
**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 15 DECEMBER 2015 COMMENCING AT 4.00PM**

The following members were present;

Clr Gash – Chairperson
Clr Tribe – left 6.49pm
Clr Robertson
Clr Kearney
Clr Anstiss
Clr White
Clr Wells
Clr Baptist
Clr Findley
Clr Guile – arrived at 4.17pm
Clr Watson
Clr Kitchener
Clr McCrudden

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

766. Confirmation of the Minutes

Note: Clr Guile was absent from the meeting.

MOTION:

Moved: Baptist / Second: White

That the Minutes of the Extra Ordinary Meeting of Council held on Tuesday 3 November 2015 and the Ordinary Meeting of Council held on Tuesday 24 November 2015 be confirmed.

CARRIED

767. Declarations of Interest

Note: Clr Guile was absent from the meeting.

Conflict of Interest Declaration - Clr Tribe - pecuniary interest – Item 26 – Page 16, Tender Process – Construction of SPS19, Bayswood Estate, Vincentia - she owns land in the Bayswood Estate – will leave the room.

PRESENTATION OF PETITION – ORDINARY MEETING – TUESDAY, 15 DECEMBER 2015

768. Petition - Nowra Aquatic Centre – Facilities for Babies and Toddlers File 30050E

Note: Clr Guile was absent from the meeting.

Clr Tribe presented a petition containing approximately 349 signatures from local residents expressing concern about lack of facilities for toddlers at the Nowra Aquatic Centre, as there is no where for smaller children to take part in swimming.

MAYORAL MINUTE – TUESDAY 15 DECEMBER 2015

769. Illawarra Shoalhaven Regional Plan Briefing Session File 29118E, 50252E

Note: Clr Guile was absent from the meeting.

MOTION: Moved: Gash / Second: White

That the Mayoral Minute regarding Illawarra Shoalhaven Regional Plan Briefing Session be received for information.

CARRIED

770. General Manager’s Contract Extension File 24451E, 50252E

Note: Clr Guile was absent from the meeting.

MOTION: Moved: Gash / Second: White

That Council extend the employment contract of the General Manager, Russell Desmond Pigg, for a further term of five (5) years from 16 December 2015 to 15 December 2020, using the Division of Local Government’s Standard Contract for Employment for General Managers, and that the contract be executed under the Seal of Council.

CARRIED

771. Other events attended

File 50252E

Note: Clr Guile was absent from the meeting.

MOTION:

Moved: Gash / Second: White

That:

- a) **The Mayoral Minute regarding Other Events Attended be received for information.**
- b) **Attendance of Councillors at the opening of the Vincentia Shopping Village on 11 December 2015 be noted.**

CARRIED

772. Jindelara Cottage request

File 50262E, 50252E

Note: Clr Guile was absent from the meeting.

MOTION:

Moved: Gash / Second: White

That Council receive this report for information and debate as to whether Council supports the request to support another Mayoral Ball in 2016.

CARRIED

773. Gold Awarded to South Coast at NSW Tourism Awards

File 4256E, 50252E

Note: Clr Guile was absent from the meeting.

MOTION:

Moved: Gash / Second: White

That the Mayoral Minute regarding Gold Awarded to South Coast at NSW Tourism Awards be received for information.

CARRIED

774. Thank you

File 50252E

Note: Clr Guile was absent from the meeting.

MOTION:

Moved: Gash / Second: White

That Council receive this report for information and thank the Lions Club for their Donation to the Disaster relief fund.

CARRIED

775. Additional Item – Financial Statements – Pitcher Partners

Note: Cllr Guile was absent from the meeting.

Council's external Auditor, Mr Carl Millington from Pitcher Partners addressed the meeting in relation to Financial Statements.

MOTION: Moved: Wells / Second: Baptist

That the Financial Statements Verbal Report from Pitcher Partners be received for information.

CARRIED

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

Note: Cllr Guile was absent from the meeting.

MOTION: Moved: Tribe / Second: Wells

That the matter of Nowra Aquatic Centre – Babies and Toddler Facilities be introduced as a matter of urgency.

PROCEDURAL MOTION CARRIED

The Chairperson ruled the matter as one of urgency as there is a significant interest from the community and allowed its introduction.

777. Additional Item - Nowra Aquatic Centre – Babies and Toddler Facilities File 30050E

Note: Cllr Guile was absent from the meeting.

MOTION: Moved: Tribe / Second: Anstiss

That the General Manager provide a Cllr briefing before the end of February 2016 outlining options for a toddler pool or water play area at the Nowra Aquatic Centre, including costings and at least 1 option should include a shaded option.

CARRIED

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

AGAINST: White

778. Deputations

Note: Cllr Guile arrived at the meeting.

Dr Sarah Crowe addressed the Ordinary Meeting in relation to Addendum Report 2 - Development Application – Temporary Function Venue at Lot 2 DP 855905, No.4 Battys Road, Upper Kangaroo River.

Mr David Short addressed the Ordinary Meeting in relation to Addendum Report 2 - Development Application – Temporary Function Venue at Lot 2 DP 855905, No.4 Battys Road, Upper Kangaroo River.

779. Procedural Motion – Bring forward item

MOTION: Moved: Guile / Second: White

That the matter of Addendum Report 2 - Development Application – Temporary Function Venue at Lot 2 DP 855905, No.4 Battys Road, Upper Kangaroo River be brought forward.

CARRIED

780. Development Application – Temporary Function Venue at Lot 2 DP 855905, No.4 Battys Road, Upper Kangaroo River. Applicant: Plannex Environmental Planning. Owner: PJ and SH Crowe File DA15/1522

PROCEDURAL MOTION: Moved: Guile / Second: Findley

That Council move into the Committee of the Whole to allow discussion of the application.

LOST

FOR: Robertson, Baptist, Findley, Guile, Kitchener

AGAINST: Tribe, Kearney, Anstiss, White, Wells, Watson, McCrudden, Gash

MOTION: Moved: Guile / Second: Kitchener

That Council refuses the Development Application on the basis of unreasonable noise impact on the surrounding residents.

LOST

FOR: Guile, Kitchener

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

FORESHADOWED MOTION:

Moved: Gash / Second: White

That:

- a) **The balance of the Development Application not referred to in Part b) below be deferred pending further discussions between the applicant and the residents before final decision of Council;**
- b) **Council delegate authority to the General Manager (Planning and Development Services) to make a part determination of the Development application in relation to the 5 planned/booked events in the period between January to April 2016 inclusive.**

CARRIED

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

AGAINST: Findley, Guile, Kitchener

781. Procedural Motion – Adjournment of Meeting

MOTION:

Moved: Findley / Second: Gash

The Ordinary meeting be adjourned for 5 minutes to allow staff to address the applicant and the residents and inform them of Council's decision.

CARRIED

The meeting adjourned the time being 6.09pm

The meeting reconvened the time being 6.16pm

The following members were present;

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

**REPORT OF THE GENERAL MANAGER – COMMITTEES REPORT
STRATEGY AND ASSETS COMMITTEE – TUESDAY 8 DECEMBER**

782. Adoption of Report

Note: Cllr Anstiss was absent from the meeting.

MOTION:

Moved: White / Second: Kearney

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

CARRIED

783. Lake Conjola Boardwalk Reconstruction Funding File 48353E

That Council allocate from the Holiday Haven Capital Works budget in 2015/2016 of \$100,000 and vote \$540,000 from the Strategic Projects Reserve 2016/17 to give a total budget of \$840,000 and enable a tender to proceed for a 1.8m width boardwalk.

784. 2015-2016 Allocations - NSW Rural Fire Fighting Fund File 2371E

That Council adopt Option 1, 2 & 3 being:

- 1. That Council make the strongest representation to the Minister for Emergency Services, Hon David Elliott and local members Shelley Hancock, Member for South Coast and Gareth Ward, Member for Kiama and Parliamentary Secretary for the Illawarra & South Coast protesting at the apparent disregard to Council's request for funding restraint and ask for an explanation and comment;**
- 2. That Council write to Minister for Local Government Paul Toole and NSW Premier Mike Baird highlighting the impact of the Government agency budget allocation on Council's Fit for the Future KPI's which is out of Council's control and request their views on this matter; and**
- 3. That Council make payments equivalent to \$821,000 for 2015/16 until the Ministers and Premier provide a response to Council's representations.**

785. Risk and Audit Committee Charter File 39763E

That Council adopt the revised Risk and Audit Committee Charter.

That:

- a) Council provide sponsorship of 50% of costs to hire the SEC including catering, up to a maximum of \$6,000 to support the Shoalhaven Campus graduation ceremony, funded from the Economic Development Reserve (i.e. Southern Phone dividend received by Council).
- b) That The Vice Chancellor of the University of Wollongong, Professor Paul Wellings be invited to address Council in relation to the future of the Shoalhaven Campus of the University.

787. **Management of Mobile Food Vending Vehicles on Council owned or Managed Land 33417E**

That:

- a) Council place on public exhibition and seek submissions on the draft Local Approvals Policy "Management of Mobile Food Vending Vehicles on Council Owned or Managed Land (including roads)"
- b) Council approve and advertise a new fee of \$1000 plus GST for the Category 2 Mobile Vans.
- c) Should Council receive no submissions or submissions that would mean minor alteration to the Policy and Fee then the policy and fee be deemed adopted at the conclusion of the submissions period.
- d) Should Council receive submission(s) that are considered to have a significant effect on the policy and fees then a further report be presented to Council.

788. **Sale of Land – Chisholm St Callala Bay**

That:

- a) Council authorise the sale of five (5) lots in the proposed plan of subdivision of Lots 23 & 24 Sec 5A DP9063 (SF10418), Chisholm St Callala Bay.
- b) Council authorise the General Manager to determine the most appropriate method of sale, to set the sale price (based on valuation advice), and to finalise the terms of the sale within 10% of either the reserve in the case of the auction or the list price in the case of a private treaty sale;
- c) All costs associated with these sales be funded from Job Number 88796 and the net income be placed in the Property Acquisition Reserve to fund future property projects; and
- d) Authority be granted to affix the Common Seal of the Council to any documents require to be sealed.

789. Expungement of Drainage Easement – 12 Vigilant Street, Ulladulla File 52306E

That Council:

- a) Resolve to expunge the drainage easement measuring 2 metres wide on the northern side of Lot 18 DP712855, known as 12 Vigilant Street, Ulladulla, NSW;**
- b) Resolve that the owner of Lot 18 DP712855 be responsible for payment of Council's legal costs in this matter; and**
- c) Authorise the Common Seal of the Council of the City of Shoalhaven be applied to documents where necessary.**

790. Licence - Part of 21 Meriton Street, St. Georges Basin. File 51697E

That Council:

- a) Resolve to enter into a licence agreement with the Illawarra Retirement Trust (IRT) for a period of five (5) years with a five (5) year option period at a commencement rent of \$5,871 plus GST if applicable, for the occupation of part of Lot 1 DP629175 at 21 Meriton Street, St. Georges Basin in accordance with the terms and conditions outlined in the following report; and**
- b) Resolve that the General Manager be authorised to finalise the licence terms that may not yet be determined.**

791. Acquisition of land at Pointer Mountain File 52047E

That:

- a) Council resolve to acquire part of Lot 26 DP755942 at Pointer Mountain, as shown by hatching on plan marked Attachment 'A'.**
- b) Council to pay compensation of \$12,738 and reasonable legal costs in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Porters Creek Dam Remediation Fund.**
- c) If necessary, the purchase price for the land is to be adjusted in accordance with the area determined by final survey.**
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.**
- e) The land to be acquired as Public Road pursuant to the Roads Act.**

792. Acquisition of Easement for Sewer Pipeline at Brundee

File 50647E

That:

- a) Council resolve to acquire the Easement for Sewer Pipeline 6 wide over Lot 1 DP725979, Lot 1 DP725980, Lot 1 DP725983 and Lot 2 DP596844 at Brundee, as shown on plan marked Attachment 'A'.**
- b) Council pay compensation of \$18,200 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's REMS Sewer Scheme Fund.**
- c) If necessary, the compensation be adjusted in accordance with the area of the easement determined by final survey.**
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.**

793. Acquisition of Easement for Drainage of Sewage at Milton

File 49812E

That:

- a) Council resolve to acquire an Easement for Drainage of Sewage 6 wide over Lot 1 DP780801 at Milton, as shown by hatching on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.**
- b) Council pay compensation of \$10,500, plus GST if applicable, and reasonable legal costs associated with the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.**
- c) Should agreement not be reached with the landowner, Council to acquire the easement by the compulsory process, in accordance with the Land Acquisition (Just Terms Compensation) Act, with compensation being determined by the Valuer General. The necessary application is to be made to the Minister for Local Government and the Governor.**
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.**

794. Acquisition of Easement for Drainage of Sewage at Milton

File 49826E

That:

- a) Council resolve to acquire an Easement for Drainage of Sewage 6 wide over Lot 6 DP775941 at Milton, as shown by hatching on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.**
- b) Council pay compensation of \$3,500 plus GST and reasonable costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.**
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.**

795. Acquisition of Easement for Sewer Pipeline at Terara

File 50644E

That:

- a) **Council resolve to acquire the Easement for Sewer Pipeline 6 wide over Lot 14 DP828209, Lot 22 DP803581, Lot 2 DP1087811 and Crookhaven Creek at Terara, as shown on plan marked Attachment 'A'.**
- b) **Council pay compensation of \$42,200 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's REMS Sewer Scheme Fund.**
- c) **If necessary, the compensation be adjusted in accordance with the area of the easement determined by final survey.**
- d) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.**

796. Acquisition of Easement for Water Supply at Kangaroo Valley

File 50124E

That:

- a) **Council resolve to acquire an Easement for Water Supply 2 metres wide over Lot 3 DP576156 at Kangaroo Valley, as shown on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.**
- b) **Council pay compensation of \$10,000, plus GST if applicable, and reasonable legal costs associated with the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.**
- c) **Should agreement not be reached with the landowner, Council to acquire the easement by the compulsory process, in accordance with the Land Acquisition (Just Terms Compensation) Act, with compensation being determined by the Valuer General. The necessary application is to be made to the Minister for Local Government and the Governor.**
- d) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.**

797. Acquisition of Easement for Water Supply at Kangaroo Valley

File 50125E

That:

- a) **Council resolve to acquire an Easement for Water Supply 2 metres wide over Lot 13 DP829169 at Kangaroo Valley, as shown on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.**
- b) **Council pay compensation of \$1,000, plus GST if applicable, and reasonable legal costs associated with the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.**
- c) **Should agreement not be reached with the landowner, Council to acquire the easement by the compulsory process, in accordance with the Land**

Acquisition (Just Terms Compensation) Act, with compensation being determined by the Valuer General. The necessary application is to be made to the Minister for Local Government and the Governor.

- d) **The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.**

798. Project Proposal - Rapid Re-Opening of Oyster Growing Areas File 48397E

That Council:

- a) **Agree to partner with other Councils, The Oyster Industry, South Australian Research & Development Institute and NSW Food Authority in the proposed collaborative project for rapid re-opening of oyster growing areas after sewer spills using bacteriophage.**
- b) **Provide \$50,000 budget to the project from existing allocations.**

SHOALHAVEN TOURISM ADVISORY GROUP – MONDAY 23 NOVEMBER 2015

799. LGNSW Tourism Conference 2016 File 5359E

Note: Cllr Anstiss was absent from the meeting.

MOTION:

Moved: White / Second: Wells

That Council authorise Councillors and up to three members of the Shoalhaven Tourism Advisory Group to attend the LGNSW Tourism Conference 2016, with associated costs covered by the Tourism Budget and a report on the conference be provided to Council for information.

CARRIED

CONFIDENTIAL ORGANISATIONAL REVIEW TRANSFORMATION TASK FORCE – THURSDAY 3 DECEMBER 2015

800. Transformation Program V's Fit for the Future (FFF) Program File 44629E

Note: Cllr Anstiss returned to the meeting.

MOTION:

Moved: Wells / Second: Baptist

That Council disestablish the Organisational Review Transformation Task Force and refer all matters requiring the decision of Council, that would have been formally dealt with by that sub-committee, to the Strategy and Assets Committee in the context of the Fit for the Future Action Plan included in Council's submission to IPART (adopted at Ordinary Meeting 23 June 2015).

CARRIED

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 8 DECEMBER 2015

801. Adoption of Report

MOTION: Moved: Robertson / Second: Kearney

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

CARRIED

802. Road Safety - Glanville Road, Sussex Inlet (PN 3242) File 1714E

That the General Manager (Director Assets and Works) be requested to arrange for the installation of the following delineation measures in Glanville Road, Sussex Inlet as per the attached plan TRAF 2015/72:

- a) **Double Barrier (BB) centre linemarking and associated Raised Reflective Pavement Markers around the curve for a distance of approximately 60m**
- b) **Advance curve warning signs on both approaches to the curve**

803. Roundabout - Intersection Quinns Lane and Old Southern Road, South Nowra (PN 3244) File 8803E

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objections to the roundabout and associated signage and linemarking (plan - reference 26552-002) at the intersection of Quinns Lane and Old Southern Road, South Nowra as detailed in the attached plan TRAF 2015/73.

804. Regulatory Signage and Linemarking - Wugan Street, Yerriyong (PN 3245) File RA13/1003

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objection to the installation of the regulatory signage and linemarking proposed to be installed as part of the further development of the Sikorsky Maintenance and Logistics Facility in Wugan Street, Yerriyong as detailed in the attached plan TRAF 2015/74 a&b, subject to:

- a) **Installation of additional No Stopping to cover the pram ramp located on the opposite side of Wugan Street**
- b) **Installation of intermediate No Stopping signage in accordance with Standards**

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- 805. Roundabout - Intersection South Street & Jubilee Avenue, Ulladulla (PN 3248)**
File 11241E, 1715E
-

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objections to the proposed roundabout and associated regulatory signage and linemarking (plan - reference 1553-01) at the intersection of South Street and Jubilee Avenue, Ulladulla as detailed in the attached plan TRAF 2015/75.

- 806. Roundabout - Intersection St Vincent Street and Parson Street, Ulladulla (PN 3249)**
File 9359E
-

That the General Manager (Director Assets and Works) be advised that the Shoalhaven Traffic Committee has no objections to the proposed roundabout and associated regulatory signage and linemarking (plan reference 5009-13) at the intersection of St Vincent Street and Parson Street, Ulladulla, as detailed in the attached plan TRAF 2015/76, subject to items of a technical nature.

REPORT OF GENERAL MANAGER

- 807. Appointment of new Risk and Audit Committee Member** **File 39301E**
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MOTION: **Moved: Baptist / Second: Guile**

That Ms Diana Price be appointed as the new independent external member of the Shoalhaven City Council Risk & Audit Committee.

CARRIED

CORPORATE AND COMMUNITY SERVICES

- 808. Investment Report – November 2015** **File 2126E**
-

MOTION: **Moved: Wells / 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 November 2015 be received for information.

CARRIED

SHOALHAVEN WATER

809. Tender Process - Construction of SPS19, Bayswood Estate, Vincentia File 52216E

Conflict of Interest Declaration - Clr Tribe - pecuniary interest – she owns land in the Bayswood Estate - left the room, did not take part in discussion or vote.

MOTION: Moved: Baptist / Second: Robertson

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

COUNCILLOR REPORTS ON CONFERENCES

810. 2015 Sister Cities Australian National Conference File 4688E

Note: Clr Tribe returned to the meeting.

MOTION: Moved: Kitchener / Second: Guile

That Council receive the report from Clr Kitchener regarding the 2015 Sister Cities Australian National Conference for information.

CARRIED

NOTICES OF MOTION

811. Mollymook Basketball Half Court File 2839E

MOTION: Moved: White / Second: Baptist

That Council:

- a) **Receive the report for information and consideration of options for Court Surfaces subject to the needs of the Mollymook Surf Club being met.**
- b) **Allocate a budget of up to \$5,000 for the landscape/bollards from the unallocated donations budget.**

CARRIED

812. Council Land – 50 Shoalhaven Heads Road, Shoalhaven Heads **File 50680E**

MOTION: Moved: Kearney / Second: White

That Council:

- a) **Appoint a registered estate agent to market 50 Shoalhaven Heads Road, Shoalhaven Heads and call for “Expressions of Interest”;**
- b) **Approve the General Manager to set the reserve price based on valuation advice and to complete the sale transaction if successful EOI’s either exceed or is within 10% of the reserve price;**
- c) **Resolve to place the net income from the sale in the Strategic Property Acquisition Reserve, and**
- d) **Grant authority to fix the Common Seal of Council to any documents required to be sealed in this matter and that the General Manager be authorised to sign any documents necessary to give effect to this resolution.**

CARRIED

813. Shoalhaven City DCP Part G9 Amendment **File 49987E**

MOTION: Moved: Watson / Second: Wells

That the Shoalhaven City DCP Chapter G9 Part (D) be varied to allow the subdivision of land and the creation of strata title lots within the Village of Greenwell Point subject to the lots whether strata or real property having access to flood free land, in compliance with Shoalhaven LEP 2014.

CARRIED

814. Sister Cities **File 8282E**

Note: Clr Tribe left the meeting.

MOTION: Moved: Kitchener / Second: McCrudden

That Council take a more proactive role in encouraging business partnerships in China by investigating the appetite within the Shoalhaven community for developing relationships with the Shoalhaven’s Sister Cities in that country.

- a) **Council initiate a series of business forums informing local businesses of the economic opportunities made available through ChAFTA. At these forums Council provide information on:**
 - **AusTrade and other government departments that would be able to help Shoalhaven businesses and organizations to make successful contact with Chinese counterparts.**

-
- **Export Market Development Grants that encourage small and medium sized Australian businesses to develop export markets.**
 - **Positive and negative experiences in China from those with ‘skin in the game’ and negotiators of ChAFTA.**
- b) **Council identify if local primary and secondary schools and the UOW Nowra Campus have the inclination to explore an electronic exchange of cultural material for the purpose of rekindling contact with the Shoalhaven’s Sister Cities in China.**
- c) **The General Manager report back to council on its findings and in the context of the 2016/17 budget considering allocating budget to the Economic Development section for this purpose.**

CARRIED

815. Donation – Nowra High School

File 4771E

Note: Clr Tribe was absent from meeting.

MOTION:

Moved: Anstiss / Second: White

That Council support Year 12 Students from Nowra High School with funding of \$500 from unallocated donations to travel to France to assist students with French studies & languages.

CARRIED

816. Procedural Motion - Introduction of Addendum Reports

Note: Clr Tribe was absent from meeting.

MOTION:

Moved: White / Second: Baptist

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

- Addendum Report 1 – Assets and Works
- Addendum Report 2 – Planning and Development
- Addendum Report 3 – Assets and Works
- Addendum Report 4 – General Manager – Committees Report
- Confidential Addendum Report 1 – Assets and Works
- Confidential Addendum Report 2 – Assets and Works

CARRIED

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

ADDENDUM REPORT 1 - ASSETS AND WORKS

817. Tender Report – EIS and DA – Existing Landfill Extension

File 51520E

Note: Clr Tribe was absent from meeting.

MOTION:

Moved: Wells / Second: White

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

ADDENDUM REPORT 2 – PLANNING AND DEVELOPMENT SERVICES

818. Development Application – Temporary Function Venue at Lot 2 DP 855905, No.4 Battys Road, Upper Kangaroo River. Applicant: Plannex Environmental Planning. Owner: PJ and SH Crowe

File DA15/1522

Note: This item was brought forward and considered earlier in the meeting.

ADDENDUM REPORT 3 – ASSETS AND WORKS

819. Novation - Mattress Recycling - Resource Recovery Australia

File 48989E

Note: Clr Tribe was absent from meeting.

MOTION:

Moved: Wells / Second: Robertson

That Council:

- a) **Authorise the General Manager (Director Assets & Works) to execute the novation deed on behalf of Council for the Mattress Recycling Services Agreement;**
- b) **Authorise the General Manager (Director Assets & Works) to adjust the resulting novated contract with Resource Recovery Australia Great Lakes Community Resources Incorporated for variations for components under the novated contract; and**
- c) **Write to thank Mission Australia for facilitating the successful employment of disadvantaged and long term unemployed persons to perform the recycling of resources from approximately 40,000 mattresses disposed of by Shoalhaven City over the past 4½ years.**

CARRIED

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

AGAINST: Kearney, Anstiss, McCrudden

820. Tender - Supply of Tracked Loader for Council's Recycling & Waste Facilities **File 52089E**

Note: Clr Tribe was absent from meeting.

MOTION: Moved: Findley / Second: White

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

CARRIED

ADDENDUM REPORT 4 – GENERAL MANAGER – COMMITTEES REPORT

SHOALHAVEN HEADS ESTUARY TASKFORCE – WEDNESDAY 9 DECEMBER 2015

821. Adoption of Report

Note: Clr Tribe was absent from meeting.

MOTION: Moved: Guile / Second: White

That the following items of the Shoalhaven Heads Estuary Taskforce be adopted.

CARRIED

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

AGAINST: Findley

822. Study to investigate options for improving flows of the Shoalhaven River at Shoalhaven Heads **File 9825E**

That:

- a) The Shoalhaven Heads Estuary Taskforce support the findings of the investigations into improving flows for the Shoalhaven River;**
- b) Council adopt the report and receive report back on the implementations of its recommendations;**
- c) The parameters of the proposed flood study be widened to consider whether or not an open entrance at Shoalhaven Heads would reduce the impact of flooding and whether the long term economic benefits of so doing, would justify the cost of creating such an entrance;**

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- d) Council consider additional water quality testing in Shoalhaven Heads throughout the tidal cycle;
 - e) Council thank Will Glamore for the thorough report

823. Additional Item – Dredging – Shoalhaven Heads

That:

- a) Council request the consultant to undertake a desktop analysis of various options of the channel on the north side of Old Man Island to determine flow potentials of those options and the cost of the canal be funded from existing resources, which if found to be inadequate with the subject of the December quarterly review;
- b) Results of the desktop analysis be reported back to the committee.

824. Recommendations from Strategy and Assets Committee for the Lower Shoalhaven River **File 4355E, 1799E**

That Council:

- a) Convene through the office of Gareth Ward MP, a meeting with OEH and other relevant agencies to discuss the wholistic approach to the lower Shoalhaven river management scheme;
- b) Also invite the Minister for Environment (Mr Speakman) to meet at Shoalhaven Heads with members of the taskforce to discuss future options for the lower Shoalhaven estuary.
- c) Report back to the Committee once the above meetings have taken place.

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

Note: Clr Tribe was absent from meeting.

MOTION:

Moved: Guile / Second: Robertson

That the matter of Funding Application – Basketball Court, Vincentia be introduced as a matter of urgency.

CARRIED

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

826. Additional Item - Funding Application – Basketball Court, Vincentia File 3625E

Note: Clr Tribe was absent from meeting.

MOTION:

Moved: Guile / Second: Robertson

That Council support a funding application to the NSW Department of Justice Community Safety Funding Grant for the provision of a community basketball court at Vincentia providing the General Manager is satisfied that enough progress is made to warrant submission.

CARRIED

CONFIDENTIAL REPORT

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

STRATEGY AND ASSETS COMMITTEE – TUESDAY 8 DECEMBER 2015

Item	Reason
Tender Process - The Supply of a Trailer Mounted 400Kva Generator	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i) It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future. It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

SHOALHAVEN WATER

Item	Reason
Tender Process - Construction of SPS19, Bayswood estate, Vincentia	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i) It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

CONFIDENTIAL ADDENDUM REPORT 1 - ASSETS AND WORKS

Item	Reason
Confidential, Tender – EIS and DA – Existing Landfill Extension	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i) It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

CONFIDENTIAL ADDENDUM REPORT 2 - ASSETS AND WORKS

Item	Reason
Tender - Supply of Tracked Loader for Council's Recycling & Waste Facilities	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i) It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

Pursuant to Section 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: Wells / Second: Baptist

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:

- Tender Process - The Supply of a Trailer Mounted 400Kva Generator
- Tender Process - Construction of SPS19, Bayswood estate, Vincentia
- Confidential, Tender – EIS and DA – Existing Landfill Extension
- Tender - Supply of Tracked Loader for Council's Recycling & Waste Facilities

CARRIED.

The meeting moved into confidential the time being 7.15pm.

The meeting moved into open session, the time being 7.16pm.

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

827. Tender Process - The Supply of a Trailer Mounted 400Kva Generator File 51437E

That Council purchase the Trailer Mounted SEDC SD-C400 generator tendered by NEVMAT Australia Pty Ltd for \$119,348 with funds from the Shoalhaven Water 2015/16 Plant Replacement Program budget.

828. Tender Process - Construction of SPS19, Bayswood estate, Vincentia File 52216E

That Council:

- a) Accept the tender from Lynch Civil Contractors Pty Ltd in the amount of \$251,454.50 incl. GST**
- b) Authorise the General Manager (Shoalhaven Water) to finalise and execute the contract with Lynch Civil Contractors Pty Ltd on behalf of Council**
- c) Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.**

829. Confidential, Tender – EIS and DA – Existing Landfill Extension File 51520E

That:

- a) Council accept the Tender of Arcadis Australia Pacific Pty Limited (Arcadis) for the contract total lump sum amount of \$335,327.08 (exc GST);**
- b) Authorise the General Manager, Director Assets and Works to finalise and execute the contract with Arcadis on behalf of Council;**
- c) Authorise the General Manager, Director Assets and Works to negotiate contract conditions and adjust the contract for variations for components under the contact.**

830. Tender - Supply of Tracked Loader for Council's Recycling & Waste Facilities File 52089E

That:

- a) Council accept the Tender from Liebherr-Australia Pty Ltd for Supply of new tracked LR634 loader for Council's Recycling and Waste facilities at a total cost of \$420,600 (excluding GST).**
- b) The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl165 of the Local Government Regulation by the General Manager (Group Director (Assets and Works)).**

There being no further business, the meeting concluded, the time being 7.16pm.

Clr Gash
CHAIRPERSON