
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 18TH DECEMBER 2007 COMMENCING AT 3.34 PM

The following members were present;

Clr G Watson – Chairman
Clr R Rudd
Clr P Murphy
Clr P Green
Clr J McCrudden
Clr J Kerr
Clr G Ward
Clr G Kearney
Clr J Anderson
Clr J Willmott
Clr J Young
Clr R Bates

The meeting was opened in Prayer by Reverend Graham Fairburn, followed by the playing of the Australian National Anthem.

1750. Apologies

An apology was received from Clr Finkernagel

RESOLVED on a MOTION of Clr Ward, seconded Clr Kerr, that the apology of Clr Finkernagel be received and accepted.

1751. Confirmation of the Minutes of the Ordinary Meeting of Council held on 20th November 2007
File 17432, DA06/2236

RESOLVED on a MOTION of Clr Ward, seconded Clr Willmott, that the Minutes of the Ordinary Meeting of Council held on Tuesday 20th November 2007 be confirmed with the following amendment to min07.1655 Private Use of Public Carpark South Street Carpark, Ulladulla – Pier 32 Development Applicant: J Puglisi:

RESOLVED on a MOTION of Clr Willmott, seconded Clr Ward that the request to occupy public car parking spaces at South Street car park, Ulladulla – Pier 32 for the construction of a development be deferred *to a future meeting of the Policy and Planning Committee.*

MAYORAL MINUTE – TUESDAY 18TH DECEMBER 2007

1752. Ulladulla Civic Centre

File 37026

RESOLVED on a MOTION of Watson seconded Ward that

- a) The General Manager report to Council on the possible refurbishment of the Ulladulla Civic Centre, such refurbishment to meet the expectations of the community.
- b) That the cost estimates for the report be undertaken by Consultants or in-house resources as deemed appropriate.
- c) Any consultant costs are met from the City Services & Operations budget with an adjustment to occur, if necessary, in the next quarterly financial statement.

REPORT OF THE GENERAL MANAGER

POLICY AND PLANNING COMMITTEE – 4TH DECEMBER 2007

1753. Adoption of Report

RESOLVED on a MOTION of Clr Anderson, seconded Clr Ward, that the following recommendations of the Policy and Planning Committee be adopted.

1754. Draft Policy - Tourism Sporting Event Donation

File 4306

RECOMMENDED that the Shoalhaven Tourism Board does not agree that the funds of the Shoalhaven Tourism Board should be used to support events (sporting or otherwise) whether those funds be used for the promotion of the event or otherwise for the reasons that:

- a) It is inconsistent within the key performance indicators of the Shoalhaven Tourism Master Plan,
- b) it is outside the Charter of the Shoalhaven Tourism Board as established by Council,
- c) it is inconsistent with the practice of the Shoalhaven Tourism Board over the last several years,
- d) it would create a precedence where by all events and all community groups would be asking for funds from the Shoalhaven Tourism Board,
- e) the tourism impact of many events is exaggerated,
- f) sporting groups are not identified as a key target within the visitation profiles for the Shoalhaven and the Shoalhaven Tourism Board
- g) that the current budget within which the Shoalhaven Tourism Board currently operates is insufficient to carry out a sufficient marketing program to maintain visitation to the Shoalhaven at its current level.

1755. Budget - 2007/2008 File 1490-07

RECOMMENDED that Shoalhaven City Council note and endorse the budget results to date.

1756. Marketing Program File 1011-02

RECOMMENDED that Shoalhaven City Council note and endorse the extension to the Shoalhaven Tourism Board's Marketing Program as being implemented in conjunction with the South Coast Regional Tourism Organisation Inc and Tourism New South Wales.

1757. Local Government and Shires Association Tourism Conference File 5359-03

RECOMMENDED that

- a) Shoalhaven City Council through the Shoalhaven Tourism Board meet the cost of the Chairman, the Deputy Chairman and the Tourism Manager attending the Local Government and Shires Association Tourism Conference (12 to 14 March, 2008 at Lismore) and that these costs include travel, registration fees, accommodation and reasonable out of pocket expenses.
- b) Available Councillors be authorised to attend the Local Government and Shires Association Tourism Conference and that such attendance be deemed to be business of Council.

1758. Employment Opportunities for Trainees, Apprentices and Cadets File 8341, 36893

RECOMMENDED that Council

- a) Provide additional remuneration to trainees for high academic and workplace performances.
- b) Give consideration to increasing the financial allocation for trainees, apprentices and cadets within the organisation from \$100,000 to \$200,000 each year with a focus on engineers and planners.
- c) Receive a detailed report as part of the 2008/09 budget sessions addressing the financial allocation for trainees, apprentices and cadets increase and other means for the retention of trainees, apprentices and cadets.

1759. Ulladulla Town Centre and Harbour DCP 56 Review File 13767, 34759

RECOMMENDED that:

- a) Council request the facilitator to submit a report to the General Manager regarding the outcomes of the four workshops held by the Ulladulla DCP 56 Review Working Party;
- b) The General Manager (Strategic Planning) amend the draft Development Control Plan No.56 Amendment No.4 Ulladulla Town Centre and Harbour taking into account the outcomes from the four workshops;
- c) A meeting of the Ulladulla DCP 56 Review Working Party be scheduled as part of the formal exhibition process for the draft DCP;

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- d) Council negotiate with the Department of Lands regarding legal access to the land bounded by the Princes Highway, Wason Street and the Harbour, Ulladulla;
 - e) Council give consideration to a generous set back on, or possible acquisition of, all or part of the land owned by the Illawarra Retirement Trust situated on the corner of the Princes Highway and Church Street, Ulladulla.

1760. Progress Report on CityPlan File 1369

RECOMMENDED that the report of the General Manager concerning progress made on CityPlan be received for information.

1761. Gerringong to Bomaderry Princes Highway Upgrade - Options Study File 6852

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Gerringong to Bomaderry Princes Highway upgrade options study be received for information.

1762. Construction of the South Coast Correctional Centre - Nowra File 3A07/1006-02

RECOMMENDED that

- a) Council make a submission to the environmental assessment of the construction of the South Coast Correctional Centre, Nowra, advising that Council would not support the major and direct access of the facility on to the local road network.
- b) A copy of Councils submission be forwarded to the Member for South Coast Shelley Hancock MP and the Member for Kiama Matt Brown MP.

1763. Shoalhaven Entertainment Centre (SEC) – Restaurant/Eastern Foyer Extension
File 36870, 31716-07

This item was withdrawn and dealt with separately at the conclusion of the Policy and Planning Committee report.

1764. Workshop: Connecting Social Planning and Town Planning File 35019

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Workshop; Connecting Social Planning and Town Planning be received for information.

1765. Announcement of Department of Planning Regarding Further Reforms to Section 94 File 1057

RECOMMENDED that

- a) Council strongly object to the Department of Planning proposals contained in Circular 07-018 as they are viewed as unjustified interference in Council's ability to deliver essential infrastructure and services under the accepted principles of Section 94, are unreasonable and unnecessary for applications to regional Councils, and for failing to consult the Local Government sector and local communities on this important issue;

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- b) Council identify the impacts of changes proposed in the Department of Planning Circular 07-018 and advise the Local Government Association and the Department of Planning accordingly; and
 - c) Council qualify its funding offer toward the Princes Highway – Warra Warra Rd intersection upgrade to be contingent on a Contributions Plan satisfactory to Council being endorsed by the Minister for Planning should the changes proposed by the Department of Planning be adopted, and the RTA to be advised accordingly.

1766. Section 94 Contributions Plan Amendment No 52 - Dolphin Point - Connector and Link Road Works File 13770

RECOMMENDED that

- a) Contributions Plan Draft Amendment 52, Dolphin Point – Connector and Link Road Works, be exhibited pursuant to the requirements of the EP&A Act and Regulation;
- b) Affected landowners be notified; and
- c) A further report be prepared based on submissions received during the exhibition period.

1767. Millards Creek, Ulladulla, Urban Stream Corridor Management Plan - Results of Public Exhibition File 2879-03

RECOMMENDED that Council adopt the Millards Creek, Ulladulla, Urban Stream Corridor Management Plan as exhibited.

1768. Trading Carbon Credits – Opportunities for Council File 8596-02

RECOMMENDED that

- a) Council identify positive ways to reduce its carbon emissions and collect baseline data for carbon use; and
- b) Review the position on whether to enter the Carbon Trading Market in 12 months, based on the success of identifying reduction opportunities.

1769. Shoalhaven Memorial Hospital Parking File 2186

RECOMMENDED that Council negotiate with the Department of Health over the construction by Council of car parks at Shoalhaven Memorial Hospital as outlined in option two (2) and three (3) of the report to Council on 28th August 2007 with a view to recouping the funds at the prevailing rate of interest, from the State Government over a period of time;

Option 2. Conversion of 6 indented parallel spaces in Scenic Dr located between off-street car park and hospital entrance to 90° parking

- *indicative cost - \$80,000*

Option 3. Provision of 90° parking along Scenic Dr between off-street car park and North St

- *additional 50 spaces (Stage 1)*
- *indicative cost - \$160,000*

1770. Draft Policy - Voluntary Planning Agreements

File 34468

RECOMMENDED that

- a) The Draft Policy for Voluntary Planning Agreements (VPAs) be placed on public exhibition for a period of forty (40) days;
- b) The Draft Policy be placed on Council’s Internet site with easy links to make the comments electronically;
- c) A further report be submitted following public exhibition.

1771. Code of Meeting Practice

File 3798

RECOMMENDED that Council adopt Options (2) and (4);

Option 2. Council adopt the draft Code of Meeting Practice as exhibited with the addition that the exact wording of petitions be recorded in the minutes.

Option 4. Council adopt the draft clause regarding the incorporation of the rules of the Legislative Assembly as detailed in the report.

1772. Re-establishment of Alcohol Free Zone – Callala Beach

File 7612

RECOMMENDED that the General Manager (Finance & Corporate Services) complete the statutory process subject to compliance with the guidelines to re-establish *Callala Beach Road from its southern most intersection with Greenway Road to the High Water Mark of Jervis Bay, Callala Beach* as an alcohol free zone.

1773. Operations of Markets Policy

File 4528

RECOMMENDED that:

- a) The Operations of Market Policy be adopted as exhibited and with the following additional amendments:
 - i) Objectives of the Policy
Add an objective
 - To encourage the stall and product type to be from locally and regionally produced sources and to be of a “Make It, Bake It, Sew It, Grow It” criteria.
 - ii) Attachment C
Amend the second dot point to Frequency of Markets
“There will be a maximum of one market per month per locality, e.g. town, suburb or village. Where a second market per month is proposed in a locality the applicant shall clearly demonstrate that the market will be beneficial to the community, does not impact on financial viability of existing businesses as well as have a majority of the stalls that meet a “Make It, Bake It, Sew It, Grow It” criteria.”

iii) Attachment C

Add new dot point to Type of Products/Articles and Merchandise to be Sold

“The applicant and market operator shall demonstrate that they will have a majority of the stalls that meet a “Make It, Bake It, Sew It, Grow It” criteria.”

- b) Council advise the market operators, submitters and the Community Consultative Bodies of the decision.

1774. Anti-Social Behaviour Shoalhaven Heads & Mollymook (New Years Eve) File 2161-09

RECOMMENDED that in respect of New Years Eve Council endorse:

- a) The proposed strategies and arrangements to assist manage potential anti-social behaviours, being:
- i) Closure of Lake Conjola Entrance Tourist Park eastwards of the Park’s entrance and stationing of a security guard on this property;
 - ii) Endorsing the on-site presence of Police staff at Shoalhaven Heads Tourist Park;
 - iii) Providing additional lighting in the carparks and surrounding the Shoalhaven Heads and Mollymook Surf Clubs;
 - iv) Endorsing the establishment of Police control points at the entrance of Shoalhaven Heads and Mollymook Surf Clubs carparks;
 - v) The establishment of a Special Event Clearway for Mitchell Parade, Mollymook on New Years Eve;
 - vi) Endorsing Police and Council staff consultations with alcohol outlets, registered clubs, accommodation providers and Youth Centres.
- b) The proposed support for three community celebratory events to be held at:
- i) Ulladulla (Sunset Fireworks);
 - ii) Huskisson (Sunset Fireworks/Huskisson Business Chamber)
 - iii) Nowra (Shoalhaven Turf Club)

1775. Additional item – Legal Proceedings File 36193

This item was withdrawn and dealt with separately at the conclusion of the Policy and Planning Committee report.

1776. Additional Item – Condolences File 7879

RECOMMENDED that Council

- a) Express its sincere condolences to the Crakanthorp family for the recent loss of Chris Crakanthorp.
- b) Publically express its sympathy and recognise his significant contribution to the Community.

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) Council engage Cox Humphries Moss, and Wilde and Woollard, to undertake the concept design to a maximum amount of \$20,000;
- b) The engagement be funded from Strategic Projects Reserve;
- c) The Development Application, design and the pre tender estimate be reported to Council prior to any further work proceeding.
- d) Council further consider the matter after Expressions of Interest for catering and / or operation of a restaurant have been received.

RESOLVED on a MOTION of Clr Willmott seconded Clr Kerr that the recommendation of the Policy and Planning Committee meeting be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Rudd, Murphy, Green, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Bates, Watson

The following Councillors voted “No”;

Clr Ward

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) For a temporary period, the General Manager not delegate his powers to instigate legal proceedings to any subordinate officer of Council and refer any proposed prosecutions to Council until protocol is established.
- b) The delegation to the General Manager to issue Penalty Infringement Notices not be affected by this resolution
- c) Council form a Committee comprising of Councillors to review the existing protocols for instigating legal proceedings and recommend changes to Council if deemed necessary.

A MOTION was moved by Clr Rudd seconded Clr Bates that

- a) For a temporary period, the General Manager not delegate his powers to instigate legal proceedings to any subordinate officer of Council.

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- b) The delegation to the General Manager to issue Penalty Infringement Notices not be affected by this resolution
 - c) Council form a Committee comprising of Councillors to review the existing protocols for instigating legal proceedings and recommend changes to Council if deemed necessary.

A PROCEDURAL MOTION was moved by Clr Willmott, seconded Clr Kerr that the motion be put.

The PROCEDURAL MOTION upon being PUT to the meeting was declared CARRIED

The MOTION upon being PUT to the meeting was declared LOST on the casting vote of the Mayor.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Rudd, Murphy, Green, Kearney, Anderson, Bates

The following Councillors voted "No";

Clrs McCrudden, Kerr, Ward, Willmott, Young, Watson

RESOLVED on a MOTION of Clr Willmott, seconded Clr Young that the recommendation of the Policy and Planning Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Murphy, Green, McCrudden, Kerr, Ward, Kearney, Willmott, Young, Watson.

The following Councillors voted "No";

Clrs Rudd, Anderson, Bates

1779. Procedural Motion

RESOLVED on a MOTION of Clr Ward, seconded Clr Green that Mr Peter Cook representing Ulladulla Sporting Groups, be given permission to address the Ordinary Meeting on item 13, Page 27 Re-development of Former Ulladulla Sewage Treatment Site.

Mr Cook addressed the meeting.

WORKS AND FINANCE COMMITTEE – TUESDAY 4TH DECEMBER 2007

1780. Adoption of Report

RESOLVED on a MOTION of Clr Kerr, seconded Clr Ward, that the following recommendations of the Works and Finance Committee be adopted.

1781. Grant Funding for the Control of Noxious Weeds 2007/08

File 4044-05

RECOMMENDED that

- a) South Coast Fireweed Management Group Project and South Coast Giant Parramatta Grass Management Group Project assistance funding amounting to \$36,000 for the control of Fireweed and Giant Parramatta Grass be accepted and voted. As part of Council's coordinating role for these projects funds be distributed to other participating Councils in accordance with their applications as outlined in the report.
- b) The sum of \$20,000 from the Noxious Weeds budget be used to match the Fireweed assistance grant to Shoalhaven City Council on a dollar for dollar basis.
- c) The coordination assistance grant of \$79,500 be accepted and voted and the sum of \$79,500 from the Noxious Weeds budget be used to match this grant dollar for dollar.
- d) A letter be sent to the Minister for Primary Industries, the Hon. Ian MacDonald MLC thanking him for providing these funds.

1782. Road Sealing Contributions - Request for Reimbursement of Costs

File 1651, 6820

RECOMMENDED that:

- a) Mr Kennedy be reimbursed \$1,925 (from Road Maintenance funds Job No 25010), being 50% of the costs of sealing Jacks Corner Road, adjacent to his property and
- b) The Road Sealing Contributions Policy be amended as follows:
 - i) Change clause 3.a.vi from "the resident makes a contribution of 50% of the estimated cost...." to "the resident makes a contribution equal to or greater than 50% (but less than 100%) of the estimated cost....".
 - ii) Add new clause 3.a.ix "the resident agrees that no refund for the works is payable by Council, unless further upgrading and sealing works are undertaken within 12 months of the completion of the section of road to which the resident contributed. Additionally, for the refund to be payable, further sealing works must have been undertaken on both adjoining sides of the section to which the resident contributed. Any refund shall be limited to 50% of the resident's contribution"
 - iii) Add new clause 3.c "If a resident contributes 100% of the estimated cost of upgrading and sealing works, then the provisions of clause 3.a apply with the exception of 3.a.ii and 3.a.vi."
 - iv) Make minor amendments to reflect current Group responsibilities.

1783. Waste Performance Improvement Payments File 33500

This item was withdrawn and dealt with separately at the conclusion of the Works and Finance Committee report.

1784. Proposed Sportsground Capital Works Adjustments File 36349, 34144

RECOMMENDED that:

- a) an additional amount of \$20,000 be allocated to the Thomson Street Irrigation project from savings identified in the December quarterly review to allow completion of the project in the 2007/2008 financial year;
- b) the quotation of \$98,809 from Wellco Developments be accepted under delegated authority, only if the works are funded during the 2007/2008 financial year.

1785. Ulladulla Apex Park Upgrade Status Report File 12556-03

This item was withdrawn and dealt with separately at the conclusion of the Works and Finance Committee report.

1786. Proposed Kerb & Gutter Projects in 2008/09 at Burrill Lake File 26652, 18269, 36893

RECOMMENDED that the proposed kerb & gutter project at Wyoming Ave & Braidwood Ave, Burrill Lake be highlighted and considered for inclusion in the 2008/09 Budget in accordance with the forecast in the 2007/10 Management Plan.

1787. Extension of Public Transport Subsidy for Seniors to Shoalhaven File 2912

This item was withdrawn and dealt with separately at the conclusion of the Works and Finance Committee report.

1788. Signage Policy - Service Club Information Boards File 4102-06

RECOMMENDED that Council adopt Option 1 “the draft amendments with the addition of Lantern Clubs and Probus as eligible ‘service clubs’ for amendment to the Signage Strategy (Section 3).

1789. Disposal of Assets - Public Amenities File 30449, 9738, 35799, 30090, 26160

RECOMMENDED that the intention to demolish public amenities buildings at ‘Pillapai Ring Reserve’, Erowal Bay, ‘Ben’s Walk Reserve’ Depot Farm, West Nowra and ‘Falls Creek Picnic Area’, South Nowra be advertised for public comment.

Note: This item was reintroduced later in the meeting.

1790. Private Use of Public 'Car Parking' Spaces File 17432

This item was withdrawn and dealt with separately at the conclusion of the Works and Finance Committee report.

1791. Asset Management Plan - Footpaths / Cycleways

File 25442

RECOMMENDED that Council adopt the draft Asset Management Plan - Footpaths / Cycleways for the purpose of public exhibition to include:

- a) Community consultation be undertaken by public advertisement for a period of 28 days
- b) The draft document be placed on Council's Internet site with a link for submissions to be made electronically
- c) The draft to be forward to all Community Consultative Bodies
- d) A further report be submitted following public exhibition and the report to include recommendation on the consideration of additional funding.

1792. Port Jervis Estate, Tomerong - Informal Access to Naval College Road

File 14505

RECOMMENDED that

- a) Council authorise commencement of maintenance operation
- b) Council consider further funding of \$170,000 in 2008/09 for upgrading works of the Port Jervis Estate access road.

1793. Ulladulla and Districts Blessing of the Fleet Festival 2008 - Request for Financial Assistance

File 4771-06

This item was withdrawn and dealt with separately at the conclusion of the Works and Finance Committee report.

1794. Future Sports Field Provision in Planning Area 3 - Lot 5 DP1027705, The Wool Road

File 35260, 28705

RECOMMENDED that \$32,000 from AREC Recoupment Reserve be transferred into job number 15362 (Active Recreation Review) to fund initial boundary survey/markings & plans and preliminary investigations for provision of future sports fields for Planning Area 3 on Lot 5 DP1027705, The Wool Road, Worrowing Heights.

1795. Synthetic Hockey Fields Investigation - Request for Additional Funding

File 8814

RECOMMENDED that

- a) Council transfer \$20,000 (\$8,800 from Section 94 Project CWARE0003 and \$11,200 from Section 94 recoupment) into job number 82500 (Synthetic Hockey Fields) in 2007/08 to fund additional design investigation costs for synthetic hockey fields at Bernie Regan Sporting Complex; and
- b) Council consider the allocation of funds for the development of one synthetic field once the Development Application is determined.

1796. Park Road Netball Courts Improvements - Initial Funding Request File 14388

RECOMMENDED that \$21,000 from AREC Recoupment Reserve be transferred into job number 15362 (Active Recreation Review) to fund design costs for improvements at Park Road Netball Courts.

1797. Ulladulla Summer Games 2008 File 15659

RECOMMENDED that Council

- a) Thank the Apex Club of Milton Ulladulla for their dedication in facilitating the Ulladulla Summer Games
- b) Council transfer the previous allocation of \$8,000 for this event to General Fund Unallocated Donations.

1798. (Item 3, Page 18) Waste Performance Improvement Payments File 33500, 31669

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) The General Manager (City Services and Operations) investigate options to provide a mobile chipping service to residents of the Shoalhaven and submit a further report to Council.
- b) The \$157,934.23 be voted to General Fund Unallocated, pending a decision from Council regarding a mobile chipping service to residents of the Shoalhaven.

A MOTION was moved by Clr Bates, seconded Clr Green that

- a) The General Manager (City Services and Operations) investigate options to provide a mobile chipping service to residents of the Shoalhaven and submit a further report to Council.
- b) The \$157,934.23 be voted to General Fund for allocation to environmental enhancement, waste management and education projects etc.

The MOTION upon being PUT to the meeting was declared LOST

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Rudd, Green, Bates

The following Councillors voted "No";

Clrs Murphy, McCrudden, Kerr, Ward, Kearney, Anderson, Willmott, Young, Watson

RESOLVED on a MOTION of Clr Kearney, seconded Clr Anderson that the recommendation of the Works and Finance Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Murphy, Green, McCrudden, Kerr, Ward, Kearney, Anderson, Willmott, Young, Bates, Watson

The following Councillors voted "No";

Clr Rudd.

1799. (Item 5, Page 19) Ulladulla Apex Park Upgrade Status Report File 12556-03

Clr Ward declared a non pecuniary interest in this item being a member and Executive Officer of Apex Australia.

This item was withdrawn and dealt with separately.

RECOMMENDED that the report on Ulladulla Apex Park Upgrade Status be received for information.

RESOLVED on a MOTION of Clr Willmott seconded Clr Young that

- a) The report on Ulladulla Apex Park Upgrade Status be received for information.
- b) Council remove the two (2) recently planted Tuckeroo's from Ulladulla Apex Park and relocate them to Mollymook.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Murphy, Green, McCrudden, Kerr, Ward, Kearney, Willmott, Young, Watson.

The following Councillors voted "No";

Clrs Rudd, Anderson, Bates

1800. (Item 7, Page 19) Extension of Public Transport Subsidy for Seniors to Shoalhaven File 2912

This item was withdrawn and dealt with separately.

RECOMMENDED that Shoalhaven City Council make representations to the NSW Minister for Transport, John Watkins MP, to include the entire City of Shoalhaven in the boundaries of travel for people eligible for subsidised travel under the NSW Government's Fairer Fares scheme for Pensioner Excursion Tickets.

RESOLVED on a MOTION of Clr Ward, seconded Clr Green that Shoalhaven City Council make representations to the NSW Minister for Transport, John Watkins MP, Local State Members of Parliament to include the entire City of Shoalhaven in the boundaries of travel for people eligible for subsidised travel under the NSW Government's Fairer Fares scheme for Pensioner Excursion Tickets.

1801. (Item 10, Page 20) Private Use of Public 'Car Parking' Spaces

File 17432

Clr Young declared a non pecuniary interest in this item being a relative of an affected person.

This item was withdrawn and dealt with separately.

RECOMMENDED that Council adopt the draft Policy "Private Use of Public Car Parking Spaces" as advertised with the amendments "an annual rate of 10%" in 3.6, an annual rate of 15%" for periods over 12 months allowing in 3.6 for reducing the rate by 50% for locations and periods of low car park usage and 3.8 in relation to pavement damage.

RESOLVED on a MOTION of Clr Willmott seconded Clr Murphy that

- a) Council adopt the draft Policy "Private Use of Public Car Parking Spaces" as advertised with the amendments "an annual rate of 10%" in 3.6, an annual rate of 15%" for periods over 12 months allowing in 3.6 for reducing the rate by 50% for locations and periods of low car park usage and 3.8 in relation to pavement damage.
- b) A fee exemption be granted for an agreed construction period
- c) All associated signage costs be met by the applicant.

1802. (Item 13, Page 20) Ulladulla and Districts Blessing of the Fleet Festival 2008 - Request for Financial Assistance

File 4771-06

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) Council reaffirm its donation of \$5,000 towards the Ulladulla Blessing of the Fleet Festival for 2008
- b) The General Manager (Finance and Corporate Services) advise the Ulladulla and Districts Blessing of the Fleet Festival Committee that additional financial support can not be acceded to without financial documentation supporting their request eg proposed budget for the event.

RESOLVED on a MOTION of Clr Murphy, seconded Clr Green that

- a) Council contribute a donation of \$10,000 towards the Ulladulla Blessing of the Fleet Festival for 2008
- b) The General Manager (Finance and Corporate Services) advise the Ulladulla and Districts Blessing of the Fleet Festival Committee that additional financial support can not be acceded to without financial documentation supporting their request eg proposed budget for the event.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, Green, McCrudden, Kerr, Ward, Willmott, Young, Watson.

The following Councillors voted “No”;

Clrs Rudd, Kearney, Anderson, Bates.

DEVELOPMENT COMMITTEE – 4TH DECEMBER 2007

1803. Development Guidelines - Beach Street, Huskisson

File 37069

This item was dealt with separately.

RECOMMENDED that Council engage Noni Ruker to provide development guidelines for the 3(g) zoned area in Nowra St and Beach St, Huskisson.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Ward that the recommendation of the Development Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, Green, McCrudden, Kerr, Ward, Kearney, Willmott, Young, Watson

The following Councillors voted “No”;

Clrs Rudd, Bates.

Note: Clr Anderson, left the meeting, the time being 4.57 pm and was absent during voting on this item.

1804. Development Control Plan 48 - Culburra Beach (Amendment No 2)

File 32908

This item was dealt with separately.

RECOMMENDED that draft Development Control Plan No 48 - Culburra Beach (Amendment No 2) be publicly exhibited for a minimum 60 days and a further report be presented following exhibition.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Ward that the recommendation of the Development Committee be adopted.

Note: Clr Anderson was absent from the meeting during this item.

1805. Application to Modify Development Consent for Two Storey Dwelling - 69 The Marina, Culburra Beach - Lot 980 DP 11893. Applicant: M D Burton. File DA05/1783-02

This item was dealt with separately.

RECOMMENDED that

- a) The variations to the maximum height limit in Clause 2.2.4 and the building height plane in Clause 2.2.5 of Development Control Plan No. 48 - Culburra Beach and as contained in the application under Section 96 of the Environmental Planning and Assessment Act to modify DA05/1783 be supported in this case; and
- b) The application be determined under delegated authority.

RESOLVED on a MOTION of Clr Willmott seconded Clr Ward that the recommendation of the Development Committee be adopted.

Note: Clr Anderson was absent from the meeting during this item.

1806. Subdivision Application - (Stage B 99 Community Title Lots) Lot 11 DP 1104789, Lots 72, 73 and 74 DP 1073600, Dolphin Point Road and Princes Highway, Dolphin Point. Applicant: Rygate and West. Owner: Elderslie. File SF9957, 1344, 13770

This item was dealt with separately.

RECOMMENDED that in respect to the Subdivision Application (Stage B 99 Community Title Lots) over Lot 11 DP 1104789, Lots 72, 73 and 74 DP 1073600, Dolphin Point Road and Princes Highway, Dolphin Point that Council determine to support the concept of Small Lot Subdivision and:

- a) Investigate a number of options to enhance the design control guidelines in the Development Control Plan as agreed by the General Manager (Development and Environmental Services) and the applicant;
- b) Encompass the DCP design requirements and agreed design control guidelines into the Community Title Statement;
- c) Investigate the possible membership of the General Manager or nominee on the Community Title Design Preview panel;
- d) Amend the draft Section 94 Contributions Plan Amendment No 52 – Dolphin Point – Connector and Link Road Works (reported earlier to the Policy and Planning Committee) based on the density provided in the proposed submission to reflect the proposed lot yield;
- e) Request the Applicant to amend the draft DCP to encompass the design control guidelines as agreed by the General Manager (Development and Environmental Services) and the applicant;
- f) That consideration be given to the relocation/retention of the existing dwelling and retention of significant vegetation on site.
- g) Resolve to amend DCP No 52 Dolphin Point, with input and cost to the applicant.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Ward that in respect to the Subdivision Application (Stage B 99 Community Title Lots) over Lot 11 DP 1104789, Lots 72, 73 and 74 DP 1073600, Dolphin Point Road and Princes Highway, Dolphin Point that Council determine to support the concept of Small Lot Subdivision and subject to Council:

- a) Investigating a number of options to enhance the design control guidelines in the Development Control Plan as agreed by the General Manager (Development and Environmental Services) and the applicant;
- b) Encompassing the DCP design requirements and agreed design control guidelines into the Community Title Statement;
- c) Investigating the possible membership of the General Manager or nominee on the Community Title Design Preview panel;
- d) Amending the draft Section 94 Contributions Plan Amendment No 52 – Dolphin Point – Connector and Link Road Works (reported earlier to the Policy and Planning Committee) based on the density provided in the proposed submission to reflect the proposed lot yield;
- e) Requesting the Applicant to amend the draft DCP to encompass the design control guidelines as agreed by the General Manager (Development and Environmental Services) and the applicant;
- f) That consideration be given to the relocation/retention of the existing dwelling and retention of significant vegetation on site.
- g) Resolve to amend DCP No 52 Dolphin Point, with input and cost to the applicant.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, Green, McCrudden, Kerr, Ward, Kearney, Willmott, Young, Watson

The following Councillors voted “No”;

Clrs Rudd, Bates

Note: Clr Anderson was absent from the meeting during this item.

1807. Request for Variation of Development Control Plan 49 Berry Town Centre Amendment No 5 in respect to Development Application for Berry Hotel Extensions/Mixed Retail/ Residential Development - Lot 1 DP 578257, 120 Queen Street, Berry. File DA04/3834-02
-

This item was dealt with separately.

Clr Ward declared a non pecuniary interest in this item being a recipient of campaign funds from the applicant.

Clr Green declared a non pecuniary interest in this item being a recipient of campaign funds from the applicant.

RECOMMENDED that in regard to Request for Variation of Development Control Plan 49 Berry Town Centre Amendment No 5 in respect to Development Application for Berry Hotel Extensions/Mixed Retail/ Residential Development - Lot 1 DP 578257, 120 Queen Street, Berry Council accept the proposal agreed to by the majority of participants in the negotiation meeting which will result in the applicant being required to:

- a) Provide 23 car parking spaces for the proposed development and 4 car parking spaces for the existing development, resulting in a total of 21 car parking spaces being provided on site;
- b) Pay a contribution of 6 car parking spaces at the rate of \$9,020 (i.e. \$54,120).

RESOLVED on a MOTION of Clr Murphy, seconded Clr Young that the recommendation of the Development Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Murphy, Green, McCrudden, Kerr, Ward, Kearney, Young, Watson

The following Councillors voted "No";

Clrs Rudd, Anderson, Willmott, Bates

Note: Clr Anderson returned the time being 5.02 pm.

1808. Demolition/Building Works not in Accordance with Development Consent - Lot 18 DP 8188, 85 Quay Road, Callala Beach. File DA04/3946

This item was dealt with separately.

RECOMMENDED that:

- a) Council resolve to vary the numerical 30% limitation for modifications to external and internal walls within the draft Policy for Modifications to Existing Buildings within a Zone of Reduced Foundation Capacity in Areas affected by Coastal Hazards in respect to the section 96 application DA04/3946;
- b) The Section 96 application be determined under delegated authority;
- c) Council resolve not to commence Class 4 proceedings in respect to the unauthorised works at 85 Quay Road, Callala Beach.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Young that the recommendation of the Development Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, Green, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Watson

The following Councillors voted “No”;

Clrs Rudd, Ward, Bates.

**SHOALHAVEN WATER OPERATIONS AND STRATEGIC REVIEW COMMITTEE –
11TH DECEMBER 2007**

1809. Adoption of Report

RESOLVED on a MOTION of Clr Willmott, seconded Clr Young, that the following recommendations of the Shoalhaven Water Operations and Strategic Review Committee be adopted.

1810. Bulk Water Supply Agreement – Australian Paper Manufacturers/Manildra File 36323

RECOMMENDED that Council continue the current raw and treated water pricing arrangement with Manildra and APM until 30 June 2008.

1811. National Water Initiative - Audit Water Supply and Sewerage Performance 2006/07 File 35982

RECOMMENDED that the report of the General Manager (Shoalhaven Water) regarding National Water Initiative - Audit Water Supply and Sewerage Performance 2006/07 be received for information.

1812. Payment of Dividend from Shoalhaven Water File 32701

This item was withdrawn and dealt with separately at the conclusion of the Shoalhaven Water Operations and Strategic Review Committee report.

1813. Best Practice Management of Water Supply and Sewerage Guidelines File 28864-03

RECOMMENDED that Council adopt the Best Practice Management of Water Supply and Sewerage Guidelines August 2007.

1814. Pensioner - Arrears and Interest File 24486

RECOMMENDED that Council will permit eligible pensioners an interest free period of 365 days from the date of levy to pay their current water availability, sewer availability and usage charges upon separating water and sewer availability charges from Council’s Rates Notice from 1st July 2008.

1815. Kangaroo Valley Sewerage Scheme - Environmental Impact Statement File 1375-05

RECOMMENDED that the General Manager (Shoalhaven Water) submit a further report to the Shoalhaven Water Operations and Strategic Review Committee regarding the implications of adding future growth areas to the Environmental Impact Statement for the Kangaroo Valley Sewerage Scheme.

1816. Conjola Sewerage Scheme - Wastewater Availability Charges File 1370-13

RECOMMENDED that rates and charges levied on properties within the Conjola scheme in 2007/2008 be provided with an interest free period of 12 months on application to pay their instalments.

1817. (Item 3, Page 24) Payment of Dividend from Shoalhaven Water File 32701

This item was withdrawn and dealt with separately.

RECOMMENDED that Council determines that “substantial compliance” of the criteria in the Best Practice Management Guidelines has been achieved and a dividend will be paid from the Water and Wastewater Funds to the General Fund for the 2006/2007 budget year.

RESOLVED on a MOTION of Clr Murphy, seconded Clr Young that the recommendation of the Shoalhaven Water Operations and Strategic Review Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Rudd, Murphy, Green, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Bates, Watson

The following Councillors voted “No”;

Clr Ward.

**CROWN RESERVE, COMMUNITY AND COMMERCIAL OPERATIONS COMMITTEE
– TUESDAY 11TH DECEMBER 2007**

1818. Adoption of Report

RESOLVED on a MOTION of Clr Willmott, seconded Clr Bates, that the following recommendations of the Crown Reserve, Community and Commercial Operations Committee be adopted.

1819. Request to Apply Alcohol Prohibited Zones Citywide File 23062

This item was withdrawn and dealt with separately at the conclusion of the Crown Reserve, Community and Commercial Operations Committee report.

1820. Southern Rivers Catchment Management Authority - Bush Incentives Management Plan - Mt Coolangatta File 28894

RECOMMENDED that Council:

- a) Enter into a Bush Incentives Management Plan with the Southern Rivers Catchment Management Authority to accept grant funding up to \$100,000 under the Authority's Bush Incentives Bid Program for lantana clearing works at Mt Coolangatta;
- b) Accept the offer of Berry Landcare Group to auspice the project using the resources of a local Buschare Group;
- c) Write to the Hon Verity Firth MP, Acting Minister for Environment and Climate Change, thanking them for the grant offer.

1821. Berry Showground Power Supply File 4422

RECOMMENDED that:

- a) The Berry Show Society be requested to investigate ways of alleviating power shortages for future shows pending investigations into the upgrade of the transformer;
- b) Council approach Integral Energy to ascertain the cost of the installation of a Padmount substation to supply the existing base load and provide capacity for the annual show;
- c) The General Manager (City Services and Operations) submit a further report to the Crown Reserve, Community and Commercial Operations Committee on the Berry Showground Power Supply.

1822. Port Kembla Port Corporation - Sponsorship and Donation Program File 35860

RECOMMENDED that:

- a) Council accept the \$5,000 Sponsorship and Donations funding offered by the Port Kembla Port Corporation and allocate that funding in accordance with the Corporation's Sponsorship Policy and Donations Policy and Guidelines in conjunction with Council's Community Grant Funding Program;
- b) Council write to the Port Kembla Port Corporation thanking it for its generosity and notifying it of the manner in which Council proposes to manage the funding.

1823. Toyota Talent Search Program File 3161-02

RECOMMENDED that Council endorse the Expressions of Interest and consider the waiving of fees for this event should it be accepted.

RECOMMENDED that the General Manager, (City Services & Operations)

- a) Write to the Management Committees who have submitted their audited financial statements thanking them for their ongoing commitment to the management and maintenance of Council’s facilities;
- b) Write to the Management Committees who have yet to submit their audited financial statements to request urgent submission and alerting them that this matter is under consideration by Council.

RECOMMENDED that:

- a) The secularity of the Shoalhaven Lawn Cemetery & Memorial Gardens at Worrigea be re-affirmed.
- b) Ten (10) burial plots, each 1200mm x 2400mm be surveyed adjacent to last Muslim burial in Sandridge Cemetery and that the graves be designated for the use of the Muslim community.
- c) Ten (10) burial plots, each 1200mm x 2400mm be surveyed adjacent to last Muslim burial in the West Cambewarra Cemetery and that the graves be designated for the use of the Muslim community.
- d) Council’s usual fees for burial will apply for each Muslim grave provided:
 - i) The Right of Burial fee, currently \$1,410
 - ii) The First Interment Fee, currently \$735
- e) A fee of \$500 be set to recover the cost extra excavation and materials required to create the chamber in the grave .
- f) In accordance with Section 610F of the Local government Act 1993, the proposed new Fee and Charge be advertised for a period of twenty-eight (28) days and should no community objection be received, the Fee and Charge be implemented immediately thereafter.

RECOMMENDED that the report of the General Manager (City Services & Operations) concerning the Aquatics Business Plan be received for information.

RECOMMENDED that the report of the General Manager (City Services & Operations) concerning the Community Facilities Business Plan be received for information.

1828. YWCA NSW Junior Lifeguard Program - Bay & Basin Leisure Centre File 26763-08

RECOMMENDED that the report of the General Manager (City Services & Operations) concerning the YWCA NSW Junior Lifeguard Program - Bay & Basin Leisure Centre be received for information.

1829. Sussex Inlet Pool – Facility Closure File 20696-4

RECOMMENDED that the report of the General Manager (City Services & Operations) concerning the Sussex Inlet Pool – Facility Closure be received for information.

1830. Gas Supply to Council Facilities and Sites File 36927

RECOMMENDED that

- a) Council accept the tender of Kleenheat Pty Ltd for the supply of LPG to Shoalhaven City Council facilities and sites for a period of three (3) years with a further two (2) year option at Council's discretion, commencing on a suitable date in 2008 acceptable to Council and Kleenheat;
- b) Council sign a Deed to the contract in respect of the items above under ordinary seal.

1831. Re-Development of Former Ulladulla Sewage Treatment Site File 1783-04 & 35345

This item was withdrawn and dealt with separately at the conclusion of the Crown Reserve, Community and Commercial Operations Committee report.

1832. (Item 1, Page 25) Request to Apply Alcohol Prohibited Zones Citywide File 23062

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) Council declare all reserves citywide as alcohol prohibited zones between 9pm – 8am in Daylight Savings periods and 8pm – 8am in non Daylight Savings periods.
- b) Information stickers be placed on existing signs in the Icon, District and Foreshore Parks prior to Christmas 2007.
- c) Remainder of parks signs be upgraded in 2008/09.
- d) The funds be allocated from redirection of funds identified in the December Quarterly Review to modify existing signage.

A MOTION was moved by Clr Willmott, seconded Clr Ward that

- a) Council declare all reserves citywide as alcohol prohibited zones between 10pm – 8am in Daylight Savings periods and 9pm – 8am in non Daylight Savings periods.
- b) Information stickers be placed on existing signs in the Icon, District and Foreshore Parks prior to Christmas 2007.
- c) Remainder of parks signs be upgraded in 2008/09.

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- d) The funds be allocated from redirection of funds identified in the December Quarterly Review to modify existing signage.
 - e) A Review of the alcohol prohibited zones on all reserves be reviewed in 12 months.

An AMENDMENT was moved by Clr Kearney, seconded Clr Anderson that

- a) Council declare all reserves citywide as alcohol prohibited zones between 9pm – 8am in Daylight Savings periods and 8pm – 8am in non Daylight Savings periods.
- b) Information stickers be placed on existing signs in the Icon, District and Foreshore Parks prior to Christmas 2007.
- c) Remainder of parks signs be upgraded in 2008/09.
- d) The funds be allocated from redirection of funds identified in the December Quarterly Review to modify existing signage.
- e) A Review of the alcohol prohibited zones on all reserves be reviewed in 12 months.

A PROCEDURAL MOTION was moved by Clr Anderson, seconded Clr Green that the motion be put.

The PROCEDURAL MOTION upon being PUT to the meeting was declared CARRIED on the casting vote of the Mayor.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, Green, Kerr, Kearney, Anderson, Watson

The following Councillors voted “No”;

Clrs Rudd, McCrudden, Ward, Willmott, Young, Bates.

The AMENDMENT upon being PUT to the meeting was declared CARRIED on the casting vote of the Mayor.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, Green, Kerr, Kearney, Anderson, Watson

The following Councillors voted “No”;

Clrs Rudd, McCrudden, Ward, Willmott, Young, Bates.

The AMENDMENT upon becoming the MOTION was PUT to the meeting and declared CARRIED

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, Green, Kerr, Kearney, Anderson, Bates, Watson

The following Councillors voted “No”;

Clrs Rudd, McCrudden, Ward, Willmott, Young.

Note: during debate on this item Clr Willmott was ruled out of order and asked to resume his seat in the presence of the upstanding Mayor. Clr Willmott resumed his seat.

Note: a rescission motion was submitted in respect of this item.

1833. Procedural Motion

A MOTION was moved by Clr Ward, seconded Clr Young that Clr Anderson be expelled from the meeting for showing disrespect to the Councillors

The Mayor advised the meeting that the chairperson had not ruled Clr Anderson out of order and therefore the motion before the chair is not legal.

1834. (Item 13, page 27) Re-Development of Former Ulladulla Sewage Treatment Site

File 1783-04, 35345, 37070

Mr Peter Cook on behalf of Ulladulla Sporting Groups addressed the meeting.

This item was withdrawn and dealt with separately.

RECOMMENDED that in regard to the Re-Development of Former Ulladulla Sewage Treatment Site that Council:

- a) Proceed to develop future football fields on the southern area of the former Ulladulla Sewage Treatment Site (Lot 1 DP631894);
- b) Reconvene a meeting with relevant agencies to seek the necessary path to gain approval to extend the sporting complex at West Ulladulla in a north westerly direction;
- c) Proceed to rezone the parcel currently zoned 5(a) Special Uses (Sewerage Treatment Works) at Ulladulla (Lot 1 DP631894) to allow the development of community business facilities for either sporting fields, agribusiness – aquaculture, education and research and ancillary community business activities;
- d) Maintain the classification of the said parcel as “Operational Land” under the Local Govt Act 1993;
- e) Schedule a Councillor Briefing to cover the following points:

-
- Possible acquisition of land at Frogs Hollow for sporting fields
 - Investigation of the Tabourie Lake Sewerage Treatment Plant as alternative site for the aquaculture project
 - Irrigation at Frogs Hollow with reclaimed water
 - The AFL field to go on the cricket field located to the south or alternative site/s
 - Elaboration on the Business Plan for the aquaculture project – salaries and where funds will go
 - Information on the Model Aquaculture project in Victoria that runs on a profit
 - Decontamination of the west Ulladulla site
 - Cost implications to Council of both proposals
 - A possible address from a representative from the Wollongong University

RESOLVED on a MOTION of Clr Anderson, seconded Clr Willmott that in regard to the Re-Development of Former Ulladulla Sewage Treatment Site that Council:

- a) Submit a Development Application for the development of Stage 3 of the West Ulladulla Sporting Complex for future football fields on the southern area of the former Ulladulla Sewage Treatment Site (Lot 1 DP631894);
- b) Reconvene a meeting with relevant agencies to seek the necessary path to gain approval to extend the sporting complex at West Ulladulla in a north westerly direction;
- c) Proceed to rezone the parcel currently zoned 5(a) Special Uses (Sewerage Treatment Works) at Ulladulla (Lot 1 DP631894) to allow the development of community business facilities for either sporting fields, agribusiness – aquaculture, education and research and ancillary community business activities;
- d) Maintain the classification of the said parcel as “Operational Land” under the Local Govt Act 1993;
- e) Schedule a Councillor Briefing to cover the following points:
 - Possible acquisition of land at Frogs Hollow for sporting fields
 - Investigation of the Tabourie Lake Sewerage Treatment Plant as alternative site for the aquaculture project
 - Irrigation at Ulladulla Sports Park and Lighthouse Oval
 - The AFL field to go on the cricket field located to the south or alternative site/s
 - Elaboration on the Business Plan for the aquaculture project – salaries and where funds will go
 - Information on the Model Aquaculture project in Victoria that runs on a profit
 - Decontamination of the west Ulladulla site
 - Cost implications to Council of both proposals
 - A possible address from a representative from the Wollongong University

RURAL FIRE SERVICE STRATEGIC PLANNING COMMITTEE – 29TH NOVEMBER, 2007

1835. Adoption of Report

RESOLVED on a MOTION of Clr Ward, seconded Clr Kearney, that the following recommendations of the Rural Fire Service Strategic Planning Committee be adopted.

1836. Integrated Management Centre (IEMC) Masterplan File 3434

RECOMMENDED that Council be requested to include a submission in the 2008/09 Management Plan, a budget sufficient to allow preparation of a Masterplan for guiding future development at the IEMC facility.

1837. Cambewarra Satellite Fire Rural Fire Station Update File 7159

RECOMMENDED that a revised grant application under the Regional Partnerships Program be made by the Rural Fire Service in consultation with Council staff for a new Cambewarra Satellite Fire Station.

1838. Mundamia Rural Fire Service Station Site File 36004

RECOMMENDED that the Rural Fire Service apply funding to the amount of \$293,000 for the Mundamia Fire Station.

1839. Locking System Update File 36062

RECOMMENDED that additional quotes be sought for the master keying system and brought back to the next Rural Fire Service Strategic Planning Committee for consideration.

1840. Additional Item - NSW Fire Brigades Boundary Review Information File 5609-02

RECOMMENDED that Shoalhaven City Council contact the NSW Fire Brigade and/or the relevant Minister to push for required resources to enter the Mutual Aid Areas through the boundary review process into FIRECAD.

SHOALHAVEN SPORTS BOARD – 3RD DECEMBER 2007

1841. Adoption of Report

RESOLVED on a MOTION of Clr Kearney, seconded Clr Ward, that the following recommendations of the Shoalhaven Sports Board be adopted.

1842. Amendment to Voluntary User Contributions Policy File 5270

RECOMMENDED that Council adopt the amendments to the Voluntary User Contributions Policy as attached.

RECOMMENDED that

- a) Council adopt the strategic directions as outlined in part 2 of the draft Sporting Facilities Strategic Plan 2007-2036 for comment by other bodies/organisations, but excluding the time frames for provision of facilities.
- b) The complete draft Sporting Facilities Strategic Plan 2007-2036 be disseminated to all relevant sporting associations in the Shoalhaven for comment.
- c) The relevant Planning Areas of the draft Sporting Facilities Strategic Plan 2007-2036 be disseminated to the following groups for comment:
 - i) Community Consultative Bodies
 - ii) Sports ground Management Committees
 - iii) Sporting Clubs, not represented by an Association
 - iv) The Schools be requested to provide usage figures of the sports facilities in addition to general comments on the Strategic Plan
- d) A further report be prepared for Shoalhaven Sports Board endorsement and formal adoption, subject to assessment of comments received.

COUNCIL PROPERTY STEERING COMMITTEE – 6TH DECEMBER 2007

1844. Adoption of Report

RESOLVED on a MOTION of Clr Anderson, seconded Clr Kerr, that the following recommendations of the Council Property Steering Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Rudd, Murphy, Green, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Bates, Watson

The following Councillors voted “No”;

Clr Ward.

1845. Land Transfer Agreement - Lot 180 DP 536100 Plantation Point Parade, Vincentia File 24017-02

RECOMMENDED that Council varies part d) of Minute 437 for the land described as Lot 180 in Deposited Plan 535100 to be classified as “community land” and public notice be given in accordance with Section 34 of the Local Government Act 1993.

1846. Expressions of Interest for Public Carparking at South St and Boree St, Ulladulla
File 30259, 31095

RECOMMENDED that the matter of Expressions of Interest for Public Carparking at South St and Boree St, Ulladulla be deferred pending preparation of draft DCP No 56 Ulladulla Town Centre and a further report be presented to the Council Property Steering Committee at this time.

1847. Council Property - "Graham Lodge" Pleasant Way, Nowra
File 33976

RECOMMENDED that Council call for Expression of Interest for the lease of Council property known as, "Graham Lodge" Pleasant Way, Nowra, on the basis that Council restore the building's interior.

1848. Sale of Land for Overdue Rates & Charges Section 713 LGA)
File 34531

RECOMMENDED that Council proceed to sell by public auction, the properties nominated within the report for overdue rates and charges pursuant to Section 713 of the Local Government Act, 1993.

1849. Vegetation Growth and Maintenance Costs Report - Ex Armco site – off Rockhill Road, North Nowra
File 12579, 4840

This item was withdrawn and dealt with separately at the conclusion of the Council Property Steering Committee report.

1850. Vegetation Growth and Maintenance Costs Report - Ex Mottrams Farm – Stronegarth Road, Mundamia
File 12579, 8220, 37073

RECOMMENDED that in regard to Council property known as the Ex Mottrams Farm – Stronegarth Road, Mundamia that:

- a) Council note that this property was acquired jointly by Shoalhaven City Council and the Lands Department and vested in the Crown with Council to be Trustee;
- b) The General Manager investigate the long term use of the property as a boat launching area, picnic area and potential Holiday Haven Development;
- c) Council investigate how to establish Council's interest in the Title of the property.

1851. Vegetation Growth and Maintenance Costs Report - Depot Farm – Depot Road, West Nowra
File 12579, 10176

This item was withdrawn and dealt with separately at the conclusion of the Council Property Steering Committee report.

1852. Offer to Purchase - Lot 37 Birriga Avenue, Worroving Heights
File 01105.439

RECOMMENDED that the property transaction offer from the owners of Lot 37 DP 8771 Birriga Avenue, Worroving Heights, be not accepted for the reasons outlined in the report of the General Manager (Assistant General Manager).

1853. (Item 5, Page 31) Vegetation Growth and Maintenance Costs Report - Ex Armco site – off Rockhill Road, North Nowra File 12579, 4840, 37072

This item was withdrawn and dealt with separately.

RECOMMENDED that in regard to Council property known as the Ex Armco Site, off Rockhill Road, Nowra Council:

- a) Reclassify the land to “operational” in accordance with the original intentions at acquisition;
- b) Investigate the establishment of a Holiday Haven Tourist Park that would incorporate a Restaurant/Lodge on the upper portion of the site and a series of cabins;
- c) Undertake maintenance work to return the site to its original condition.

A MOTION was moved by Clr Bates that the report on the Vegetation Growth Maintenance Costs Report – Ex Armco site, off Rockhill Road, Nowra Nowra be received for information.

The motion lapsed for want of a seconder.

RESOLVED on a MOTION of Clr Anderson, seconded Clr Kearney that the recommendation of the Council Property Steering Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Watson.

The following Councillors voted “No”;

Clrs Rudd, Green, Ward, Bates.

1854. (Item 7, Page 32) Vegetation Growth and Maintenance Costs Report - Depot Farm – Depot Road, West Nowra File 12579, 10176

This item was withdrawn and dealt with separately.

RECOMMENDED that in regard to Council property known as the Depot Farm – Depot Road, West Nowra that:

- a) Council reclassify the land to “operational” for the purpose of bio-bank trading;
- b) Council maximise the maintenance areas in terms of the existing vegetation.

A MOTION was moved by Clr Bates that the report on the Vegetation Growth Maintenance Costs Report – Depot Road, West Nowra be received for information.

The motion lapsed for want of a seconder.

RESOLVED on a MOTION of Clr Anderson, seconded Clr Kearney that the recommendation of the Council Property Steering Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Watson.

The following Councillors voted “No”;

Clrs Rudd, Green, Ward, Bates.

1855. Procedural Item

RESOLVED on a MOTION of Clr Willmott, seconded Clr Ward that Item 9, Page 19 ‘Disposal of Assets – Public Amenities’ of the Works and Finance Committee report be reintroduced.

The Mayor ruled this as a matter of urgency.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Green, McCrudden, Ward, Willmott, Young, Watson

The following Councillors voted “No”;

Clrs Rudd, Murphy, Kerr, Kearney, Anderson, Bates

Note: this motion was carried on the casting vote of the Mayor.

1856. (Item 9, Page 19) Disposal of Assets - Public Amenities File 30449, 9738, 35799, 30090, 26160

This item was re-introduced, and supersedes MIN07.1789

RECOMMENDED that the intention to demolish public amenities buildings at ‘Pillapai Ring Reserve’, Erowal Bay, ‘Ben’s Walk Reserve’ Depot Farm, West Nowra and ‘Falls Creek Picnic Area’, South Nowra be advertised for public comment.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Green that the disposal of assets, public amenity buildings at ‘Pillapai Ring Reserve’, Erowal Bay, ‘Ben’s Walk Reserve’ Depot Farm, West Nowra and ‘Falls Creek Picnic Area’, South Nowra be referred to a Councillor Briefing.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Murphy, Green, McCrudden, Ward, Willmott, Young, Watson

The following Councillors voted "No";

Clrs Rudd, Kerr, Kearney, Anderson, Bates.

SHOALHAVEN TRAFFIC COMMITTEE – 11TH DECEMBER 2007

1857. Adoption of Report

RESOLVED on a MOTION of Clr Kerr, seconded Clr Kearney, that the following recommendations of the Shoalhaven Traffic Committee be adopted.

1858. Confirmation of Minutes

File 33868

RECOMMENDED that the minutes of the meeting of the Shoalhaven Traffic Committee held on Tuesday 13th November 2007 with the following amendment to item 4 Intersection Priority – Intersection of Tourist Road & Kangaroo Valley Road, Bellawongarah (PN 1554), File 33868:

RECOMMENDED that: -

- a) *The General Manager (Director Strategic Planning) not support the request for reversing of priority at the junction, and instead be requested to arrange for: -*
 - i) *The Installation of "Side Road junction" ahead advance warning signs (W2-4B) at appropriate locations (80 - 120m) on Kangaroo Valley Rd, on both approaches to the Junction of Tourist Rd;*
 - ii) *the installation of Double Barrier (BB) Centre "Linemarking" and raised reflective pavement markers (RRPMs) for a distance of 50 m on all 3 legs of the junction;*
 - iii) *Vegetation maintenance on the south western corner of the junction to improve sight distance.*
- b) *The applicant be advised accordingly.*

1859. Intersection Upgrading - Beach Road/Gerroa Road (PN 1640)

File 1664

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to arrange for the installation of C1 (Continuity Linemarking) linking the existing Edge linemarking (E1) on the both sides of Gerroa Road at the intersection of Beach Road, Berry.

1860. Traffic Signals - Intersection of Berry Street / North Street / Bridge Road, Nowra (PN 1818)

File 2014, 1707-02

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to liaise with the RTA with a view to arranging for the installation of : -

- a) *Right Lane must turn Right Regulatory signage for south bound motorists in Bridge Road at an appropriate location on the approach to the intersection of North Street, Berry Street and Bridge Road Nowra.*

- b) Pavement Arrows (UA4L - left turn and through marking) in Bridge Road for south bound motorists in Bridge Road on the approach to the intersection of North Street, Berry Street and Bridge Road, Nowra.
- c) Additional Pavement Arrows (UA3R – right turn marking) in Bridge Road for west bound motorists (right turning traffic) on the approach to the intersection of North Street, Berry Street and Bridge Road Nowra.
- d) Pavement Arrows (UA1 - Traffic in Lane must proceed straight ahead) for east bound motorists in North Street, on the approach to the intersection of North Street, Berry Street and Bridge Road Nowra.

1861. B-Double Route Extension - Flinders Industrial Estate, South Nowra (PN 1894) File 5525

RECOMMENDED that the Director City Services Group be advised that the Shoalhaven Traffic Committee has no objection to the proposal to extend the current 25 metre B-Double route at Flinders Industrial Estate, South Nowra by inclusion of that section of Cumberland Avenue to the driveway exit of Borg Manufacturing Pty Ltd and Trim Street and that the Director City Services Group be requested to take appropriate action to formalise this addition to the current 25 metre B-Double route permissions.

25 metre B-Double route in Flinders Industrial Estate to now comprise:-

Existing 25 metre B Double Routes: -

Norfolk Avenue - from Flinders Road to Tom Thumb Avenue

Cumberland Avenue - from Flinders Road to Tom Thumb Avenue

Tom Thumb Avenue - from Norfolk Avenue to Cumberland Avenue

Investigator Street - from Cumberland Avenue to Norfolk Avenue

Sextant Street - from Cumberland Avenue to the driveway exit of Kleenheat Gas Pty Ltd

Proposed Additional 25 metre B Double Routes: -

Cumberland Avenue - from Tom Thumb Avenue to driveway exit of Borg Manufacturing Pty Ltd

Trim Street - from Norfolk Avenue to Cumberland Avenue.

1862. Road Safety - Junction of Morton Street with Currambene Street, Huskisson (PN 2112) File 2944

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to reduce the extent of “No Stopping” zone on the western side of Currambene Street, Huskisson (south of Morton Street) by 18 metres from the southern most point, to the north, in accordance with TRAF2007/22.

1863. Traffic Facilities - Nowra Infants School, Osborne Street, Nowra (PN 2250) File 18377

RECOMMENDED that the General Manager (Director Strategic Planning) be advised that the Shoalhaven Traffic Committee has no objection to the proposed traffic facility and associated regulatory signage (as shown in plan #4593-01) to be installed in Osborne Street, Nowra adjacent to the Nowra Public Infants School in conjunction with the Safety Around Schools Program, subject to consultation with the school and those residents directly affected, and report the outcome of the consultation process to a future meeting of Shoalhaven Traffic Committee.

1864. No Stopping Zone - Illaroo Road, North Nowra (PN 2289) File 2932

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to:

- a) Extend the current No stopping zone located on the northern side of Illaroo Road east of the traffic signals at Crest Avenue by a distance of approximately 10m further to the east, incorporating the driveway access of 97 Illaroo Road, North Nowra.
- b) Advise the applicant accordingly.

1865. Regulatory Signage - Car Park, St Vincent Street, Ulladulla (PN 2295) File 2947

RECOMMENDED that: -

- a) The General Manager (Director Strategic Planning) be advised that the Shoalhaven Traffic Committee has no objection to the proposed regulatory signage to be installed in conjunction with the proposed construction of a 58 space car park at 94 & 96 St Vincent Street, Ulladulla as shown on plan #4698-02.
- b) The General Manager (Director Strategic Planning) be requested to also include the addition of a new "No Stopping" sign (R5-35 (LR)) between the proposed driveways, as a new disabled parking sign (R5-10 (no arrows)) to compliment the proposed disabled pavement parking.

1866. Road Safety at Intersection after re-surfacing - Jindy Andy Lane - Greenwell Point Road, Pyree (PN 2298) File 6330

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to arrange for the following installations at the junction of Jindy Andy Lane and Greenwell Point Road, Pyree: -

- a) "Give Way (R1-2) sign and associated Hold Linemarking (TB) for South bound vehicles in Jindy Andy Lane;
- b) C1 Continuity Linemarking linking the existing Edge Linemarking (E1) on the Northern side of Greenwell Point Road, to enhance delineation for through traffic on Greenwell Point Road.

1867. Safety Around Schools Program - Shoalhaven Heads Public School (PN 2300) File 18379

RECOMMENDED that the General Manager (Director Strategic Planning) be advised that the Shoalhaven Traffic Committee has no objection to the proposed traffic facility and associated regulatory "No Stopping" signage (as shown in Plan #4668-01) to be installed on the southern side of Davenport Road, adjacent to the rear access of the Shoalhaven Heads School in conjunction with the Safety Around Schools Program, subject to consultation with the school and those residents directly affected, and report the outcome of the consultation process to a future meeting of Shoalhaven Traffic Committee.

1868. Safety Around Schools Program - St Michael's Primary School, Osborne St, Nowra (PN 2301) File 18389

RECOMMENDED that the General Manager (Director Strategic Planning) be advised that the Shoalhaven Traffic Committee has no objection to the proposed traffic facility and associated regulatory signage (as shown in plan #4593-03) to be installed in Osborne Street, Nowra adjacent to St Michael's Primary School in conjunction with the Safety Around Schools Program, subject to consultation with the school and those residents directly affected, and report the outcome of the consultation process to a future meeting of Shoalhaven Traffic Committee.

INFORMATION REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE – 11TH DECEMBER 2007

1869. Adoption of Report

RESOLVED on a MOTION of Clr Kerr, seconded Clr Kearney, that the following recommendations of the Information Report of the Shoalhaven Traffic Committee be adopted.

CITY SERVICES AND OPERATIONS

1870. Nowra Gas Works Remediation File 36172-02, 7708-05

RESOLVED on a MOTION of Clr Anderson, seconded Clr Willmott that:

- a) The report regarding Nowra Gas Works Remediation be received for information;
- b) Council vote an additional \$2,310,133 for the continuing work at the Nowra Gas Works site, to be sourced from Strategic Projects Reserve, to allow continued rehabilitation of the site particularly under the Retort Building and Gasometer;
- c) Council endorse the grant application for \$1,000,000 to the DECC, and
- d) A further report on Environmental Trust grant application be provided to Council.

STRATEGIC PLANNING

1871. Mollymook Beach LATM - Ocean St Parking File 29245-03

RESOLVED on a MOTION of Clr Willmott, seconded Clr Green that Council remove the "No Stopping" zones on south side of Ocean St to provide three (3) to four (4) additional two (2) hour car parking spaces for a six month operational trial, and acknowledge that the configuration does not meet the Australian Standard.

RESOLVED on a MOTION of Clr Willmott seconded Clr Ward that:

- a) The Council of the City of Shoalhaven lease to the property owner Lot 4 DP1071010 for a term of 28 days at a rental of \$1 which lease may be terminated by either party at any time during its term by giving 28 day written notice.
- b) The General Manager be authorised to execute the necessary documentation on behalf of the Council of the City of Shoalhaven.

SHOALHAVEN WATER

Clr Kerr left the meeting the time being 6.08 pm.

A MOTION was moved by Clr Young seconded Clr Green that Council:

- a) Accept the tender submitted by McNamee Constructions Pty Ltd in the amount of \$5,380,235.78 (inc. GST) for Contract No. 602585 for the upgrade of three pumping stations in Burrill Lake.
- b) Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.

A PROCEDURAL MOTION was moved by Clr Willmott seconded Clr Green to defer consideration of Item 1, Page 45 ‘Tender – Burrill Lake Pumping Station Upgrade’ to the confidential session in accordance with Section 10(A)(2)(d)(i) commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

Clr Young withdrew her motion.

The PROCEDURAL MOTION upon being PUT to the meeting was declared CARRIED

Note: Clr Kerr was absent from the meeting during this item, returned to the meeting, the time being 6.10 pm.

Note: This item was considered in confidential session – refer MIN07.1884

FINANCE AND CORPORATE SERVICES

RESOLVED on a MOTION of Clr Ward, seconded Clr Green that the report of the General Manager (Finance and Corporate Services) regarding Local Government Election Cost be received for information.

Clr Willmott left the meeting, the time being 6.11 pm.

RESOLVED on a MOTION of Clr Murphy, seconded Clr Green that Council extend the term of the existing contract with RSPCA to manage and operate the West Nowra Animal Shelter for an additional two (2) years.

Note: Clr Willmott was absent from the meeting during this item.

RESOLVED on a MOTION of Clr Ward, seconded Clr Green that

a) Council authorise any two of the following persons:

Russell Desmond PIGG – General Manager
Peter James DUN – Director Finance & Corporate Services
Leigh William WALLACE – Corporate Operations Support Manager
Gregory John ROBERTS – Executive Support Manager
Emma Louise BROOMFIELD – Legal Services Manager
Neil Bradley STEWART – Budget Accountant
Nancy Joan MARRIOTT – Financial Accountant
Michelle Denise MCPHERSON – Assistant Budget Accountant
Craig John Mitchell HOLLIER – Accounting Officer
Vanessa Jane PHELAN – Management Accountant

to:-

- i. operate on any account(s) now opened or to be opened by the Shoalhaven City Council with banks so long as the account(s) shall be in credit or at the bank's discretion notwithstanding that they shall become thereby or be already overdrawn;
 - ii. sign, draw, make, accept and negotiate in the name of Shoalhaven City Council cheques, bills of exchange, promissory notes and any other negotiate instruments and to obtain from the banks on behalf of the Shoalhaven City Council discounts and advances for such amounts and upon such times and conditions and pledge or deposit with the Banks such security for the repayment thereof as he/she shall think fit;
 - iii. deposit monies in the name of Shoalhaven City Council on fixed deposits for any term and to receive any interest due thereon and for these purposes to sign all necessary forms and documents and on repayment to endorse the fixed deposit receipt or receipts and give effectual discharges for the proceeds;
 - iv. demand, receive and give valid receipts for any securities, boxes, scrip bonds, debentures, and other property which the banks may, at any time, receive or hold for safe custody or security 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.

Note: Clr Willmott was absent from the meeting during this item.

RESOLVED on a MOTION of Clr Ward, seconded Clr Kerr that the Report of the General Manager (Finance & Corporate Services Group) on the Statement of Record of Investments for the period of 30th November 2007 be received for information.

Note: Clr Willmott was absent from the meeting during this item.

CITY SERVICES AND OPERATIONS / STRATEGIC PLANNING

RESOLVED on a MOTION of Clr Ward, seconded Clr Kearney that:

- a) Council redirect \$130,000 to supplement the Voyager Park Amenities project budget, to be sourced from Job Numbers 82474, Northern Indoor Sports Centre;
- b) Council enter into a contract with Assist Building & Maintenance Pty Ltd for Construction of the Amenities Building & Coastal Patrol Facility at Voyager Park, Huskisson;
- c) The contract be implemented under the Seal of Council.

Note: Clr Willmott was absent from the meeting during this item.

RESOLVED on a MOTION of Clr Ward, seconded Clr Green that the matters of

- Proposed Prosecution
- Proposed Minor Amendment to Section 94 Contributions Plan 1993

be introduced as matters of urgency.

The Chairperson ruled them as matters of urgency and allowed their introduction.

GENERAL MANAGER

RESOLVED on a MOTION of Clr Anderson seconded Clr Kerr that Council authorise the General Manager to take prosecution action in relation to this matter.

Note: Clr Willmott was absent from the meeting during this item.

Clr Willmott returned to the meeting, the time being 6.14 pm.

STRATEGIC PLANNING

1881. Proposed Minor Amendment to Section 94 Contributions Plan 1993 File 1057, 34684-03, LS2

RESOLVED on a MOTION of Clr Kearney seconded Clr Kerr that, in relation to the proposed Draft Amendment to clause 1.5 of Council's 1993 Section 94 Contributions Plan, as described in this report:

- a) The Draft Amendment be exhibited in accordance with the *Environmental Planning & Assessment Regulations 2000*;
- b) Community consultation be undertaken by public advertisement for a period of 29 days;
- c) The Draft Amendment be placed on Council's internet site with easy links to make comments electronically; and
- d) A further report be submitted following public exhibition.

LEGAL DOCUMENTS

DEVELOPMENT AND ENVIRONMENTAL SERVICES

1882. Request for Release of Section 88B Restriction as to User - Lot 821 DP 1076338, Cambewarra Road, Bomaderry. File SF9432

RESOLVED on a MOTION of Clr Ward, seconded Clr Kearney that the request to modify the Section 88B Instrument for the Release of the Restriction as to User, the subject of this report over Lot 821 DP1076338, Cambewarra Road, Bomaderry be executed under the seal of Council.

CONFIDENTIAL REPORT OF THE GENERAL MANAGER

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

| Item | Reason |
|---|---|
| Sussex Inlet Cinema Lease | Section 10A(2)(a) – the matter is a personnel matter concerning a particular individual |
| Tender - Burrill Lake Pumping Station Upgrade | Section 10(A)(2)(d)(i) Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. |

Pursuant to section 10A(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.

A MOTION was moved by Clr Ward, seconded by Clr Kerr, that the Ordinary Meeting exclude the press and public from the Meeting pursuant to section 10A(2)(a) of the Local Government Act, 1993 as it was to consider an item of a confidential nature.

The meeting moved into confidential the time being 6.16 pm.

The meeting moved into open session, the time being 6.32 pm.

Clr Watson left the meeting, the time being 6.32 pm and Clr Green took the position of chairperson.

COUNCIL PROPERTY STEERING COMMITTEE – 6TH DECEMBER 2007

1883. Sussex Inlet Cinema Lease File 2668

The following resolution of the Ordinary Meeting, whilst closed to the public, was read to the meeting by the Minute Secretary.

RESOLVED that the recommendation on the Sussex Inlet Cinema Lease remain confidential in accordance with Section 10(A)(2)(d)(i) Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

SHOALHAVEN WATER

1884. (Item 1, Page 45) Tender - Burrill Lake Pumping Station Upgrade File 35754

The following resolution of the Ordinary Meeting, whilst closed to the public, was read to the meeting by the Minutes Secretary.

RESOLVED that Council:

- a) Accept the tender submitted by McNamee Constructions Pty Ltd in the amount of \$5,380,235.78 (inc. GST) for Contract No. 602585 for the upgrade of three pumping stations in Burrill Lake.
- b) Authorise the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.

NOTICE OF MOTION

1885. Lake Wollumboola - RAMSAR Status File 2558-02

Clr Watson returned to the meeting the time being 6.41 and did not resume position of chairperson at this stage of the meeting.

RESOLVED on a MOTION of Clr Ward seconded Clr Kerr that

-
- a) Council assist the National Parks and Wildlife service in their responsibilities under the Ramsar convention to ensure effective community consultation in respect of the proposal by the Department of Environment and Climate change to consider proposing Lake Wollumboola as a Ramsar wetland
 - b) That a survey of Culburra Beach be instigated by the General Manager on the issue of a RAMSAR listing for Lake Wollumboola.
 - c) That the results of the survey be reported to Council and forwarded to the NSW State Government as well as the Federal Minister for the Environment and Local Members of Parliament.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Murphy, Green, McCrudden, Kerr, Ward, Kearney, Anderson, Willmott, Young, Watson

The following Councillors voted "No";

Clrs Rudd, Bates.

During debate on this item Clr Bates was ruled out of order and requested to withdraw comments made against residents of Culburra. Clr Bates withdrew his comments.

Clr Watson resumed the position of Chairperson

1886. (MIN07.1832) Rescission Motion - Request to Apply Alcohol Prohibited Zones Citywide

File 23062

The Chairperson, Mayor Watson advised that a rescission motion had been submitted in respect of Request to apply Alcohol Prohibited Zones citywide signed by Clr Ward, Clr Willmott and Clr Young.

1887. Additional Item – Seasons Greetings

Mayor Watson, on behalf of all Councillors thanked the staff, Group Directors and General Manager for their efforts throughout 2007 and wished all Council staff a Merry Christmas and happy New Year.

There being no further business, the meeting concluded, the time being 7.12 pm.

Clr Watson
CHAIRPERSON