
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON TUESDAY 21 MAY 2013 COMMENCING AT 4:00PM

The following members were present;

Clr Gash – Chairperson
Clr Tribe
Clr Robertson
Clr Kearney
Clr Baptist
Clr White
Clr Wells
Clr Anstiss
Clr Findley
Clr Guile
Clr Watson
Clr Kitchener

The meeting was opened in Prayer by Reverend Sandra Spencer, Falls Creek Church of God, followed by the Welcome to Country/Acknowledgement of Traditional Custodians and the playing of the Australian National Anthem.

462. Apologies/Leave of Absence

Clr McCrudden forwarded his apology for the Ordinary Meeting of Tuesday 21 May 2013.

MOTION: Moved: Guile / Second: Baptist

That the apology from Clr McCrudden be accepted and a leave of absence for the Ordinary Meeting of Tuesday 21 May 2013 be granted.

CARRIED

463. Confirmation of the Minutes of the Ordinary Meeting of Council held on 23rd April 2013, Extra Ordinary Meeting of Council held on 30th April 2013 and 9th May 2013

MOTION: Moved: Guile / Second: Robertson

That the Minutes of the Ordinary Meeting of Council held on Tuesday 23 April 2013, the Extra Ordinary Meetings of Council held on Tuesday 30 April 2013 and Thursday 9 May 2013 be confirmed.

CARRIED

464. **Declarations of Interest**

Conflict of Interest Declaration – Clr Anstiss – Item 3 – Review of Development and Environment Services Policies – Round 2 – Pecuniary Interest – Owner of a Food Premises Under Code – Will leave the room and not take part in discussion or vote.

Conflict of Interest Declaration – Clr Guile – Less Than Significant Non Pecuniary Interest - Former Business Manager for Bomaderry Community Preschool - Will remain in room.

- a) Item 44 – Additional Items – Progress on Issues from the Children’s Services Reference Group Minutes March 2013
- b) Item 45 – Initiatives and Activities Relating to Child Activities within the Shoalhaven Community Strategic Plan
- c) Item 46 – Kids Korner – Building Maintenance and Construction
- d) Item 47 – Central Shoalhaven Mobile Preschool Seeking Premises
- e) Item 48 – Contributions Plan Projects Related to Provision of Preschool Facilities

Conflict of Interest Declaration – Clr White – Less Than Significant Non Pecuniary Interest – Being a former member of the Milton Ulladulla Preschool Management Committee – Will remain in room.

- a) Item 44 – Additional Items – Progress on Issues from the Children’s Services Reference Group Minutes March 2013
- b) Item 45 – Initiatives and Activities Relating to Child Activities within the Shoalhaven Community Strategic Plan
- c) Item 46 – Kids Korner – Building Maintenance and Construction
- d) Item 47 – Central Shoalhaven Mobile Preschool Seeking Premises
- e) Item 48 – Contributions Plan Projects Related to Provision of Preschool Facilities

Conflict of Interest Declaration – Clr White – Item 71 – Hunting on Public Lands – New Gazetted Areas – Less Than Significant Non Pecuniary – Being her son regularly accesses State Forests for recreational shooting – Will remain in the room

Conflict of Interest Declaration – Clr Tribe – Item 67 – Record of Investments – April 2013 – Significant Non Pecuniary Interest – Being a Board Director for the Bendigo Bank – Will leave the room and not take part in discussion or vote.

MAYORAL MINUTE – TUESDAY 21st May 2013

465. International Fleet Review, Jervis Bay 2013

File 9045E

MOTION:

Moved: Gash / Second: Tribe

That Council supports the arrival of the International Fleet Review into Jervis Bay and that Council:

- a) Co-host with Navy a reception welcome event for the International Fleet
- b) Promote the event to encourage visitation
- c) Prepare all necessary planning documents to make this a successful event.
- d) Seek funding from the Shoalhaven Tourism Board's events budget.

AMENDED MOTION:

Moved: Findley / Second: Wells

That Council

- a) **Support the arrival of the International Fleet Review to Jervis Bay;**
- b) **Promote this event to encourage visitation to the Shoalhaven;**
- c) **Assist in the necessary planning of this event to ensure its success;**
- d) **Vote \$80,000 from the Strategic Projects Reserve to support the event; and**
- e) **Co-host with the Navy a welcome reception for the dignitaries of the International Fleet Review.**

CARRIED

466. \$100m Restart NSW Illawarra Infrastructure Fund

File 44022E

MOTION:

Moved: Gash / Second: Guile

That Council

- a) **Consider supporting the Nowra CBD Multi-Storey Car Park project as its No. 1 priority for funding under the Restart NSW Illawarra Infrastructure Fund;**
- b) **Advise the Member for Kiama, Mr Gareth Ward MLA, of Council priorities when finalised and he and the State Government be thanked for the funding opportunity; and**
- c) **Convene a Councillor Briefing to identify other projects that may meet the criteria and invite the Member for Kiama, Mr Gareth Ward MLA, to the Briefing to further discuss the funding opportunities.**

CARRIED

467. Request for Financial Assistance - Big Band Blast

File 4771E

MOTION:

Moved: Gash / Second: Watson

That Council financially assist the organisers of the All Public Schools rehearsal and performance at the Shoalhaven Entertainment Centre in the amount of \$3,000 to be funded from the 2012/13 Donations Vote.

CARRIED

468. Deputations

Nil

GENERAL MANAGER – COMMITTEES REPORT

DEVELOPMENT COMMITTEE – TUESDAY 7 MAY 2013

469. Planning Proposal (Rezoning) – North Manyana

File 1027E PDR

MOTION:

Moved: Wells / Second: Guile

That

- a) Further consider this planning proposal pending the outcome of the consultation workshop between the proponent and the community to be convened at the earliest possible time;**
- b) Receive a detailed briefing by the Red Head Villages Association and the proponent on the outcome of the consultation workshop;**
- c) Not commence work on the planning proposal until after the finalisation of the Shoalhaven Local Environmental Plan 2013; and**
- d) Reconsider the matter at the next Development Committee meeting, if possible.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Wells, Baptist, Findley, Guile, Watson, Kitchener, Gash

AGAINST: Nil

470. Usable Flood Free Land on New Residential Lots **File 5034E (PDR)**

MOTION: Moved: Watson / Second: Guile

That Council adopt, as exhibited, DCP 100 (Subdivision Code) to include the following acceptable solution:

“For small scale infill subdivisions a nominal building envelope of approximately 15m wide and 21m deep, sited in accordance with the requirements of DCP 91 (Single Dwelling and Ancillary Structures) be provided above the 1% flood level on each proposed lot in the subdivision.”

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Wells, Baptist, Findley, Guile, Watson, Kitchener, Gash

AGAINST: Nil

471. Review of Development and Environmental Services Policies - Round 2 **File 33571E**

Withdrawn – See MIN13.473

472. Additional Item – Tourist Cabins & Cafe, Coolangatta Road, Far Meadow – DA13/1377 **File DA13/1377 (PDR)**

MOTION: Moved: Watson / Second: Guile

That the General Manager extend the public exhibition period by two weeks on DA13/1377 for tourist cabins and a cafe on Coolangatta Road, Far Meadow until the end of May 2013 and inform all affected residents under the policy.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Wells, Baptist, Findley, Guile, Watson, Kitchener, Gash

AGAINST: Nil

473. (Item 3, Page 1) Review of Development and Environmental Services Policies - Round 2 **File 33571E**

Conflict of Interest Declaration – Cllr Anstiss – Pecuniary Interest – Owner of a Food Premises Under Code – Left the room and not take part in discussion or vote.

MOTION: Moved: Findley / Second: White

That

a) Reaffirm the following policies:

POL12/112	Penguin Heads Road Culburra – Building Line	5266E
POL 12/121	Industrial Development – Retailing Space	24278E
POL 12/128	Relocation of second Hand Dwellings	8296E, 8297E
POL 12/223	Wharves and Jetties	27563E
POL 12/285	Demolition and Renovation of Buildings Containing Asbestos Policy	3621E
POL 12/117	Design Guidelines for Permanent Occupation of Caravan Parks	1039E
POL 12/119	Food Premises Code	7467E
POL 12/122	Mobile Food Stalls/Vehicles and temporary Food Premises	7467E
POL 12/126	Private Burial Grounds	31509E

b) Revoke the following policy:

POL 12/129	Standards for Temporary Moveable dwellings for Aged or Disabled Persons	10007E
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CARRIED

FOR: Tribe, Robertson, Kearney, White, Wells, Baptist, Findley, Guile, Watson, Kitchener, Gash

AGAINST: Nil

POLICY & RESOURCES COMMITTEE – THURSDAY 9 MAY 2013 (ITEMS 5 to 31)

474. Adoption of Report

Note: Cllr Anstiss returned to the meeting

MOTION:

Moved: Watson / Second: Guile

That the following items of the Policy and Resources Committee be adopted.

CARRIED

**475. (Addendum Report 1, Item 1) Status Report – New Soccer Field St Georges Basin
File 2253E**

That:

- a) Council review funding options with a view to increasing funding to remove turf, topdress and relay turf to the playing surface, with additional consideration given to installing subsoil drainage; and
- b) A further report be presented to the next Policy and Resources Committee meeting.

476. (Addendum Report 2, Item 1) Greys Beach Master Plan including Landscape Plan
File 25412E

That

- a) The draft Greys Beach Revised Master Plan including Landscape Plan be placed on public exhibition for a period of 28 days;**
- b) Residents and stakeholders are advised of the public exhibition period and provided with an opportunity to make comments; and**
- c) A further report be provided to Council following public exhibition and consultation period.**

477. (Addendum Report 2, Item 2) Ison Park – Baseball Nets
File 38917E

That

- a) Council allocate \$30,000 from budget number 82476 (lighting upgrade) to budget number 82537 (Ison Park – additional field) to assist in the delivery of baseball nets on the new extended field at Ison Park, South Nowra; and**
- b) Council continue to provide a multi-purpose sporting facility at Ison Park, prohibiting the installation of a home run fence.**

478. (Addendum Report 3, Item 1) Community Building Partnership 2012 – Grant Funding – Learn to Ride
File 39785E

Withdrawn – See MIN13.502

479. Adoption of Community Strategic Plan – Shoalhaven 2023
File 45756E

Withdrawn – See Min13.503

480. Quarterly Budget Review as at 31 March 2013
File 2127E

That

- a) The March Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement be adopted by Council.**
- b) Council does not commit to any further additional expenditure unless it is in conjunction with a quarterly budget review and a funding source can be identified.**

481. Quarterly Progress Report on Delivery Program & Operational Plan
File 44691E

That the Quarterly Report of the General Manager (Finance & Corporate Services Group) on the 2012 – 2013 Delivery Program & Operational Plan be received for information.

482. Ice Escape Event January 2013 - Shoalhaven Entertainment Centre **File 35525E**

That Council underwrites the Shoalhaven Entertainment Centre loss on the “Ice Escape” event held in January 2013 by increasing the annual subsidy for the financial year 2012/2013 by \$29,491.

483. Draft Fees, Charges and Rentals 2013-2014 **File 46321E**

Withdrawn – See MIN 13.504

484. Free Use of Facilities – Shoalhaven Swim & Fitness Centres – Sporting Facilities – Karen Higgison **File 5247e**

Withdrawn – See MIN13.505

485. Southern Rivers Catchment Management Authority Grant for the Control of Salvinia **File 37652E**

That

- a) Council accept the allocation of \$6,000 from the Southern Rivers Catchment Management Authority to control the noxious weed Salvinia in the Berry and Moeyan Hill areas and the money be voted to the project.**
- b) A letter of thanks be sent to the Manager of Southern Rivers Catchment Management Authority for the provision of funds.**

486. Shoalhaven Transport Register **File 40733E, 47306E**

That

- a) Accept the sponsorship offer of \$5,500 from Relationships Australia and vote the funds;**
- b) Accept the sponsorship offer of \$8,000 from the Bendigo Bank (Bay and Basin Community Financial Service Ltd) and vote the funds;**
- c) Write to thank both the sponsoring bodies for their support.**

487. Grant – Kangaroo Valley Agricultural & Horticultural Society **File 2139E**

That

- a) Accepts the grant of \$2,700 from the Crown Lands Funding Program on behalf of Kangaroo Valley A&H Society and votes the funds;**
- b) Write and thank the Deputy Premier, Andrew Stoner MP, for the grant from the Crown Lands Funding Program for the Kangaroo Valley A&H Society.**

488. Review of Waste Services Section Policies **File 9794E, 2828E, 15930E**

That Council reaffirm the following Public Policies:

- a) No Charge Tipping of Storm Damaged Materials at Waste Depots Policy (POL12/298)**
- b) No Charge Tipping Voucher Policy (POL12/174);**
- c) Waste Management Community Assistance Policy – Garden Waste Mulch (POL12/303);**
- d) Waste Minimisation and Management Guidelines (POL12/273).**

489. Review of Policy – South Coast Cooperative Libraries – Collection Development Policy **File 3934E**

That Council reaffirm the Collection Development Policy of the South Coast Cooperative Libraries (POL12/292).

490. Review of Policy – Shoalhaven Libraries - Operations **File 6230E**

That Council reaffirm the Shoalhaven Libraries - Operations Policy (POL12/184).

491. Review of Reserve Signage Standard **File 6320E, 4538E**

That Council reaffirm the Reserve Signage Standard Policy (POL12/258) with additional explanatory notes and amendments as detailed in the report.

492. Review of Policies **File 14501E, 26129E, 2895E, 24546E, 3670E, 4102E**

That

- a) Rescinds the following policies**
 - i) Bus Shelter Shed – Site Selection**
 - ii) Weight and Length Restrictions – Kangaroo Valley Road, Tourist Road and Cambewarra Lookout Road**
 - iii) Temporary Road Closures – Nowra CBD**
 - iv) Interim Policy for Multipanel Directional signage on Public Land**
 - v) Illuminated Advertising Signs on Council Managed Road Reserves**
- b) Reaffirms the Policy for Public Information Signs**

493. Milton Ulladulla District Mountain Bike Club Site Investigations **File 46341e**

Withdrawn – see MIN13.506

494. Review of Shoalhaven Heritage Strategy 2011-14 (POL12/297) File 39336e

That Council reaffirm POL12/297 Shoalhaven Heritage Strategy 2011-14.

495. Shoalhaven Heads Estuary Taskforce Membership File 45866e

That Council appoint Mr David McCorkell and Barry/Brian Allen as members of the Shoalhaven Heads Estuary Taskforce.

496. Acquisition of Sewerage Easement at Burrill Lake File 46969E

That

- a) Council resolve to acquire the proposed Sewerage Easement 3 wide over Lot 11 DP262421 at Burrill Lake, as shown by hatching on copy of plan marked 'Attachment A' to the report.
- b) Council pay compensation of \$8,500 and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Wastewater Fund.
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

497. Acquisition of Easement for Water Supply at Burrill Lake File 44628E

That

- a) Council resolve to compulsorily acquire the Easement for Water Supply 5 wide over part of an unmade Crown road, as shown by broken line on copy of draft survey plan marked 'Attachment A' to the report.
- b) Council pay compensation and costs associated with the acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Water Fund.
- c) The necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

498. Acquisition of Easement for Water Supply at Burrill Lake

File 44627E

That

- a) Council resolve to compulsorily acquire the Easement for Water Supply 5 wide over land owned by the Minister administering the National Parks & Wildlife Act 1974 (land excluded from Meroo National Park), as shown by broken line on copy of draft survey plan marked 'Attachment A' to the report.**
- b) The easement be acquired in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 at \$nil compensation. All costs associated with the acquisition to be paid from Shoalhaven Water's Water Fund.**
- c) The necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.**
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.**

499. Review of Shoalhaven Water Group Policies – Round 6

File 12039E

That

- a) Council adopt the following Public Policies with minor changes as detailed within the report:**
 - i) Community Service Obligations – Water Supply, Wastewater, Effluent, Trade Waste Services and Section 64 Contributions**
 - ii) Rainwater Tank Rebate**

500. Tree Vandalism - Collingwood Beach, Vincentia

File 9929E

Withdrawn – see MIN13.507

501. Joint Regional Planning Panel - Sitting Fee

File 39782E

That the Council representative on the Joint Regional Planning Panel be paid a sitting fee of \$400.00 per day.

502. (Item 8, Page 3) (Addendum Report 3, Item 1) Community Building Partnership 2012 – Grant Funding – Learn to Ride File 39785E

MOTION:

Moved: Guile / Second: Findley

That

- a) Council accept Communities NSW Community Building Partnership grant funding of \$15,000 to construct a learn to ride bike path;**
- b) Council request an amendment to the site location identified in the successful application from Curtis Reserve, Shoalhaven Heads to Jerry Bailey Reserve, Shoalhaven Heads;**
- c) Councils matching investment of \$15,000 be funded from identified budget savings and revoted for delivery within the 2013/2014 budget; and**
- d) Council staff consult with the Shoalhaven Heads Community Forum and local community in relation to the design and delivery of the learn to ride bike facility.**

CARRIED

503. (Item 9, Page 4) Adoption of Community Strategic Plan – Shoalhaven 2023 File 45756E

MOTION:

Moved: Guile / Second: Anstiss

That

- a) The CSP Review Community Engagement Phase 2 Summary Report be received and noted.**
- b) The Community Strategic Plan – Shoalhaven 2023 included as Attachment 1 to the business papers be adopted in accordance with the Integrated Planning and Reporting requirements of the Local Government Act 1993.**
- c) The General Manager undertake all necessary steps to inform the community, stakeholders and Division of Local Government, and to implement the CSP 2023 through Council's deliberations and operations.**
- d) People and organisations that made submissions on the draft CSP be thanked for their contributions, advised of Council's resolutions and invited to review the Community Engagement Phase 2 Summary Report for further information on submissions received and Council's consideration of those submissions.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Wells, Baptist, Guile, Watson, Kitchener, Gash

AGAINST: Findley

504. (Item 13, Page 5) Draft Fees, Charges and Rentals 2013-2014

File 46321E

MOTION:

Moved: Wells / Second: White

That Council adopt the draft Fees, Charges and Rentals 2013-2014 including the amendments and additional fee as detailed in the report to the Policy and Resources Committee of 9 May 2013.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Wells, Baptist, Findley, Watson, Kitchener, Gash

AGAINST: Guile

505. (Item 14, Page 5) Free Use of Facilities – Shoalhaven Swim & Fitness Centres – Sporting Facilities – Karen Higgison

File 5247E

MOTION:

Moved: Findley / Second: Wells

That

- a) **Council provide life membership to Council's Shoalhaven Swim and Fitness Centres and Sporting Facilities to Mrs Karen Higgison by way of free casual swimming only;**
- b) **A report be submitted to the August meeting of the Shoalhaven Sports Board, outlining the criteria to be utilised to assist in processing all future approaches for fee exemption under a proposed Elite Athlete Support Program (EASP), currently under development.**
- c) **Council staff write to Mrs Higgison, advising her of the outcome.**

CARRIED

506. (Item 23, Page 7) Milton Ulladulla District Mountain Bike Club Site Investigations

File 46341E, 45894E

MOTION:

Moved: Findley / Second: White

That

- a) **Council encourage, and where possible, assist discussions between the Milton Ulladulla District Mountain Bike Club and the owners of land west of Ulladulla Sports Park (i.e. Ulladulla Local Land Council and Crown Lands) to formalise mountain bike use of this land;**
- b) **Council resolve to compulsorily acquire Lot 94 DP755972 from Forestry Corporation of NSW for future use as a mountain bike track or as a site to enhance southern entry opportunities to Burrill Lake and Ulladulla;**

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- c) The land be acquired in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 at \$nil compensation;
 - d) The necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993;
 - e) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution; and
 - f) A future report be submitted to Council on the progress to secure a mountain bike track site for the Milton Ulladulla District Mountain Bike Club.

CARRIED

507. (Item 30, Page 9) Tree Vandalism - Collingwood Beach, Vincentia File 9929E

MOTION: Moved: Findley / Second: Robertson

That

- a) Council trial the installation of a large banner at Collingwood Beach tree vandalism site;
- b) A report on the trial be submitted to Council after 3 months of installation of the large banner in view of amending Council's Foreshore Reserves Policy; and
- c) Nominate Collingwood Beach vegetation vandalism sites as National Tree Day sites.

AMENDMENT: Moved: Guile / Second: Watson

That:

- a) Council trial the installation of the banner at the Collingwood Beach tree vandalism site for a period of 3 months;
- b) A report be presented to Council on the 3 month trial after the installation of the banner, in view of amending Council's Foreshore Reserves Policy;
- c) Council nominate Collingwood Beach vegetation vandalism sites as National Tree Day sites; and
- d) Before a banner is erected, Council conduct a doorknock of affected residents to ascertain their view prior to the proposed trial.

AMENDMENT CARRIED

FOR: Tribe, Robertson, Kearney, Wells, Baptist, Findley, Guile, Kitchener, Gash

AGAINST: Anstiss, White, Watson

AMENDMENT BECOMES THE MOTION.

CARRIED

FOR: Tribe, Robertson, Kearney, Wells, Baptist, Findley, Guile, Kitchener, Gash

AGAINST: Anstiss, White, Watson

COUNCIL PROPERTY STEERING COMMITTEE – TUESDAY 7 MAY 2013

508. Adoption of Report

MOTION:

Moved: Watson / Second: Guile

That the following items of the Council Property Steering Committee be adopted.

CARRIED

509. Mens Shed Register

File 32598E

That

- a) **Staff continue to liaise with the Crown Lands Division on the identification of suitable Crown Land for the establishment of Mens Sheds; and**
- b) **This report be received for Information.**

510. Licence to Occupy Part of Nowra School of Arts - Shoalhaven Youth Orchestra

File 46949E

That

- a) **Council concur to offering a licence to Shoalhaven Youth Orchestra (SYO) for that part of Lot 20 DP 801794 within the Nowra School of Arts described as the two top rooms for a term of five years at a commencing licence fee of \$442.00 p.a. plus GST and reviewed annually by 3.5%;**
- b) **The General Manager be delegated authority to endorse any terms of the Licence that may not yet be settled; and**
- c) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.**

511. **Review of Policies – Various**

File 38980E, 23192E

That Council adopt the following Policies:

- a) **POL13/34 – Acquisition of Land by Shoalhaven City Council; and**
- b) **POL13/38 – Valuation Policy**

512. **Resolutions/Actions – Projects to be Completed**

File 30977E

That the Report of the General Manager (Strategic Planning & Infrastructure) concerning the Listing of Resolutions/Actions – Strategic Projects to be completed from the Council Property Steering Committee be received for Information.

513. Notification to Council – EOI for Lease & Management of Room 3, Building 3/78 St Vincent St, Ulladulla – Authorisation of Lease

File 46997E

Withdrawn – see MIN13.514

514. **(Item 36, Page 11) Notification to Council – EOI for Lease & Management of Room 3, Building 3/78 St Vincent St, Ulladulla – Authorisation of Lease**

File 46997E

MOTION:

Moved: Findley / Second: White

That

- a) **The evaluation of the EOI submission be received for the lease of Room 3 Building 3, 78 St Vincent St Ulladulla;**
- b) **Concurrence be granted to finalise the terms of the lease with Southern Shoalhaven Zone Meals on Wheels Inc;**
- c) **The General Manager be delegated authority to endorse the terms of the lease, that are not yet settled; and**
- d) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.**
- e) **Milton Ulladulla Historical Society be granted authority to share the use of this facility until such time as the Ulladulla Civic Centre is completed.**

CARRIED

SHOALHAVEN ARTS BOARD – WEDNESDAY 8 MAY 2013

515. Adoption of Report

MOTION:

Moved: White / Second: Kearney

That the following items of the Shoalhaven Arts Board be adopted.

CARRIED

516. Strategic Direction – Shoalhaven City Art Collections Management File 18106E, 2123E

That

- a) **The Arts Board recommend that Council manage its collection and seek advice and funding with regard to engagement of specialist resources to enable required information to be obtained for the Art Collection Database to:**
- i) **Collect additional accession and artwork information (historical, curatorial etc);**
 - ii) **Professionally photograph Collection artworks.**
 - iii) **Further develop reporting capabilities to complete functions within the database.**
- b) **The Arts Unit staff to investigate the development of the following:**
- i) **An exhibition of Samuel Elyard’s paintings, drawings and photographs of Jervis Bay and Nowra to coincide with the 21st Hobie 16 World Championship in January/February 2014;**
 - ii) **Investigate the development of an exhibition of Samuel Elyard’s works containing indigenous subject matter incorporating additional relevant 19th century paintings and drawings;**
 - iii) **Investigate the development of a ‘Peacetime and War’ Exhibition in 2014/2015 centred around paintings and drawings by Dennis Adams and works from the Afghanistan series by Ben Quilty;**
 - iv) **Investigate the development of an exhibition of a ‘farmyard themed’ touring exhibition centred around “Goats and Farmyard Scene” by William Robinson;**
 - v) **Develop a new Samuel Elyard Art Prize as an annual acquisitive art prize;**
 - vi) **Receive a future report via the Shoalhaven Arts Board on specific artworks to be considered for de-accessioned and/or transferred from the Collection; and**
 - vii) **Set and advertise the fee for Art Prize Entry to a maximum of \$30.00 (GST inc) per entry administered by Council, to be placed on public exhibition for a period of twenty eight (28) days, in accordance with**

the Local Government Act 1993 and, if no significant adverse comment is received during that time, the fee is deemed to be adopted.

517. Shoalhaven Arts Board Budget

File 2123E

That

- a) The report of the General Manager (City Services & Operations), concerning Shoalhaven Arts Board Budget, be received for information;
- b) Funds of \$305 be transferred from the balance of funds in the Arts Awards Budget \$9,112 (Job No 21580/10722) to the Arts Promotion & Marketing (Job No 21580/22521);
- c) Funds of \$1,271 be transferred from the balance of funds in the Arts Awards Budget \$9,112 (Job No 21580/10722) to the Strategic Plan (Job No 21580/23205);
- d) That the balance of the Shoalhaven Arts Board funds be used to support the following projects:
 - i) Funding to the Shoalhaven Historical Society of \$1,000 to enable design drawings to be obtained for restoration and display of the Nowra Flood Boat (Job No 21580/22521 - Arts Board Grant);
 - ii) Funding of \$3,000 to progress the implementation of the Public Arts Policy (Job No 21580/10734 - Arts Newspaper); and
 - iii) Funding of up to \$13,000 to enable a redesign of the Shoalhaven City Arts Centre Website to be commenced (Job No 21580/10722, 21580/10743, 21580/22521);
 - iv) These projects to commence before the end of the current financial year 2012/13 and, if required, funds to be re-voted to enable completion of delivery in financial year 2013/14.
- e) One round only occur of Arts Grants funding for 12/13

518. Shoalhaven Arts Board - Draft Budget for Financial Year 2013/14

File 2123E

Withdrawn – see MIN13.523

519. Expression of interest – Community Exhibition Process and Criteria Change

File 45165E, 2123E

That Council adopt the proposed changes to Expressions of Interest – Community Exhibition, administered by the Shoalhaven City Arts Centre in accordance with the recommendations in the report.

520. Draft Shoalhaven City Arts Centre Strategic Plan 2020 – Outcome of Public Exhibition and Public Meeting **File 44980E**

That

- a) Council adopt the Draft Shoalhaven City Arts Centre Strategic Plan 2020;
- b) The adopted Shoalhaven City Arts Centre Strategic Plan 2020 be placed on Council's website;
- c) The adopted Shoalhaven City Arts Centre Strategic Plan 2020 be used to guide Council's future Delivery Program and Operational Plans;
- d) The General Manager develop an Arts Centre staffing plan and job descriptions; and
- e) Create a Task Group to prioritise the implementation of the Strategic Plan over the next 2 years.

521. Update of Shoalhaven Arts Board Guidelines **File 2123E**

That Council adopt the updated Draft Shoalhaven Arts Board Guidelines (POL13/37) which includes additions to Clause 2.1.4 as follows:

2.1.4 "Arts Board membership comprise 15 members, ie:

2.1.4.1 the Mayor

2.1.4.2 4 Councillors

2.1.4.3 6 Community members

2.1.4.4 1 member being the Head of Campus of the University of Wollongong, Shoalhaven Campus

2.1.4.5 1 member being the CEO of the Bundanon Trust, and

2.1.4.6 2 members nominated by the Shoalhaven Aboriginal Advisory Committee

and to clearly define that the University of Wollongong Shoalhaven Campus, Bundanon Trust and Shoalhaven Aboriginal Advisory Committee, as invited members, are separate to a Community Member. Community members should possess strong management, leadership and administrative skills, be sympathetic towards the arts and have an awareness of arts practice and contemporary issues."

That

- a) **Council adopt the revised “Shoalhaven City Art Collection – Acquisition and Collection Management Policy” (POL12/259) in accordance with the recommendations in the report; and**
- b) **“Art Collection - Shoalhaven City Council City Collection Policy” (POL09/33) be rescinded.**

523. **(Item 39, Page 13) Shoalhaven Arts Board - Draft Budget for Financial Year 2013/14**
File 2123E

MOTION:

Moved: Robertson / Second: White

That

- a) **The Shoalhaven Arts Board support the allocation of funds in its Draft Budget for financial year 2013/14 as follows:**
 - i) **\$1,500 – Black Cockatoo Award (Job No 21580/11288)**
 - ii) **\$6,000 - Shoalhaven Eisteddfod (Job No 21580/21795)**
 - iii) **\$1,500 - Shoalhaven Literary Award/Fellowship of Australian Writers (Job No 21580/22528)**
 - iv) **\$13,000 - Shoalhaven Arts Grants Program (Job No 21580/22521)**
 - v) **\$5,000 - Collection Management/Arts Purchase (Job No 21580/10728)**
 - vi) **\$10,450 - Arts Support & Innovation (Job No 21580/10725)**
 - vii) **\$4,000 - Arts Awards (Job No 21580/10722)**
 - viii) **\$7,000 - Arts Newspaper (Job No 21580/10734)**
 - ix) **\$7,000 - Arts Promotion & Marketing (Job No 21580/10723)**
 - x) **\$8,000 - Shoalhaven Youth Orchestra (Job No 21580/22570)**
- b) **A report on the 3yr budget to address the issues the Arts Board is facing be presented at a future meeting of the Board.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Wells, Watson, Gash

AGAINST: Baptist, Findley, Guile, Kitchener

CHILDREN'S SERVICES REFERENCE GROUP – MONDAY 13 MAY 2013

524. Additional Items - Progress on Issues from the Children's Services Reference Group Minutes March 2013 **File 46176E**

Conflict of Interest Declaration – Clr Guile – Less Than Significant Non Pecuniary Interest - Former Business Manager for Bomaderry Community Preschool - Remained in the room.

Conflict of Interest Declaration – Clr White – Less Than Significant Non Pecuniary Interest – Being a former member of the Milton Ulladulla Preschool Management Committee – Remained in the room.

MOTION: Moved: Findley / Second: Baptist

That the Children's Services Reference Group receives the report on Additional Items – Progress on Issues from the Children Services Reference Group Minutes March 2013 for information.

CARRIED

525. Initiatives and Activities Relating to Child Activities Within the Shoalhaven Community Strategic Plan **File 35193E**

Conflict of Interest Declaration – Clr Guile – Less Than Significant Non Pecuniary Interest - Former Business Manager for Bomaderry Community Preschool - Remained in the room.

Conflict of Interest Declaration – Clr White – Less Than Significant Non Pecuniary Interest – Being a former member of the Milton Ulladulla Preschool Management Committee – Remained in the room.

MOTION: Moved: Findley / Second: Baptist

That the report on initiatives and activities relating to children within the Shoalhaven Community Strategic Plan be accepted for information.

CARRIED

526. Kids Korner - Building Maintenance & Construction **File 1440E, 13561**

Conflict of Interest Declaration – Clr Guile – Less Than Significant Non Pecuniary Interest - Former Business Manager for Bomaderry Community Preschool - Remained in the room.

Conflict of Interest Declaration – Clr White – Less Than Significant Non Pecuniary Interest – Being a former member of the Milton Ulladulla Preschool Management Committee – Remained in the room.

MOTION: Moved: Findley / Second: Baptist

That

- a) **Funding allocations for roof repairs (\$65,000 from the 2014/15 Budget) be redirected to a building and feasibility study for Kids Korner, and to consider how the maintenance and expansion of the facility on either the existing site, or an alternative site, can be accommodated in future years;**
- b) **Staff and the Children’s Services Reference Group investigate and report on city-wide needs and priorities for child care services before any funding commitments are made to provide new facilities at any location;**
- c) **Staff present a further report to Council on options available to bring forward funding for the building and feasibility study at Kids Korner into the 2013/14 financial year budget; and**
- d) **A risk assessment be provided to Council in the interim to ensure that funding priorities are appropriate.**

CARRIED

527. Central Shoalhaven Mobile Preschool seeking Premises File 35382e

Conflict of Interest Declaration – Clr Guile – Less Than Significant Non Pecuniary Interest - Former Business Manager for Bomaderry Community Preschool - Remained in the room.

Conflict of Interest Declaration – Clr White – Less Than Significant Non Pecuniary Interest – Being a former member of the Milton Ulladulla Preschool Management Committee – Remained in the room.

MOTION: Moved: Findley / Second: Baptist

That

- a) **Committee receive the report for information only;**
- b) **Council staff continue with their investigations and development of a community facilities strategic plan; and**
- c) **Council staff prepare a report to Council outlining options for relocating the mobile preschool to an existing Council facility or more suitable leased premises.**

CARRIED

528. Contributions Plan Projects Related to Provision of Pre-School Facilities File 1057E, 46506E, 46176E

Conflict of Interest Declaration – Clr Guile – Less Than Significant Non Pecuniary Interest - Former Business Manager for Bomaderry Community Preschool - Remained in the room.

Conflict of Interest Declaration – Cllr White – Less Than Significant Non Pecuniary Interest – Being a former member of the Milton Ulladulla Preschool Management Committee – Remained in the room.

MOTION:

Moved: Findley / Second: Baptist

That

- a) **The Children Services Reference Group receive this report for information; and**
- b) **The Children Services Reference Group be informed of any changes to contributions projects listed in this report.**

CARRIED

529. Additional Item – Appointment of National Commissioner for Children and Young People File 46176E

MOTION:

Moved: Findley / Second: Baptist

That the Mayor write to Megan Mitchell to congratulate her on her recent appointment as the National Commissioner for Children and Young People and extend an open invitation to her to visit the Shoalhaven.

CARRIED

SHOALHAVEN SPORTS BOARD – TUESDAY 14 MAY 2013

530. Adoption of Report

MOTION:

Moved: Guile / Second: White

That the following items of the Shoalhaven Sports Board be adopted.

CARRIED

531. Sports Board Charter Review

File 12623E

That

- a) **The Sports Board consider the response received on the Sports Board Charter from one sports group;**
- b) **Seniors sports activities to be included in Section 9 Promotion 9.2; and**
- c) **Council inform and invite Sporting groups to attend Sports Board meetings.**

532. Review of Voluntary User Contributions Policy File 24899e

That

- a) Council reaffirm the Voluntary User Contributions Policy (POL12/315) with additional explanatory notes and amendments as detailed in the report;
- b) An email be forwarded to Members clarifying Item 3.13 in the Voluntary Users Contributions Policy.

533. Review of Parks Operations Policies File 6320E, 4538E

That

- 1. Council reaffirm the following current Policies, as attached to the report:
 - a) User Group Responsibilities Policy (POL12/186)
 - b) Glass Bottle Free Sportsgrounds Policy (POL12/180)
 - c) Sportsground Closure (POL12/187)
- 2. Council amend the Sportsground Fencing Policy (POL12/222) re the following:
 - a) Replace "*where the facility is leased or licensed*" with '*may be permitted in consultation with Council and where public access to the facility is not significantly affected and the fencing is provided by the Club*'.

534. Future of Thurgate Oval, Bomaderry File 1000E

Withdrawn – See MIN13.540

535. Bill Andriske Oval Draft Strategic Master Plan - Mollymook File 44796E

That

- a) The draft Strategic Master Plan for Bill Andriske Oval, Mollymook be placed on public exhibition for 28 days seeking community feedback; and
- b) A further report be provided to Council at the completion of the exhibition period.

536. Bay and Basin Area - Sportsground Expansion and Skate Park Update
Files 38443E, 44713E, 44818E, 3625E

That

- a) Council staff circulate the concept layouts of Wool Lane Sporting Complex and Sanctuary Point Oval as shown in this report to residents and landowners surrounding these facilities as well as sporting groups currently using these facilities and sporting groups that are interested in using these

facilities in the future for a minimum of 28 days and a further report be provided to the Committee detailing;

- I. The comments received from both residents and landowners surrounding Wool Lane Sporting Complex and Sanctuary Point Oval in response to circulating concept layouts of these facilities; and
 - II. The comments from sporting groups currently using these facilities and sporting groups that are interested in using these facilities in the future.
- b) Council allocate \$20,000 in its 2013/14 Delivery Program and Operations Plan from an existing budget (Job number 82539 – Sanctuary Point Playing Fields) for inclusion to design and cost provision of netball courts at Vincentia Sportsground;
 - c) Council allocate \$50,000 from an existing budget (Job number 82539 – Sanctuary Point Playing Fields) for inclusion in its 2013/14 Delivery Program and Operations Plan to resource investigations to provide a sportsground facility on Lot 1151 DP 1159783, Larmer Ave, Sanctuary Point; and
 - d) Council commence discussion with relevant landowners and stakeholders to investigate acquiring a portion of the In-Ja-Ghoondji Land at Tomerong for future sportsgrounds.

537. Callala Bay Sports Ground Hydrology And Drainage Assessment

File 7166E, 38443E

That

- a) The Sports Board receive the Callala Bay Sports Ground Hydrology Study for information;
- b) A plan detailing the future provision of sports facilities for the larger community catchment precinct areas of Callala Bay, Callala Beach, Currarong, Myola, Culburra and Orient Point be reported to Council as an holistic approach to sports ground provision; and
- c) That this Plan be identified in the 2013/2014 work plan of relevant staff.

538. Additional Item – Tourism/Event Matters

File 12623E

That Council appoint a staff member, or nominee, who attends Sports Board Meetings, to present regular reports on relevant tourism/events matters.

539. Additional Item – Sports Board Meetings

File 12623E

That the Shoalhaven Sports Board meet 6 times per year, as per the Sports Board Charter.

540. (Item 53, Page 18) Future of Thurgate Oval, Bomaderry File 2451E, 38443E, 47418E

Note: Clr Anstiss left the room

MOTION:

Moved: Findley / Second: Guile

That

- a) Council receive the report from SESL Australia for information only;**
- b) The General Manager (Strategic Planning & Infrastructure) develop a Management and Masterplan to guide the future use and management of Thurgate Oval;**
- c) Council continue to fill and level the playing field area to a minimum standard to reduce the chances of injury, allowing for continued use as a football training facility and cricket playing field; and**
- d) Staff investigate, develop and report back to Council a “Future Provision of Sporting Fields for North Nowra/Bomaderry Precinct” forward planning document; and**
- e) Council investigate and further report on the possibility of obtaining fill from nearby RMS construction sites for use on Thurgate Oval.**

CARRIED

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 14 MAY 2013

541. Adoption of Report

Note: Clr Anstiss was absent from the meeting

MOTION:

Moved: Guile / Second: Wells

That the following items of the Shoalhaven Traffic Committee be adopted.

CARRIED

542. Road Safety - Intersection of Isa Road and Asteria Street, Worrigea (PN 2185)

File 8178E

That the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee rescinds its previous recommendation for the installation of Double Barrier (BB) for a distance of 30m on Asteria Street, Worrigea at its intersection with Isa Road.

543. Parking Restrictions - Hansons Road, North Nowra (PN 2549) File 2932E

That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the existing No Stopping zone on the eastern side of Hansons Road, North Nowra (adjacent intersection of McMahons Road) be extended for a distance of approximately 8m, as detailed in the attached plan TRAF2013/21.

544. Parking Restrictions - Shoalhaven Heads Road, Shoalhaven Heads (PN 2623) File 8167E, 4731E

That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of a 30m Bus zone on the southern side of Shoalhaven Heads Roads, Shoalhaven Heads, adjacent to the bus shelter outside the Shoalhaven Heads Bowling Club, as detailed in the attached plan TRAF 2013/22.

545. Driveway access - Sextant Street, South Nowra (PN 2881) File 2641E

That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of No Stopping zones on Sextant Street, South Nowra (as detailed in the attached plan TRAF 2013/23):

- a) On the northern side of Sextant Street, opposite the driveways of 14 Cumberland Avenue and 6 Sextant Street (approximately 25m)
- b) On the southern side of Sextant Street, across the driveways of 14 Cumberland Avenue and 6 Sextant Street.

546. Sight Distance - Exiting Aveo Island Point Retirement Village (PN 2919) File 1709E

That that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of edge line marking (E1) on the eastern side of Island Point Road, Sanctuary Point from the Anson Street roundabout to the pedestrian refuge located south of the Aveo Retirement Village (a distance of approximately 400m), as detailed in the attached plan TRAF 2013/24.

547. Lane Delineation - Cambewarra Road, Bomaderry (PN 2978) File 12120E, 1667E

That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of Broken Lane (L1) line marking on Cambewarra Road, Bomaderry for east bound traffic (for a distance of approximately 40m) from existing linemarking east of Princes Highway (as detailed in TRAF 2013/25).

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 14 MAY, 2013 - INFORMATION REPORT

548. Items not requiring approval under delegated authority **File 1491E**

Note: Clrs Anstiss and Findley were absent from the meeting

MOTION: Moved: Wells / Second: Baptist

That the Information report of the Shoalhaven Traffic Committee be received for information.

CARRIED

FOR: Tribe, Robertson, Kearney, White, Wells, Baptist, Watson, Kitchener, Gash

AGAINST: Guile

REPORT OF GENERAL MANAGER

FINANCE AND CORPORATE SERVICES

549. Tender for the Manufacture and Installation of Relocatable Cabins at Holiday Haven Tourist Parks **File 47083E**

Note: Clrs Anstiss and Findley were absent from the meeting.

MOTION: Moved: Guile / Second: Wells

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

CARRIED

550. Record of Investments - April 2013 **File 2126E**

Conflict of Interest Declaration – Clr Tribe – Significant Non Pecuniary Interest – Being a Board Director for the Bendigo Bank – Left the room and did not take part in discussion or vote.

Note: Clrs Anstiss and Findley were absent from the meeting.

MOTION: Moved: Wells / Second: Kearney

That the Report of the General Manager (Finance and Corporate Services Group) on the Record of Investments for the period to 30 April 2013 be received for information.

CARRIED

CITY SERVICES AND OPERATIONS

551. Ison Park Sporting Field Carpark & Access Road Upgrade File 46722E

Note: Clr Tribe returned to the meeting

Note: Clrs Anstiss and Findley were absent from the meeting

MOTION: Moved: Wells / Second: Guile

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

CARRIED

552. Bomaderry Depot, Underground Storage Tank Removal Contractor Quotation File 46786E

Note: Clr Anstiss returned to the meeting

Note: Clr Findley absent from the meeting

MOTION: Moved: Wells / Second: Guile

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

CARRIED

STRATEGIC PLANNING AND INFRASTRUCTURE

553. Draft Shoalhaven Local Environmental Plan 2013 – Post Exhibition Consideration Process File 33363E (PDR)

Note: Clr Findley returned to the meeting

MOTION: Moved: Watson / Second: Wells

That Council:

- a) **Schedule a Special Development Committee Meeting to consider the draft LEP submissions the dates for which are to be determined by the General Manager and the Mayor taking into consideration the working hours and commitments of Councillors and where possible to enable community access to the meetings;**
- b) **Pursuant to Section 377 of the Local Government Act 1993 delegated authority be granted to the Special Development Committee to consider the submissions and finalise the draft LEP 2013;**

-
- c) **Consider the submissions via a single Business Paper, consistent with the format outlined in the report; and**
 - d) **Invite the NSW Department of Planning & Infrastructure to send a representative to the meeting, to assist in the efficient handling of matters.**

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Wells, Baptist, Findley, Guile, Watson, Kitchener, Gash

AGAINST: Nil

554. Hunting on Public Lands - New Gazetted Areas **File 4048E, 33064E**

Conflict of Interest Declaration – Cllr White – Less Than Significant Non Pecuniary – Being her son regularly accesses State Forests for recreational shooting – Left the room and did not take part in discussions or vote

MOTION:

Moved: Findley / Second: Guile

That Council:

- a) **Write to the Premier of NSW calling for further consultation with Local Government prior to gazetting public areas for hunting to avoid a clash of incompatible land and adjacent uses;**
- b) **Write to the Minister for Primary Industries and request that both Nowra and Currumbene State Forests be entirely removed from the Schedule of declared land due to potential safety concerns for Council staff, road users and existing land user groups;**
- c) **Write to the Member for South Coast, Shelly Hancock MP to make her aware of the safety concerns related to road use, maintenance of key infrastructure, existing community use access agreements and potential tourism impacts;**
- d) **Request the Minister for Primary Industries to inform known recreational user groups and relevant Community Consultative Bodies that the areas have been declared for hunting.**

CARRIED

LEGAL DOCUMENTS - DEVELOPMENT AND ENVIRONMENTAL SERVICES

555. Delegation of functions under the Plumbing and Drainage Act 2012 File 15095E

Note: Clr White returned to the room

MOTION: Moved: Guile / Second: Robertson

That the Common Seal of the Council of the City of Shoalhaven be affixed to the Instrument of Delegation (under section 21 of the Plumbing and Drainage Act 2011) as provided by NSW Fair Trading.

CARRIED

NOTICES OF MOTION

556. Urgent Meeting for the Business and Employment Development Committee File 38821E

MOTION: Moved: Guile / Second: Robertson

That the General Manager

- a) **Convene an urgent meeting of the Business and Employment Development Committee and appropriate representatives from other Council Committees and Boards;**
- b) **Invite the Member for Kiama, Gareth Ward, to enable Council to put forward a bid for part of the \$100M extra proceeds from the leasing of the Port Kembla Port.**

CARRIED

557. Procedural Motion - Introduction of Items as Matters of Urgency

MOTION: Moved: Guile / Second: Wells

That the following matters be introduced as a matter of urgency:

- a) Addendum Report 1 – Grant of Licence Lot 1 DP 1077521, Comerong Road, Numbaa
- b) Addendum Report 2 – Nowra CBD CCTV Project and Implications of Decision of the Administrative Decisions Tribunal Regarding Privacy Complaint

CARRIED

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

ADDENDUM REPORT 1 – STRATEGIC PLANNING & INFRASTRUCTURE

558. Grant of Licence Lot 1 DP 1077521, Comerong Road, Numbaa File 47157E

Note: Clr Tribe left the meeting

MOTION:

Moved: Guile / Second: Kearney

That:

- a) **Council licence to Southern Cross Waterfronts (or its nominee) part of Lot 1 DP 1077521 for a term of up to 3 years;**
- b) **The General Manager be delegated authority to endorse any terms of the Licence that may not yet be settled; and**
- c) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.**

CARRIED

FOR: Robertson, Kearney, Anstiss, White, Wells, Baptist, Guile, Watson, Kitchener, Gash

AGAINST: Findley

ADDENDUM REPORT 2 – CITY SERVICES AND OPERATIONS / FINANCE AND CORPORATE SERVICES

559. Nowra CBD CCTV Project and Implications of Decision of the Administrative Decisions Tribunal Regarding Privacy Complaint File 24464E

Note: Clr Tribe was absent from the meeting

MOTION:

Moved: Guile / Second: Wells

That

- a) **Accept the report on the Nowra CBD CCTV Project of the decision of the Administrative Decisions Tribunal regarding privacy complaint for information;**
- b) **Endorse an application for funding to the Commonwealth Attorney General for a grant from the Proceeds of Crime Fund to upgrade and extend the Nowra CBD CCTV system and vote the funds if successful with this application;**
- c) **A strategy, policy and guidelines be developed in relation to all CCTV operated by Shoalhaven City Council that is consistent with the NSW**

Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places.

CARRIED

FOR: Robertson, Kearney, Anstiss, White, Wells, Baptist, Guile, Watson, Kitchener, Gash

AGAINST: Findley

560. Procedural Motion - Introduction of Item as a Matter of Urgency

Note: Clr Tribe was absent from the meeting

MOTION: Moved: Guile / Second: Findley

That the matter of Additional Item - Impacts from Fill Arising from the Gerringong to Toolijooa Princes Highway Redevelopment - Residents Information Meeting be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency and allowed its introduction.

561. **Additional Item – Impacts from Fill Arising from the Gerringong to Toolijooa Princes Highway Redevelopment - Residents Information Meeting** **File 6852E**

Note: Clr Tribe returned to the meeting

MOTION: Moved: Guile / Second: Findley

That Council convene a residents information meeting either onsite and/or locally that may cover the following issues relevant to any current or potential DAs for fill arising from the Gerringong to Toolijooa Princes Highway redevelopment that might include:

- a) Potential sites for the depositing of clean fill;**
- b) Improvements to agricultural land;**
- c) Associated truck movements;**
- d) DAs and compliance;**
- e) Flooding issues;**
- f) Road maintenance and recovery; and**
- g) Other relevant issues.**

CARRIED

CONFIDENTIAL REPORT OF THE GENERAL MANAGER

COUNCIL PROPERTY STEERING COMMITTEE – 7 MAY 2013

Item	Reason
Additional Employment Land – Paper Mill	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)
Resolutions/Actions – Projects to be Completed	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)

FINANCE & CORPORATE SERVICES

Item	Reason
Tender for the Manufacture and Installation of Relocatable Cabins at Holiday Haven Tourist Parks	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)

CITY SERVICES & OPERATIONS

Item	Reason
Confidential Tender - Ison Park Sporting Field Carpark & Access Road Upgrade	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)

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

MOTION:

Moved: Guile / Second: Wells

That the Ordinary Meeting exclude the press and public from the Meeting pursuant to section 10A(1)(a) of the Local Government Act, 1993 as it was to consider items of a confidential nature in relation to matters pursuant to Section 10A(2)(c) and Section 10A(2)(d)(i).

The public interest in preserving the confidentiality of the information outweighs the public interest in maintaining openness and transparency in Council decision making as the matter is at a conceptual stage only:

- a) Additional Employment Land – Paper Mill – 46974E

The public interest in preserving the confidentiality of the information outweighs the public interest in maintaining openness and transparency as the matters are subject to further investigation and the release of that information may adversely affect the outcome of those investigations:

- a) Resolutions / Actions – Projects to be Completed – 30977E

The public interest in preserving the confidentiality of information about the resolutions outweighs the public interest in maintaining openness and transparency in Council decision making, as it may impact on the ability of Council to attract competitive tenders in the future:

- a) Tender for the Manufacture and Installation of Relocatable Cabins at Holiday Have Tourist Parks – 47083E
- b) Confidential Tender – Ison Park Sporting Field Carpark & Access Road Upgrade – 46722E
- c) Confidential – Quotation Bomaderry Depot, Underground Storage Tanks Removal Contractor – 46786E

The meeting moved into confidential the time being 6.11pm.

The meeting moved into open session, the time being 6.18pm.

562. Additional Employment Land – Paper Mill

File 46974E

The following resolution of the Ordinary Meeting, whilst closed to the public, was read to the meeting by the Executive Support Manager.

MOTION

That:

- a) **Council indicate to Australian Paper, and other interested parties, that it is considering participating in the development of a subdivision of surplus industrially zoned land at Bomaderry;**
- b) **Council develop further cost estimates and the site analysis based on Option D in the report and present a further report to Council with an appropriate recommendation; and**
- c) **Council require a Probity Plan and legal review of actions to date be prepared and reported to Council.**

563. Resolutions/Actions – Projects to be Completed

File 30977E

The following resolution of the Ordinary Meeting, whilst closed to the public, was read to the meeting by the Executive Support Manager.

MOTION

That the Report of the General Manager (Strategic Planning & Infrastructure) concerning the Confidential Listing of Resolutions/Actions – Strategic Projects to be completed from the Council Property Steering Committee be received for Information.

564. Tender for the Manufacture and Installation of Relocatable Cabins at Holiday Haven Tourist Parks

File 47083E

The following resolution of the Ordinary Meeting, whilst closed to the public, was read to the meeting by the Executive Support Manager.

MOTION

That:

- a) **Council accept the Tender from Uniplan Group for the supply of four (4) budget style cabins at a total cost of \$251,040 excluding GST to be funded from the Holiday Haven 2013/14 Budget.**
- b) **The contract documents and any other associated documents be executed by the General Manager (Finance and Corporate Services).**
- c) **Council notify the acceptance of the tender in accordance with Regulation 179 of the Local Government (General) Regulation 2005.**

565. Confidential Tender – Ison Park Sporting Field Carpark & Access Road Upgrade

File 46722E

The following resolution of the Ordinary Meeting, whilst closed to the public, was read to the meeting by the Executive Support Manager.

MOTION

That

- a) **Council accept the Tender of Druce DP Pty Ltd in the amount of \$222,204.50 excluding GST for the Ison Park Carpark Upgrade.**
- b) **Contract Documents and associated documents including variations be executed by the General Manager, (Director City Services & Operations).**
- c) **The report remains confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 and for the ‘public interest’ reasons stated above, however the decision is made public.**

566. Confidential – Quotation Bomaderry Depot, Underground Storage Tanks Removal Contractor **File 46786E**

The following resolution of the Ordinary Meeting, whilst closed to the public, was read to the meeting by the Executive Support Manager.

MOTION

That

- a) Council accept the schedule of rates quotation of ANC Foster Pty Ltd with an estimated value of \$115,732 for the Bomaderry Depot, underground storage tanks removal contract.**
- b) Contract documents and associated documents, including variations be executed by the General Manager, (Director City Services and Operations).**
- c) The report remains confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 and for the ‘public interest’ reasons stated above, however the decision is made public.**

There being no further business, the meeting concluded, the time being 6.19pm.

Clr Gash
CHAIRPERSON