

## MINUTES OF THE ORDINARY MEETING

**Meeting Date:** Monday, 6 June 2022  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5.30pm

The following members were present:

Clr Liza Butler - Chairperson  
Clr John Kotlash (Remotely)  
Clr Matthew Norris  
Clr Moo D'Ath – arrived 5.34pm  
Clr Serena Copley  
Clr Paul Ell  
Clr Evan Christen  
Clr Patricia White – arrived at 5.43pm  
Clr John Wells  
Clr Greg Watson  
Clr Mark Kitchener  
Clr Tonia Gray

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 Country by the Chairperson, followed with a Moment of Silence & Reflection and the playing of the Australian National Anthem.

### Apologies / Leave of Absence

Note: Council previously provided a leave of absence for Clr Findley for this meeting (MIN22.338)

Note: Clr D'Ath arrived 5.34pm

### Confirmation of the Minutes

**RESOLVED** (Clr Christen / Clr Gray) MIN22.365

That the Minutes of the Ordinary Meeting held on Monday 23 May 2022 be confirmed.

CARRIED

**RESOLVED** (Clr Copley / Clr D'Ath) MIN22.366

That the Minutes of the Extra Ordinary Meetings held on Thursday 26 May 2022 and Tuesday 31 May 2022 be confirmed.

CARRIED

Minutes Confirmed Monday 27 June 2022 – Chairperson .....

## Declarations of Interest

Nil

## MAYORAL MINUTE

Nil

## DEPUTATIONS AND PRESENTATIONS

### **CL22.252 - DA16/1465 – 173 Kinghorne St & 2 & 4 Albatross Rd - Nowra - Lot 1, 29 & 30 DP 25114 (page 87)**

Kristen Holt (on behalf of Lee Carmichael – PDC Lawyers) addressed the meeting to speak against the recommendation.

Note: Clr White arrived at 5.43pm

### **CL22.253 - Development Application - DA22/1281 - 13 The Bastion Manyana - Lot 871 DP 263106 (page 110)**

Mr Gerry McCarthy representing Red Head Villages Association addressed the meeting to speak AGAINST the recommendation.

### **CL22.254 - Pump Track Investigations - Potential Sites and Way Forward (page 120)**

Kylie Knight representing Bomaderry Community Inc addressed the meeting to speak FOR the recommendation.

### **CL22.257 – Notice of Motion - PP-2021-406 - Planning Proposal - Callala Bay and Kinghorne Point Halloran Trust Lands Rezoning (page 161)**

Mr James Harris (Allen Price & Scarratts representing the owner Sealark Pty Ltd) addressed the meeting to speak AGAINST the recommendation.

Ms Cassi Plate representing Callala Environmental Alliance addressed the meeting to speak FOR the recommendation.

## CALL OVER OF THE BUSINESS PAPER

### Call Over of Business Paper - En bloc

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

MIN22.367

That the following items be resolved en bloc:

- Youth Advisory Committee:
  - YA22.13 - Additional Item - Community Membership Nomination Nathaniel Woodcock
- City Performance:
  - CL22.243 - Women in Public Sector Leadership Summit 2022
- City Services:
  - CL22.246 - Policy for Review - POL16/154 - Private Use of Public Parking

- CL22.248 - Tenders - Management & Operation - Holiday Haven Burrill Lake
- CL22.249 - Tenders - Rehabilitation of Worrigeer Road (CH860 – CH1620), Worrigeer
- CL22.250 - Land Acquisition Matters - Cambewarra Locality
- City Development:
  - CL22.251 - Variations to Development Standards - March Quarter 2022
- Shoalhaven Water:
  - CL22.255 - National Performance Reporting Score Card

Note – the items will be marked with an asterisk (\*) in these Minutes.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

### Procedural Motion - Bring Item Forward

**RESOLVED** (Clr Ell / Clr Copley)

MIN22.368

That following items be brought forward for consideration:

- CL22.252 - DA16/1465 – 173 Kinghorne St & 2 & 4 Albatross Rd - Nowra - Lot 1, 29 & 30 DP 25114
- CL22.253 - Development Application - DA22/1281 - 13 The Bastion Manyana - Lot 871 DP 263106
- CL22.254 - Pump Track Investigations - Potential Sites and Way Forward
- CL22.257 - Notice of Motion - PP-2021-406 - Planning Proposal - Callala Bay and Kinghorne Point Halloran Trust Lands Rezoning

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL22.252 DA16/1465 – 173 Kinghorne St & 2 & 4 Albatross Rd -  
Nowra - Lot 1, 29 & 30 DP 25114**

**HPERM Ref:  
D22/183837**

Note: A Deputation was received on this item.

### Recommendation

That Development Application DA16/1465 – mixed use development consisting of 55 residential units and commercial space on the land known as 173 Kinghorne Street and 2 & 4 Albatross Road, Nowra (Lot 1, 29 and 30 DP 25114) be determined by way of refusal for the reasons outlined in this report and detailed in Attachment 2.

MOTION (Clr Watson / Clr Ell)

That the matter of DA16/1465 – 173 Kinghorne St & 2 & 4 Albatross Rd - Nowra - Lot 1, 29 & 30 DP 25114 be deferred to the July Ordinary meeting.

FOR: Clr Copley, Clr Ell, Clr White, Clr Wells, Clr Watson and Clr Kitchener

AGAINST: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Christen and Clr Gray  
LOST ON THE CASTING VOTE

**RESOLVED** (Clr Norris / Clr D'Ath)

MIN22.369

That Development Application DA16/1465 – mixed use development consisting of 55 residential units and commercial space on the land known as 173 Kinghorne Street and 2 & 4 Albatross Road, Nowra (Lot 1, 29 and 30 DP 25114) be determined by way of refusal for the reasons outlined in this report and detailed in Attachment 2.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Christen and Clr Gray

AGAINST: Clr Copley, Clr Ell, Clr White, Clr Wells, Clr Watson and Clr Kitchener

CARRIED ON THE CASTING VOTE

Note: A rescission motion was received on this item.

**CL22.253 Development Application - DA22/1281 - 13 The Bastion  
Manyana - Lot 871 DP 263106**

**HPERM Ref:  
D22/199718**

Note: A Deputation was received on this item.

**Recommendation**

That Development Application DA22/1281 to construct a two-storey attached dual occupancy at Lot 871 DP 263106, 13 The Bastion, Manyana be approved subject to the conditions contained in Attachment 2 of this report.

Clr Wells raised a Point of Order against Clr D'Ath regarding her comment about Councillors being puppets.

The Acting Mayor did not rule on the Point of Order.

**RESOLVED** (Clr White / Clr D'Ath)

MIN22.370

That in relation to Development Application DA22/1281 to construct a two-storey attached dual occupancy at Lot 871 DP 263106, 13 The Bastion, Manyana:

1. The matter be deferred, to allow;
  - a. For Councillors to attend a site visit of the proposed Development site and the whole of Manyana, Bendalong, North Bendalong, Berringer Lake and Cunjurong Point; and
  - b. Council staff to further investigate the capacity of the sewer system in Manyana including how many lots and dual occupancies could be accommodated.
2. Council in conjunction with staff investigate specific character plans or any other environmental plans that may assist defining the character of Manyana and the other Redhead Villages

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL22.254 Pump Track Investigations - Potential Sites and Way Forward**

**HPERM Ref:  
D22/191767**

Note: A Deputation was received on this item.

**Recommendation**

That Council:

1. Receive this report as an update on:
  - a. Site criteria for provision of pump tracks in Shoalhaven
  - b. Locations and condition of existing BMX circuits and pump tracks in Shoalhaven
2. Recognise that proposed pump tracks at Sussex Inlet, Bomaderry and Sanctuary Point are currently unfunded projects.
3. Endorse the following Council owned / managed reserves as shortlisted sites for future investigation for the proposed Sussex Inlet pump track:
  - a. Thomson Street Sporting Complex
  - b. Crown Reserve R69668
4. Endorse Edwards Avenue Reserve, Bomaderry for future investigation as a potential suitable site for the proposed Bomaderry pump track
5. Endorse the following Community Land as shortlisted sites for future investigation for the proposed pump track at Sanctuary Point:
  - a. Sanctuary Point Public Reserve
  - b. Sanctuary Point Road Reserve
  - c. Yellow Bellied Glider Reserve
6. Further investigate potential for the shortlisted sites through community consultation at such a time at which the pump track projects can be allocated into the Community Planning and Projects Work Plan to:
  - a. Determine community support
  - b. Determine desired location
  - c. Determine potential funding options for the proposed pump tracks
7. Receive further reports on consultation outcomes, preferred sites, budget required and potential funding sources to plan and deliver the proposed pump tracks at Sussex Inlet, Bomaderry and Sanctuary Point.

**RESOLVED** (Clr Wells / Clr Ell)

MIN22.371

That Council:

1. Receive this report as an update on:
  - a. Site criteria for provision of pump tracks in Shoalhaven
  - b. Locations and condition of existing BMX circuits and pump tracks in Shoalhaven
2. Recognise that proposed pump tracks and associated infrastructure such as toilets, BBQs and pathways at Sussex Inlet, Bomaderry and Sanctuary Point are currently unfunded projects.
3. Endorse the following Council owned / managed reserves as shortlisted sites for future investigation for the proposed Sussex Inlet pump track:
  - a. Thomson Street Sporting Complex

- b. Crown Reserve R69668
- 4. Investigate Edwards Avenue (John Berry) Reserve and the SCaRP, Bomaderry as potential suitable sites for the proposed Bomaderry pump track
- 5. Endorse the following Community Land as shortlisted sites for future investigation for the proposed pump track at Sanctuary Point:
  - a. Sanctuary Point Public Reserve
  - b. Sanctuary Point Road Reserve
  - c. Yellow Bellied Glider Reserve
- 6. Further investigate potential for the shortlisted sites through community consultation at such a time at which the pump track projects can be allocated into the Community Planning and Projects Work Plan to:
  - a. Determine community support
  - b. Determine desired location
  - c. Determine potential funding options for the proposed pump tracks
- 7. Receive further reports on consultation outcomes, preferred sites, budget required and potential funding sources to plan and deliver the proposed pump tracks at Sussex Inlet, Bomaderry and Sanctuary Point.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL22.257 Notice of Motion - PP-2021-406 - Planning Proposal - Callala Bay and Kinghorne Point Halloran Trust Lands Rezoning**

**HPERM Ref: D22/227908**

Note: A Deputation was received on this item.

### Recommendation

That Council

1. Acknowledges the community concern about this Planning Proposal regarding the loss of threatened species, the risks due to bushfires and that clearing forest does not help mitigate or manage climate change
2. Recognise and take steps to help protect the biodiversity value of the overall area covered by the exhibited documents and the site adjacent to Callala Bay that is currently proposed for rezoning to residential
3. Direct staff to make a submission on the exhibited Planning Proposal and Biodiversity Certification Assessment Report for Callala Bay the Department of Planning and Environment for the following considerations
  - a. That DPE ensures that it can be satisfied the proposal will achieve a 'maintain or improve' biodiversity outcome in relation to the Greater Glider, Yellow-bellied Glider and Grey-headed Flying-fox, including a discussion of suitable habitat for these species within the Lake Wollumboola Biobank Site.
  - b. That DPE should seek independent evidence on the accuracy and currency of the BCAR (2016/17) in context of the Currowan bushfire (2019/20) and recent credible sightings of

endangered species on the site, and the potential value of the proposed biodiversity certification area as a suitable and credible refuge for the identified threatened species, as any inaccuracies may be contentious for DPE.

- c. Mitigation measures that could be included as conditions of consent for the subdivision development application(s) to minimise harm to biodiversity values within the biodiversity certification area during the construction phase, including the Greater Glider, Yellow-bellied Glider and Grey-headed Flying-fox, such as
  - i. Staging clearing
  - ii. Timing of clearing outside breeding seasons
  - iii. Retention of hollow bearing trees within the public land and potential installation of nesting boxes within surrounding bushland
  - iv. Best practice methodology for felling trees to protect wildlife
- d. Staff are involved in ongoing discussions with the RFS, DPE & the proponent, and need to be satisfied that the protection of lives and property can be realistically ensured considering the proposed addition of 380 houses is to be surrounded on 3 sides by tall coastal forest in a small remote village

- 4. Receive an update report at the appropriate point after the exhibition has concluded outlining how the above matters will be considered and addressed moving forward.

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

MIN22.372

That the matter be deferred to a Councillor Briefing to allow Councillors to receive further information.

FOR: Clr Norris, Clr Copley, Clr Eil, Clr White, Clr Wells, Clr Watson and Clr Kitchener

AGAINST: Clr Kotlash, Clr Butler, Clr D'Ath, Clr Christen and Clr Gray

CARRIED

The meeting adjourned for refreshment at 8.04pm

The meeting reconvened the time being 8.36pm

The following members were present:

Clr Liza Butler - Chairperson  
Clr John Kotlash (Remotely)  
Clr Matthew Norris  
Clr Moo D'Ath  
Clr Serena Copley  
Clr Paul Eil  
Clr Evan Christen  
Clr Patricia White  
Clr John Wells  
Clr Greg Watson  
Clr Mark Kitchener  
Clr Tonia Gray

### Call Over of Business Paper - En bloc

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

MIN22.373

That the following items from the Report of the Shoalhaven Arts Board be resolved en bloc:

- AB22.20 - Council Policy Revisions - Shoalhaven Libraries - Operations Policy
- AB22.21 - Council Policy Revisions - Shoalhaven Libraries - Children's Policy
- AB22.22 - Council Policy Revisions - Internet Usage Policy
- AB22.24 - Shoalhaven Arts Board - Expression of Interest - Appointment of Community Members
- AB22.29 - Cultural and Creative Industries Strategy & Planning

Note – the items will be marked with an asterisk (\*) in these Minutes.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

### A COMMITTEE OF THE WHOLE (IF NECESSARY)

Nil

### REPORT OF THE YOUTH ADVISORY COMMITTEE - 18 MAY 2022

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

#### YA22.13 Additional Item - Community Membership Nomination Nathaniel Woodcock

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

MIN22.374

That Council appoint Mr Nathaniel Woodcock as a Community Member on the Youth Advisory Committee.

CARRIED

### REPORT OF THE SHOALHAVEN ARTS BOARD - 18 MAY 2022

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

#### AB22.20 Council Policy Revisions - Shoalhaven Libraries - Operations Policy

HPERM Ref:  
D22/180270

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

MIN22.375

That Council adopt the revisions of the Shoalhaven Libraries Operations Policy.

CARRIED



**AB22.21 Council Policy Revisions - Shoalhaven Libraries - Children's Policy** **HPERM Ref: D22/180349**

**RESOLVED\*** (Clr Wells / Clr White) MIN22.376  
That Council adopt the revisions of the Shoalhaven Libraries Children's Policy.  
CARRIED

**AB22.22 Council Policy Revisions - Internet Usage Policy** **HPERM Ref: D22/195566**

**RESOLVED\*** (Clr Wells / Clr White) MIN22.377  
That Council adopt the revisions of the Shoalhaven Libraries Internet Usage Policy.  
CARRIED

**AB22.24 Shoalhaven Arts Board - Expression of Interest - Appointment of Community Members** **HPERM Ref: D22/183472**

**RESOLVED\*** (Clr Wells / Clr White) MIN22.378  
That Council, as recommended by the Shoalhaven Arts Board, endorse the appointment of the following community members to a two (2) year term:  
1. Kate Dezarnaulds – Community Member  
2. Bonnie Porter Greene – Community Member  
3. Drew Longbottom – Aboriginal Community Member  
CARRIED

**AB22.29 Cultural and Creative Industries Strategy & Planning** **HPERM Ref: D22/163142**

**RESOLVED\*** (Clr Wells / Clr White) MIN22.379  
That the Shoalhaven Arts Board undertake a review of the existing Strategic Plan and present a Revised Strategic Plan to Council for consideration and adoption following the public exhibition process.  
CARRIED

**AB22.31 Additional Item - Cultural Development**

**RECOMMENDATION**

That Council:

1. Review existing staffing models and undertake benchmarking for Cultural Development Officers working in Local Government.
2. Report its findings and potential ways forward at the next Shoalhaven Arts Board meeting to be held on 18 August 2022.

**RESOLVED** (Clr Gray / Clr Ell)

MIN22.380

That:

1. The Shoalhaven Arts Board in their upcoming review of the Arts Board Strategic Plan, give consideration to a function providing support in the Arts to schools and educators, small arts organisations and to the Council.
2. Once adopted by the Council, the Arts Board Strategic Plan initiatives be incorporated for consideration and resourcing in the Council's future Delivery Programs and Budget.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

## REPORTS

**CL22.242 Port Kembla Submarine Base - Response from Wollongong City Council**

**HPERM Ref:  
D22/212202**

### Recommendation

That Council note the advice received from received from Lord Mayor, Clr Gordon Bradbury AM, that Wollongong City Council has not established a formal position on basing the nuclear-powered submarines at Port Kembla.

**RESOLVED** (Clr Ell / Clr Wells)

MIN22.381

That Council:

1. Note the advice received from Lord Mayor, Clr Gordon Bradbury AM, that Wollongong City Council has not established a formal position on basing the nuclear-powered submarines at Port Kembla.
2. Defer further consideration of the original Notice of Motion until the new Federal Government states its position on the matter.

FOR: Clr Butler, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Clr Kotlash, Clr Norris and Clr D'Ath

CARRIED

**CL22.243 Women in Public Sector Leadership Summit 2022**

**HPERM Ref:  
D22/215076**

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

MIN22.382

That Council

1. Notes the details of the Women in Public Sector Leadership Summit 2022 scheduled for 26-29 July 2022 in Canberra, ACT
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.

3. Note that all travel, registration fees, accommodation and all reasonable out-of-pocket expenses will be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

**CL22.244 DPOP 2021-22 - Quarterly Performance and Budget Report (January - March)**

**HPERM Ref: D22/227742**

**Recommendation**

That Council:

1. Receive the March Quarterly Performance Report on the 2017-2022 Delivery Program and 2021-2022 Operational Plan and publish on Council's website.
2. Receive the March 2022 Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the March 2022 Quarterly Budget Report Document.
4. Discontinue temporary amendment to the Local Preference Policy that was originally adopted by Council on 11 February 2020.
5. Resolve to allocate \$2.778M of the General Fund towards the 2021/22 maintenance budget in order for Council to continue repairs post weather event. The funds to be allocated from the capital projects listed in this report with the identified capital projects to be carried-forward in 2022/23 financial year. This approach will warrant that Council's unrestricted cash position remains unchanged and Council continues to operate within a financially sustainable balanced budget.
6. Notes the impact of not applying the Special Rate Variation on the roads maintenance budget.
7. Notes the Natural Disaster payments that Council qualifies for.
8. Notes that the Natural Disaster that was declared in the 6 March 2022 is still unfolding into Q4, as rain continues to damage public infrastructure and the repair bill estimate currently exceeds \$50million.
9. Commends the dedication and commitment of the outdoor workforce who have been working under extremely challenging circumstances to repair roads and other infrastructure, and to maintain service provision during this extended wet period.

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

MIN22.383

That Council:

1. Receive the March Quarterly Performance Report on the 2017-2022 Delivery Program and 2021-2022 Operational Plan and publish on Council's website.
2. Receive the March 2022 Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the March 2022 Quarterly Budget Report Document.
4. Defer to the June Quarterly Update (3 months) the discontinuation of the temporary amendment to the Local Preference Policy that was originally adopted by Council on 11 February 2020 pending a Clr Briefing.
5. Resolve to allocate \$2.778M of the General Fund towards the 2021/22 maintenance budget in order for Council to continue repairs post weather event. The funds to be allocated from the capital projects listed in this report with the identified capital projects to be carried-forward in

2022/23 financial year. This approach will warrant that Council's unrestricted cash position remains unchanged and Council continues to operate within a financially sustainable balanced budget.

6. Notes the impact of not applying the Special Rate Variation on the roads maintenance budget.
7. Notes the Natural Disaster payments that Council qualifies for.
8. Notes that the Natural Disaster that was declared in the 6 March 2022 is still unfolding into Q4, as rain continues to damage public infrastructure and the repair bill estimate currently exceeds \$50million.
9. Commends the dedication and commitment of the outdoor workforce who have been working under extremely challenging circumstances to repair roads and other infrastructure, and to maintain service provision during this extended wet period.
10. Consider allocating funds in the order of \$50,000 as a high priority at the June 2022 Budget Review to progress through community consultation the detailed design of a new playground for Kangaroo Valley, and that upon completion of the design, vigorously pursue grant and other funding opportunities to deliver a new playground asset for this community.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

<b>CL22.245 Post Exhibition – Finalisation of Amendment to Shoalhaven Contributions Plan 2019 – Huntingdale Park Reserve, Berry (CP2019.4)</b>	<b>HPERM Ref: D22/168090</b>
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**Recommendation**

That Council:

1. Endorse and make Amendment No.4 to the *Shoalhaven Contributions Plan 2019* as exhibited, with the changes highlighted in blue at Attachment 3.
2. Continue to work with local community stakeholders during the detailed design phase for the local park and consider the suggestions of the Huntingdale Park Resident Action Group, including exploring additional funding sources for any general cost items that are unable to be funded via developer contributions.
3. Continue to explore opportunities for bus routes and bus infrastructure to service Huntingdale Park Estate as the area grows and investigate alternate funding opportunities such as grants.
4. Notify those who made a submission of this resolution and when the Amendment comes into effect.

**RESOLVED** (Clr Gray / Clr Wells)

MIN22.384

That Council:

1. Endorse and make Amendment No.4 to the *Shoalhaven Contributions Plan 2019* as exhibited, with the changes highlighted in blue at Attachment 3 to the report.
2. Continue to work with local community stakeholders during the detailed design phase for the local park and consider the suggestions of the Huntingdale Park Resident Action Group, including exploring additional funding sources for any general cost items that are unable to be funded via developer contributions.
3. Continue to explore opportunities for bus routes and bus infrastructure to service Huntingdale Park Estate as the area grows and investigate alternate funding opportunities such as grants.

4. Notify those who made a submission of this resolution and when the Amendment comes into effect.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL22.246 Policy for Review - POL16/154 - Private Use of Public Parking**

**HPERM Ref:  
D22/178971**

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

MIN22.385

That Council adopts POL22/110 Private Use of Public Parking Policy as an amendment to the existing POL16/154 Private Use of Public Parking Policy.

CARRIED

**CL22.247 Progress Update - Infrastructure Recovery Works - Natural Disaster March 2022**

**HPERM Ref:  
D22/225969**

**Recommendation**

That Council receive this update on the progress of infrastructure recovery works which are required as a result of the March 2022 Natural Disaster Event.

**RESOLVED** (Clr Gray / Clr Norris)

MIN22.386

That Council receive this update on the progress of infrastructure recovery works which are required as a result of the March 2022 Natural Disaster Event.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL22.248 Tenders - Management & Operation - Holiday Haven Burrill Lake**

**HPERM Ref:  
D22/195708**

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

MIN22.387

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

CARRIED

**CL22.249 Tenders - Rehabilitation of Worrigea Road (CH860 – CH1620), Worrigea**

**HPERM Ref:  
D22/203906**

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

MIN22.388

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

CARRIED

**CL22.250 Land Acquisition Matters - Cambewarra Locality** **HPERM Ref:  
D22/189857**

**RESOLVED\*** (Clr White / Clr Wells) MIN22.389

That Council, in accordance with Section 10(2)(c) of the Local Government Act 1993, considers a separate confidential report in relation to property acquisition matters associated with Cambewarra locality.

CARRIED

**CL22.251 Variations to Development Standards - March Quarter 2022** **HPERM Ref:  
D22/49250**

**RESOLVED\*** (Clr White / Clr Wells) MIN22.390

That Council receive the Variations to Development Standards – March Quarter Report 2022 for information.

CARRIED

**CL22.252 DA16/1465 – 173 Kinghorne St & 2 & 4 Albatross Rd - Nowra - Lot 1, 29 & 30 DP 25114** **HPERM REF:  
D22/183837**

Item dealt with earlier in the meeting see MIN22.369

**CL22.253 Development Application - DA22/1281 - 13 The Bastion Manyana - Lot 871 DP 263106** **HPERM REF:  
D22/199718**

Item dealt with earlier in the meeting see MIN22.370

**CL22.254 Pump Track Investigations - Potential Sites and Way Forward** **HPERM REF:  
D22/191767**

Item dealt with earlier in the meeting see MIN22.371

**CL22.255 National Performance Reporting Score Card** **HPERM Ref:  
D22/213478**

**RESOLVED\*** (Clr White / Clr Wells) MIN22.391

That Council receive the Australian Government Bureau of Meteorology National Performance Report 2020-21 for Urban Water Utilities for information.

CARRIED

## NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL22.256 Notice of Motion - Community Safety in Nowra CBD**

**HPERM Ref:  
D22/225503**

### Recommendation

That Council:

1. Directs the CEO to investigate and audit the coverage of CCTV cameras and lighting in Council owned car parks in and around the Nowra CBD and prepare a report for Councillors outlining the findings of the audit.
2. Directs the CEO to include in his report recommendations for any additional security infrastructure or other measures needed to improve community safety particularly in the Council owned car parks servicing the Nowra CBD.
3. Instructs the CEO to include information about potential funding options open to Council from the state and federal governments to achieve the objectives outlined in point 2.
4. Instructs the CEO to write to Superintendent Greg Moore from the NSW Police as part of preparing the report inviting him to share any suggestions or provide any other comments regarding this matter.

**RESOLVED** (Clr Eil / Clr Copley)

MIN22.392

That Council:

1. Acknowledges ongoing community concern surrounding safety in car parks and also other areas of Nowra/Bomaderry
2. Researches crime statistics, and seeks input of NSW Police, in order to create an evidence base of the location, frequency and severity of crime in the Nowra/Bomaderry area to fully inform any future Council investment in mitigation and crime prevention measures
3. Directs the CEO to investigate and audit the coverage of CCTV cameras and lighting in Council owned car parks in and around the Nowra CBD and prepare a report for Councillors outlining the findings of the audit.
4. Directs the CEO to include in his report recommendations for any additional security infrastructure or other measures needed to improve community safety particularly in the Council owned car parks servicing the Nowra CBD.
5. Instructs the CEO to include information about potential funding options open to Council from the state and federal governments to achieve the objectives outlined in point 4.
6. Instructs the CEO to write to Superintendent Greg Moore from the NSW Police as part of preparing the report inviting him to share any suggestions or provide any other comments regarding this matter.

FOR: Clr Kotlash, Clr Norris, Clr Butler, Clr D'Ath, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL22.257 Notice of Motion - PP-2021-406 - Planning Proposal -  
Callala Bay and Kinghorne Point Halloran Trust Lands  
Rezoning**

**HPERM REF:  
D22/227908**

Item dealt with earlier in the meeting see MIN22.372

## CONFIDENTIAL REPORTS

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

No members of the public made representations.

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

MIN22.393

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.

CCL22.17 Tenders – Management & Operation - Holiday Haven Burrill Lake

*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.*

CCL22.18 Tenders - Rehabilitation of Worrigea Road (CH 860 – CH1620), Worrigea

*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.*

CCL22.19 Land Acquisition Matters - Cambewarra Locality

*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.*

CARRIED

The meeting moved into confidential the time being 9.13pm.

The meeting moved into open session, the time being 9.15pm.



## REPORT FROM CONFIDENTIAL SESSION

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

### **CCL22.17 Tenders – Management & Operation - Holiday Haven Burrill Lake**

**HPERM Ref:  
D22/195828**

**RESOLVED\***

MIN22.394C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from BLJ Burrill Lake Pty Ltd for Management and Operation of Holiday Haven Burrill Lake.
2. Council authorises the CEO (Director City Services) to negotiate the commencing remuneration percentage of the contract with BLJ Burrill Lake Pty Ltd to a percentage up to but not exceeding the current management remuneration percentage for the Management and Operation of Holiday Haven Burrill Lake.
3. The contract documents and any other associated documents be executed on behalf of the Council in accordance with Local Government (General) Regulation 2021 (section 165) by the CEO (Director City Services).

CARRIED

### **CCL22.18 Tenders - Rehabilitation of Worrigee Road (CH 860 – CH1620), Worrigee**

**HPERM Ref:  
D22/195136**

**RESOLVED\***

MIN22.395C

That

1. Council endorses the recommendation of the Tender Evaluation Panel and accepts the Tender from Cleary Bros (Bombo) Pty Ltd for Rehabilitation of Worrigee Road, Worrigee for a total cost of \$1,178,173.25 (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 2021 (section 165)* by the CEO (Director City Services).

CARRIED

### **CCL22.19 Land Acquisition Matters - Cambewarra Locality**

**HPERM Ref:  
D22/173849**

**RESOLVED**

MIN22.396C

That Council delegate authority to the Chief Executive Officer (Director – City Services) to undertake acquisitions outlined as future actions in the report.

CARRIED

Note: A Rescission Motion was received in relation to CL22.252 - DA16/1465 – 173 Kinghorne St & 2 & 4 Albatross Rd - Nowra - Lot 1, 29 & 30 DP 25114 signed by Clr Watson, Clr Wells and Clr Eil.

There being no further business, the meeting concluded, the time being 9.19pm.

Clr Butler  
CHAIRPERSON

Minutes Confirmed Monday 27 June 2022 – Chairperson .....