
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 19 NOVEMBER 2013 COMMENCING AT 4.02 PM

The following members were present;

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

The meeting was opened in Prayer by Reverend Richard Utber, followed by the Welcome to Country/Acknowledgement of Traditional Custodians and the playing of the Australian National Anthem.

1090. Additional Item – Pitcher Partners – Presentation Audit Report **File 46996E**

Carl Millington representing Pitcher Partners provided a PowerPoint Presentation on the Financial Audit Report.

MOTION: Moved: Guile / Second: Kearney

That the Auditors Financial Report and Presentation be received for information.

CARRIED

1091. Confirmation of the Minutes of the Ordinary Meeting of Council held on 22nd October 2013

MOTION: Moved: Robertson / Second: Guile

That the Minutes of the Ordinary Meeting of Council held on 22nd October 2013 be confirmed.

CARRIED

1092. Declarations of Interest

Conflict of Interest Declaration – Clr Tribe – significant non pecuniary interest – Item 40, Page 21 - Record of Investments – is a Director of the Board at Bendigo Bank – will leave the room.

Conflict of Interest Declaration – Clr Kitchener – less than significant non pecuniary interest – Item 44, Page 30 – Recreational Vehicle Destinations – is now a member of the Caravan and Campervan Club of Australia – will remain in the room.

MAYORAL MINUTE – TUESDAY 19 NOVEMBER 2013

1093. Councillor Attendance at Conferences – deferred from October meeting File 4688E

RECOMMENDED that Council approve three conferences per year per Councillor for the next 12 months and review the situation after that period.

AMENDMENT:

Moved: Guile / Second: Findley

That Council:

- a) Approve three conferences per year per Councillor for the next 12 months and review the situation after that period;
- b) No more than two (2) Councillors can attend any Conference at one time.

LOST

FOR: Wells, Guile

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

Note: Clr Anstiss was absent from the meeting.

FURTHER AMENDMENT:

Moved: Gash / Second: Tribe

That Council:

- a) **Approve three conferences per year per Councillor for the next 12 months and review the situation after that period;**
- b) **This does not include Federal or State Local Government Conferences where Councillors are expected to present their motions. Nor does it include daily seminars or training courses.**
- c) **Provide public notice inviting public submissions as required by Section 253 of the LG Act.**

Note: Clr Gash asked Clr Guile to retract comments regarding a recent Conference attended by Councillors. Clr Guile retracted those comments.

CARRIED

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

AGAINST: Guile, McCrudden

SECOND MAYORAL MINUTE

1094. NSW Community Cabinet Visit – Meetings with Ministers **File 7655E**

MOTION: Moved: Gash / Second: White

That Council thank the NSW Premier the Hon Barry O’Farrell, The Hon Shelley Hancock MP, Member for South Coast, Gareth Ward MP, Member for Kiama for their efforts in bringing the Community Cabinet Meeting to the Shoalhaven.

Note: Clr Guile asked Clr Findley to withdraw comments regarding comments allegedly made by the NSW Minister for Housing. Clr Findley withdrew her comments.

CARRIED

1095. Luncheon & Q & A with The Hon Mike Baird MP **File 2044E**

MOTION: Moved: Wells / Second: Baptist

That Council write to the Hon Mike Baird MP and Member for Kiama, Gareth Ward MP thanking them for the visit.

CARRIED

1096. Letter from Vice Admiral Ray Griggs **File 47337E**

Note: Clr Anstiss returned to the meeting.

MOTION: Moved: Gash / Second: White

That report regarding Letter from Vice Admiral Ray Griggs be received for information.

CARRIED

1097. Shoalhaven Business Chamber – NSW Business Awards Finalists **File 36320E**

MOTION: Moved: Gash / Second: White

That report regarding Shoalhaven Business Chamber – NSW Business Awards Finalists be received for information.

CARRIED

1098. Vale Yvonne Boyd – 1920-2013 **File 7879E, 4124E**

MOTION: Moved: Gash / Second: Findley

That Council send a letters of Condolences to the families of Yvonne Boyd and Leonard Long.

CARRIED

1099. 2013 National Local Roads & Transport Congress **File 4688E**

MOTION: Moved: Gash / Second: Watson

That report regarding 2013 National Local Roads & Transport Congress be received for information.

CARRIED

1100. Shoalhaven River Festival **File 47326E**

MOTION: Moved: Gash / Second: Kearney

That a letter from the Mayor be sent to the River Festival Committee thanking them for a successful event.

CARRIED

1101. Celebration of Cullunghutti Aboriginal Area **File 1829E**

MOTION: Moved: Gash / Second: Robertson

That a letter from the Mayor be sent to Margaret Simoes, Aboriginal Community Development Officer on the excellent organisation of the recent Cullunghutti function.

CARRIED

1102. Remembrance Day Service, Walsh Park, Bomaderry

File 1829E

MOTION: Moved: Gash / Second: White

That the report regarding Remembrance Day Service, Walsh Park, Bomaderry be received for information.

CARRIED

DEPUTATIONS

1103. Deputations

Ms Adrienne Fox, resident, addressed the meeting in relation to Item 49, Page 34 – New Year’s Eve Fireworks on the River.

PROCEDURAL MOTION: Moved: Findley / Second: Robertson

That an extension of time be granted.

CARRIED

Ms Catherine Shields, representing the Shoalhaven Tourism Board, addressed the meeting in relation to Item 49, Page 34 – New Year’s Eve Fireworks on the River.

PROCEDURAL MOTION: Moved: White / Second: Wells

That an extension of time be granted.

CARRIED

1104. Procedural Motion – Bring Forward Item

MOTION: Moved: Guile / Second: Kearney

That Item 49, Page 34 – New Year’s Eve Fireworks on the River be brought forward.

CARRIED

NOTICE OF MOTION

1105. (Item 49, Page 34) New Year's Eve Fireworks on the River

File 2161E

Note: This item was brought forward for consideration.

MOTION:

Moved: Guile / Second: Findley

That Council:

- a) Trial a family oriented New Year's Eve fireworks display on or near the Shoalhaven River that would draw the Nowra / Bomaderry community to the Riverfront to celebrate;
- b) Work with interested service and community groups to host this event.

Note: Clr Gash asked Clr Guile to withdraw comments about Clr Wells being a member of the Shoalhaven City Turf Club (Clr Wells stated he is no longer a member). Clr Guile withdrew his comments.

AMENDMENT:

Moved: Wells / Second: Kearney

Council give future consideration to:

- a) Trialing a family oriented New Year's Eve/Australia Day or other events, fireworks display on or near the Shoalhaven River that would draw the Nowra / Bomaderry community to the Riverfront to celebrate.
- b) Working with interested service and community groups to host this event.

LOST

FOR: Robertson, Anstiss, Findley, Guile, Watson, McCrudden

AGAINST: Tribe, Kearney, White, Wells, Baptist, Kitchener, Gash

GENERAL MANAGER – COMMITTEES REPORT

POLICY AND RESOURCES COMMITTEE – MONDAY 11 NOVEMBER 2013

1106. Adoption of Report

MOTION:

Moved: Guile / Second: White

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

CARRIED

1107. Local BMX Track Facility Culburra Beach – Alternative Site Investigation File 29129E

Withdrawn see MIN13.1128

1108. Northern Shoalhaven Indoor Sports Centre - Project Delivery File 47296E

Withdrawn see MIN13.1129

1109. Round the Bay Walk – Project Direction - Agreed Position File 24693E

Withdrawn see MIN13.1130

1110. Berry Bypass Land Transfer Proposal - Concept Planning & Consultation Report
File 3a11/1000, 1992E, 3196E

That:

- a) **Council endorse the Berry Bypass Land Transfer Proposal – concept planning and consultation report;**
- b) **The Berry Bypass Land Transfer Proposal – concept planning and consultation report be considered during the future land acquisition and land transfer negotiations between Shoalhaven City Council and NSW Government, Roads and Maritime Services;**
- c) **Council make representation and forward a copy of the report to the Minister for Transport, the Honourable Duncan Gay and Member for Kiama, Gareth Ward MP for residual Lots identified in the concept plans which are not required for road purposes being transferred to Council; and**
- d) **A further report on the outcomes of land negotiations be presented to Council.**

1111. Alcohol Free Zones - Mollymook and Shoalhaven Heads File 28069E, 16533E

That:

- a) **Council commence the process for the establishment of the Alcohol Free Zones for a further term of four (4) years for the following areas:**
 - i. **The car park adjacent to the Shoalhaven Heads Surf Club and the section of McIntosh Road adjacent to the C.H. Gumley Reserve; and**
 - ii. **The whole of Burleigh Way and the car park at Mollymook in the vicinity of Colliers Beach; and**
- b) **Should there be no objections received to the re-establishment of these zones, authority be given for staff to proceed with the declaration of the above areas as Alcohol Free Zones, without further reference to Council.**

1112. Memorandum of Understanding with Anti - Poverty Committee File 38425E

That:

- a) Council authorise the Mayor and the General Manager to sign the Memorandum of Understanding with the Shoalhaven Anti - Poverty Committee; and
- b) Council's Community Development staff continue to act on Council's behalf and be involved in the Shoalhaven Anti – Poverty Committee as a partner.

Note: This Item was Reintroduced see MIN13.1132

1113. Community Services Grants File 35860E

Withdrawn see MIN13.1133

1114. Racism It Stops with Me Campaign File 6577E

Withdrawn see MIN13.1135

1115. Naming of New Burrill Lake Bridge (Roy McDaniel Bridge) File 7233E

That:

- a) Council undertake community consultation for a 4 week period seeking feedback on a suitable name for the new Burrill Lake Bridge;
- b) A report be brought back to Council.

Note: This Item was Reintroduced see MIN13.1137

1116. Quarterly Progress Report on Delivery Program & Operational Plan File 45907E

That the Quarterly Report of the General Manager on the 2013 – 2017 Delivery Program & 2013 – 2014 Operational Plan be received for information.

1117. Quarterly Budget Review as at 30th September 2013 File 2127E

Withdrawn see MIN13.1138

1118. Requests for Financial Assistance - Community Life Batemans Bay File 4771E

That as the request does not comply with the Council Donations Policy, Council not financially assist Community Life Batemans Bay.

1119. Financial Assistance for Australia Day Events File 4771E

Withdrawn see MIN13.1139

1120. Shoalhaven Traffic Surveys - RMS Funding Contribution

File 5279e, 39923E, 28392E, 28985E, 6852E

That:

- a) Council accepts the funding contribution offer from RMS as follows:**
 - i) \$43,360 for 100% funding towards an Origin-Destination survey to be undertaken October/November 2013;**
 - ii) \$48,080 for 50/50 funding towards a repeat of the Origin-Destination survey to be undertaken (date to be confirmed) in February 2014 with reporting and analysis based on full 24-hour of data, with Council to contribute matching funding of \$48,080 (job number 85923);**
 - iii) \$8,000 for 100% funding towards intersection turning movement counts along the Highway through Nowra/Bomaderry to be undertaken October/November 2013;**
 - iv) \$8,000 for 100% funding towards a repeat of the intersection turning movement counts along the Highway through Nowra/Bomaderry to be undertaken (date to be confirmed) in February 2014 ; and**
- b) Council writes to RMS thanking it for its cooperation and funding assistance towards the 2013/14 Origin-Destination surveys, and advising that Council accepts the funding contributions.**

1121. North Nowra Link Road - Status Update and Next Steps

File 5253e

Withdrawn see MIN13.1140

1122. Local Heritage Assistance Fund 2013/14 - Reassignment of Part Grant **File 1110E**

That Council approve the part funding of \$1,000 be reassigned to Kate Dale to assist with the approved works being carried out on their State Significant residence at 1 Kalinga Street, Cambewarra as part of the Shoalhaven Local Heritage Assistance Fund 2013-14.

1123. Funding Agreement (Contract No. SR2413) Contain & Connect – Protecting Coastal Ecosystems in Shoalhaven LGA Project (CC Project) **File 13772E**

That Council:

- a) Accept the SRCMA's offer of \$380,800 over 4 years (2013-2017) to expand and continue its control and containment of Weeds of National Significance (WoNS);**
- b) Direct that the internal funds (\$22,720 pa over 4 years from 15913) and external funds be set aside for this project and be identified in a separate budget line for the next four years;**
- c) Write to the SRCMA thanking them for the funds.**

1124. Water and Sewer Headworks Charges (Section 64 Charges) File 15513E

Withdrawn see MIN13.1141

1125. Tender Process - St Anns St and Edwards Ave SPS Emergency Storage Upgrade File 48022E

That Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act (2003), consider a separate confidential report on this matter.

1126. Proposed Changes to Environmental Licensing - NSW EPA File 3945E

That Council note the proposed changes to the environmental protection licences issued by the NSW Government.

1127. Additional Item – Shoalhaven Arts Society Art Exhibition File 7056E

That a fee of \$600 be set for the Shoalhaven Art Society's Art exhibition.

1128. (Item 2, Page 4) Local BMX Track Facility Culburra Beach – Alternative Site Investigation File 29129E

MOTION: Moved: Guile / Second: White

That Council continue working with Mr Halloran to identify an alternative site for the Culburra BMX track.

LOST

FOR: Guile, White

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

FORESHADOWED MOTION: Moved: Findley / Second: Watson

That Council:

- a) **Construct a local BMX track on Curleys Bay Reserve for a trial period of twelve (12) months, after which time, a further report will be presented to Council on the outcomes; and**
- b) **Write to Mr Halloran thanking him for his offer of alternative sites for the BMX track.**

CARRIED

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

AGAINST: Guile, White

1129. (Item 3, Page 4) Northern Shoalhaven Indoor Sports Centre - Project Delivery

File 47296E

Note: Clr Anstiss was absent from the meeting

MOTION:

Moved: Guile / Second: Baptist

That:

- a) Pursuant to MIN 13.395 b), Council invite fresh tenders under the provisions of S178.3 (b) of the regulations for architectural and consultancy services for the design, construction and project management of the Northern Shoalhaven Indoor Sports Centre - Project Delivery (NSISC) and
- b) The tender for the design, construction and project management of the NSISC cover the following elements:-
 - i) Preparation of detailed designs, drawings and specifications to the standard required for satisfying and obtaining a Construction Certificate Approval from Council and the subsequent calling of Sub Tenders for Council.
 - ii) Development of all design development documentation for construction and Specifications and Scheduling for specialist requirements.
 - iii) Capacity, availability of supply and supply for utilities such as water, sewer, power, telephone and fibre optic cable to be established.
 - iv) Development of facility industry specific special contract conditions for consultants and contractors.
 - v) In relation to other consultants and expertise needed for the project, the tender is to include a list of the type of consultants that will be required with fixed lump sum prices for each consultant.
 - vi) Assessment of preliminary work, geotechnical and survey work required to be undertaken and make recommendation regarding the way in which this work is to be carried out during the construction of the project.
 - vii) Project/Construction Management for construction of the project including overseeing tendering, contract negotiations and recommendations for the appointment of contractors, construction management, commissioning and coverage of the defects liability period.
 - viii) Project Management is to cover the provision of maintenance and servicing requirements and program maintenance schedules, consultation with the Client Representative in relation to fit out and operational requirements and overseeing the initial training requirements for operators.

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- ix) That the detailed designs be based on the DA approval and Conditions of Consent from the Regional Development Application.
 - x) That a total value of \$9M be assigned to the project and that this is to include all consultancy services, site establishment, preliminaries, construction, fit out, commissioning, contingency, studies, initial training of operational staff, and Council's costs.

CARRIED

1130. (Item 4, Page 5) Round the Bay Walk – Project Direction - Agreed Position

File 24693E

Note: Cllr Anstiss was absent from the meeting

MOTION:

Moved: Guile / Second: Baptist

That Council:

- a) Council undertake full design with options and stages, if necessary, of a direct shared pathway in the Round the Bay Walk between entry points at Minerva Avenue and Plantation Point Parade, Vincentia in consultation with the community and stakeholders to arrive at a likely project cost;
- b) Council receive a further report on the proposed design, project delivery milestones and timeframe as well as outcomes from community consultation to meet the March 2014/15 Budget timeline; and
- c) Council write to the Hon Ann Sudmalis MP, Member for Gilmore, confirming details of the financial pledge of \$450,000 announced during the 2013 Federal Election to develop the next stage of the Round the Bay Walk from Minerva Avenue to Plantation Point Parade in Vincentia;
- d) The General Manager submit a report to Council on the results of the negotiations regarding this agreement.

CARRIED

1131. Procedural Motion - Reintroduction of Item

Note: Cllr Anstiss was absent from the meeting

MOTION:

Moved: Guile / Second: Kearney

That Item 7, Page 6 - Memorandum of Understanding with Anti - Poverty Committee be reintroduced.

CARRIED

1132. (Item 7, Page 6) Memorandum of Understanding with Anti - Poverty Committee
File 38425E

Note: Cllr Anstiss returned to the meeting.

MOTION: Moved: Findley / Second: White

That:

- a) Council authorise the Mayor and the General Manager to sign the Memorandum of Understanding with the Shoalhaven Anti - Poverty Committee; and
- b) Council's Community Development staff continue to act on Council's behalf and be involved in the Shoalhaven Anti – Poverty Committee as a partner;
- c) Council work with Anti-Poverty Group and other interested parties to develop an affordable housing strategy.

LOST

FOR: Robertson, White, Findley

AGAINST: Tribe, Kearney, Anstiss, Wells, Baptist, Guile, Watson, Kitchener, McCrudden, Gash

FURTHER MOTION: Moved: Watson / Second: Guile

That

- a) **Council authorise the Mayor and the General Manager to sign the Memorandum of Understanding with the Shoalhaven Anti - Poverty Committee; and**
- b) **Council's Community Development staff continue to act on Council's behalf and be involved in the Shoalhaven Anti – Poverty Committee as a partner.**

CARRIED

1133. (Item 8, Page 6) Community Services Grants
File 35860E

MOTION: Moved: Findley / Second: Kearney

That Council allocate Community Grant Scheme funds (Job Number 13030) to support the following projects:

- a) **Milton Ulladulla Uniting Church – Messy Church – Maintain a relationship with young families of the local community - \$1,500**
- b) **Yard Assist- Auspiced by Southern Cross Community Housing Ltd – Yard Assist- To provide volunteer based community support around the house and garden for people who are not coping at this time - \$2,000**

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- c) **Gambling Impact Society (NSW) Inc. – Talking Heads – To produce 10 Consumer Voice video recording, each telling their story about the impacts of gambling - \$2,000**
 - d) **Ulladulla Men’s Shed Inc - Upgrade older equipment plus fit out shed glasshouse & garden – To improve safety and upgrade members skills with new equipment and to set up glasshouse and garden - \$1,636**
 - e) **The Zonta Club of Berry Inc. – Zonta’s Community Sewing Day – To produce breast cushions and drainage bag holders. Also pillowcases for Oncology kids for distribution to local hospitals and individuals - \$2,000**
 - f) **Friends of the Curtis Park Arboretum Inc. - Murals – To blend existing toilets into the surrounding gardens and discourage vandalism - \$2,000**
 - g) **Mission Australia – Swimming Lessons for Children – Prepare children for pool and beach activities - \$1,950**
 - h) **Nowra Croquet Club Inc – Sun Protection – To provide protection from the sun for members and visitors - \$1,000**
 - i) **Prior to funds being distributed to the Nowra Croquet Club Inc the organisation will need to lodge Development Application documents; application to be successfully approved and satisfy Community Development that this procedure has been successfully undertaken.**
 - j) **Women’s Sport and Recreation NSW – Shoalhaven Girls Get Active Event – To encourage a healthy, active lifestyle and promote leadership skills by providing school girls in and around the Shoalhaven the opportunity to take part in physical activity outside their regular PE classes - \$2,000;**
 - k) **And the recommendations regarding Healthy Cities Illawarra and Lara Jean Association be deferred pending further information.**

CARRIED

1134. Procedural Motion – Adjournment of Meeting

MOTION:

Moved: Findley / Second: Baptist

That the Ordinary meeting be adjourned.

CARRIED

The meeting adjourned the time being 6.47pm

The meeting reconvened the time being 6.52pm

The following members were present:

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

1135. (Item 9, Page 7) Racism It Stops with Me Campaign

File 6577E

MOTION:

Moved: Findley / Second: Guile

That Council become a supporter of the national anti-racism campaign, “*Racism It Stops with Me*”, the General Manager, on behalf of Council sign the supporter agreement and Council include the campaign logo on Council’s facebook and webpage.

CARRIED

1136. Procedural Motion - Reintroduction of Item

MOTION:

Moved: Guile / Second: Kearney

That Item 10, Page 7 – Naming of New Burrill Lake Bridge (Roy McDaniel Bridge) be reintroduced.

CARRIED

1137. (Item 10, Page 7) Naming of New Burrill Lake Bridge (Roy McDaniel Bridge)

File 7233E

MOTION:

Moved: Watson / Second: Wells

That:

- a) Council undertake community consultation for a 4 week period seeking feedback on a suitable name for the new Burrill Lake Bridge;
- b) A report be brought back to Council.

CARRIED

1138. (Item 12, Page 7) Quarterly Budget Review as at 30th September 2013

File 2127E, 45779E, 7974E, 7838E, 4616E

MOTION:

Moved: White / Second: Wells

That

- a) The September Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement be adopted by Council;
- b) The Special Rate Variation adjustment of \$122,241 from Woollamia Rd Community Path to the alternative project Matron Porter Drive Path be adopted by Council;
- c) Part of Woodhill Mountain Road project funding be diverted to pavement rehabilitation projects for Main Road, Cambewarra \$250,000 and Currarong Road, Kinghorne \$100,000 be adopted by Council; and
- d) 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.

CARRIED

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

AGAINST: Guile

1139. (Item 14, Page 8) Financial Assistance for Australia Day Events **File 4771E, 4033E**

MOTION:

Moved: Guile / Second: White

That Council allocate an amount of \$1,000 to the Callala Bay Community Association and \$2,500 to the Rotary Club of Berry to assist with the costs associated with convening Australia Day events in those areas.

CARRIED

1140. (Item 16, Page 9) North Nowra Link Road - Status Update and Next Steps
File 5253E, 47767E

MOTION: Moved: Guile / Second: Kearney

That

- a) The next steps in the planning process to build North Nowra Link Road Option 3 (Northern Option) and/or the Illaroo Road - Moss Vale Road link (far northern collector road) be deferred until the outcomes of the local planning project control group are more advanced; and
- b) Subject to the results of the project control group's analysis, funding be considered for inclusion in the 2014/2015 Operational Plan budget to commence detailed investigations of a route for the Illaroo Road - Moss Vale Road link (far northern collector road "FNC").

CARRIED

1141. (Item 19, Page 9) Water and Sewer Headworks Charges (Section 64 Charges)
File 15513E

MOTION: Moved: Guile / Second: Watson

That:

- a) Council convene an industry forum to develop a policy relating to the subdivision of land and the payment of Section 64 charges to assist in facilitating economic growth;
- b) A report be presented to Council on the impact of adopting Calendar Year as the cut off point of the Section 64 contributions.

Note: Following the Right of Reply the Mayor sought to ask a question.

Point of Order – Clr Guile advised the Mayor that as he had completed his Right of Reply the debate had closed. The Mayor ruled against the Point of Order.

MOTION OF DISSENT: Moved: Guile

That the Chairperson is in breach of the Code of Meeting Practice regarding the ruling in relation to the Right of Reply.

MOTION OF DISSENT LOST

FOR: Findley, Guile, McCrudden

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

MOTION LOST

FOR: Guile, Watson, Kitchener, McCrudden

AGAINST: Tribe, Robertson, Kearney, Anstiss, White, Wells, Baptist, Findley, Gash

FORESHADOWED MOTION:

Moved: Tribe / Second: Kearney

That:

- a) **Council confirm that the concession rates for Section 64 charges apply to payments made in the 2013/14 financial year; and**
- b) **Council convene an industry forum to develop a policy relating to the subdivision of land and the payment of Section 64 charges to assist in facilitating economic growth.**

CARRIED

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

AGAINST: Kitchener, McCrudden

Note: A Rescission Motion has been received on this item.

SHOALHAVEN TOURISM BOARD – MONDAY 28 OCTOBER 2013

1142. Additional Item – Sports Board Representative

File 1490E

MOTION:

Moved: Robertson / Second: White

That subject to the confirmation of the Sports Board Council increase the number of members of the Shoalhaven Tourism Board to include a representative of the Shoalhaven Sports Board.

CARRIED

COUNCIL PROPERTY STEERING COMMITTEE – TUESDAY 5 NOVEMBER 2013

1143. Adoption of Report

MOTION:

Moved: Baptist / Second: Kearney

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

CARRIED

1144. Acquisition of Drainage Easement – Lot 202 DP1180659 – 1095 Meroo Road, Meroo Meadow **File 47429E**

That:

- a) Council resolves to acquire an easement for drainage and swale drain 10m wide and variable width over part of Lot 202 DP1180659 as shown in Attachment A;**
- b) Council resolves to pay compensation of \$2,000 plus GST (if applicable) in addition to the owner’s reasonable legal costs and any ancillary costs under the terms of the Land Acquisition (Just Terms Compensation) Act 1991;**
- c) The compensation and costs to be funded from Job No.75615 19240;**
- 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 the resolution; and**
- e) Council resolves to allow the landowner to construct an access across part of the easement/swale drain consisting of four concrete pipes, with any maintenance at the landowner’s expense. The access (flyover) is for the purpose of allowing the landowner’s cattle to safely pass through the area.**

1145. Egans Lane Precinct Status Report **File 47709E**

That

- a) Council receive the report of the General Manager (Assets & Works) concerning Egans Lane Precinct Redevelopment for Information; and**
- b) A Councillor briefing be held to provide information in relation to the feasibility (Phase 2) and community engagement for the project.**

1146. Occupation of Ulladulla Civic Centre Genealogy Room **File 47305E**

That:

- a) Council proceed to negotiate a lease agreement with Milton Ulladulla Family History Society Inc. (MUFHS) for the use and occupation of the “genealogy room” at the Ulladulla Civic Centre, 81B Princes Highway, Ulladulla;**
- b) The General Manager be delegated authority to endorse the terms of the lease, that are not yet 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.**

That this report be received for Information only.

**CROOKHAVEN HEADS LIGHTHOUSE STEERING COMMITTEE – FRIDAY 8
NOVEMBER 2013**

**1148. Crookhaven Headland Lighthouse – Future Restoration, Management and
Maintenance** **File 42240E, 41571E**

MOTION:

Moved: Guile / Second: Findley

That:

- a) Council Request the NSW Government fund the conversion to a viewing deck platform and increase the funding to an amount of approximately \$120,000;
 - i) Assist with the ongoing maintenance to an amount of \$5,000/pa for ongoing maintenance of the structure and viewing deck;
 - ii) Request Corrective Services NSW to assist with the ongoing maintenance of the structure where possible; and
 - iii) Write to the Member for South Coast and NSW Crown Lands requesting a joint meeting to discuss the existing conditions on the funding provided by NSW Crown Lands and the above recommendations.
- b) Council request the community representatives on the Crookhaven Heads Lighthouse Steering Committee to investigate the level of support for the possible establishment of a replica light house next to the pilot house on Crookhaven Heads to be funded by the community.
- c) The Crookhaven Heads Lighthouse Steering Committee continue to operate until the additional reports are received and the future restoration, management and maintenance matters are resolved.

Note: Clr Baptist was absent from the meeting.

During the Right of Reply Clr Guile made a disparaging comment. The Mayor requested Clr Guile to withdraw those remarks.
Clr Guile withdrew.

LOST

FOR: Kearney, Guile, McCrudden

AGAINST: Tribe, Robertson, Anstiss, White, Wells, Findley, Watson, Kitchener, Gash

Note: Clr Baptist returned to the meeting

FORESHADOWED MOTION:

Moved: White / Second: Watson

That Council

- a) **Request the NSW Government fund the conversion to a viewing deck platform and increase the funding to an amount of approximately \$120,000;**
- b) **Assist with the ongoing maintenance to an amount of \$5,000/pa for ongoing maintenance of the structure and viewing deck;**
- c) **Request Crown Lands retain management and ownership;**
- d) **Request Corrective Services NSW to assist with the ongoing maintenance of the structure where possible; and**
- e) **Write to the Member for South Coast and NSW Crown Lands requesting a joint meeting to discuss the existing conditions on the funding provided by NSW Crown Lands and the above recommendations.**
- f) **Request the community representatives on the Crookhaven Heads Lighthouse Steering Committee to investigate the level of support for the possible establishment of a replica light house next to the pilot house on Crookhaven Heads to be funded by the community.**
- g) **That the Crookhaven Heads Lighthouse Steering Committee continue to operate until the additional reports are received and the future restoration, management and maintenance matters are resolved.**

CARRIED

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

AGAINST: Kearney, McCrudden

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 12TH NOVEMBER 2013

1149. Adoption of Report

Note: Clr Kearney left the meeting the time being 7.45pm

MOTION:

Moved: Guile / Second: White

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

CARRIED

1150. Existing Bus Zone – Jacobs Drive, Sussex Inlet (PN 42) File 9874E

That the General Manager (Director Assets and Works) be requested to arrange for the removal of the existing bus zones on Jacobs Drive, Sussex Inlet, adjacent to properties 153,155 and 158 Jacobs Drive, as detailed in the attached plan TRAF 2013/50.

1151. Parking Restrictions - Coulon Street, Woollamia (PN 2806) File 8553E

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a No stopping zone for a distance of approximately 250m on the northern side of Coulon Street, including the head of the cul-de-sac, as detailed in the attached plan TRAF 2013/51.

1152. Taxi zones - Nowra CBD (PN 2982) File 9886E

Withdrawn see MIN13.1157

1153. Parking Restrictions - Wondalga Crescent, Nowra (PN 3015) File 2636E

That the General Manager (Director Assets and Works) be requested to arrange for the extension of the existing No Stopping zones on the northern and southern sides of Wondalga Crescent approx 10m east, as detailed in TRAF 2013/53

1154. Proposed Car parking - New Linemarking - Cyrus Street (Seaman's Beach), Hyams Beach (PN 3016) File 47143E

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the proposed car park design TRAF 2013/54 at Seaman's Beach carpark, Hyams Beach.

1155. Parking Restrictions - Emmett Street, Callala Bay (PN 3017) File 18928E

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a No Stopping zone 7m west and 18m east of the Callala Bay Sports field driveway on Emmett Street, Callala Bay, as detailed in the attached plan TRAF 2013/55.

1156. No Parking Zone - Normandy Street, Narrawallee (PN 3021) File 21774E

That the General Manager (Director Assets and Works) be requested to arrange for the installation of a No Parking zone to replace the existing No Stopping zone in the turnaround area at the boat ramp in Normandy Street, Narrawallee, to allow loading and unloading of vehicles when launching and retrieving boats as per TRAF 2013/56.

Note: Cllr Kearney had left the meeting.

MOTION:

Moved: Wells / Second: White

That the General Manager (Director Assets and Works) be requested to arrange for the extension of the night time taxi zones adjacent to Nowra CBD Hotels (6pm-6am) by 1 car parking space, as detailed in the attached plan TRAF 2013/52:

a) Postman's Tavern - Junction Street

Existing Taxi zone 6pm to 6am to be extended by 1 car parking space (resulting in loss of 1 car parking space from 6pm-6am)

b) The Australian Hotel - Kinghorne Street

Existing Taxi zone (no time restrictions) to be extended by 1 car parking space 6pm to 6am (resulting in loss of 1 car parking space from 6pm-6am)

c) Bridge Tavern - North Street

Existing Taxi zone 6pm to 6am to be extended by 1 car parking space (resulting in loss of 1 car parking space from 6pm-6am)

CARRIED

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

AGAINST: Guile

REPORT OF THE GENERAL MANAGER

COUNCILLORS REPORT ON CONFERENCES

Note: Cllr Kearney had left the meeting.

MOTION:

Moved: Baptist / Second: White

That the report from Cllrs Wells and Watson:

a) Regarding the Dynamic Cities Conference held in Mandurah from 16-18 October 2013 be received for information; and

b) Be presented to the next meeting of the Nowra CBD Action Group.

CARRIED

1159. West Metropolitan Waste Processing Facility - Shenton Park – Perth **File 4688e**

Note: Clr Kearney had left the meeting.

MOTION: Moved: White / Second: Baptist

That the report regarding the West Metropolitan Waste Processing Facility, Shenton Park, Perth on 18th October 2013 be received for information.

CARRIED

1160. SEGRA Sustainable Economic Growth for Regional Australia **File 4688E**

Note: Clr Kearney had left the meeting.

MOTION: Moved: White / Second: Baptist

That the Report:

- a) **Regarding the SEGRA Sustainable Economic Growth for Regional Australia Conference be received for information.**
- b) **Be presented to the next meetings of the CBD Action Group and the Business & Employment Development Committee.**

CARRIED

REPORT OF THE GENERAL MANAGER

CORPORATE AND COMMUNITY SERVICES

1161. Cheque Signatories **File 2665E**

Note: Clr Kearney had left the meeting.

MOTION: Moved: Wells / Second: Baptist

That

- a) **Council authorise any two of the following persons:**

Russell Desmond PIGG	General Manager
Craig Laurence MILBURN	Director Corporate & Community Services
John Gerard LENEHAN	Information Services Manager
Pamela Kaye GOKGUR	Chief Financial Officer
Melissa Jayne MCCOY	HR, Governance & Customer Services Manager
Susan Jennifer BOARDMAN	Management Accountant
Vanessa Jane PHELAN	Financial Accountant
Karen Louise HENRY	Accounting Officer
Graham David LONGFIELD	Accounting Officer

Stephanie Jane MOORLEY Budget Accountant

- i) to operate on any account(s) now opened or to be opened by the Shoalhaven City Council with Financial Institutions so long as the account(s) shall be in credit or at the Financial Institutions' discretion notwithstanding that they shall become thereby or be already overdrawn;
 - ii) to sign, draw, make, accept and negotiate cheques on behalf of the Shoalhaven City Council.
- b) This authority will cancel and supersede all previous authorities except in respect of cheques and other instruments dated prior to this authority.

CARRIED

1162. Record of Investments – October 2013

File 2126E

Conflict of Interest Declaration – Clr Tribe – significant non pecuniary interest – is a Director of the Board at Bendigo Bank – left the room and did not take part in discussion or vote.

Note: Clr Kearney had left the meeting.

MOTION:

Moved: Guile / Second: Wells

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

CARRIED

PLANNING AND DEVELOPMENT

1163. Tender – Currumbene Creek and Moona Moona Creek Floodplain Risk Management Study and Plan

File 47799E

Note: Clr Kearney had left the meeting.

Note: Clr Tribe returned to the meeting.

MOTION:

Moved: White / Second: Baptist

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

NOTICES OF MOTION

1164. Speed Limit Review – Croobyar Road, Milton

File 1703E

Note: Clr Kearney had left the meeting.

MOTION:

Moved: Findley / Second: Baptist

That Council submit an application to the RMS to review the speed limit on Croobyar Road Milton, with a view to reducing the speed limit in the 100 section down to 80 due to the increased density of housing along Croobyar Road and to reflect the speed limit of the majority of the road which is currently 80klms per hour.

CARRIED

1165. Councillor Report – Local Government NSW Conference

File 47455E

Note: Clr Kearney had left the meeting.

MOTION:

Moved: Watson / Second: White

That

- a) Shoalhaven City Council make strenuous representations to the Board of Local Government New South Wales objecting to the following;**
 - i) The farcical situation of presenting standing orders for adoption by the conference when they had already been registered preventing any amendment by the conference itself**
 - ii) The dictatorial attitude adopted by some of the rotating chairpersons who frequently refused to accept amendments and points of order.**
 - iii) The prevention of reasonable debate and discussion by the overuse of the microphone switch when the chairperson didn't want to hear the argument.**
 - iv) The elimination of Council motions from the meeting agenda preventing discussions on important issues affecting individual member councils.**
- b) Council indicate to the Board of Local Government New South Wales that unless significant changes were made in the way the conferences are run as well as a change in the attitude of the chairpersons our Council will consider withdrawing from Local Government New South Wales.**

CARRIED

1166. Recreational Vehicle Destinations**File 47455E**

Conflict of Interest Declaration – Clr Kitchener – less than significant non pecuniary interest – is now a member of the Caravan and Campervan Club of Australia – remained in the room.

Note: Clr Kearney had left the meeting.

MOTION:

Moved: Kitchener / Second: Guile

That the General Manager report to Council on:

- a) **Options as to how the Shoalhaven can better facilitate our towns and villages becoming a more friendly Recreational Vehicle destination;**
- b) **Bridge Street Parking for recreational vehicles**
- c) **Costing, should council provide a dump site; and**
- d) **The Tourism Board be invited to comment on how the area can benefit from the increasing number of recreational vehicles.**

CARRIED

1167. Rural Fire Service Strategic Planning Committee - Membership**File 1227E**

Note: Clr Kearney had left the meeting.

MOTION:

Moved: Robertson / Second: Baptist

That Council endorses Councillor Mark Kitchener as a member of the Rural Fire Strategic Planning Committee, thus providing the committee with an alternative councillor to act as Chair in the absence of the elected Council representative.

CARRIED

1168. Asset Recycling for Investment in the Nowra CBD**File 4221E**

Note: Clr Kearney had left the meeting.

MOTION:

Moved: Guile / Second: Kitchener

1. That Shoalhaven Council gives in principle support to the advancement of a program of asset recycling to reinvest in the Nowra CBD and riverfront areas.
2. The General Manager report to Council on a process for the disposal of the Nowra Visitor Information Centre and the Kinghorne Street shops that are currently held in Council's property portfolio. The report should include a forecast of the capacity to reinvest this capital into CBD streetscape infrastructure.
3. The General Manager further report on acquisition strategy for the Gateway Caravan Park (also known as the Willows Caravan Park) that includes a valuation.

-
4. The General Manager subsequently report other potential Nowra CBD asset sales that could contribute to reinvigorating the Nowra CBD.
 5. That Council consider provisioning in the forthcoming Management Plan an indicative budget allocation of \$1 million in 2014/15 with \$2 million in 2015/16 and \$3 million in 2016/17 for the implementation of the CBD Master Plan.
 6. Council consider the application of dividend revenue from the Southern Phone Company to Nowra CBD Masterplan development over the next three years.

AMENDMENT:

Moved: Findley

1. That Shoalhaven Council gives in principle support to the advancement of a program of asset recycling to reinvest in the Nowra CBD and riverfront areas.
2. The General Manager report to Council on a process for the disposal of the Nowra Visitor Information Centre and the Kinghorne Street shops that are currently held in Council's property portfolio. The report should include a forecast of the capacity to reinvest this capital into CBD streetscape infrastructure.
3. The General Manager subsequently report other potential Nowra CBD asset sales that could contribute to reinvigorating the Nowra CBD.

The Mayor ruled the AMENDMENT is negative to the MOTION and can not be voted on.

MOTION LOST

FOR: Guile

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

1169. Establishment of a Section 355 Committee for the Nowra CBD

File 1229E

Note: Cllr Kearney had left the meeting.

MOTION:

Moved: Guile / Second: Findley

1. That the General Manager commence negotiations with the representatives of Nowra CBD ratepayers and business operators for the establishment of a Section 355 Committee with delegations that would advance the implementation of the Nowra CBD Masterplan.
2. That the General Manager report back to Council with a recommendation that might include scope of the committee, delegations, membership and other relevant matters.

LOST

FOR: Guile

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

1170. Shoalhaven Aquaculture Development

File 4226E

Note: Cllr Kearney had left the meeting.

MOTION:

Moved: Guile / Second: Robertson

- 1. That Shoalhaven City Council provides in principle support for the application for aquaculture in Jervis Bay for the positive impact it would have on the Shoalhaven economy in terms of employment and investment.**
- 2. Council commends efforts to ensure that any development has a minimal impact on other users of Jervis Bay and encourages ongoing dialogue between interested parties to manage any issues.**

CARRIED

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

AGAINST: Tribe, Findley

1171. New Year's Eve Fireworks on the River

File 2161E

This item was brought forward see MIN13.1105

1172. Turpentine Road Sealing

File 8012E

Note: Cllr Kearney had left the meeting.

MOTION:

Moved: Guile / Second: Findley

That:

- a) Council consider a provision for the sealing of a further 400-500 metres of Turpentine Rd to address the dust issues that affect the final house or houses at the end of the currently sealed section;**
- b) A report be submitted on how a staged approach can be obtained to complete the sealing of Turpentine Road.**

CARRIED

QUESTIONS ON NOTICE

1173. Mayoral Newsletter

File 21351E

Note: Clr Kearney had left the meeting.

Note: Clr Findley was absent from the meeting.

MOTION:

Moved: Wells / Second: Baptist

That the report regarding Mayoral Newsletter be received for information.

CARRIED

1174. Procedural Motion - Introduction of Addendum Reports

Note: Clr Kearney had left the meeting.

Note: Clr Findley was absent from the meeting.

MOTION:

Moved: White / Second: Wells

That the following matters be introduced:

- Addendum Report 1 – Demolition of dilapidated buildings Lot 104 and Lot 81 DP 755928, Moona Street, Huskisson - Casisea Pty Ltd
- Addendum Report 2 – Princes Highway Upgrade – Berry to Bomaderry
- Addendum Report 3 – Questions on Notice
- Confidential Addendum Report 1 – Legal Advice – Demolition of dilapidated buildings Lot 104 and Lot 81 DP 755928, Moona Street Huskisson – Casisea Pty Ltd

CARRIED

ADDENDUM REPORT 1 - PLANNING AND DEVELOPMENT

1175. Demolition of dilapidated buildings Lot 104 and Lot 81 DP 755928, Moona Street, Huskisson - Casisea Pty Ltd **File ON2010/1838, ON2013/3091, LS382**

Note: Clr Kearney had left the meeting.

Note: Clr Findley returned to the meeting.

Note: Clr Guile left the meeting the time being 8.51pm

MOTION:

Moved: Wells / Second: Baptist

That Council:

- a) **Enter Lot 104 DP 755928 Moona Street Huskisson and carry out the works in accordance with the terms of the order issued by the Land and Environment Court;**
- b) **Enter Lot 81 DP 755928 Moona Street Huskisson and carry out the works specified in the order issued by Council in accordance with Section 121ZJ of the Environmental Planning and Assessment Act, 1979;**
- c) **Allocate funding \$44,000 from the General Fund (which is currently in deficit) to be funded from funds identified in the December Quarterly Review to engage a contractor to enter Lots 104 and 81 DP 755928 Moona Street Huskisson to carry out the demolition/remediation works in accordance with the Orders and the Hazardous Materials Survey Reports and Asbestos Removal Scope of Works Reports; and**
- d) **Commence debt recovery proceedings against the owner of the properties to recover the costs of carrying out the works with any recovered funds being returned to the General Fund.**

CARRIED

ADDENDUM REPORT 2 - ASSETS AND WORKS

1176. Princes Highway Upgrade - Berry to Bomaderry **File 1992E, 6852E**

Note: Clrs Kearney and Guile had left the meeting.

MOTION:

Moved: Wells / Second: White

That Council

- a) **Write to RMS project team to advise of Council's position regarding access issues, an upgrade to Pestells Lane, the entrance treatment north of Bomaderry, heavy vehicle rest area, and to obtain an agreement for the use**

of the Gerroa/Bolong Road 'sandtrack' route for the diversion of vehicles during the upgrade of the Princes Highway;

- b) Hold further discussions with the Member for Kiama in relation to changes required to lessen the impact of the Highway upgrade on local accessibility and consideration of funding remediation of Gerroa Road; and
- c) Request that RMS hold separate individual community consultation with residents and businesses of each access road affected to discuss the community's needs and concerns with the current design.

CARRIED

CONFIDENTIAL REPORT

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

Item	Reason
Tender Process - St Anns St and Edwards Ave SPS Emergency Storage 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)
Egans Lane Precinct Status Report	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)
Proposed Purchase of Land at Mundamia	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)
Tender – Currambene Creek & Moona Moona Creek Floodplain Risk Management Study & Plan	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)
Confidential Addendum Report 1 – Legal Advice – Demolition of Dilapidated Buildings Lot 104 and Lot81 DP 755928, Moona Street, Huskisson – Casisea Pty Ltd	Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 10A(2)(g)

Pursuant to Section 10(A)(4), the public were invited to make representations to the Ordinary Meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed. The Chairperson asked the General Manager if any written representations had been received as to whether that part of the meeting should be closed.

MOTION:

Moved: Baptist / Second: White

That the Meeting exclude the press and public from the Meeting pursuant to Section 10(A)(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 10(A)(2)(c), 10A(2)(d)(i), 10A(2)(g).

The public interest in preserving the confidentiality of information 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:

- Tender Process - St Anns St and Edwards Ave SPS Emergency Storage Upgrade
- Tender – Currumbene Creek & Moona Moona Creek Floodplain Risk Management Study & Plan

The public interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Council decision making, as it may prejudice council's commercial position with land dealings.

- Egans Lane Precinct Status Report
- Proposed Purchase of Land at Mundamia

The public interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Council decision making, as it may impact on the ability of Council to conduct appropriate legal proceedings.

CARRIED.

Note: Clr Tribe was absent from the meeting.

The meeting moved into confidential the time being 8.54pm.

The meeting moved into open session, the time being 8.58pm.

Note: Clr Tribe returned to the meeting.

1177. Tender Process - St Anns St and Edwards Ave SPS Emergency Storage Upgrade File 48022E

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

That Council:

- a) Accept the tender from Hisway Pty Ltd in the amount of \$967,896 incl. GST;**
- b) Authorise the General Manager (Shoalhaven Water) to finalise and execute the contract with Hisway Pty Ltd on behalf of Council;**

-
- c) **Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.**

1178. Egans Lane Precinct Status Report

File 47709E

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

That Council receive the report of the General Manager (Assets & Works) concerning Egans Lane Precinct Redevelopment for Information.

1179. Proposed Purchase of Land at Mundamia

File 47650E

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

The resolution remains confidential in accordance with s10(A)2(c) of the Local Government Act 1993 until contracts are exchanged or Nowra Local Aboriginal Land Council indicates that negotiations have been unsuccessful.

1180. Tender – Currumbene Creek & Moona Moona Creek Floodplain Risk Management Study & Plan

File 47799E

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

That:

- a) **Council accept the tender of WMAWater, in the amount of \$175,000.00 (excluding GST) for the Currumbene Creek and Moona Moona Creek Floodplain Risk Management Study and Plan;**
- b) **Council acknowledge the grant funding agreements executed by the General Manager in the amounts of \$94,001.00 and \$86,001.00 for the Currumbene Creek (Job number 15804) and Moona Moona Creek (Job number 15806) Floodplain Risk Management Study and Plans respectively;**
- c) **Council allocate \$47,000.00 from the Floodplain Program (Job number 75706) to the Currumbene Creek Floodplain Risk Management Study and Plan (Job number 15804);**
- d) **Council allocate \$43,000 from the Floodplain Program (Job number 75706) to the Moona Moona Creek Floodplain Risk Management Study and Plan (Job number 15806);**
- e) **Council authorise the General Manager (Director, Planning & Development Services) to execute the contract and all associated documents including variations.**

1181. Legal Advice - Demolition of dilapidated buildings Lot 104 and lot 81 DP 755928, Moona Street Huskisson - Casisea Pty Ltd File ON2010/1838, ON2013/3091, LS382

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

The report be received for information.

1182. Rescission Motion – Water and Sewer Headworks Charges (Section 64 Charges)
File 15513E

The Chairperson advised that a Rescission Motion has been submitted in regard to Water and Sewer Headworks Charges (Section 64 Charges) signed by Clr's Watson, Kitchener and McCrudden.

There being no further business, the meeting concluded, the time being 8.59pm.

Clr Gash
CHAIRPERSON