
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN
HELD IN THE ULLADULLA CIVIC CENTRE, ULLADULLA ON TUESDAY 24 MAY 2016
COMMENCING AT 4.00 PM.**

The following members were present;

Clr Gash – Chairperson
Clr Tribe
Clr Robertson
Clr Kearney
Clr Anstiss
Clr White
Clr Wells
Clr Baptist
Clr Guile – arrived 4.18pm
Clr Watson
Clr Kitchener
Clr McCrudden

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

365. Apologies/ Leave of Absence

Clr Findley requested a leave of absence until Wednesday 1 June 2016.

MOTION: Moved: Robertson / Second: Baptist

That the request from Clr Findley for a leave of absence until Wednesday 1 June 2016 be granted.

CARRIED

366. Confirmation of the Minutes of the Ordinary Meeting of Council held on Tuesday 19 April 2016

MOTION: Moved: Wells / Second: White

That the Minutes of the Ordinary Meeting of Council held on Tuesday 19 April 2016 be confirmed.

CARRIED

367. Declarations of Interest

Conflict of Interest Declaration - Clr Tribe – less than significant non pecuniary interest – Item 35, Page 29 & Confidential Item 2 – Holiday Haven Tourist Parks – Tender for the Management and Operation of the Currarong Beachside Holiday Park – one of the Tenderers daughters is known to her – will remain in the room

MAYORAL MINUTE – TUESDAY 24 MAY 2016

368. Local Council Elections **File 50512E, 50252E**

MOTION: Moved: Gash / Second: Kearney

That Council receive the report for information.

CARRIED

369. Signage for Nowra Private Hospital **File 4050E, 50252E**

MOTION: Moved: Gash / Second: Baptist

That Council:

- a) **Endorse a letter to the Traffic Committee regarding inadequate signage for Nowra Private Hospital**
- b) **Also provide a letter of support to Roads and Maritime Services confirming Council's support for additional signage for the Nowra Private Hospital.**

CARRIED

370. Illegal Dumping Program **File 51412E, 50252E**

MOTION: Moved: Gash / Second: Kearney

That Council receive the report for information.

CARRIED

371. Other events attended **File 50252E**

MOTION: Moved: Gash / Second: Kearney

That Council receive the report for information.

CARRIED

372. Thank you

File 50252E

MOTION:

Moved: Gash / Second: Kearney

That Council receive the report for information.

CARRIED

373. Deputations

Dawn Thompson (Collingwood Beach Preservation Group) addressed the meeting in relation to Item 41, Page 43 – Rescission Motion – Collingwood Beach Dune Vegetation Management

Mr Bruce McKenzie (Vincentia Matters) addressed the meeting in relation to Item 41, Page 43 – Rescission Motion – Collingwood Beach Dune Vegetation Management

Note: Cllr Guile arrived during the Deputation from Mr Bruce McKenzie.

374. Procedural Motion – Bring Items forward

MOTION:

Moved: Watson / Second: Baptist

That the following matters be brought forward for consideration:

- Item 41, Page 43 - Rescission Motion – Strategy & Assets Committee 10 May 2016 – Collingwood Beach Dune Vegetation Management
- Item 42, Page 44 - Collingwood Beach Dune Vegetation Management

CARRIED

NOTICE OF MOTION

375. (Item 41, Page 43) Rescission Motion – Strategy & Assets Committee 10 May 2016 – Collingwood Beach Dune Vegetation Management File 9929E

MOTION:

Moved: Watson / Second: White

That the following motion of the Strategy and Assets Committee from 10 May 2016 be amended as follows:

That in accordance with the delegated authority of Council the Committee, that Council:

- a) Endorse the draft Collingwood Beach Dune Vegetation Management Plan with the following variations added
 - i) Zone 5 – Thin/prune 50%-70% low shrubs/trees within the 1.5m – 2.5m view window,**
 - ii) Zone 5 prune trees and tall shrubs to a height 1m-1.5m**
 - iii) All vandalism signs to be removed once the plan is formally adopted by council.****
- b) Place the draft Collingwood Beach Dune Vegetation Management Plan and the Collingwood Beach Preservation Group amended proposal on public exhibition for a period of four (4) weeks and report back to Council the outcome of the public exhibition.**
- c) Establish a 50m demonstration site at the end of Susan Street, Vincentia prior to the exhibition period to facilitate the understanding and visualisation of the proposed management zone for this area.**
- d) Allocate \$5,000 budget to achieve the 50m demonstration site at Susan St.**
- e) Report back on the proposed schedule of delivery and costings to deliver the CBDV Plan, the ongoing 5 year management and maintenance activities, with options that might include:
 - i) funding from the general fund, a special rate levy (noting that IPART approval would be necessary if this was in addition to the rate peg limit),**
 - ii) support funding of works by private properties fronting the dune,**
 - iii) A staged action plan**
 - iv) utilisation and participation of community volunteers in programmed maintenance works.****
- f) Ensure appropriate funding up to \$120,000 is placed in the 16/17 budget to activate the plan.**

CARRIED

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

AGAINST: Tribe, Anstiss

376. (Item 42, Page 44) Collingwood Beach Dune Vegetation Management File 9929E

MOTION: Moved: Watson / Second: Robertson

That the matter of Item 42, Page 44 – Collingwood Beach Dune Vegetation Management be received for information.

CARRIED

REPORT OF THE GENERAL MANAGER – COMMITTEES REPORT

STRATEGY AND ASSETS COMMITTEE – TUESDAY 10 MAY 2016

377. Adoption of Report

MOTION: Moved: White / Second: Kearney

That the following items of the Strategy and Assets Committee be adopted.

CARRIED

378. Request for Refund of Development Application Fees – Masterplan/Staged Development Application for Upgrade of Facilities at Lot 101 DP 751273 (Por 101) 170 Riversdale Road, Lot 227 DP 751273 (Por 227) Bundanon Road and Lot 7315 DP 1166783, Illaroo. Applicant: Locale Consulting Pty Ltd Owner: Bundanon Trust File RA15/1002

That in relation to Request for Refund of Development Application Fees – Masterplan/Staged Development Application for Upgrade of Facilities at Lot 101 DP 751273 (Por 101) 170 Riversdale Road, Lot 227 DP 751273 (Por 227) Bundanon Road and Lot 7315 DP 1166783, Illaroo, the total amount of Development Application fees being \$26,587.00, be refunded and be sourced from the Economic Development Budget.

379. Quarterly Budget Review as at 31st March 2016 File 2127e

That the March Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement be adopted by Council.

380. Investment Policy Review File 23767e

That the amended Investment Policy – Policy POL15/51 be adopted.

381. Stronger Communities Program Federal Funding Success File 2391E

That Council:

- a) **Accept the Stronger Communities Federal funding grant of \$20,000 to contribute towards the delivery of a learn to ride facility at Sussex Inlet in partnership with the community.**
- b) **The funds to be placed in a job number 82586 created for the grant.**
- c) **Write to Federal Member Ann Sudmalis and thank the member for her support of the project.**
- d) **Write to the delegate of the Stronger Communities Program and thank the delegate for the funding.**

382. Local Government Remuneration Tribunal - Determination - Councillor and Mayoral Fees 2016/2017 File 5141E

That Council note the Local Government Remuneration Tribunal review of annual fees and agree to adjust councillor and mayoral fees for the 2016/2017 financial year to \$18,840 and \$41,090 respectively.

383. Draft Policy for Adoption – Management of Mobile Food Vending Vehicles File 33417E, 52631E

That MIN16.280 be reaffirmed from Council’s meeting of 19th April 2016 and adopt the draft Policy – Management of Mobile Food Vending Vehicles on Council Owned or Managed Land (including roads), with amendments.

384. Emergency Operations Centre Application for Funding File 26118E, 4537E

That Council allocates \$50,000, from the Building Maintenance budget, as a co-contribution to partial funding of the fit out of the Emergency Operations Centre and support the application for funding to the Veolia Mulwaree Trust.

385. Classification of Land – Huskisson & Terara**File 7720E, 49630E, 2444E**

That Council resolve to classify the land described in Schedule A as Operational land:

Schedule A

Legal Description	Locality	Purpose	Council resolution to acquire	Trim reference
Lot 1 DP1214540 (Pt Lot 4 DP705589)	Terara	Nowra Sewerage Treatment Plant	MIN15.664	49630E
Lot 1 DP1208870 (Pt Lot 7300 DP1128666)	Huskisson	Sewer Mains	MIN15.475	2444E

386. Sale of Land – Chisholm Street Callala Bay**File 48516E**

That Council receive the Report of the General Manager (Assets & Works) for information.

387. Adoption of Generic Community Lands Plan of Management version 5 & Foreshore Reserves Policy (POL16/38)**File 20861E, 51952E, 29352E, 50013E**

That:

- a) In accordance with s40 of the Local Government Act 1993 Council adopt version 5 of the Generic Community Lands Plan of Management – Natural Areas as exhibited.
- b) Council adopt amendments to the Foreshore Reserves Policy (POL16/38) as exhibited.
- c) Both documents be updated and finalised with the exhibited changes and Council's website be updated with the new versions of the documents.
- d) Chapter G6 of the Citywide DCP be amended to reflect the revised contents of the Generic Community Lands Plan of Management – Natural Areas and Foreshore Reserves Policy as detailed in this report. That the changes to the DCP be included in the scheduled stage 2 Housekeeping Amendment.

388. Five (5) Bushcare Group Action Plans - Review

File 51838E

That Council adopt the five (5) reviewed Bushcare Group Action Plans (2016) as follows:

- a) Kioloa Bushcare Action Plan – Review 2016
- b) Bens Walk Bushcare Action Plan – Review 2016
- c) Moeyan Hill Bushcare Action Plan – Review 2016
- d) Milton Rainforest Bushcare Action Plan – Review 2016
- e) Barfleur Beach, Plantation Point & Stuart King Reserve Bushcare Action Plan – Review 2016.

389. Payment of Dividends from Shoalhaven Water 2014-15

File 32701E

That Council determines that “substantial compliance” of the criteria in the Best Practice Management of Water Supply and Sewerage Guidelines has been achieved and a dividend will be paid from the Water and Sewer Funds to the General Fund for the 2014/2015 budget year.

390. Tender Process - Milton-Ulladulla Sewer Trunk Main

File 52945E

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

391. Shoalhaven River - Riverfront Infrastructure

File 52289E

That:

- a) Up to \$200,000 be allocated from the Southern Phones Dividend to fund the electricity and pontoon infrastructure initiative outlined below in this report on the basis of the economic benefits it will bring to the city.
- b) Staff seek possible grants to assist with funding.
- c) \$10,000 be allocated annually for future maintenance of this infrastructure.

392. Future Use - Nowra Sailing Club Building

File 4237E

That Council:

- a) Considers allocating \$60,000 in the 2016/17 Operations Plan budget to undertake a detailed design of the Paringa Park Master Plan, and

-
- b) A decision on the 'Nowra Sailing Club' building be deferred pending detailed design of the precinct and consideration, after public consultation, of representation of its historic values.

393. Proposed Sale of 'Future Park' Ulladulla File 35345E

That the General Manager develop a report to Council on the proposed sale and options for future use of the Council owned land known as 'Future Park' on Camden St West Ulladulla.

394. Proposed Sale of 'The Old Bakery' Sussex Inlet File 46484E

That the General Manager develop a report to Council considering the proposed sale of Council owned land known as 'The Old Bakery' on Jacobs Drive Sussex Inlet.

ABORIGINAL ADVISORY COMMITTEE – MONDAY 9 MAY 2016

395. Adoption of Report

MOTION: Moved: Wells / Second: Baptist

That the following items of the Aboriginal Advisory Committee be adopted.

CARRIED

396. Presentation – Coolangatta Mountain Community Consultations File 52425E

This item was dealt with later in the meeting see MIN16.399

397. Additional Item – Governance Training File 1209E

That Council extend an invitation to surrounding Council areas and the community to participate in the Aboriginal Advisory Committee's Governance Training.

398. Additional Item – Aboriginal Advisory Committee – NAIDOC Promotion File 30080E, 1209E

That Council promote the Aboriginal Advisory Committee in the lead up to NAIDOC week and purchase a banners and flyers for the NAIDOC stall to be held at the NAIDOC Awards Ceremony in Wollongong on 23 July 2016.

399. (Item 18, Page 5) Presentation – Coolangatta Mountain Community Consultations
File 52425E

MOTION:

Moved: White / Second: Kearney

That this matter be deferred to the next Council meeting to allow further information to be provided to Council on the required budget and and how to move forward with the Plan of Management.

CARRIED

SHOALHAVEN ARTS BOARD – THURSDAY 12 MAY 2016

400. Arts Board Grants
File 51570E

MOTION:

Moved: Clr Baptist / Second: Clr Kearney

That the following Shoalhaven Arts Board grants be awarded:

- a) **\$5,000 – Jervis Bay and Basin Arts in the ‘New Collaborations for a Sense of Place’ category for their project *Bound*.**
- b) **\$5,000 – Clayton Champion and Jervis Bay Maritime Museum in the ‘New Collaborations for a Sense of Place’ category for their project *1920 Footbridge Mural at Moona Moona Creek*.**
- c) **\$10,000 – Elyssa Sykes-Smith in the Public Art, Sense of Place category for a sculptural work to be installed inside at the Shoalhaven Entertainment Centre.**

CARRIED

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

AGAINST: Guile

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 10 MAY 2016

401. Adoption of Report

MOTION:

Moved: White / Second: Baptist

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

CARRIED

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402. **No Stopping Zone - Berry School of Arts - Princess Street, Berry (PN 3283) File 2637E**
-

That the General Manager (Director Assets and Works) be requested to install a No Stopping zone (approx. 6m) across the driveway access at the rear of the Berry School of Arts in Princess Street, Berry as detailed in the attached plan TRAF 2016/32.

403. **Proposed Linemarking and Signage - Sports Complex Access Road, Camden Street, Ulladulla (PN 3284) File 8044E, 1715E**
-

That the General Manager (Director Assets and Works) be requested to install the following delineation measures on the access road to the Ulladulla Sporting Complex, Camden Street, Ulladulla as detailed in the attached plan TRAF 2016/33.

- a) Install approx. 310m BB centre linemarking from the carpark located at the sports fields to the cul-de-sac area in Camden Street
- b) Install approx. 310m E1 edge linemarking from the carpark located at the sports fields to the cul-de-sac area in Camden Street to create 2 x 3m travel lanes
- c) Install RRPMS for a distance of approx. 32m at each power pole at 8m spacing's

404. **Left Turn Storage Lane Signage & Linemarking Plan - Old Southern Road & Greenwell Point Rd, Nowra (PN 3286) File DS15/1219**
-

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the regulatory signage and linemarking associated with the construction of a left turn storage lane on Old Southern Road at its intersection with Greenwell Point Road, Nowra as detailed in the attached plan TRAF 2016/34, subject to:

- a) The removal of the two R5-400 No Stopping signs

405. **One Lane Causeway - Bugong Fire Trail, Budgong (PN 3288) File 4010E**
-

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the regulatory signage plan associated with the construction of a one-lane causeway on Bugong Fire Trail, Budgong approximately 1.7km from the intersection of Bugong Road & Mt Scanzi Road, as detailed in the attached plan TRAF 2016/36.

406. Linemarking and Signage - Intersection Sydney Street and Bowen Street, Huskisson (PN 3289) File 29797E

That the General Manager (Director Assets and Works) be requested to install the following signage and linemarking on the curve in Sydney Street and Bowen Street, Huskisson as detailed in the attached plan TRAF 2016/37.

- a) Install 56m of double barrier (BB) linemarking on the curve with RRPMS at 8m spacing's.
- b) Install D4-6A CAM's spaced in accordance with AS1742.2

407. Proposed Linemarking - Pine Forest Road, Tomerong (PN 3290) File 20694E

That the General Manager (Director Assets and Works) be requested to install edge (E1) linemarking on Pine Forest Road for a distance of approximately 100m from Hawken Road to Amaryllis Way, Tomerong as detailed in the attached plan TRAF 2016/38.

REPORT OF THE GENERAL MANAGER

408. Blue Bio Tech Shoalhaven - BioMarine 2016 File 48687E

MOTION: Moved: Clr Baptist / Second: White

That the Council:

- a) Congratulate member organisations of the Blue BioTech Shoalhaven initiative on their accomplishment to date;
- b) Endorse Blue BioTech Shoalhaven's participation in BioMarine 2016; and
- c) Authorise the attendance of the Economic Development Manager at BioMarine 2016 in Oslo, Norway in October 2016 and that Council contribute to the costs for the staff member to attend as determined by the General Manager;
- d) Arrange a briefing of Councillors by Pia Winberg and other key stakeholders of Blue Bio Tech Shoalhaven to provide further information;
- e) A further report to Council on outcomes of Council investment over the last 3 years.

CARRIED

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

AGAINST: Guile

**409. Proposed Merger of Kiama Municipal Council and Shoalhaven City Council
File 52579e**

MOTION:

Moved: Baptist / Second: White

That:

- a) Council write and thank delegate Greg Wright for his impassionate and independent assessment of the merger proposal that led to his conclusion and recommendation that it not proceed;
- b) Council write and thank Premier Hon Mike Baird and Minister for Local Government Hon Paul Toole for their final decision to leave Kiama and Shoalhaven Councils as “stand alone”;
- c) Council write and thank local members Gareth Ward MP & Shelley Hancock MP, Federal Member, Ann Sudmalis MP, and Paul Green MLC for their active support of the Council and community in their objection to the proposal.
- d) Council acknowledge and thank all staff who actively contributed to building the case against the merger proposal.
- e) Council thank the various media outlets for their active coverage and publicity of this important community issue.
- f) That Council broadly thank the wider community and organisations who made submissions.

CARRIED

CORPORATE AND COMMUNITY SERVICES

**410. Draft Bomaderry/Nowra Regional Sports & Community Precinct Master Plan - Public
Exhibition File 52005e**

MOTION:

Moved: Tribe / Second: Wells

That:

- a) Council endorse public exhibition of the draft Bomaderry/Nowra Regional Sports & Community Precinct Master Plan for 40 days.
- b) Notification of the draft Bomaderry/Nowra Regional Sports & Community Precinct Master Plan be advertised in local newspapers, and placed on Council website
- c) Notification of the draft Bomaderry/Nowra Regional Sports & Community Precinct Master Plan be sent the Pride of Bomaderry and key stakeholders consulted in the development of the draft Master Plan.
- d) A briefing be provided to the Shoalhaven Sports Board of the draft Bomaderry/Nowra Regional Sports & Community Precinct Master Plan.

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- e) **A post exhibition report for the draft Bomaderry/Nowra Regional Sports & Community Precinct Master Plan be presented to a future Strategy & Assets Committee meeting.**
 - f) **Council note the recent development of the Bomaderry Croquet Courts and the community use and consider providing a like facility in another location as a replacement.**

CARRIED

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

AGAINST: Kitchener, McCrudden

411. Investment Report – April 2016

File 2126E

MOTION:

Moved: Guile / Second: Baptist

That the Report of the General Manager (Corporate Services and Community Services Group) on the Record of Investments for the period to 30 April 2016 be received for information.

CARRIED

ASSETS AND WORKS

412. Intention to Sell by Expressions of Interest - Mundamia and Visitors Information Centre / Graham Lodge

File 53026E & 53354E

This item was related to Addendum Report 1 - see MIN16.430

MOTION:

Moved: Wells / Second: Baptist

That Council receive the report for information and proceed with the sale by Expression of Interest of the two properties at George Evans Drive, Mundamia and the Visitors Information Centre including Graham Lodge in Pleasant Way, Nowra.

CARRIED

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

AGAINST: Kitchener

413. EOI Civic Centre Site, Bridge Road Nowra

File 52523E

MOTION:

Moved: Wells / Second: White

That Council receive the report detailing the key principles for the disposal of the Civic Centre Site, Bridge Road, Nowra for inclusion in the EOI.

CARRIED

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

AGAINST: Guile

414. Funding - Regrading / Maintenance Jones Beach Access & Car Park

File 34345E

MOTION:

Moved: White / Second: Baptist

That Council accept the contribution from Bannisters Hotel for regular scheduled maintenance of Council's Jones Beach Access Carpark at Mollymook up to a value of \$2,500 per year.

CARRIED

415. Holiday Haven Tourist Parks – Tender for the Management and Operation of the Currarong Beachside Holiday Park

File 52730E

Conflict of Interest Declaration - Clr Tribe – less than significant non pecuniary interest – one of the Tenderers daughters is known to her – remained in the room.

MOTION:

Moved: White / Second: Kearney

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

CARRIED

416. Boat Ramp Carpark Renewal – Lakehaven Drive, Sussex Inlet

File 53005E

MOTION:

Moved: White / Second: Kearney

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

417. Tender Report - Albatross Aviation Technology Park Taxiway **File 52996E**

MOTION: Moved: White / Second: Kearney

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

418. Procedural Motion – Bring forward Item

MOTION: Moved: Wells / Second: White

That the following Items be brought forward for consideration:

- Item 39, Page 38 – Tenders – Minor Mains Replacement Panel – Construction Package 4C
- Item 40, Page 42 – Rescission Motion – Ordinary Meeting 19 April 2016 – Development Application - Demolition of existing structures, bulk earthworks, construction of a retail development, associated car parking, advertising signage, landscaping, new vehicle access points and works within the adjoining road reserve - Lot 7 DP 583795 Princes Highway and Lot 2 DP 655641 (No. 320) Princes Highway, Bomaderry

CARRIED

SHOALHAVEN WATER

419. (Item 39, Page 38) Tenders - Minor Mains Replacement Panel - Construction Package 4C **File 52763E**

This Item was brought forward for consideration.

MOTION: Moved: Wells / Second: White

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

CARRIED

NOTICE OF MOTION

- 420. (Item 40, Page 42) Rescission Motion – Ordinary Meeting 19 April 2016 – Development Application - Demolition of existing structures, bulk earthworks, construction of a retail development, associated car parking, advertising signage, landscaping, new vehicle access points and works within the adjoining road reserve - Lot 7 DP 583795 Princes Highway and Lot 2 DP 655641 (No.320) Princes Highway, Bomaderry. Applicant/Owner: The Planning Group NSW / Fabcot Pty Ltd
File DA14/2579, 52652E**
-

This Item was brought forward for consideration.

MOTION:

Moved: Guile / Second: Kitchener

That Council rescind the motion of Councillor White and Baptist and replace it with the following which was the report recommendation:

- a) In light of the existing strategic planning framework, not support the proposal and determine Development Application 14/2579 by way of refusal for the reasons as listed in Attachment 'A';
- b) Resolve to undertake a review of the strategic planning framework as it applies to retail and business hierarchy in the northern Shoalhaven, in particular in the context of the Nowra Bomaderry Structure Plan. The review should consider feasible site(s) within existing centres for the development of an additional (full-line) supermarket space north of the Shoalhaven River. In addition, the review should also consider the zoning provisions within SLEP2014 and inclusion of primacy controls to preserve the adopted retail and business hierarchy identified;
- c) As part of the retail and business hierarchy review affected landowners be consulted;
- d) The applicant be advised that following the strategic review, Council may be prepared to further consider the subject application if the current proposal is found to be consistent with the adopted outcomes of the review and any proposed modifications to SLEP2014.

LOST

FOR: Guile, Watson, Kitchener, McCrudden

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

PLANNING AND DEVELOPMENT

421. (Item 38, Page 35) Development Application - Demolition of existing structures, bulk earthworks, construction of a retail development, associated car parking, advertising signage, landscaping, new vehicle access points and works within the adjoining road reserve - Lot 7 DP 583795 Princes Highway and Lot 2 DP 655641 (No.320) Princes Highway, Bomaderry. Applicant/Owner: Fabcot Pty Ltd
File: DA14/2579-03
-

MOTION:

Moved: Wells / Second: White

- # That Pursuant to the resolution of 19 April 2016, Council issue an approval to DA14/2579 subject to the conditions provided in ATTACHMENT A.

CARRIED

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

AGAINST: Guile, Kitchener, McCrudden

SHOALHAVEN WATER

422. Tenders - Minor Mains Replacement Panel - Construction Package 4C File 52763E

This item was considered earlier in the meeting, see MIN16.419

NOTICES OF MOTION

423. Rescission Motion – Ordinary Meeting 19 April 2016 – Development Application - Demolition of existing structures, bulk earthworks, construction of a retail development, associated car parking, advertising signage, landscaping, new vehicle access points and works within the adjoining road reserve - Lot 7 DP 583795 Princes Highway and Lot 2 DP 655641 (No.320) Princes Highway, Bomaderry. Applicant/Owner: The Planning Group NSW / Fabcot Pty Ltd
File DA14/2579, 52652E
-

This item was considered earlier in the meeting, see MIN16.420

424. Rescission Motion – Strategy & Assets Committee 10 May 2016 – Collingwood Beach Dune Vegetation Management File DA14/2579, 52652E

This item was considered earlier in the meeting, see MIN16.375

425. Collingwood Beach Dune Vegetation Management File 49987E

This item was considered earlier in the meeting, see MIN16.376

MOTION: Moved: Watson / Second: Kitchener

That the City Wide DCPs Chapter G3: Landscaping Design Guidelines be varied as follows:

a) Amend Acceptable Solution A 2.1 as follows:

A2.1 For development other than a new dwelling house, alterations and additions to a dwelling house or a dual occupancy, landscaping must be in accordance with an approved landscape plan for the site. The plans should meet the performance criteria and show:

- The street reserve, carriageway, parking bays, footpaths, cycleway systems, street lighting and driveways;
- Existing vegetation and proposed general character of tree planting and landscape treatment (including proposed species);
- Existing trees and significant vegetation on the site and identify those to be retained and those proposed to be removed;
- General arrangement of hard landscaping elements and major earth cuts, fills and mounding;
- Indicative treatment of any floodway and drainage lines; and
- General information on fencing, access points furniture, pavement materials and on-going maintenance requirements.

b) Amend Acceptable Solution A 3.1 as follows:

A3.1 A landscape plan must be submitted with the development application illustrating the following landscape principles:

- The location, height and species of all existing and proposed vegetation;
- Methods employed to minimise soil erosion; and
- Cross section through entire site indicating major level changes, existing retained and proposed landscaping that demonstrates the proposed finished landscape (hard and soft).

AMENDMENT: Moved: White / Second: Kearney

That the proposed City Wide DCPs Chapter G3: Landscaping Design Guidelines variation proposed by Cllr Watson outlined below be included in the next Housekeeping Amendments:

a) **Amend Acceptable Solution A 2.1 as follows:**

A2.1 For development other than a new dwelling house, alterations and additions to a dwelling house or a dual occupancy, landscaping must be in accordance with an approved landscape plan for the site. The plans should meet the performance criteria and show:

- **The street reserve, carriageway, parking bays, footpaths, cycleway systems, street lighting and driveways;**

- Existing vegetation and proposed general character of tree planting and landscape treatment (including proposed species);
- Existing trees and significant vegetation on the site and identify those to be retained and those proposed to be removed;
- General arrangement of hard landscaping elements and major earth cuts, fills and mounding;
- Indicative treatment of any floodway and drainage lines; and
- General information on fencing, access points furniture, pavement materials and on-going maintenance requirements.

b) Amend Acceptable Solution A 3.1 as follows:

A3.1 A landscape plan must be submitted with the development application illustrating the following landscape principles:

- The location, height and species of all existing and proposed vegetation;
- Methods employed to minimise soil erosion; and
- Cross section through entire site indicating major level changes, existing retained and proposed landscaping that demonstrates the proposed finished landscape (hard and soft).

AMENDMENT CARRIED

FOR: Tribe, Kearney, Anstiss, White, Wells, Baptist, Gash

AGAINST: Robertson, Guile, Watson, Kitchener, McCrudden

AMENDED MOTION CARRIED

FOR: Tribe, Kearney, Anstiss, White, Wells, Baptist, Gash

AGAINST: Robertson, Guile, Watson, Kitchener, McCrudden

427. Banning Super Trawler from the Waters of Shoalhaven

File 4912E

MOTION:

Moved: Gash / Second: Kearney

That the General Manager write to the Local Federal Government Members requesting that the Super Trawler – Geelong Star be excluded from operating in Australian Waters of the coast of Shoalhaven in particular but not limited to the waters of Jervis Bay.

CARRIED

428. Berry District Park – Re-exhibition of Master Plan (concept plan only) File 49929E

MOTION:

Moved: Wells / Second: Guile

That:

- a) Council re-exhibit the Berry District Park Master Plan (concept plan only) with the following inclusions for a period of 28 days:
 - Remove long vehicle parking area be shown on North Street (identified as E on concept plan)
 - Provision of more long vehicle parking in the off street car parking area within Berry District Park (identified as G on concept plan)
 - Provision of toilet block at the off street car parking area within Berry District Park (identified as G on concept plan).
 - Hatch area for potential expansion of the proposed adventure playground north of the existing site (identified as L & K on concept plan).
 - Spacing fitness equipment stations along the walking path within the Park (identified as 'S' on concept plan).
- b) Council through re-exhibition of the Berry District Park Master Plan (concept plan only) seek at the same time community feedback on the proposed name change from Berry District Park to either:
 - Boongaree Park
 - Bramley Oval: or,
 - Other park name which is strongly supported by the community.
- c) Notification of the above exhibition be advertised in local newspapers and letters sent to key stakeholders, including:
 - Berry Riding Club
 - Berry Landcare
 - Berry Garden Club
 - Current Berry Sporting Complex user groups
 - Berry Alliance
 - Berry Rotary
 - Berry Forum
 - Berry Chamber of Commerce and Tourism
 - Roads and Maritime Services
- d) Council staff ground truth the site with RMS staff and request an “as built” survey plan from RMS to determine if all elements of the Master Plan can be delivered.
- e) Council receive a report detailing community feedback submissions received on the above exhibition matters.
- f) Council retain all intentions of the previous resolution of 19 April 2016 (Min 16.279) with the exception of making the Berry District Park Master Plan (concept plan only) final until the above re-exhibition process has been undertaken.

CARRIED

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

MOTION:

Moved: White / Second: Anstiss

That the matter of Addendum Report 1 be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency as it relates to Council business and allowed its introduction.

ADDENDUM REPORT 1 – ASSETS AND WORKS

430. EOI Objectives on the use of the land - George Evans Rd - Mundamia - Nowra Visitors Information Centre / Graham Lodge - 10 Pleasant Way - Nowra File 53354E, 53026E

This matter was related to Item 32, Page 25 – See MIN16.412

MOTION:

Moved: Wells / Second: White

That Council receive the Report of the General Manager (Assets and Works) outlining the objectives for use of the land.

CARRIED

CONFIDENTIAL REPORT

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

STRATEGY AND ASSETS COMMITTEE

Item	Reason
Milton-Ulladulla Sewer Trunk Main Tender Process	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)

ASSETS AND WORKS

Item	Reason
Holiday Haven Tourist Parks – Tender for the Management and Operation of the Currarong Beachside Holiday Park	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)

Tender – Boat Ramp Carpark Renewal – Lakehaven Drive, Sussex Inlet	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)
Tender – Albatross Aviation Technology Park Taxiway	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)

SHOALHAVEN WATER

Item	Reason
Tender – Minor Mains Replacement Panel – Construction Package 4C	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

Pursuant to Section 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.

431. Adjournment of the meeting

The Chairperson adjourned the meeting for a short break the time being 6.08pm.

The meeting reconvened the time being 6.10pm

The following members were present;

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

MOTION: Moved: White / Second: Kearney

That the Ordinary 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)(d)(i).

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:

- Milton-Ulladulla Sewer Trunk Main Tender Process
- Holiday Haven Tourist Parks – Tender for the Management and Operation of the Currarong Beachside Holiday Park
- Tender – Boat Ramp Carpark Renewal – Lakehaven Drive, Sussex Inlet
- Tender – Albatross Aviation Technology Park Taxiway
- Tenders – Minor Mains Replacement Panel – Construction Package 4C

CARRIED

The meeting moved into confidential the time being 6.10pm.

The meeting moved into open session, the time being 6.19pm.

The following resolutions of the Confidential Ordinary Meeting were made public.

432. Milton-Ulladulla Sewer Trunk Main Tender Process File 52945E

RESOLVED that Council:

- Accept the tender from Ledonne Constructions Pty Ltd in the amount of \$4,370,534.30 incl. GST**
- Authorise the General Manager (Shoalhaven Water) to finalise and execute the contract with Ledonne Constructions Pty Ltd on behalf of Council**
- Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.**

433. Holiday Haven Tourist Parks – Tender for the Management and Operation of the Currarong Beachside Holiday Park File 52730E

Conflict of Interest Declaration - Clr Tribe – less than significant non pecuniary interest – one of the Tenderers daughters is known to her – remained in the room.

RESOLVED that:

- Council accept the tender of Robert and Erin Bell, subject to the tenderer complying with Clause 2.7 of the tender documentation and registering as one (1) company, for the management and operation of Currarong Beachside Holiday Park for a period of three (3) years, with a two (2) year option, commencing 24 July 2016 at the gross profit percentage of 28%;**
- Authorise the General Manager (Director, Assets & Works) to finalise and execute the contract with Robert and Erin Bell on behalf of Council.**

434. Tender - Boat Ramp Carpark Renewal – Lakehaven Drive, Sussex Inlet File 53005E

RESOLVED that:

- a) **Council decline to accept any tender in accordance with S178(1)(b) of the Local Government Regulations 2005.**
- b) **In accordance with S178(4)(a) of the Local Government Regulations 2005, not invite fresh tenders, as the time delay would impact on the operation of the carpark which is in urgent need of rehabilitation to reduce risk and it affects funding from the State Government.**
- c) **In accordance with S178(3)(e) of the Local Government Regulations, delegate authority to the General Manager (Director Assets and Works) to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender.**

435. Tender – Albatross Aviation Technology Park Taxiway File 52996E

RESOLVED that Council:

- a) **Accept the schedule of rates tender of Druce DP Pty in the amount of \$917,747.10 excl GST;**
- b) **Authorise the General Manager (Director, Assets & Works) to finalise and execute the contract with Druce DP Pty Ltd on behalf of Council.**
- c) **Authorise the General Manager, Assets & Works Group to adjust the contract for variations for components under the contact.**

436. Tenders - Minor Mains Replacement Panel - Construction Package 4C File 52763E

RESOLVED that Council:

- a) **Accept the tender from Pipe Replacement Solutions Pty Ltd in the amount of \$333,296.00 GST inclusive**
- b) **Authorise the General Manager (Shoalhaven Water) to finalise and execute the contract with Pipe Replacement Solutions Pty Ltd on behalf of Council**
- c) **Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.**

There being no further business, the meeting concluded, the time being 6.20pm.

Clr Gash
CHAIRPERSON