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**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 MONDAY 25<sup>TH</sup> JUNE 2007 COMMENCING AT 4.05 PM**

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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 G Ward  
Clr G Kearney  
Clr J Willmott  
Clr J Young  
Clr R Bates

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

775. Apologies

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An apology was received from Clr Anderson

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

776. Confirmation of the Minutes

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RESOLVED on a MOTION of Clr Finkernagel, seconded Clr Ward, that the Minutes of the Ordinary Meeting of Council held on Tuesday 29<sup>th</sup> May 2007 be confirmed with the following record voting for MIN07.630 Adoption of Report – Policy and Planning Committee:

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clr Finkernagel.

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**PRESENTATION OF PETITION – ORDINARY MEETING – MONDAY 25<sup>TH</sup> JUNE 2007**

777. Petition – St Georges Basin Sports Fields, Panorama Road, St Georges Basin File 2253

Clr Watson presented a petition containing approximately 365 signatures from residents of St Georges Basin and surrounding districts requesting inclusion in the Draft Management Plan 2007/2010 of provision of an additional full sizes football (soccer) field at the St Georges Basin Sports Fields, Panorama Road, St Georges Basin.

778. Petition – Access – Public Reserve – Kings Point File 9228

Clr Young presented a petition, in the form of 62 signed form letters, from nearby residents and users of the public reserve at Kings Point, opposing any vehicular access through or across the public reserve at Kings Point other than that which is necessary in relation to Council works.

**MAYORAL MINUTES– MONDAY 25<sup>TH</sup> JUNE 2007**

779. Hero Council for Red Nose Day File 33582

RESOLVED on a MOTION of Clr Watson, seconded Clr Green, that Council dedicate this Ordinary Meeting to the awareness of the SIDS and Kids campaign which will provide support and funding for research into unexplained stillbirths in Australia.

780. Shoalhaven Delegation visit to China File 33342

RESOLVED on a MOTION of Clr Watson, seconded Clr Murphy, that the Mayoral Minute outlining the visit by the Shoalhaven Delegation to China during the period 6<sup>th</sup> – 23<sup>rd</sup> May, 2007 be received for information.

A MOTION was moved by Clr Ward, seconded by Clr Finkernagel, that a SUBSEQUENT MOTION be introduced.

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

A SUBSEQUENT MOTION was moved Clr Willmott, seconded Clr McCrudden that the Council extend an invitation to Peter Peterson, Executive Officer of the Illawarra Development Board to a debriefing on the Shoalhaven delegation visit to China.

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 Bates, Willmott, Kearney, McCrudden, Green, Rudd, Finkernagel.

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The following Councillors voted “No”

Clrs Watson, Young, Ward, Murphy.

781. Illawarra Academy of Sport File 2388

RESOLVED on a MOTION of Clr Watson, seconded Clr Finkernagel, that:

- a) Council make a further contribution of \$5,000 to the Illawarra Academy of Sport from the unallocated Donations Votes for 2006/07.
- b) That Council consider increasing the contribution to the Illawarra Academy of Sport to \$15,000 in 2007/08, when Council considers and adopts the final Management Plan and budget this month.
- c) Council formally recognise and thank Mr John Wells for his ten years’ service on the Board of the Illawarra Academy of Sport.

782. Queen's Birthday Honours List File 8592

RESOLVED on a MOTION of Clr Watson, seconded Clr Ward, that in recognition of the honours bestowed upon Captain Anthony Dalton, CSM, Lieutenant Commander Paul ‘Tanzi’ Lea, CSM, Commander Allen Whittaker, CSC and Paul Woodgate, ASM that Council endorse the actions of the Mayor as outlined above having forwarded letters of congratulations to each of the recipients and an invitation to dine with Council at a mutually convenient time.

783. Princes Highway announcements in State Budgets File 6852

RESOLVED on a MOTION of Clr Watson, seconded Clr Green, that Council write to the following congratulating them on their efforts to achieve such a substantial commitment to the improvement of the Princes Highway:

- NSW Treasurer, Hon Michael Costa MLC
- NSW Minister for Roads, Hon Eric Roozendaal MLC
- Federal Minister for Roads, Hon Jim Lloyd MP
- NSW State members for Kiera [Hon David Campbell MP], Wollongong [Ms Noreen Hay MP], Shellharbour [Ms Lylea McMahon MP], Kiama [Hon Matt Brown MP], Bega [Mr Andrew Constance MP], South Coast [Ms Shelley Hancock MP]
- Federal Members for Cunningham [Ms Sandra Bird MP], Throsby [Ms Jenny George MP], Gilmore [Mrs Joanna Gash MP], and Eden Monaro [Hon Gary Nairn MP].
- Chairman of the Southern Council’s Group, Alderman Alex Darling
- Chairman of the PHocus Task Force, Mr Barry Russell
- Chairman of NRMA Motoring & Services, Mr Alan Evans

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THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25TH JUNE, 2007

MINUTES CONFIRMED ON TUESDAY 24<sup>TH</sup> JULY, 2007 - CHAIRMAN .....

- Chairman of the Illawarra Business Chamber, Mr Terry Wetherill
- Executive Officer of South East Australia Transport Strategy, Mr Chris Vardon
- Secretary of the South Coast Labour Council, Mr Arthur Rorris
- Executive Officer of Australian Trucking Association – NSW, Mr Hugh McMaster
- Executive Officer of Port Kembla Corporation, Mr Dom Figliomeni

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

Clrs Watson, Bates, Young, Willmott, Kearney, McCrudden, Green, Murphy, Rudd, Finkernagel.

The following Councillors voted “No”

Clr Ward.

784. Development Control Plan 54 File 10132-04

RESOLVED on a MOTION of Clr Watson, seconded Clr Bates, that:

- a) Council resolve to hold two facilitated workshops with an independent facilitator to review possible amendments to Development Control Plan 54.
- b) The membership of the workshop comprise two representatives from the Huskisson Woollamia Community Voice, two representatives from the Huskisson Chamber of Commerce, two representatives from the Tourist Industry plus two community representatives, and available Councillors.
- c) The General Manager be authorised to advertise for participants in the workshops.
- d) The cost of the workshop be met from the 2007/2008 Strategic Planning Group budget subject to the budget being reviewed at the next Quarterly Review.

**REPORT OF THE POLICY AND PLANNING COMMITTEE – TUESDAY 12<sup>TH</sup> JUNE 2007**

785. Adoption of Report

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

786. Welcome - Minister for Tourism the Hon Matt Brown, MP File 1490-07

RECOMMENDED that the report on the welcome to the Minister for Tourism, the Hon Matt Brown, MP be received for information.

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787. Budget File 1490-07

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

788. Draft Budget/Marketing Plan 2007-2008 File 1490-07

RECOMMENDED that Shoalhaven City council note and endorse the Draft Budget as presented and that work be done to firm up the projected costings on the various items within the Marketing Plan.

789. Election Results File 1490-07

RECOMMENDED that the Shoalhaven Tourism Board write to both local members of Parliament congratulating them on their re-election and also congratulating Matt Brown on his elevation to the position of Minister for Tourism.

790. Tourism Master Plan File 32929

RECOMMENDED that the Shoalhaven City Council place the Tourism Master Plan on the Council website and that the Shoalhaven Tourism Board promote the availability of the Master Plan to the tourism industry via the regular Newsletter.

791. Roadshows File 1023-03

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

792. Print Program File 1011-02

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the continuing Print Program being implemented by the Shoalhaven Tourism Board be received for information.

793. Multi Media Marketing Campaign File 1011-02

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the Multi Media Marketing Campaign be received for information.

794. Shoalhaven Publications - Main Brochures File 26944

RECOMMENDED that

- a) The Shoalhaven Tourism Board endorse the proposal to produce Shoalhaven Holidays of quantity 75,000 copies and Shoalhaven Your Holiday Escape of a quantity of 25,000 copies.
- b) Shoalhaven operators taking an advertisement in the Shoalhaven Holidays also receive free advertisement of the same size in the Shoalhaven Your Holiday Escape.

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THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25TH JUNE, 2007

MINUTES CONFIRMED ON TUESDAY 24<sup>TH</sup> JULY, 2007 - CHAIRMAN .....

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795. www.shoalhavenholidays.com.au File 31341

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the figures for [www.shoalhavenholidays.com.au](http://www.shoalhavenholidays.com.au) be received for information.

796. South Coast Tourism Awards File 4256-13

RECOMMENDED that

- a) Council through the Shoalhaven Tourism Board budget sponsor the South Coast Tourism Awards at a Platinum Sponsorship level.
- b) The Shoalhaven City Council through Shoalhaven Tourism Board funds meet the cost of tickets and accommodation for the Shoalhaven Tourism Board members attending the South Coast Tourism Awards, subject to the tickets received by way of sponsorship being used first.

797. Destination Development Workshop File 8127-04

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the Destination Development Workshop be received for information.

798. State Tourism Awards File 4256-13

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the State Tourism Awards Workshop be received for information.

799. Tourism Australia Workshop File 13251

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the Tourism Australia Workshop be received for information.

800. Sydney Melbourne Coastal Drive and Sydney Melbourne Touring File 3823-10

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the Sydney Melbourne Coastal Drive and Sydney Melbourne Touring be received for information.

801. Local Government and Shires Association Tourism Conference File 5359-03 & 35844

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the Local Government and Shires Tourism Conference be received for information.

802. Jervis Bay Tourism and the Tourism Plan for Jervis Bay and Surrounds. File 11259-02

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the Tourism Plan for Jervis Bay and Surrounds be received for information.

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803. Australian Regional Tourism Convention File 5359-03

RECOMMENDED that the Chairman and the Deputy Chairman attend the Australian Regional Tourism Convention in Canberra from 31<sup>st</sup> October to 2<sup>nd</sup> November and that the costs of registration, travel, accommodation and reasonable out-of-pocket expenses be met by Shoalhaven City Council through the Shoalhaven Tourism Board's budget.

804. Triathlon Australia File 3161-02

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on Triathlon Australia be received for information.

805. Berry and Districts Garden Club File 1023-03

RECOMMENDED that Council defer consideration of sponsoring the Berry and District Garden Club at the Sydney Gardening Australia Expo to a future Works and Finance Committee meeting.

806. Next Meeting File 1490-07

RECOMMENDED that the next meeting of the Shoalhaven Tourism Board be held on Monday 18<sup>th</sup> June, 2007 commencing at 7.00 p.m. in Committee Rooms 1 and 2, City Administrative Centre, Bridge Road, Nowra.

807. Additional Item - Additional Signage for Key Attractions in Shoalhaven File 4050-04

RECOMMENDED that the matter of signage for key attractions in the Shoalhaven be received for information.

808. Arts Centre File 28729-08

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Arts Centre be received for information.

809. Expressions of Interest 2008 File 28729-08

RECOMMENDED that in regard to the conditions in the Expressions of Interest Kit for artists and cultural groups to present exhibitions at the Arts Centre Community Access Galleries throughout 2008, condition seven (7) be revised to read: *"Applicants may staff the exhibition full time. (In this case a 10% commission on sale is asked)"*.

810. Main Gallery Exhibitions 2008 File 28729-08

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Main gallery exhibitions 2008 be received for information.

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811. Playwright's Competition 2007 File 2123-14

RECOMMENDED that the General Manager (City Services and Operations) write to the Fellowship of Australian Writers – Shoalhaven Chapter encouraging the Playwright's Competition and suggesting they apply for a grant in the appropriate round of grants.

812. Corporate Pins File 2123-14

RECOMMENDED that the General Manager (City Services and Operations) seek a quotation from a manufacturing jeweller for the production of the original design of the corporate pin, designed by Radkha Passionova, scaled down to the revised prototype size and style with a rubber filled cap.

813. Sculptural Element File 2123-14

RECOMMENDED that the General Manager (City Services and Operations) obtain three (3) further quotations to produce a sculpture featuring the 'spiral design' created for the pin by Radkha Passionova, and placed on a timber or black granite base

814. Arts Grants File 35609

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Arts Grants be received for information.

815. John Hatton Portrait File 18106

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

816. Multi Media and Music Centre Opens File 34887

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Opening of the Multi Media and Music Centre be received for information.

817. Additional Item - Sponsorship of the Shoalhaven Eisteddfod File 2123-14

RECOMMENDED that sponsorship of the Shoalhaven Eisteddfod be indexed as a line item in the Shoalhaven Arts Board Budget.

818. Additional Item - Financial Assistance - TAFE File 2123-14

RECOMMENDED that the Shoalhaven Arts Board endorse Council to offer a grant of \$200 to the TAFE to be presented as an award to two outstanding graduates in the Fine Arts faculty.



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819. Additional Item - Financial Assistance - Shoalhaven Dance Eisteddfod File 2123-14

RECOMMENDED that the Shoalhaven Arts Board endorse Council to donate \$100 to the Shoalhaven Dance Eisteddfod 2007 for the Junior and Senior National Championship Perpetual Trophy.

820. Rural Fire Service Strategic Plan File 2041

RECOMMENDED that Council adopt the Rural Fire Service Strategic Plan.

821. International Public Works Conference File 3059-11

RECOMMENDED that Council be represented at the International Public Works Conference in August 2007, and that available Councillors and General Manager's representatives be authorised to attend the Congress and such attendance be deemed to be business of Council.

822. Ratepayer Financing Policy for Kerb, Gutter and Footpath Construction File 16016

RECOMMENDED that the Ratepayer Financing Policy for Kerb, Gutter and Footpath Construction be amended to remove the option of funding footpaving under this policy.

823. "Building Roads Better" File 34899

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the "Building Roads Better" be received for information.

824. Lake Conjola Flood Study File 1438-03

RECOMMENDED that:

- a) That the Lake Conjola Flood Study be formally adopted;
- b) Flood information from the study be used to inform future development and planning decisions; and,
- c) Staff progress to commence the Lake Conjola Floodplain Risk Management Study as per the long-term Floodplain Management Program schedule.

825. Moona Moona and Currumbene Creek Flood Studies File 29609, 29608

RECOMMENDED that

- a) The Currumbene and Moona Moona Creek Flood Studies be formally adopted;
- b) Flood information from the Studies be used to inform future development and planning decisions; and,
- c) Staff progress to the Currumbene and Moona Moona Creeks Floodplain Risk Management Study and Plan as per the long-term Floodplain Management Program schedule.

RECOMMENDED that:

- a) The Burrill Lake Flood Study be formally adopted;
- b) Flood information from the Study be used to inform future development and planning decisions; and,
- c) Staff progress to the Burrill Lake Floodplain Risk Management Study as per the long-term Floodplain Management Program schedule.

RECOMMENDED that

- a) Council write to Mr Bond thanking him for his contribution to Council and the community of the Shoalhaven; and
- b) Council invite a member of the St Georges Basin Community Forum to put forward a nomination for membership of the Central Shoalhaven Natural Resource and Floodplain Management Committee.

RECOMMENDED that in relation to Contributions Plan Amendment No. 90 - changes to Certain Community Facilities:

- a) The amendment be adopted as exhibited;
- b) Notice of adoption be advertised within 28 days;
- c) Project 05CFAC0005 (Southern Shoalhaven District Community Centre) be deleted from the Contributions Plan and available funds, plus additional contributions from consents issued but not yet acted upon, be transferred to Project 05CFAC0010 (Southern Shoalhaven District Branch Library);
- d) Project 03CFAC0003 (Bay & Basin District Recreation & Cultural Centre, Vincentia High School) be deleted from the Contributions Plan when Council expenditure has been fully recouped, and additional contributions from consents issued but not yet acted upon be transferred to Project 03CFAC0001 stage 1 (Bay & Basin District Community Centre); and
- e) Project 01CFAC0005 (East Nowra District Community Centre) be deleted from the Contributions Plan when the available funds reach the cost estimate, and additional contributions from consents issued but not yet acted upon be retained in the project account.

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829. Asset Management Planning for NSW Local Government File 8983-02

RECOMMENDED that Council endorse a supportive submission to the Department of Local Government on the discussion paper 'Asset Management Planning for NSW Local Government'.

830. Planning Institute of Australia – National Awards for Excellence in Planning – Nowra Bomaderry Structure Plan File 1028-05

RECOMMENDED that the report of the General Manager regarding the National Planning Institute Awards (PIA) Awards for Excellence in Planning be received for information and that Council staff who have been involved in the Nowra-Bomaderry Structure Plan project be congratulated for their efforts.

831. Shoalhaven Local Environmental Plan 1985 (Amendment No 212) – Heritage File 1106-07

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

832. Draft Local Environmental Plan No. LP 225 Seaspray Street, Narrawallee & Draft Local Environmental Plan No. LP 338 Ross Avenue, Narrawallee File 1787-04 & 26448

RECOMMENDED that Council defer consideration of the Draft Local Environmental Plan No. LP225 Seaspray Street, Narrawallee and Draft Local Environmental Plan No. LP 338 Ross Avenue, Narrawallee to the June Ordinary Meeting following a Councillor Briefing.

833. Major Projects State Environmental Planning Policy – Amendment No. 16 File 3167-06

RECOMMENDED that the report of the General Manager (Strategic Planning) concerning comment on the draft Major Project State Environmental Planning Policy – Amendment No. 16 be received for information.

834. Jerberra Estate Rezoning Investigations Update - Threatened Species Issues File 2653-03

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

835. Draft LEP LP 376 - Manyana (Kylor) File 31549-05

RECOMMENDED that the report of the General Manager (Strategic Planning) concerning the withdrawal of a rezoning request at Manyana – draft LEP LP 376 (Kylor) be received for information.

836. Draft Planning Policy No. 5 - Dual Occupancy Development Subdivision Policy File 34829-02

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

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837. Amendment to Privacy Management Plan File 10357-03

RECOMMENDED that

- a) Council adopt the amended Privacy Management Plan, as distributed; and
- b) The amended Privacy Management Plan be forwarded to the Privacy Commissioner of NSW in accordance with Section 33 of the Privacy & Personal Information Protection Act, 1998.

838. Updated Guidelines for the Payment of Expenses and Provision of Facilities to Councillors File 5141-02

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the updated guidelines for the Payment of Expenses and Provision of Facilities to Councillors be received for information.

839. Guidelines for the Conduct of Community Consultative Bodies File 1792-02

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

840. 'Sea Change 2007' National Conference - 20th to 22nd August 2007 File 4688-03

RECOMMENDED that Council authorise the attendance of available Councillors to attend the 'Sea Change 2007' National Conference from 20<sup>th</sup> to 22<sup>nd</sup> August 2007 and that such attendance be deemed to be business of Council.

841. Australian Public Sector Anti Corruption Conference File 4688-03

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the Australian Public Sector Anti Corruption Conference be received for information.

842. On-line DA Tracking - Review of Documentation Displayed on the Internet File 32731

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

843. (Page 14 Item 7) Roadshows File 1023-03

This item was withdrawn and dealt with separately.

RECOMMENDED that Shoalhaven City Council drop the Sydney Holiday and Travel Show from its program of Consumer Shows and instead look at some regional holiday and travel shows where there is a better return on the dollar invested.

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

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THIS IS PAGE 12 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25TH JUNE, 2007

MINUTES CONFIRMED ON TUESDAY 24<sup>TH</sup> JULY, 2007 - CHAIRMAN .....

This item was withdrawn and dealt with separately.

RECOMMENDED that Council accept the offer made by former Independent NSW State member John Hatton, OA to donate his portrait to the City Art Collection.

A MOTION was moved by Clr Willmott, seconded by Clr McCrudden, that the matter of the John Hatton Portrait be referred back to the Shoalhaven Arts Board for consideration after the Acquisitions Policy has been determined.

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 Young, Willmott, Kearney, McCrudden.

The following Councillors voted "No"

Clrs Watson Bates, Ward, Green, Murphy, Rudd, Finkernagel.

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

This item was withdrawn and dealt with separately.

RECOMMENDED that information provided on the gazettal of SLEP 1985 – Amendment No. 212 - Heritage be received for information, and a further report be submitted to Council in relation to the outcome of liaison with the Department of Planning regarding certain clauses in the LEP written instrument and the maps.

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

- a) Information provided on the gazettal of SLEP 1985 – Amendment No. 212 - Heritage be received for information, and a further report be submitted to Council in relation to the outcome of liaison with the Department of Planning regarding certain clauses in the LEP written instrument and the maps;
- b) The General Manager (Strategic Planning) submit a further report to the Development Committee with specific mention to the Manson property in Becroft Parade, Currarong.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

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The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clr Bates.

846. (Page 20 Item 50) Jerberra Estate Rezoning Investigations Update - Threatened Species Issues  
File 2653-03

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This item was withdrawn and dealt with separately.

RECOMMENDED that Council;

- a) Accept the constraints relevant to the Commonwealth EPBC Act and negotiate with DECC and Department of Planning on one dwelling per lot on the remaining area.
  - i) The General Manager (Strategic Planning) refer to the Commonwealth under the provisions of the EPBC Act to ensure Council’s determined position meets with their requirements.
  - ii) A subsequent action will be to remove those lots that definitely could not accommodate a dwelling and remove them from the special rate provisions, subject to a minimum lot size determined by the capacity of the soil to accept onsite effluent disposal. This may require the amalgamation of some smaller lots to achieve appropriate environmental outcomes.
- b) Council hold a residents briefing meeting with Jerberra Estate residents and property owners prior to the June Ordinary Meeting on the threatened species issues and Development options within Jerberra Estate.
- c) Council approve the release of Attachment C of Policy and Planning Committee meeting report “Item 11 Jerberra Estate Rezoning Investigations Update – Threatened Species Issue” to Jerberra Estate residents and property owners subject to deletion of specific threatened species locations of gang gang cockatoo, eastern bristlebird and den trees of the yellow-bellied glider..

RESOLVED on a MOTION of Clr Finkernagel, seconded Clr Green, that:

- a) Accept the general constraints relevant to the Commonwealth EPBC Act and negotiate with the objective of one dwelling per lot on the remaining area as well as the more substantial existing structures shown within EPBC constrained areas;
- b) Due to the unique social and economic considerations, make representations to the Minister for Climate Change, Environment and Water, The Hon. Phil Koperberg MP, the NSW Minister for Planning, The Hon. Frank Sartor MP and the Minister for Lands, the Hon. Tony Kelly MLC in accordance with a) above;

- c) Continue to evaluate the detailed implications of Bushfire Asset Protection zones, vegetation buffers and onsite effluent disposal relative to a) above;
- d) When the above steps are clarified, remove those lots that definitely could not accommodate a dwelling from the Special Rate Provisions;
- e) Council approve the release of Attachment C of the Policy and Planning Committee report 'Item 11 – Jerberra Estate Rezoning Investigations Update – Threatened Species Issue' to Jerberra Estate residents and property owners subject to deletion of specific threatened species locations of gang gang cockatoo, eastern bristlebird and den trees of the yellow-bellied glider.

847. (Page 20 Item 52) Draft Planning Policy No. 5 - Dual Occupancy Development Subdivision Policy  
File 34829-02, 5034, 5262

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) Adherence to AS4299 be “encouraged” not “mandatory”;
- b) The basic standards for adaptable housing as included in the body of the report above be included as an encouraged acceptable solution in the Policy;
- c) Where adaptable housing is unachievable due to terrain or the like, that the adaptable housing component not apply;
- d) In the case of existing dual occupancy development one of the dual occupancy dwellings be altered/ redeveloped to satisfy the adaptable housing provisions that relate to structural elements, either at the subdivision stage or at a later date (as prescribed via a Section 88B of the Conveyancing Act 1919) – as outlined in Option One on Page 12 of the Draft Policy;
- e) The Draft Shoalhaven Planning Policy No.5 – Dual Occupancy Development Subdivision Policy be adopted with amendments incorporated as per Attachment “A” and subject to the following amendments:
  - i) Lots of 800 square metres (or 900 square metres in a cul-de-sac) can be subdivided irrespective of whether they are within convenient pedestrian access to a commercial centre.
  - ii) Council can consider subdivisions below the mandatory requirements where allotments created within 400 metres walking distance of a commercial centre and allotments created after a subdivision contain the minimum areas required for; open space, landscaped area, car parking, clothes drying space, etc. in accordance with Council’s Development Control Plan.
  - iii) The word “architecturally” be deleted from Acceptable Solution AS1.
  - iv) Where the above minimum area and requirements of lot shapes are inconsistent with the provisions of DCP 100, the above requirements shall

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prevail as current Council Policy and delegation is granted to the General Manager to approve such variations.

- v) Where practical vehicles should leave properties in a forward direction other than on main roads where this is mandatory.
  - vi) Adaptive housing be mandatory within 400 m walking distance of a commercial centre except where natural access and steep grades prohibit or where lots are 800 square metres or 900 square metres in a cul-de-sac.
- f) The Policy is advertised in local newspapers, on Council's website and that Community Consultative Bodies and people that made a submission be notified in writing;
  - g) Undertake an internal training/workshop for users of the policy; and
  - h) The Policy be reviewed in eighteen (18) months time.
  - i) Relevant provisions of the Dual Occupancy Development Subdivision Policy be incorporated into the next amendment or review of DCP 100 Subdivision Code and DCP 57 Dual Occupancy.

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

- a) Adherence to AS4299 be "encouraged" not "mandatory";
- b) The basic standards for adaptable housing as included in the body of the report above be included as an encouraged acceptable solution in the Policy;
- c) Where adaptable housing is unachievable due to terrain or the like, that the adaptable housing component not apply;
- d) In the case of existing dual occupancy development one of the dual occupancy dwellings be altered/ redeveloped to satisfy the adaptable housing provisions that relate to structural elements, either at the subdivision stage or at a later date (as prescribed via a Section 88B of the Conveyancing Act 1919) – as outlined in Option One on Page 12 of the Draft Policy;
- e) The Draft Shoalhaven Planning Policy No.5 – Dual Occupancy Development Subdivision Policy be adopted with amendments incorporated as per Attachment "A" and subject to the following amendments:
  - i) Lots of 800 square metres (or 900 square metres in a cul-de-sac) can be subdivided irrespective of whether they are within convenient pedestrian access to a commercial centre.
  - ii) Council can consider subdivisions below the mandatory requirements where allotments created within 400 metres walking distance of a commercial centre and allotments created after a subdivision contain the minimum areas required for; open space, landscaped area, car parking, clothes drying space, etc. in accordance with Council's Development Control Plan.
  - iii) The word "architecturally" be deleted from Acceptable Solution AS1 and wording changes in adaptable housing for point a).

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THIS IS PAGE 16 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25TH JUNE, 2007

MINUTES CONFIRMED ON TUESDAY 24<sup>TH</sup> JULY, 2007 - CHAIRMAN .....



- 
- iv) Where the above minimum area and requirements of lot shapes are inconsistent with the provisions of DCP 100, the above requirements shall prevail as current Council Policy and delegation is granted to the General Manager to approve such variations.
  - v) Where practical vehicles should leave properties in a forward direction other than on main roads where this is mandatory.
  - vi) Adaptive housing to reflect a) within 400 m walking distance of a commercial centre except where natural access and steep grades prohibit or where lots are 800 square metres (or 900 square metres in a cul-de-sac).
  - f) The Policy is advertised in local newspapers, on Council's website and that Community Consultative Bodies and people that made a submission be notified in writing;
  - g) Undertake an internal training/workshop for users of the policy; and
  - h) The Policy be reviewed in eighteen (18) months time.
  - i) Relevant provisions of the Dual Occupancy Development Subdivision Policy be incorporated into the next amendment or review of DCP 100 Subdivision Code and DCP 57 Dual Occupancy.
  - j) Greenwell Point, Callala Bay, Callala Beach and Shoalhaven Heads be included as a further amendment to the Draft Shoalhaven Planning Policy No.5 – Dual Occupancy Development Subdivision Policy and this amendment be exhibited.

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848. (Page 22 Item 55) Guidelines for the Conduct of Community Consultative Bodies File 1792-02

This item was withdrawn and dealt with separately.

RECOMMENDED that Council withdraw Clause e) from the Guidelines and maintain the status quo that prevailed prior to the latest change.

RESOLVED on a MOTION of Clr Watson, seconded Clr Rudd, that Council advertise its intention to delete Clause e) from the Guidelines for the Conduct of Community Consultative Bodies.

Note: Clr Watson left the meeting prior to the consideration of Item 58 of the Policy and Planning Committee Report - On-line DA Tracking - Review of Documentation Displayed on the Internet. Clr Murphy took the Chair the time being 6.35 pm.

849. (Page 22 Item 58) On-line DA Tracking - Review of Documentation Displayed on the Internet  
File 32731

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This item was withdrawn and dealt with separately.

RECOMMENDED that with respect to the report on DA Tracking review:

- a) The report be received for information; and
- b) In order to further improve the display of DA related documents on DA Tracking, Council endorse the following:
  - DA form be rewritten to simplify process. Only one (1) section is required for applicants to fill out. Display DA Application Form in its entirety for transparency purposes as Council is providing such information under Section 12 of the *Local Government Act 1993*;
  - Amend DA Form to be in accordance with requirement of *EP & A Regulation 2000* that Council accepts written authorisation from land owner/s or for large companies, at least one (1) company director residing in Australia that they consent to the making of the application. This would make it less onerous for applicants to attach owner's consent when filling out forms in particular applicants from large companies lodging large-scaled DAs;
  - Utilise the enhancement facility in future releases of the DA Tracking software when facility becomes available to allow for the locking of scanned files to stop fraudulent copying of signatures etc;
  - Additional disclaimers be included to cover Council from possible identity fraud claims; and
  - Consistency be achieved for the displaying of Floor Plans between both Nowra and Ulladulla offices. Only Residential Floor Plans should not be displayed on-line, as per Council's resolution of 28 February 2006. For Commercial, Industrial and other

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DA types, only external configuration of those Floor Plans should be shown on DA Tracking. Internal configuration of such Floor Plans, details of Floor Plans that may lead to breaches of privacy and security are recommended to be blocked out from internet view; e.g. location of public amenities, safety deposit boxes, secure areas etc, for consistency with Clause 56(2)(b) of the *EP & A Regulation 2000*.

RESOLVED on a MOTION of Clr Young, seconded Clr Green, 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 Watson, Young, Willmott, Kearney, McCrudden, green, Murphy, Rudd, Finkernagel.

The following Councillors voted “No”

Clrs Bates, Ward.

Note: Clr Watson was absent during the voting of this item.

Note: Clr Watson returned to the meeting at the conclusion of Item 58 of the Policy and Planning Committee Report - On-line DA Tracking - Review of Documentation Displayed on the Internet and took the Chair the time being 6.39 pm.

**REPORT OF THE SPECIAL POLICY AND PLANNING COMMITTEE – MONDAY 18<sup>TH</sup> JUNE 2007**

850. Draft Management Plan 2007 – 2010: Consideration of Submissions File 35373

A PROCEDURAL MOTION was moved by Clr Finkernagel, seconded by Clr Ward, that the deputations concerning the Draft Management Plan 2007-2010 Consideration of Submissions be heard and limited to a duration of five (5) minutes.

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

Debbie Barling, President of the St Georges Basin Soccer Club addressed the meeting to speak in regard to upgrading the St Georges Basin Sports Field.

Jodie Walker, President of the St Georges Basin Touch Football Club addressed the meeting to speak in regard to upgrading the St Georges Basin Sports Field.

David Zarafa, from the Huskisson Soccer Club addressed the meeting to speak in regard to upgrading the Huskisson Sports Field.

RECOMMENDED that the Draft Management Plan for 2007 – 2010 Volumes 1 & 2 be adopted as exhibited subject to the inclusion of:

- a) The issues raised by Tammy Jones in her deputation to Special Policy and Planning Committee on pool hire fees be referred to the Crown Reserve, Community and Operations Committee on 19<sup>th</sup> June 2007 for consideration.
- b) A copy of Tammy Jones deputation be circulated to relevant staff and all councillors.
- c) The following adjustments be made to the Section 94 Plan – Draft Amendment 78 – Fire Control and Emergency Services Major Review in Part D – Financial Matters using the transfer of funds from Section 94 Reserves:

	2007-08	2008-09	2009-10
Additional Capital Expenditure	\$190,000	\$412,868	\$ 950,000
Additional Council Contribution	<u>\$ 25,270</u>	<u>\$ 54,911</u>	<u>\$ 126,350</u>
Total Expenditure	<u>\$215,270</u>	<u>\$467,779</u>	<u>\$1,076,350</u>
Additional Income from RFS	\$190,000	\$412,868	\$ 950,000
Additional Transfer from S94	<u>\$ 25,270</u>	<u>\$ 54,911</u>	<u>\$ 126,350</u>
Total Income	<u>\$215,270</u>	<u>\$467,779</u>	<u>\$1,076,350</u>

Part E – Capital Works Program

- d) As a matter of urgency, Council review the priority of the shared cycleway along Murramarang Road, Bawley Point from Tingira Drive to Voyager Crescent.
- e) The General Manager (City Services and Operations) include the shared cycleway along the full length of Murramarang Road, Bawley Point in the submission to the Commonwealth Government for Employment funding and its priority of construction be considered in relation to the overall PAMP priorities.
- f) Council endorse the preparation of preliminary concept plans for the construction of a footpath on the western side of River Road, Sussex Inlet.
- g) a report be referred to Council in August/September regarding the redistribution of funds of \$135,000 from the proposed Princes Highway, South Nowra cycleway project after cost estimates for other 2007/2008 footpath and cycleway projects have been confirmed.
- h) Council, in conjunction with Shoalhaven Sports Board representatives and representatives of Central Shoalhaven Soccer user groups, prepare a strategic plan and time line for the construction of additional soccer fields within central Shoalhaven.
- i) The Draft Management Plan for 2007 – 2010 be adjusted to include in 2007/08 Urban Road Sealing Program, First Avenue, Erowal Bay (\$130,000) and Gurumbi Lane, Erowal Bay (\$70,000).
- j) the Draft Management Plan for 2007 – 2010 be adjusted to include funding of \$250,000 in 2007/08 for the construction of the Ellmoos Avenue, Sussex Inlet Car Park and funding be sourced from the Section 94 Reserve.
- k) Council consider the installation of playground equipment at Bawley Point in conjunction with the review of the Playground Strategy.

- l) Council borrow an additional \$1,000,000 for an accelerated cycleway/footpath program in accordance with PAMP priorities, in order to address a large number of Draft Management Plan 2007 – 2010 submissions received by Council on the deficiency of cycleway funding.
- m) Council reconsider its loan application should additional funding for cycleway/footpaths becomes available from other sources.
- n) Council endorse the actions as noted in italics in the report of the General Manager (Finance & Corporate Services).

A PROCEDURAL MOTION was moved by Clr Ward, seconded Clr Bates, that the Draft Management Plan 2007-2010 – Submissions be considered in seriatim.

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 Bates, Ward, Finkernagel.

The following Councillors voted “No”

Clrs Watson, Young, Willmott, Kearney, McCrudden, Green, Murphy, Rudd.

A MOTION was moved by Clr Young, seconded Clr Willmott, that the Draft Management Plan for 2007 – 2010 Volumes 1 & 2 be adopted as exhibited subject to the inclusion of:

- a) The issues raised by Tammy Jones in her deputation to Special Policy and Planning Committee on pool hire fees be referred to the Crown Reserve, Community and Operations Committee on 19<sup>th</sup> June 2007 for consideration.
- b) A copy of Tammy Jones deputation be circulated to relevant staff and all councillors.
- c) The following adjustments be made to the Section 94 Plan – Draft Amendment 78 – Fire Control and Emergency Services Major Review in Part D – Financial Matters using the transfer of funds from Section 94 Reserves:

	2007-08	2008-09	2009-10
Additional Capital Expenditure	\$190,000	\$412,868	\$ 950,000
Additional Council Contribution	<u>\$ 25,270</u>	<u>\$ 54,911</u>	<u>\$ 126,350</u>
Total Expenditure	<u>\$215,270</u>	<u>\$467,779</u>	<u>\$1,076,350</u>
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Total Income	<u>\$215,270</u>	<u>\$467,779</u>	<u>\$1,076,350</u>

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Part E – Capital Works Program

- d) As a matter of urgency, and with due concern for the clear and present danger as expressed by the community through the exhibition of the draft Management Plan 2007-2010, Council review the priority of the shared cycleway along Murramarang Road, Bawley Point from Tingira Drive to Voyager Crescent.
- e) The General Manager (City Services and Operations) include a staged construction of a shared cycleway along the full length of Murramarang Road, Bawley Point in the submission to the Commonwealth Government for Employment funding and its priority for construction of Stage 1 – of the project from Tingira Road to Voyager Crescent be considered high.
- f) Council endorse the preparation of preliminary concept plans for the construction of a footpath on the western side of River Road, Sussex Inlet.
- g) a report be referred to Council in August/September regarding the redistribution of funds of \$135,000 from the proposed Princes Highway, South Nowra cycleway project after cost estimates for other 2007/2008 footpath and cycleway projects have been confirmed.
- h) Council, in conjunction with Shoalhaven Sports Board representatives and representatives of Central Shoalhaven Soccer user groups,
  - i) Urgently prepare a strategic plan and time line for the construction of additional soccer fields within central Shoalhaven.
  - ii) In the preparation of the strategic plan, staff report on the possible funding sources including Strategic Projects Reserve and external borrowings.
- i) The Draft Management Plan for 2007 – 2010 be adjusted to include in 2007/08 Urban Road Sealing Program, First Avenue, Erowal Bay (\$130,000) and Gurumbi Lane, Erowal Bay (\$70,000).
- j) the Draft Management Plan for 2007 – 2010 be adjusted to include funding of \$250,000 in 2007/08 for the construction of the Ellmoos Avenue, Sussex Inlet Car Park and funding be sourced from the Section 94 Reserve.
- k) Council consider the installation of playground equipment at Bawley Point in conjunction with the review of the Playground Strategy.
- l) Council borrow an additional \$1,000,000 for an accelerated cycleway/footpath program in accordance with PAMP priorities, in order to address a large number of Draft Management Plan 2007 – 2010 submissions received by Council on the deficiency of cycleway funding.
- m) Council reconsider its loan application should additional funding for cycleway/footpaths becomes available from other sources.
- n) Council endorse the actions as noted in italics in the report of the General Manager (Finance & Corporate Services).

An AMENDMENT was moved by Clr Finkernagel, seconded Clr Green that:

- a) The issues raised by Tammy Jones in her deputation to Special Policy and Planning Committee on pool hire fees be referred to the Crown Reserve, Community and Operations Committee on 19<sup>th</sup> June 2007 for consideration.
- b) A copy of Tammy Jones deputation be circulated to relevant staff and all councillors.
- c) The following adjustments be made to the Section 94 Plan – Draft Amendment 78 – Fire Control and Emergency Services Major Review in Part D – Financial Matters using the transfer of funds from Section 94 Reserves:

	2007-08	2008-09	2009-10
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Part E – Capital Works Program

- d) As a matter of urgency, and with due concern for the clear and present danger as expressed by the community through the exhibition of the draft Management Plan 2007-2010, Council review the priority of the shared cycleway along Murramarang Road, Bawley Point from Tingira Drive to Voyager Crescent.
- e) The General Manager (City Services and Operations) include a staged construction of a shared cycleway along the full length of Murramarang Road, Bawley Point in the submission to the Commonwealth Government for Employment funding and its priority for construction of Stage 1 – of the project from Tingira Road to Voyager Crescent be considered high.
- f) Council endorse the preparation of preliminary concept plans for the construction of a footpath on the western side of River Road, Sussex Inlet.
- g) a report be referred to Council in August/September regarding the redistribution of funds of \$135,000 from the proposed Princes Highway, South Nowra cycleway project after cost estimates for other 2007/2008 footpath and cycleway projects have been confirmed.
- h) Council, in conjunction with Shoalhaven Sports Board representatives and representatives of Central Shoalhaven Soccer user groups,
  - iii) Urgently prepare a strategic plan and time line for the construction of additional soccer fields within central Shoalhaven.
  - iv) In the preparation of the strategic plan, staff report on the possible funding sources including Strategic Projects Reserve and external borrowings.
- i) The Draft Management Plan for 2007 – 2010 be adjusted to include in 2007/08 Urban Road Sealing Program, First Avenue, Erowal Bay (\$130,000) and Gurumbi Lane, Erowal Bay (\$70,000).

- j) the Draft Management Plan for 2007 – 2010 be adjusted to include funding of \$250,000 in 2007/08 for the construction of the Ellmoos Avenue, Sussex Inlet Car Park and funding be sourced from the Section 94 Reserve.
- k) Council consider the installation of playground equipment at Bawley Point in conjunction with the review of the Playground Strategy.
- l) Council borrow an additional \$1,000,000 for an accelerated cycleway/footpath program in accordance with PAMP priorities, in order to address a large number of Draft Management Plan 2007 – 2010 submissions received by Council on the deficiency of cycleway funding.
- m) Council reconsider its loan application should additional funding for cycleway/footpaths becomes available from other sources.
- n) Council endorse the actions as noted in italics in the report of the General Manager (Finance & Corporate Services).
- o) Council increase the allocation to the Illawarra Academy of Sport from the Unallocated Donations Vote to \$15,000.

The AMENDMENT upon being PUT to the meeting was declared CARRIED.

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

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

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

Clrs Watson, Bates, Young, Willmott, Kearney, McCrudden, Green, Murphy, Rudd, Finkernagel.

The following Councillors voted “No”

Clr Ward.

851. Procedural Motion

RESOLVED on a MOTION of Clr Finkernagel, seconded by Clr Green, that Item 4 Page 38 – Development Application - Extensions to Existing Tourist Facility (Bannisters Point Lodge) Lot 27 DP 224117, 191 Mitchell Parade, Mollymook Beach. Applicant: Molnar Freeman Architects be brought forward for consideration.



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852. (Page 38 Item 4) Development Application - Extensions to Existing Tourist Facility (Bannisters Point Lodge) Lot 27 DP 224117, 191 Mitchell Parade, Mollymook Beach. Applicant: Molnar Freeman Architects File DA06/2792
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This item was brought forward and dealt with separately.

Clr Ward declared his interest in the matter being a matter of conflict of interest being a recipient of election campaign contributions and left the room and did not take part in discussion or vote on this matter.

RECOMMENDED that:

- a) Council support the request to vary the “low-profile” (two storey) height limit under the Coastal Areas - Planning and Development Policy in relation to DA06/2792 on Lot 27 DP 224117, 191 Mitchell Parade, Mollymook Beach;
- b) The applicant be invited to submit, as soon as practicable, amended designs to include the matters raised by staff in the report being:
  - i) Minor reduction of the balustrade and facia treatments to the north eastern corner of the proposed building additions;
  - ii) Reduction of the ceiling height where suites have a floor to ceiling height of 3 - 3.4m where practicable by up to a further 200mm;
  - iii) Minor retraction of the deck and roof on the south eastern corner adjacent to 193 Mitchell Parade, Mollymook Beach, to lessen the impact of loss of views and solar access;
- c) The application be determined under delegated authority.

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

- a) Council support the request to vary the “low-profile” (two storey) height limit under the Coastal Areas - Planning and Development Policy in relation to DA06/2792 on Lot 27 DP 224117, 191 Mitchell Parade, Mollymook Beach;
- b) The applicant be invited to submit, as soon as practicable, amended designs to the extent of matters raised by staff in the report being:
  - i) Minor reduction of the balustrade and facia treatments to the north eastern corner of the proposed building additions;
  - ii) Reduction of the ceiling height where suites have a floor to ceiling height of 3 - 3.4m where practicable by up to a further 200mm;

- 
- iii) Minor retraction of the deck and roof on the south eastern corner adjacent to 193 Mitchell Parade, Mollymook Beach, to lessen the impact of loss of views and solar access;
- d) The application be determined under delegated authority.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye"

Clrs Watson, Young, Willmott, Kearney, McCrudden, Green, Murphy, Finkernagel.

The following Councillors voted "No"

Clrs Bates, Rudd.

853. Procedural Motion

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

- Page 48 Item 12 – Pool Hire Fees - Aquatic Club Activities
- Page 49 Item 19 – Currarong Boat Ramp

be brought forward for consideration.

854. (Page 48 Item 12) Pool Hire Fees - Aquatic Club Activities File 1754-08

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This item was brought forward and dealt with separately.

RECOMMENDED that Council adopt the Pool Hire Fees as recommended in the Fees and Charges of the draft Management Plan.

RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that the matter of Pool Hire Fees - Aquatic Club Activities be deferred pending submission of a report to the Crown Reserve, Community and Commercial Operations Committee clarifying the issues raised concerning external coaches and the fees charged.

855. (Page 49 Item 19) Currarong Boat Ramp File 4007-03

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This item was brought forward and dealt with separately.

RECOMMENDED that:

- a) The Mayor and General Manager be authorised to undertake urgent negotiations with The Hon. Joe Tripodi MP, Minister for Ports and Waterways, with a view to having the requirements for Council funding the navigational aids deleted;

- 
- b) Further preliminary investigation of the alternate option provided by ratepayers and if deemed feasible, further community consultation be initiated;
  - c) Should the alternate design, supplied by ratepayers, not be engineeringly feasible the General Manager (Strategic Planning) be requested to report back to Committee regarding funding options for the exhibited design

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

The meeting adjourned for dinner the time being 8.15 pm

The meeting reconvened the time being 9.11 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 G Ward

Clr G Kearney

Clr J Willmott

Clr J Young

Clr R Bates – arrived 9.13 pm

## **REPORT OF THE WORKS AND FINANCE COMMITTEE – TUESDAY 12<sup>TH</sup> JUNE 2007**

### 856. Adoption of Report

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

Note: Clr Bates was not present during voting on this item.

### 857. Tomerong School of Arts - Carpark and Drainage Issues File 27107, 5682

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Clr Bates declared a non pecuniary interest in this item being a relative to a member of the Tomerong School of Arts Management Committee and did not take part in discussion or vote on the matter.

RECOMMENDED that:

- a) Council proceed to undertake works on Hawken Road, Tomerong to improve stormwater flows in the kerb and gutter near the pedestrian blister including reinstatement of cracked kerb and gutter at the existing driveway entrance to Tomerong hall, and regrade and

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THIS IS PAGE 27 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25<sup>TH</sup> JUNE, 2007

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compact the existing gravel carpark using Council's traffic facilities and road maintenance funds.

- b) Council approve works to the value of \$8,500 for the installation of a new double driveway crossing, a seven metre wide concrete slab across the footpath verge adjacent to the School of Arts Tomerong and remediation to the carpark up to \$2,000, with the funds allocated from the City Services and Operations operating Budget.

858. Tender for Supply and Delivery of Pavement Materials 2007/2008 File 35918

RECOMMENDED that:

- a) Council authorise the General Manager (City Services & Operations) to accept the tenders for the supply and delivery of pavement materials from the following:

<u>Tenderer</u>	<u>Approx Value of Tender (excl GST)</u>
South Coast Concrete Crushing and Recycling Pty Ltd	\$457,375
SCE Recycling (Nowra) Pty Ltd (trading as Shoalhaven Quarries)	\$235,578
SCE Recycling (Nowra )Pty Ltd	\$136,210
South Coast Resources Pty Ltd	\$75,600
Hanson Construction Materials Pty Ltd	\$52,250

- b) Where the preferred tenderer for a particular location cannot meet the requirements of the contract documents then the next lowest tenderer for that location be accepted or fresh tenders or quotations be called, whichever provides the most beneficial result for Council.
- c) The General Manager be authorised to enter into contracts with the tenderers listed in (a) above. Contract documents for South Coast Concrete Crushing and Recycling Pty Ltd and for SCE Recycling (Nowra) Pty Ltd (trading as Shoalhaven Quarries) be executed under the Seal of Council.

859. Nowra Youth Centre – General Manager Wage Contribution Request File 28419

RECOMMENDED that Council advise the Nowra Youth Centre Management Committee that it is unable to provide financial subsidy to its General Manager's wages and that further representations should be made to the State Government to meet its obligations to pay staff wages.

860. Ulladulla Pistol Club Inc - Request for Funding Assistance File 31952

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

861. 14th Biennial NSW Weeds Conference, 2007 File 8252

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THIS IS PAGE 28 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25TH JUNE, 2007

MINUTES CONFIRMED ON TUESDAY 24<sup>TH</sup> JULY, 2007 - CHAIRMAN .....

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RECOMMENDED that Councillors be authorised to attend the 14<sup>th</sup> Biennial Weeds Conference to be held in Wollongong on Tuesday 25 to Thursday 27 September 2007 and that all reasonable out of pocket expenses be paid by Council in accordance with Council's Policy.

862. Improvements Grant Request for Mark Radium Park Berry File 36203

RECOMMENDED that additional funding of \$6,000 be provided for stage 1 Mark Radium Reserve; pathways and garden bed construction with funding being provided from Funds – Community Groups (Job Number 82301).

863. Request for Increased Level of Maintenance for Hyam Street Reserve, Nowra File 2254-02

RECOMMENDED that Council authorise the expenditure of up to \$10,000 from funds identified in the June Quarterly Review on Hyam Street Reserve, Nowra to improve access, identify low lying areas and minor drainage improvements in 2007/08 financial year.

864. Ulladulla Foreshore Terraced Parkland File 35899

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Ulladulla Foreshore Terraced Parkland be received for information.

865. Sale of Proposed Closed Road Traversing Lot 1 DP1061288 Off Yalwal Road, Barringella  
File 31654

RECOMMENDED that

- a) The land described as Lot 1 DP 1103609 on the attached plan be sold to the owner of Lot 1 DP 1061288 for the sum of \$14,000 plus GST, and Council's costs.
- 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 is authorised to sign any documentation necessary to give effect to this resolution.

RECOMMENDED that Council determine the 2007/08 Streetscape Program as:-

- a) Broughton Walk, Berry - \$30,000
- b) Junction St, Nowra - \$10,000 and
- c) Kerry St, Sanctuary Point - \$160,000

RECOMMENDED that

- a) Council resolve to Compulsory Acquire Lots 1 to 45 (inclusive) identified on the unregistered plan of acquisition dated 7 March 2007 attached to the report.
- b) Council resolve to make application to the Minister for Local Government and the Governor for permission to compulsorily acquire Lots 1 to 45 (inclusive) identified on the attached unregistered plan of acquisition dated 7 March 2007.
- c) The General Manager be authorised to do all things necessary to give effect to this resolution including, but not limited to, signing any documents and making any applications.
- d) Upon acquisition Lots 1 – 45 (inclusive) be dedicated as Road pursuant to Section 10 of the Roads Act 1993.
- e) The compensation and costs associated with the acquisition of Lots 1 – 45 (inclusive) including all survey, valuation and legal costs payable in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 be funded from Job No. 86056.16663.

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868. Graham St, Nowra - Footpath Replacement File 36159

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

869. Asset Management Plans File 30281, 8983

RECOMMENDED that Council adopt the draft Asset Management Plans as exhibited, with the exception of the adjustment to the Plan for Public Halls and Community Centres as outlined in the report, for:-

- Kerb & Gutter
- Traffic Facilities
- Car Parks
- Flood Mitigation Structures
- Playgrounds
- Public & Community Buildings
- Public Halls and Community Centres
  - Libraries
  - Early Childhood Services
  - Community Buildings
  - Scout & Guide Clubs
  - Arts & Craft Buildings
  - Surf Life Saving Clubs
  - Museums and Cultural Centres
- Administrative Centres
- Cemeteries
- Aquatic Facilities
- Sealed Roads

870. Application for Transfer of Land - Lots 10, 11 and 44 DP27814 Sunnyside Avenue, Currumbene (R) File 01095.942, 01095.941, 01095.974

RECOMMENDED that

- a) Council accept the transfer of Lots 10, 11 and 44 in DP 27814 Sunnyside Avenue, Currumbene (R) in lieu of rates and charges pursuant to Section 570 of the Local Government Act 1993;
- b) The General Manager be authorised to sign necessary documentation and the Transfer be executed under the Seal of Council;
- c) Lots 10, 11 and 44 in DP 27814 to be classified as “operational” land in accordance with Section 31(2) of the Local Government Act 1993; and
- d) The land acquisition costs; i.e. value of 2007/2008 rates, legal and registration fees be funded from the Public Land Acquisition Loan.

RECOMMENDED that:

- a) Council accept the grant offer from the Roads & traffic Authority and vote and authorise the expenditure in 2007/08 of the \$50,000 grant funds towards the upgrade of Springs Road / Hoffman intersection, Swanhaven.
- b) Council write to the Roads and Traffic Authority thanking them for their contributory funding assistance towards this project
- c) The funding for Tapitallee Road Bridge replacement be reduced to \$420,000 from \$600,000 in 2007/08 and \$180,000 be allocated to the Springs Road / Hoffman Drive intersection project in 2007/08.

RECOMMENDED that Council authorize the proposal to alter the parking in Boree St Car Park, Ulladulla to facilitate pedestrian access through the car park with works to be funded from Car Park Maintenance (\$6,000) and that the Ulladulla and Districts Community Forum and the Southern Shoalhaven Business Chamber be advised.

RECOMMENDED that

- a) Council adopt the draft 2007/08 Gravel Road Improvements Programs as follows:

#### Gravel Resheet Program 2007/08

Region	Road No	Name	Village	S94 Funds	Start Ch (km)	End Ch (km)	Length (m)	Width (m)	Total Cost
B	2180	Edendale East	Woollamia		0.00	0.12	124	5.0	\$4,400
B	2210	Eucalypt Lane	Tomerong		0.00	0.30	300	5.0	\$10,600
B	2170	Falls Road West	Falls Creek		0.36	0.70	340	5.0	\$12,000
B	2252	McGuires Way	Tomerong		0.00	0.12	124	5.0	\$4,400
B	2177	Pritchard Ave Nth	Woollamia		0.00	0.60	600	6.0	\$25,500
B	1580	Turpentine Road	Tomerong		0.00	0.00	1,450	6.0	\$61,600
B	1629	Wandean Road	Wandandian		0.79	1.29	500	6.0	\$21,300
B	2169	Warne Road	St Georges Basin		0.64	1.40	760	5.0	\$26,900
B	1700	Willowford Road	Woollamia		1.20	1.40	200	5.0	\$7,100
C	1753	Yalwal Rd	Yalwal		7.40	8.20	800	5.0	\$28,300
C	1753	Yalwal Rd	Yalwal		22.57	23.77	1,200	4.0	\$34,000
C	988	Mayfield Rd	Pyree		2.67	2.99	323	5.0	\$11,400
C	988	Mayfield Rd	Pyree		3.33	4.09	757	5.0	\$26,800
C	669	Grassy Gully Rd	Burrier		0.40	0.90	497	5.0	\$17,600
C	669	Grassy Gully Rd	Burrier		7.10	8.15	1,051	4.0	\$29,800
N	104	Barfield Rd	Cambewarra		0.00	0.90	897	5.0	\$31,800
N	10	Agars Ln	Far Meadow		4.80	5.69	890	6.0	\$37,800

THIS IS PAGE 32 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25TH JUNE, 2007

MINUTES CONFIRMED ON TUESDAY 24<sup>TH</sup> JULY, 2007 - CHAIRMAN .....





N	1860	Wire Ln	Berry		0.00	0.30	300	4.0	\$12,700
N	393	Coorong Rd	North Nowra		0.28	0.74	465	5.0	\$24,600
N	2092	Abernethy's In	Meroo Meadow		0.04	0.51	465	5.0	\$24,600
N	2048	Gerringong Ck Rd	Upper Kangaroo Vly		0.28	0.40	120	5.0	\$6,400
N	1795	Hillandale Rd	Broughton Vale		0.26	0.59	330	5.0	\$17,500
N	905	Lidbetter Rd	Back Forest		0.00	0.52	515	5.0	\$27,300
N	2035	Morschels Ln	Meroo Meadow		0.17	0.97	800	5.0	\$42,300
N	1053	Mullers Ln	Jaspers Brush		0.01	0.38	370	5.0	\$19,600
N	776	Jacks Corner Rd	Kangaroo Valley	\$38,555	3.59	4.85	1,260	5.0	\$66,700
N	1885	Scotts Rd	Kangaroo Valley		0.32	0.43	110	4.0	\$4,700
S	399	Coral Tree Ln	Little Forest		0.00	0.20	200	4.2	\$8,900
									\$0

**Total**  
**Length: 7.24 Km \$375,300**  
**\$38,555**  
**\$336,745**

b) Council vote and authorise expenditure of approximately \$74,885 from Section 94 Reserves by transferring to the programs the remaining funds on 01ROADS0025 and 05ROAD0043, plus approximately \$38,555 from 01ROAD0067.

874. Donation Request - Bendigo Bank File 4771-06

RECOMMENDED that the Steering Committee of the Nowra Bendigo Bank be advised that Council is unable to assist with the feasibility study and establishment costs for the reason presented in the report.

875. Request for Financial Support - Lydian Singers File 4771-06

RECOMMENDED that Council donate \$4,400 from the Unallocated Donations Vote to the Shoalhaven Lydian Singers Inc for assistance in purchasing new uniforms for the choir.

876. Plant Usage File 35373

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the Plant Usage be received for information.

877. Additional Item - Street Lighting, Park Row, Orient Point File 3035

RECOMMENDED that the General Manager (Strategic Planning) prepare a report to Council on costs and funding options for street lighting along Park Row, Orient Point due to pedestrian safety issues.

878. Additional Item – Princes Highway Underpass, Harry Sawkins Park, Nowra File 10458

RECOMMENDED that the General Manager (City Services and Operations) prepare a report to Works and Finance Committee on:

- 
- a) The feasibility of including the Princes Highway underpass (tunnel) and its surrounds in the Harry Sawkins Park maintenance schedule
  - b) A pedestrian footpath linking the underpass with Campbell Place, Nowra
  - c) Lighting options for the underpass in order to increase safety
  - d) Opportunity of a Community Artwork project in the tunnel.

879. Retention of the existing Mt Cambewarra Communications Tower File 21896-03

RECOMMENDED that Council resolve to confirm the original intention to remove the existing tower within 12 months, from the completion date of the new facility.

880. (Page 30 Item 4) Ulladulla Pistol Club Inc - Request for Funding Assistance File 31952

This item was withdrawn and dealt with separately.

Clr Young declared her interest in the matter being that of a member of the Ulladulla Pistol Club and left the room and did not take part in discussion or vote on this matter.

RECOMMENDED that

- a) Council agree in principle to financially supporting the Ulladulla Pistol Club Inc to the amount of \$25,000 to articulate the next stage of the Pistol range development.
- b) The General Manager be authorised to negotiate a grant and loan split for the \$25,000 with no more than \$10,000 to be funded as a grant from the Funding Community Groups Allocation (Job number 82301) and the loan funds to be sourced from the Loan Advances Community Groups Allocation (Job number 10454).

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

881. (Page 32 item 12) Graham St, Nowra - Footpath Replacement File 36159

This item was withdrawn and dealt with separately.

RECOMMENDED that Council vote and authorise expenditure of unallocated funding of \$100,000 in 2007/08 Footpath Replacement Program for the replacement of failed paving in Graham St, Nowra

RESOLVED on a MOTION of Clr Ward, seconded Clr Finkernagel, that the matter of the Graham Street, Nowra - Footpath Replacement be referred back to the Works and Finance Committee for consideration of further options such as partial replacement.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

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The following Councillors voted “Aye”

Clrs Watson, Bates, Young, Kearney, Ward, Green, Murphy, Rudd, Finkernagel.  
The following Councillors voted “No”

Clrs Willmott, McCrudden.

**REPORT OF THE DEVELOPMENT COMMITTEE – TUESDAY 12<sup>TH</sup> JUNE 2007**

882. Adoption of Report

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

883. Shoalhaven Draft Flood Policy File 12966

RECOMMENDED that in relation to the Draft Flood Policy:

- a) The document be placed on public exhibition together with the previously approved for exhibition Draft DCP106 amendments for a period of 6 weeks;
- b) The document be placed on Council’s Internet site with easy links to make the comments electronically;
- c) Forward copies to Community Consultative Bodies;
- d) A further report be submitted following public exhibition;
- e) A Councillor Briefing be held at the conclusion of the exhibition period; and
- f) Availability of the document be extensively advertised.

884. Proposed Use of Unauthorised Timber Deck Constructed in Location Affected by Coastal Hazard, Lot 106 DP 29209, 70 Mitchell Parade, Mollymook Beach. Applicant: Mr John Vatovec  
File DA07/1135

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

885. Draft Shoalhaven Development Control Plan 91 - Single Dwellings and Ancillary Structures  
File 12856

RECOMMENDED that

- a) Council adopt Development Control Plan 91 - Single Dwellings and Ancillary Structures, as exhibited with amendments outlined in the report;

- 
- b) The adopted Development Control Plan 91 be advertised in accordance with Clause 21 of the *Environmental Planning and Assessment Act Regulation 2000*, and the date DCP 91 comes into effect being two (2) months from the date the notice is advertised;
  - c) The adopted DCP 91 be notified to the submitters, the building and development industry, Community Consultative Bodies and highlighted on Council's website; and
  - d) Upon Development Control Plan 91 becoming effective, the following policies be revoked:
    - Building Code Minimum Building Requirements (Min No 76.316);
    - Boundary Fences and Courtyard Walls for Single Dwellings (Min No 05.595 - File 28967);
    - Building Height and Amenity in Residential Areas (Min No 90.618 - File 31236); and
    - Building Line Setbacks Policy for Residential Buildings (Min No 05.595 - File 5266)

886. Development Application - Extensions to Existing Tourist Facility (Bannisters Point Lodge) Lot 27 DP 224117, 191 Mitchell Parade, Mollymook Beach. Applicant: Molnar Freeman Architects  
 File DA06/2792

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

887. Establishment of Easements for the Purposes of Asset Protection Zones (APZ) on Council Operational Land and Road Reserves  
 File 35181

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RECOMMENDED

- a) That in relation to the preparation of a policy for Establishment of Easements for the Purposes of Asset Protection Zones (APZ) on Council Operational Land and Road Reserves, that this not be pursued; and
- b) That Council resolve to consider applications for the establishment of easements for the purposes of Asset Protection Zones (APZs) on Council Operational Land and Road Reserves where exceptional circumstances apply and that these be reported to Council for individual consideration.

888. Threatened Species Assessments in Rural Areas  
 File 33044-03, 16153

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

889. (Page 37 Item 2) Proposed Use of Unauthorised Timber Deck Constructed in Location Affected by Coastal Hazard, Lot 106 DP 29209, 70 Mitchell Parade, Mollymook Beach. Applicant: Mr John Vatovec  
 File DA07/1135, 31329

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This item was withdrawn and dealt with separately.

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RECOMMENDED that

- a) Council agree to a variation from the Policy for Development Controls in Coastal Hazard Areas in relation to the development application for proposed use of existing deck at Lot 106 DP 29209, 70 Mitchell Parade and in this particular instance subject to:
  - i) the deck is detached from the dwelling;
- b) In the proposed revision of Council policies in relation to development in areas subject to coastal hazard, the issue of “sacrificial structures” for both new development and modifications of existing buildings forward of coastal hazard lines be clarified;
- c) The development application be determined under delegated authority.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clrs Bates, Rudd.

890. (Page 40 Item 6) Threatened Species Assessments in Rural Areas File 33044-03, 16153

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This item was withdrawn and dealt with separately.

RECOMMENDED that Council:

- a) Require applicants to submit detailed flora and fauna reports;
- b) Prepare threatened species assessment guidelines for applicants;
- c) Establish a procedural protocol for addressing differences of opinion between consultants and staff;
- d) Review this proposal in 12 months time.

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

- a) Establish a procedural protocol for addressing differences of opinion between consultants and staff in relation to Threatened Species Assessments in Rural Areas;

- 
- b) The Matter of Threatened Species Assessments in Rural Areas be referred to the Policy and Planning Committee for further consideration.

**REPORT OF THE SHOALHAVEN WATER OPERATIONS AND STRATEGIC REVIEW COMMITTEE – TUESDAY 19<sup>TH</sup> JUNE 2007**

891. Adoption of Report

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

892. Water Meter Reading Services File 24246, 36185

RECOMMENDED that Council:

- a) Endorse the option of an extension of the current contract for a further 12 months commencing 1 January 2008
- b) Seek an external provider to undertake meter reading services on expiration of the contract extension, and
- c) Authorise the General Manager to investigate and formalise a partnering arrangement with other interested Councils.

893. OZ Water 07 Convention File 35844

RECOMMENDED that the report of the General Manager (Shoalhaven Water) regarding the OZ Water 07 Convention be received for information.

894. Extension of 150 diameter Water Main from Huntingdale Park Road to Existing 150 diameter main in Victoria Street, BERRY File 36134, 36186

RECOMMENDED that Council construct the 150 diameter water main extension from Huntingdale Park Road to end of existing 150 diameter main in Victoria Street within the Berry Water Supply System, and:

- a) enter into agreement for a cost sharing arrangement with The Arbour and The Grange developments based on the hydraulic loading and modelling ,
- b) authorise the General Manager (Shoalhaven Water) to sign the agreement documents on Council's behalf,
- c) Fund Council's cost share estimated at \$67,720.00 from the Water Developer Works Fund

- 
- d) Procure the necessary easements over the water main in private lands.

895. National Water Initiative - Water Supply and Sewerage Performance Benchmarking 2005-06  
File 35982

RECOMMENDED that the report of the General Manager (Shoalhaven Water) regarding the National Water Initiative - Water Supply and Sewerage Performance Benchmarking 2005-06 be received for information.

896. Pump Out Service - Bawley Point File 12039

RECOMMENDED that Pumpout services not be provided to multi unit developments in villages not designated for future reticulation services.

897. Rainwater Tanks Rebate Extension File 26581-13

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

898. National Water Initiative (NWI) – National Guidelines for customers’ water accounts File 35982

RECOMMENDED that Shoalhaven Water undertakes customer consultation and implement a water account that complies with the National Water Initiative and Best Practice Management Guidelines.

899. 2007 Water Management Conference File 3989-07

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

900. Financial Assistance offer - Country Towns Water Supply and Sewerage Program - Conjola Regional Sewerage Scheme File 1370-13

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

901. Tender - Burrill Lake Pump Station Upgrade File 35754

RECOMMENDED that in relation to the tender for the Burrill Lake Pump Station upgrade, (Contract No. 0602585):



- a) In accordance with Clause 178(1)(b) of the Local Government (General) Regulations 2005, Council decline to accept any tender
- b) In accordance with Clause 178(3)(e) of the Local Government (General) Regulations 2005, Council enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the pipeline connections to the existing B4 pump station
- c) Invite fresh tenders for the balance of the works based on the revised procurement strategy
- d) In accordance with Clause 178(4)(a) of the Local Government (General) Regulations 2005, the reason for Council declining to include pipeline connections to the existing B4 pump station is that the Council did not receive a price that represented value for money for Council
- e) In accordance with Clause 178(4)(b) of the Local Government (General) Regulations 2005, Council's reasons for determining to enter into negotiations with persons or person referred to in 178(3)(e) is that this is the most effective way of securing the delivery of the works within the project time and cost constraints
- f) Upon successful negotiations of a contract, Council authorise the General Manager to accept and execute the Contract under the Seal of Council.

902. (Page 42 Item 6) Rainwater Tanks Rebate Extension

File 26581-13

This item was withdrawn and dealt with separately.

RECOMMENDED that Council:

- a) Continue the rainwater tank rebate to customers connected to town water that install a rainwater tank on their property (one rebate per property):

Tank(s) capacity	Rebate
2,000 – 3,999 litres	- \$150 tank rebate
4,000 – 6,999 litres	- \$400 tank rebate
7,000 + litres	- \$500 tank rebate

Plumbing rebate: When a rainwater tank is connected by a plumber to supply toilet and/or washing machine.	Rebate – Additional \$150 for all tank capacities 2,000 litres and above.
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- b) Extend the end date to the 30 June, 2008, for those eligible customers who have installed and paid for a water tank in full, by the end date.
- c) Amend the Rainwater Tank Rebate Policy POL05/115 to reflect the new end date as above.

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RESOLVED on a MOTION of ClrWard, seconded Clr Green, that:

- a) Continue the rainwater tank rebate to customers connected to town water that install a rainwater tank on their property (one rebate per property):

Tank(s) capacity	Rebate
2,000 – 3,999 litres	- \$150 tank rebate
4,000 – 6,999 litres	- \$400 tank rebate
7,000 + litres	- \$500 tank rebate

Plumbing rebate: When a rainwater tank is connected by a plumber to supply toilet and/or washing machine.	Rebate – Additional \$150 for all tank capacities 2,000 litres and above.
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- b) Extend the end date to the 30 June, 2008, for those eligible customers who have installed and paid for a water tank in full, by the end date.
- c) Amend the Rainwater Tank Rebate Policy POL05/115 to reflect the new end date as above.
- d) Consideration be given to the current rainwater tank rebate funding being recurrent in future budgets

903. (Page 43 Item 8) 2007 Water Management Conference

File 3989-07

This item was withdrawn and dealt with separately.

RECOMMENDED that Council authorise available Councillors to attend the Local Government and Shires Associations 2007 Water Management Conference to be held in Inverell on 16<sup>th</sup> and 17<sup>th</sup> August 2007 and it be deemed business of Council.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Young, that Council authorise available Councillors to attend the Local Government and Shires Associations 2007 Water Management Conference to be held in Inverell on 16<sup>th</sup> and 17<sup>th</sup> August 2007 and it be deemed business of Council.

904. (Page 43 item 9) Financial Assistance offer - Country Towns Water Supply and Sewerage Program - Conjola Regional Sewerage Scheme

File 1370-13

This item was withdrawn and dealt with separately.

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THIS IS PAGE 42 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25TH JUNE, 2007

MINUTES CONFIRMED ON TUESDAY 24<sup>TH</sup> JULY, 2007 - CHAIRMAN .....

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RECOMMENDED that Council:

- a) accept the offer of financial assistance from the Minister for Energy and Utilities of \$1,668,815 towards the estimated cost of \$4,005,966.00 (Ex GST) for part construction of the Conjola Regional Sewerage Scheme – Design and construction of “on-property” pressure sewer systems and associated works
- b) thank the Minister for Utilities for the generous financial assistance for the construction of the Conjola Regional Sewerage Scheme
- c) authorise the General Manager and the Mayor to sign the conditions of Financial Subsidy Agreement under the Seal of Council.

RESOLVED on a MOTION of Clr Ward, seconded Clr Finkernagel, that Council:

- a) Accept the offer of financial assistance from the Minister for Energy and Utilities, The Hon. Nathan Rees MP of \$1,668,815 towards the estimated cost of \$4,005,966.00 (Ex GST) for part construction of the Conjola Regional Sewerage Scheme – Design and construction of “on-property” pressure sewer systems and associated works
- b) The Mayor write to the Minister for Utilities to thank him for the generous financial assistance for the construction of the Conjola Regional Sewerage Scheme
- c) Authorise the General Manager and the Mayor to sign the conditions of Financial Subsidy Agreement under the Seal of Council.
- d) The General Manager write to the Minister for Utilities requesting a review of financial assistance for the Currarong Sewerage Scheme.

**REPORT OF THE CROWN RESERVE, COMMUNITY AND COMMERCIAL OPERATIONS COMMITTEE – TUESDAY 19<sup>TH</sup> JUNE 2007**

905. 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.

906. Community Grants Program

File 35860

RECOMMENDED that Council adopt the draft Guidelines for the operation of the Community Grants Program.

907. Artstart Funding Grant

File 10210-02

RECOMMENDED that Council:-

- 
- a) Accept the Southern Council Group Artstart funding Grant for the “Shoalhaven Youth Radio Project” in the amount of \$6,230 (GST incl) for the Shoalhaven youth Radio Project
  - b) Write to the Chairman of the Southern Council’s Group conveying Council’s appreciation of the grant allocation

908. Bay & Basin Leisure Centre – Acceptance of Water Grant File 26763-08

RECOMMENDED that:

- a) Council accept the grant for \$15,900 (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 rain water harvesting purposes.
- 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.

909. Seasonal Pools Operation 2006/2007  
File 5070-02, 2233-06, 31181, 24297-05, 29005, 29006, 29007, 30050-02

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Seasonal Pools – 2006/2007 be received for information.

910. Beach Patrol Services – Culburra Beach Progress Association File 17639-06

RECOMMENDED that Council accede to the Culburra Beach Progress Associations request to extend the Beach patrol Service on Australia Day at Culburra and Tilbury Cove Beaches and allocate additional funds of \$2,200 for this purpose.

911. Security at the Ulladulla Civic Centre File 1093-03, 36182

RECOMMENDED that Council endorse the upgrade of security at the Ulladulla Civic Centre with the installation of a Security Alarm System and Registered key system with funds from the existing budget.

912. Lady Denman Heritage Complex File 5323-04

RECOMMENDED that:

- a) The General Manager (Director City Services & Operations) be authorised to negotiate and report back to Committee with a proposal for future funding of the Lady Denman Heritage Complex Inc;
- b) A review be conducted in 2007/2008 detailing Council’s relationship and its support of the Lady Denman Management Committee and management operations, with a view to revising funding arrangements in 2008/2009 and beyond.

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THIS IS PAGE 44 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON MONDAY, 25TH JUNE, 2007

MINUTES CONFIRMED ON TUESDAY 24<sup>TH</sup> JULY, 2007 - CHAIRMAN .....

RECOMMENDED that:

- a) A portion of Sandridge Memorial Gardens Cemetery, Mollymook, is set aside for 300 general burial plots, each measuring 1200mm X 2700mm be set out in 15 rows of 20 plots;
- b) The twenty rows in the proposed portion will be identified by numbers 1 to 20. Row 1 will be at the Western end of the portion;
- c) Burial Rights will be issued in strict sequential order, commencing at plot number 1, Row 1;
- d) The next row in the Portion will not be commenced until the previous one has been fully allocated;
- e) The fee for a Right of Burial in the new "All Denominations" portion be set at the adopted fee for a Right of Burial plus 20%. In accordance with the requirements of the Local Government Act, 1993 Council hereby gives twenty eight (28) days notice of its intention to amend the fee for a Right of Burial in the "All Denominations" portion;
- f) Council will not guarantee that a Right of Burial purchased "prior to need" can be excavated to a depth greater than 1200mm;
- g) Burials and related procedures in the new "All Denominations" Portion will be subject to Council's "Cemeteries, Crematorium & Memorial Gardens Policy";
- h) The construction of headstones, monuments etc must comply with Council's "Cemeteries, Crematorium & Memorial Gardens Policy".

RECOMMENDED that:

- a) Council notes the report regarding the progress made towards the amalgamation of Nowra and Ulladulla Family Day Care Schemes;
- b) Council's Family Day Care Co-Ordinator undertake a needs analysis of the child care situation in the Shoalhaven and findings reported to Council;
- c) Council endorse the introduction of a \$10 per hour hire fee for use of the meeting room at the Nowra Family Day Care premises with funds going to support the Shoalhaven Family Day Care budget;
- d) The fee referred to in c) above be advertised for public comment in accordance with the requirements of the Local Government Act;
- e) The Co-ordinator of the Shoalhaven Family Day Care Scheme investigate and report to Council on any opportunities for funding grants or partnerships that may enhance the service to families.

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915. Healthy By Design Workshop File 35170

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the healthy by Design Workshop be received for information.

916. National Community Crime Prevention Program File 3519-08

RECOMMENDED that Council support a Shoalhaven City Council application to the National Crime Prevention Program for:

- a) Community Safety Stream grant for the Closed Circuit Television (CCTV)- recording only, and other Safer by Design initiatives in the Nowra Central Business District (CBD);
- b) Community Partnership Stream grant for a Community Development Officer to co-ordinate and implement the Shoalhaven Community Safety Plan.

917. Pool Hire Fees - Aquatic Club Activities File 1754-08

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

918. Maintenance Dredging Sanctuary Point Boat Launching Ramp File 7795

RECOMMENDED that the report concerning the maintenance and need for dredging of the John Williams Reserve Sanctuary Point Boat Ramp be received for information.

919. Burrill Lake Entrance Intervention - Status Report File 3423-04

RECOMMENDED that the report of the General Manager (Strategic Planning) concerning Burrill Lake Entrance Intervention be received for information with the addition of a learn to swim pool.

920. Northern Shoalhaven Leisure Centre File 13775

RECOMMENDED that

- a) Council endorse the 5 sites for further detailed investigation;
- b) A further report be presented on the outcomes of the investigations; and
- c) Council endorse the proposed components of the future Northern Leisure Centre.

921. Grant Funding - Construction of Voyager Memorial Park - Amenities/Coastal Patrol Building File 35247, 36235

RECOMMENDED that

- a) Council accept the funding offer of up to \$214,500 (GST inclusive) from the Australian Government for the construction of Voyager Memorial park Amenities/Coastal Patrol Building;

- 
- b) The Deputy Prime Minister, the Hon Mark Vaile, be thanked for the grant funding;
  - c) That Council negotiate with the Australian Government in relation to preparation and execution of appropriate contractual documentation and financial approvals required for the funding;
  - d) The detailed design and tendering for the construction of the project be undertaken to complete the project;
  - e) The Coastal Patrol occupation of the building be formalised through a lease with terms to be agreed to reflect their contribution to the building.

922. Proposed Sussex Inlet BMX Track

File 2391

RECOMMENDED that:

- a) Council thank the Department of Lands for their time involved in investigating potential sites for the development of a BMX and Skate Park at Sussex Inlet;
- b) Council endorse the proposal and further consideration of an interim temporary site;
- c) Council agree in principle to accepting trusteeship of land identified as suitable for the development of BMX and Skate facilities in the Sussex Inlet area, subject to no or minimal licence fee being charged;
- d) Staff consult with the Sussex Inlet Community Forum and local BMX and Skate groups to seek concurrence with the proposed short and long term actions.

923. Grant of Easement for Sewerage over Lady Denman Reserve (R96376), Huskisson

File 36135

RECOMMENDED that

- a) Council as Reserve Trust Manager of Lady Denman Reserve consents to the creation of an easement for sewerage 2.4 over that part of the Reserve shown hatched on the attached plan.
- b) The Council seeks the Minister of Lands approval to the creation of the easement described in (a) above.
- 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.

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924. Currarong Boat Ramp File 4007-03

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

925. Bawley Point Headland Reserve - Vehicle Damage File 9811, 28707-03

RECOMMENDED that the Bawley Point Headland improvements be undertaken to minimise further damage and define vehicle access and parking as outlined in the report utilising the available passive Open Space s94 funds plus any additional contributions from Job number 27225-66512 and Coastal Maintenance vote.

926. Contract for Management and Operation of Lake Conjola Tourist Park File 30546

RECOMMENDED that Council enter into a Deed of Agreement and execute under the Ordinary Seal of Council an extension of its contract for the management and operation of Lake Conjola Tourist Park with A N McDougall Pty Ltd and at the current contract percentage for a further two years commencing 1<sup>st</sup> August 2007.

927. Tenders for the Management & Operation of Lake Tabourie Tourist Park File 36092

RECOMMENDED that Council advertise for Expressions of Interest for the Management and Operation of the Lake Tabourie Tourist Park.

928. Tender for the Manufacture & Placement of Cabins & Ensuite Units to Huskisson Beach Tourist Resort File 35779

RECOMMENDED that:

- a) Council accept the tender of Alvannex Pty Ltd for the supply of five (5) Nelligen "Five" Cabins as detailed in the attachment.
- b) Council accept the tender of Timberline Pty Ltd for the supply of three (3) "Surf" Cabins and two (2) "Angophora" Cabins as detailed in the attachment.
- c) Council accept the tender of Timberline Pty Ltd for the supply of three (3) type "A" ensuite units as detailed in the attachment, and;
- d) Council prepare purchase orders and arrange for the supply of the above.



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929. Huskisson Beach Tourist Resort Redevelopment Stage 1 Construction and Earthworks – Tender Specification MW0407/01 File 35906

RECOMMENDED that the tender for construction and earthworks at Huskisson Beach Tourist Resort Redevelopment Stage 1, specification MW0407/01 be awarded to Druce DP for an amount of \$370,870.57 (excluding GST).

930. Review of Holiday Haven Business Plan File 28213

RECOMMENDED that Council adopt the 2007/08 Holiday Haven Tourist Parks Business Plan including the proposed capital works program within the plan.

931. Multi-Purpose Centre, Ulladulla - Carparking File 3065-07

RECOMMENDED that:

- a) Limited designated carparking spaces be identified for the use of the Multi-Purpose Centre, Ulladulla;
- b) The remaining carparking spaces be designated for the general public with a three (3) hour parking limit imposed.

932. Draft Landscape Masterplan Princes Street Reserve, Berry File 36204

RECOMMENDED that the General Manager, (Director City Services & Operations) liaise with the Berry Alliance on the amended concept design.

933. Mollymook Beach Reserve Car Park and LATM Improvements File 29245-03

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

934. Cambewarra Tea Rooms File 4291-02

RECOMMENDED that Council waive the rental fee for six (6) week period on the basis that Council has a good Licensee and wants to retain a strong vibrant business on the Council managed site.

935. (Page 51 Item 28) Mollymook Beach Reserve Car Park and LATM Improvements File 29245-03

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) Council endorse action to commence work at Ocean Street, Mollymook, subject to the carpark design in Attachment A (part grassed area) and the LATM area outside of those issues contained in b) hereunder;

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- b) The LATM proposal, for Ocean Street Mollymook be referred to Councillor Briefing to consider the four (4) key issues as raised by Clr Willmott:
    - i Inclusion of grassed areas within the carparking area
    - ii Tree plantings within the carparking area
    - iii Parallel parking on Ocean Street
    - iv Disabled parking nearest the Mobi Mat
    - v The necessity of kerb replacement on Ocean Street

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

- a) Council endorse action to commence work at Ocean Street, Mollymook, subject to the carpark design in Attachment A (part grassed area) and the LATM area.

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 Young, Willmott, Kearney, Ward, Green.

The following Councillors voted “No”

Clrs Watson, Bates, McCrudden, Murphy, Rudd, Finkernagel.

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

- a) Council endorse action to commence work at Ocean Street, Mollymook, subject to the carpark design in Attachment A (part grassed area) and the LATM area outside of those issues contained in b) hereunder;
- b) The LATM proposal, for Ocean Street Mollymook be referred to Councillor Briefing to consider the following key issues as raised by Clr Willmott:
  - i Inclusion of grassed areas within the carparking area
  - ii Tree plantings within the carparking area
  - iii Parallel parking on Ocean Street
  - iv Disabled parking nearest the Mobi Mat
  - v The necessity of kerb replacement on Ocean Street
  - vi One light and one tree being located in Ocean Street.

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**REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 19<sup>TH</sup> JUNE 2007**

936. Adoption of Report

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

937. Traffic Congestion - Burr Avenue Nowra (PN 1317) File 2118

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to arrange for the installation of a one way traffic flow (south bound) in Burr Avenue, Nowra

938. Mollymook LATM (PN 1409) File 29245-03

# RECOMMENDED that

- a) Shoalhaven City Council be advised that the Shoalhaven Traffic Committee has no objection to the proposed design for the installation of a Local Area Traffic Management (LATM) scheme incorporating Ocean Street and Golf Avenue, Mollymook as shown on Plan no. 4487-25-A subject to items of a technical nature.
- b) Shoalhaven City Council be requested to apply a five (5) tonne load limit on Ocean Street Mollymook.

939. Traffic Flow - Intersection of Moss Street and Princes Highway, Nowra (PN 1641) File 2636-02

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to extend the current No Stopping (8am - 9.30am and 2.30pm – 4pm school days) on the southern side of Moss Street east from the existing restrictions to Brereton Street, Nowra to improve the efficiency of the intersection of Moss Street and the Princes Highway (westbound).

940. Proposed Improvements to Pedestrian Safety and Traffic Flow - McMahons Road, North Nowra (PN 2209) File 2618

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

941. Stop Sign - Intersection of Jonsson & George Evans Roads. Mundamia (PN 2213) File 17368

RECOMMENDED that:

- a) The General Manager (Director Strategic Planning Group) be requested to arrange the installation of a Stop sign in Jonsson Road at its junction with George Evans Road, Mundamia due to restricted sight distance at the junction.
- b) The letter writer be advised accordingly.

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942. No Stopping Zone - McMahons Road, North Nowra (PN 2215) File 2932

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning Group) be requested to arrange for the installation of a No Stopping zone for a distance of approximately 40 metres on the northern side of McMahons Road, North Nowra between the driveway entrances to house numbers 57 and 61 McMahons Road to improve sight distance for residents and eastbound motorists on McMahons Road when negotiating the curve in this vicinity.
- b) The letter writer and affected residents be advised accordingly.

943. Parking Restrictions - Wason Street, Milton (PN 2216) File 2945

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

944. Traffic Facilities/Parking Restrictions - Beach Road, Seven Mile Beach Parking Area (PN 2217)  
File 2637

RECOMMENDED that Shoalhaven City Council be advised that the Shoalhaven Traffic Committee has no objections to the proposed traffic facilities including entrance threshold, raised traffic calming (speed humps) including a raised pedestrian facility, disabled parking, bus parking and 90 degree angle parking and associated regulatory signage as shown on plans #D-0611-03&04 as part of the overall redevelopment of the Seven Mile Beach reserve proposed by the National Parks & Wildlife Service subject to technical related issues.

945. (Page 53 Item 4) Proposed Improvements to Pedestrian Safety and Traffic Flow - McMahons Road, North Nowra (PN 2209) File 2618

This item was withdrawn and dealt with separately.

RECOMMENDED that Shoalhaven City Council be advised that the Shoalhaven Traffic Committee has no objection to the installation of traffic facilities, regulatory signage and linemarking as contained on plan #4652-02 as Stage 1 works for the overall 'Masterplan' to improve pedestrian safety and traffic flow on McMahons Road, in the vicinity of the North Nowra Shopping Centre.

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

- a) That the bus shelter on McMahons Road, North Nowra not be replaced;
- b) The General Manager submit a report to the Works and Finance Committee regarding improvements to pedestrian safety and traffic flow on McMahons Road in the vicinity of North Nowra Shopping Centre.

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) The General Manager (Director Strategic Planning Group) requests the Department of Commerce (Education) to prepare a Traffic Management Plan (TMP) for the **various** stages of the proposed works at Milton Public School prior to any implementation of works.
- b) Following receipt of a TMP, the General Manager (Director Strategic Planning Group) be requested to arrange the installation of the following signage for a temporary period during the reconstruction of the Milton Public School:
  - i) A No Stopping zone, to be installed on the eastern side of Wason Street north from Thomas Street to the entrance of Milton Public School.
  - ii) 'Resident Access Only' signage for north bound vehicles on Wason Street at its intersection with Thomas Street, Milton

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

- a) The General Manager (Director Strategic Planning Group) requests the Department of Commerce (Education) to prepare a Traffic Management Plan (TMP) for the various stages of the proposed works at Milton Public School prior to any implementation of works.
- b) The matter be referred back to the Works and Finance Committee for further consideration.

**INFORMATION REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 19<sup>TH</sup> JUNE 2007**

947. Adoption of Report

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

**REPORT OF THE GENERAL MANAGER**

**COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 4<sup>TH</sup> JUNE 2007**

948. Adoption of Report

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

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949. Sale of Council Land at 38-40 Owen Street and 3 Morton Street, Huskisson File 35143

RECOMMENDED that

- a) The report of the General Manager (Assistant General Manager) regarding Sale of Council Land at 38-40 Owen Street and 3 Morton Street, Huskisson be received for information;
- b) In respect of the development application being lodged with any authority, Council be given three (3) weeks notice to review the application for acceptance before lodgement;
- c) Council's 78 carparking spaces be the first carparking spaces located on Basement Level One (1) directly off Morton Street;
- d) Council investigate interim measures to mitigate the loss of carparking spaces during the 12 month construction period for the carpark.

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

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Sale of Council Land - "Hotel Site", Bridge Road, Nowra be received for information.

951. Proposed Retail and Supermarket Development - Weston Street, Culburra Beach File 33431

RECOMMENDED that:

- a) The General Manager be authorised to sign an application to allow consent for the proponent of the Proposed Retail and Supermarket Development - Weston Street, Culburra Beach to lodge a development application which will provide for angle parking;
- b) A further report in respect of the matter of the angle parking be considered by the Council Property Steering Committee prior to the development application being determined.

**CARAVAN PARKS FLOOD STUDY PROJECT STEERING COMMITTEE – MONDAY 4<sup>TH</sup> JUNE 2007**

952. Adoption of Report

RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that the following recommendations of the Caravan Parks Flood Study Project Steering Committee be adopted.

953. Caravan Park Flood Safety Study File 33067

RECOMMENDED that

- a) The report of the General Manager (Strategic Planning) on the status of the Caravan Park Flood Safety Study be received for information.

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- b) The Principles for Policy Development of Caravan Parks be circulated to Development & Environmental Services and Caravan Parks Flood Safety Study Project Steering Committee members for feedback prior to a Councillor Briefing to be scheduled in July.
  - c) Council endorse the preparation of Caravan Park Flood Emergency Plan templates and Policy framework for the development of Caravan Parks by Bewsher Consulting Pty Ltd.
  - d) A Councillor Briefing be held in late July on the draft documents prepared.

954. Additional item - Membership - Caravan Parks Flood Safety Study Project Steering Committee  
File 35734

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RECOMMENDED that Council invite one representative from the following to serve as members on the Caravan Park Flood Safety Study Project Steering Committee:

- Council's Tourist Park Manager - Kevin Sullivan for Holiday Haven
- Far South Natural Resources Floodplain Management Committee
- Southern Natural Resources Floodplain Management Committee
- Central Natural Resources Floodplain Management Committee
- Jervis Bay Natural Resources Floodplain Management Committee

955. Additional item - Next Meeting - Caravan Parks Flood Safety Study Project Steering Committee  
File 35734

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RECOMMENDED that the next meeting of the Caravan Park Flood Safety Study Steering Committee be scheduled in August 2007.

**ULLADULLA DCP 56 REVIEW WORKING PARTY – WEDNESDAY 6<sup>TH</sup> JUNE 2007**

956. Adoption of Report

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RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that the following recommendation of the Ulladulla DCP 56 Review Working Party be adopted.

957. Ulladulla Town Centre and Harbour DCP No. 56 "Review" Draft Issues Paper File 33830

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RECOMMENDED that the report of the General Manager (Strategic Planning) and the Draft Issues Paper be received for information.

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**BOMADERRY SHOPPING CENTRE AND RAILWAY PRECINCT WORKING PARTY –  
WEDNESDAY 13<sup>TH</sup> JUNE 2007**

958. Adoption of Report

RESOLVED on a MOTION of Clr Ward, seconded Clr Kearney, that the following recommendations of the Bomaderry Shopping Centre and Railway Precinct Working Party be adopted.

959. Tourism Advertising at Bomaderry Railway Station File 2221-02, 6185

RECOMMENDED the:

- a) The General Manager (Strategic Planning) investigate the possible provision of basic tourist information at the Bomaderry Railway Station;
- b) Council write to Bomaderry High School to congratulate them on the mural in the waiting room at Bomaderry Railway Station.

960. Pedestrian Link – Railway Station, Meroo Street to Public Carpark on Coomea Street File 13200

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding the Pedestrian Link – Railway Station, Meroo Street to Public Carpark on Coomea Street be received for information.

961. Alcohol Prohibited Zone - Walsh Park, Bomaderry File 6598

RECOMMENDED that:

- a) The report of the General Manager (Finance and Corporate Services) regarding Alcohol Prohibited Zone - Walsh Park, Bomaderry be received for information;
- b) Council not proceed at this point in time with investigations regarding the application of alcohol prohibition on Walsh Park, Bomaderry.

962. Additional Item - Bomaderry Railway Station Carpark File 5758

RECOMMENDED that:

- a) Council receive a report on future options for the Bomaderry Railway Station Carpark;
- b) Council make representations to the Member for Kiama, The Hon. Matt Brown MP and the Minister for Transport, The Hon. John Watkins MP requesting consideration of future upgrading of the Bomaderry Railway Station Carpark.



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**GENERAL MANAGER**

963. National General Assembly of Local Government - Canberra File 1077-02

RESOLVED on a MOTION of Clr Ward, seconded by Clr Willmott, that the Report on the National General Assembly of Local Government – Canberra be received for information

**STRATEGIC PLANNING**

964. Currarong Beach Asbestos Removal - Funding Application File 7514

RESOLVED on a MOTION of Clr Finkernagel, seconded Clr Rudd, that Council allocates \$75,000 emergency funding from Strategic Projects Reserve Funds in the 2007/2008 financial year.

965. Aboriginal Land Claims: No. 8024 – Ulladulla Harbour and No. 8051 – North Nowra  
File 19665 & 2214

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

- a) Council object to Claim No. 8024 on the basis that the area of the claim is required, to the exclusion of others lands, for the following essential public and community purposes:
  - i) Provision of a working harbour complex;
  - ii) Access to the harbour complex and sea pool;
  - iii) Water pipeline; and
  - iv) Valuable, embellished, public foreshore open space.
- b) Council raise no objection to Claim No. 8051 on the basis that easements are created over the existing water and sewerage infrastructure (as shown in Attachment F).

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966. Seniors Living State Environmental Planning Policy (SEPP) – Proposed Amendments Exhibition for Comment (Dept of Planning) File 16635

RESOLVED on a MOTION of Clr Ward, seconded Clr Murphy, that Council make a submission to the Department of Planning on the draft amendments to the Seniors Living SEPP based on the comments contained within the report and previous submissions made in this regard.

967. Draft Local Environmental Plan No. LP 225 Seaspray Street, Narrawallee and Draft Local Environmental Plan No. 338 Ross Avenue, Narrawallee File 1787-04 & 26448

RECOMMENDED that:

- a) The landowner and Council finalise (sign) the required Deed of Agreement (in relation to the rezoning only) within 60 days.
- b) Should the Deed of Agreement not be finalised within 60 days the landowner may be requested to act on the 17 lot subdivision consent, relating to the Ross Avenue land, to ensure, in part the transfer of Garrads Lagoon to Council's ownership.

RESOLVED on a MOTION of Clr Young, seconded Clr Ward, that the matter be referred to Councillor Briefing in regard to matters raised by Clr Young and a further report be submitted to Council.

## **FINANCE AND CORPORATE SERVICES**

968. Tender for Provision of External Audit Services File 35941

RESOLVED on a MOTION of Clr Ward, seconded Clr Finkernagel, that Council award the contract for the provision of external auditing services to Pitcher Partners for a period of six years, commencing 1 July 2007, at the price of \$65,000 per annum (excluding GST) and other provisions of Pitcher Partners tender submission and the contract be executed under the Seal of Council.

969. *blueprint Shoalhaven* File 35878

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

- a) Council accept the grant of \$250,000 from the Department of Transport & Regional Services for the administration of the blueprint Shoalhaven office.
- b) Council vote \$125,000 in each of 2007/8 and 2008/9 financial years for the operation of the blueprint Shoalhaven office.

970. Record of Investments File 2126

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RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that the Report of the General Manager (Finance & Corporate Services Group) on the Statement of Record of Investments for the period of 31<sup>st</sup> May 2007 be received for information.

971. Making of Rates and Charges for 2007/2008

File 36126

RESOLVED on a MOTION of Clr Ward, seconded Clr Murphy, that the following rates and charges be made by Council for the year commencing 1<sup>st</sup> July 2007:

1. RESIDENTIAL

An ordinary rate, consisting of an Ad Valorem Rate, of zero point one five two seven three cents (0.15273c) in the dollar in addition to a base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land categorised as "RESIDENTIAL" in accordance with Section 516 BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (1) this rate be named "RESIDENTIAL". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment for the "RESIDENTIAL" category will produce fifty point zero (50.00%) percentum of the total amount payable by the levying of the "RESIDENTIAL" rate in accordance with Section 537 (b).

2. FARMLAND

An ordinary rate, consisting of an Ad Valorem Rate, of zero point one five one two five cents (0.15125c) in the dollar in addition to a base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land categorised as "FARMLAND" in accordance with Section 515 BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (1) this rate be named "FARMLAND". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment for the "FARMLAND" category will produce twenty four point zero zero (24.00%) percentum of the total amount payable by the levying of the "FARMLAND" rate in accordance with Section 537 (b).

3. FARMLAND – DAIRY FARMERS

An ordinary rate, consisting of an Ad Valorem Rate, of zero point zero seven six one five cents (0.07615c) in the dollar in addition to a base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land categorised as "FARMLAND" Sub Category "DAIRY FARMERS" and in accordance with Section 515 AND 529 (b) BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (1) this rate be named "FARMLAND" sub category "DAIRY FARMERS". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment for the "FARMLAND –DAIRY FARMERS" category will produce thirty point zero five (30.05%) percentum of the total amount

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payable by the levying of the “FARMLAND – DAIRY FARMERS” rate in accordance with Section 537 (b).

4. RESIDENTIAL NON-URBAN

An ordinary rate, consisting of an Ad Valorem rate, of zero point two nine one five five cents (0.29155c) in the dollar per rateable assessment in accordance with Section 535 of the Local Government Act, 1993 on all vacant rateable land in the city of Shoalhaven which is zoned so as not to permit any building (ie paper subdivisions) and categorised as “RESIDENTIAL” in accordance with Section 516, Sub-Category “NON-URBAN” in accordance with Section 529 (1) except all vacant rateable land within the same category and sub-category which is subject to a minimum amount of rate, in the amount of three hundred and sixty five dollars (\$365.00c), in accordance with Section 548 of the Local Government Act 1993, BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (1) this rate be named “RESIDENTIAL NON-URBAN”.

5. BUSINESS

An ordinary rate, consisting of an Ad Valorem Rate, of zero point two eight four eight five cents (0.28485c) in the dollar in addition to a base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land in the City of Shoalhaven and used or zoned for professional/commercial trade or industrial purposes determined to be a centre of activity and categorised as “BUSINESS” in accordance with Section 518, except all rateable land in the City of Shoalhaven determined to be in the Business Sub-Categories of Nowra, Ulladulla and Permit BE NOW MADE FOR THE PERIOD OF 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (1) this rate be named “BUSINESS”. Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment for the category “BUSINESS” will produce twenty eight point four nine (28.49%) percentum of the total amount payable by the levying of the “BUSINESS” rate in accordance with Section 537 (b).

6. BUSINESS NOWRA

An ordinary rate, consisting of an ad Valorem Rate, of zero point seven six one one five cents (0.76115c) in the dollar in addition to a base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land in the City of Shoalhaven as shown on a map made available for display at Council’s Administrative Offices located at Nowra and Ulladulla during the period 1 May 2007 to 31 May 2007, determined to be a centre of activity and categorised as “BUSINESS” in accordance with Section 518 sub-category “NOWRA” in accordance with Section 529 (1) BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (1) this rate be named “BUSINESS NOWRA”. Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment for the “BUSINESS NOWRA” sub-category will produce nine point two one (9.21%) percentum of the

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total amount payable by the levying of the “BUSINESS NOWRA” rate in accordance with Section 537 (b).

7. BUSINESS ULLADULLA

An ordinary rate, consisting of an Ad Valorem Rate, of zero point three seven seven four five cents (0.37745c) in the dollar in addition to a base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land in the City of Shoalhaven as shown on a map made available for display at Council’s Administrative Offices located at Nowra and Ulladulla during the period 1 May 2007 to 31 May 2007, determined to be a centre of activity and categorised as “BUSINESS” in accordance with Section 518, sub-category “ULLADULLA” in accordance with Section 529 (1) BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (1) this rate be named “BUSINESS ULLADULLA”. Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of three hundred and fifty nine dollars and fifty cents (\$359.50c) per rateable assessment for the “BUSINESS ULLADULLA” sub-category will produce fifteen point three five (15.35%) percentum of the total amount payable by the levying of the “BUSINESS ULLADULLA” rate in accordance with Section 537 (b).

8. SUSSEX AREA SPECIAL

In accordance with Section 538 a special rate, consisting of an Ad Valorem Rate, of zero point zero two nine nine five cents (0.02995c) in the dollar be made on part of Council’s rateable land as shown on maps made available for display at Council’s Administrative Offices located at Nowra and Ulladulla during the period 1 May 2007 to 31 May 2007. In accordance with Section 495 (1) the rate, proposed to be levied, is to meet the costs of business promotions for the Sussex Inlet area and surrounds for the period 1 July 2007 to 30 June 2008, which in the opinion of Council is of special benefit to the rateable assessments subject to the rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (2) this rate be named “SUSSEX AREA SPECIAL RATE”.

9. BUSINESS PERMIT

An ordinary rate, consisting of an Ad Valorem Rate, of zero point two zero three three five cents (0.20335c) in the dollar be made on all rateable land in the City of Shoalhaven as shown on a map made available for display at Council’s Administrative Offices located at Nowra and Ulladulla during the period 1 May 2007 to 31 May 2007, determined to be a centre of activity and categorised as “BUSINESS” in accordance with Section 518, sub-category “PERMIT” in accordance with Section 529 (1) BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (1) this rate be named “BUSINESS PERMIT”.

11. JERBERA REZONING SPECIAL RATE

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In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point eight two eight two zero cents (0.82820c) in the dollar in addition to a base amount of one hundred and seventy dollars and zero cents (\$170.00c) be made for the ongoing cost of the Jerberra rezoning investigations. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Jerberra estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (2) this rate be named "JERBERRA REZONING SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of one hundred and seventy dollars and zero cents (\$170.00) per rateable assessment for the "JERBERRA REZONING SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "JERBERRA REZONING SPECIAL RATE" in accordance with Section 537 (b).

12. JERBERRA ROAD DESIGN SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point four three eight four six cents (0.43846c) in the dollar in addition to a base amount of ninety dollars and zero cents (\$90.00c) be made for the cost associated with the Jerberra road design project. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Jerberra estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (2) this rate be named "JERBERRA ROAD DESIGN SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of ninety dollars and zero cents (\$90.00c) per rateable assessment for the "JERBERRA REZONING SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "JERBERRA ROAD DESIGN SPECIAL RATE" in accordance with Section 537 (b).

13. VERON'S REZONING SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point six eight zero one three cents (0.68013c) in the dollar in addition to a base amount of three hundred and thirty two dollars and twenty five cents (\$332.25) be made for costs associated with the Veron's rezoning investigations. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Veron's estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (2) this rate be named "VERON'S REZONING SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of three hundred and thirty two dollars and twenty five cents (\$332.25) per rateable assessment for the "VERON'S REZONING SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "VERON'S REZONING SPECIAL RATE" in accordance with Section 537 (b).

14. VERON'S ROAD DESIGN SPECIAL RATE

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In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point two two six eight two cents (0.22682c) in the dollar in addition to a base amount of one hundred and ten dollars and eighty cents (\$110.80c) be made for costs associated with the Veron's road design project. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Veron's estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (2) this rate be named "VERON'S ROAD DESIGN SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of one hundred and ten dollars and eighty cents (\$110.80c) per rateable assessment for the "VERON'S ROAD DESIGN SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "VERON'S ROAD DESIGN SPECIAL RATE" in accordance with Section 537 (b).

15. NEBRASKA REZONING SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point six eight five eight four cents (0.68584c) in the dollar in addition to a base amount of two hundred and sixty nine dollars ad sixty cents (\$269.60c) be made for costs associated with the Nebraska rezoning investigations. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Nebraska estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (2) this rate be named "NEBRASKA REZONING SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of two hundred and sixty nine dollars and sixty cents (\$269.60c) per rateable assessment for the "NEBRASKA REZONING SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "NEBRASKA REZONING SPECIAL RATE" in accordance with Section 537 (b).

16. NEBRASKA ROAD DESIGN SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point one seven one three four cents (0.17134c) in the dollar in addition to a base amount of sixty seven dollars and thirty five cents (\$67.35) be made for costs associated with the Nebraska road design project. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Nebraska estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (2) this rate be named "NEBRASKA ROAD DESIGN SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of sixty seven dollars and thirty five cents (\$67.35c) per rateable assessment for the "NEBRASKA ROAD DESIGN SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "NEBRASKA ROAD DESIGN SPECIAL RATE" in accordance with Section 537 (b).

17. HERITAGE REZONING SPECIAL RATE

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In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point two nine eight six one cents (0.29861c) in the dollar in addition to a base amount of fifty dollars and eighty six cents (\$50.86c) be made for costs associated with the heritage rezoning investigations. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the heritage estate as shown on a map made available for display at Council's Administrative Offices located at Nowra and Ulladulla during the period 1 May 2007 to 31 May 2007, in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (2) this rate be named "HERITAGE REZONING SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of fifty dollars and eighty six cents (\$50.86c) per rateable assessment for the "HERITAGE REZONING SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "HERITAGE REZONING SPECIAL RATE" in accordance with Section 537 (b).

## CHARGES

### 1. WATER AVAILABILITY CHARGE

In accordance with Section 552 (1) (a) and (b) a water availability charge, based on the size of the meter and as listed on pages 122-124, Volume 1 of the Management Plan (please see attached) adopted by council on the 25<sup>th</sup> June 2007, BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (3) this charge be named "WATER AVAILABILITY CHARGE".

### 2. SEWER AVAILABILITY CHARGE

In accordance with Section 552 (3) a sewer availability charge, based on the size of the meter and as listed on page 125-128, Volume 1 of the Management Plan (please see attached) adopted by council on the 25<sup>th</sup> June 2007, BE NOW MADE FOR THE PERIOD 1 JULY 2007 TO 30 JUNE 2008 and in accordance with Section 543 (3) the charge be named "SEWER AVAILABILITY CHARGE".

### 3. DOMESTIC WASTE MANAGEMENT SERVICE

That Council provides a weekly domestic waste management service. That Council makes an annual charge for the provision of that service pursuant to Section 496 of the Local Government Act 1993. That the amount of the Domestic Waste Management Charges during the period 1 JULY 2007 TO 30 JUNE 2008 for each assessment for which the service is available be \$325.00 for each 240 litre size bin, \$195.00 for each 120 litre size bin, \$158.00 for each 80 litre size bin and \$40.00 for any additional 240 litre Recycling bin be made in accordance with Section 543 (3) the charge be named "DOMESTIC WASTE MANAGEMENT CHARGE".

### 4. WASTE MANAGEMENT SERVICE – NEW WORKS

That Council make an annual charge for the purposes of administration and new works associated with the future provision of domestic waste management services to properties described below in (a) and (b) pursuant to Section 496 of the Local Government Act 1993. That the amount of the



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Administration/New Works Waste Management Charge during the year commencing 1 JULY 2007 TO 30 JUNE 2008 for each assessment described below be \$49.00 and in accordance with Section 543 (3) the charge be named "ADMINISTRATION/NEW WORKS WASTE MANAGEMENT CHARGE".

- a) All vacant land within the waste management service collection area;
- b) All residential properties that are within the waste management service collection area but the dwelling is situated more that 100 metres from the nearest roadway from which the service would be made available.

5. SANITARY SERVICE

That Council make an annual charge to provide a service comprising the removal of human waste stored in receptacles supplied by the Council's contractor from each parcel of land having no other human waste storage facility. That Council make an annual charge for the use of that service pursuant to Section 501 (1) of the Local Government Act 1993 and that the amount of that charge during the year commencing 1 JULY 2007 TO 30 JUNE 2008 be \$1014.00 and in accordance with Section 543 (3) the charge be named "SANITARY CHARGE".

6. EFFLUENT REMOVAL CHARGE

That the Council make annual charges for the provision of effluent removal pursuant to Section 501 (1) of the Local Government Act 1993. That these charges apply to all properties utilising the effluent removal service for the year commencing 1 JULY 2007 TO 30 JUNE 2008. That the amount of those charges be as listed in the List of Fees and Charges on pages 136-138 of the Management Plan adopted by the Council on the 25 June 2007 and in accordance with Section 543 (3) this charge be named "EFFLUENT REMOVAL CHARGE".

7. STORMWATER MANAGEMENT SERVICE CHARGE

That council make an annual charge for the provision of stormwater management services pursuant to section 496A of the Local Government Act 1993. That this charge applies to all privately owned, developed rateable properties within the Shoalhaven for the year commencing 1 JULY 2007 TO 30 JUNE 2008. That the amount of this charge be \$10.00 per privately owned, developed rateable properties and \$5.00 per strata allotment and in accordance with Section 543 (3) the charge be named "STORMWATER MANAGEMENT SERVICE CHARGE".

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye"

Clrs Bates, Willmott, Kearney, Ward, McCrudden, Murphy, Rudd.

The following Councillors voted "No"

Clrs Watson, Young, Green, Finkernagel.

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**CITY SERVICES AND OPERATIONS/STRATEGIC PLANNING**

972. David Berry Hospital Walkway Project - Rotary Club of Berry-Gerringong File 4792

RESOLVED on a MOTION of Clr Bates, seconded Clr Murphy that:

- a) Council support the construction of a walkway within the Hospital grounds;
- b) Council vote \$10,000 from the Unallocated Donations Vote to fund this project and if necessary advertise this donation.
- c) That a further report on the viability and implications of utilising voluntary labour from community groups in the construction of cycleways and footpaths in the city be submitted to Council.

973. Introduction of Item as a Matter of Urgency

RESOLVED on a MOTION of Clr Willmott, seconded Clr Ward that the matter of:

- Addendum Report of the General Manager
- Addendum Report of the General Manager – City Services and Operations

be introduced as a matter of urgency.

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

**ADDENDUM REPORT OF THE GENERAL MANAGER**

**REPORT OF THE YOUTH ADVISORY COMMITTEE – WEDNESDAY 20<sup>TH</sup> JUNE 2007**

974. Adoption of Report

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

975. Youth Week 2007 File 2503-05

RECOMMENDED that the General Manager (City Services) write to Youth Advisory Committee members Morgan Freeman and Merryn Corbyn thanking them for the support they provided at the Youth Advisory Committee Expression Session Tent during the Youth Week 2007 Culmination Event at Voyager Park, Huskisson on Saturday 21<sup>st</sup> April 2007.

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976. Youth Advisory Committee Financials File 1506-04

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Youth Advisory Committee financials be received for information.

977. Young Beautiful Souls File 1506-04

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Young Beautiful Souls workshop be received for information.

978. Youth Week 2007 Shoalhaven File 2503-05

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Youth Week 2007 Shoalhaven be received for information.

979. Youth Advisory Committee Planning Day 2007-2008 File 1506-04

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Youth Advisory Committee Planning Day 2007-2008, scheduled for Friday 13<sup>th</sup> July 2007 be received for information.

980. Youth Advisory Committee Meeting Venue in Nowra Youth Centre - Offer File 1506-04

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Youth Advisory Committee Meeting Venue in Nowra Youth Centre – Offer be received for information.

981. Artstart Funding Grant File 10210

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Artstart Funding Grant be received for information.

982. Resignation - Youth Advisory Committee File 1506-04

RECOMMENDED that

- a) The resignation of Scott Walker from the Youth Advisory Committee be accepted.
- b) The General Manager (Finance and Corporate Services) forward a letter of appreciation to Scott Walker for his valuable contribution to the Youth Advisory Committee since March 2006.

983. Membership - Youth Advisory Committee File 1506-04

RECOMMENDED that

- a) Council appoint Mr Nathan Green, representing the Community, as a member of the Youth Advisory Committee.
- b) The General Manager (Finance and Corporate Services) write to Mr Nathan Green advising of his appointment to the Youth Advisory Committee.
- c) Council defer the appointment of Miss Grace Woods and Miss Jarqui Fetchet to a further meeting of the Youth Advisory Committee

984. Additional Item – Council’s Road Safety Strategic Plan – 2007-2010 File 2493

RECOMMENDED that the invitation to Youth Advisory Committee to participate in the development of the Shoalhaven City Council’s 2007-2010 Road Safety Strategic Plan be received for information.

985. Request For Funding Assistance - Ross Byrne File 1506-04

This item was withdrawn and dealt with at the conclusion of consideration of the Youth Advisory Committee Report.

986. Request For Funding Assistance – Mannahouse Youth File 1506-04

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

987. (Addendum report – Youth Advisory Committee Item 11) Request for Funding Assistance - Ross Byrne File 1506-04

This item was withdrawn and dealt with separately.

RECOMMENDED that in recognition of the achievements and leadership qualities shown by Mr Ross Byrne the Youth Advisory Committee allocate a one of grant of \$250 from the 2007/2008 budget to assist in his participation in the 8<sup>th</sup> Milo International Allstares tin pin bowling competition to be held in Malaysia from 14<sup>th</sup> to 23<sup>rd</sup> December 2007.

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

- a) Youth Advisory Committee allocate a one of grant off \$250 to the Nowra City Lanes from the 2007/2008 budget to promote Youth Development;
- b) Council advertise the donation for 28 days if necessary.

988. (Addendum report – Youth Advisory Committee Item 12) Request For Funding Assistance – Mannahouse Youth File 1506-04

This item was withdrawn and dealt with separately.

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Clr Green declared his interest in the matter being that he attends the Institution Mannahouse Ministry and they contributed to his campaign and left the room and did not take part in discussion or vote on this matter.

RECOMMENDED that the verbal report regarding the request for financial assistance from the Mannahouse Youth Group be received for information.

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

- a) The Youth advisory Committee support the objectives of the Shoalhaven Community Plan for Youth being:

*4.2.4.72 (1) - YOUTH – SERVICES*

*Facilitate access and accessibility to services and facilities for youth. Access & Equity Action Area: Youth - 1. Supportive Communities. Community Plan Strategy 1.11*

*Implement strategies identified in Living Futures Shoalhaven to provide accessible, safe, convenient cost effective transport for youth*

- b) Council re allocates the sum of \$1500 from the 2006/2007 budget of the Youth Advisory Committee to the 2007/2008 Youth Advisory Committee budget to utilise as part of their planning day to develop innovative ideas in partnership with Council's Youth Development Officer, Youth Services and auspices to address such transport issues for young people in the City and outer lying villages at their planning day, scheduled for the 13th July 2007, to be reported to council, to better meet objective 4.2.4.72 of the Community Plan for Youth.

**REPORT OF THE TOURISM DEVELOPMENT COMMITTEE – THURSDAY 21<sup>ST</sup> JUNE 2007**

989. Adoption of Report

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

990. Public Moorings in the Shoalhaven River File 4977-04

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

991. Grant Program File 32956-02

RECOMMENDED that the remaining funds, of \$5,209, within the 2006/2007 budget and \$8095 from the 2007/2008 budget of the Tourism Development Committee be made available to cover the shortfall for the following projects:

- i) Lions Park, Bomaderry
- ii) Cunjurong Point
- iii) Paringa Park, Mavromattes Reserve

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- iv) Lake Tabourie - Beach Street
  - v) Tilbury Cove
  - vi) Cambewarra - Howell Faulks
  - vii) Huskisson Woollamia Heritage Trail
  - viii) Ulladulla Milton Lions Club - second project.

992. Signage - Bundanon File 2221-02

RECOMMENDED that

- a) Shoalhaven City Council approve the requested signs numbered i), ii), iii) iv) and v) on Council roads.
- b) Shoalhaven City Council approve the construction and placement of signs numbered vi) and vii) in Council Road Reserves adjacent to the Princes Highway at the Cnr of Princes Highway and Illaroo Road and at the cnr of Cambewarra Road, Princes Highway roundabout.

993. Sussex Inlet and Districts Community Forum - Request for Signage File 2221-02

RECOMMENDED that the General Manager (Finance and Corporate Services):

- a) Investigate previous Council Resolutions regarding Tourism Destination Signs;
- b) Write to the Sussex Inlet Community Forum advising that their request for Tourism Destination Signs has been referred to the next meeting of the Tourism Development Committee for consideration of previous Council Resolutions on the matter.

994. Northern Area Community Consultative Meeting File 2221-02

RECOMMENDED that:

- a) The next meeting of the Northern Area Community Consultative Bodies and Culburra Beach Progress Association be advised that contact will be made with the Civic Guides Company with a recommendation that they provide a Civic Guides sign in the Culburra Beach shopping area;
- b) The Civic Guides Company be encouraged to seek funding for this sign by way of advertising support from the various businesses in the Culburra Beach area;
- c) A report be submitted to the next meeting of the Tourism Development Committee regarding the relevant sections within DCP 82 – Signage Strategy that refer to trailer signs.

995. Healthy Cities Illawarra File 32956-02

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) regarding Healthy Cities Illawarra be received for information.

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996. Dump Points and Large Motor Homes File 16124

RECOMMENDED that

- a) The General Manager (City Services and Operations) install blackwater dump points at the Nowra and Milton Showgrounds from existing maintenance budgets;
- b) Overnight camping not be permitted at Nowra and Milton Showgrounds until Plans of Management for both showgrounds have commenced in conjunction with the Crown.

997. Jervis Bay Tourism File 11259-02

RECOMMENDED that

- a) The Tourism Development Committee contact the Huskisson Chamber of Commerce, Tourism Jervis Bay and Jervis Bay Tourism for the purpose of holding a jointly sponsored information evening to tourism operators and retailers throughout the Huskisson area detailing what information is available in the public arena and how various businesses in the Huskisson area can access that information for their customers.
- b) The matter of pedestrian crossings and/or the removal of through traffic from Owen Street be referred to the Traffic Committee for comment.
- c) The matter of rubbish collection in the Huskisson/Jervis Bay area be referred to the Works and Services and Waste Services Managers for comment.

998. Special Event Marquees File 2161-09

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the special event marquees be received for information.

999. Training of Traffic Controllers File 18543

RECOMMENDED that the Tourism Development Committee continue to allocate a budget each year for the training of Traffic Controllers for the purpose of providing volunteer traffic controllers for the assistance of community groups organising events.

1000. Budget of the Tourism Development Committee File 1080-02

RECOMMENDED that Budget Report for the Tourism Development Committee be received for information.

1001. Additional Item - Signage to Vincentia Golf Club File 2221-02

RECOMMENDED that the General Manager (Finance and Corporate Services) investigate the possible need for directional signage to Vincentia Golf Club.

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1002. (Addendum report Tourism Development Committee Item 1) Public Moorings in the Shoalhaven River File 4977-04

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This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) The General Manager (Finance and Corporate Services) write to the Waterways Authority of NSW requesting the numbers of boat owners, boat licences and fishing licences held within the Shoalhaven area;
- b) The General Manager (Finance and Corporate Services) identify sites suitable for boat mooring facilities;
- c) The General Manager (Finance and Corporate Services) obtain existing data available within Council's records regarding boating facilities and economic advantages of recreational fishing to coastal villages;
- d) The General Manager (Finance and Corporate Services) report back to a future meeting of the Tourism Development Committee on the information obtained through a), b) and c) and the status of the Marina proposed for Jervis Bay.

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

### **CITY SERVICES & OPERATIONS**

1003. Tender for the Ulladulla Foreshore Viewing Platform and Public Toilets File 35899

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

- a) Council accept the tender of \$438,130 from Greg Lamont Constructions Pty Ltd for construction of the Apex Park Toilet, Viewing Platform and associated works at Ulladulla harbour including the access stairs.
- b) That the contract be completed under Seal of Council or otherwise authorise the General Manager to sign the relevant document.
- c) Once actual project costs are known with more certainty a further report be submitted to Council on additional works that can be accomplished with the remaining budget.

### **LEGAL DOCUMENTS - TUESDAY, 25 JUNE 2007**

1004. Legal Document - Request for Variation of Section 88B Restriction as to User - Lot 8 DP 1090614, St Andrews Way, Coolangatta File SF9123-02

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RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that the request to modify the Section 88B Instrument for the variation of the Restriction as to User, the subject of this report over Lot 8 DP 1090614, St Andrews Way, Coolangatta be executed under the seal of Council.

## **NOTICES OF MOTION - MONDAY, 25TH JUNE, 2007**

1005. Pacific Rock Oysters

File 4543-02

RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that Council congratulate his Worship the Mayor Clr Greg Watson on his swift and decisive representations to the NSW State Government with respect to Council's position on the growing of the Pacific Rock Oyster in the Shoalhaven River.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye"

Clrs Watson, Bates, Young, Kearney, Ward, Green, Murphy, Rudd.

The following Councillors voted "No"

Clrs Willmott, McCrudden, Finkernagel.

### **CONFIDENTIAL REPORT OF THE GENERAL MANAGER**

#### **CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE**

<b>Item</b>	<b>Reason</b>
Acquisition of Land- Island Point Road, St Georges Basin	Section 10A(2)(c) – information that, if disclosed, would confer a commercial advantage on a person with whom the Council is conducting business.
Mollymook Beach Hut and Cafe - Redevelopment Proposal	Section 10A(2)(d(i)) - commercial information of a confidential nature that, if disclosed, would prejudice the commercial position of the person who supplied it
Land Boree Street, Ulladulla	Section 10A(2)(d(ii)) - commercial information of a confidential nature that, if disclosed would confer a commercial advantage on a competitor of the council.
Mixed Building Waste to Huntley Heritage	Section 10A(2)(d(i)) - commercial information of a confidential nature that, if disclosed would confer a commercial advantage on a competitor

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of the council.

Sale of Council Land - "Hotel Site", Section 10A(2)(c)(d(i and ii)) commercial information of a confidential nature that, if disclosed, would prejudice the commercial position of the person who supplied it and commercial information of a confidential nature that, if disclosed would confer a commercial advantage on a competitor of the council.

Pursuant to section 10A(4), the public were invited to make representations to the Ordinary Meeting of Council before any part of the meeting is closed, as to whether that part of the meeting should be closed.

A MOTION was moved by Clr Finkernagel, seconded by Clr Kearney, that the Ordinary Meeting of Council 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 items of a confidential nature.

The meeting moved into confidential session the time being 10.30 pm.

The meeting moved into open session, the time being 10.52 pm.

The following resolutions of the Ordinary Meeting, while the meeting was in confidential session to the public, was read to the meeting by the General Manager.

#### **COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 4<sup>TH</sup> JUNE 2007**

1006. Acquisition of Land- Island Point Road, St Georges Basin File 35588

RESOLVED on a MOTION of Clr Finkernagel, seconded Clr Bates, that Council:

- a) Authorise the General Manager (Assistant General Manager) to negotiate the purchase of Lot 64 DP25550 for the contract price as disclosed in the confidential report;
- b) Authorise the General Manager to sign the Contract for Sale and the Transfer be executed under the Common Seal of the Council of the City of Shoalhaven.
- c) Approves the funding of the total acquisition costs from Public Land Acquisition Job No 88610 and from Capital Works Program 2007/08.
- d) Approves the classification of the subject land as “operational” in accordance with Sections 31 and 34 of the Local Government Act 1993.

1007. Mollymook Beach Hut and Cafe - Redevelopment Proposal File 2406-02

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RESOLVED on a MOTION of Clr Willmott, seconded Clr Green, that the General Manager (Assistant General Manager):

- a) Determine the total area covered by the lease for the Mollymook Beach Hut, including premises and outside eating areas at Ocean Street, Mollymook;
- b) Determine the current market value for the leased premises;
- c) Submit a report to a future meeting of the Council Property Steering Committee regarding details of a new lease agreement.

1008. Land Boree Street, Ulladulla File 3599-03

RESOLVED on a MOTION of Clr Willmott, seconded Clr Green, that the General Manager (Assistant General Manager) arrange a meeting with the owner of 5 Boree Street, Ulladulla, Lot 2 DP525618, to discuss the future use of the property.

**CITY SERVICES AND OPERATIONS**

1009. Mixed Building Waste to Huntley Heritage File 8316

RESOLVED on a MOTION of Clr Rudd, seconded Clr Ward, that Council:

- a) Resolve that the disposal of mixed building waste to Huntley Heritage be considered an extenuating circumstance in accordance with Section 55 of the Local Government Act due to there being no other facility available and it is considered that tendering would not achieve a different result;
- b) Enter into a non-exclusive agreement with Huntley Heritage Pty Ltd based on Council paying Huntley \$68 per tonne to remove mixed building waste from Councils Recycling and Waste Depots, the price being reviewed annually at each change of the Section 88 levy amount.

**ASSISTANT GENERAL MANAGER**

1010. Sale of Council Land - "Hotel Site", Bridge Road, Nowra File 33126-02

RESOLVED on a MOTION of Clr Willmott, seconded Clr McCrudden, that Council authorise the General Manager to negotiate with Huscorp Group Pty Ltd on the revised alternate structure as outlined in the confidential report with the following amendments:

- a) Reference to staging in respect of subdivision of the land be deleted;
- b) The standard of hotel must be acceptable to Council
- c) The buy back of the land is contract price plus 50% of the estimated construction works undertaken as determined by a Quantity Surveyor appointed by Council;

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- d) All plans and intellectual property relating to any Development Application approval is transferred to Council as part of the buy back clause.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye"

Clrs Watson, Young, Willmott, Kearney, McCrudden, Green, Murphy, Finkernagel.

The following Councillors voted "No"

Clrs Bates, Ward, Rudd.

There being no further business, the meeting concluded, the time being 10.57 pm.

Clr Watson  
CHAIRPERSON