. Provide In Principle support for the proposal by Create NSW to undertake a three (3) month investigation into the establishment of a Regional Arts Development Organisation (RADO) for the South Coast;
2. Receive an update from Create NSW at the conclusion of the investigations;
3. Consider support for a RADO and the likely financial implications as part of the 2022/23 Delivery Program and Operations Plan and Budget;
4. Write to The Minister for the Arts, The Hon. Don Harwin MLC to thank him for this opportunity and provide an update on Council's In Principle support for the proposal.

RESOLVED (Clr Wells / Clr White)

MIN21.596

That Council:

1. Provide In Principle support for the proposal by Create NSW to undertake a three (3) month investigation into the establishment of a Regional Arts Development Organisation (RADO) for the South Coast;
2. Receive an update from Create NSW at the conclusion of the investigations;
3. Consider support for a RADO and the likely financial implications as part of the 2022/23 Delivery Program and Operations Plan and Budget;
4. Write to The Minister for the Arts, The Hon. Don Harwin MLC to thank him for this opportunity and provide an update on Council's In Principle support for the proposal.

CARRIED

CL21.173 Tenders - Sewage Pumping Station Upgrades Project, St Anns Street (SPS3) & Lyrebird Park (SPS2)

**HPERM Ref:
D21/218330**

Recommendation

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

RESOLVED (Clr Pakes / Clr Wells)

MIN21.597

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

CARRIED

Procedural Motion - Matters of Urgency

MOTION (Clr Pakes / Clr White)

That an additional item of urgency in relation to the speed limit of Kells Road, Tomerong be introduced as a matter of urgency.

The Chairperson ruled the matter as urgent due to the safety of residents of Tomerong.

CL21.174 Additional Item - Speed Limit Kells Road, Tomerong

RESOLVED (Clr Pakes / Clr White)

MIN21.598

That Council receive a report back from the Shoalhaven Traffic Committee in relation to a reduction of the speed limit on Kells Road, Tomerong from 80kph to 50kph.

CARRIED

ADDENDUM REPORTS

MM21.20 MAYORAL MINUTE - BOMADERRY PUMP TRACK AND YOUTH SPACE

**HPERM REF:
D21/322119**

Item dealt with earlier in the meeting see MIN21.580

MM21.21 MAYORAL MINUTE - OLYMPIC ACHIEVEMENTS OF OWEN WRIGHT

**HPERM REF:
D21/322339**

Item dealt with earlier in the meeting see MIN21.581

MM21.22 MAYORAL MINUTE - MORE CELEBRATIONS FOR SHOALHAVEN OLYMPIANS SHANE ROSE SILVER MEDAL WINNER AND JYE EDWARDS

**HPERM REF:
D21/324957**

Item dealt with earlier in the meeting see MIN21.582

MM21.23 MAYORAL MINUTE - NSW INFRASTRUCTURE CONTRIBUTIONS REFORMS

**HPERM REF:
D21/324525**

Item dealt with earlier in the meeting see MIN21.583

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 Digiglio / Clr Gash)

MIN21.599

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.

CCL21.12 Tenders – Construct Building - Materials Recovery Facility

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.

CCL21.13 Tenders - Sewage Pumping Station Upgrades Project, St Anns Street (SPS3) & Lyrebird Park (SPS2)

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

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

CARRIED

The meeting moved into confidential the time being 7.30pm.

The meeting moved into open session, the time being 7.32pm.

REPORT FROM CONFIDENTIAL SESSION

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

CCL21.12 Tenders – Construct Building - Materials Recovery Facility

**HPERM Ref:
D21/307320**

RESOLVED

MIN21.600C

That

1. Council accept the Tender from Project Coordination (Australia) Pty Ltd for construction of the

building for the Materials Recovery Facility (MRF) at a total cost of \$5,682,000 (excluding GST).

2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with *Local Government (General) Regulation 2005* (section 165) by the Chief Executive Officer (Director City Services).
3. The Chief Executive Officer (Director City Services):
 - a. adjusts the contract for variations under the contract,
 - b. authorises the Manager Waste Services to create a Purchase Order for the tendered amount plus a 10% contingency, being \$6,250,200 plus GST.

CARRIED

CCL21.13 Tenders - Sewage Pumping Station Upgrades Project, St Anns Street (SPS3) & Lyrebird Park (SPS2)

**HPERM Ref:
D21/218314**

RESOLVED

MIN21.601C

That:

1. Council accept the Tender from Quay Civil Pty Ltd for the SPS 3 St Anns & SPS 2 Lyrebird Park Pump Station Upgrades Project at a total cost of \$4,727,051.19 (GST Inclusive).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the CEO (Executive Manager - Shoalhaven Water).

CARRIED

There being no further business, the meeting concluded, the time being 7.34pm.

Clr Findley
CHAIRPERSON