
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 20TH NOVEMBER 2007 COMMENCING AT 3.47 PM

The following members were present;

Clr G Watson – Chairman
Clr J Finkernagel
Clr R Rudd
Clr J McCrudden
Clr J Kerr
Clr G Ward
Clr G Kearney
Clr J Anderson
Clr J Willmott
Clr J Young

The meeting was opened in Prayer by Pastor Peter Pilt, followed by the playing of the Australian National Anthem.

1622. Apologies

An apology was received from Clr Murphy and Clr Bates.

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

1623. Confirmation of the Minutes of the Ordinary Meeting of Council held on 30th October 2007

RESOLVED on a MOTION of Clr Ward, seconded Clr Kerr that the Minutes of the Ordinary Meeting of Council held on Tuesday 30th October 2007 be confirmed.

MAYORAL MINUTE - TUESDAY, 20 NOVEMBER, 2007

1624. NSW State Government Library Funding - Proposed Day of Action File 7290-03

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

- a) Council support the campaign “*Libraries: Too Valuable To Lose*”;
- b) Council approve the placement of a petition in all Shoalhaven Libraries for library users to sign in relation to the low level of State Government funding for public libraries;
- c) Council endorse the provision of information flyers and media releases to raise awareness about the funding campaign.

REPORT OF THE GENERAL MANAGER

POLICY AND PLANNING COMMITTEE – 6TH NOVEMBER 2007

1625. Adoption of Report

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

1626. Building Roads Better

File 34899

This item was withdrawn and dealt with separately at the conclusion of consideration of the Policy and Planning Committee report.

1627. World Youth Day 2008 “Journey of the Cross” Visit to Shoalhaven

File 2161-09

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding World Youth Day 2008 “Journey of the Cross” Visit to Shoalhaven be received for information.

1628. Draft Burrill Lake Interim Entrance Management Policy

File 3423-03

RECOMMENDED that

- a) Council endorse the Draft Burrill Lake Interim Entrance Management Policy be placed on public exhibition for a period of 56 days;
- b) The draft document be placed on Council’s Internet Site with easy links to make comments electronically;
- c) Forward multiple copies to members of the Far South Shoalhaven Natural Resource and Floodplain Management Committee, local retail outlets and to individual or all Consultative Bodies as appropriate; and
- d) A further report be submitted following public consultation.

1629. Recent Changes to Planning Legislation

File 16635-02, 3167-06

RECOMMENDED that the report of the General Manager (Strategic Planning Group) concerning Recent Changes to Planning Legislation be received for information.

1630. Use of Council's Waterways Infrastructure (Wharves & Jetties) by Commercial Users File 27563

RECOMMENDED that

- a) The draft policy for use of Council’s Waterways Infrastructure (Wharves and Jetties) be advertised for public comment.
- b) The draft document be placed on Council’s Internet Site with easy links to make comments electronically;

-
- c) Forward to Community Consultative Bodies as appropriate.
 - d) A further report be submitted following public consultation.

1631. Annual Conference - Floodplain Management Authorities of NSW File 3328-07

RECOMMENDED that

- a) Arrangements be made for available Councillors and relevant staff to attend the 48th Floodplain Management Authorities NSW Annual Conference in Wollongong from 26th to 29 February 2008, and that such attendance be deemed to be business of Council; and
- b) Councillors bring to the notice of both Federal and State Members of Parliament the importance of continued funding for Flood Mitigation and Floodplain Management.
- c) The delegates for the Annual Conference - Floodplain Management Authorities of NSW be Clr Anderson, Clr McCrudden and Clr Rudd as alternate delegate.

1632. Section 94 Draft Amendment 77.1.2 - Nowra CBD Traffic Facilities and ENSA - Recommendations for Adoption File 34683

RECOMMENDED that the matter be deferred pending a Councillor Briefing on Section 94 Draft Amendment 77.1.2 – Nowra CBD Traffic Facilities and ENSA.

1633. Quarterly Report - Planning Work Program (Environmental Planning & Assessment Act Projects) File 28283

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

1634. 1st Quarterly Operating Report - Management Plan 2007 - 2010 File 35373-02

RECOMMENDED that the report of the General Manager regarding the 1st Quarterly Operating Report (1st July 2007 to 30th September 2007) of the Management Plan 2007-2010 be received for information.

1635. Quarterly Budget Review as at 30th September 2007 File 2127

RECOMMENDED that the September Quarterly Budget Review and vote movements outlined in the report and document be adopted by Council.

1636. Supplementary State of the Environment Report 2006/2007 File 30842

RECOMMENDED that the report regarding the supplementary State of the Environment Report 2006/2007 be received for information.

1637. Quarterly Progress Report - Key Performance Indicators for Development Activity File 1442

RECOMMENDED that the report of the General Manager (Development and Environmental Services) regarding Quarterly Progress Report - Key Performance Indicators for Development Activity be received for information.

RECOMMENDED that Council:

- a) Grant leave of absence to Councillor Paul Green for a period of four weeks commencing 12th November 2007.
- b) The normal annual councillor fee (determined monthly) be paid to Councillor Green during this period of absence.

This item was withdrawn and dealt with separately.

RECOMMENDED that in regard to the report of the General Manager (City Services and Operations) concerning Building Better Roads, the matter be deferred pending a Councillor Briefing.

RESOLVED on a MOTION of Clr Anderson seconded Clr Kearney that Council appoint a Building Roads Better Working Group, consisting of Clrs Watson, Willmott, Anderson and Kerr to further consider options for the scope of works and more detailed financial analysis before referral to a further Councillor briefing.

Clr Watson declared his pecuniary interest in the matter being an owner of potentially affected land in the deferred 1 (c) zoned land under discussion and left the room and did not take part in discussion or vote on the matter.

Clr Anderson took the position of chairperson

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) The quarterly report of the General Manager (Strategic Planning) in relation to the Strategic Planning Group Work Program be received for information and the work program adopted;
- b) That the issue of the deferred 1(c) zones be included as a priority in this Planning Work Program (Environmental Planning & Assessment Act Projects) for the next 12 months and be part of the LEP 2009 Review.

A MOTION was moved by Clr Ward seconded Clr Young that

- a) The quarterly report of the General Manager (Strategic Planning) in relation to the Strategic Planning Group Work Program be received for information and the work program adopted;
- b) That the 1(c) zones identified in the Jervis Bay Settlement Strategy be referred to the Department of Planning for inclusion in the Statewide LEP Review.

-
- c) The remaining 1(c) zones be reported to Council.

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 Ward

The following Councillors voted "No";

Clrs Finkernagel, Rudd, McCrudden, Kerr, Kearney, Anderson, Willmott, Young

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

WORKS AND FINANCE COMMITTEE – 6TH NOVEMBER 2007

1641. Adoption of Report

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

1642. Centenary of Rugby League Celebrations File 3161-02

RECOMMENDED that the report of the General Manager (City Services & Operations) on the Centenary of Rugby League Celebrations be received for information.

1643. Success of the Southern Rivers Regional Lantana Strategy (SRRLS) File 32465-02

RECOMMENDED that the report of the General Manager (City Services & Operations) regarding the success of the Southern Rivers Regional Lantana Strategy (SRRLS) project be received for information.

1644. Grant Offer - Extension of Coral Tree Removal Project at Berry File 36025

RECOMMENDED that:

- a) Council accept and administer the ENVIROFUND grant of \$44,259 for the Berry Landcare Project involving Coral Tree Removal and Riparian Restoration on Broughton Mill and Bundewallah Creeks at Berry.
- b) The funds be voted upon receipt.
- c) Council write to Kate Gowland, Director, Australian Government ENVIROFUND, thanking her for the generous granting of additional project funding.

1645. Policy Update - Control and Eradication of Noxious Weeds File 31165

RECOMMENDED that the proposed changes to Council's Policy for the Control and Eradication of Noxious Weeds to reflect changes to the Noxious Weeds Act and Pesticides Act be adopted.

1646. Changes to Membership Structure of the Noxious Weeds Advisory Committee File 6735

RECOMMENDED that the report concerning the restructure of membership of the Noxious Weeds Advisory Committee be received for information.

1647. Mick Ryan Park Landscape Project - Stage 1 File 7912, 35113

RECOMMENDED that Council transfer \$10,000 from the contribution plan identified as 050REC009 Passive Open Space to Job No 66509 / 17783.

1648. Lease of Shop 37A Kinghorne Street, Nowra to Nowra Real Estate Pty Ltd File 9255-02

RECOMMENDED that

- a) The Council of the City of Shoalhaven leases to Nowra Real Estate Pty Ltd Shop 37A Kinghorne Street, Nowra for a term of three years with an option for a further three years at current market rental as assessed by Walsh & Monaghan, registered valuers;
- b) The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

1649. Beach Road, Berry - Section 94 Contribution Project 01ROAD0133 File 7175

RECOMMENDED that Council vote and authorise for expenditure in 2007/08 from Section 94 Reserves, the current balance of 01ROAD0133 of approximately \$112,550, for road pavement repairs and strengthening in Beach Road, Berry.

1650. Erowal Bay Drainage Works File 13528, 35040, 13477, 16262

RECOMMENDED that the interim report detailing progress of design of drainage and road improvements at Erowal Bay be received for information.

1651. Asset Management Plan - Parks & Reserves File 31367

RECOMMENDED that Council adopt the draft Asset Management Plan – Parks and Reserves as exhibited subject to an additional item being included in the AMP to recognize the input of the Park Care groups in the maintenance of local parks.

1652. Private Use of Public Carpark South Street Carpark, Ulladulla - Pier 32 Development. Applicant: J Puglisi File DA06/2236 & 17432

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

1653. Audit of Fire Services, Emergency Exit and other Equipment within Council Buildings
File 35527, 35528, 36851

RECOMMENDED that

- a) The report of the General Manager (Strategic Planning) regarding the audit of fire services, emergency exit and other equipment within Council Buildings be received for information.
- b) Council endorse the centralization of the management of all mandatory inspection and testing for fire services, emergency exit and other equipment within Council buildings.
- c) Council consider the provision of funding to bring all facilities up to standard with regard to fire services, emergency exit and other equipment in future budgets reviews and the 2008/09 Capital Works Program.

1654. Request to Waive Sewage Management Facility Renewal Fee File DR1999/3969

RECOMMENDED that Council vary its practice of requiring fees to be paid in full and allow the applicant "time to pay" the Sewage Management Facility Renewal Fee on the basis of personal hardship.

1655. (Item 11, Page 15) Private Use of Public Carpark South Street Carpark, Ulladulla - Pier 32 Development. Applicant: J Puglisi File DA06/2236 & 17432

Clr Young declared a pecuniary interest in this matter being a relative of the applicant and left the room and did not take part in discussion or vote on the matter.

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) Council grant approval to the request from Wideform Constructions Pty Ltd to occupy 17 spaces of the Ulladulla South Street Carpark as requested subject to appropriate conditions in relation to reinstatement of the carpark; and
- b) For the first eleven (11) months the fee be 50% of the fee provided in the draft Policy, i.e. annual rate \$16,282.23 (\$19,155.56 (s.94 parking rate for Ulladulla)*10%*17 spaces*50%) providing a weekly fee of \$313.12 and that any occupation extending beyond mid December 2008 be charged in accordance with the provisions of the draft Policy (or the finally adopted Policy by Council).

RESOLVED on a MOTION of Clr Willmot, 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 subject to a review of Council’s Private Use of Public Parking Policy.

DEVELOPMENT COMMITTEE – 6TH NOVEMBER 2007

1656. Adoption of Report

RESOLVED on a MOTION of Clr Ward, seconded Clr Kearney, that the following recommendations of the Development Committee be adopted.

1657. Draft Shoalhaven Planning Policy No. 5 Dual Occupancy Development Subdivision Policy Amendment No. 1 File 34829-02

RECOMMENDED that Council amend the exhibited draft Amendment No 1 to SPP5 to exclude the area of Hay Avenue (Shoalhaven Heads) and the flood liable areas of Greenwell Point as designated on attachment 'A'.

1658. Work (Construction) Zone - Owen St Huskisson File 17432, DA94/1404

This item was withdrawn and dealt with separately at the conclusion of consideration of the Development Committee report.

1659. Proposed Dwelling with Attached Garage - Lot 103 DP 1034706, 7 The Terrace, Cambewarra Village. Applicant: R & H McGee File DA07/1834

This item was withdrawn and dealt with separately at the conclusion of consideration of the Development Committee report.

1660. Development Application - Mixed Use Residential Flat Building Development - Lots 1 and 2 DP 10561, Nos. 1 and 1A Beach Street, Huskisson. Applicant - Kann Finch Group File DA07/1650

This item was withdrawn and dealt with separately at the conclusion of consideration of the Development Committee report.

1661. Shoalhaven City Wide Development Control Plan Review File 33571

RECOMMENDED that Council pursue Option 3 outlined in this report and commence a comprehensive review of all effective and Draft Development Control Plans and relevant planning focused policies to ensure compliance with the LEP Standard Template, consistency of format and structure and correction of anomalies.

1662. (Item 2, Page 17) Work (Construction) Zone - Owen St Huskisson File 17432, DA94/1404

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) Council approve the extension of the 'Work Zone' for DA94/1404 (Mr Cerulli) from 27 April 2005 to 30 June 2008 be applied.
- b) Council adopt a reduced charge of \$242 for the period 14 September 2007 to 14 December 2007 (on the basis that it is consistent with Council's draft policy, that the charge is applicable only from date of notification of charge to applicant and the work zone now

effectively impacts on one public car parking space) and a further proportional charge for the period to 30 June 2008.

- c) Council staff be requested to negotiate with the applicant regarding public access to the car parking spaces over the Christmas period.

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

- a) Council approve the extension of the 'Work Zone' for DA94/1404 (Mr Cerulli) from 27 April 2005 to 30 June 2008 be applied.
- b) Council adopt a reduced charge of \$242 for the period 14 September 2007 to 14 December 2007 (on the basis that it is consistent with Council's draft policy, that the charge is applicable only from date of notification of charge to applicant and the work zone now effectively impacts on one public car parking space) and a further proportional charge for the period to 30 June 2008.
- c) Council staff be requested to negotiate with the applicant regarding public access to the car parking space over the Christmas period.
- d) The General Manager be authorised to use his discretion in waiving the charge for use of public car parking spaces in Huskisson referred to in b) subject to the applicant demonstrating correspondence received from Council that indicates they have use of the 'work zone' without charge to the end of the project.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted "No";

Clr Rudd

1663. (Item 3, Page 17) Proposed Dwelling with Attached Garage - Lot 103 DP 1034706, 7 The Terrace, Cambewarra Village. Applicant: R & H McGee File DA07/1834

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) The applicant be advised that Council supports the request to site the proposed dwelling at 5.0m from the front boundary;
- b) The development application be determined under delegated authority.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Rudd that

- a) Council not support the request to site the proposed dwelling with attached garage at Lot 103 DP1034706, 7 The Terrace, Cambewarra Village at 5.0 metres from the front boundary.

-
- b) The Development Application be modified to provide not less than a six (6) metre setback from the front boundary to the dwelling.
 - c) The Development Application be determined under delegated authority.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Finkernagel, Rudd, Kerr, Ward, Anderson, Willmott

The following Councillors voted “No”;

Clrs McCrudden, Kearney, Young, Watson.

1664. (Item 4, Page 17) Development Application - Mixed Use Residential Flat Building Development - Lots 1 and 2 DP 10561, Nos. 1 and 1A Beach Street, Huskisson. Applicant - Kann Finch Group
File DA07/1650, 19616

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) Council accept the amended proposal for Development Application - Mixed Use Residential Flat Building Development - Lots 1 and 2 DP 10561, Nos. 1 and 1A Beach Street, Huskisson as submitted by the applicant;
- b) As there is a reduction in the bulk and scale in the amended proposal and it remains substantially the same development, Council deems the application does not require readvertising.

RECOMMENDED that any determination in relation to Development Application – Mixed Use Residential Flat Building Development - Lots 1 and 2 DP 10561, Nos. 1 and 1A Beach Street, Huskisson shall not be interpreted as a policy direction for other SEPP 65 applications.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Anderson that the two (2) recommendations of the Development Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clr Rudd.

**SHOALHAVEN WATER OPERATIONS AND STRATEGIC REVIEW COMMITTEE –
13TH NOVEMBER 2007**

1665. Adoption of Report

RESOLVED on a MOTION of Cllr Ward, seconded Cllr Kearney, that the following recommendations of the Shoalhaven Water Operations and Strategic Review Committee be adopted.

1666. New South Wales Water Supply and Sewerage Performance Comparisons File 28864

RECOMMENDED that the report of the General Manager (Shoalhaven Water) regarding New South Wales water supply and sewerage performance comparisons be received for information.

1667. Shoalhaven Water Reclamation Schemes - 2006/2007 Annual Report File 13887

RECOMMENDED that Council adopt the Shoalhaven Water Reclamation Annual Report 2006/07.

1668. Manildra – Wastewater Treatment File 1398-04

RECOMMENDED that Council cooperate with Manildra with a view to achieve a joint waste water disposal option to serve Manildra and Council's requirements in the future.

1669. Drought Management Plan File 1533, 4844

RECOMMENDED that the report of the General Manager (Shoalhaven Water) regarding the Drought Management Plan be received for information.

1670. Review of Structural and Regulatory Arrangements – Water and Sewerage Services in Regional New South Wales File 28864-03, 36919

RECOMMENDED that Council

- a) Respond to the Minister's request for comments on the draft terms of reference as per the LGA Conference principles.
- b) Provide supporting information on the Shoalhaven Water model during the review period.

RECOMMENDED that

- a) Council establish a Working Party to consider the future economic reforms of Shoalhaven Water.
- b) The Working Party comprise of:
 - i) General Manager
 - ii) Director Shoalhaven Water
 - iii) Assistant General Manager
 - iv) Councillors Watson, Anderson, Kerr, Kearney, Willmott and Ward.

1671. Extension of Water Supply to Lot 3 DP 775296 Bayly Road, Tomerong
File DA04/3790SW, 36918

RECOMMENDED that Council authorise the extension of the Water Supply to Lot 3 DP 775296 Bayly Road, Tomerong at the applicants expense and that relevant Section 64 charges apply.

**CROWN RESERVE, COMMUNITY AND COMMERCIAL OPERATIONS COMMITTEE
– 13TH NOVEMBER 2007**

1672. Adoption of Report

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

1673. Draft Events Policy - POL06/171
File 21764

RECOMMENDED that:

- a) The Draft Events Policy be released on public exhibition for a period of 28 days, with a further 14 day period for submissions.
- b) The draft document be placed on Council's internet site with easy links to enable the comments to be made electronically.
- c) A copy of the draft be forwarded to individuals or all Community Consultative Bodies as appropriate.
- d) A further report will be submitted at the conclusion of the public exhibition period, reviewing all comments and submissions prior to adoption by Council.

1674. Moss Vale Road, Kangaroo Valley
File 7761

RECOMMENDED that the General Manager (City Services and Operations) write to Kangaroo Valley Community Groups seeking their views on reallocating the \$10,000 identified for rehabilitation works in Kangaroo Valley as a result of the tree felling activities along Moss Vale Road towards a cycleway project within the Valley.

1675. Ulladulla Leisure Centre - Acceptance of Water Grant
File 36379

RECOMMENDED that

- a) Council accept the grant for \$30,000 (GST inc) made available from the Department of Environment & Water Resources under its Federal Community Water Grants Program.
- b) The funds be voted to the Shoalhaven Aquatics Capital Works Projects Budget for rainwater harvesting purposes (Job No 81801).
- c) The Federal Minister for the Environment & Water Resources, the Hon Malcolm Turnbull, MP, and the Federal Minister for Agriculture, Fisheries and Forestry, the Hon Peter McGauran, MP, be thanked for their generous offer.

1676. Royal Life Saving Society of Australia - Active Family Fun Day 2007 File 1754-09, 24581-03

RECOMMENDED that:

- a) Council support the program of activities for Water Safety Awareness Week, to be jointly promoted by the Royal Life Saving Society of Australia and Shoalhaven Aquatics.
- b) Approve free entry to Bomaderry Aquatic Centre between the hours of 12noon and 2pm on 2 December, 2007, for participation in the Active Family Fun Day supported by the Royal Life Saving Society of Australia.

1677. Nowra Olympic Pool - Clubhouse Licence Agreement File 4410-12, 30050-02, 15044-04

RECOMMENDED that the report of the General Manger (City Services and Operations) regarding the Nowra Olympic Pool Clubhouse licence agreement be received for information.

1678. Asset Management Plan - Walking Tracks File 31367

RECOMMENDED that Council adopts the draft Asset Management Plan – Walking Tracks.

1679. Nowra Showground Plan of Management - Results of Public Exhibition File 32149-02, 3220-06

RECOMMENDED that:

- a) Council adopt (under the Local Government Act) the Nowra Showground Plan of Management, subject to the following amendments:
 - (i) include an action to hold discussions with the Nowra Show Society and other Showground users over ways in which the fig tree roots can be protected from vehicles whilst allowing for showtime activities in the area (issue 1)
 - (ii) delete the potential site for the Poultry Pavilion in Precinct 1 adjacent to the Worrigea Street entrance (issue 5)
 - (iii) accurately reflect the tenure of the land between Worrigea and Plunkett Streets, if necessary based on advice received from the Department of Lands (issue 6)
 - (iv) more clearly and more fully describe the role and contribution of the Nowra Show Society (issue 7)
 - (v) propose the creation of a dog off leash area north of the Worrigea Street entrance, with the stockyard area to be designated a dog on leash area (issue 9)
 - (vi) include an action to hold discussions with the Nowra Show Society to designate a sand stockpile area for the Show Society that is not under the drip line of trees (issue 11)
 - (vii) to change the captions on photos in Precinct 7 (issue 16),
- b) Council request the Minister for Lands, The Hon Anthony Kelly MLC, to adopt the Nowra Showground Plan of Management under the Crown Lands Act, subject to the amendments listed in part a) above,
- c) Council, when preparing the next ten year capital improvements program, consider inclusion of high priority Nowra Showground projects (as outlined in the report to the 17

July 2007 meeting of the Crown Reserves, Community and Commercial Operations Committee), and

- d) Council endorse the advertising of the proposal to designate the area north of Worrige Street at the Nowra Showground as a 24 hour dog off-leash area, subject to there being no major events, as a proposed amendment to the Access Areas for Dogs Policy.

1680. Crookhaven Headland File 1840-02

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

1681. Management of Crown Land Reserves 2006/2007 File 3595

RECOMMENDED that the report of the General Manager (City Services & Operations and Finance & Corporate Services) regarding the Management of Crown Land Reserves 2006/2007 be received for information.

1682. Additional Item – Lake Wollumboola

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

1683. Additional Item – Comberton Grange

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

1684. (Item 8, Page 22) Crookhaven Headland File 1840-02

This item was withdrawn and dealt with separately.

RECOMMENDED that the General Manager (Strategic Planning);

- a) Prepare a report to the Crown Reserves, Community and Commercial Operations Committee on a strategy for the upgrade and maintenance of Crookhaven Headland.
- b) Write to the Minister for Lands and State Members seeking funding for the restoration of the Crookhaven Lighthouse.

RESOLVED on a MOTION of Cllr Kerr, seconded Cllr Ward that the General Manager (Strategic Planning);

- a) Prepare a report to the Crown Reserves, Community and Commercial Operations Committee on a strategy for the upgrade and maintenance of Crookhaven Headland.
- b) Write to the Minister for Lands and State Members seeking funding for the restoration of the Crookhaven Lighthouse and include photographs of the area when it was in operation.

This item was withdrawn and dealt with separately

RECOMMENDED that Council write to the Minister expressing concern over;

- a) The lack of consultation with the RAMSAR nomination of Lake Wollumboola.
- b) The restriction on development that a RAMSAR wet lands treaty would impose.

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

- a) Council strongly object to Lake Wollumboola being made a RAMSAR Site
- b) Council write to the Federal and State Ministers expressing concern over;
 - i) The lack of consultation with the nomination of Lake Wollumboola as a RAMSAR Convention site.
 - ii) The restriction on development that a RAMSAR wet lands treaty would impose.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd

This item was withdrawn and dealt with separately

RECOMMENDED that

- a) The General Manager investigate the possible listing of Comberton Grange by the National Trust or Heritage Office as a heritage site.
- b) If a listing is present, Council lodge a strenuous objection.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd

YOUTH ADVISORY COMMITTEE – 29TH OCTOBER 2007

1687. Adoption of Report

RESOLVED on a MOTION of Clr Ward, seconded Clr Anderson, that the following recommendations of the Youth Advisory Committee be adopted.

1688. SK8 Day Event at Sanctuary Point File 10210-02, 1506-04

RECOMMENDED that Council

- a) Support the annual SK8 Day Event for the Shoalhaven to be held at Francis Ryan Oval, Sanctuary Point during the Christmas holiday period 2007/2008
- b) Provide public liability insurance, occupational health and safety risk assessment and the waiver of the fees for the park and event management for 2007/2008.

1689. Youth Specific Beautiful Soul Mental Health/Suicide Prevention Workshop File 32242

RECOMMENDED that Council write to Bomaderry Rotaract, Nowra Youth Centre, Merryn Corbyn, Kieren Corbyn, Cameron Curle, Alex Intihar and Zac Newton thanking them for their support of the Youth Specific Mental Health Workshop and their positive contributions.

1690. Membership - Youth Advisory Committee File 1506-04

RECOMMENDED that the General Manager (Finance and Corporate Services) write to Mr Alexander Blom & Miss Jarqui Fetchet

- a) Thanking them for their interest in the Youth Advisory Committee and advising that their membership has been declined due to their inability to attend three past meetings.
- b) Encouraging them to reapply when they have greater availability to attend meetings.

CONFIDENTIAL SENIOR STAFF CONTRACTUAL MATTERS COMMITTEE – 1ST NOVEMBER 2007

1691. Adoption of Report

RESOLVED on a MOTION of Clr Anderson, seconded Clr Ward, that the following recommendation of the Confidential Senior Staff Contractual Matters Committee be adopted.

1692. Position of Threatened Species Officer - Redundancy File 16153

RECOMMENDED that the position of Threatened Species Officer be retained and continue to be closely supervised and that a report be submitted to the Confidential Senior Staff Contractual Matters Committee on a six-monthly basis.

SHOALHAVEN ACCESS ADVISORY COMMITTEE – 1ST NOVEMBER, 2007

1693. Adoption of Report

RESOLVED on a MOTION of Clr Ward, seconded Clr Young, that the following recommendations of the Shoalhaven Access Advisory Committee be adopted.

1694. Mobi Mat File 28441

This item was withdrawn and dealt with separately at the conclusion of consideration of the Shoalhaven Access Advisory Committee report.

1695. Wheelchair Accessible Carparking Space - Wason Street, Ulladulla File 3624

RECOMMENDED that:

- a) Subject to Traffic Committee approval, Council approve the provision of a wheelchair accessible car parking space on the southern side of Wason Street, Ulladulla, adjacent to the existing taxi zone.
- b) Construction works be funded from the 2007/08 Capital Works budget, 'Minor Works - Access Committee'.

1696. Public Amenities - North Nowra Shopping Centre File 35910

This item was withdrawn and dealt with separately at the conclusion of consideration of the Shoalhaven Access Advisory Committee report.

1697. (Item 1, Page 25) Mobi Mat File 28441

This item was withdrawn and dealt with separately

RECOMMENDED that the General Manager (City Services and Operations) investigate the following locations for trial of the remaining Mobi Mats:

- 1. Callala Beach Central
- 2. Shoalhaven Heads – near the clubhouse
- 3. Palm Beach, Sanctuary Point

RESOLVED on a MOTION of Clr Young, seconded Clr Ward that the recommendation of the Shoalhaven Access Advisory Committee be adopted.

This item was withdrawn and dealt with separately.

RECOMMENDED that Council consider the provision of public amenities in North Nowra as a high priority in the 2008/9 Asset Management Plan – Public Amenities.

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

- a) Council consider the provision of public amenities in North Nowra as a high priority in the 2008/9 Asset Management Plan – Public Amenities.
- b) The General Manager investigate the conditions of consent in the two (2) Development Applications for the North Nowra Shopping Centre requiring the provision of public amenities.

INDUSTRIAL DEVELOPMENT AND EMPLOYMENT COMMITTEE – MONDAY 5TH NOVEMBER 2007

RESOLVED on a MOTION of Clr Anderson, seconded Clr Young, that the following recommendations of the Industrial Development and Employment Committee be adopted.

RECOMMENDED that Council adopt the following format for future Industrial Development and Employment Committee meetings:

- Minutes & matters arising
- Reports
- Sub-committee reports
- Presentations
 - Any special report
 - Shoalhaven economic report by a relevant agency
- General Business

RECOMMENDED that Council give consideration to purchasing land in order to create a land bank for industrial development and to meet future employment needs.

RECOMMENDED that

- a) The report of the General Manager (Finance and Corporate Services) regarding *blueprint Shoalhaven* update be received for information.

-
- b) Council invite and appoint the Executive Officer for *blueprint Shoalhaven*, Rhonda McGuire as a member of Industrial Development and Employment Committee.

1703. SEATS - August 2007

File 3678-12

RECOMMENDED that

- a) Council submit a strenuous complaint to the Roads and Traffic Authority over the speed zone reductions to 80 km/h on the Princes Highway from Omega Hill north of Gerringong to Fox Ground.
- b) The General Manager (City Services and Operations) urgently undertake an inspection of the most recently completed section of Main Road 92 with a view to asking Roads and Traffic Authority to make a claim on the contract before the contract warranty expires.
- c) The General Manager make representations through the Local Members (Federal and State) requesting a commitment to fund the early construction of the F6 extension.

1704. Development Application Monitoring

File 31474

RECOMMENDED that

- a) The report of the General Manager (Finance and Corporate Services) regarding the Development Application Monitoring be received for information.
- b) Future Development Application monitoring reports include a timeline of the process with comparisons to state averages.

1705. Additional item - South Coast Correctional Facility

File 32511-04

This item was withdrawn and dealt with separately at the conclusion of consideration of the Industrial Development and Employment Committee report.

1706. (Item 6, Page 27) Additional item - South Coast Correctional Facility

File 32511-04

This item was withdrawn and dealt with separately.

RECOMMENDED that Council consider and investigate further the option of a privately run Correctional Facility in the Shoalhaven.

RESOLVED on a MOTION of Clr Anderson seconded Clr Kerr that Council make representations through Local State Members requesting the State Government give consideration to the South Coast Correctional Facility being a privately run facility.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted “No”;

Clrs Finkernagel, Rudd, Ward.

TOURISM DEVELOPMENT COMMITTEE – 8TH NOVEMBER 2007

1707. Adoption of Report

RESOLVED on a MOTION of Clr Ward, seconded Clr Young, that the following recommendations of the Tourism Development Committee be adopted.

1708. Budget File 1080-02, 2221-02, 34638

RECOMMENDED that General Manager (Tourism Manager):

- a) Source information in regard to Whale Watching signs;
- b) Investigate, through the Defence Department, the availability of decommissioned Leopard Tanks and other military “hardware”;
- c) Correspond with Community Groups in regard to projects that can be attained through Works in Kind.

1709. Signage for Tourism Accommodation File 4050-04

RECOMMENDED that:

- a) Council change the size for fingerboard signs in rural areas where speed limits are greater than 60 klm per hour to 160/120 mm uppercase/lowercase on blades of 200 mm;
- b) Any new signs or replacement signs be at the cost of the requesting tourism operator at the existing cost of \$440.00 for five years.

1710. Sussex Inlet and Districts Community Forum - Request for Signage File 2221-02, 4102-06

RECOMMENDED that the General Manager (Finance and Corporate Services) contact businesses within the Sussex Inlet area to determine the level of interest in funding and maintaining a large pictorial sign at the highway intersection to Sussex Inlet.

1711. Additional Item - Appreciation to Council File 2778

RECOMMENDED that the General Manager (Finance and Corporate Services) write a letter of appreciation to Council staff involved in the construction of the new electric BBQs at Cudmirrah.

COUNCIL PROPERTY STEERING COMMITTEE – 12TH NOVEMBER 2007

1712. Adoption of Report

Clr Finkernagel left the meeting, the time being 5.50 pm.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Ward, 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, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Watson

The following Councillors voted “No”;

Clr Ward

1713. Council Land at 85-87 South St, Ulladulla and Boree St, Ulladulla File 30259, 31095

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

1714. Council Land - Offer to Purchase part of Lot 10 DP 811133 off Graham Street, Nowra File 36874

RECOMMENDED that Council authorises the General Manager (Assistant General Manager) to indicate to the owners of 4 McGrath Ave, Nowra, (Lot 4 DP 232757) known as The Park Medical Centre, that Council is not interested in selling part of Council owned land, Lot 10 DP 811133 at this stage but would be open to further offers.

1715. Request for Owner’s Consent to Lodge an Application for Construction Certificate related to Proposed Signage for Stockland Development Pty Ltd’s Vincentia Coastal Village. File SF9786

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

1716. Request for Owner’s Endorsement to Lodge a Development Application for erection of a Mobile Phone Monopole Structure by Telstra within the Callala Bay Road Reserve at the entrance to Callala Bay Village. File 2249

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

1717. Proposed Skate Park Extension, Harry Sawkins Park, McGrath Ave Nowra
File 24903-02, DA06/2485, 36921

RECOMMENDED that Council:

- a) Not move the design of the proposed skate park in Harry Sawkins Park, McGrath Avenue, Nowra and accept that it will encroach onto part of Lot 112;
- b) Submit a development application to adjust the boundary of Lot 112 DP 130977 to accommodate the skate park development and to create the largest possible residue lot fronting the highway and adjoining Lot 111 DP 130977;
- c) Call for Expressions of Interest on the residue of Lot 112 DP 130977;

1718. (Item 1, Page 29) Council Land at 85-87 South St, Ulladulla and Boree St, Ulladulla
File 30259, 31095

This item was withdrawn and dealt with separately.

Clr Young declared a pecuniary interest in this matter being a relative of affected property owners and left the room and did not take part in discussion or vote on the matter.

RECOMMENDED that:

- a) Council adopt the Public Interest Evaluation process as outlined in the report:
 - 1 Amend the “Executive Summary – South Street Ulladulla to include a provision for more carparking and the requirement for service access, and advertise for comment;
 - 2 Seek comment through the Ulladulla DCP Working Party;
 - 3 Provide a media release for (1);
 - 4 Consult with the local CCB and Shoalhaven Business Chamber (southern Branch).
 - 5 Consider all comments.
- b) Engage a probity advisor and develop a probity plan in accordance with the guidelines and engage other consultants as required;
- c) Adopt the “Executive Summary (as amended) – South Street Ulladulla, 12/10/2007” (Attachment B - Addendum attachment folder)
- d) Adopt the “Executive Summary – Boree Street Ulladulla, 12/10/2007” (Attachment C - Addendum attachment folder)

A MOTION was moved by Clr Anderson, seconded Clr Kerr that the recommendation of the Council Property Steering Committee be adopted.

Clr Anderson withdrew his motion.

RESOLVED on a MOTION of Clr McCrudden, seconded Clr Anderson that

- a) Council adopt the Public Interest Evaluation process as outlined in the report:
 - 1 Amend the “Executive Summary – South Street Ulladulla to include a provision for more car parking and the requirement for service access, and advertise for comment;
 - 2 Seek comment through the Ulladulla DCP Working Party;

-
- 3 Provide a media release for (1);
 - 4 Consult with the local CCB and Shoalhaven Business Chamber (southern Branch).
 - 5 Consider all comments.
- b) Engage a probity advisor and develop a probity plan in accordance with the guidelines and engage other consultants as required;
 - c) Council delegate to the Council Property Steering Committee authority to resolve issues as it deems necessary to finalise:
 - i) The “Executive Summary – South Street car park Ulladulla, 12/10/2007”
 - ii) The “Executive Summary – Boree Street car park Ulladulla, 12/10/2007”

Note: Clr Finkernagel was absent during voting on this item.

1719. (Item 3, Page 29) Request for Owner’s Consent to Lodge an Application for Construction Certificate related to Proposed Signage for Stockland Development Pty Ltd’s Vincentia Coastal Village. File SF9786

This item was withdrawn and dealt with separately

RECOMMENDED that

- a) Council endorse its owner’s consent for the lodgement of Construction Certificate application - CC07/2615 in respect to the proposed land sales signage located within the road reserve adjacent to the roundabout at the intersection of Naval College Road and The Wool Road, Vincentia as depicted on the accompanying plans;
- b) Construction Certificate Applications – CC07/2614 and CC07/2615 be issued under delegated authority;
- c) Council arrange a two year licence agreement, at commercial rates, for the signage.

Note: Clr Finkernagel returned to the meeting, the time being 5.53 pm.

RESOLVED on a MOTION of Clr Kerr, seconded Clr Kearney that

- a) Council endorse its owner’s consent for the lodgement of Construction Certificate application - CC07/2615 in respect to the proposed land sales signage located within the road reserve adjacent to the roundabout at the intersection of Naval College Road and The Wool Road, Vincentia as depicted on the accompanying plans;
- b) Construction Certificate Applications – CC07/2614 and CC07/2615 be determined under delegated authority;
- c) Council arrange a two year licence agreement, at commercial rates, for the signage.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Finkernagel, McCrudden, Kerr, Ward, Kearney, Young, Watson

The following Councillors voted “No”;

Clrs Rudd, Anderson, Willmott

1720. (Item 4, Page 30) Request for Owner’s Endorsement to Lodge a Development Application for erection of a Mobile Phone Monopole Structure by Telstra within the Callala Bay Road Reserve at the entrance to Callala Bay Village. File 2249
-

This item was withdrawn and dealt with separately

RECOMMENDED that Council;

- a) Endorse its owner’s consent for the lodgement of a development application in respect to the proposed mobile phone monopole to be located within the Callala Bay Road reserve adjacent to the Village of Callala Bay entrance as depicted on the submitted accompanying plans;
- b) Support the location of the mobile phone monopole subject to the ownership transfer to Council with free usage for Telstra.

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

**ALTERNATIVE WASTE PROCESSING TECHNOLOGIES WORKING PARTY –
13TH NOVEMBER 2007**

1721. Adoption of Report
-

RESOLVED on a MOTION of Clr Ward, seconded Clr Kearney, that the following recommendations of the Alternative Waste Processing Technologies Working Party be adopted.

1722. Chipper Trial - Final Results File 31669
-

RECOMMENDED that in regard to continuing investigations into mobile chipping as a component of the domestic organic waste strategy the General Manager (City Services and Operations) investigate costs for the options to hire or purchase a vehicle and chipper from Kiama Municipal Council.

1723. Composting Trial – Progress File 2210
-

RECOMMENDED that the General Manager (City Services and Operations) include the trialling of other composting technologies within the current Composting Trial.

1724. Business Plan West Nowra Stage 4 File 36873
-

RECOMMENDED that Council have an independent review of the Business Plan to determine the most cost effective way forward in developing and operating a Resource Recovery Park at West Nowra.

RECOMMENDED that Council:

- a) Lobby State and Federal Government to address the disposal and/or recycling of energy-efficient light globes and household batteries and the need to educate the community of this process with as much vigour as they have shown in distributing the energy-efficient light globes.
- b) Issue regular media releases to remind the community of the arrangements in place for the disposal of these problematical items.

SHOALHAVEN TRAFFIC COMMITTEE – 13TH NOVEMBER 2007

1726. Adoption of Report

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

1727. Parking Restrictions - Moss Vale Road, Kangaroo Valley (PN 937)

File 2638

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to arrange for the current "Loading Zone" on the southern side of Moss Vale Road and adjacent to the Kangaroo Valley Post Office to be amended to incorporate the hours of 8am - 5pm Mon - Fri; and 8am - 12 noon Sat.

1728. 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 "T junction" ahead advance warning signs (TW-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.

1729. No Parking - Shopping Centre Arcade Entrance - Kerry Street Car Park, Sanctuary Point (PN 2283) File 2942

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to arrange for the installation of a "No Stopping" Zone (approx 3 m) and associated pavement markings, to restrict vehicles parking adjacent to the rear arcade entrance of the Sanctuary Point Shopping Centre and that Councillor G Ward be advised accordingly.

1730. Additional Item – B-Double Route Extension, West Nowra (PN 2284) File 5525

RECOMMENDED that the Shoalhaven Traffic Committee support in principle an extension of the B-Double route on Yalwal Road from George Evans Road intersection to Longreach Road, and on Longreach Road to Wogamia Road, West Nowra, to allow use by 19 metre 55 tonne B-Doubles, subject to the approval being time restricted to 12 months to allow investigation of the impacts of the extension of the B-Double route on the affected local road pavements.

1731. Additional Item – No Stopping Sign, Kioloa (PN 1574) File 29178

RECOMMENDED that the General Manager (Strategic Planning) be requested to move the existing No Stopping sign on Scerri Drive, Kioloa approximately 20 metres to the east to improve site distance and road safety.

INFORMATION REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE – 13TH NOVEMBER, 2007

1732. Adoption of Report

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

REPORT OF THE GENERAL MANAGER

ASSISTANT GENERAL MANAGER

1733. 2008/2009 Rural Fire Service Estimates Bid File 2371-03

RESOLVED on a MOTION of Clr Anderson seconded Clr Ward that Council approve the bid of \$3,030,371.55 and endorse signature on its behalf by the General Manager.

CITY SERVICES AND OPERATIONS

1734. Lyrebird Preschool - "Cee Cees" Awards File 5364

Clr Ward declared a non pecuniary interest in this item being an ex-student of the preschool.

RESOLVED on a MOTION of Clr Rudd seconded Clr Young that Council write to the Lyrebird Preschool Management Committee and to Mrs Gai Lindsay extending Council's congratulations on their success in the state-wide "Cee Cees" Awards and in securing a substantial Federal Grant to enable the installation of a rain water harvesting system.

STRATEGIC PLANNING

1735. Classification of Land at St Georges Basin as Operational File 35588, 14857

RESOLVED on a MOTION of Clr Young seconded Clr Anderson that Council classify Lot 64 DP25550 as "operational land" pursuant to Sections 31(2) and 34 of the Local Government Act 1993.

1736. Classification of Land at Worroing Heights File 18176

RESOLVED on a MOTION of Clr Anderson seconded Clr Kerr that Council classify Lot 195 DP8770 as "operational land" pursuant to Sections 31 (2) and 34 of the Local Government Act 1993.

1737. Council Lease to W & S Smith - Mollymook Beach Hut File 2406-02

A MOTION was moved by Clr Willmott seconded Clr Rudd that the General Manager (Strategic Planning) engage Robert White, Ulladulla to undertake a second valuation on the lease of Mollymook Beach Hut.

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, Ward, Willmott

The following Councillors voted "No";

Clrs Finkernagel, McCrudden, Kerr, Kearney, Anderson, Young, Watson.

RESOLVED on a MOTION of Clr Young, seconded Clr Finkernagel that the report of the General Manager (Strategic Planning) concerning the lease of Mollymook Beach Hut to W & S Smith be received for information.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Finkernagel, McCrudden, Kerr, Ward, Kearney, Anderson, Young, Watson

The following Councillors voted “No”;

Clrs Rudd, Willmott

1738. Draft Development Control Plan (DCP) No.119, “Nowra Hotel Site”, Bridge Road, Nowra – Public Exhibition Outcome. File 36554
-

Mr Trevor de Wadl, representing Kaan Finch Group addressed the meeting.

RESOLVED on a MOTION of Clr Willmott seconded Clr Anderson that the draft DCP No.119, “Nowra Hotel Site”, Bridge Road, Nowra be adopted as exhibited.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Finkernagel, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Watson

The following Councillors voted “No”;

Clrs Rudd, Ward.

FINANCE AND CORPORATE SERVICES

1739. Council Members - Payment of Expenses and Provision of Facilities Policy File 5141-02
-

RESOLVED on a MOTION of Clr Willmott seconded Clr Anderson that the Council Members – Payment of Expenses and Provision of Facilities Policy be adopted without any amendment.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Finkernagel, Rudd, McCrudden, Kerr, Kearney, Anderson, Willmott, Young, Watson.

The following Councillors voted “No”;

Clr Ward

1740. Record of Investments File 2126
-

RESOLVED on a MOTION of Clr Young 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 31st October 2007 be received for information.

LEGAL DOCUMENTS - TUESDAY, 20 NOVEMBER 2007

1741. Renewal of Council Lease to Landsvik Holdings Pty Ltd - Egan's Lane, Nowra File 13360

RESOLVED on a MOTION of Clr Young seconded Clr Kerr that

- a) The Council of the City of Shoalhaven leases to Landsvik Holdings Pty Ltd part Lot J DP 39259 at Egan's Lane, Nowra for a term of five years at a rental of \$4,875 per annum plus GST;
- b) The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed but that otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

1742. Grazing Licence to Kleran Pty Ltd Family Trust - Wondalga Farm Property File 29134

RESOLVED on a MOTION of Clr Young seconded Clr Kerr that

- a) The Council of the City of Shoalhaven licences to Kleran Pty Ltd Family Trust for grazing purposes the Wondalga Farm property off Terara Road, Nowra comprising approximately 172 hectares in area for a term of three years at a rental of \$12,000 per annum plus GST;
- b) The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed but that otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

CONFIDENTIAL REPORT OF THE GENERAL MANAGER

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

Item	Reason
Redevelopment of 16 Berry Street and Impact on Egan's Lane Car Park	Section 10(A)(2)(c) Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
East Nowra Sub Arterial (ESNA) Road Land Acquisition	Section 10(A)(2)(c) Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business
Sale of Council Land - "Hotel Site", Bridge Road, Nowra	Section 10(A)(2)(c) Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
Property at 16 Berry St, Nowra	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.

RESOLVED on a MOTION of Clr Kerr seconded Clr Anderson 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 session the time being 6.12 pm

The meeting moved into open session the time being 6.41 pm

COUNCIL PROPERTY STEERING COMMITTEE - 12TH NOVEMBER, 2007

1743. Redevelopment of 16 Berry Street and Impact on Egans Lane Car Park File 9864, 32442

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

Note: This item was considered in conjunction with Addendum Report, item 1, page 62A-1 'Property at 16 Berry Street, Nowra'.

RESOLVED that the motion remain confidential in accordance with Section 10(A)(2)(c) - information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

1744. East Nowra Sub Arterial (ENSA) Road Land Acquisition File 34162

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

RESOLVED that the motion remain confidential in accordance with Section 10(A)(2)(c) - information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

1745. Additional Item - Sale of Council Land - "Hotel Site", Bridge Road, Nowra File 33126-02

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

RESOLVED that Council endorse the general framework of the structure of the agreement for sale as detailed in the confidential memorandum dated 20th November 2007 from the General Manager and tabled.

CONFIDENTIAL ADDENDUM REPORT - ASSISTANT GENERAL MANAGER

1746. Property at 16 Berry St, Nowra File 32442

This item was considered in conjunction with Confidential Council Property Steering Committee item 1 page 61 'Redevelopment of 16 Berry Street and Impact on Egans Lane Car Park'.

NOTICES OF MOTION - TUESDAY, 20TH NOVEMBER, 2007

1747. Rescission Motion - Community Consultation Policy for Development Applications (Including Subdivisions) and the Formulation of Development Guidelines and Policies (Draft Amendment No 4) File 8139

The General Manager advised the meeting that the Rescission Motion on Community Consultation Policy for Development Applications (Including Subdivisions) and the Formulation of Development Guidelines and Policies (Draft Amendment No 4) is not a legal rescission motion as only two signatures were submitted and was inadvertently included in the business paper.

The rescission motion was ruled out of order and removed from the agenda.

1748. Rescission Motion - Sale of Council Land - 38-40 Owen Street and 3 Morton Street Huskisson File 33572, 36533

A MOTION was moved by Clr Rudd, seconded Clr Ward that Council rescind the motion not to reclassify the Huskisson car park site.

During debate on this item Clr Rudd was cautioned by the Mayor.

The General Manager informed the meeting that legal advice received by Council is protected under legal professional privilege.

Clr Rudd was cautioned a second time by the Mayor.

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 Finkernagel, Rudd, Ward

The following Councillors voted "No";

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

RESOLVED on a MOTION of Clr Ward, seconded Clr Willmott that Council undertake a risk assessment in respect of opening Council’s sea pools (Huskisson and Ulladulla) to the public for unsupervised periods.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Finkernagel, Kearney, Anderson

There being no further business, the meeting concluded, the time being 7.06 pm.

Clr Watson
CHAIRPERSON