

SHOALHAVEN CITY COUNCIL

ORDINARY MEETING

To be held on Monday, 25th June, 2007
Commencing at 4.00 pm

City Administrative Centre
Bridge Road
NOWRA NSW 2541

20th June, 2007

Councillors,

NOTICE OF MEETING

You are hereby requested to attend the Ordinary Meeting of the Council of the City of Shoalhaven, **to be held in the Council Chambers, City Administrative Centre, Bridge Road, Nowra on Monday, 25th June, 2007 commencing at 4.00 pm** for consideration of the following business.

Yours faithfully

R D Pigg
General Manager

Membership

All Councillors

BUSINESS OF MEETING

PRAYER: Reverend Fred Monkton - Presbyterian Church, Nowra

1. **Australian National Anthem**
2. **Apologies**
3. **Confirmation of Minutes**
Ordinary Meeting - 29th May, 2007
4. **Presentation of Petitions**
5. **Mayoral Minute**
6. **Reports of Committees**
Report of the Policy and Planning Committee Meeting - 12th June, 2007
Report of the Special Policy and Planning Committee Meeting - 18th June, 2007
Report of the Works and Finance Committee Meeting - 12th June, 2007
Report of the Development Committee Meeting - 12th June, 2007
Report of the Shoalhaven Water Operations and Strategic Review Committee Meeting - 19th June, 2007
Report of the Crown Reserves, Community and Commercial Operations Committee Meeting - 19th June 2007
Report of the Shoalhaven Traffic Committee Meeting - 19th June, 2007
7. **Report of the General Manager**
Strategic Planning
Finance & Corporate Services
City Services & Operations / Strategic Planning
8. **Legal Documents**
Development & Environmental Services
9. **Notices of Motion**
10. **Confidential Report of the General Manager**
City Services & Operations

Cell Phones:

Council's Code of Meeting Practice states that "All cell phones are to be turned off for the duration of the meeting".

LOCAL GOVERNMENT ACT 1993

Chapter 3

Section 8(1) - The Council's Charter

(1) The council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

MAYORAL MINUTE

ORDINARY MEETING

MONDAY, 25TH JUNE, 2007

1. Hero Council for Red Nose Day

File 33582

Council is registered as a Super Hero Council and has joined the SIDS and Kids Super Hero Councils to promote the 20th Red Nose Day campaign on Friday, 29th June.

This year the Red Nose campaign will focus on helping to reduce the number of children stillborn in Australia, currently around 1300 children a year. Over the past twenty years, with community support, Red Nose Day has raised more than \$15 million to fund research, education and bereavement support programs for parents. This has resulted in a 90 percent reduction in sudden infant deaths and has helped save more than 4,500 babies' lives.

Council has been asked to dedicate this meeting to the awareness and support of Red Nose Day which will be held on Friday, 29th June this year.

RECOMMENDED 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.

2. Shoalhaven Delegation visit to China

File 33342

On Sunday, 6th May, 2007 I led a twenty-person self-funded Shoalhaven delegation on an eighteen day visit to China. At my invitation the Illawarra Development Board sent one of their Board members Mr. Barry Russell to represent them. The key purposes of the visit were to:-

- Celebrate the twentieth anniversary of the City of Shoalhaven Sister City relationship with the City of Jiamusi, Heilongjiang Province.
- Visit Shoalhaven City's Partner in Friendship City, Fuzhou and participate in a series of arrangements culminating in the "5.18" Cross Straits Trade Fair.
- Undertake discussions with the Abbot of the Shaolin Temple and his officials concerning the proposed development of the Shaolin Temple at Comberton Grange.

In addition, the delegation undertook a range of inspections of a number of industrial/commercial development areas, a visit to a major hospital, visits to various cultural venues/museums and attendance at agricultural and academic institutes.

The initial part of the visit involved the delegation arriving in Beijing to be welcomed by the Xuanwu District Government. These arrangements were facilitated by the China Australia International Trade Association. This visit involved an inspection of a major redevelopment area of Beijing in an area adjacent to the Central Government buildings in the suburb of Dashilan. This is the premier cultural precinct of Beijing, and home to the famous Beijing Opera. It is clear

that the investment and redevelopment proposals for this area of Beijing City involved restoration and rehabilitation of traditional Chinese cultural elements within a medium to high density up-market urban zone.

Whilst in Beijing the delegation also inspected two development zones in the Huairou and Pinggu areas. These were huge industrial/technological areas in which many local, National and International companies have invested, including some large International brands such as Mars and Asahi. One feature of these developments was the availability of geothermal heat reticulated throughout the developments as a primary energy and heating source in industry and manufacturing.

Upon arrival in Jiamusi the delegation enjoyed the hospitality of Mayor Li and M/s Li Changlan, President, Jiamusi People's Association for Friendship with Foreign Countries. Whilst in Jiamusi the delegation took the opportunity to inspect major bank consolidation works in the navigable river that flows through the City, including some foreshore landscaping and passive recreational facilities. The delegation also visited the model diary farm in which the City of Shoalhaven has had a long-standing interest as well as attending a major City hospital at which one of the delegation's members gave a lecture on a medical procedure to a number of Chinese physicians.

The highlight of the Jiamusi visit was a spectacular community based theatrical production staged in the State Theatre and attended by a wide range of City, Municipal and Central Government Officials, among the audience were several hundred School Children who were waving Chinese and Australian Flags. It is understood that only two of the artists who performed during the show were professionals with the balance of actors, acrobats and dancers all being products of local performing academies and schools.

On leaving Jiamusi, the delegation headed for Henan Province arriving at the City of Zhengzhou, an inland City of six to seven million people and the capital of the largest province of China which is also the agrarian heartland of the Nation. The delegation was afforded the opportunity to meet with the Senior City Officials of Zhengzhou and with the Vice President, Foreign Affairs in Henan Province. The delegation also took the opportunity to visit the Henan State Museum which was a facility which highlighted the development of Chinese porcelain and metallurgical skills together with live cultural performance and interactive displays. This was a truly impressive facility of World standard.

With the formalities at Zhenzhou behind the delegation travelled to the City of Deng Feng (1/2 million people) for meetings with City Officials and the Abbot of the Shaolin Temple. It was my pleasure to have the opportunity of signing a Memorandum of Understanding of Friendly Exchange and Economic Co-operation between Deng Feng City and the City of Shoalhaven.

The delegation visited the Shaolin Temple and was received by the Abbot. I also had the unusual opportunity of spending several hours with the Abbot at his personal quarters where we discussed ways of progressing the Shoalhaven Temple project. During this part of the visit the New South Wales Minister for Tourism, The Hon. Matt Brown, MP and his Director General, Mr. John O'Neill joined the delegation and in their company we had a joint audience with the Abbot during which time it was pointed out that the State Government was very keen to progress the proposed Shaolin Temple and associated developments at Comberton Grange.

The delegation had the privilege of visiting one of the Abbot's many orphanages and to be given a demonstration by the orphanage of the art of Kung Fu. The delegation was also invited by the Abbot to view a recently developed light show which provided a spectacular night illuminated stage in an open air environment which outlined the various elements of Shaolin/Zen culture. This was a truly spectacular event with the whole production and outdoor theatre development set in the mountain ranges. This event was awarded the Henan State Government's Top Tourism Attraction for 2006/2007.

The Fuzhou leg of the visit was marked by an interesting visit into the nearby Qingyun Mountains which at that point the delegation did some bushwalking through the local rainforests, visiting a spectacular 300 metre high series of water falls. Thereafter the delegation visited a secluded temple in a nearby valley which was inhabited by five hundred of the local ape/monkey species. The delegation dined and inspected a recently developed rural tourism resort which was a very popular weekend destination for citizens of Fuzhou and the Fujian Province. Being one of China's three key coastal economic development zones, Fuzhou regularly hosts Trade Fairs and exhibitions and on the occasion of this visit I was privileged to be invited to speak on behalf of ten cities/countries from around the World at an official reception held prior to the launch of the "5.18" Cross Straits Trade Fair. This was followed by the "5.18" welcome banquet at which the City of Fuzhou hosted some two thousand visiting local and International business guests prior to the opening of the "5.18" Trade Fair.

The delegation took the opportunity to visit many stands and exhibits which were displaying a diverse range of textiles, footwear, clothing, leatherware, furniture, electronics, automotive and other manufactured products. This exhibition was massive and I would estimate that at least 30,000 attended the event during the opening day.

The Fuzhou visit also included the opportunity to tour the City's Riverside Park development, attend a local University and inspect the Bodiless Lacquerware factory – this craft being one of the three recognised artisan crafts of China.

The delegation concluded its visit to China with a short time in Shanghai during which the delegation undertook some sightseeing a highlight of which were visits to the Shanghai Museum (which had an exhibition of 300 years of American art, on loan from the Guggenheim Museum in New York)

The 2007 visit to China significantly deepened the City of Shoalhaven's relationship with its Sister City and Partner in Friendship City. It also provided the opportunity to dialogue with the Abbot on progressing the Comberton Grange temple development. The economic, cultural and social growth of China evident in previous visits was sustained during the recent visit – what is happening in China is truly phenomenal and it is clear that China will become increasingly important to Australia from an economic, cultural, social and International relations point of view in the future.

RECOMMENDED that the Mayoral Minute outlining the visit by the Shoalhaven Delegation to China during the period 6th – 23rd May, 2007 be received for information.

3. **Illawarra Academy of Sport**

File 2388

It was again my pleasure to host a Civic Reception on behalf of Council on Thursday, 31st May, 2007, for the local Shoalhaven athletes and coaches involved in the Illawarra Academy of Sports' programmes this year. In attendance at this function were Academy Chairman, Mr Brian Weir and Board members, Shoalhaven Sports Board Chairman, Clr John Finkernagel and Sports Board members, Clrs Anderson, Green, Willmott and Ward, the parents supporting the young athletes, and senior staff.

The Academy has continued to provide special opportunities for our highly talented youth in the sports of cricket, cycling, golf, hockey, netball, rugby league, rugby union, sailing and swimming, however can only continue to do so through the contributions provided by local Councils and other corporate sponsorship.

In this regard, Council's contribution of \$10,000 has remained static for many years and there may be an opportunity to increase this amount from the unallocated Donations Vote.

Academy Chairman, Mr Brian Weir, also made a presentation to Shoalhaven's representative on the Board, Mr John Wells, in recognition of his ten years' service as a Board member. I take this opportunity to publicly thank John for his valuable contribution to the Board and representing the interests of Shoalhaven City sportspersons.

RECOMMENDED 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.**

4. **Queen's Birthday Honours List**

File 8592

I am pleased to report to Council that four residents of our City have been honoured in the recently announced Queen's Birthday Honours List.

Captain Anthony Dalton, RAN, CSM, HMAS 'Albatross' received the Conspicuous Service Medal for outstanding service as Director, Navy Aviation Projects, managing projects to acquire capability in support of the Royal Australian Navy.

Lieutenant Commander Paul 'Tanzi' Lea, RAN, CSM HMAS 'Albatross' was presented the Conspicuous Service Medal for outstanding service as a Sea King helicopter pilot instructor at 817 Squadron and HMAS Albatross.

Commander Allen Whittaker, RAN, CSC HMAS ‘Albatross’ was awarded the Conspicuous Service Cross for outstanding service.

Paul Woodgate, ASM, of Bomaderry was honoured with an Ambulance Service Medal for over forty-six years of serving the community through his work as an Ambulance Officer.

I have taken the liberty of writing to each of the recipients congratulating them on the wonderful honour bestowed upon them and extending an invitation to them and their guest to dine with Council at a mutually convenient time.

RECOMMENDED 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.

5. Princes Highway announcements in State Budgets

File 6852

On 19th June 2007 the Treasurer of NSW, Hon Michael Costa MLC, announced the NSW Government Budget for 2007/2008.

In this budget there was funding for 7 road projects which impact on the Shoalhaven. The total cost of these 7 projects is \$305 million with \$112.2 million being allocated in this 2007/08 financial year.

Some of the projects* involve Federal Government funding secured through the work of PHocus and the Federal Member for Gilmore, Joanna Gash MP. The \$30 million of Auslink funding has been catalytic in bringing forward some of the projects into the NSW Budget.

Details of the projects and funding are as follows:

	Total Project	2007/08
PH - Oak Flats to Dunmore – dual carriageway	\$130 m	\$45 m
PH - Kiama ramps	\$14 m	\$8 m
PH - Gerringong to Bomaderry - route selection		\$3.4 m
*PH - South Nowra – JB Road – road safety	\$19 m	\$14.3 m
*PH - Conjola Mountain – realignment	\$45 m	\$7.5 m
*PH - Pambula Bridge and approaches	\$17 m	\$9 m
MR92 - Nowra-Nerriga upgrade	\$80 m	\$25 m

This allocation of funds will go a significant way to improving connectivity of the Shoalhaven to Sydney, Wollongong, Canberra and the inland highway corridors and the South Coast.

Whilst there is still a long way to go, the momentum now achieved with in excess of \$87 million being expended on the Princes Highway during the next year is reward to the Council’s along the South Coast, the Southern Councils Group, and PHocus and the many other organisations that have lobbied and will continue to lobby to improve this critical highway linkage for their community.

RECOMMENDED 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].**
- **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**
- **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**



Greg Watson,
Mayor.

SECOND MAYORAL MINUTE

ORDINARY MEETING

MONDAY, 25TH JUNE, 2007

1. Development Control Plan 54

File 1032-03

This Mayoral Minute is submitted to Council as a result of ongoing community concern over the proposed height bonus relating to Owen Street, Huskisson where it would be theoretically possible for a building to be constructed to 5 ½ levels.

It is my view that much of the community concern has been caused by a simple misunderstanding of, and mis-conception of, Council's policy as expressed in Development Control Plan 54. Clearly it was never Council's, nor anyone else's, intention that the entire southern side of Owen Street be bulked up to either a 5 or 5 ½ levels. 'Canyon' development belongs to the past. The intention was to encourage the consolidation of lots where feasible with a view to facilitating more efficient underground carparking, innovative urban design of high architectural merit with a range of heights and introduce residential living in the Central Business District. Council saw the need, following public comment, to put a limit on the height bonus provisions which were originally advertised in the draft DCP with no height limit.

The reason for the desirability of introducing permanent occupancy in the CBD is threefold. Firstly, to make better utilisation of available space, secondly, to increase the level of security in CBD's by having people living within that area and thirdly, to encourage the revitalisation of some of the tired and inefficiently constructed buildings.

There has been much strident comment alleging that Council did not consult the community. This is a baseless allegation. Consultation goes back **eight years** to a facilitated workshop in 1999 and has continued since that time with three community meetings and public exhibitions of draft amendments with all owners and relevant groups being advised. The equally wild claims of 'lack of vision and planning' in respect of Huskisson is just so much politicised rhetoric. The vision for Huskisson becoming the tourist hub and gateway for Jervis Bay goes back thirty years to 1978 through to the eighties when the vision was enshrined in the 1985 Local Environment Plan which zoned large areas of Huskisson for higher density tourist related redevelopment. This LEP also was the subject of very extensive public consultation and comment and included three public meetings.

The concept of singling out one town – Huskisson – as the economic hub and gateway to Jervis Bay was embraced enthusiastically by the community as this philosophy enabled the Council to substantially protect the residential nature of other villages around Jervis Bay.

Furthermore, the State Government supported the urban consolidation approach through approval of the Jervis Bay Settlement Strategy, again a document that was subject to workshops and even more community consultation.

I will not dwell on the personal attacks on me or the concept of 'no vision' because the City Plan document clearly enunciates a clear vision for the whole of the City. Incidentally, the Vision Statement (accompanying the Plan) was prepared by Healthy Cities and also involved extensive community consultation. City Plan specifically comments on the need to introduce permanent urban living into the Central Business Districts of the towns throughout our City. It is there in the City Plan, it has been there for at least the last twelve years. It has been available for comment on all that time.

It is part of all modern planning principles. Without permanent living in the CBD's the area becomes a dead area after nightfall.

I announced that I would introduce this Mayoral Minute for Council's consideration in an attempt to avoid having a community needlessly agitated and upset by false claims.

RECOMMENDED 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.**



**Greg Watson,
Mayor.**

REPORT OF THE POLICY AND PLANNING COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON TUESDAY 12TH JUNE, 2007 COMMENCING AT 3.33 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

1. Apologies

Apologies were received from Clr J Anderson.

REPORT OF THE GENERAL MANAGER

SHOALHAVEN TOURISM BOARD – MONDAY 21ST MAY 2007

2. 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.

3. Budget File 1490-07

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

4. 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.

5. 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.

6. 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.

7. Roadshows File 1023-03

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.

8. 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.

9. 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.

10. 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.

11. 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 be received for information.

12. 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.

-
13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. Australian Regional Tourism Convention File 5359-03

RECOMMENDED that the Chairman and the Deputy Chairman attend the Australian Regional Tourism Convention in Canberra from 31st October to 2nd 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.

20. Triathlon Australia File 3161-02

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

21. 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.

-
22. Next Meeting File 1490-07

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

23. Additional Item - 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.

SHOALHAVEN ARTS BOARD – WEDNESDAY 30TH MAY 2007

24. 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.

25. 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)”*.

26. 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.

27. 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.

28. 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.

29. 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

30. Arts Grants File 35609

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

31. John Hatton Portrait File 18106

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.

32. 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.

33. 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.

34. Additional Item - Financial Assistance - TAFE File 4771-06

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 graduate in the Fine Arts faculty.

35. Additional Item - Financial Assistance - Shoalhaven Dance Eisteddfod File 4771-06

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.

ASSISTANT GENERAL MANAGER

36. Rural Fire Service Strategic Plan File 2041

RECOMMENDED that Council adopt the Rural Fire Service Strategic Plan.

CITY SERVICES AND OPERATIONS

37. 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.

-
38. 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.

39. "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.

STRATEGIC PLANNING

40. 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.

41. Moona Moona and Currambene Creek Flood Studies File 29609, 29608

RECOMMENDED that

- a) The Currambene 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 Currambene and Moona Moona Creeks Floodplain Risk Management Study and Plan as per the long-term Floodplain Management Program schedule.

42. Burrill Lake Flood Study File 29606-02

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.

-
43. Central Shoalhaven Natural Resource and Floodplain Management Committee File 30568

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.

44. Section 94 Contributions Plan Amendment No 90 - Changes to Certain Community Facilities File 32935

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.

45. 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'.

46. 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.

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

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.

48. 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.

49. 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.

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

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..

51. 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.

Lee Carmichael representing Allen Price and Associates addressed the Policy and Planning Committee, raising four key issues to the Policy.

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 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.

FINANCE AND CORPORATE SERVICES

53. 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.

54. 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.

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

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

Note by the General Manager: Legal advice will be tabled in respect of this item.

56. '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 20th to 22nd August 2007 and that such attendance be deemed to be business of Council.

57. 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.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

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

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 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*.

There being no further business, the meeting concluded the time being 5.15 pm.

Clr Watson
CHAIRPERSON

REPORT OF THE SPECIAL POLICY AND PLANNING COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON MONDAY 18th JUNE, 2007 COMMENCING AT 3.36 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 Kearney
Clr J Willmott
Clr J Young
Clr R Bates

Apologies:

Apologies were received from Clr Anderson and Clr Ward.

REPORT OF THE GENERAL MANAGER

FINANCE AND CORPORATE SERVICES

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

Alison Leslie, representing residents of Bawley Point addressed the meeting in favour of a footpath along Murramarang Road, Bawley Point.

Tammy Jones, representing the Bomaderry Swimming Club addressed the meeting against the proposed fees and hire structure for aquatic facilities.

Note: Clr Kearney left the meeting, the time being 4.50 pm.

Note: Clr Green left the meeting, the time being 4.59 pm.

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 19th 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).

There being no further business, the meeting concluded, the time being 5.15 pm.

Clr Watson
CHAIRPERSON

REPORT OF THE WORKS & FINANCE COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN COMMITTEE ROOM 1, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON TUESDAY 12TH JUNE, 2007 COMMENCING AT 5.20 PM.

The following members were present;

Clr J Finkernagel - Chairperson
Clr R Bates
Clr P Green
Clr G Kearney

Apologies

Apologies were received from Clr J Anderson.

REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

1. Tomerong School of Arts - Carpark and Drainage Issues File 27107

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 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.

2. 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.

3. 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.

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

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).

5. 14th Biennial NSW Weeds Conference, 2007 File 8252

RECOMMENDED that Councillors be authorised to attend the 14th 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.

6. Improvements Grant Request for Mark Radium Park Berry File 3723-02

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).

-
7. 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.

8. 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.

STRATEGIC PLANNING

9. 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.

10. Streetscape Strategy File 7602, 35373

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

11. Compulsory Acquisition of Lands, Forest Road, Currambene File 35780

RECOMMENDED that

- a) Council resolve to Compulsory Acquire Lots 1 to 45 (inclusive) identified on the attached unregistered plan of acquisition dated 7 March 2007.
- 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.

12. Graham St, Nowra - Footpath Replacement File 36159

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

13. 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

14. 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.

15. Grant Funding Offer - Springs Hoffman Intersection

File 28099, 36046

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.

16. Boree Street Car Park, Ulladulla

File 3572

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.

17. 2007/08 Gravel Road Improvement Programs

File 27051

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
N	424	Croziars Rd	Meroo Meadow		1.80	2.43	630	5.0	\$22,300
N	757	Illaroo Rd	Watersleigh		11.96	12.96	1,001	5.0	\$35,500
S	231	Brooman Rd	Morton		1.00	1.54	540	5.0	\$19,100
S	231	Brooman Rd	Morton		1.66	2.26	600	5.0	\$21,300
S	1021	Monkey Mtn Rd	Termeil		3.56	4.77	1,210	5.0	\$42,900
S	1688	Wheelbarrow Rd.	Morton		4.69	4.94	250	6.0	\$10,600
S	1727	Woodburn Rd	Morton		4.95	6.08	1,130	5.0	\$40,000
S	1123	Old Berrara Rd	Sussex Inlet		0.90	1.50	600	5.0	\$21,300

Total Section 94 funds:

\$0

Total Length:

16.77

Km

\$604,300

\$0

\$604,300

Low Cost Seal Program 2007/08

Region	Road No	Name	Village	S94 Funds	Start Ch (km)	End Ch (km)	Length (m)	Width (m)	Total Cost
All		Sealing of Bridge Approaches	Various						\$20,000
All		Sealing of Intersection Approaches	Various						\$40,000
S	1517	The River Rd	Brooman	\$28,252					\$53,300
		SCC matching funds in conjunction with SRCMA grant of \$66,800.							
S		Golden Flats Rd	Fishermans Paradise		0.24	0.44	197	5.0	\$20,200
S		Golden Flats Rd	Fishermans Paradise		1.39	1.51	119	5.0	\$12,200
B	1491	The Basin Rd	St Georges Basin		1.08	1.11	25	5.0	\$2,600
C	2116	Prince Edward Dr Service Rd	Culburra Bch		0.34	0.45	110	4.0	\$9,000
C	2125	The Triangle (W)	Culburra Bch		0.08	0.15	74	4.0	\$6,100
C	2013	Westbrook Rd	East Nowra		0.00	0.28	280	5.0	\$24,700
C	1494	The Bowery	Culburra Bch		0.00	0.09	90	4.0	\$6,400
N	2096	Bangalee Road	Tapitallee		0.58	0.95	372	4.5	\$34,300
N	907	Lilli Pilli Ln	Tapitallee	\$8,078	0.00	0.14	140	5.0	\$14,300
S	1650	Waterhaven Ave	Berrara		0.27	0.28	10	10.0	\$2,000
							0		\$0

Total Section 94 Funds:

\$36,330

Total Length:

1.42

Km

\$245,100

\$36,330

\$208,770

Sacrificial Seal Program 2007/08

Region	Road No	Name	Village	S94 Funds	Start Ch (km)	End Ch (km)	Length (m)	Width (m)	Total Cost
B	2171	Falls Rd (E)	Woollamia		0.65	1.90	1,250	5.0	\$66,200
B	2247	Hillside Ridge	Woollamia		0.00	0.32	320	5.0	\$16,900
B	2317	Unnamed Rd off Kells Rd	Tomerong		0.04	0.32	276	5.0	\$14,600
C	165	Binnaburra Park Rd	West Nowra		1.00	1.20	200	4.0	\$8,500
C	165	Binnaburra Park Rd	West Nowra		0.19	0.45	260	5.0	\$13,800

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 Ln	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 Section 94 Funds:				\$38,555	Total Length: 7.24		Km	\$375,300	
								\$38,555	
								<u>\$336,745</u>	

- 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.

FINANCE AND CORPORATE SERVICES

18. 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.

19. 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.

20. Plant Usage File 35373

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

GENERAL BUSINESS

21. Additional item - Street Lighting, Park Row, Orient Point File

Clr Green raised concerns expressed by the community regarding pedestrian safety along Park Row, Orient Point at night due to the lack of lighting.

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.

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

Clr Green expressed concerns regarding the rubbish, glass and overall condition of the Princes Highway underpass and the need for this area to be addressed to increase safety.

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.

CONFIDENTIAL REPORT

INFORMATION TECHNOLOGY / STRATEGIC PLANNING / CITY SERVICES & OPERATIONS

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

Item	Reason
Retention of the Existing Mt Cambewarra Communications Tower	Section 10A(2)(c) – information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

Pursuant to section 10A(4), the public were invited to make representations to the Works and Finance Committee 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 Green, seconded by Clr Bates, that the Works and Finance Committee meeting exclude the press and public from the Meeting pursuant to section 10 (2) of the Local Government Act, 1993 as it was to consider an item of a confidential nature in accordance with 10A(2)(c) above.

The meeting moved into confidential the time being 6.15 pm.

The meeting moved into open session, the time being 6.24 pm.

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

The following recommendation of the Works and Finance Committee, while the meeting was closed to the public, was read to the meeting by the Chairperson.

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.

There being no further business, the meeting concluded, the time being 6.24 pm.

Clr Finkernagel
CHAIRPERSON

REPORT OF THE DEVELOPMENT COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN COMMITTEE ROOM 2 & 3, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON TUESDAY 12TH JUNE, 2007 COMMENCING AT 5.20 PM

The following members were present;

Clr J Young - Chairperson
Clr J McCrudden
Clr P Murphy
Clr R Rudd
Clr G Ward
Clr J Willmott
R D Pigg – General Manager

Apologies:

Apologies were received from Clr Watson.

REPORT OF THE GENERAL MANAGER

STRATEGIC PLANNING

1. 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.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

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
-

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;
- c) 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;
- d) The development application be determined under delegated authority.
3. 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);
 - Building Height and Amenity in Residential Areas (Min No 90.618); and
 - Building Line Setbacks Policy for Residential Buildings (Min No 05.595)
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
-

Mr Bruce Cartmill, local resident, addressed the Development Committee and spoke against the Development Application.

Mr Peter Cosgrove, owner of Bannisters Point Lodge, addressed the Development Committee and spoke in favour of the Development Application.

Clr Ward declared his interest in the matter being a matter of conflict of interest and left the room and did not take part in discussion or vote on the 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 fascia 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 lesson the impact of loss of views and solar access;
- c) The application be determined under delegated authority.

STRATEGIC PLANNING / DEVELOPMENT AND ENVIRONMENTAL SERVICES

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

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.

Note: Clr Ward was absent during voting on this item and returned to the meeting at 6.35 pm.

CONFIDENTIAL REPORT

DEVELOPMENT AND ENVIRONMENTAL SERVICES

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

Item	Reason
Threatened Species Assessments in Rural Areas	Section 10A(2)(a) – the matter is a personnel matter concerning a particular individual

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

Mrs Maureen Webb addressed the Development Committee to make representation that the meeting should not be closed.

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

The meeting moved into confidential the time being 6.37 pm.

The meeting moved into open session, the time being 7.13 pm.

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

The following recommendation of the Development Committee, while the meeting was closed to the public, was read to the meeting by the Chairperson.

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.

There being no further business, the meeting concluded, the time being 7.15 pm.

Clr Young
CHAIRPERSON

REPORT OF THE SHOALHAVEN WATER OPERATIONS AND STRATEGIC REVIEW COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN COMMITTEE ROOM 1, 2 & 3 CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON TUESDAY 19TH JUNE, 2007 COMMENCING AT 3.45 PM

The following members were present;

Clr G Watson - Chairperson
Clr J Willmott
Clr R Bates
Clr R Rudd
Clr G Kearney
Clr J Finkernagel

Apologies:

Apologies were received from Clr Ward, Clr Young and Clr Anderson.

REPORT OF THE GENERAL MANAGER

SHOALHAVEN WATER

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. Rainwater Tanks Rebate Extension File 26581-13

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.
---	---

- 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.

7. 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.

-
8. 2007 Water Management Conference File 3989-07

RECOMMENDED that Council authorise available Councillors to attend the Local Government and Shires Associations 2007 Water Management Conference to be held in Inverell on 16th and 17th August 2006 and it be deemed business of Council.

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

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.

ADDENDUM REPORT OF THE GENERAL MANAGER

SHOALHAVEN WATER

10. 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.

There being no further business, the meeting concluded, the time being 4.15 pm.

Clr Watson
CHAIRPERSON

REPORT OF THE CROWN RESERVE, COMMUNITY AND COMMERCIAL OPERATIONS COMMITTEE MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN COMMITTEE ROOM 1, 2 & 3 CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON TUESDAY 19TH JUNE, 2007 COMMENCING AT 4.17 PM

The following members were present;

Clr Watson – Chairperson – left at 6.00 pm

Clr Bates

Clr Rudd

Clr Finkernagel

Clr Kearney

Clr Willmott

Clr Green – arrived 4.38 pm

Clr Murphy – arrived 4.38 pm

Apologies:

Apologies were received from Clr Ward, Clr Young and Clr Anderson.

REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

1. Community Grants Program File 35860

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

2. 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

3. Bay & Basin Leisure Centre – Acceptance of Water Grant File 26763-07

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.

4. 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.

5. 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.

6. 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.

7. Lady Denman Heritage Complex

File 5323-04

Mr Morgan Sant addressed the meeting in regard to the Lady Denman Heritage Complex.

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.

8. Allocation of New Burial Sites - Sandridge Cemetery

File 13054-02

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”.

9. Amalgamation of Nowra & Ulladulla Family Day Care Schemes File 7828-03

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.

10. 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.

ADDENDUM REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

11. 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.”

SECOND ADDENDUM REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

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

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

STRATEGIC PLANNING

13. 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.

14. 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.

15. 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.

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

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.

17. 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.

18. 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.

19. Currarong Boat Ramp File 4007-03

Mr Graham McKee, representing the most affected residents, addressed the meeting to speak against the proposed Currarong Boat Ramp.

Mr John Dale, representing the Fishing Club, addressed the meeting to speak for the proposed Currarong Boat Ramp.

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

20. 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.

FINANCE AND CORPORATE SERVICES

21. 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 1st August 2007.

22. 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.

23. 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 Timeberline 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.

24. 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).

-
25. 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.

CITY SERVICES AND OPERATIONS / STRATEGIC PLANNING

26. 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.

Clr Watson left the meeting the time being 6.00 pm handing the Chair to Clr Murphy.

27. Draft Landscape Masterplan Princes Street Reserve, Berry File 3723-02

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

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

Mrs Christmas, from Breakers Apartments, Mollymook, addressed the meeting to speak against the proposal.

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;
- 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

29. 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.

30. Additional Item - Foreshore Reserve, Basin View Parade, Basin View File

Clr Rudd advised the meeting of concerns raised in regard to alleged “view enhancing” happening in the Foreshore Reserve in Basin View Parade, Basin View. Clr Rudd requested that Ranger patrols be increased and a letterbox drop warning residents of the penalties involved be initiated.

There being no further business, the meeting concluded, the time being 6.45 pm.

Clr Watson
CHAIRPERSON

SHOALHAVEN TRAFFIC COMMITTEE – 19th JUNE 2007

ORDINARY MEETING

MONDAY, 25TH JUNE, 2007

REPORT OF THE CONVENOR

ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY

1. Traffic Congestion - Burr Avenue Nowra (PN 1317) File 2636

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

2. Mollymook LATM (PN 1409) File 7814

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.

3. 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).

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

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.

5. 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.

6. No Stopping Zone - McMahons Road, North Nowra (PN 2215) File 1706

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.

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

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

8. 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.

R Sutherland
CONVENOR/CHAIRPERSON

SHOALHAVEN TRAFFIC COMMITTEE – 19TH JUNE, 2007

INFORMATION REPORT

ORDINARY MEETING

MONDAY, 25TH JUNE, 2007

REPORT OF THE CONVENOR

ITEMS NOT REQUIRING APPROVAL UNDER DELEGATED AUTHORITY

1. Additional item - Tree Removal - Moss Vale Road, Kangaroo Valley (PN 1232) File 2106

Danny Benedetti – Roads & Traffic Authority advised the meeting that the RTA convened a community meeting with regards to two projects along Moss Vale Road, Kangaroo Valley involving the removal of 96 trees.

The feedback obtained from the meeting has been taken on board by RTA. Council will be formally advised of the outcome in due course.

2. Speed Zoning - Greenwell Point Road, Worrigea to Greenwell Point (PN 1419) File 8178, 1707

RECOMMENDED that the report of the Convenor concerning the advice received from the Roads & Traffic Authority regarding the status of the implementation of the 80km/h speed zoning on Greenwell Point Road be received for information.

3. Road Safety - Vincentia Public School - George Caley Place, Vincentia. (PN 741) File 18383

RECOMMENDED that

- a) The report of the General Manager (Director Strategic Planning Group) regarding road safety at Vincentia Public School on George Caley Place, Vincentia be received for information.
- b) The General Manager (Director Strategic Planning Group) convene an onsite meeting with appropriate Council staff, Vincentia Public School principal and bus proprietors to address the road safety issues on George Caley Place, Vincentia.

4. Additional Item - Disabled Parking, Tallwood Avenue Narrawallee (PN 2219) File 2948

Clr Willmott requested that the provision of an on-street disabled car parking space in Tallwood Avenue, Narrawallee be investigated.

RECOMMENDED that the General Manager (Director, Strategic Planning Group) investigate options for a disabled car parking space on Tallwood Avenue, Narrawallee adjacent to the Mollymook shopping centre and report back to a future Shoalhaven Traffic Committee meeting.

5. Additional Item – Intersection Wool Road and Princes Highway (PN 1997) File 26509

Danny Benedetti – Roads & Traffic Authority (RTA) informed the meeting that a recent request for the replacement of a Giveway sign with a Stop Sign at the intersection of Wool Road and Princes Highway has been reviewed by RTA and in considering the accident history and existing environment the Giveway Sign is considered sufficient.

6. Additional Item – Traffic Committee Guidelines (PN 1577) File 1491

Danny Benedetti – Roads & Traffic Authority gave the meeting an overview of the new guidelines for Traffic Committees.

Main points discussed included:

- Traffic Committee minutes being cleared by Police and RTA prior to adoption by Council
- Voting members – Police and State members can vote on issues within their Command and Electorate only.
- There is no quorum for Traffic Committee meetings
- Agenda is for regulatory items only and separate agenda for items of information that the Council may seek the expertise of the RTA and Police representatives
- The meeting format is set by the Chairperson

A brochure on the guidelines was distributed to all members at the meeting.

Marc Poulton – Administration / Project Officer advised the meeting that it is intended that a report on the new guidelines for Traffic Committee will be submitted to Council's Policy & Planning Committee in July.

RECOMMENDED that the Information Report of the Shoalhaven Traffic Committee of Tuesday 19th June 2007 be received for information

R Sutherland
CONVENOR/CHAIRPERSON

REPORT OF THE GENERAL MANAGER

ORDINARY MEETING

MONDAY, 25TH JUNE 2007

GENERAL MANAGER

REPORT OF THE COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 4TH JUNE 2007

1. 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.

Note by General Manager: The final terms of a contract for sale have not yet been finalised and will be referred to Council for approval. The Department of Local Government is making further enquiries concerning the "tenure" of the land.

2. 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.

Note by General Manager: The final terms of a contract of sale have not yet been finalised and will be referred to Council for approval.

3. 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.

REPORT OF THE CARAVAN PARKS FLOOD SAFETY STUDY PROJECT STEERING COMMITTEE – MONDAY 4TH JUNE 2007

1. 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.
- 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.

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

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

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

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

**REPORT OF THE ULLADULLA DCP 56 REVIEW WORKING PARTY – WEDNESDAY 6TH
JUNE 2007**

4. Ulladulla Town Centre and Harbour DCP No. 56 “Review” Draft Issues Paper File 33830
-

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

**REPORT OF THE BOMADERRY SHOPPING CENTRE AND RAILWAY PRECINCT
WORKING PARTY – WEDNESDAY 13TH JUNE 2007**

1. 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.

2. 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.

3. 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.

4. Additional Item - Bomaderry Railway Station Carpark File 5758
-

Clr Ward advised the meeting of the need to upgrade the Carpark at Bomaderry Railway Station and that representations to the relevant Ministers may be of some assistance. The suggestion was made that Council's street sweeper be requested to go into the Carpark.

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.

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

ORDINARY MEETING

MONDAY, 25TH JUNE, 2007

GENERAL MANAGER

1. National General Assembly of Local Government - Canberra

File 1077-02

In accordance with Clause 3.3(e) of the “*Council Members – Payment of Expenses & Provision of Facilities*” Policy, Clrs Paul Green, John Willmott and Gareth Ward attended the National General Assembly of Local Government held in Canberra from 27th to 30th November, 2006. Clr Green has submitted the following report –

“The Australian Local Government Association (ALGA) Conference brought together a range of speakers from Federal government Ministers including, the former Minister for Ageing, Santo Santoro and the now former Deputy Leader of the Federal Labor Party Jenny Macklin. The theme was “Formal Recognition through the Australian Constitution, Fair Treatment, and Fair Funding”.

“Formal Recognition has also been noted via a Parliamentary resolution on recognition of Local Government which passed through the Senate and House of Representatives. This was reported as a significant step for local government, as we pursue being recognized in the Australian Constitution as the third level of Government.

“Fair Treatment has seen an Inter-Governmental Agreement on Cost shifting. One of the highlights was the presentation on the Pricewaterhouse Coopers report on Local Government Operations across the nation. This presentation highlighted the financial performance of Councils across Australia. This particular presentation verified what many have known, that is that many Councils across Australia are struggling with financial challenges and from the high demands through cost shifting, legislation and public expectations for services. In NSW alone, approximately 25% of our councils are looking to be in a poor financial state.

“Fair Funding - it was reported that that there would be a renewal of the R2R from 2005 – 2009, a total of \$1.2b and that there would be an extension of \$90m to the Black Spot program. Councils would have access to the \$2b Australia Water Fund. These were just some of the projects to be either increased or *re announced* at the Conference.

“Therefore, the conference concluded that there were significant wins for local government in 2006.

“One session which I had the opportunity to attend was “Age-friendly” built environments, opportunities for local governments. This was interesting. I cannot stress enough the care that is required when planning coastal village infrastructure to take into account the future aging population. It is interesting to see that the number of people aged over 65 will grow from 2.5million as at June 2002, to 7.1million by 2051. The proportion of people over 65 years will equal one quarter of our population by 2051 and those 85 years and over will be around 6% of the population. (Abs)

“Therefore, it is important that aged care services, transportation and infrastructure are provided to accommodate these types of statistic. For instance, it was suggested that 1 doctor per 7000 persons was normally adequate but if the majority of the population is aged, there would be a greater need than 1 doctor per 7000 persons in a community, not to mention the 88 aged care beds per 1000 persons.

“Basically, the overall message was that Council could adopt a wider role in planning for the Aged. Things like addressing housing needs to allow aged persons to stay in their homes longer, density, and Joint Ventures to manage housing stock. Also the continuing commitment of developing open spaces so as to contribute to the health & well being of the aged, particularly parks, gardens, walkways and promenades, sporting & recreation facilities and water areas.

“Also important is the planning, coordination, policy development and, in many cases, direct service provision of the community and Human services to local communities particularly those aimed to promote healthy environments and control the causes of disease, illness and injury.

“One may ask how can the Shoalhaven improve in this area? I propose by simply adopting, making, or changing policy that will ensure that our Council is promoting an aged friendly built environment. We need to keep looking to provide an environment where safe and secure pedestrian movements can be enjoyed and foster age friendly community planning & design which promote improved mobility options. We should also support recreation facilities like parks and trails, and finally encourage a wider variety of housing choices.

“In closing, this conference is always thought provoking and rewarding as it deals with the grass roots issues affecting our community – the people. The other thing I liked about this particular conference is that it continued to remind us of the large responsibility across the Nation that Local Government has, including the 645,200 km of roads to build, operate and maintain never mind the \$183billion in assets that the collective councils have to manage. The ALGA has the greatest lobbying power of any of the Local Government Associations and this gets results from our Federal and State Government counterparts. I believe it also helps us keep them accountable to reduce the load of cost shifting on Local Government. I continuously find that the National General Assembly of Local Government has a personal touch, and is relevant to the reason so many of us stood for Council all those years ago - to genuinely care for and grow a better community.

“I thank you for the opportunity to represent Council at this Conference.”
(AUTHOR: Clr Paul Green)

The following report was submitted by Clr Gareth Ward –

This is the delegates report of the 2006 Australian Local Government Association (ALGA) National Conference held in Canberra between 28 and 30 November 2006 where Council was represented by Clr Gareth Ward, Clr Paul Green and Clr John Willmott.

The theme of the conference was pushing the agenda on fair federal funding, fair treatment and formal recognition of Australian Local Government. Some interesting facts about local government in Australia are:

- Comprises 673 Councils across the whole country.

-
- Represents over 20 million Australians across a diverse range of metropolitan, regional, rural and indigenous communities.
 - Councillors number 6,566 (27.8% are women) who each on average represent around 3,000 people.
 - The average Council population is 27,800 – 50% of local governing bodies have less than 7,120 residents.
 - Populations ranges from 143 for the Sandstone Shire Council in WA to the Brisbane City Council with 938,384 residents.
 - Spends around \$18 billion each year (around 2% of the GDP) on an increasingly broad range of infrastructure, economic and community services.
 - Employs around 165,000 Australians.
 - Maintains assets worth more than \$183 billion.
 - Is responsible for around 645,200km – or nearly 80% - of all Australian roads.

Presentations:

The following is a listing of presenters/addresses throughout the conference which were noted.

➤ **Federal Minister For Local Government, Territories And Roads, The Hon. Jim Lloyd MP.**

General points:

- Water is now the number one national issue.
- Local government round table discussions (State/Local Government and the Commonwealth Local Government Ministers) will now become an annual event.
- Commonwealth's recognition of Local Government through a formal agreement which has passed through both houses of the Australian Parliament.
- Need for Local Government to “keep the pressure on State Governments to assist Local Government”, but also placing on public record the acknowledgment of Commonwealth Government wanting to deal directly with Local Government.

Questions from the floor to the Minister included funding for medical services and health infrastructure in rural areas. I asked the Minister about the continuation of the Federal Black Spot Program and the Conference was advised that the Government will be allocating \$45 million in 2006/7

➤ **Keynote Address By Mr Grahame Morris (And Mr Scott Lennan) Of Pricewaterhouse Coopers**

This address on the national financial sustainability of Local Government also saw the launch of the 2005/6 SOR report.

However, a couple of other interesting facts were:

- In NSW, of the 152 Councils there are at least 25% that are not financially sustainable.
- Capital works are being deferred indefinitely.
- Need for ALGA to lobby the Commonwealth Government to establish a Community Enhancement Fund (Better Community Fund) to provide much needed capital funding for halls, senior citizen centres, parks/playground equipment, civic centres, airports, libraries, tourist centres, child care and health care centres.

➤ **The Hon. Simon Crean, MP Shadow Minister For Regional Development**

Extremely supportive of the role and functions of local government, especially highlighting the key points of:

-
- Constitutional recognition of Local Government and the necessary provision of sustainable resources to give a partnership with this tier of government real meaning.
 - Developing a viable and participatory regional development structure by which the Federal Government can implement a sustainable regional development agenda to support local communities.

These key agenda items would be underpinned by the Commonwealth Government being a supporter of joint Council initiatives, the creation of a “Regional Development Australia Concept” to augment Area Consultative Committees, provide better resources and to support community visions and champions. Regional grouping of Councils will have regional budgets to undertake the stimulation of regional economics.

I posed the question of the inclusion of the intergovernmental agreement on cost shifting into State Constitution Acts. Mr Crean acknowledged that this would be worth considering. Shoalhaven City Council has since adopted a recommendation to this effect to be sent to the ALGA and NSW Local Government Association for consideration.

➤ **Symposia**

There were several concurrent symposia on the following issues:

- National Local Roads and Transport study.
- National perspective on local government emergency management.
- National Awards for local government.
- Age friendly built environments.

Some relevant points from these sessions included.

National Roads/Transport

A key critical factor stated from the beginning of this presentation was:

“Transport is critically important to the social, cultural and economic success of every Australian community, from our city centres to remote communities. With freight and passenger transport expected to almost double by 2020, the three spheres of government need to take action now.”

Local government owns and maintains 650,000 kms of roads in the nation, and annually expends \$3.3 billion of rates on that infrastructure.

This session discussed major challenges in the areas of:

- Urban transport solutions: Economic imperatives to protect freight lines and the needs of communities. “Whole of government” approach to the road network.
- Mobility and access for regional Australia: Funding equity, rural and regional access to public transport, revitalization of passenger and freight rail services, research and upgrading of rail crossings (public safety).
- Freight Management: Objectives in this critical area will be targeted through maximising the efficiency of freight logistics chains including use of higher productivity vehicles in ways that are consistent with safety and environmental wishes of communities, road infrastructure pricing that takes account of the impact of freight vehicles on communities and that facilitates investment in local road infrastructure commensurate with the freight task, revitalisation of rail so that this sector can perform to its full potential, fully assessing the impact on the local road network when rail rationalisations or closures are proposed,

compensating local government for increased freight traffic on local roads following rail closures, priority in road project planning for highway bypasses of towns with high volumes of heavy vehicles and the National Transport Commission and other agencies developing a communications strategy that keeps local government fully-appraised of developments in road transport reform.

- Financial sustainability for Local Government: Actions through increased state and federal funding of local government, financial assistance grants to be at least one per cent of Commonwealth taxation revenue and the continuation/implementation of separate funding programs for local roads and transport projects, adherence by state and federal governments to the Intergovernmental Agreement on Cost Shifting, partnerships between the three spheres of government to address specific local government transport tasks and constitutional recognition of local government.

➤ **Age Friendly Built Environments**

Key points:

- The number of people aged over 65 will grow from 2.5 million as at June 2002, to 7.1 million by 2051.
- The proportion of people over 65 years will grow from 13% as at June 2002, to one quarter of the population by 2051.
- The proportion of people over 85 years is expected to grow from 1.4% as at June 2002, to around 6% by 2051.
- The proportion of the population aged between 15-64 years (labour force age) will fall from 67% as at June 2002, to around 59% by 2051.

Source: Population Projections, Australia, 2002-2101 (ABS Cat No.3222.0).

This session addressed the major issues of:

- The role of local government: Addressing the needs of local communities, equity for the disadvantaged, development and implementation of housing policies and initiatives, developing open space and in general planning and co-ordination.
- Promote age-friendly built environments: Raising community awareness, supporting appropriate programs and the information/advice to the broader community.
- Create safe and secure public areas: Improve and maintain the public road and footpath networks, encourage visual – appeal, construct age friendship/safer street crossings, and enhance urban and community design.
- Improve mobility options for seniors: Encourage the alternative use of transport options (public transport projects), support “old” drivers (hold educational workshops for older drivers, improved signage and publicity/education) and improve recreational facilities.

➤ **ICLEI – Local Governments For Sustainability**

ICLEI is an international membership organisation of Councils whose mission is “to build and serve a worldwide movement of local governments to achieve tangible improvements in global sustainability with a special focus on environmental conditions through cumulative local actions”. Extract from website www.iclei.org. This organisation runs several specific programmes incorporating:

- Water campaign: Water reduction programs and improvements to local water supplies.
- Cities for Climate Change: To motivate and empower local governments to take action on climate change. There are 218 Councils (covering 80% of the Australian population) participating Australian wide (67 in NSW).

-
- CCP Plus: Program to support/assist Local Government to create local solutions to greenhouse problems.

Such may include:

- Emission reductions from Councils own buildings, fleet, public lighting and waste management facilities.
- Promotion of emission reductions by individual households and local businesses.
- Adaptation to the impacts of climate change through planning and infrastructure provision.

A copy of ICLEIs report for the period 2005/06 was presented by Senator Ian Campbell, Minister for the Environment and Heritage with the following achievements being noted:

- 2.9 million tonnes CO2 abated in 2005/06 – equivalent to taking 674,000 cars off the road for one year.
- 8.8 million tonnes CO2 abated since the start of the CCP Australia Program in 1997.
- Over \$27 million invested in greenhouse gas abatement by Councils and external funders in 2005/06.
- At least \$13.9 million saved by Councils and their communities in 2005/06. One of the interesting aspects of this presentation was the call to provoke and promote discussion within the public and commercial domain on climate change itself. Realistically, there is a need for the community to take action now and for all levels of government to drive behavioural change.

As the President of ALGA stated:

- Both the national government and the national media need to focus on this issue.
- As an example of the tangible impact on a major local government area of expenditure, a two degree increase in the overall annual climate level will effectively reduce the “life of a road” by 10 years. Council may wish to assess the possibly of joining this organisation in the future.

➤ **Other Deputations**

I am pleased to report that the association has tightened the requirements for motions to ensure that motions from Council’s are specifically related to Local Government. This problem continues to plague the NSW Local Government Association annual Conference.

(AUTHOR: Cllr Gareth Ward)

SUBMITTED FOR COUNCIL’S INFORMATION.

**RD PIGG
GENERAL MANAGER**

REPORT OF GENERAL MANAGER

ORDINARY MEETING

MONDAY, 25 JUNE 2007

STRATEGIC PLANNING

1. Currarong Beach Asbestos Removal - Funding Application

File 7514

This matter is presented on the basis that advice recently received by Council recommends immediate action to manage an asbestos contaminated site at Currarong.

Council was notified in December 2006 regarding the suspected asbestos content in a buried building waste dump site emerging from the receding dune face at Currarong. Following notification, the Natural Resources and Floodplain Management Unit have implemented the following initiatives:

- Council instructed contractors, Soil Services, to install containment measures and hazard signage;
- Council sought specialised environmental consultant services to assess the site and develop an Action Plan for future management (to be delivered early 2007);
- Assisted Department of Health, Illawarra, inspection of the site on 8th December 2006;
- Requested qualified contractors on 18th December 2006 to initiate make-safe works. Make-safe works were completed on 20th December 2006 by Enviro Tech Services; and
- Site monitoring is continuing to ensure public safety is maintained.

Coastal Hazard Studies for Currarong completed in 2004 confirm an average beach recession of 300mm per year with significant storm-bite erosion evident on a regular basis, even from relatively small scale storms.

The Asbestos Management Report recently received by Council, recommends immediate removal in a single operation with works undertaken by teams of specialist contractors. The first undertakes beach and site preparation, site monitoring and dune reinstatement with specialist asbestos contractors undertaking the site asbestos monitoring, mechanical removal, transport and disposal of the material. The cost implications cannot be fully estimated as the deposit is largely buried, therefore, excavation and tipping fees are not readily quantifiable. However, preliminary estimates are in the order of \$50,000 (mainly secured transport and EPA licensed tipping fees) with a \$25,000 site preparation, traffic control, site monitoring and dune rehabilitation requirement.

The Natural Resources and Floodplain Management Unit are submitting funding applications to relevant State and Federal Agencies to assist the operation. However, all avenues will have the significant time lags to secure support funding. Given there may be potential public health risks

involved, the other option is for Council to provide additional funding to undertake the works on a priority basis. This option has been endorsed by the Coastal Management Committee

RECOMMENDED that Council allocates \$75,000 emergency funding from Strategic Projects Reserve Funds in the 2007/2008 financial year.

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

This matter is reported direct to the Council meeting given the short timeframes involved and the need to provide a submission by end of June 2007.

Introduction

Council has been advised by the Department of Lands that the following Aboriginal Land Claims have been lodged by the New South Wales Aboriginal Land Council under the provisions of the *Aboriginal Lands Rights Act 1983*:

- Aboriginal Land Claim (ALC) No. 8024 – Ulladulla Harbour
- Aboriginal Land Claim (ALC) No. 8051 – North Nowra

Council requested and was granted an extension of time to provide comments to enable consideration by Council today.

Council will need to establish that the land is not claimable to support any request for refusal. In this regard documentary evidence will need to be provided to substantiate refusal of the claim. In terms of the need or likely need for an essential public purpose, the evidence needs to address three main aspects:

- *That the purpose for which the land is required is a public purpose;*
- *That the purpose is essential for a community perspective; and*
- *That the claimable land, to the exclusion of other lands, is needed or likely to be needed for the essential public purpose.*

Copies of each claim were circulated to relevant Council Groups for review and comment. The following comment is now provided on each claim:-

Claim No. 8024 – Ulladulla Harbour

- # The claimed land forms part of the Ulladulla Harbour Complex or Precinct located on Wason Street, Ulladulla (see Attachment A).
- # The claimed land is the former Crown Reserve R. No. 88. It occupies an area of approximately 2 ha and is zoned part Special Uses 5(a) Harbour Purposes and part Open Space 6(a) Recreation

(Existing) under *Shoalhaven Local Environmental Plan 1985*. This claim is adjacent to residential and commercial zoned land. A zoning map is included as Attachment B.

City Services and Operations Group Comments

The majority of the claimed area is highly developed and contains significant existing infrastructure including car parking, the Coastal Patrol Building, a fisheries co-operative building, various services, parkland with associated pathways and picnic furniture. It also provides access to Council's public sea pool.

A significant percentage of the claimed area is also critical to the proposed harbour redevelopment contained within Council's Harbour Precinct Upgrade Masterplan which was adopted by Council in June 2004 prior to the lodgement of this claim. It also forms a major component of the Department of Lands (Minor Ports Program) harbour upgrade proposal.

A section of the claimed area on the eastern side, largely below mean high water mark is undeveloped but may be needed for construction access for future extension of the southern breakwater.

Shoalhaven Water Group Comments

Easements (4 metres wide) would be required over the existing water pipelines within the land claim as shown on Attachment C.

Strategic Planning Group Comments

ALC 8024 covers a major portion of the working part of Ulladulla Harbour. There are significant existing public assets constructed in the claimed area and also some buildings under lease by Department of Lands to the Coastal Patrol and several private enterprises. The claim area also entirely covers the only existing trafficable access to major wharves and harbour breakwalls.

The claim area also covers a formed public reserve, adjacent to the Coastal Patrol, which has been developed by and is maintained by Council. This reserve includes paving, fencing, lights, picnic shelters, BBQs and parking.

Other Council assets located within the claim area include:-

- Water mains
- Stormwater piped drainage
- Timber boardwalk
- An area of public beach

Based upon all comments above it is recommended that Council object to Claim No. 8024 on the basis that the area of the claim is required, to the exclusion of other lands, for the following existing essential public and community purposes:

- Provision of a working harbour complex;
- Access to the harbour complex and sea pool;
- Water pipeline; and
- Valuable, embellished, public foreshore open space.

Claim No. 8051 – Pitt St, North Nowra

- # The claimed land is located on the southern side of Pitt Street, North Nowra (see Attachment D).
- # The claimed land is known as Lot 22 DP1049257. It occupies an area of approximately 4.5 ha and is zoned 2(c) Residential under *Shoalhaven Local Environmental Plan 1985*. A zoning map is included as Attachment E.

A development consent for Stage 2 of the ‘Graceland’ subdivision has been issued over the subject land and provides for an additional 72 residential lots consistent with the previously developed Stage 1. Any outstanding issues and/or charges in relation to the subdivision consent will be outlined in Council’s response to the Department of Lands.

Shoalhaven Water Group Comments

- # Easements would be required over the existing water and sewerage pipelines within the land claim as shown on Attachment F. Easements should be 4 metres wide over water pipelines and 5 metres over sewerage pipelines.

Strategic Planning Comments

There are generally no major issues associated with this claim, other than the existing subdivision consent that has been issued over the land and partially realised. This issue will no doubt be given due consideration by the Department of Lands who were also responsible for the proposed subdivision.

Thus, based on all comments above it is recommended that Council raise no objection to Claim No. 8051 on the basis that the required easements be created over existing water and sewerage pipelines as part of any determination of this Claim (as shown in Attachment F).

Conclusion

These Aboriginal Land Claims have been reviewed by relevant Groups within Council and where necessary comments have been made in regard to Council’s interests in the subject lands and suggested recommendations.

Therefore, it is appropriate that Council advise the Department of Lands of its positions on Aboriginal Land Claims No. 8024 & No. 8051 as recommended below.

RECOMMENDED 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).**

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

This matter is reported direct to Council given the timeframes involved and the need for Council to make a submission, if required, on this matter by 26th June 2007.

Background

The Seniors Living SEPP (and former SEPP No.5 – Housing for Aged and Disabled) provides an approval mechanism for the development of an adequate amount of appropriately located housing for seniors (55+) and people with a disability. The provisions of the SEPP have been used in various locations throughout Shoalhaven to enable the development of this form of housing.

Following a review by a State Government Task Force, the Seniors Living SEPP (the SEPP) was gazetted in 2004 and replaced the former SEPP No.5. Council received a report on the new SEPP for information on 27th April 2004.

The SEPP retained provisions that provided for development on the urban fringe, where a rural zone adjoined an urban one for:

- Development consisting of serviced self care housing, a hostel or a residential care facility.
- Need to demonstrate reasonable access to home delivered meals, personal care, home nursing etc.
- Will result in at least 70 dwellings.
- Facilities and services required to be provided at time of occupation.

“Environmentally sensitive land” also remained excluded from the SEPP.

An amendment (No.1) to the SEPP was gazetted on 16th December 2005 that subsequently removed the ability for “serviced self-care housing” on rural lands to be considered under the SEPP. At the time it was indicated that this would enable a moratorium on this type of proposal while the entire policy is reviewed. This change was reported to Council for information during January 2006.

In May 2006 Council was requested to provide comment and feedback as part of the overall review of the SEPP. Council considered a report on the proposed review during June 2006 (see attachment “A”) and a submission was subsequently made based on the contents of the report to the Department of Planning.

Following the review, the Department of Planning commenced the public exhibition of a draft amendment (No.2) to the SEPP on the 23rd May 2007. The comment period ends on 26th June 2007.

Draft Amendment No.2 to the SEPP

Overview

The existing SEPP aims to ensure that there is sufficient provision of housing for seniors and people with a disability.

It is stated that the review undertaken during 2006 was to determine whether the current SEPP is adequate to meet the forecast increase of housing needs for seniors and people with a disability.

As a result the draft amendment to the SEPP proposes to incorporate the following key changes:

- The lifting of the current moratorium on serviced self-care housing facilities on land adjoining land zoned primarily for urban purposes, subject to additional requirements including the need for a “Site Compatibility Certificate” from the Department of Planning, to ensure a proposal is appropriate to the local area.
- More comprehensive assessment of bushfire risk – to be in line with recommendations from the RFS Review Panel.
- Extending the application of the SEPP and clarifying how it does/does not apply, including enabling developments on sites of State Heritage Significance subject to the approval from the NSW Heritage Council as well as on registered Club sites, subject to the issuing of a “Site Compatibility Certificate”.
- The lapsing of existing Council exemptions from the SEPP after 12 months (Note: Councils are/were able to apply to be exempted from the provisions of the SEPP).

Other more minor changes, such as changing some definitions, standards and the structure of the SEPP are also proposed.

Attachment “B” is a Fact Sheet prepared by the Department of Planning on the draft Amendment and a copy of the draft SEPP itself and supporting information, including an accompanying draft Planning Regulation, will be made available for viewing in the Councillors Room before today’s meeting or can also be accessed at the following website:

<http://www.planning.nsw.gov.au/settingthedirection/housing.asp#draft>

Once gazetted the revised SEPP will remain in place until individual Councils incorporate seniors living provisions into their new comprehensive LEP’s over the next four years (in our case by March 2009).

Detail on Proposed Changes and Comments

The draft amendments to the SEPP have been reviewed by staff within relevant Groups of Council, including the Community & Operations Group, and where relevant comments are offered on the main components of the draft amendments to the SEPP. It is proposed that these comments form the basis of Councils submission to the Department of Planning on this matter.

Lifting the Moratorium subject to a “Site compatibility test” – The previous moratorium on serviced self-care housing facilities on land adjoining land zoned primarily for urban purposes is proposed to be lifted to ensure that land is available for the delivery of this important social infrastructure. It is however, proposed that developments in rural areas adjoining towns or villages

must satisfy strict site compatibility criteria to demonstrate the appropriateness of the development to its surrounding area.

Comments – The lifting of the existing moratorium may be a concern to Council as this may result in new development proposal or applications on rural land adjoining existing small towns and villages within the City.

Similar proposals were previously lodged prior to the moratorium at Cambewarra Village and Berry (Victoria Street), and due to concerns were refused by Council. As Council would be aware the Berry proposal was ultimately approved by the Land & Environment Court and the Cambewarra Village proposal is currently before the Court.

It should be noted however, the amended SEPP is proposed to still not apply to “environmentally sensitive land” (as listed in Schedule 1 of the SEPP) – land identified in an environmental planning instrument (EPI) for conservation, environment protection, open space, natural hazard, scenic etc.

The addition of the proposed “Site Compatibility Certificate” is seen as a positive move if the adjoining rural land provision is to be reintroduced as it will hopefully make it more difficult for proponents to pursue inappropriate developments that will have a negative impact on adjoining settlements. Additional comment is provided on the proposed “Site Compatibility Certificates” below.

Proposed “Site Compatibility Certificate” – All proposals on adjoining rural land must obtain a “site compatibility certificate” for the Director-General of the Department of Planning before a development application can be lodged. Criteria related to: access to services, compatibility with the surrounding environment and, in the case of rural lands, the suitability of the land for urban use will be used to determine compatibility.

The proposed “Site Compatibility Criteria” are detailed in attachment “B” and include:

1. General Criteria – availability of retail, commercial and medical services. Availability of transport networks.
2. Criteria applicable to land zoned primarily for urban purposes – impact on adjoining sites. Building envelopes.
3. Criteria applicable to land that adjoins land that is zoned primarily for urban purposes – extent of demand for seniors housing. Impact on role of adjoining centre. Relationship to scale and character of existing settlements. Contribution to service utilization. Appropriateness for urban land use.

Comments – Schedule 3 of the draft SEPP provides detailed criteria against which site compatibility will be assessed by the Department of Planning and the above text provides an overview of the criteria. It is indicated that Site Compatibility Statements will be required for development to be carried out on land that:

- *Adjoins land that is zoned primarily for urban purposes*
- *Is within a zone that is identified as “special uses” under another EPI*

-
- *Is used for the purposes of an existing registered club*

It is indicated that the consent authority (Council) must not grant development consent unless the Department of Planning has issued a Site Compatibility Certificate and is of the opinion that the development is compatible. Council still has the ability to refuse the development even though a Site Compatibility statement may have been issued – however, this needs to be made clear in the SEPP.

There is limited detail in the draft amendments on how the Department will actually deal with requests for such certificates and whether Council will be involved or informed that they are being considered. The Department needs to be vigilant in examining compliance with the checklist and are likely to require the input of Council in regard to some of the detail outlined in Schedule 3. Unless it is managed properly this has the potential to add an additional layer of control that will be difficult for the community and landowners to understand.

The Department need to clarify how Site Compatibility Statements will be processed and what role Councils will play in their consideration, if any. Should this element be retained the Department should consider issuing a practice note, guidelines or similar on this particular aspect.

Also the amendments proposed to Clause 25 (Location and access to facilities) are seen as positive, particularly ensuring that the availability of services is seen as an important test for proposed developments. This was an important issue identified in the research work undertaken for Council by Dr Judy Stubbs (“A Place for Aging”). The requirement that they (shops, community services, recreation facilities, GP’s etc) be available no further than 400 metres from the access to the development is strongly supported. This restriction can however, be overcome if a transport service is available once a day to/from a facility – for those residents who may not own or be able to drive cars this frequency is likely to be limiting and as such may be inadequate.

New requirements for development on rural land – a residential care or hostel facility is currently permissible under the current SEPP on adjoining rural land. Under the proposed amendments seniors living proposals consisting of self contained units adjoining urban land will be included and must also demonstrate that the development:

- *Is for people with a disability; or*
- *Includes a residential care facility (nursing home); or*
- *Is bona fide housing for people over 55 in the form of a retirement village under the Retirement Villages Act 1999.*

Serviced self care housing consist of self contained dwellings where meals, cleaning services, personal care and nursing care are available on site. The consent authority is required to be satisfied that residents will have reasonable access to such services.

Comment – this additional provision is generally supported as it goes some way toward ensuring that developments that are considered under the SEPP will actually contribute to satisfying the genuine demand for housing and care facilities for those over 55 or people with a disability.

Council has been concerned about the lack of higher order care or nursing home component in previous proposals lodged under this SEPP and its predecessor. This provision also has the

ability to ensure that bone-fide aged care facilities are developed, rather than what appear to be “de-facto” residential developments.

However, this provision needs to be carefully implemented to ensure that “de facto” residential developments that do not provide a supported living environment or higher care component as part of the overall facility.

In this regard the NSW Retirement Villages Act 1999 identifies a “retirement village” as broadly a complex containing residential premises that are predominantly or exclusively occupied by retired persons who have entered into contracts with an operator of the complex. The Act and associated Regulation include a broad definition for the “operator”. Thus it may be possible for “de facto” residential developments to slip through utilising this provision and as such the Department of Planning should consider tightening up this component.

More comprehensive assessment of bushfire risk – The amendment proposes to bring the SEPP into line with the RFS bushfire risk assessment for “Special Fire Protection” development which takes into account a range of relevant criteria such as topography, access and evacuation procedures. It is indicated that this approach will help open up additional suitable sites for seniors living, whilst still ensuring that developments remain safe. This amendment was recommended by the Panel that helped produce the revised “Planning for Bushfire Protection” Guidelines.

It is also proposed that operation of the SEPP be extended to apply to land identified as “Vegetation Category 1” on the Bushfire Prone Land Map.

Comment – The inclusion of proposed developments under the SEPP as “Special Fire Protection” purposes is generally supported as it clarifies how such developments are to be assessed and removes previous uncertainty that may have existed in this regard – the risk to any proposed development will still be appropriately considered. Development under the SEPP will need to address the provisions of “Planning for Bushfire Protection” and requires consultation with the RFS.

Sites of State Heritage Significance – It is proposed that seniors living developments be allowed on sites of State heritage significance, subject to approval by the NSW Heritage Council. The Heritage Council requested this as it sees this form of development has the potential to deliver improved heritage outcomes by delivering an economic solution to conserving significant buildings or places.

The SEPP indicates that if development is proposed within a “heritage conservation area” or in the vicinity of a State or Regional heritage item that the consent authority must notify the Heritage Council and must take into account any comments received.

Comment – It appears from the material released with the draft SEPP amendments that the NSW Heritage Council has requested this addition as it will provide another opportunity for the adaptive reuse or continued conservation of significant buildings or places. Council has a similar provision (Conservation Incentives) in its LEP to provide flexible opportunities for conservation and maintenance of heritage items.

There are a number of State or Regional heritage items within Shoalhaven that may be affected by the provision. We also have two “heritage conservation areas” that would potentially benefit from this provision at Pulman Street, Berry and Plunkett Street, Nowra.

Whilst it is not explicit in the SEPP it is assumed that development provided for by this provision would also require to be supported by a heritage impact statement, conservation plan or similar.

Registered Club Sites – The draft amendment proposes to allow development on registered club sites, subject to the “Site Compatibility Test” to demonstrate compatibility with the surrounding area. It is indicated that Clubs are usually located in populated areas, well places to provide services to seniors and those with a disability.

Comment – The proposed amendments essentially clarify that seniors living developments under the SEPP can be considered on land which development for special use purposes is permitted or land which is being used for an existing registered Club where the land is adjoined by urban zoned land. In most cases licensed club sites within Shoalhaven are zoned Open Space 6(b)(private recreation). The revised SEPP does not preclude these sites from its operation.

The inclusion of licensed club sites will provide another opportunity to develop seniors living developments in association with the club use. Generally most large clubs provide a range of services that appeal to seniors; however there has been some commentary in the media raising social concerns about placing such developments along side clubs, particularly in regard to poker machine use. Council may like to make comment on this issue.

Council Exemptions – Seven existing Local Government Areas (LGA’s) are currently exempted from the SEPP: Kogarah, Sutherland, Blue Mountains, Ashfield, Hurstville, North Sydney and Strathfield. Under the proposed amendment these exemptions will lapse within 12 months.

Comment – This proposed change will have no impact on Shoalhaven. Council resolved in September 2003 to prepare a case for exemption from the former SEPP No.5 throughout the City where development would be isolated from basic community facilities, or will not provide complimentary aged/health services on site. Initial discussions were held with the Department of Planning regarding a possible exemption for Shoalhaven and it was indicated that it may be difficult to justify given the aging profile of the City and the expected future demand. As such the proposed exemption request did not proceed.

Conclusions

The proposed amendments to the Seniors Living SEPP will see the current moratorium on applications for development on land adjoining an urban zone lifted and also the introduction of a “Site Compatibility Certificate” to test any impact on adjoining towns and villages.

Given Council’s experiences with the operation of the SEPP it is proposed to make a submission on the draft amendments to the Department of Planning based on the comments provided within this report and previous submissions made in this regard. Council will be kept informed of any outcomes.

RECOMMENDED 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.

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

Further to the recommendation from the Policy & Planning Committee Meeting held Tuesday 12th June 2007, a Councillor Briefing was held in relation to this matter on Friday 15th June 2007.

While the Councillor Briefing was only attended by two Councillors it provided an opportunity to discuss background, need for the Deed of Agreement to be finalised before the matter can progress, LEP process, further comments from the landowner/ landowner's consultants and a drainage issue on land in close proximity to the subject site in Narrawallee.

An email regarding the further comments received from the landowner/ landowner's consultant has been provided to all Councillors.

As discussed at the briefing, this matter can not progress to finalisation until such time that the Deed of Agreement (the Deed) has been finalised and signed by both parties, and as the Deed has been in draft form for several years, there is now a need for a time frame for the finalisation of the Deed to be determined.

There was agreement at the briefing that the deed of agreement and transfer of land only relate to the rezoning component and should not be related to a future development consent.

As discussed at the briefing, the following alternate recommendation is now presented for Council's consideration.

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.**

E J Royston
DIRECTOR, STRATEGIC PLANNING

J Gould
ASSISTANT GENERAL MANAGER

R D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

ORDINARY MEETING

MONDAY 25TH JUNE, 2007

FINANCE AND CORPORATE SERVICES

1. Tender for Provision of External Audit Services

File 35941

Section 424 of the Local Government Act 1993 specifies that the term of office for Council Auditors is six years. Council's current auditors, Pitcher Partners (previously Millington SBS), were appointed on 1 July 2001 and the term of office is completed on 30 June 2007. Section 422 of the Local Government Act 1993 requires that tenders be called to appoint an auditor. Accordingly, tenders for the provision of auditing services for the period 1 July 2007 to 30 June 2013 were called on 15th May 2007 and closed on 1st June 2007.

A total of four very competitive tender submissions were received. A summary of the tenders is included in the Councillors information folder.

Tenders were assessed by the Director of Finance and Corporate Services, Finance and Business Manager, Internal Auditor and the Financial Accountant. When assessing submissions emphasis was placed on;

- Local Government auditing experience, particularly within New South Wales.
- Ability to comply with statutory requirements.
- Level of service assessed with reference to:
 - Total hours (on-site and off-site) and attendances at Council.
 - Partner involvement – a low partner involvement may indicate that audit services would be performed by less qualified and experienced staff. In addition high partner involvement can lead to more efficient outcomes as Council staff are dealing with the person who is responsible for signing off the audit.
- Additional services outside statutory requirements.
- Base Price – total and in relation to total hours.
- Annual Price Rise/Fall provisions

Whilst price was of importance, the level of service including partner involvement and additional services included in the price was given significant weighting. The involvement of partners in the audit process is crucial to ensure that Council receives an experienced, skilled and professional service. Additional services provided include review of Internal Audit program and liaising with Councils Internal Auditor, Goods and Services Tax and Fringe Benefits Tax compliance, provision of newsletters/advice regarding industry and taxation issues, small audits (eg, of grants), contact and issues register, and general advice and consultancy on an ad-hoc basis.

It is recommended that Councils current auditor, Pitcher Partners, be awarded the tender for on-going audit services for the following reasons:

-
- Sound past performance. Pitcher Partners have carried out interim and annual audits within appropriate time frames and have provided additional advice and services to a high standard.
 - No ‘familiarisation’ time - Pitcher Partners staff have significant knowledge and experience of Councils systems. Whilst overall hours are not as high as some other tenders, time spent on the ground is expected to be more productive. Council will benefit from this experience.
 - High principal involvement. This has been the continuing case with Pitcher Partners and adds considerable value to the services provided.
 - Competitive price based on partner involvement.
 - Competitive price compared to current audit costs – the price tendered is the same as the previous tender.

It should be noted that Pitcher Partners submitted the second lowest tender price. The lowest price tender is not being recommended due to concerns that the full array of services may not be able to be performed for the price submitted. Council makes extensive use of its current auditor for ad-hoc advice and consultancy without incurring additional expense. It is expected that this arrangement will continue if Pitcher Partners were awarded the new tender.

RECOMMENDED 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.

2. *blueprint Shoalhaven*

File 35878

The blueprint Shoalhaven committee has been successful in securing financial assistance to advance the Action Plan through the employment of an Executive Officer.

Funding through the Department of Transport & Regional Services (DoTaRS) for a total of \$250,000 across financial years 2007/8 and 2008/9 has been agreed. This funding will meet the cost of employing an Executive Officer and some running costs of the office.

Council, as its part in the blueprint Shoalhaven Project, has agreed to provide office accommodation for the Executive Officer of blueprint Shoalhaven and to act as banker for the funds – a service provided by Council for several organisations within the community. The blueprint Shoalhaven Executive Officer will report to and be directed in the day to day duties by the Chair of blueprint Shoalhaven. Council needs to formally accept the funding from DoTaRS and vote its expenditure.

RECOMMENDED 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.**

3. Record of Investments**File 2126**

Under Section 625 of the Local Government Act 1993, and Clause 19, Part 4 of the Local Government Financial Management Regulations it is a requirement to provide a written report to Council on a monthly basis setting out details of all money that Council has invested.

Below is a list of investments as at 31st May 2007:

**RECORD OF INVESTMENTS
as at 31st May 2007****TOTAL CASH AND INVESTMENTS**

TOTAL CASH	16,566,713
TOTAL INVESTMENTS	108,383,973
	124,950,686

LESS CASH & INVESTMENTS HELD IN RELATION TO RESTRICTED ASSETS

LEAVE ENTITLEMENTS	5,667,202
WASTE DISPOSAL	2,219,552
STRATEGIC PROJECTS GENERAL	23,049,613
MULTI PURPOSE CULTURAL & CONVENTION CENTRE	14,000,000
OTHER INTERNAL RESERVES	3,917,036
SECTION 94	15,659,719
SECTION 94 LIABILITY RESERVE	3,000,000
TRUST	70,321
WORKCOVER GUARANTEE	3,755,000
SECTION 64 WASTE WATER	1,240,240
SEWER COMPENSATION	6,568
SEWER CONSTRUCTION WORKS	5,642,376
SECTION 64 WATER	3,006,575
WATER CONSTRUCTION WORKS	25,762,350
TOTAL RESTRICTED	106,996,552

UNRESTRICTED CASH AND INVESTMENTS

GENERAL	15,954,135
WATER	1,000,000
WASTE WATER	1,000,000
TOTAL UNRESTRICTED	17,954,135

Record of Investments as at 31st May 2007

Institution	Credit Rating	Security Type	Principal	Terms	Interest Rate	Date Matured	SCC Inv No
Australian Central Credit Union	NR	TD	2,000,000.00	92	6.6000%	21/08/2007	2952
Australian Central Credit Union	NR	TD	2,000,000.00	366	6.9200%	1/05/2008	2992
BANK OF QLD	BBB	FRN	1,500,000.00	91	6.6417%	17/03/2008	2918
Bendigo Bank	BBB	FRN	3,000,000.00	91	6.6600%	25/08/2010	2989
CBA	A1+	BB	2,000,000.00	87	6.3400%	1/06/2007	2916
CBA	A1+	BB	1,429,679.38	27	6.3300%	7/06/2007	2869
CBA	A1+	MABB	70,320.62	27	6.3300%	7/06/2007	2869
CITIBANK	A1+	TD	6,000,000.00	98	6.5600%	27/06/2007	2868
CITIBANK	A1+	TD	3,000,000.00	125	6.4300%	3/07/2007	2965
CITIBANK	A1+	TD	2,500,000.00	94	6.5700%	26/07/2007	2879
CITIBANK	A1+	TD	3,000,000.00	273	6.6300%	27/02/2008	2864
Credit Union Australia	NR	TD	1,500,000.00	180	6.5900%	10/09/2007	2882
HORIZON	NR	TD	2,000,000.00	43	6.4500%	13/06/2007	2994
HORIZON	NR	TD	3,000,000.00	30	6.4500%	28/06/2007	2985
HORIZON	NR	TD	1,500,000.00	120	6.6500%	20/07/2007	2880
HORIZON	NR	TD	1,000,000.00	152	6.5100%	6/08/2007	2959
HSBC	A	FRN	2,000,000.00	91	7.2300%	16/07/2007	2905
IMB	A3	TD	3,000,000.00	98	6.4600%	5/06/2007	2981
IMB	A3	TD	2,000,000.00	95	6.5200%	22/06/2007	2908
IMB	A3	TD	2,500,000.00	153	6.5300%	15/08/2007	2886
IMB	A3	TD	5,000,000.00	181	6.5800%	20/08/2007	2987
IMB	A3	TD	5,000,000.00	180	6.5800%	28/08/2007	2991
IMB	A3	TD	1,500,000.00	127	6.6500%	29/08/2007	2964
IMB	A3	TD	3,000,000.00	125	6.5000%	26/09/2007	2913
LGFS	A1	TD	1,000,000.00	90	6.4500%	6/06/2007	2861
LGFS	A1	TD	1,000,000.00	91	6.5600%	26/06/2007	2963
LGFS	A1	CRI	1,000,000.00	91	6.6400%	12/07/2007	2793
LGFS	A1	TD	5,000,000.00	153	6.5000%	1/08/2007	2990
Macquarie Bank	A-	FRN	1,000,000.00	92	7.2233%	18/02/2008	2902
NAB	A1+	BB	1,500,000.00	29	6.3400%	28/06/2007	2870
NAB	A1+	TD	2,500,000.00	86	6.3700%	25/07/2007	2961
Police Credit Union LTD (SA)	NR	CRI	1,000,000.00	91	6.8300%	16/04/2008	2995
Railways Credit Union	NR	CRI	5,000,000.00	90	6.7300%	16/02/2009	2988
Savings and Loans Credit Union	NR	TD	1,500,000.00	30	6.5300%	20/06/2007	2907
Savings and Loans Credit Union	NR	TD	1,500,000.00	180	6.6400%	10/09/2007	2881
Savings and Loans Credit Union	NR	TD	1,000,000.00	365	6.9200%	8/05/2008	2993
T/CORP	A1+	TD	3,290,000.00	365	6.2400%	4/10/2007	2842
T/CORP	A1+	TD	1,014,000.00	365	6.2400%	4/10/2007	2842
WESTPAC	A1+	BB	969,332.45	181	6.3800%	5/09/2007	2887
CBA	A1+	O/S	725,488.27	180	6.6000%	28/05/2009	2732
NAB	A1+	O/S	19,583.73	120	5.8300%	27/06/2007	190
NAB	A1+	O/S	592,583.69	120	5.8700%	26/06/2008	186
Deutsche Cash Plus	Af	MGMD FD	4,461,413.27	At Call	7.1000%	At Call	2915
INDIVIDUALLY MANAGED PORTFOLIO		MGMD FD	10,356,984.60	At Call	7.3800%	At Call	2984
Macquarie Income Plus	Af	MGMD FD	1,127,098.94	At Call	7.3400%	At Call	2915
Perpetual Investments	Af	MGMD FD	3,327,488.32	At Call	5.6300%	At Call	2915

Note:

BB Bank Bill	FRN Floating Rate Note
OS Offset Loan	IMP Individually Managed Portfolio
MGMD FUND Managed Fund	CRI Committed Rolling Investment
TD Term Deposit	MABB Mayors Appeal Bank Bill

It is noted that these have been made in accordance with the Act, Regulations and the Council's Investment Policies.

P.J. Dun
Director, Finance & Corporate Services Group

RECOMMENDED that the Report of the General Manager (Finance & Corporate Services Group) on the Statement of Record of Investments for the period of 31st May 2007 be received for information.

4. Making of Rates and Charges for 2007/2008

File 36126

The Draft Management Plan for the period 1 July 2007 to 30 June 2010 was placed on public exhibition from 1 May 2007 to the 31 May 2007 not being less than 28 days in accordance with Section 404 (2) of the Local Government Act, 1993.

Council in its Management Plan has nominated a number of general purpose and special rate options with regard to the approved rating increase for the 2007/2008 rating year. Council has been granted a special variation increase of 5%, by the Minister for Local Government, which represents an additional 1.60% increase above the currently permitted 3.40% rate pegging increase.

Council has considered all written submissions that were made concerning the Draft Management Plan and has adopted the Management Plan for the period 1 July 2007 to 30 June 2010 in accordance with Section 406 of the Local Government Act, 1993. It is therefore appropriate, in accordance with Sections 534 and 535 of the Local Government Act 1993, for Council to make the rates and charges for the 2007/2008 rating year.

RECOMMENDED that the following rates and charges be made by Council for the year commencing 1st 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 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 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. JERBERRA REZONING SPECIAL RATE

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

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

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 25th 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 25th 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 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 than 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”.

P.J. Dun

DIRECTOR - FINANCE & CORPORATE SERVICES GROUP

R.D Pigg

GENERAL MANAGER

REPORT OF GENERAL MANAGER

ORDINARY MEETING

MONDAY, 25TH JUNE 2007

CITY SERVICES AND OPERATIONS / STRATEGIC PLANNING

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

Council has recently received correspondence from the Rotary Club of Berry-Gerringong requesting approval and assistance for the construction of a footpath from the David Berry Hospital to the township of Berry. The Rotary Club wish to undertake this as a community project which will allow patients and carers from the Hospital the ability to walk to town. (see Attachment A in the Councillors Information Folder). A previous report was submitted to Council on the 21st January 2003 and a copy of the report and Minute 52 adopted by Council at its meeting on 28th January 2003 are included in the Councillors Information Folder (see Attachment B).

As a result, staff met with the Rotary Club members and further correspondence was received and is attached for Council's information (see Attachment C).

The proposed project and relevant responsibilities is summarised as follows:

Rotary Club of Berry-Gerringong

1. The Club has successfully applied for a grant of \$7,500 from the NSW State Government for the project.
2. The grant will expire in approximately two months (grant to be spent within six months of receipt).
3. Seek sponsorship.
4. Organise and coordinate donated labour.
5. Organise and coordinate donated materials.
6. Provide Rotary Club insurance cover (presumably only for members).

Council

1. Supply survey and design.
2. Obtain all approvals.
3. Provide advice.
4. Provide financial assistance.
5. Advise regarding WorkCover requirements.

This is a worthy project with merit and would certainly benefit the patients and carers at the David Berry Hospital, however, there are a number of issues that Council needs to consider as follows:

-
- a) There may be safety and physical restraints due to steep grades and narrow footpath areas, particularly around the overhead railway bridge and road bridge, with excessive grades near Pullman Street and the driveway at the Hospital.
 - b) The project will have companies, contractors, volunteers working on a construction site within the road reserve. Council is the owner, occupier and controller of the road reserve and therefore has a major responsibility under the Occupational Health and Safety Act 2000 to ensure that the workplace is safe and without risks to health. The Act casts a wide net over Council's responsibilities which include ensuring that risk management procedures are in place, appropriate OH&S systems are available and used, there is appropriate supervision, all plant and equipment is in a safe condition and all people working on site have been appropriately trained and hold appropriate qualifications. The project may continue intermittently over a long period of time, with a number of different people working. The Club is endeavouring to nominate a project manager with appropriate skills and certification to manage the project.
 - c) As the construction will be undertaken within the road reserve, traffic management procedures, including road closures, barrier boards and appropriate traffic management plans etc. will need to be used throughout the project. These could be donated for a fixed term to the Club.

The above issues are significant and the Club are aware of them and accept that if there are issues which cannot be resolved, they will divert their energies into another project. As the project is primarily for patients to walk (or pushed in Wheelchairs), the construction of a walkway within the grounds of the Berry Hospital may be a far better project.

The total cost of the project could be in the order of \$100,000 and there may be some opportunity in the Management Plan to provide funding in the order of \$10,000 towards the project. The cost of Council's supervision, survey design, training and compliance with the OH&S Act could also be seen as a significant cost in the order of \$20,000.

Two possible options to facilitate this project:

1. Council to require only members of the Service Club to be engaged on the project for insurance coverage reasons, supported and managed by approved contractors who would need to satisfy Council regarding qualifications, licences, insurance coverage and OH&S systems.
2. Council support the construction of a walkway within the Hospital grounds.

SUBMITTED for Council's consideration.

John Wells
DIRECTOR CITY SERVICES AND OPERATIONS

John Gould
ASSISTANT GENERAL MANAGER

Ernie Royston
DIRECTOR STRATEGIC PLANNING

R.D. Pigg
GENERAL MANAGER

ADDENDUM REPORT OF THE GENERAL MANAGER

ORDINARY MEETING

MONDAY, 25TH JUNE 2007

GENERAL MANAGER

REPORT OF THE YOUTH ADVISORY COMMITTEE – WEDNESDAY 20TH JUNE 2007

2. 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 21st April 2007.

3. 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.

4. 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.

5. 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.

6. 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 13th July 2007 be received for information.

7. 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.

8. 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.

9. 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.

10. 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

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

Donna Corbyn advised the Committee of the invitation to Committee members forwarded by Council’s Road Safety Officer to participate in the development of Shoalhaven City Council’s 2007-2010 Road Safety Strategic Plan. Copies of the invitation were tabled and members were advised that the invitation was open to all members who wished to be involved.

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.

12. Request For Funding Assistance - Ross Byrne File

Mr Ross Byrne addressed the meeting in regard to seeking support from the Youth Advisory Committee to assist him with travel expenses incurred while competing in the Ten Pin Bowling Competition - 8th Milo International Allstars to be held in Malaysia from 14th to 23rd December 2007. Mr Byrne advised the Committee of his commitment to Ten Pin Bowling and the many other sporting awards he has achieved to date.

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 8th Milo International Allstars tin pin bowling competition to be held in Malaysia from 14th to 23rd December 2007.

Note by General Manager: Providing financial assistance to an individual is contrary to Council's Donation Policy which prohibits the making of a donation where the beneficiary is a private individual. Should Council wish to vary the Donations Policy Section 352 (2) of the Local Government Act requires 28 days public notice of a donation where the beneficiary is an individual, prior to Council resolving to extend such support

13. Request For Funding Assistance – Mannahouse Youth File

Mr Nathaniel Curtis and Benaiah Halliday addressed the meeting to request support for the transport of children from regional areas to attend the Youth Programs held on Friday nights at the Mannahouse Church, South Nowra. Mr Curtis advised the Committee of some of the aims of the group were to:

- Mentoring children
- Teaching good values
- Getting children off the streets at night

Mr Curtis also advised of the rise in attendance in the last 3 months and that up to 170 kids are attending on a Friday night. Some children, particular from difficult backgrounds are experiencing difficulties in travelling to the church and Mr Curtis and Mr Halliday were seeking funding to cover buses and drivers for the next three years.

Suggestions were put forward by the Committee that a program to license young drivers would be a worthwhile initiative to look into. Donna Corbyn advised that although this was a good idea there were not enough volunteers to supervise the children as well as drive the buses from the regional areas and because of the age of most volunteers Insurance cover was an issue.

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

REPORT OF THE TOURISM DEVELOPMENT COMMITTEE – THURSDAY 21ST JUNE 2007

1. Public Moorings in the Shoalhaven River

File 2161-08

The Committee discussed issues relating to the marina proposed for Jervis Bay. Items discussed included:

- Need for audit of mooring sites
- Tourism Masterplan identifies need for a marina in Jervis Bay
- Tourism Minister positive
- Need for long term infrastructure
- Need to gather data on boat owners to establish facilities ie. shops, fuelling sites, services
- Docking sites for landing craft from big liners visiting Jervis Bay
- Preferred site being Shark Net Beach
- Tourism Minister indicated that Marine Park boundaries can be moved
- Shellharbour – good example

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.

2. 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
- iv) Lake Tabourie - Beach Street
- v) Tilbury Cove
- vi) Cambewarra - Howell Faulks
- vii) Huskisson Woollamia Heritage Trail
- viii) Ulladulla Milton Lions Club - second project.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

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

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

12. Additional Item - Signage to Vincentia Golf Club File

Mr Wayne Whitten advised the Committee of a lack of signage to Vincentia Golf Club.

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

R.D Pigg
GENERAL MANAGER

LEGAL DOCUMENTS

ORDINARY MEETING

TUESDAY, 25 JUNE 2007

DEVELOPMENT AND ENVIRONMENTAL SERVICES

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

REASON FOR REPORT

- # A request has been made to vary a restriction as to user on the title of Lot 8 DP 1090614, St Andrews Way, Coolangatta in relation to the height of the dwelling or tourist accommodation allowed on the land. Council is the authority empowered to vary, release or modify this restriction. (See Attachment 'A' for location)

BACKGROUND

In 2006 Council received an application for a new dwelling on Lot 8 DP 1090614, St Andrews Way, Coolangatta. Upon receipt of the application, it was established that the application was contrary to an 88B Restriction as to User (RATU) over the property which stated:

"No dwelling or tourist accommodation unit erected on Lots 1 – 23 shall exceed 6.0 metres in height above existing ground level at any point. Excluded shall be chimneys, vents, aerials and the like."

An application pursuant to Section 96 of the Environmental Planning & Assessment Act, 1979 to modify the condition of subdivision consent (SF9123) which required the RATU was then lodged to modify the condition of consent.

- # The matter was referred to Council at its meeting of 26 September 2006 (see Attachment 'B'), and the following recommendation was adopted.

RECOMMENDED that with respect to the requested variations to the 6 metre height limit in the Berry Bay Estate, Coolangatta, Council resolve to support current and future SEPP 1 objections to the 6 metre height limit development standard and variations to the corresponding restrictions as to user subject to:

- a) *the maximum height not exceeding 7.0 metres;*
- b) *other building related restrictions being complied with; and*
- c) *designs having an acceptable visual impact.*

The Section 96 modification application was subsequently approved on 17 October 2006. The condition was modified to read:

“No dwelling or tourist accommodation erected on Lots 1 – 7 & 9 – 23 shall exceed 6.0 metres in height above existing natural ground level at any point. Excluded shall be chimneys, vents, aerials and the like. With respect to Lot 8, the height of any dwelling or tourist accommodation shall be limited to single story and a loft not having an overall height greater than 6 metres.”

In this respect, the term “overall height” was to be interpreted as average height, thus ensuring the bulk of the roof height is less than 6 metres, but enabling variations on merit to be considered.

Development Consent (DA06/1782) was issued on 18 October 2006 which included a condition requiring the applicant to provide evidence to Council that the modification of the RATU in respect to building height had been registered with Land Titles Office.

CONCLUSION

The applicant has lodged a request for Variation to a Restriction as to User form, to comply with the conditions of consent for DA06/1782 and in accordance with Section 96 issued for Subdivision consent SF9123. It is therefore appropriate to fulfil the applicant’s request by executing the submitted legal documents, under the seal of Shoalhaven City Council.

RECOMMENDED 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.

Dr Sandra Jones

ACTING DIRECTOR DEVELOPMENT AND ENVIRONMENTAL SERVICES

R.D Pigg

GENERAL MANAGER

NOTICES OF MOTION

ORDINARY MEETING

MONDAY, 25TH JUNE, 2007

1. Pacific Rock Oysters

File 4543-02

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration:

It is recommended 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.

Signed
Clr G Ward

Confidential Business Paper Agenda

GENERAL MANAGER

REPORT OF THE COUNCIL PROPERTY STEERING COMMITTEE - 4TH JUNE, 2007

Item 1 Acquisition of Land - Island Point Road, St Georges Basin

Reason

S10A(2)(c) - Information that, if disclosed, would confer a commercial advantage on a person with whom the Council is conducting business

Item 2 Mollymook Beach Hut and Café - Redevelopment Proposal

Reason

S10A(2)(d(i)) Commercial information of a confidential nature that, if disclosed, would prejudice the commercial position of the person who supplied it.

Item 2 Mollymook Beach Hut and Café - Redevelopment Proposal

Reason

S10A(2)(d(ii)) Commercial information of a confidential nature that, if disclosed, would confer a commercial advantage on a competitor of the Council

CITY SERVICES AND OPERATIONS

Item 1 Mixed Building Waste to Huntley Heritage

Reason

S10A(s)(d(i)) Commercial Information of a confidential nature that, if disclosed, would prejudice the commercial position of the person who supplied it.

Pursuant to Section 10A(4) the public will be invited to make representation to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

Supplementary Confidential Business Paper Agenda

ASSISTANT GENERAL MANAGER

Item 1 Sale of Council Land - Bridge Road, Nowra

Reason

S10(a)(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

Pursuant to Section 10A(4) the public will be invited to make representation to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.