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**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 3 SEPTEMBER 2013 COMMENCING AT 4:01PM**

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The following members were present:

Clr Gash – Chairperson – left the meeting at 5.52pm  
Clr Tribe  
Clr Robertson  
Clr Kearney  
Clr Anstiss  
Clr White  
Clr Wells  
Clr Baptist  
Clr Findley  
Clr Guile – Arrived 4.05pm  
Clr Watson – Left 7.15pm  
Clr Kitchener  
Clr McCrudden – Left 7.28pm

The meeting was opened in Prayer by Pastor Peter Pilt, Nowra City Church, followed by the Welcome to Country/Acknowledgement of Traditional Custodians and the playing of the Australian National Anthem.

**830. Apologies/Leave of Absence**

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The Mayor welcomed Clr McCrudden and Clr Wells from their leave of absence and welcomed Craig Milburn, Director Corporate and Community Services to the meeting.

**831. Confirmation of the Minutes of the Ordinary Meeting of Council held on 30 July 2013 and the Extra Ordinary Meeting of Council held on 20 August 2013**

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MOTION: Moved: Baptist / Second: White

**That the Minutes of the Ordinary Meeting of Council held on Tuesday 30 July 2013 and the Extra Ordinary Meeting of Council held on Tuesday 20 August 2013 be confirmed.**

CARRIED

**832. Declarations of Interest**

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Conflict of Interest Declaration – Clr Tribe – Significant Non-Pecuniary Interest – Item 63 – Record of Investments – Being a Volunteer Director of the Bendigo Bank – Will leave the room, and not take part in discussion or vote.

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**MAYORAL MINUTE – TUESDAY 3 SEPTEMBER 2013**

**833. South Coast Tourism Awards 2013 – Shoalhaven Winner**

**File 4256E**

MOTION:

Moved: Gash/ Second: Findley

**That Council congratulate the winners from the 2013 South Coast Regional Tourism Awards by way of a Mayoral congratulatory letter.**

CARRIED

Clr Gash congratulated everyone concerned with the Freedom of Entry event held on Saturday 31 August 2013 in Nowra.

**834. Procedural Motion to bring item forward**

PROCEDURAL MOTION:

Moved: Wells / Second: Baptist

That Item 67, page 36 – Jerberra Estate – Draft Development Control Plan be brought forward as a matter of urgency.

CARRIED

**PLANNING AND DEVELOPMENT**

**835. (Item 67, Page 36) Jerberra Estate – Draft Development Control Plan**

**File 46741E**

Clr Guile arrived – 4:05pm

MOTION:

Moved: Findley / Second: Wells

**That Council:**

- a) **Exhibit the attached draft Development Control Plan (DCP) for Jerberra Estate (Draft DCP No. 125) and supporting documentation for a minimum of 28 days;**
- b) **Authorise staff to make minor changes to the draft DCP prior to exhibition to improve its readability;**
- c) **Notify landowners in writing prior to commencement of the exhibition;**
- d) **Arrange for a drop-in, information session at Tomerong or Huskisson during the exhibition period;**
- e) **Consider feedback received and the finalisation of the draft DCP as soon as possible.**

CARRIED

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

AGAINST: Nil

## **GENERAL MANAGER – COMMITTEES REPORT**

### **DEVELOPMENT COMMITTEE – TUESDAY 6 AUGUST 2013**

**836. Planning Proposal (Rezoning) – North Manyana – Owner: Kylor Pty Ltd -  
Proponent: EMGA Mitchell McLennan Pty Ltd File 1027E (PDR)**

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MOTION: Moved: White / Second: Baptist

**That:**

- a) **Receive the report and the attached consultation summaries for information;**
- b) **Receive a detailed briefing from the proponent and the Red Head Villages Association after the revised Planning Proposal is provided by the proponent; and**
- c) **Receive a further report on the revised Planning Proposal after it is reviewed by staff.**

CARRIED

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

AGAINST: Nil

**837. Review of Planning & Development Services Policies (Strategic Planning Section)  
– Round 5. 33571E, 33363E, 18107E (PDR)**

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MOTION: Moved: White/ Second: Baptist

**That:**

- a) **Reaffirm the following policies with minor updating and reconsider them in conjunction with the finalisation of the Citywide DCP or other work that is underway:**
  - i) **The Built Environment (POL12/216, 1444)**
  - ii) **Coastal Areas (POL12/217, 31329)**
  - iii) **Highways & Arterial Roads (POL12/219, 31327)**
  - iv) **Housing in Residential Zones (POL12/220, 1444)**

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- v) Nuclear Industries and Activities (POL12/227, 31331)
  - vi) Fair Trading – Dedication of Land for Major Infrastructure Project (POL12/231, 5135)
  - vii) Lake Conjola Village Zone – Residential Development (POL12/236, 1444)
  - viii) Notations on DCP’s (POL12/230, 5297)
  - ix) Aged Persons Accommodation – Establishment (POL08/369, 16635)
- b) Rescind the following Policies given that they have been superseded by the adopted Shoalhaven Growth Management Strategy:
- x) Development – Main Centre Strategy (POL12/221, 31326); and
  - xi) Kangaroo Valley – Planning Issues & Policies (MIN09.1375)
- c) Rescind the following policies because they have been superseded by legislative or other policy changes/initiatives:
- i) Hazardous Industries (POL12/218, 31331)
  - ii) Natural Hazards (other than flood or bushfire) (POL12/225, 31330)
  - iii) New Development Areas (POL12/226, 31326)
  - iv) Development Control Plans – Landowner Notification (POL12/229, 5297)
  - v) Public Utilities – Water & Sewerage – Planning & Development (POL08/395, 31328)

CARRIED

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

AGAINST: Nil

**POLICY AND RESOURCES COMMITTEE – TUESDAY 13 AUGUST 2013**

**838. Adoption of Report**

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MOTION: Moved: Watson / Second: Wells

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

CARRIED

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**839. Local Government Conference - Floodplain Management Association National Conference** **File 4688E, 4355E**

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**That the report regarding the Floodplain Management Association National Conference held in Tweed Heads from 28-31 May 2013 be received for information.**

**840. Delegation of Authority - Appointment of Acting General Manager** **File 16699E**

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Withdrawn see MIN13.861

**841. Twelve Month Progress Report on Delivery Program & Operational Plan 2012 - 2013** **File 44691E**

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**That the report of the General Manager (Corporate and Community Services) regarding progress to June 2013 on the 2012/2013 Delivery Program and Operational Plan be received for information, noted and published on Council's website.**

**842. Quarterly Budget Review as at 30 June 2013** **File 2127E**

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**That:**

- a) The June Quarterly Budget Review and vote movements including revotes outlined in the Quarterly Budget Review Statement be adopted by Council; and**
- b) The Provision for Investment Losses Reserve be transferred to the Employees Leave Entitlement Reserve.**

**843. Review of Shoalhaven Libraries – Children's Policy** **File 6230E**

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**That Council adopt the amended Corporate and Community Services – Shoalhaven Libraries – Children's Policy – POL12/183 in accordance with the recommendations in the report.**

**844. Local Government Conference – Dynamic Cities Conference** **File 4688E**

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**That:**

- a) Council notes the details of the forthcoming conference Dynamic Cities Conference, scheduled for 16-18 October 2013, at Mandurah Western Australia;**
- b) Council authorises available Councillors to attend the conference and such attendance be deemed Council Business;**
- c) Council meets the travel, registration fees, accommodation and all reasonable out-of-pocket expenses in accordance with its adopted policy; and**
- d) Councillors attending the conference provide a written report within 30 days of returning from the conference.**

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**845. Proposed Memorandum of Understanding - Shoalhaven FM File 7434E**

**That:**

- a) That the draft Memorandum of Understanding with Shoalhaven FM be adopted; and**
- b) The General Manager be authorised to sign the Memorandum of Understanding with Shoalhaven FM on behalf of Council.**

**846. Revised Privacy Management Plan File 10357E**

**That the report of the General Manager (Corporate and Community Services) regarding the revised Privacy Management Plan based on the new Model Privacy Management Plan for Local Government as attached to this report be adopted.**

**847. Junction Court - Funding Offer 2013-14 File 44389E**

Withdrawn see MIN 13.862

**848. 2013/2014 Regional Roads Block Grant Funding File 47832E, 5279E**

**That:**

- a) Accepts the 2013/14 Regional Roads Block Grant of \$2,095,000 from Roads and Maritime Services; and**
- b) Writes to Roads and Maritime Services thanking it for the grant, through the Members for South Coast and Kiama.**

**849. Update on Berry Sporting Complex Management Committee File 3196E**

**That:**

- a) Disband the Berry Sporting Complex Management Committee and that any delegations issued pursuant to Section 377 of the Local Government Act be rescinded;**
- b) Permanently reallocates \$9,300 maintenance funds from Job No 29999 (Management Committees Others) to Job No 22102 (Parks Core Maintenance); and**
- c) Closes the bank account of the Berry Sporting Complex Management Committee and allocates the remaining \$300 to Job No 22102.**

**850. Ulladulla Leisure Centre Gymnasium Extension – Tender File 47365E**

**That in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter, and any decision made in the confidential session be made public in accordance with Clause 253 of the Local Government Act (General) Regulation 2005.**

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**851. Crossroads Rural Fire Station Tender** **File 47432E**

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That in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter, and any decision made in the confidential session be made public in accordance with Clause 253 of the Local Government Act (General) Regulation 2005.

**852. St Georges Basin Soil Analysis and Renovation Program** **File 2253E**

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That:

- a) Retrofit subsoil drainage to the field at an estimated cost of between \$43,987 to \$53,762; and
- b) Fund the upgrade works as follows: revoted funds (\$34,885) from Job No 82527 (St Georges Basin Field Upgrade); and the balance to be funded from Job No 22107 (Minor Improvement Program).

**853. Submission of Grants - Swan Lake Estuary Environmental & Cultural Restoration Project** **File 17261e**

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That:

- a) Accepts the Grant of \$63,290 for the Swan Lake Estuary Environmental and Cultural Restoration Project; and
- b) Send a letter to the Hon. Robyn Parker MP, the NSW Minister for the Environment and Heritage thanking her for the grant offer.

**854. Biobanking Agreement – Garrad Reserve Narrawallee** **File 46748E**

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That:

- a) Council vote to accept the 2013-2014 payment of \$137,437 and subsequent payments each year, to undertake specified management actions on Garrad Reserve;
- b) After finalisation of the Shoalhaven LEP 2013, Council prepare a planning proposal to amend the LEP to reflect the conservation status of the reserve and ensure that all four lots that make up the biobank site have a consistent zoning; and
- c) The community engagement strategy attached to the report be noted and received for information.

**855. Crookhaven Headland Lighthouse – Future Management & Maintenance** **File 42240E**

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Withdrawn See MIN13.863

**856. Swimming Pool Amendment Act 2012 – Draft Swimming Pool Barrier Inspection Program** **File 32517E**

That:

- a) Council publically exhibit the Draft Swimming Pool Barrier Inspection Program for a minimum period of 28 days; and
- b) A further report be submitted after closure of the exhibition period.

**857. Shoalhaven Local Heritage Assistance Fund Program 2013-14** **File 1110E**

That in respect to the Shoalhaven Local Heritage Assistance Fund for 2013-2014, grants be offered to the eight (8) applicants listed in the following Table for the amounts shown:

Owner / Applicant	Project Location	Heritage Item & Level of Significance	Description of Works	Recommended Grant Amount
W Carter	Tannery Road Cambewarra	Former Schoolmaster's Brick Residence and garden  STATE Significance	Essential drainage works – Roofing, downpipe and gutters due to rising damp.	\$1,800
C J Knapp	680 Bolong Road Bolong	*Swanlea Dairy Farm Complex Not listed in SLEP	Restoration to roof of concrete silo.	\$1,000
E Lothian	53 Queen Street Berry	*Not listed in SLEP See Attachment 'B'	Repainting exterior of house.	\$1,000
S McIntosh	94 Tannery Road Berry	Dairy Farm Complex and Gatehouse  STATE Significance	Replace roof of feed stall shed and supporting poles.	\$2,788
F Pami	19 Ferry Lane Nowra	Victorian Georgian style Timber Slab Cottage  LOCAL Significance	Replace timber verandah to front of cottage.	\$1,800
J M Saw	32 Woodstock Road Croobyar	Former Victorian Brick Gatehouse to Mt Airlie  LOCAL Significance	Front door brickwork and barge board replacement.	\$1,700
A & M Sherringham	1165 Bolong Road Coolangatta	Victorian Georgian style Farmhouse and trees	Replacement of 1950s window with new style	\$1,800



		<b>LOCAL Significance</b>	<b>window to assimilate with original building style windows.</b>	
<b>K &amp; G Thompson</b>	<b>138 Princes Highway Milton</b>	<b>Interwar Federation style Cottage</b>	<b>Remove infilled asbestos verandah and restore verandah to original style.</b>	<b>\$2,200</b>
		<b>LOCAL Significance</b>		
<b>Total</b>				<b>\$14,088</b>
<b>Note: (*) identified in Shoalhaven Heritage Study 1995-98 as locally significance but not listed in Shoalhaven Local Environmental Plan.</b>				

**858. Review of Shoalhaven Water Group Policies - Round 8 File 12039E**

That

- a) Council place the following Public Policies on public exhibition and invite submissions in accordance with Section 160 of the Local Government Act:
  - i) Connection of Properties to Council’s Sewerage System Policy;
  - ii) Reclaimed Water Policy;
- b) Council place the following Local Approval Policy on public exhibition and invite submissions in accordance with Section 160 of the Local Government Act:
  - i) Liquid Trade Waste Discharge to the Sewerage System Policy;
- c) Should Council receive no feedback or minor comments in relation to the Policies placed on public exhibition, then the Policies be deemed adopted at the conclusion of the submissions period, otherwise a further report is to be provided to Council; and
- d) Council reaffirm the following Public Policy without amendment:
  - i) Building Over Sewers Policy.

**859. Draft Sanctuary Point Place Making Action Plan – Report Following Public Exhibition File 44032E, 20860E, 20862E, 45369E, 46908E**

That

- a) Adopt the draft Sanctuary Point Place Making Action Plan (as publicly exhibited);
- b) Re-categorise part of the Community Land which forms Clifton Park from “Park to “General Community Use” (as detailed in the report);
- c) Amend the “Schedule of land” in its adopted Generic Community Land Plans of Management for Park and General Community Use to reflect the dual Community Land categorisation on Clifton Park (as detailed in the report);

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- d) Provide in principle support for development of a proposed Men's Shed, community food garden and 'Learn-to-ride' facility on Clifton Park; and
  - e) Continue to investigate the development of a specific public policy to guide the facilitation and co-ordination of a place based planning approach for the City.

860. Water and Sewer Headworks Charges (Section 64 Charges) File 15513E

Withdrawn – See MIN13.864

861. **(Item 4, Page 3) Delegation of Authority - Appointment of Acting General Manager**  
**File 16699E**

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MOTION: Moved: Guile / Second: McCrudden

That Council delegate authority to the Mayor, Cllr Joanna Gash, to appoint a Group Director to act in the role of General Manager temporarily, during periods when the General Manager is on leave of absence.

LOST

FOR: Findley, Guile, McCrudden

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

MOTION: Moved: Watson / Second: Anstiss

**That Council delegate authority to the Mayor (in consultation with the General Manager) to appoint a person to act in the role of General Manager temporarily, during periods when the General Manager is on leave of absence.**

CARRIED

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

AGAINST: Findley, Guile

MOTION:

Moved: Findley / Second: Guile

**That Council**

- a) **Accepts the grant funding offer of \$50,000 from the NSW Roads and Maritime Services for the completion of the Junction Court Nowra (opening to traffic) project, and authorise the expenditure (Job No 85990); and**
- b) **Writes to Roads and Maritime Service thanking it for its cooperation and funding assistance, and advising that Council accepts the grant funds offered and committing to a completion of the project by June 2014, as required, through the Member for South Coast.**

CARRIED

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863. (Item 19, Page 6) Crookhaven Headland Lighthouse – Future Management & Maintenance

File 42240E

MOTION:

Moved: Guile

That Council accept responsibility for the future management and maintenance of Crookhaven Headland Lighthouse and request the NSW Government to provide a budget to fully fund its restoration and ongoing maintenance costs.

MOTION LAPSED DUE TO LACK OF SECONDER

MOTION:

Moved: White / Second: Baptist

**That Council**

- a) **Does not accept responsibility for the future management and maintenance of Crookhaven Headland Lighthouse until the NSW Government provides a budget to fully fund its restoration and ongoing maintenance costs;**
- b) **Hold further discussions with the NSW Government regarding the ongoing maintenance costs;**
- c) **Facilitate a meeting of the Crookhaven Headland Lighthouse Steering Committee to advise the Committee of Council's position; and**
- d) **Write to the Member for South Coast and Minister for Regional Infrastructure and Services advising them of this resolution.**

CARRIED

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

AGAINST: Guile

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**864. (Item 24, Page 9) Water and Sewer Headworks Charges (Section 64 Charges) File 15513E**

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MOTION: Moved: Guile / Second: Findley

**That**

- a) **Council modify the policy “Assistance for Small Business” to include all development types and allow for a 75% concession up to 2 ET and 50% for >2ET concession on Water and Sewer Section 64 charges, effective from the 1<sup>st</sup> July 2013; and**
- b) **Section 64 charges for dual occupancy development be based on the number of bedrooms, irrespective of whether a subdivision occurs.**

CARRIED

**NOWRA CBD ACTION – MONDAY 5 AUGUST 2013**

**865. Adoption of Report**

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MOTION: Moved: Watson / Second: Baptist

**That the following items of the Nowra CBD Action be adopted.**

CARRIED

**866. Capital Works Update for Nowra CBD File 46730E, 44389E, 16244E, 2186E, 8028E**

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Withdrawn – see MIN13.873

**867. Taxi Rank Re-location - Junction Street, Nowra File 9886E, 2636E**

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**That the General Manager (Director Assets and Works):**

- a) **Not pursue the re-location of the main Junction Street taxi rank (located between O’Connell Lane and Nowra Lane); and**
- b) **Submit a proposal to increase the size of night time taxi zones adjacent to the Nowra CBD Hotels (increase of one space and corresponding loss of one parking space) to the Shoalhaven Traffic Committee for consideration.**

**868. Proposed Car Parking - Burr Avenue, Nowra File 39962E; 46219E, 17670E**

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**That**

- a) **Works at the Burr Avenue car park site be deferred; and**
- b) **Available funding be directed to the construction of 19 additional spaces in the Berry Street car park.**

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**869. Nowra CBD - Cleaning Service and Staff Hours - Trial Results**

**File 45446E, 35106E, 27690E**

That

- a) Cleaning services within the CBD continue (Tuesdays/Wednesdays and 4hrs on a Sunday); and
- b) Cleaning services be minimised in winter months.

**870. Nowra CBD Economic Analysis**

**File 45403E, 7481E, 1057E, 45446E**

That

- a) Adopt the “*Nowra CBD Economic Analysis*” and Council’s “*Response to the Nowra CBD Economic Analysis*” as public documents for discussion purposes;
- b) Actively pursue options for grant or alternate funding and partnership funding to provide infrastructure in the Nowra CBD;
- c) Review car parking rates in Council’s Car Parking Code to determine whether any concession might be appropriate for low car usage developments and receive a report back on this matter;
- d) Investigate options for discounting car parking requirements for shop top housing as an incentive to development and provide a report back on this issue;
- e) Adopt a policy position of only providing discounts or incentives for development if alternative funding can be obtained, and that Council not subsidise development;
- f) Report further, if appropriate alternative funding can be sourced, with options on discounting car parking contributions in the Nowra CBD; and
- g) A sub group be formed comprising of David Goodman, Paul Dean, Peter Price, Lee Carmichael, Clr Wells and Clr Tribe to review recommendations and timeframes for amending developer contributions.

**871. POL05/64 Landscaping of the Princes Highway – Nowra Urban Area**

**File 31679E**

That policy POL05/64 Landscaping of the Princes Highway – Nowra Urban Area be rescinded.

**872. Additional Item – Additional All Day Car Parking**

**File 2186E**

That in reviewing the options for satisfying the shortfall in all day car parking within the CBD and in assessing the alternatives, in particular Stewart Place and Worrigee/Berry St car parks, that Council sets a minimum requirement of providing an additional 400 all day car parking spaces over all existing spaces.

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873. (Item 25, Page 10) Capital Works Update for Nowra CBD

File 46730E, 44389E, 16244E, 2186E, 8028E

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Recommendation 1

MOTION:

Moved: Findley / Second: Tribe

**That**

- a) **The issue of Junction Court opening be deferred until the next Nowra CBD Action meeting;**
- b) **A breakdown of costs to make Junction Court trafficable be brought back to the Committee;**
- c) **Councillors discuss impacts of opening Junction Court with affected shopowners; and**
- d) **Council request a report from the Nowra Local Area Command on crime figures for the Junction Court area be conducted to provide an analysis on post and pre changes to the area.**

Recommendation 2

**That**

- a) **The footpath on the eastern side of Berry St adjacent to the frontage of existing cafes be widened;**
- b) **Parallel parking in Berry St be line marked; and**
- c) **The matter be referred to Council for action.**

Note: Recommendation 2, part b) has been superseded by MIN13.913

Recommendation 3

**That a report be presented at the next meeting on a reconfigured design with a possible 3 buses parking parallel to main alignment or an alternative design to maximise pedestrian safety for the Stewart Bus Interchange.**

CARRIED

FOR: Tribe, Anstiss, White, Wells, Baptist, Findley, Kitchener, Gash

AGAINST: McCrudden, Watson, Guile, Robertson, Kearney

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**COUNCIL PROPERTY STEERING COMMITTEE – TUESDAY 6 AUGUST 2013**

**874. Adoption of Report**

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MOTION:

Moved: Watson / Second: Wells

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

**CARRIED**

**875. Proposed Donation of Council Land – Coolangatta Mountain**

**File 21718E**

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**That**

- a) **Provide in principle support to the proposal of donating Council land, Lot 5 DP834853, Lot 7 DP 833168 and Lot 26 DP 843541 to National Parks & Wildlife Service as an Aboriginal Place;**
- b) **Undertake a consultation process with the community in respect to the proposed donation of land;**
- c) **Delegate authority to the General Manager to discuss and negotiate the terms of the donation with NPWS and JLALC;**
- d) **Receive a further report on the outcome of the matter following the consultations, discussions and negotiations;**
- e) **The General Manager to consider requesting a number of tradeoffs of mutual benefit to both parties from Office of Environment & Heritage.**

**876. Classification of Land - Various**

**File 7720E, 46605E, 46739E**

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**That Council resolve to classify the land described in Schedule A as operational land in accordance with section 31 (2) of the Local Government Act, 1993.**

**Schedule A**

<b>Legal Description</b>	<b>Locality</b>	<b>Purpose</b>	<b>Reference</b>
<b>Lot 125 DP 8772 Currana Ave,</b>	<b>Worrowing Heights</b>	<b>Donating the land to the Foundation of National Parks and Wildlife as part of the HELP project.</b>	<b>46605e</b>
<b>Lot 137 DP 8772 Currana Ave</b>	<b>Worrowing Heights</b>		
<b>Lot 259 DP 8591 Elouera Dr</b>	<b>Worrowing Heights</b>		
<b>Lot 97 DP8770 Ooranye Gdn</b>	<b>Worrowing Heights</b>		
<b>Lot 22 Section 25 DP2886 Coomea St</b>	<b>Bomaderry</b>	<b>For future development or resale</b>	<b>46739E</b>

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**877. Proposed Closure of Unformed Council Public Road within Lots 1 and 2 DP 1038647 Tannery Road and Agars Lane Berry** **File 45813e**

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That

- a) Council resolves to advise the Crown Lands Division of the Department of Primary Industries that Council objects to the advertised closure of the unformed Council Public Road within Lots 1 and 2 DP 1038647, in light of the cycle/pathway proposed by the Berry Rotary Club;
- b) Council continue discussion with Berry Rotary Club to progress its proposed cycle/walking track linking Tannery Road with Moeyan Road; and
- c) Council resolves to receive further progress reports on the cycle/walking tracks proposed by Berry Rotary Club with the view to considering whether Council supports all or part of the proposed road closures within Lots 1 and 2 DP 1038647.

**NORTHERN SHOALHAVEN NATURAL RESOURCES AND FLOODPLAIN MANAGEMENT COMMITTEE – WEDNESDAY 7 AUGUST 2013**

**878. Adoption of Report**

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MOTION:

Moved: Watson / Second: Baptist

That the following items of the Northern Shoalhaven Natural Resources and Floodplain Management Committee be adopted

CARRIED

**879. Coast and Estuary 2013-2014 Grant Announcements** **File 3406E & 30596E**

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That

- a) The Committee receive the report for information; and
- b) Council proceed with unfunded projects within available budget limits, with priority given to the Shoalhaven River Entrance Process Study and Community Education and the Citywide Maintenance Dredging Feasibility Study.

**880. Flood Event 24 & 25 June 2013** **File 9825e**

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That Council approve the community awareness and education activities for people located in the Shoalhaven and Broughton Creek floodplain areas.

**881. Shoalhaven River Strategic Management Framework Report** **File 30596E & 3426E**

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Withdrawn – See MIN13.886



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**882. Additional Item – Bank Erosion** **File 3426E**

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**That a report be brought back to the Northern Shoalhaven Natural Resources and Floodplain Management Committee on options for stabilisation of bank erosion and channel change in the lower Estuary including Berry’s Canal.**

**883. Additional Item – Australian Oyster Coast** **File 47308E**

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**That**

- a) A report be submitted to the Committee regarding the Memorandum of Understanding provided by Australia’s Oyster Coast; and**
- b) A presentation be provided at the next meeting of the Committee by a representative of Australia’s Oyster Coast, if possible.**

**884. Additional Item – Committee Membership** **File 46778E**

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**That Council approve a membership request from Australia’s Oyster Coast and increase the membership of the Northern Shoalhaven Natural Resources and Floodplain Management Committee accordingly.**

**885. Additional Item – Working Group** **File 46778E**

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**That Council approve the Southern Rivers Catchment Management Authority to consider Mr Tony Emery be made a member of the Shoalhaven river Riverbank Stability Study Working Group.**

**886. (Item 37, Page 15) Shoalhaven River Strategic Management Framework Report**  
**File 30596E & 3426E**

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**MOTION:** **Moved: Watson / Second: Guile**

**That the Shoalhaven River Strategic Management Framework Report be received for information.**

**CARRIED**

**FOR:** Tribe, Robertson, Kearney, Anstiss, White, Guile, Watson Kitchener, McCrudden, Gash

**AGAINST:** Findley, Baptist, Wells

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**SHOALHAVEN SPORTS BOARD – THURSDAY 8 AUGUST 2013**

**887. Adoption of Report**

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MOTION:

Moved: Guile / Second: White

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

CARRIED

**888. Voluntary User Contribution Fund Application - Round One 2013/2014**

**File 24899E, 2064E**

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**That**

- a) **The application from Southern Shoalhaven Rugby League Club for Round One 2013/2014 not be approved; and**
- b) **The matter of Voluntary User Contribution Fund Application - Round One 2013/2014 be referred to Council's Tree Management Officer to action as it is a maintenance issue.**

**889. Community Representative - Illawarra Academy of Sport**

**File 2388E**

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**That Shoalhaven Sports Board supports the nomination of the position of Chairperson of the Shoalhaven Sports Board as the community representative on the Illawarra Academy of Sport.**

**890. Sportsground - Temporary Storage (Shipping) Container on Public Land Policy**

**File 4538E**

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**That**

- a) **Council formalise a Temporary Storage (Shipping) Container on Public Land Policy which will set guidelines to assess temporary storage requests on Council owned and/or managed land categorised as 'Sports Ground' or 'General Community Use'; and**
- b) **The draft Temporary Storage (Shipping) Container on Public Land Policy be referred to the Sports Board for comment, prior to public exhibition.**

**891. Free Use of Facilities - Elite Athlete Support Program – Shoalhaven Swim & Fitness Centres – Sporting Facilities**

**File 5247E**

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**That**

- a) **The Shoalhaven Sports Board adopt the following criteria as the basis for a draft policy and for all future approaches from individual athletes for free access to Council's Shoalhaven Swim & Fitness Centres and sporting facilities:**

- 
- i) Applicants must meet the criteria of the Shoalhaven Sporting Hall of Fame, having met the relevant criteria:
    - a) The nominated athlete must have represented Australia at an international or national elite junior or senior level.
    - b) Selection of an athlete does not include persons who have represented their sport through school sports activities.
    - c) The selected athlete shall have undergone their formative training in the Shoalhaven, or be recognised as a medium/long term Shoalhaven Local Government Area resident.
  - ii) Applicants must not be currently paid or sponsored to compete in their respective sports.
  - iii) External coaches of successful applicants will be required to pay all lane hire/facility charges as per Council's fees and charges.
  - iv) An athlete's inclusion into the Elite Athlete Support Program should not conflict with any other schemes support by way of fee waiver or subsidy currently offered by Council.
  - v) Access to Council's Shoalhaven Swim & Fitness Centres and sporting facilities shall be limited to free casual swimming entry only and does not extend to any other program such as coaching, personal training or group exercise classes.
  - vi) Access shall be limited to individuals only, groups or teams will not be considered.
  - vii) Successful applicants shall also be required to abide by Council's current Patron Behaviour Guidelines (PRD12/36) - failure to do so may lead to the withdrawal of free casual entry.
  - viii) Access to facilities for free casual swimming will be permitted during normal hours of operation only.
  - ix) Each athlete under the Elite Athlete Support Program will be required to provide his/her own equipment for training sessions.
  - x) Parents and other relatives of athletes under the Elite Athlete Support Program are not entitled to free access to facilities.
  - xi) Use of Shoalhaven Swim & Fitness Centres and sporting facilities must be relevant to the Elite Athlete's chosen field of endeavour.
- b) Subject to approval by the Shoalhaven Sports Board, an Elite Athlete Support Program Policy be prepared and submitted to Council.

892. Bill Andriske, Mollymook Oval Master Plan

File 44796E

Withdrawn – See MIN13.893

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**893. (Item 46, Page 18) Bill Andriske, Mollymook Oval Master Plan File 44796E, 47767E**

MOTION: Moved: Findley / Second: Guile

**That**

- a) Council adopt the Bill Andriske Mollymook Oval Master Plan;
- b) Council consider funding in the 2014/15 budget to undertake detail design of the oval, car parking, entrances and tiered seating areas; and
- c) Preliminary construction costing be reported back to Council for the consideration in the Long Term Financial Plan.

CARRIED

**CENTRAL SHOALHAVEN NATURAL RESOURCES AND FLOODPLAIN  
MANAGEMENT COMMITTEE – MONDAY 12 AUGUST 2013**

**894. Adoption of Report**

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MOTION: Moved: Guile / Second: Kearney

**That the following items of the Central Shoalhaven Natural Resources and Floodplain Management Committee be adopted**

CARRIED

**895. Currumbene Creek Boating Infrastructure Strategy File 43319E**

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**That**

- a) Council receive the report on the Currumbene Creek Boating Infrastructure Strategy Discussion Paper for information;
- b) The Currumbene Creek Boating Infrastructure Strategy Discussion Paper be exhibited and consultation be undertaken; and
- c) Council receive a further report on the feedback from consultation and exhibition period.

**896. Coast and Estuary 2013-2014 Grant Announcements File 3406E & 30596E**

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**That**

- a) The Committee receive the report for information; and
- b) Council proceed with unfunded projects within available budget limits, with priority given to the Shoalhaven River Entrance Process Study and Community Education and the Citywide Maintenance Dredging Feasibility Study.

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**897. Flood Event 24 & 25 June 2013** **File 9825E**

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**That Council support the community awareness and education activities for individuals located in flood affected areas.**

**898. Coastal Erosion Projects Update** **File 30596E**

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**That Council develop a Consultant's Brief and invite suitably qualified Coastal Engineering consultants to submit a report for a Coastal Erosion Remediation Implementation Strategy for Currarong and Authorised Locations.**

**899. Sussex Inlet Navigation Channel Dredging** **File 3420E, 47957E**

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**That Council proceed with the Citywide Dredging Feasibility Study and the Study consider commercial sand dredging options.**

**900. Additional Item – Membership on Committee** **File 30568E**

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Withdrawn – See MIN13.901

**901. (Item 52, Page 20) Additional Item – Membership on Committee** **File 30568E**

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MOTION: Moved: Guile / Second: Findley

**That Council appoint Chris Grounds as a replacement for Maureen Webb as a member on the Central Shoalhaven Natural Resources and Floodplain Management Committee.**

CARRIED

### **SHOALHAVEN TOURISM BOARD – MONDAY 26 AUGUST 2013**

**902. Application for Funding** **File 42405E, 47958E**

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MOTION: Moved: Tribe / Second: Kearney

**That Council support the 2015 Adventure Racing World Championships with an event hosting fee of \$50,000 and placement fee for Sports Marketing Australia of \$4,400 from Council general funds 2015/2016.**

CARRIED

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**SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 13 AUGUST 2013**

**903. Adoption of Report**

MOTION:

Moved: Guile / Second: Wells

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

CARRIED

**904. 15 minute Bus Zones - Owen Street, Huskisson (PN 664) File 9576E, 17279E**

**That the General Manager (Director Assets and Works) be requested to arrange for the installation of 15 minute time restrictions at the existing bus zones on the northern and southern sides of Owen Street, Huskisson immediately west of Currambene Street as detailed in the attached plan TRAF2013/34.**

**905. Road Safety - Intersections of Central Avenue and Flinders Road with Bellevue Street, South Nowra (PN 729) File 1712E**

**That the General Manager (Director Assets and Works) be requested to arrange for the installation of Give Way signs (R1-2B) and associated Hold (TB/TB1) line marking at the intersections of Bellevue Street and Flinders Road, South Nowra and Bellevue Street and Central Avenue, South Nowra as detailed in the attached plan TRAF2013/35.**

**906. Road Safety - Browns Road, South Nowra (PN 883) File 1712E**

**That the General Manager (Director Assets and Works) be requested to arrange for the installation of a No Stopping zone on the southern side of Browns Road, South Nowra (for a distance of approximately 35m) east of the existing car wash, as detailed in the attached plan TRAF2013/36.**

**907. Parking Restrictions - Boree Street, Ulladulla (PN 2920) File 2947E, 45794E**

**That the General Manager (Director Assets and Works) arrange for the reinstatement of three unrestricted car parking spaces on the western side of Boree Street, immediately north of South Street, as detailed in the attached plan TRAF2013/37.**

**908. Application for a 25m B-Double, 4.6m high route - Manildra - Hanigans Lane (PN 2943) File 5525E**

**That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the provision of (as outlined in TRAF2013/38):**

- a) **A 25m B-Double route along Hanigans Lane from Bolong Road to Lot 164 DP4469 Hanigans Lane (Manildra Farm driveway), operational outside the hours of 7.30am-9.30am, 2.30pm-4pm on school days; and**

- 
- b) A 4.6m high vehicle route from the Princes Highway along Bolong Road and Hanigans Lane to Lot 164 DP4469 Hanigans Lane (Manildra Farm driveway).

**909. Parking concerns - peak period - Hyams Beach Village (PN 2967) File 38766E**

That the General Manager (Director Assets and Works) be requested to arrange for the installation of No Stopping zones in Hyams Beach at the following locations;

- a) A No Stopping zone for a distance of 10m on the northern and southern side of the intersection of Booderee Avenue and Cyrus Street, and a No Stopping zone for approx 20m on the eastern side of Cyrus Street, opposite the intersection of Booderee Avenue, as detailed in the attached plan TRAF2013/39.
- b) A No Stopping zone for a distance of 10m on the northern and southern side of the intersection of Hyam Road and Cyrus Street, as detailed in the attached plan TRAF2013/40.
- c) A No Stopping zone for a distance of approx 37m on the southern side of the curve of Aster Street and Cyrus Street, and install guideposts (at approx 3.5m spacings) for a distance of approx 35m on the northern side of the curve of Aster Street and Cyrus Street, as detailed in the attached plan TRAF2013/41.
- d) A No Stopping zone for a distance of 10m on the northern side of the intersection of Bayview Avenue and Cyrus Street, and a No Stopping zone on the western side of Cyrus Street, from the intersection of Bayview Avenue, south to the end of Cyrus Street including the head of the cul-de-sac, as detailed in the attached plan TRAF2013/42.

**910. Application for a 4.6m high vehicle route – South Nowra, Bomaderry, Terara/Brundee (PN 2985) File 5525E**

That the General Manager (Director Assets & Works) be advised that the Shoalhaven Traffic Committee has no objection to the provision of a 4.6m high vehicle route on the following roads:

**Bomaderry (TRAF 2013/43)**

- a) Bolong Road, Bomaderry (from the Princes Hwy to Hanigans Lane)
- b) Hanigans Lane, Bolong (from Bolong Road to Lot 164 DP4469)
- c) Railway Street, Bomaderry (from Bolong Road to the entrance driveway of the vehicle weigh station 16 Railway St)

**South Nowra (TRAF 2013/44)**

- d) Flinders Road (from the Princes Hwy to Norfolk Ave)
- e) Norfolk Ave (from Flinders Road to Tom Thumb Ave)
- f) Tom Thumb Ave (entire length)
- g) Cumberland Ave (from Tom Thumb Ave to Flinders Road)

- h) **Bellevue St (entire length)**
  - i) **Central Ave (from Bellevue St to the Princes Hwy)**
- South Nowra, Terara and Brundee (TRAF 2013/45)**
- j) **Quinns Lane (entire length)**
  - k) **Old Southern Road (from Quinns Lane to Greenwell Point Road)**
  - l) **Greenwell Point Road (from Old Southern Road to Jindy Andy Lane)**
  - m) **Millbank Road (from Greenwell Point Road to the driveway of 233 Millbank Road)**

**911. Bus Zone - Kalandar Street, Nowra (PN 3000) File 6869E, 2017E**

**That the General Manager (Director Assets and Works) be requested to arrange for the installation of a 30m bus zone on the southern side of Kalandar Street, immediately west of the driveway of property number 100 Kalandar Street, Nowra as detailed in the attached plan TRAF2013/46.**

**912. Additional Item – Berry Street Nowra Parallel Parking File 2186E**

Withdrawn – see Min 13.913

**913. (Item 62, Page 24) Additional Item – Berry Street Nowra Parallel Parking File 2186E**

MOTION: Moved: Guile / Second: White

**That**

- a) **The General Manager be advised that the Shoalhaven Traffic Committee does not support line marking parallel parking on Berry Street, Nowra between Worrigea Street and Junction Street; and**
- b) **The Council stated position of not line marking parallel parking spaces as detailed in part a) above be confirmed.**

CARRIED

Note: This supersedes MIN13.873 Recommendation 2, part b).



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**REPORT OF THE GENERAL MANAGER**

**CORPORATE AND COMMUNITY SERVICES**

**914. Record of Investments - July 2013**

**File 2126E**

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

MOTION:

Moved: Guile / Second: Wells

**That the Report of the General Manager (Corporate and Community Services Group) on the Record of Investments for the period to 31 July 2013 be received for information and further reports provide reference to the balance held at the end of the previous month.**

CARRIED

**ASSETS AND WORKS**

**915. Graffiti Removal on Private Property in the Nowra CBD**

**File 1244E**

Note: Clr Tribe returned to the meeting

MOTION:

Moved: White / Second: Baptist

**That:**

- a) **Receive the section of the report about the ‘Graffiti Removal Blitz’ in the Nowra CBD for information;**
- b) **Publicly exhibit, for 28 days, the following fees for Council to undertake graffiti removal on private land:**
  - a) **\$60/hr to high pressure clean to remove the graffiti; and**
  - b) **An additional \$25/litre where paint and/or chemicals are necessary to remove or conceal the graffiti.**
- c) **Request a further report addressing submissions on the fees following the conclusion of the public exhibition period, or if no submissions are received Council adopt and apply the fees as stated.**

CARRIED

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**916. Ulladulla Civic Centre Library & Visitors Centre Update **File 37026E****

Note: Clr Anstiss was absent from the meeting

MOTION: Moved: Findley / Second: Baptist

**That Council receive the report for information.**

CARRIED

**917. Northern Shoalhaven Indoor Sports Centre Tender Report **File 47296E****

Note: Clr Anstiss returned to the meeting

MOTION: Moved: Guile / Second: Wells

**That, in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter, and any decision made in the confidential session be made public in accordance with Clause 253 of the Local Government Act (General) Regulation 2005.**

CARRIED

**PLANNING AND DEVELOPMENT**

**918. Jerberra Estate – Draft Development Control Plan **File 46741E****

This matter was brought forward and dealt with previously – see MIN 13.835

**NOTICES OF MOTION**

**919. Available Parking - Huskisson **File 2248E****

MOTION: Moved: Robertson / Second: Guile

**That a Councillor Briefing be held relating to short and long term plans to address and increase the available parking for Huskisson.**

CARRIED

Note: Clr Gash left the meeting at 5.52pm and Clr Wells assumed the Chair.

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**920. Facilitation of Medium to Large Scale Investment Projects **File 16715E****

Note: Clr Gash was absent from the meeting.

MOTION: Moved: Guile / Second: Findley

**That Council establish a working party of Councillors with the General Manager to formulate a request to the NSW Government for a development corporation or similar entity to facilitate medium to large scale investment projects for the region.**

CARRIED

**921. Seat Belts on Buses **File 2489E****

Note: Clr Gash was absent from the meeting.

MOTION: Moved: Findley / Second: White

**That Council write to the member for the South Coast, The Hon. S Hancock, and to the Member for Kiama, The Hon. G Ward seeking their assistance and assurance to continue their support in campaigning for Seat Belts on Buses for those services that are affected with the classification where seat belts are on routes with shared passengers.**

CARRIED

**922. Willinga Point, Bawley Point – Composting Toilet **File 17407E****

Note: Clr Gash was absent from the meeting.

MOTION: Moved: Findley / Second: Anstiss

**That Council prepare a costing for a single unit composting toilet for Willinga Point at Bawley Point so that it can be considered in the long term financial plan and future budget sessions.**

CARRIED

**923. NSW Local Government Association – Pre-Conference Briefing **File 47455E****

Note: Clr Gash was absent from the meeting.

MOTION: Moved: Findley / Second: Guile

**That:**

- a) **Council convene a briefing prior to the 2013 Local Government Association Conference to review the candidates for the upcoming election of Association Board Members.**

- 
- b) **This briefing should also include a review of the business paper for the Conference.**

CARRIED

**924. NSW Planning White Paper**

File 44089E

Note: Cllr Gash was absent from the meeting.

MOTION:

Moved: Findley / Second: Kitchener

That

- a) Council write to the Premier for New South Wales, The Hon. Barry O'Farrell MP, requesting a commitment to rewriting the Planning Bill 2013 Exposure Draft and a re-exhibition of any proposed legislation, citing the major points of concern raised in Council's and Local Government NSW's previous submissions on the Planning Legislation;
- b) Council write to Local Government NSW supporting the actions that have been undertaken to date to seek deferral of the Planning Bill and requesting that the Chief Executive of LGNSW continue to make representations to the Premier and the Minister recommending that the Planning Bill not be passed by Parliament until extensive rewriting and consultation with councils, community groups, the ICAC and the Law Society has occurred; and
- c) A copy of the correspondence be forwarded to the Member for Kiama and to Wollongong City Council for their information.

LOST

FOR: Findley, Kitchener

AGAINST: Tribe, Robertson, Kearney, Anstiss, White, Baptist, Guile, Watson, McCrudden, Wells

**925. Procedural Motion - Introduction of Items as Matters of Urgency**

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Note: Cllr Gash was absent from the meeting.

MOTION:

Moved: Findley / Second: Anstiss

That the following matters be introduced as matters of urgency:

- a) Addendum Report 1 – Assets and Works
- b) Addendum Report 2 – Corporate and Community Services
- c) Confidential Addendum Report 1 – Assets and Works

CARRIED

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

**926. Procedural Motion - Introduction of Items as Matters of Urgency**

Note: Clr Gash was absent from the meeting.

MOTION:

Moved: Findley / Second: Guile

That an Additional Item – Waiving of Fees for David Berry Hospital Auxiliary be introduced as a matter of urgency.

CARRIED

The Deputy Mayor ruled the matter as urgent as the event is planned for 27 and 28 September 2013 and allowed its introduction.

**927. Additional Item – Waiving of Fees for David Berry Ladies Hospital Auxiliary      **File****

Note: Clr Gash was absent from the meeting.

MOTION:

Moved: Guile / Second: Anstiss

**That Council waive the fees for the David Berry Ladies Hospital Auxiliary for the use of the Berry School of Arts for their final book sale on 27 and 28 September 2013.**

CARRIED

**ADDENDUM REPORT 1 - ASSETS AND WORKS**

**928. Bendalong Tourist Park Splash Pad - Tender      **File 47521E****

Note: Clr Gash was absent from the meeting.

MOTION:

Moved: Guile / Second: Findley

**That in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter, and any decision made in the confidential session be made public in accordance with Clause 253 of the Local Government Act (General) Regulation 2005.**

CARRIED

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## ADDENDUM REPORT 2 - CORPORATE AND COMMUNITY SERVICES

### 929. Local Government Conference - Sustainable Economic Growth for Regional Australia Conference File 4688E

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Note: Cllr Gash was absent from the meeting.

MOTION:

Moved: Findley / Second: Guile

That

- a) Council notes the details of the forthcoming conference Sustainable Economic Growth for Regional Australia Conference, scheduled for 16 – 18 October 2013, at Coffs Harbour
- b) Council authorises available Councillors to attend the conference and such attendance be deemed Council Business.
- c) Council meets the travel, registration fees, accommodation and all reasonable out-of-pocket expenses in accordance with its adopted policy.
- d) Councillors attending the conference provide a written report within 30 days of returning from the conference.

CARRIED

## CONFIDENTIAL REPORT OF THE GENERAL MANAGER

### POLICY AND RESOURCES COMMITTEE – 13 AUGUST 2013

Item	Reason
Ulladulla Leisure Centre Gymnasium Extension - Tender	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)  It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.
Crossroads Rural Fire Station Tender	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)  It is not in the public interest to disclose this information as it may

	impact on the ability of Council to attract competitive tenders in the future.
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**ASSETS AND WORKS**

<b>Item</b>	<b>Reason</b>
Tender Report - Northern Shoalhaven Indoor Sports Centre - Architect and Sub Consultant Services	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)  It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

**CONFIDENTIAL ADDENDUM REPORT 1 - ASSETS AND WORKS**

<b>Item</b>	<b>Reason</b>
Bendalong Tourist Park Splash Pad - Tender	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)  It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

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: Baptist / Second: Guile

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)(d)(i).

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The public interest in preserving the confidentiality of the information outweighs the public interest in maintaining openness and transparency in Council decision making, as it would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business:

The meeting moved into confidential the time being 6:50pm.

The meeting moved into open session, the time being 7.31pm.

**930. Ulladulla Leisure Centre Gymnasium Extension - Tender**

**File 47365E**

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 Batmac Construction Pty Ltd in the amount of \$416,964 excluding GST for the Ulladulla Leisure Centre Gymnasium Extension;**
- b) **The Contract Documents and associated documents, including variations, be executed by the General Manager (Director Asset and Works);**
- c) **The report remains confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 for the 'public interest' reasons stated in the report, however, any decision made in the confidential session in accordance with Clause 253 of the Local Government Act (General) Regulation 2005 not be made public until considered by Council.**
- d) **Funds of \$53,300 be transferred from Job No 81707 to Job No 81817 and revote into 2013/14. Funds of \$105,619 be transferred from Job No 81804 to Job No 81817.**

**931. Crossroads Rural Fire Station Tender**

**File 47432E**

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 Tereno Pty Ltd in the amount of \$838,790.00 excluding GST for the construction delivery of the Crossroads Rural Fire Station; and**
- b) **Contract Documents and associated documents, including variations, be executed by the General Manager (Director Asset & Works).**



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- c) The report remains confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 for the 'public interest' reasons stated in the report, however, any decision made in the confidential session in accordance with Clause 253 of the Local Government Act (General) Regulation 2005 be made public.

**932. Tender Report – Northern Shoalhaven Indoor Sports Centre – Architect and Sub Consultant Services File 47296E**

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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 Etch Architectural Solutions Pty Ltd in the amount of \$281,940 (excluding GST) for the provision of Architectural and Sub Consultant Services for the Northern Shoalhaven indoor Sports Stadium; and
- b) The Contract Documents and associated documents, including variations, be executed by the General Manager (Director Assets & Works).
- c) The report remain confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 and for the 'public interest' reasons stated above, however, any decision made in the confidential session in accordance with Clause 253 of the Local Government Act (General) Regulation 2005 be made public.

**933. Bendalong Tourist Park Splash Pad - Tender File 47521E**

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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 Parkequip Pty Ltd in the amount of \$300,000 excluding GST for the Bendalong Tourist Park Splash Pad;
- b) The Contract Documents and associated documents including variations; be executed by the General Manager (Director Asset & Works).
- c) The report remains confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993 for the 'public interest' reasons stated above, however, any decision made in the confidential session in accordance with Clause 253 of the Local Government Act (General) Regulation 2005 be made public.

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There being no further business, the meeting concluded, the time being 7.32pm.

Clr Gash/Clr Wells  
CHAIRPERSON