

MINUTES OF THE EXTRA ORDINARY MEETING

Meeting Date: Monday, 1 August 2022
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.30pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr John Kotlash
Clr Matthew Norris
Clr Moo D'Ath
Clr Serena Copley
Clr Paul Ell
Clr Evan Christen
Clr Patricia White
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, depositions 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.

Apologies / Leave of Absence

A Leave of Absence was granted to Clr Butler for this meeting at the Ordinary Meeting of 25 July 2022.

Declarations of Interest

Clr Ell – CL22.338 - Policy – Flood Planning Levels for the Lower Shoalhaven River Floodplain - less than significant non pecuniary interest declaration – owns property which may be impacted by this Policy - will remain in the room and will take part in discussion and vote.

REPORTS

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

CL22.322 Policy - Property Addressing & Road Naming

HPERM Ref:
D22/128129

RESOLVED* (Clr White / Clr Gray)

MIN22.492

That Council reaffirm the following Policies with noted changes:

1. Property Addressing Policy
2. Road & Place Naming Policy

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

AGAINST: Nil

CARRIED

CL22.323 Policies

HPERM Ref:
D22/215359

1. Revenue - Overdue Interest Rate Policy
2. Revenue - Stormwater Management Policy
3. Sale of Land to Recover Unpaid Rates and Charges Policy
4. Jerberra Payment Relief Policy
5. Rates and Other Monies - Delegation of Authority to Write Off Policy

Recommendation

That Council adopt the following Policies:

1. Revenue – Overdue Interest Rate Policy
2. Revenue - Stormwater Management Policy
3. Sale of Land to Recover Unpaid Rates and Charges Policy
4. Jerberra Payment Relief Policy
5. Rates and Other Monies – Delegation of Authority to Write Off Policy

RESOLVED (Clr Christen / Clr Wells)

MIN22.493

That Council adopt the following Policies:

1. Revenue – Overdue Interest Rate Policy
2. Revenue - Stormwater Management Policy
3. Sale of Land to Recover Unpaid Rates and Charges Policy
4. Jerberra Payment Relief Policy
5. Rates and Other Monies – Delegation of Authority to Write Off Policy

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

AGAINST: Nil

CARRIED

CL22.324 Policy - Complaint Handling - Public Exhibition

**HPERM Ref:
D22/248999**

Recommendation

That Council:

1. Endorse the Draft Complaint Handling Policy for public exhibition to obtain community feedback.
2. A report be provided at the completion of the exhibition period outlining the submissions received and provide a final Draft Complaint Handling Policy for adoption.

RESOLVED (Clr Christen / Clr Wells)

MIN22.494

That Council:

1. Endorse the Draft Complaint Handling Policy for public exhibition to obtain community feedback.
2. A report be provided via a Council Briefing at the completion of the exhibition period outlining the submissions received and provide a final Draft Complaint Handling Policy for adoption.

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

AGAINST: Nil

CARRIED

CL22.325 Policy - Asset Accounting Policy

**HPERM Ref:
D22/283100**

RESOLVED* (Clr White / Clr Gray)

MIN22.495

That Council reclassifies Asset Accounting Policy from public to corporate policy type.

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

AGAINST: Nil

CARRIED

CL22.326 Policy - Related Party Disclosures

**HPERM Ref:
D22/283170**

RESOLVED* (Clr White / Clr Gray)

MIN22.496

That Council adopt the Related Party Disclosures Policy.

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

AGAINST: Nil

CARRIED

CL22.327 Policy - Investment Policy

**HPERM Ref:
D22/283208**

RESOLVED* (Clr White / Clr Gray)

MIN22.497

That Council adopt the Investment Policy.

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

AGAINST: Nil

CARRIED

CL22.328 Policy - Acceptance of Tenders - Reports to Council Policy

**HPERM Ref:
D22/290279**

RESOLVED* (Clr White / Clr Gray)

MIN22.498

That Council rescind the Acceptance of Tenders – Reports to Council Policy

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

AGAINST: Nil

CARRIED

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

CL22.329 Policies - Small Lot Rural Subdivisions, Unpaid Rates/Charges (POL16/247) and Jerberra & Nebraska Estates Voluntary Acquisition (POL21/44)

**HPERM Ref:
D22/251604**

RESOLVED* (Clr Wells / Clr Kotlash)

MIN22.499

That Council:

1. Reaffirm the Rates (Small Lot Rural Subdivisions) Dealing with Unpaid Rates & Charges Policy and Voluntary Acquisition (Residual C2 Environmental Conservation Land) Jerberra & Nebraska Estates Policy, with the changes outlined in **Attachment 1 and 2**.
2. Update the hyperlinks to the related policies referred to within the Voluntary Acquisition (Residual C2 Environmental Conservation Land) Jerberra & Nebraska Estates Policy if required, following the related reaffirmation process of those policies.

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

AGAINST: Nil

CARRIED

**CL22.330 Policy - Coastal Areas Planning and Development
(POL16/23)**

**HPERM Ref:
D22/251624**

RESOLVED* (Clr Wells / Clr Kotlash)

MIN22.500

That Council rescind the Coastal Areas Planning and Development Policy (POL16/237).

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

AGAINST: Nil

CARRIED

**CL22.331 Policy and Current Application Consideration - Nowra
CBD Contributions Discount Subsidy**

**HPERM Ref:
D22/256366**

Recommendation

That Council:

1. Rescind the Nowra CBD Contributions Discount Subsidy Policy (POL17/69).
2. Pay \$20,399.00 (or as otherwise budgeted in the final Delivery Program and Operational Plan) of the eligible Subsidy amount (\$41,957.96) relating to 2 Lawrence Avenue, Nowra immediately (2022/23 Budget), with future payment of the remaining balance subject to a funding allocation being identified in the quarterly budget review process.
3. Advise the following of this decision; the applicant of the 2 Lawrence Avenue, Nowra subsidy request, Nowra CBD Revitalisation Committee, Nowra CBD Business Chamber, and the Shoalhaven Business Chamber.

MOTION (Clr White / Clr Christen)

That Council:

1. Rescind the Nowra CBD Contributions Discount Subsidy Policy (POL17/69).
2. Pay \$20,399.00 (or as otherwise budgeted in the final Delivery Program and Operational Plan) of the eligible Subsidy amount (\$41,957.96) relating to 2 Lawrence Avenue, Nowra immediately (2022/23 Budget), with future payment of the remaining balance subject to a funding allocation being identified in the quarterly budget review process.
3. Pay \$75,635.10 relating to the recent Subsidy application for 15 Nowra Lane, Nowra subject to a funding allocation being identified in the quarterly budget review process.
4. Advise the following of this decision; the applicants of the 2 Lawrence Avenue, Nowra and 15 Nowra Lane, Nowra subsidy requests, Nowra CBD Revitalisation Committee, Nowra CBD Business Chamber, and the Shoalhaven Business Chamber.

AMENDMENT (Clr Watson / Clr Ell)

That the consideration of this Policy be deferred until the completion of the height considerations in the Nowra CBD and then be reviewed at that time with a view to using an estimate incentive to encourage on CBD residential development.

FOR: Clr Wells and Clr Watson

AGAINST: Clr Findley, Clr Kotlash, Clr Norris, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Kitchener and Clr Gray

AMENDMENT LOST

RESOLVED (Clr White / Clr Kotlash)

MIN22.501

That Council:

1. Rescind the Nowra CBD Contributions Discount Subsidy Policy (POL17/69).
2. Pay \$20,399.00 (or as otherwise budgeted in the final Delivery Program and Operational Plan) of the eligible Subsidy amount (\$41,957.96) relating to 2 Lawrence Avenue, Nowra immediately (2022/23 Budget), with future payment of the remaining balance subject to a funding allocation being identified in the quarterly budget review process.
3. Pay \$75,635.10 relating to the recent Subsidy application for 15 Nowra Lane, Nowra subject to a funding allocation being identified in the quarterly budget review process.
4. Advise the following of this decision; the applicants of the 2 Lawrence Avenue, Nowra and 15 Nowra Lane, Nowra subsidy requests, Nowra CBD Revitalisation Committee, Nowra CBD Business Chamber, and the Shoalhaven Business Chamber.

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

AGAINST: Nil.

CARRIED

CL22.332 Policies - COVID-19 Contribution Discount Subsidy Policy and Development Adjoining Narrow Laneways Interim Policy

**HPERM Ref:
D22/251612**

RESOLVED* (Clr Wells / Clr Kotlash)

MIN22.502

That Council reaffirm the COVID-19 Contribution Discount Subsidy Policy and the Development Adjoining Narrow Laneways Interim Policy.

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

AGAINST: Nil

CARRIED

CL22.333 Policy - Payment of Development Contributions and Section 64 Headworks Charges by Deferment or Instalments (under special circumstances)

**HPERM Ref:
D22/279823**

RESOLVED* (Clr Wells / Clr Kotlash)

MIN22.503

That Council reaffirm the Payment of Development Contributions and Section 64 Headworks Charges by Deferment or Instalments (under special circumstances) Policy POL18/54, with the minor changes outlined in **Attachment 1**.

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

AGAINST: Nil

CARRIED

CL22.334 Policy Review - Film and Photography Policy and River Festival Terms of Reference.

**HPERM Ref:
D22/293124**

Recommendation

That Council adopt the minor changes made to the following two policies.

1. The Shoalhaven River Festival Committee - Terms of Reference (**Attachment 1**)
2. Film and Photography in Public Reserves and Public Places (**Attachment 2**)

RESOLVED (Clr Christen / Clr D'Ath)

MIN22.504

That Council adopt the minor changes made to the following two policies.

1. The Shoalhaven River Festival Committee - Terms of Reference (**Attachment 1**) with the following addition to be included in the Terms of Reference under Section 3 – Role:
 - 3.6 Provide an evaluation at the conclusion of the event including
 - a. the content of the event
 - b. event attendance numbers; and
 - c. a breakdown of local business versus imported business from outside the Shoalhaven.
2. Film and Photography in Public Reserves and Public Places (**Attachment 2**)

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

AGAINST: Nil

CARRIED

CL22.335 Policy - Graffiti Management

**HPERM Ref:
D22/100018**

RESOLVED (Clr Ell / Clr Norris)

MIN22.505

That Council reaffirm the Graffiti Management Policy with the update to nominate City Services as the responsible Council Directorate and no reference to the Graffiti Management Plan which ended in 2018.

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

AGAINST: Nil

CARRIED

CL22.336 Policies - Demolition & Renovation of Buildings Containing Asbestos Policy, Swimming Pools and Barrier Inspection Policy and Home Modifications - Elderly and Injured Residents - Medical Requirements

**HPERM Ref:
D22/202865**

Recommendation

That Council adopt the attached policies and make available on Council's website:

1. Demolition & Renovation of Buildings Containing Asbestos Policy.
2. Swimming Pools - Barrier Inspection Policy.
3. Home Modifications - Elderly & Injured Residents - Medical Requirements.

RESOLVED (Clr Christen / Clr Wells)

MIN22.506

That Council adopt the attached policies and make available on Council's website:

1. Demolition & Renovation of Buildings Containing Asbestos Policy.
2. Swimming Pools - Barrier Inspection Policy.
3. Home Modifications - Elderly & Injured Residents - Medical Requirements.

CARRIED

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

AGAINST: Nil

CL22.337 Policy - Vegetation Vandalism Prevention

**HPERM Ref:
D22/263893**

Recommendation

That Council:

1. Exhibit the revised Vegetation Vandalism Prevention Policy for a period of two (2) weeks to allow public comment; and,
2. If no significant comments are received through public exhibition, adopt the policy without further resolution.

RESOLVED (Clr Christen / Clr Copley)

MIN22.507

That Council:

1. Exhibit the revised Vegetation Vandalism Prevention Policy for a period of two (2) weeks to allow public comment; and,
2. If no significant comments are received through public exhibition, adopt the policy without further resolution.

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

AGAINST: Nil

CARRIED

CL22.338 Policy – Flood Planning Levels for the Lower Shoalhaven River Floodplain

**HPERM Ref:
D22/264568**

Clr Eil - less than significant non pecuniary interest declaration – owns property which may be impacted by this Policy - remained in the room and took part in discussion and voted.

Recommendation

That Council adopt the Draft Flood Planning Levels for the Lower Shoalhaven River Floodplain Policy (attached).

RESOLVED (Clr Wells / Clr D'Ath)

MIN22.508

That Council adopt the Draft Flood Planning Levels for the Lower Shoalhaven River Floodplain Policy (attached).

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

AGAINST: Nil
CARRIED

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

CL22.339 Policy – Terms of Reference Northern / Central / Southern Coastal Management Program Advisory Committees and Floodplain Risk Management Committees **HPERM Ref: D22/264578**

RESOLVED* (Clr Wells / Clr White) MIN22.509

That Council adopt the amended Terms of Reference Northern / Central / Southern Coastal Management Program Advisory Committees and amended Terms of Reference Northern / Central / Southern Floodplain Risk Management Committees Policies (attached).

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

AGAINST: Nil
CARRIED

CL22.340 Policy - Food Premises **HPERM Ref: D22/266715**

RESOLVED* (Clr Wells / Clr D'Ath) MIN22.510

That Council adopt and confirm the Draft Food Premises Policy (attached).

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

AGAINST: Nil
CARRIED

CL22.341 Policies - Control and Eradication of Priority Weeds and Pesticide Use Notification Plan **HPERM Ref: D22/287359**

RESOLVED* (Clr Wells / Clr D'Ath) MIN22.511

That Council:

1. Adopt the revised and retitled Control and Eradication of Priority Weeds Policy (previously titled Noxious Weeds Control and Eradication).
2. Adopt updates to the Pesticide Use Notification Plan.

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

AGAINST: Nil
CARRIED

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

CL22.342 Policies - Shoalhaven Water Group - Round Six

**HPERM Ref:
D22/226594**

RESOLVED* (Clr Wells / Clr Norris)

MIN22.512

That Council reaffirm the following policies with changes:

1. Water and Sewerage Headworks Charges (Section 64 Contributions) Assistance for Developments.
2. Community Service Obligations – Water Supply, Wastewater, Effluent, Trade Waste Services and Section 64 Contributions.
3. Payment Assistant Scheme – Water Accounts.
4. Shoalhaven Water Debt Management Policy.
5. Shoalhaven Water Undetected Leak Rebate Policy.

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

AGAINST: Nil

CARRIED

There being no further business, the meeting concluded, the time being 6:14pm.

Clr Findley
CHAIRPERSON