
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 30th OCTOBER 2007 COMMENCING AT 3.30 PM

The following members were present;

Clr G Watson – Chairman
Clr J Finkernagel
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 Pastor Richard Utber, Baptist Church, Nowra followed by the playing of the Australian National Anthem.

1474. Procedural Motion

RESOLVED on a MOTION of Clr Murphy, seconded Clr Finkernagel that the Ordinary Meeting suspending standing order for;

- Naturalisation Ceremony for Mr Melzon Burinaga, Mr Jayson Matic and Ms Melanie Matic.
- Welcome to Clr Adam Marshall, Deputy Mayor of Gunnedah Shire Council

1475. Presentation of the 2006/2007 Annual Financial Reports and Audit Report File 36477

Mr Carl Millington, Pitcher and Partners presented an overview of Council's Annual Financial Reports and Audit Report and thanked all Council staff involved in the process for their assistance with a special mention of Matthew Wright, Finance & Business Manager and Nancy Marriott, Financial Accountant.

In light of Matthew Wright's resignation, the Mayor on behalf of Council thanked Matthew for his contribution to Council over the years and wished him all the best in his future career.

1476. Confirmation of the Minutes of the Ordinary Meeting of Council held on 25th September 2007 & 9th October 2007

RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that the Minutes of the Ordinary Meeting of Council held on Tuesday 25th September 2007 and the Extra Ordinary Meeting of Council held on Tuesday 9th October 2007 be confirmed.

MAYORAL MINUTE – TUESDAY 30TH OCTOBER 2007

1477. New Years Eve Celebrations 2007

File 2161-09

RESOLVED on a MOTION of Clr Watson seconded Clr Ward that Council vote the sum of \$30,000 for the purpose of supporting New Years Eve celebrations in the City of Shoalhaven for New Years Eve 2007/2008.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd, Green, Anderson, Willmott

REPORT OF THE GENERAL MANAGER

POLICY AND PLANNING COMMITTEE - 9TH OCTOBER, 2007

1478. Adoption of Report

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

1479. Minister for Local Government – Options for Increasing of the Rating Base Amount File 2973-02

RECOMMENDED that Council renew their efforts to forward submissions to the Minister for Local Government, the Hon Mr Paul Lynch, to pursue a higher base rate of 70% for the calculation of rates in order to achieve greater equity across the City.

1480. Special Rates Levied Lots 50 & 51 DP 11629 Jerberra Estate

File 31944

RECOMMENDED that upon receipt of proof of lodgement of a consolidation plan with the Land and Property Information Office, the rezoning special rate be removed for Lots 50 and 51 DP 11629 but retain the road design special rate on these parcels.

1481. Budget - 2007-2008

File 1490-07

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

1482. Film Illawarra

File 3083

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

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 30 OCTOBER, 2007

MINUTES CONFIRMED ON TUESDAY 20TH NOVEMBER, 2007 - CHAIRMAN

1483. Marketing and Media Plans File 1011-02

RECOMMENDED that the Shoalhaven City Council note and endorse the report on the marketing and media plans for the whole South Coast and the Shoalhaven.

1484. Shoalhaven Tourism Economic Impact Statement File 8169-05

RECOMMENDED that Shoalhaven City Council note and endorse that tourism contributed \$552 million to the economy of the Shoalhaven for the year ending December 2006 and that that expenditure generated 3,750 direct jobs and a further 2,000 jobs by indirect activity. This represents 11%, and then a total of 18% of the Shoalhaven workforce (33,011) respectively.

1485. Request for Financial Assistance File 1864-07

RECOMMENDED that the Shoalhaven Tourism Board respectfully decline the request from Blueprint Shoalhaven as the matter of funding this sort of competition was not in the Charter of the Shoalhaven Tourism Board.

1486. Australian Vocational Student Prize 2007 File 3984

RECOMMENDED that

- a) Cameron Curle be congratulated on receiving an Australian Vocational Student Prize 2007.
- b) Council authorise the General Manager to engage Mr Curle in a traineeship with the Information Technology Section.

1487. Picnic Day Public Holiday & Proposed Christmas/New Year Close-Down File 35896

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

1488. Organisational Energy and Water Management Policy File 34317

RECOMMENDED that

- a) Council adopt the *Organisational Energy and Water Management Policy*.
- b) The report of the General Manager concerning all other energy management matters be received for information.

1489. Local Government Association Conference - Proposed Notice of Motion Regarding Conservation Hunting in State Forests File 33064

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

1490. Kangaroo Valley Flood Study

File 28145

RECOMMENDED that

- a) The draft Kangaroo Valley Flood Study be placed on Council's internet site with easy links to make the comments electronically;
- b) Community consultation be undertaken by public advertisement for a period of five (5) weeks;
- c) A public meeting be held at Kangaroo Valley showground during November 2007; and
- d) A further report be submitted to Council following the exhibition period.

1491. Broughton Creek Flood Study

File 28146

RECOMMENDED that

- a) The draft Broughton Creek Flood Study be placed on Council's internet site with easy links to make the comments electronically and a copy be available at Nowra Library and Council's Nowra Administrative Centre.
- b) Community consultation be undertaken by public advertisement for a period of five (5) weeks;
- c) A public information session be held at Council's Nowra Administrative Centre during November 2007; and
- d) A further report be submitted to Council following the exhibition period.

1492. Finalisation of Lower Shoalhaven River Floodplain Risk Management Study and Plan

File 1799-06

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

1493. Shoalhaven River Estuary Management Plan

File 3426-02

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

1494. Release of South Coast Regional Strategy Settlement Planning Guidelines

File 29118-04

RECOMMENDED that:

- a) The General Manager's (Strategic Planning) Report on the Release of South Coast Regional Strategy Settlement Planning Guidelines be received for information.
- b) Council invite the Regional Manager of the Department of Planning, Neil McGaffin to brief Council on the South Coast Regional Strategy Settlement Planning Guidelines.

1495. NSW Heritage Act Review File 12930

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

1496. Section 94 Contributions Plan - Draft Amendment 78 - Fire Control and Emergency Services Review File 28710

RECOMMENDED that in regard to Contributions Plan Amendment No 78 – Fire and SES Review

- a) The Draft Amendment be adopted as exhibited apart from minor editing changes;
- b) An adoption notice be placed in local newspapers;
- c) A new Citywide Contributions Plan project be created for Fire and SES Services; and
- d) The SES Contributions Plan project be reported to Council following adoption of the SES Strategic Plan.

1497. Bugong Fire Trail File 4010

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

1498. Statement of Business Ethics File 4092-02

RECOMMENDED that Council endorse the Statement of Business Ethics Policy.

1499. Amendment No. 3 to State Environmental Planning Policy No. 62 – Sustainable Aquaculture and the NSW Oyster Industry Sustainable Aquaculture Strategy File 4226-03

RECOMMENDED that the Report of the General Manager (Strategic Planning Group) concerning Amendment No. 3 to State Environmental Planning Policy No. 62 – Sustainable Aquaculture and the NSW Oyster Industry Sustainable Aquaculture Strategy be received for information.

1500. Special Rates Levied – Lots 50 & 51 DP 11629 Jerberra Estate File 31944

RECOMMENDED that upon receipt of proof of lodgement of a consolidation plan with the Land and Property Information office, the rezoning special rate be removed for Lots 50 and 51 DP 11629 but that Council retain the road design special rate on these parcels.

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) the Shoalhaven Tourism Board advise Shoalhaven City Council that it is disappointed in the performance of Film Illawarra in attracting the making of films and commercials in the Shoalhaven area.
- b) Shoalhaven City Council no longer contribute funding to the operation of Film Illawarra and instead investigate ways of setting up information and a website promoting the Shoalhaven which can in turn be directed to film location companies operating out of Sydney.

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

This item was withdrawn and dealt with separately.

RECOMMENDED that in view of the positive response received from staff, Group Directors and Union representatives, authorisation be given to proceed with arrangements for the Council close-down from Thursday, 27th December, to Monday, 31st December, 2007, on the basis that appropriate arrangements be made for essential services to remain operational and for provision to be made for staff to be available to respond to emergency situations.

A MOTION was moved by Clr Kerr, seconded Clr Finkernagel that the recommendation of the Policy and Planning Committee meeting be adopted.

A PROCEDURAL MOTION was moved by Clr Anderson 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 CARRIED

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Finkernagel, Rudd, Murphy, Green, Kerr, Ward, Kearney, Anderson, Bates, Watson

The following Councillors voted "No";

Clrs McCrudden, Willmott, Young.

1503. (Item 11, Page 12) Local Government Association Conference - Proposed Notice of Motion Regarding Conservation Hunting in State Forests File 33064

This item was withdrawn and dealt with separately

RECOMMENDED that the report regarding the proposed notice of motion by Hornsby Shire Council to the 2007 Local Government Association Conference regarding conservation hunting in State Forests and the NSW Game Council's response be received for information.

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

1504. (Item 14, Page 13) Finalisation of Lower Shoalhaven River Floodplain Risk Management Study and Plan File 1799-06, 24778-04

This item was withdrawn and dealt with separately

RECOMMENDED that

- a) Council formally adopt the Lower Shoalhaven River Floodplain Risk Management Study and Plan;
- b) DCP 106 be amended to include information pertaining to flooding and floodplain management from the Lower Shoalhaven River Floodplain Risk Management Study and Plan;
- c) Information related to flooding and floodplain management as presented in the Risk Management Study be used to inform future development and planning decisions; and
- d) Recommendations in the Plan be implemented for the Lower Shoalhaven River area, in accordance with budget and resource allocations.

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

- a) Council formally adopt the Lower Shoalhaven River Floodplain Risk Management Study and Plan;
- b) DCP 106 be amended to include information pertaining to flooding and floodplain management from the Lower Shoalhaven River Floodplain Risk Management Study and Plan;
- c) Information related to flooding and floodplain management as presented in the Risk Management Study be used to inform future development and planning decisions; and
- d) Recommendations in the Plan be implemented for the Lower Shoalhaven River area, in accordance with budget and resource allocations
- e) Figure 4C of the Plan be reviewed and reported back to Council for separate adoption.

This item was withdrawn and dealt with separately

RECOMMENDED that Council defer adoption of the Draft Shoalhaven River Estuary Management Plan pending a review of the actions and recommendations listed in the Draft Plan by the General Manager.

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

The following Councillors voted “No”;

Clrs Rudd, Bates.

This item was withdrawn and dealt with separately

RECOMMENDED that Council make a submission on the Review of NSW Heritage Act taking into account:

- a) The need to facilitate urban consolidation and support continued economic growth.
- b) That a right of appeal be supported for individuals based on economic hardship, against the listing of their property.

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

The following Councillors voted “No”;

Clrs Rudd, Bates.

This item was withdrawn and dealt with separately

RECOMMENDED that

- a) Council allocate \$19,000 from Reserves for repairs to the road washout and the twin 750mm pipe culvert on the Bugong Fire Trail at about 130m from Bugong Rd
- b) Council continue discussions with the Department of Lands and the National Parks & Wildlife Service with the purpose of obtaining a road reserve over the formed Bugong Fire Trail, with the process of land transfers (opening and closing roads) be cost neutral to Council as a starting point.
- c) Seek to obtain a commitment from land owners that the opening and closing of road reserves to achieve a legal and practical access to properties will be at no cost to Council, and should agreement be reached, proceed with administrative processes.

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

- a) Council allocate \$19,000 from Reserves for repairs to the road washout and the twin 900mm pipe culvert on the Bugong Fire Trail at about 50m from Bugong Rd
- b) Council continue discussions with the Department of Lands and the National Parks & Wildlife Service with the purpose of obtaining a road reserve over the formed Bugong Fire Trail, with the process of land transfers (opening and closing roads) be cost neutral to Council as a starting point.
- c) Seek to obtain a commitment from land owners that the opening and closing of road reserves to achieve a legal and practical access to properties will be at no cost to Council, and should agreement be reached, proceed with administrative processes.

WORKS AND FINANCE COMMITTEE – TUESDAY 9TH OCTOBER 2007

1508. Adoption of Report

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

1509. Proposed Warra Warra Road Roundabout, Princes Highway, Construction

File 3897

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

1510. Piping Drainage Easement - 23 William Bryce Road, Tomerong

File 10209

RECOMMENDED that the amount of \$6,500 be voted to pipe the drainage easement at No 23 William Bryce Road, Tomerong from the Wattamolla Road drainage project (Job No 75532).

1511. Undercover Disabled Parking Shelter Proposal for SMPCCC

File 7189, 32877

RECOMMENDED that:

- a) Council provide covered disabled parking as per option 4, in the existing Administrative Building car park to provide covered disabled access parking for both the Administrative Building and the Shoalhaven Entertainment Centre.
- b) Council call for design and construct quotations for the covered disabled parking for the Administrative Building and The Shoalhaven Entertainment Centre.

1512. Accelerated Footpath and Cycleway Program

File 35531

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the accelerated footpath and cycleway program be received for information.

1513. Southern Rivers Catchment Management Authority Biodiversity Program, Bush Incentives Bid Funding Offer for Council Reserve No. NCO168, Mt Coolangatta - Negotiations Between SCC staff and SRCMA staff.

File 28894

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Southern Rivers Catchment Management Authority Biodiversity Program, Bush Incentives Bid Funding Offer for Council Reserve No. NCO168, Mt Coolangatta - Negotiations Between SCC staff and SRCMA staff, be referred to the October 2007 Crown Reserve, Community and Commercial Operations Committee for consideration.

1514. Creation of Easements for Nowra Courthouse Extensions DA03/3063, Plunkett Street, Nowra

File 36618

RECOMMENDED that

- a) Council resolves to accept the benefit of easement for sewer purposes over Lot 701 DP1024854, Lots 1 and 2 DP998312 and Lot 8 Sec 26 DP758794 shown hatched on the attached plan; and
- b) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

1515. Grant of Easement over SMPCCC Site Bridge Road Nowra to Integral Energy for Electricity Purposes File 36358

RECOMMENDED that

- a) Council resolve to Grant over:-
 - i) Lot 9 DP605984 an easement for substation variable width in favour of Integral Energy and being identified as “A” on the attached plan.
 - ii) Lots 10 and 11 DP606121, Lot 10 DP607132 and Lot 9 DP605984 an easement for access 6 wide (and variable) in favour of Integral Energy and being identified as “B” on the attached plan.
 - iii) Lot 2 DP130993 and Lot 9 DP605984 an easement for underground cables 2 wide and variable in favour of Integral Energy.
- b) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.

1516. Acquisition of Easement for Sewerage over Lot 18 DP805460 at Ulladulla

File 35117

RECOMMENDED that

- a) Council resolve to acquire an Easement for Sewerage 10 wide and variable over Lot 18 DP805460 at Ulladulla, shown by hatching on DP 1109183, for an amount of \$1,000 plus GST.
- b) The compensation payable and acquisition costs including all survey, valuation and legal costs payable in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 are to be funded by Shoalhaven Water, Job No. 79083.38934.
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

1517. Acquisition of Part Lot 16 DP26636 Cnr Sussex Inlet Road and Old Berrara Road, Sussex Inlet for Road Purposes

File 33899

RECOMMENDED that

- a) Council resolve to acquire that part of Lot 16 DP26636 identified as Lot 1 on the attached plan for purposes of the Roads Act 1993 for the amount of \$15,000, plus GST if applicable, in accordance with the Land Acquisition (Just Terms Compensation) Act, 1991.
- b) The compensation payable, valuation and legal costs are to be funded from City Services Land Acquisition Job No. 85001 / 99999
- c) Upon acquisition, Lot 1 shall be dedicated as Road pursuant to Section 10 of the Roads, Act 1993
- d) The General Manager be authorised to sign any documentation necessary to give full and proper effect to this resolution.

1518. Worrige Street / Berry Street Car Park, Nowra File 17670

RECOMMENDED that Council adopt Option 1 (mark as 2.4m – long term parking – 200 spaces) as the preferred car park layout for the Worrige Street / Berry Street Car Park, Nowra

1519. Asset Management Plan - Waterways Infrastructure (Boating Facilities) File 30281

RECOMMENDED that Council adopt the draft Asset Management Plan - Waterways Infrastructure - for the purpose of public exhibition to include:

- a) Community consultation be undertaken by public advertisement for a minimum period of 28 days
- b) The draft document be placed on Council's Internet site with easy links to make comments electronically
- c) Forwarding to Community Consultative Bodies (as appropriate)
- d) A further report be submitted following public exhibition.

1520. Voyager Park Amenities Building Upgrade File 35247

RECOMMENDED that the report of the General Manager (Strategic Planning) concerning the Voyager Park Amenities Building Upgrade be received for information.

1521. Draft Policy on Tourism Sporting Event Donation Requests File 4306

RECOMMENDED that

- a) The Draft Policy on Tourism Sporting Event Donation Requests be referred to the Shoalhaven Sports Board and Shoalhaven Tourism Board for consideration
- b) The General Manager (Finance and Corporate Services) submit a further report to Works and Finance Committee on the feedback received from the Shoalhaven Sports Board and Shoalhaven Tourism Board.

1522. Mollymook Beach LATM Project File 29245-03

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

1523. Proposed 2 Lot Rural Subdivision for Kirkwood – 663 Sussex Inlet Road, Sussex Inlet. Settlement Offer to avoid further Land and Environment Court Action File 9692

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

1524. (Item 1, Page 16) Proposed Warra Warra Road Roundabout, Princes Highway, Construction
File 3897, 36684, 28709-02

This item was withdrawn and dealt with separately

RECOMMENDED that Council consider including \$0.5M in the 2008/2009 Management Plan as a contribution towards the proposed Warra Warra Road Roundabout, Princes Highway, and that investigations be undertaken into the feasibility of a Section 94 Plan to recoup some of the contributions.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Kearney that Council provide \$0.5M in the 2008/2009 Management Plan as a contribution towards the proposed Warra Warra Road Roundabout, Princes Highway, and that investigations be undertaken into the feasibility of a Section 94 Plan to recoup some of the contributions.

1525. (Item 14, Page 19) Mollymook Beach LATM Project File 29245-03

This item was withdrawn and dealt with separately

RECOMMENDED that Council adopt a revised budget of \$342,000 for the Mollymook Beach LATM Project with the funding source for the additional amount to be determined at a quarterly budget review once the outcome of the second grant application to the Roads & Traffic Authority is known.

A MOTION was moved by Clr Willmott, seconded Clr McCrudden that Council adopt a revised budget of \$378,000 for the Mollymook Beach LATM Project with the funding source for the additional amount to be determined at a quarterly budget review once the outcome of the second grant application to the Roads & Traffic Authority is known.

An AMENDMENT was moved by Clr Kearney, seconded Clr Green that the Mollymook Beach LATM Project be deferred to a Councillor Briefing.

The amendment was withdrawn by Clr Kearney.

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

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 Green, McCrudden, Ward, Willmott

The following Councillors voted "No";

Clrs Finkernagel, Rudd, Murphy, Kerr, Kearney, Anderson, Young, Bates, Watson.

RESOLVED on a MOTION of Clr Finkernagel, seconded Clr Young 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 Finkernagel, Rudd, Murphy, Green, Kerr, Ward, Kearney, Anderson, Young, Bates, Watson

The following Councillors voted “No”;

Clrs McCrudden, Willmott.

1526. (Item 15, Page 19) Proposed 2 Lot Rural Subdivision for Kirkwood – 663 Sussex Inlet Road, Sussex Inlet. Settlement Offer to avoid further Land and Environment Court Action File SF9692

This item was withdrawn and dealt with separately.

RECOMMENDED that the Confidential Works and Finance Committee minutes relating to the Proposed 2 Lot Rural Subdivision for Kirkwood – 663 Sussex Inlet Road, Sussex Inlet. Settlement Offer to avoid further Land and Environment Court Action remain confidential until business is conducted in accordance with 10A(2)(g) of the Local Government Act.

RESOLVED on a MOTION of Clr Kerr, 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 Rudd, Murphy, Green, McCrudden, Kerr, Ward, Kearney, Anderson, Willmott, Young, Bates, Watson

The following Councillors voted “No”;

Clr Finkernagel

DEVELOPMENT COMMITTEE – TUESDAY 9TH OCTOBER 2007

1527. Adoption of Report

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

RECOMMENDED that

- a) Council adopt Development Control Plan 100 - Subdivision Code (Amendment No 1) as exhibited with amendments as outlined in the report;
- b) The adopted DCP 100 be advertised in accordance with Clause 21 of the Environmental Planning and Assessment Act Regulation 2000 and the date that DCP 100 comes into effect be two months from the date the notice is advertised; and
- c) The adopted DCP 100 be notified to submitters, the development industry, the Community Consultative Bodies and highlighted on Council's website.

1529. Unauthorised Dinghy Storage Structure attached to a Jetty. Lot 35 DP 270112, 50 Jacobs Drive, Sussex Inlet. Applicant: M Frazer. File DA04/1819

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

1530. Proposed Twelve Lot Subdivision - Lots 68 and 69 DP 25550, The Old Wool Road and Lot 4 DP 785956, Island Point Road, St Georges Basin. Owner: Salcorp Pty Ltd. Applicant: Cowman and Stoddart. File SF9847

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

1531. 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

RECOMMENDED that the report to the Development Committee meeting on the Request for variation of Development Control Plan 49 Berry Town Centre Amendment No 5 in relation to Development Application for Berry Hotel Extension/Mixed Retail/Residential Development – Lot 1 DP 578257 120 Queen Street Berry be deferred to a Special Development Committee meeting and the applicants be invited to attend that meeting.

Note: Clr Ward declared a Non Pecuniary interest in this matter being that of a recipient of campaign funds from the applicant.

1532. Development Application - Multi-unit Residential Development - Corner of Ocean, Davies and Shepherd Streets, Mollymook. Applicant: Lefmar Pty Ltd. File DA07/2052

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

1533. Proposed Dual Occupancy and Subdivision - Lot 1 DP 2624, 123 Berry Street, Nowra. Applicant: L Carmichael File DA07/2173

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

1534. (Item 2, Page 20) Unauthorised Dinghy Storage Structure attached to a Jetty. Lot 35 DP 270112, 50 Jacobs Drive, Sussex Inlet. Applicant: M Frazer. File DA04/1819

This item was withdrawn and dealt with separately

RECOMMENDED that

- a) The applicant's request to vary Clause 3.2.1 (d) of the Wharves and Jetties Policy and to retain the dinghy storage structure at the side of the jetty be supported; and
- b) The development application be determined under delegated authority.

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

- a) The applicant's request to vary Clause 3.2.1 (d) of the Wharves and Jetties Policy and to retain the dinghy storage structure at the side of the jetty be supported subject to:
 - i) A medical certificate
 - ii) That the variation be a timed consent of five (5) years
- b) The development application be determined under delegated authority.

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, Murphy, Ward, Anderson, Willmott, Bates

The following Councillors voted "No";

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

RESOLVED on a MOTION of Clr Watson, 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 Finkernagel, Murphy, Green, McCrudden, Kerr, Ward, Kearney, Young, Bates, Watson

The following Councillors voted “No”;

Clrs Rudd, Anderson, Willmott

1535. (Item 3, Page 20) Proposed Twelve Lot Subdivision - Lots 68 and 69 DP 25550, The Old Wool Road and Lot 4 DP 785956, Island Point Road, St Georges Basin. Owner: Salcorp Pty Ltd. Applicant: Cowman and Stoddart. File SF9847
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This item was withdrawn and dealt with separately

RECOMMENDED that with respect to that part of the proposed Section 96 application to modify 14(c) of SF9847 over Lots 68 and 69 DP 25550 and Lot 4 DP 785956, St Georges Basin, Council resolve to support the applicant’s request as follows:

- a) Delete reference to the retention of trees along the “treed ridgeline”; and
- b) The Section 96 application be determined under delegated authority.

RESOLVED on a MOTION of Clr Murphy, 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 Finkernagel, Murphy, Green, McCrudden, Kerr, Ward, Kearney, Anderson, Willmott, Young, Watson.

The following Councillors voted “No”;

Clrs Rudd, Bates

1536. (Item 5, Page 21) Development Application - Multi-unit Residential Development - Corner of Ocean, Davies and Shepherd Streets, Mollymook. Applicant: Lefmar Pty Ltd. File DA07/2052
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This item was withdrawn and dealt with separately

RECOMMENDED that Council accept the proposal as submitted by the applicant and justified by their submission and give a policy direction to staff to accept the height and scale of the development in terms of meeting the performance criteria of DCP 71 and Council’s Coastal Areas Policy and request the applicant to meet with the most impacted objector with a view to resolving where possible the view aspects.

A MOTION was moved by Clr Willmott, seconded Clr Young that Council accept the proposal as submitted by the applicant and justified by their submission and give a policy direction to staff to accept the height and scale of the development in terms of meeting the performance criteria of DCP 71 and Council’s Coastal Areas Policy.

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

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd, Bates

The MOTION upon being PUT to the meeting was declared CARRIED

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd, Bates

1537. (Item 6, Page 21) Proposed Dual Occupancy and Subdivision - Lot 1 DP 2624, 123 Berry Street, Nowra. Applicant: L Carmichael File DA07/2173

This item was withdrawn and dealt with separately

Clr Watson, left the meeting and Deputy Mayor Clr Green took the position of Chairperson.

Clr Bates declared his interest in the matter being that of a family member of the applicant and left the room and did not take part in discussion or vote on this matter.

RECOMMENDED that

- a) The rear setback of 3.78 metres as originally proposed by the applicant, being a variation from the minimum rear building line of 4.0 metres in Clause 2.2(a) of Development Control Plan 57 – Dual Occupancy Guidelines be supported;
- b) The variation from Building Materials and Design Standards in Clause 2.2 (k) of Development Control Plan 57 - Dual Occupancy Guidelines be supported;
- c) The proposed relocated garage shall be located at a distance of not less than 6.645 metres from the front boundary of the property adjoining Berry Street;

THIS IS PAGE 19 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 30 OCTOBER, 2007

MINUTES CONFIRMED ON TUESDAY 20TH NOVEMBER, 2007 - CHAIRMAN

-
- d) The proposed dwelling shall be located at a distance of not less than 5 metres as originally proposed by the applicant from the boundary to Centre Street; and
 - e) The development application be determined under delegated authority

RESOLVED on a MOTION of Clr Willmott, seconded Clr Rudd that in relation to a proposed Dual Occupancy and Subdivision on Lot 1 DP 2624, 123 Berry Street, Nowra the following variations to Council's Policy be determined as having a neutral effect on neighbouring properties:

- a) The rear setback of 3.78 metres as originally proposed by the applicant, being a variation from the minimum rear building line of 4.0 metres in Clause 2.2(a) of Development Control Plan 57 – Dual Occupancy Guidelines be supported;
- b) The variation from Building Materials and Design Standards in Clause 2.2 (k) of Development Control Plan 57 - Dual Occupancy Guidelines be supported;
- c) The proposed relocated garage shall be located at a distance of not less than 6.645 metres from the front boundary of the property adjoining Berry Street;
- d) The proposed dwelling shall be located at a distance of not less than 5 metres as originally proposed by the applicant from the boundary to Centre Street; and
- e) The development application be determined under delegated authority

1538. Introduction of Item as a Matter of Urgency

RESOLVED on a MOTION of Clr Willmott, seconded Clr Kerr that the matter of 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 be introduced as a matter of urgency.

The Chairperson ruled the matter as one of urgency and allowed its introduction.

Clr Watson returned to the meeting and resumed the role of chairperson at the conclusion of consideration of the Addendum Report – Special Development Committee.

ADDENDUM REPORT – SPECIAL DEVELOPMENT COMMITTEE – THURSDAY 25TH OCTOBER 2007

1539. 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

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

RESOLVED on a MOTION of Clr Young, seconded Clr Finkernagel that with regard to the Development Application DA04/3834 for the alterations and additions to Berry Hotel that:

-
- a) A future report be submitted to the Development Committee regarding the car parking contributions required for the existing hotel and the proposed extensions;
 - b) Further negotiations be held between the applicant, Mayor, Clr Young – chair of the Development Committee and Council staff;
 - c) Legal advice be sought regarding the car parking credits situation.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clr Ward.

Note: Clr Bates returned to the meeting.

**SHOALHAVEN WATER OPERATIONS AND STRATEGIC REVIEW COMMITTEE –
TUESDAY 16TH OCTOBER 2007**

1540. Adoption of Report

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

1541. 2007 LGSA Water Management Conference File 35844, 3989-07

RECOMMENDED that the report of the General Manager (Shoalhaven Water) regarding the 2007 LGSA Water Management Conference be received for information.

1542. Application for Waiving Section 64 Contributions File 4267-02

RECOMMENDED that

- a) As a matter of Policy Council recognise this and future applications from Shoalhaven Community Housing Scheme Ltd for variation to Section 64 reductions as a CSO Level 4 with a percentage reduction of 50%.
- b) The budget allocation for CSO Section 64 contributions be adjusted during the quarterly budget financial review.

1543. Conjola Regional Sewerage Scheme (CRSS) Update File 32134-02

RECOMMENDED that the report of the General Manager (Shoalhaven Water) regarding the Conjola Regional Sewerage Scheme (CRSS) update be received for information.

1544. Lake Tabourie Sewerage Scheme Update File 34521

RECOMMENDED that the report of the General Manager (Shoalhaven Water) regarding the Lake Tabourie Sewerage Scheme update be received for information.

1545. Recent Sewerage Incidents and Impact on Shoalhaven Oyster Growers File 4543-02

RECOMMENDED that Council:

- a) Fund additional sampling costs attributable to sewerage infrastructure failures up to a value of \$8,000 from unallocated Sewerage Fund
- b) Confirm its commitment to providing the Oyster Industry with any water quality tests results that have been carried out due to sewerage infrastructure failures
- c) Hold further discussions with relevant stakeholders to assess the option of adopting a “Clean Water Model” as proposed by the Oyster Industry
- d) Council support the launch of the Shoalhaven Oyster Inc. marketing and branding launch for 2008 to the amount of \$3,000.
- e) Provide a specific monitoring budget of \$15,000 per annum in future annual sewerage budgets as a contribution to the Oyster Quality Assurance Program for a trial period of 2 years to determine the effectiveness of the program.

**CROWN RESERVE COMMUNITY AND COMMERCIAL OPERATIONS COMMITTEE
– TUESDAY 16TH OCTOBER 2007**

1546. Adoption of Report

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

1547. The Shoalhaven Entertainment Centre - Fees and Charges for Usage File 36595

RECOMMENDED that:

- a) Council adopt The Shoalhaven Entertainment Centre Fees and Charges for Usage as scheduled in:
 - Attachment 2 – Recommended Fees and Charges for Hire of Centre
 - Attachment 3 – Equipment Hire List

-
- b) In accordance with Section 610F of the Local Government Act 1993, the proposed new Fees and Charges be advertised for the period of twenty eight (28) days and should no community objection be received, the Fees and Charges be implemented immediately thereafter;
 - c) The report of the General Manager (City Services & Operations) regarding the Shoalhaven Entertainment Centre – Fees and Charges for Usage, form the basis of a Policy document for the operation of the new Shoalhaven Entertainment Centre.

1548. The Shoalhaven Entertainment Centre - Provision of Catering Service File 35526

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

1549. The Shoalhaven Entertainment Centre - Budget Submission 2007/2008 File 36595

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding The Shoalhaven Entertainment Centre, budget submission 2007/2008 be received for information.

1550. The Shoalhaven Entertainment Centre - 2008/2009 Financial Year Budget File 36595

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding The Shoalhaven Entertainment Centre – 2008/2009 financial year budget be received for information.

1551. Ulladulla Leisure Centre Gymnasium - Request for Extension File 26762-08

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

1552. Ulladulla Swim Club - Regional Country Championships File 26762-08

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

1553. Mollymook Surf Club Upgrade File 14557 & 27979

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Mollymook Surf Club upgrade be received for information.

1554. Shoalhaven City Council Bushcare Program Finalist in NSW State Landcare Awards File 1835-03

RECOMMENDED that approval be granted for the attendance of Council's Bushcare Co-Ordinator, Alasdair Stratton, to attend the NSW Landcare Awards and Ceremony and that he be authorised to nominate a Bushcare volunteer to also attend the Awards.

1555. Southern Rivers Catchment Management Authority Biodiversity Program, Bush Incentives Bid Funding Offer for Council Reserve No. NCO168, Mt Coolangatta - Negotiations Between SCC staff and SRCMA staff. File 28894

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

1556. Trial of Doggy Doo Dispensers - Callala Beach File 3220-06

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

1557. Dog Off-Leash Areas in Ulladulla and Districts File 3220-06

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

1558. Northern Shoalhaven Leisure Centre File 13775

RECOMMENDED that the General Manager (Strategic Planning) further investigate the development of the Northern Shoalhaven Leisure Centre on the existing Bomaderry Aquatic Centre site or Bomaderry Artie Smith Oval and submit a further report to the Crown Reserve, Community and Commercial Operations Committee on constraints and opportunities.

1559. Currarong Boat Launching Ramp File 4007-06

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

1560. Holiday Haven Tourist Parks - Capital Works Program File 33334, 35438

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the Holiday Haven Tourist Parks Capital Works Program be received for information.

1561. Currarong Beachside Tourist Park - Road Closure File 2699-02

RECOMMENDED that

- a) Council resolve to transfer that section of Nowra Road, Currarong traversing the Reserve occupied by Currarong Beachside Tourist Park to the Department of Lands NSW under Section 150 of the Roads Act.
- b) Council contact the NSW Department of Lands seeking their formal consent to the transfer of the road as above.
- c) Council Gazette the transfer of the land to the Crown.

1562. (Item 2, Page 23) The Shoalhaven Entertainment Centre - Provision of Catering Service File 35526

This item was withdrawn and dealt with separately

RECOMMENDED that:

- a) Council call for expressions of interest for;

-
- i) The operation of catering and/or bar functions for The Shoalhaven Entertainment Centre; and
 - ii) A possible onsite permanent catering service for The Shoalhaven Entertainment Centre
- b) A further report be submitted to Council on the outcome of the expressions of interest process.

RESOLVED on a MOTION of Clr Kerr, seconded Clr Anderson 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, Rudd, Murphy, Green, McCrudden, Kerr, Ward, Kearney, Anderson, Young, Bates, Watson

The following Councillors voted "No";

Clr Willmott

1563. (Item 5, Page 24) Ulladulla Leisure Centre Gymnasium - Request for Extension File 26762-08

This item was withdrawn and dealt with separately

RECOMMENDED that the General Manager (City Services & Operations) monitor the Ulladulla Leisure Centre Gymnasium patronage for a period of six months and submit a further report to Crown Reserve, Community and Commercial Operations Committee on the demand for the facilities.

A MOTION was moved by Clr Willmott seconded Clr Ward that the General Manager (City Services & Operations) proceed to investigate the request for an extension of the Ulladulla Leisure Centre Gymnasium.

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 Green, McCrudden, Kerr, Ward, Willmott

The following Councillors voted "No";

Clrs Finkernagel, Rudd, Murphy, Kearney, Anderson, Young, Bates, Watson.

RESOLVED on a MOTION of Clr Finkernagel, seconded Clr Anderson that the recommendation of the Crown Reserves, Community and Commercial Operations Committee be adopted.

RECOMMENDED that Council charge a 50% concessional fee of \$750 per day to the Ulladulla Swim Club to host the NSW Regional Country Championships on 26-27th January 2008 at the Ulladulla Leisure Centre.

RESOLVED on a MOTION of Clr Ward, seconded Clr Anderson 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, Rudd, Murphy, Green, McCrudden, Kerr, Ward, Kearney, Anderson, Willmott, Bates, Watson

The following Councillors voted "No";

Clr Young

This item was withdrawn and dealt with separately

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Southern Rivers Catchment Management Authority Biodiversity Program, Bush Incentives Bid Funding Offer for Council Reserve No. NCO168, Mt Coolangatta - Negotiations Between SCC staff and SRCMA staff, be referred to the October 2007 Crown Reserve, Community and Commercial Operations Committee for consideration.

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

- a) Council enter into negotiations with the Southern Catchment Management Authority to undertaken a Property Vegetation Plan (PVP) on the Mount Coolangatta Reserve 42 hectare site
- b) The Draft PVP be reported back to the Crown Reserve, Community and Commercial Operations Committee

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted “No”;

Clrs Bates, Rudd

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, Murphy, Willmott, Bates

The following Councillors voted “No”;

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

A MOTION was moved by Clr Ward, seconded Clr Anderson that the recommendation of the Crown Reserve, Community & Commercial Operations Committee be adopted.

A PROCEDURAL MOTION was moved by Clr Anderson, 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 CARRIED

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Finkernagel, Green, McCrudden, Kerr, Ward, Kearny, Anderson, Young, Watson

The following Councillors voted “No”;

Clrs Rudd, Murphy, Willmott, Bates.

1566. (Item 10, Page 24) Trial of Doggy Doo Dispensers - Callala Beach File 3220-06

This item was withdrawn and dealt with separately

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding the Trial of Doggy Doo Dispensers at Callala Beach be received for information.

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

1567. (Item 11, Page 24) Dog Off-Leash Areas in Ulladulla and Districts

File 3220-06

This item was withdrawn and dealt with separately.

Clr Young declared a non pecuniary interest in this matter being that of a dog owner and left the meeting and did not take part in discussion.

RECOMMENDED that

- a) Council endorse the advertising of the proposal to designate the beach north of the northern breakwater in Ulladulla Harbour as a 24 hour dog off-leash area;
- b) Council endorse the advertising of the proposal to designate Collers Beach, Mollymook as a dog off-leash area between the hours of 4pm and 8am; and
- c) Feedback following the advertisement period is reported back to Council.

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

- a) Council endorse the advertising of the proposal to designate the beach north of the northern breakwater in Ulladulla Harbour as a 24 hour dog off-leash area;
- b) Council endorse the advertising of the proposal to designate Collers Beach, Mollymook as a 24 hour dog off-leash area; and
- c) Feedback following the advertisement period is reported back 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 Green, Willmott,

The following Councillors voted "No";

Clrs Finkernagel, Rudd, Murphy, McCrudden, Kerr, Ward, Kearney, Anderson, Young, Bates, Watson

RESOLVED on a MOTION of Clr Bates, seconded Clr Murphy 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, Rudd, Murphy, Green, McCrudden, Kerr, Ward, Kearney, Anderson, Young, Bates, Watson

The following Councillors voted “No”;

Clr Willmott

1568. (Item 13, Page 25) Currarong Boat Launching Ramp

File 4007-06

This item was withdrawn and dealt with separately

RECOMMENDED that in relation to the proposed upgrading of the Currarong Boat Launching Ramp:

- a) Council proceed with detailed design and lodgement of a development application for the boat launching proposal on the existing “high tide ramp” as originally proposed.
- b) The design incorporate a reduced turning circle and manoeuvring length.
- c) Results of the outcomes of Councils funding application to the NSW Maritime Infrastructure Program and the NSW Recreational Fishing Trust be reported back to a meeting of Council and any shortfall in funding be considered further at that time.

RESOLVED on a MOTION of Clr Finkernagel, seconded Clr Green that in relation to the proposed upgrading of the Currarong Boat Launching Ramp:

- a) Council proceed with detailed design and lodgement of a development application for the boat launching proposal on the existing “high tide ramp” as originally proposed.
- b) The design incorporate a reduced turning circle, manoeuvring length and a generous width to safely accommodate two vehicles with large boat trailers.
- c) Results of the outcomes of Councils funding application to the NSW Maritime Infrastructure Program and the NSW Recreational Fishing Trust be reported back to a meeting of Council and any shortfall in funding be considered further at that time.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Bates, Anderson, Willmott, Rudd

RESOLVED on a MOTION of Clr Ward seconded Clr Green that the Ordinary Meeting adjourn for dinner.

The meeting adjourned, the time being 7.04 pm

THIS IS PAGE 30 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 30 OCTOBER, 2007

MINUTES CONFIRMED ON TUESDAY 20TH NOVEMBER, 2007 - CHAIRMAN

The meeting reconvened, the time being 8.18 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

1569. Apologies

An apology was received from Clr Finkernagel.

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

SHOALHAVEN SPORTS BOARD – MONDAY 8TH OCTOBER 2007

1570. Adoption of Report

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

1571. St Georges Basin Soccer Fields - Additional Sports Fields File 28705, 2253-02

RECOMMENDED that:

- a) Council fund design costs for the expansion of St Georges Basin Soccer Fields to the value of \$12,000.
- b) The funds be transferred from AREC Recoupment Reserve into job number 82202 (Forward Design - Strategic Planning / Parks & Reserves).

1572. Proposed Park Naming - Lyrebird Sports Park Nowra File 5714-03

RECOMMENDED that Council adopt the name of Lyrebird Sports Park for the area comprising Lyrebird Park and the Wondalga Sporting Complex.

1573. Shoalhaven Sports Board - Website Page File 26275

RECOMMENDED that Council endorse the layout of the Shoalhaven Sports Board – Website Page and staff continue with detailed work until finalisation.

1574. Sporting Facilities Survey Final Analysis File 21682-03

RECOMMENDED that

- a) The report of the General Manager (Strategic Planning) concerning the Sporting Facilities Survey analysis be received for information
- b) The report be used as input to the development of the Sporting Facilities Strategy Plan 2007-2036.

1575. Tennis Courts File 5270, 31367

RECOMMENDED that Council support the inclusion of tennis in the Voluntary Users Scheme and future budget allocations be increased by \$20,000 to cover the inclusion of tennis.

1576. Sporting Facility Strategic Plan 2007-2036 File 21682-03

RECOMMENDED that

- a) Council adopt the guiding principles in the report as the basis of developing the Sporting Facilities Strategic Plan 2007-2036.
- b) Council adopt the recommended Regional and Citywide facilities proposals as presented to the Shoalhaven Sports Board.

COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 14TH OCTOBER 2007

1577. Adoption of Report

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

1578. Acquisition of Part of Lot 2 DP310005 Albert Street Berry for Carparking File 31530

RECOMMENDED that:

- a) Council resolve to acquire that part of Lot 2 DP310005 described as Lot 1 on the attached plan for \$30,000 (plus GST if applicable);
- b) The compensation payable, valuation and reasonable legal costs payable in accordance with the Land Acquisition (Just Terms Compensations) Act 1991 are to be funded from the Public Land Acquisition Fund;

-
- c) The common seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager is authorised to sign any documentations necessary to give effect to this resolution; and
 - d) Following acquisition the land to be classified as operational pursuant to the Local Government Act 1993.

1579. Northern Shoalhaven Multipurpose Indoor Sports Stadium - Expression of Interest File 30436-02

RECOMMENDED that Council proceed to enter into negotiations with Proponent C for the development and operation of the Shoalhaven Multi-Purpose Indoor Sports Stadium.

1580. Council Owned Land – Scenic Drive, Nowra File 36768, 35919

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

1581. (Item 3, Page 27) Council Owned Land – Scenic Drive, Nowra File 36768, 35919, 36839

This item was withdrawn and dealt with separately

Clr McCrudden declared a pecuniary interest in this matter being that of an adjoining property owner and left the meeting and did not take part in discussion or vote on the matter.

RECOMMENDED that Council resolve to prepare a draft LEP amendment, in accordance with the provisions of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979, to reclassify to “operational” the land described as: Lot 5 DP262460, Lot C DP158196, Lot 1 DP738519, Lot 1 DP738518, Nowra Pool Site, Lot 28 DP36447 for the purpose of activating the riverfront precinct and facilitating development to provide a commercial/residential anchor point with links to the CBD.

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

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

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clr Bates

The MOTION upon being PUT to the meeting was declared CARRIED

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd, Ward, Young, Bates

SHOALHAVEN ARTS BOARD – THURSDAY 18TH OCTOBER 2007

1582. Adoption of Report

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

1583. Shoalhaven Eisteddfod File 2123-14

RECOMMENDED that the General Manager (City Services and Operations) write to the family of Helen Ring to seek permission for the use of their name for a certificate to be presented to a chosen school for participation in the Shoalhaven Eisteddfod.

1584. Shoalhaven Literary Award – Request for Funding File 2123-14

RECOMMENDED that Council:

- a) Donate from the Shoalhaven Arts Board budget \$1,500 to the Fellowship of Australian Writers Shoalhaven in support of the Shoalhaven Literary Award 2008;
- b) Write to the Fellowship of Australian Writers Shoalhaven emphasising that applications need to be received within the given time period.

1585. Arts Grants File 35609

RECOMMENDED that the Shoalhaven Arts Board endorse the procedures advised by the Berry Musicale Committee in regard to the execution of their grant monies to sponsor career development for young musicians.

1586. The Shoalhaven Youth Orchestra Funding File 2123-14

This item was withdrawn and dealt with separately at the conclusion of consideration of the Shoalhaven Arts Board report.

1587. Additional Item – Christmas Cards File 2123-14

RECOMMENDED that Council endorse the Shoalhaven Arts Board’s presentation of Christmas Cards to clients and grant recipients.

This item was withdrawn and dealt with separately

Clr Ward declared a non pecuniary interest in this matter being a relative of an executive member.

RECOMMENDED that Council donate from the Shoalhaven Arts Board budget \$7,000 to the Shoalhaven Youth Orchestra to support their 2007-2008 programs of training and events

RESOLVED on a MOTION of Clr Anderson, seconded Clr Kearney that the recommendation of the Shoalhaven Arts Board be adopted.

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 16TH OCTOBER 2007

1589. Adoption of Report

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

1590. Signs - Road Safety - Intersection of Yallara Crescent and Maxwell Crescent, Sanctuary Point (PN 1934) File 1709-02

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning) be requested to arrange for the installation of double barrier centre linemarking and raised reflective pavement markers (RRPMs) in Yallara Cres for a distance of 20 metres north from the junction of Maxwell Cres and in Maxwell Crescent for a distance of 20 metres west of the junction of Yallara Cres, Sanctuary Point.
- b) The applicant be advised accordingly.

1591. No Stopping Zone - Moss Street, Nowra (PN 1968)

File 2636-02, 1707-02

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning) be requested to:-
 - i) arrange for the existing No Stopping Zones located on the Northern side of Moss St, at the intersection of Brereton St, to be amended in accordance with diagram TRAF2007/20. and
 - ii) arrange for the replacement of the existing Give Way signs for vehicles in Brereton St at it's intersections with Moss St with Stop signs and associated hold line markings (TF) due to the lack of sight distance and to improve safety at this location.
- b) The applicant be advised accordingly

1592. Road Safety - Laneway between Currumbene & Hawke Streets, Huskisson (PN 2261) File 1695

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

1593. Additional Item – Sight Distance Deficiency – Host Place and Ford Street, Berry (PN 2274) File 1664

RECOMMENDED that that the General Manager (Director Strategic Planning) be requested to arrange for the installation of double centre barrier (BB) Linemarking in Host Place, Berry in accordance with diagram TRAF 2007/21.

1594. (Item 3, Page 29) Road Safety - Laneway between Currumbene & Hawke Streets, Huskisson (PN 2261) File 1695

This item was withdrawn and dealt with separately

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to take all action necessary, including public consultation, to install One Way traffic flow (West to East) in the laneway connecting Hawke and Currumbene Sts, Huskisson.

RESOLVED on a MOTION of Clr Anderson, seconded Clr Kerr that the Shoalhaven Traffic Committee recommendation be adopted.

INFORMATION REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 16TH OCTOBER 2007

1595. Adoption of Report

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

REPORT OF THE GENERAL MANAGER

STRATEGIC PLANNING

1596. Grant Funding Offer for ALERT System Upgrade File 2004

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

- a) Council accept the grant offer of \$50,000 from NDMP to upgrade Council’s existing ALERT system;
- b) Council write to the Hon Jim Lloyd MP thanking him for the grant offer;
- c) The General Manager be authorised to sign all relevant contract documents to advance the project; and

-
- d) Future maintenance funding requirements be considered as required and included into future Flood Mitigation program budgets.

1597. Shaolin Temple Comberton Grange File 33378, 36840

RESOLVED on a MOTION of Clr Willmott seconded Clr Kerr that

- a) Council resolve to prepare a Draft Local Environmental Plan over Lots 59, 60, 61 DP 755928; Lot 4 DP 63405; Lot 1 DP725955 and Lot 1 DP 550098 at Comberton Grange for the purpose of a tourist/residential development and associated facilities.
- b) The Mayor and General Manager seek a deputation to the Director General to discuss this proposal.

FINANCE AND CORPORATE SERVICES

1598. Pecuniary Interest Returns - 1st July 2006 to 30th June 2007 File 4063

RESOLVED on a MOTION of Clr Ward, seconded Clr Kearney that the report of the General Manager regarding the Pecuniary Interest Returns lodged for the period of 1st July 2006 to 30th June 2007 be received for information.

1599. Proposed Amendments to CCB Guidelines - Community Notice Boards File 1792-03

RESOLVED on a MOTION of Clr Ward seconded Clr Green that the amendments to the Guidelines for Community Consultative Bodies regarding the use of Community Notice Boards be adopted by Council.

1600. Request for recognition as a Community Consultative Body - Bawley Point-Kioloa Ratepayers and Residents Association Inc File 1757

RESOLVED on a MOTION of Clr Ward, seconded Clr Rudd that the Bawley Point-Kioloa Ratepayers and Residents Association Inc be recognised as a Community Consultative Body and that an annual allocation of \$400.00 be made available to the Group upon submission of a formal request.

1601. Review of Policy for Referring Matters to Community Justice Centre File 22119

RESOLVED on a MOTION of Clr Ward, seconded Clr Green that Council adopt the Policy for Referring Matters to Community Justice Centre.

1602. National Parks and Wildlife Service Regional Advisory Committee Nominations - Local Government Representation File 4043-02

Clr Bates and Clr Anderson were nominated as Council's representative on National Parks and Wildlife Service Regional Advisory Committee Nominations.

RESOLVED on a MOTION of Clr Ward, seconded Clr Kerr that Council's nominated representative on the National Parks and Wildlife Service Regional Advisory Committee be determined by a show of hands.

On a show of hands Clr Anderson had a clear majority and was nominated.

RESOLVED on a MOTION of Clr Kerr seconded Clr Green that Clr Anderson be appointed as Council's representative on the National Parks and Wildlife Service Regional Advisory Committee.

1603. Proposed Community Consultative Body - Huskisson Chamber of Commerce and Tourism
File 1792-03, 36841

A MOTION was moved by Clr McCrudden, seconded Clr Willmott that the Huskisson Chamber of Commerce and Tourism be appointed and recognised as a Community Consultative Body.

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 LOST

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Green, McCrudden, Kearney, Anderson, Watson

The following Councillors voted "No";

Clrs Rudd, Murphy, Kerr, Ward, Willmott, Young, Bates

The MOTION upon being PUT to the meeting was declared CARRIED

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted "No";

Clrs Rudd, Young, Bates

1604. Southern Phone Company Ltd

File 26805

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

- a) that the report of the General Manager (Finance & Corporate Services) on the Southern Phone Company Ltd be received for information.
- b) That an affirmative vote be delivered by proxy to the Chairman for each of the four (4) resolutions to be put at the 2007 Annual General Meeting.

1605. Record of Investments

File 2126

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 September 2007 be received for information.

LEGAL DOCUMENTS - STRATEGIC PLANNING

1606. Consent of Council to Land Transfer RTA to Wheatley Lot 46 DP 792994, Princes Highway Yatte Yattah

File 4221-03

RESOLVED on a MOTION of Clr Ward seconded Clr Kerr that the Council of Shoalhaven consent to the transfer of Lot 46 DP 792994 to Wheatley containing a covenant restricting access to the adjoining Princes Highway.

LEGAL DOCUMENTS - DEVELOPMENT AND ENVIRONMENTAL SERVICES

1607. Legal Document – Request for Release of Section 88B Restriction as to User – Lot 353 DP 778613, 869 Woodstock Road, Woodburn

File SF5890

RESOLVED on a MOTION of Clr Ward seconded Clr Kerr that the request to release the Section 88B Instrument for the Release of the Restriction as to User, the subject of this report over Lot 353 DP 778613, 869 Woodstock Road, Woodburn be executed under the seal of Council.

1608. Legal Document – Request for Release of Section 88B Restriction as to User – Lot 3 DP 1084210, Currowar Lane, Yatte Yattah

File SF7167

RESOLVED on a MOTION of Clr Ward seconded Clr Kerr 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 3 DP 1084210, Currowar Lane, Yatte Yattah be executed under the seal of Council.

1609. Introduction of Item as a Matter of Urgency

RESOLVED on a MOTION of Clr Anderson, seconded Clr Kearney that the Confidential matter of Demolition/Building Works not in accordance with Development Consent – Lot 18 DP 8188, 85 Quay Road, Callala Beach be introduced as a matter of urgency.

The Chairperson ruled the matter as one of urgency and allowed its introduction.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clr Ward

CONFIDENTIAL REPORT OF THE GENERAL MANAGER

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

Item	Reason
Proposed 2 Lot Rural Subdivision for Kirkwood - 663 Sussex Inlet Road, Sussex Inlet. Settlement Offer to avoid further Land and Environment Court Action	Section 10A(2)(g) - advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege
Sale of Council Land - 38-40 Owen Street and 3 Morton Street Huskisson	Section 10A(2)(g) - advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege
Council Owned Land - Scenic Drive, Nowra	Section 10A(2)(d)(i) - prejudice the commercial position of the person who supplied it
Demolition/Building Works not in accordance with Development Consent – Lot 18 DP 8188, 85 Quay Road, Callala Beach	Section 10A(2)(e) - Information that would if disclosed prejudice the maintenance of law, and Section 10A(2)(g) - advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

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.

Mr Graham Gibson addressed the Ordinary Meeting to make representation that the meeting should not be closed in respect of the item – Sale of Council Land – 38-40 Owen Street and 3 Morton Street, Huskisson.

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

The meeting moved into confidential the time being 9.26 pm.

The meeting moved into open session, the time being 10.13 pm.

WORKS AND FINANCE COMMITTEE – TUESDAY 9th OCTOBER 2007

1610. Proposed 2 Lot Rural Subdivision for Kirkwood - 663 Sussex Inlet Road, Sussex Inlet. Settlement Offer to avoid further Land and Environment Court Action File SF9692

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 in relation to the Proposed 2 Lot Rural Subdivision for Kirkwood - 663 Sussex Inlet Road, Sussex Inlet. Settlement Offer to avoid further Land and Environment Court Action remain confidential, until business is conducted, in accordance with 10A(2)(g) of the Local Government Act.

COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 15TH OCTOBER 2007

1611. Sale of Council Land - 38-40 Owen Street and 3 Morton Street Huskisson File 33572

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

RESOLVED that Council proceed to negotiate the terms and conditions for the contract of sale of 38-40 Owen Street and 3 Morton Street, Huskisson without the need for reclassification of the land.

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

RESOLVED that Council indicate to the applicant that subject to completion of the required land reclassification and the substantiation of the applicant's control of adjacent properties, Council would be prepared to negotiate exclusively with them in regard to the sale of the land described as: Lot 5 DP262460, Lot C DP158196, Lot 1 DP738519, Lot 1 DP738518, Nowra Pool Site, Lot 28 DP36447.

SPECIAL DEVELOPMENT COMMITTEE – THURSDAY 25TH OCTOBER 2007

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

RESOLVED that with regard to Demolition/Building Works not in accordance with Development Consent - Lot 18 DP 8188, 85 Quay Road, Callala Beach Council resolve to:

- a) Advise the applicant that Council is not prepared to support the Section 96 application as the application has failed to address the coastal erosion issue and future safety and stability of the building should the site be affected by a coastal erosion event;
- b) Commence Class 4 proceedings in the Land and Environment Court seeking an order against unauthorised works at 85 Quay Road, Callala Beach;
- c) If the works continue on site, seek an interlocutory injunction (as part of the Class 4 proceedings) restraining any further works on the site;
- d) Make representations to the Building Professionals Board regarding the role of the private certifier in regard to ensuring compliance with the DA conditions; and
- e) Consider further prosecution action following receipt of information from the respective parties.

RESOLVED on a MOTION of Clr Ward, seconded Clr Bates that the records of voting for Clr Ward, Willmott, Bates, and Rudd for Item 2 of the Report of the Council Property Steering Committee – Council Owned Land – Scenic Drive, Nowra, made in Confidential Session at the Ordinary Meeting on 30th October 2007 be made public.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clr Rudd, Murphy, Green, McCrudden, Kerr, Ward, Kearney, Willmott, Young, Bates, Watson

The following Councillors voted “No”;

Clr Anderson

Item	Voting
Council Owned Land - Scenic Drive, Nowra	Clr Ward - against Clr Willmott - against Clr Bates - against Clr Rudd - against

1615. Introduction of Item as a Matter of Urgency File SF9692

RESOLVED on a MOTION of Clr Ward, seconded Clr Kerr that the matter of a Section 94 Plan, Sussex Inlet be introduced as a matter of urgency.

The Chairperson ruled the matter as one of urgency and allowed its introduction.

1616. Section 94 Plan, Sussex Inlet File SF9692, 36842

RESOLVED on a MOTION of Clr Ward, seconded Clr Green Council prepare a Section 94 Plan for the service road adjacent to Sussex Inlet Road, Sussex Inlet as referred to in the Confidential Works and Finance Committee meeting of 9 October 2007.

1617. Procedural Motion

RESOLVED on a MOTION of Clr Bates, seconded Clr Kearney that Council grant an extension of time for the finalisation of the Ordinary Meeting business beyond 10.00 pm.

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

NOTICES OF MOTION - TUESDAY, 30TH OCTOBER, 2007

1618. Shoalhaven City Council Newspaper

File 31362

A MOTION was moved by Clr Anderson seconded Clr Willmott that the General Manager provide reports on;

- a) Costings and other aspects of Council producing its own newspaper with the frequency of issue being approximately every two weeks (the week following each Council meeting) and the means of distribution being by delivery to every letterbox within the Shoalhaven Local Government area.
- b) Other strategies to increase the distribution of a proposed newspaper into households.

Note:

During debate on this item

- Clr Ward was requested to refrain from making references against Council or Councillors.
- Clr McCrudden was ruled out of order
- All Councillors were brought to order.

The MOTION upon being PUT to the meeting was declared CARRIED

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

The following Councillors voted “No”;

Clr Ward, Watson.

1619. Crookhaven Headland

File 1840-02

RESOLVED on a MOTION of Clr Ward, seconded Clr Kerr that the Notice of Motion on Crookhaven Headland submitted to the 30th October 2007 Ordinary Meeting be referred to the Crown Reserve, Community and Commercial Operations Committee for consideration.

1620. Dog Off Leash Area in Berry

File 3220-06

RESOLVED on a MOTION of Clr Ward seconded Clr Bates that the General Manager (Community and Operations Group) prepare a report to be considered by the Crown Reserve, Community and Commercial Operations Review Committee to expand dog off-leash areas in the Berry Township.

A PROCEDURAL MOTION was moved by Clr McCrudden seconded Clr Young that the Immigration Comments – Clr P Green Notice of Motion be removed from the Ordinary meeting business paper for 30th October 2007.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd, Ward, Anderson, Willmott, Bates.

There being no further business, the meeting concluded, the time being 10.36 pm.

Clr Watson
CHAIRPERSON