

SHOALHAVEN CITY COUNCIL

ORDINARY MEETING

To be held on Tuesday, 29th May, 2007
Commencing at 4.00 pm

City Administrative Centre
Bridge Road
NOWRA NSW 2541

23rd May, 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 Tuesday, 29th May, 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: Pastor John Dickerson - New Covenant Church, Nowra.

1. **Australian National Anthem**
2. **Apologies**
3. **Confirmation of Minutes**
 - Ordinary Meeting - 24th April, 2007
 - Extra Ordinary Meeting - 1st May, 2007
4. **Presentation of Petitions**
5. **Reports of Committees**
 - Report of the Policy and Planning Committee Meeting - 1st May, 2007
 - Report of the Works and Finance Committee Meeting - 1st May, 2007
 - Report of the Development Committee Meeting - 1st May, 2007
 - Report of the Crown Reserves, Community and Commercial Operations Committee Meeting - 3rd May, 2007
 - Report of the Shoalhaven Traffic Committee Meeting - 15th May, 2007
6. **Report of the General Manager**
 - City Services & Operations
 - Strategic Planning
 - Finance & Corporate Services
7. **Notices of Motion**

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.

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 1ST MAY, 2007 COMMENCING AT 3.34 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 Anderson
Clr J Willmott
Clr J Young
Clr R Bates

REPORT OF THE GENERAL MANAGER

SHOALHAVEN ARTS BOARD – MONDAY 4TH APRIL 2007

1. Art Collection Policy 2006 File 18106

RECOMMENDED that Council appoint a Working Party, consisting of Arts Board Members Deborah Ely, Jennifer Mors, Jennifer Dickerson and Allan Baptist to review the Art Collection Policy 2006 and make recommendations and variations to the next Shoalhaven Arts Board meeting.

2. Corporate Pin Design File 2123-14

RECOMMENDED that:

- a) Council commission Radka Passianova to fabricate one prototype pin in sterling silver of the dimensions quoted at \$50 after which the Board can determine the total quantity it needs to be replicated for its use as corporate gifts;
- b) The General Manager (City Services and Operations) seek a firm quote on a ‘trophy’ for the Arts Awards 2008 event to include a stainless steel spiral of 30cm - 40cm based on 20cm high black granite or timber rectangle (dimension 20cm x 10cm x 10cm).

3. Multi Media and Music Centre File 34887

RECOMMENDED that the Report of the General Manager regarding the Multi Media and Music Centre be received for information.

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4. Shoalhaven City Arts Centre - Variation of Hours File 35610

RECOMMENDED that

- a) Council consider engaging casual staff to work four hours on Saturdays to operate the Shoalhaven City Arts Centre;
- b) Shoalhaven City Arts Centre be generally closed on Sundays;
- c) The Shoalhaven Arts Board review the situation in six months.

5. David Hockney Exhibition - Arts Centre File 28729-08

RECOMMENDED that the Report of the General Manager regarding the David Hockney Exhibition - Arts Centre be received for information.

6. Arts Centre Report File 28729-08

RECOMMENDED that the Report of the General Manager regarding the Arts Centre Report be received for information.

7. Additional Item - Pecuniary Interest Forms File 4063, 2123-14

RECOMMENDED that the General Manager (Finance and Corporate Services) submit a report to a future Shoalhaven Arts Board meeting on the ability for the Board to have delegated authority to action decisions.

8. Additional Item - Next Meeting of the Shoalhaven Arts Board File 2123-14

RECOMMENDED that the next meeting of the Shoalhaven Arts Board be held in on 30th May 2007.

YOUTH ADVISORY COMMITTEE – THURSDAY 12TH APRIL 2007

9. Youth Advisory Committee Financials File 1506-04

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

10. United Nations Youth Association's Model United Nations Security Council Competition Request To Be Held in Council Chambers File 10210-02

RECOMMENDED that Council allocate an amount of \$972.00 from the Youth Advisory Committee budget to the United Nations Youth Association to host the Regional Round 2007 Model Security Competition in the Shoalhaven City Council Chambers, Nowra on Saturday 9th June 2007 from 7 am to 5.30 pm.

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11. Youth Week 2007 Update & Request File 2503-05

RECOMMENDED that Council allocate an amount of \$180 from the Youth Advisory Committee budget to meet the shortfall of grant funding for two (2) buses to transport young people within the Shoalhaven during Youth Week 2007 activities.

12. FYRE Youth Entertainment Plans for 2007 Financial Support Request File 3587

RECOMMENDED that

- a) Council donate an amount of \$500 from the Youth Advisory Committee budget to Fresh Youth Regional Entertainment (FYRE) towards the Kangaroo valley FYRE Youth Festival on 10th June 2007.
- b) The General Manager (City Services and Operations) advise FYRE to re-submit an application for financial assistance with Youth events scheduled in the 2007/2008 financial year from the Youth Advisory Committee or Council's Support for Community Groups allocation.

13. Youth Week 2007 Culmination Event, Voyager Park, Huskisson, Youth Advisory Committee Expression Session Tent File 2503-05

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Youth Week 2007 Culmination Event, Youth Advisory Committee expression session tent be received for information.

14. Headspace Program - Participation Request File 3587

RECOMMENDED that Council nominate the Youth Advisory Committee as a member of "Headspace" consortium to assist with securing funding for addressing mental health and substance use issues for young people in the Shoalhaven.

15. Linking Lifetimes Mentoring Programme - Steering Committee Formation File 10210-02

RECOMMENDED that

- a) Council nominate Merryn Corbyn, representing the Youth Advisory Committee as a member of Mission Australia's Linking Lifetimes Mentoring Program Steering Committee to participate with connecting young people in out-of-home care with mentors as a form of support.
- b) The General Manager (City Services and Operations) advise Linking Lifetimes Mentoring Program Coordinator, Liz Foster of the opportunity to advertise free of charge on the YWCA and IACC Mentoring website.

16. Bay & Basin Youth Fest Identified Needs File 1506-04

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Bay and Basin Youth Fest identified needs be referred to the Youth Advisory Committee planning day.

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17. Inactive Members - Youth Advisory Committee File 1506-04

RECOMMENDED that the General Manager (Finance and Corporate Services) forward a letter to Kate Quilter and Marlon Mareira advising that they are no longer serving members on the Youth Advisory Committee and thanking them for their contribution to the Committee.

18. Membership - Youth Advisory Committee File 1506-04

RECOMMENDED that Council defer the appointment of Miss Grace Woods as a member of the Youth Advisory Committee and extend a further invitation to Miss Woods to attend the next Youth Advisory Committee.

SHOALHAVEN SPORTS BOARD – WEDNESDAY 18TH APRIL 2007

19. Good Sporting Behaviour - On & Off the Field File 2990-06

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Good Sporting Behaviour, on and off the field be received for information.

20. Voluntary user Contributions Fund File 24899

RECOMMENDED that:

- a) Council revotes uncommitted funds from the Voluntary Contributions Fund where a good reason exists, up to an amount of \$35,000 per project (in accordance with Council's policy.
- b) A report be presented to the Sports Board at the conclusion of the financial year with recommendations for allocating uncommitted funds.
- c) Funds accumulated for Hockey for a synthetic field and Netball be transferred from Voluntary User Contributions Fund to a construction job number or suspense account.
- d) Council staff liaise with Hockey and Netball Associations regarding their accumulation of Voluntary User Contributions Funds.

21. Acceptance of Grants - NSW Sport and Recreation - Capital Assistance Program File 34229

RECOMMENDED that the report of the General Manager(City Services and Operations) regarding acceptance of grants – NSW Sport and Recreation and Capital Assistance Program be received for information.

22. Sportsground Irrigation - Alternative Water Sources File 4538-04

RECOMMENDED that

- a) The Shoalhaven Sports Board & Council support the active pursuit of alternatives for the irrigation of Council sports grounds.
- b) Council (Shoalhaven Water) investigate the provision of reclaimed water to Lighthouse Oval at Ulladulla.

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- c) Council investigate options for provision of non-potable water to the Bomaderry sports ground precinct (Bomaderry Sporting Complex / Artie Smith Oval).
 - d) Council support a Federal Funding application for the stormwater harvesting proposal for the South Nowra Soccer Fields.

23. Your City Your Sport Newsletter File 26275

RECOMMENDED that

- a) Council terminate the production of the quarterly Your City Your Sport Newsletter and replace it with an Internet Sporting Bulletin of news and information on Council's website.
- b) The General Manager (Strategic Planning) advise all sporting groups and Associations of the change to disseminating sporting information
- c) The General Manager (Strategic Planning) review the success of the Internet Sporting Bulletin within 12 months.

24. Development of Storage Facility for Sailing Boats - Culburra Beach File 3048

RECOMMENDED that Council provide in principle support for Sailability NSW Callala for the establishment of a Sailing Storage Facility at Culburra Beach, off the West Crescent boat ramp.

25. NSW Regional Sports Facilities Program File 22308

RECOMMENDED that the report of the General Manager (Strategic Planning) on the NSW Regional Sports Facilities Program be received for information.

26. Nowra Skate Park File 24903

RECOMMENDED that the report on the progress of the design and development of the Nowra Skate Park be received for information.

27. Skate Park and BMX Circuit for Currarong File 35454, 32431

RECOMMENDED that

- a) Council support the request by the Currarong Progress Association to develop a skate park facility at Elliot Reserve
- b) Initial design of the skate facility be developed by the Association to obtain Development Approval.
- c) The Association be supported in its endeavours to seek grant funding subject to Development Consent being issued.

28. Future Nowra Croquet Facility File 7353

RECOMMENDED that

- a) Council endorse the reuse of the dilapidated tennis courts at Bomaderry for the purpose of developing croquet courts for the Nowra Croquet Club Inc.

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- b) The Nowra Croquet Club finalise the details for the Development Application of the new Croquet facilities at the Bomaderry Tennis Court complex.
 - c) The Department of Sport and Recreation be advised that the grant for the development of the Croquet lawns at the Nowra Showground is requested to be transferred to be utilised at the Bomaderry Sporting complex site and not the Nowra Showground as initially indicated.

29. Request for BMX facility at Tomerong File 35897

RECOMMENDED that

- a) Council support the development of a BMX facility in Tomerong.
- b) Council work with the Tomerong Community Forum and local school in the redevelopment of the existing playground in Church St.

30. Capital Improvement Projects File 4538-04

RECOMMENDED that the report of the General Manager (City Services and Operations / Strategic Planning) regarding Capital Improvement Projects be received for information.

NOWRA SKATE PARK ADVISORY COMMITTEE – THURSDAY 19TH APRIL 2007

31. Nowra Skate Park Design - Concept Plans File 24903

RECOMMENDED that

- a) The initial draft concept designs and principles for the Nowra Skate Park as presented by Convic Designs be endorsed.
- b) More detailed designs of the Nowra Skate Park be submitted to the next meeting of the Nowra Skate Park Advisory Group.
- c) Safety with the highway underpass be included as part of the Nowra Skate Park design.

ASSISTANT GENERAL MANAGER

32. State Emergency Service - Southern Shoalhaven Unit - Unit Controller File 2429

RECOMMENDED that

- a) Council write to Mr Bill McInnes and thank him for his dedication and work as Unit Controller of the Southern Shoalhaven Unit of the State Emergency Services.
- b) Council extend recognition to Mr Bill McInnes for his dedication and work at the annual Emergency Services dinner.

CITY SERVICES AND OPERATIONS

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33. Raising Expectations? A Review of NSW Local Government Social and Community Plans
File 3991-12
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RECOMMENDED that Council:

- a) Receive the report of the General Manager (Director City Services & Operations) on Raising Expectations? A Review of NSW Local Government Social and Community Plans, for information; and
- b) Continue to support Social and Community planning processes within Council.

34. Asia Pacific Cities Summit 2007
File 35019
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RECOMMENDED that Council support the attendance of the Mayor or his nominee at the Asia Pacific Cities Summit to be held in Brisbane between 31 August to 3 September, 2007, and that attendance be deemed business of Council.

STRATEGIC PLANNING

35. Required Amendment to Clause 28 of Shoalhaven Local Environmental Plan 1985 – “Danger of Bushfire” (utilising Clause 73A of the Environmental Planning & Assessment Act, 1979)
File 28873
-

RECOMMENDED that Council resolve to amend Clause 28 “Danger of Bushfire” of Shoalhaven Local Environmental Plan 1985 via section 73A of the Environmental Planning and Assessment Act 1979 in accordance with the provisions of the Department of Planning, Planning Circular PS 06-014.

36. Quarterly Report – Strategic Planning Group, Environmental Planning & Assessment Act (EPAA) Work Program
File 28283
-

RECOMMENDED that the quarterly report of the General Manager (Strategic Planning) in relation to the Strategic Planning Group Work Program be received for information and the work program adopted.

FINANCE AND CORPORATE SERVICES

37. Management Plan 2006-2009 3rd Quarter Operating Report
File 33481
-

RECOMMENDED that the report of the General Manager regarding the 3rd Quarterly Operating Report (1st January 2007 to 31st March 2007) of the Management Plan 2006-2009 be received for information.

38. Quarterly Budget Review as at 31st March 2007
File 2127
-

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

39. Draft Compliance Policy
File 34946
-

RECOMMENDED that

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- a) Council adopt the draft Compliance Policy.
 - b) Council place the draft Compliance Policy on public exhibition for comment in accordance with Council's Community Consultation Strategy.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

40. Unauthorised Building Works in Jerberra Estate Tomerong - Update Audit File 28040

RECOMMENDED that Council seek Court Orders for demolition of the unauthorised structures.

41. Quarterly Progress Report File 1442

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

Note: Clr Green was absent during the voting on this item, the time being 4.36 pm.

There being no further business, the meeting concluded, the time being 4.37 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 1ST MAY, 2007 COMMENCING AT 5.42 PM

The following members were present;

Clr J Anderson - Chairman
Clr J Finkernagel
Clr R Bates
Clr P Green
Clr G Kearney

REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

1. Turpentine Road Upgrade - Tenders File 35795

RECOMMENDED that the report of the General Manager, (Director City Services and Operations) regarding Turpentine Road Upgrade – Tenders be received for information.

STRATEGIC PLANNING

2. Leo Drive, Narawallee - Drainage File 26414

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding Leo Drive, Narawallee drainage be received for information.

3. Classification of Land at Milton as Operational File 33340

RECOMMENDED that Council classify Lot 1 DP1105993 as “operational land” pursuant to Sections 31(2) and 34 of the Local Government Act 1993.

4. Asset Management Plan - Public Amenities File 30985

RECOMMENDED that Council adopt the draft revised Public Amenity Strategy as shown on the attachment and for 2007/10 as follows:-

2007/08	Tilbury Cove (New) - \$65,000
2007/08 and 2008/09	Kangaroo Valley (replacement) at rear of hall - \$160,000 Note: expected to award tender May 2008
	2007/08 - \$100,000; 2008/09 - \$60,000
2008/09	Swan Lake boat ramp (new) - \$55,000
	Boree Street Car Park Ulladulla (replaced/refurbish) - \$180,000
2009/10	Howell Faulks Reserve Cambewarra (new) - \$55,000
	Moona Moona Creek Reserve Huskisson (replacement) - \$180,000

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5. Proposed Works within St Georges Basin Country Club Land File 12437

RECOMMENDED that

- a) The report of the General Manager, (Director, Strategic Planning Group) on proposed drainage works within St Georges Basin Country Club land be received for information.
- b) Council endorse the proposal to undertake drainage works within the St Georges Basin Country Club to mitigate against flooding to private property in Waratah Cres, St Georges Basin.

6. Roads & Traffic Authority 2006/07 Blackspot Program - Grant Funding Offer - Guardrail Project Bolong Rd File 5279-02, 3898

RECOMMENDED that

- a) Council accept the additional grant funding from the RTA of \$5,500 and vote and authorise expenditure (T1-85759) for the repair and extension of guardrail on Bolong Rd south of Gerroa Rd intersection.
- b) Additional matching funds of \$5,500 be provided from the Regional Roads Block Grant.

7. Condition and Future Upgrade of Broughton Vale Road, Broughton Vale File 9042

RECOMMENDED that the report of the General Manager, (Director, Strategic Planning Group) on condition of Broughton Vale Road be received for information.

8. Sussex Inlet - Car Parking File 16282, 35531

Clr Finkernagel declared a non-pecuniary interest in this item being a relative of property owners in the Sussex Inlet CBD.

RECOMMENDED that

- a) Council endorse the submission of a development application for the construction of a public car park to Lots 121 & 122 DP 21038 in accordance with the concept plan attached to this report.
- b) Council include the project in the draft 2007/08 Capital Works Program in an amount of \$250,000, funded from the Section 94 Reserve.
- c) Council investigate an appropriate method of indexing Section 94 charges as part of the Management Plan Fees and Charges Review to accommodate changes in the Consumer Price Index (CPI) or other relevant factors.

FINANCE AND CORPORATE SERVICES

9. White Sands Easter Carnival - Financial Assistance Request File 4771-06

RECOMMENDED that Council vote an amount of \$2,150 from the Unallocated Donations Vote to the Jervis Bay Lions Club to assist in staging the 2007 White Sands Carnival.

STRATEGIC PLANNING / CITY SERVICES AND OPERATIONS

10. Road Designs, Erowal Bay - Urban Road Sealing Program

File 30281, 35373

RECOMMENDED that

a) Council determine the projects for inclusion in the draft 2007/10 Management Plan under the Urban Road Sealing Program as:-

2007/08

- i) First Ave, Erowal Bay - \$130,000
- ii) Gurumbi Ln, Erowal Bay - \$70,000

2008/09

- i) Killarney Rd, Erowal Bay - \$45,000
- ii) Kallaroo Rd, Erowal Bay - \$180,000
- iii) Edendale Rd, Woollamia - \$180,000

2009/10

- i) Waterpark Rd (north), St Georges Basin - \$35,000
- ii) Fisherman Rd, St Georges Basin - \$80,000
- iii) Brooks Ln, Kangaroo Valley - \$50,000
- iv) Jervis St, Tomerong - \$90,000
- v) The Marina (off Orient Point Rd), Culburra Beach - \$135,000

There being no further business, the meeting concluded, the time being 6.22 pm.

Clr Anderson
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 1ST MAY, 2007 COMMENCING AT 5.45 PM.

The following members were present;

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

REPORT OF THE GENERAL MANAGER

DEVELOPMENT AND ENVIRONMENTAL SERVICES

1. Stationary Food Vans on Existing (Operating) Service Station Sites Policy File 33417

RECOMMENDED that Council adopt the Policy on Stationary Food Vans on Existing (Operating) Service Station Sites for a trial period of 12 months on the basis that service stations that operate within the urban core CBDs be excluded from the policy.

ADDENDUM REPORT OF THE GENERAL MANAGER

DEVELOPMENT AND ENVIRONMENTAL SERVICES

2. Application for Modification of Consent, DS06/1105, Lot 61 DP 569244, corner of Illet Street and Princes Highway, Mollymook. Applicant: Peter Smith. File SF9233

RECOMMENDED that the application (DS06/1105) for Lot 61 DP 569244, corner of Illet Street and Princes Highway, Mollymook be determined in accordance with the following:

- a) That the Planning Policy No. 1 be varied to support:
- i) The provision of a noise attenuation barrier on the boundary.
 - ii) Mature street trees be planted within the road reserve.
 - iii) Further consultation be undertaken with the owner, Council's Arts Manager, Development and Environmental Services staff to determine appropriate articulation in colours and appropriate landscaping.

There being no further business, the meeting concluded, the time being 7.00pm.

Clr Young
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 3RD MAY, 2007 COMMENCING AT 3.50 PM

The following members were present;

Clr Anderson - Chairperson
Clr Watson
Clr Finkernagel
Clr Bates
Clr Willmott
Clr Ward – arrived 3.58 pm
Clr Rudd – arrived 4.00 pm

REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

1. Ulladulla Leisure Centre - Ultra Violet Secondary Disinfection Trial Offer File 26762-07

RECOMMENDED that:

- a) The General Manager (City Services & Operations) arrange for the trial, at no cost to Council, of the Ultra Violet (UV) Secondary Disinfection Chamber at Ulladulla Leisure Centre commencing in May 2007 and concluding in the 2007/2008 financial year.
- b) A further report be submitted to the Crown Reserve, Community and Commercial Operations Committee at the conclusion of the trial.

2. Beach Patrol Report - 2006 /2007 File 17639-06

RECOMMENDED that the report of the General Manager (City Services & Operations) concerning the Beach Patrol Report for December 2006/January 2007 by Surf Lifesaving Services Pty Limited be received for information.

ADDENDUM REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

3. Fishing Community Assistance Program File 35330

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Fishing Community Assistance Program be received for information.

STRATEGIC PLANNING

4. Section 94 Passive Recreation File 28707-03

RECOMMENDED that Council transfer additional funds received for the 040REC0001 to Job Number: 82495 to be used for works on Ellmoos Reserve Sussex Inlet as per the adopted plans.

FINANCE AND CORPORATE SERVICES

5. Tenders for the Management and Operation of Various Holiday Haven Tourist Parks File 35806, 35807 & 35808

RECOMMENDED that:

- a) Council accept the tenders of The Annexe Factory Pty Ltd for the Management and Operation of Huskisson Beach Tourist Resort and Least Pty Ltd for the Management and Operation of Huskisson White Sands Tourist Park and Kewale Pty Ltd for the Management and Operation of Ulladulla Headland Tourist Park respectively for the tendered percentage of Gross Profit.
- b) Council enter into Contracts for the Management and Operation of its Tourist Parks at Huskisson Beach Tourist Resort, Huskisson White Sands Tourist Park and Ulladulla Headland Tourist Park respectively with The Annexe Factory Pty Ltd, Least Pty Ltd and Kewale Pty Ltd respectively, and
- c) Council sign deeds to give effect to the above under ordinary seal.

CITY SERVICES AND OPERATIONS / STRATEGIC PLANNING

6. Kangaroo Valley Village Pool - Lease of Land - Further Negotiations File 3070-02, 24297-05

RECOMMENDED that:

- a) The current licence agreement between Shoalhaven City Council and the Lions Club of Kangaroo Valley Inc to operate Kangaroo Valley Village Pool, situated partially on Lot 3, DP589396 (Crown Reserve No D580016) and partially on Lot 127, DP751264, Moss Vale Road, Kangaroo Valley (Osborne Park - Kangaroo Valley Showground – Crown Reserve No P580015), be extended for a period of two (2) years, to the end of the 2009/2010 swimming season, in order to enable this agreement to coincide with the term of any agreement made between Council, the Lions Club of Kangaroo Valley Inc and NSW Police;
- b) Council become a co-signatory on the licence agreement with the Lions Club of Kangaroo Valley Inc. and the NSW Police Department for Police land adjacent to the Kangaroo Valley Pool compound;
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed and that, otherwise, the General Manager be authorised to sign any documentation necessary to give effect to the licence agreement between Shoalhaven City Council and the Lions Club of Kangaroo Valley Inc.;
- d) The proposed lease extension for the Kangaroo Valley Pool be referred to the Minister for Lands, the Hon Tony Kelly MLC, for endorsement.

7. Fencing of Frances Ryan Reserve Sanctuary Point File 1741

RECOMMENDED that Council;

- a) Enclose both sporting fields at the Francis Ryan Reserve, Sanctuary Point, with 1.8m black chain wire mesh fence with a minimum of five (5) double gates for a limited period of four

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- (4) years, unless construction of alternative sporting fields in the area is completed within that time;
- b) Make provision for future construction of a footpath at the Francis Ryan Reserve, Sanctuary Point where practicable.

There being no further business, the meeting concluded, the time being 4.55 pm.

Clr Anderson
CHAIRPERSON

SHOALHAVEN TRAFFIC COMMITTEE – 15th MAY 2007

ORDINARY MEETING

TUESDAY, 29th MAY, 2007

REPORT OF THE CONVENOR

ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY

1. Request for Angle Parking & Bus Zone, Eastern End of Scenic Drive, Nowra (PN 1616) File 2636-02
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RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to arrange for the installation of regulatory signage and appropriate delineation to give effect to the parallel and 45 degree angle parking (nose to kerb) parking restrictions in Scenic Drive, Nowra as show on plan #1616-01 noting its deficiency with respect of aisle offset as required by AUSTROADS Part 11, however taking into consideration the low traffic volume and speed environment.

2. One Way - Parkes Crescent, Callala Beach (PN 2053) File 1685
-

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to install all traffic facilities (lines and signs) at Parkes Crescent, Callala Beach as identified on plan #4670-01 to provide better delineation and regulate traffic flow in the area.

3. Edge Linemarking - Mitchell Parade, Mollymook (PN 2203) File 1704
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RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to arrange for the installation of edge linemarking to provide 3.2m travel lanes on that section of Mitchell Parade between Blackwater Creek and the northern junction of Donlan Parade, Mollymook.

4. Stop Signs - Intersections of Currarong Road with Nowra Road & Walton Way (PN 2204) File 11723
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RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning Group) be requested to:-
- i) Arrange for the installation of a Stop sign and associated Hold linemarking (TF/TB) on Nowra Road at its junction with Currarong Road, Currarong due to deficient sight distance for south bound motorists on Nowra Road.
 - ii) Investigate the current centre linemarking on that section of Currarong Road between Nowra Road and Fishery Road (including the junction of **Walton**

Way) and undertake any amendments to ensure that it complies with current standards and guidelines.

- b) No action be taken with respect of the request for a Stop sign to be installed in Walton Way at its junction with Currarong Road as an on-site inspection of the junction revealed that there is sufficient sight distance at the junction.
- c) The Currarong Progress Association Inc. be advised accordingly.

5. Amendment to Parking Restrictions - John Purcell Way, Nowra (PN 2205) File 2641

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning Group) be requested to amend the current No Stopping zone located on the eastern side of John Purcell Way, Nowra 10m south of the southern driveway access to the netball complex to incorporate standard school times (ie 8.00am-9.30am and 2.30pm-4.00pm School Days).
- b) The Shoalhaven Netball Association Inc. be advised accordingly.

6. Cambewarra Classic Endurance Ride (PN 623) File 1644-05

RECOMMENDED that the Secretary, Cambewarra Classic Endurance Ride be advised that there is no objection to the proposed annual Cambewarra Classic Endurance Horse Ride on Sunday 24th June 2007 commencing at 6.00 am on the course as submitted subject to the following conditions:

- a) Police Department consent and conditions. This consent to be obtained directly from the Police Department by the applicant a minimum of six (6) weeks prior to the event.
- b) Consent and conditions of National Parks & State Forests. The applicant to contact National Parks & State Forests directly in this regard.
- c) All residents/shopkeepers who may be affected by the activity being personally notified by the organisers. The organisers shall address any concern expressed with respect of the proposed closure/traffic disruption in the first instance.
- d) All bus operators, taxi companies and emergency service providers (including ambulance and fire fighting services) that may be affected by the activity being personally notified by the organisers.
- e) Submission of a Traffic Control Management Plan and a Pedestrian Management Control Plan to Council for approval. Such plans to be submitted a minimum of three (3) weeks prior to the date of the event. All traffic/pedestrian control measures contained in the plan(s) are to be in accordance with Australian Standard AS1742.3.
- f) All traffic control including the placement and removal of barricades and/or regulation of traffic is to be carried out by either Police or Traffic Controllers appropriately trained in accordance with the requirements of AS1742.3 and accredited by the RTA.
- g) Access for residences and businesses contained within the affected area (including reasonable vehicular access), is to be maintained at all times during the event.
- h) Advertisement of the temporary road closure and/or traffic disruption together with associated traffic management proposals is to appear in the local area printed media **a**

minimum of ten (10) days prior to the date of the event. NOTE – All media advertisements of road closures, traffic disruptions and events, are the responsibility of the applicant.

- i) A Public Liability Insurance Policy to the amount of \$10 million shall be endorsed to indemnify Shoalhaven City Council, the Roads & Traffic Authority and the NSW Police Service against any claim arising out of the activity, a copy of which is to be directed to Council's Insurance Office a minimum of three (3) weeks prior to the event.
- j) The applicant is to forward a letter to Council accepting the above conditions.
- k) Compliance with the above conditions should not be misconstrued as providing development consent under the Environmental Planning and Assessment Act 1979. The organisers should contact Council's Development Services Division to ascertain if such consent is required and, if so, to make arrangements for the formal lodgement of such application..
- l) If the proposed event is to be held on public land, a permit will be sought from Shoalhaven City Council.

7. Annual Bay Stages Rally (PN 982)

File 4625-02

RECOMMENDED that the North Shore Sporting Car Club be advised that there is no objection to the proposed EcoPoint Murramarang Bay Stages Car Rally on 20th and 21st July, 2007 subject to the following conditions:-

- a) Police Department consent and conditions. This consent to be obtained directly from the Police Department by the applicant a minimum of six (6) weeks prior to the event. For events involving racing of vehicles (including bicycles) a Permit under Part 3, Division 1 Section 40 of the Road Transport (Safety and Traffic Management) Act 1999 No. 20 is also required.
- b) Consent and conditions of National Parks & State Forests. The applicant to contact National Parks & State Forests directly in this regard.
- c) All residents/shopkeepers who may be affected by the activity being personally notified by the organisers. The organisers shall address any concern expressed with respect of the proposed closure/traffic disruption in the first instance.
- d) All bus operators, taxi companies and emergency service providers (including ambulance and fire fighting services) that may be affected by the activity being personally notified by the organisers.
- e) Submission of a Traffic Control Management Plan and a Pedestrian Management Control Plan to Council for approval. Such plans to be submitted a minimum of three (3) weeks prior to the date of the event. All traffic/pedestrian control measures contained in the plan(s) are to be in accordance with Australian Standard AS1742.3.
- f) All traffic control including the placement and removal of barricades and/or regulation of traffic is to be carried out by either Police or Traffic Controllers appropriately trained in accordance with the requirements of AS1742.3 and accredited by the RTA.
- g) Access for residences and businesses contained within the affected area (including reasonable vehicular access), is to be maintained at all times during the event.
- h) Advertisement of the temporary road closure and/or traffic disruption together with associated traffic management proposals is to appear in the local area printed media a

minimum of ten (10) days prior to the date of the event. NOTE – All media advertisements of road closures, traffic disruptions and events, are the responsibility of the applicant.

- i) A Public Liability Insurance Policy to the amount of \$10 million shall be endorsed to indemnify Shoalhaven City Council, the Roads & Traffic Authority and the NSW Police Service against any claim arising out of the activity, a copy of which is to be directed to Council's Insurance Office a minimum of three (3) weeks prior to the event.
- j) The applicant is to forward a letter to Council accepting the above conditions.
- k) Compliance with the above conditions should not be misconstrued as providing development consent under the Environmental Planning and Assessment Act 1979. The organisers should contact Council's Development Services Division to ascertain if such consent is required and, if so, to make arrangements for the formal lodgement of such application..
- l) If the proposed event is to be held on public land, a permit will be sought from Shoalhaven City Council.

8. Burrier Endurance Ride (PN 1864)

File 1644-05

RECOMMENDED that the Secretary, Burrier Endurance Ride, be advised that there is no objection to the proposed Burrier Endurance Ride to be held on Sunday 29th July 2007 between the hours of 5.00 am and 6.00 pm on the route as advised, subject to the following conditions:

- a) Police Department consent and conditions. This consent to be obtained directly from the Police Department by the applicant a minimum of six (6) weeks prior to the event.
- b) Consent and conditions of National Parks & State Forests. The applicant to contact National Parks & State Forests directly in this regard.
- c) All residents/shopkeepers who may be affected by the activity being personally notified by the organisers. The organisers shall address any concern expressed with respect of the proposed closure/traffic disruption in the first instance.
- d) All bus operators, taxi companies and emergency service providers (including ambulance and fire fighting services) that may be affected by the activity being personally notified by the organisers.
- e) Submission of a Traffic Control Management Plan and a Pedestrian Management Control Plan to Council for approval. Such plans to be submitted a minimum of three (3) weeks prior to the date of the event. All traffic/pedestrian control measures contained in the plan(s) are to be in accordance with Australian Standard AS1742.3.
- f) All traffic control including the placement and removal of barricades and/or regulation of traffic is to be carried out by either Police or Traffic Controllers appropriately trained in accordance with the requirements of AS1742.3 and accredited by the RTA.
- g) Access for residences and businesses contained within the affected area (including reasonable vehicular access), is to be maintained at all times during the event.
- h) Advertisement of the temporary road closure and/or traffic disruption together with associated traffic management proposals is to appear in the local area printed media a minimum of ten (10) days prior to the date of the event. NOTE – All media advertisements of road closures, traffic disruptions and events, are the responsibility of the applicant.

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- i) A Public Liability Insurance Policy to the amount of \$10 million shall be endorsed to indemnify Shoalhaven City Council, the Roads & Traffic Authority and the NSW Police Service against any claim arising out of the activity, a copy of which is to be directed to Council's Insurance Office a minimum of three (3) weeks prior to the event.
 - j) The applicant is to forward a letter to Council accepting the above conditions.
 - k) Compliance with the above conditions should not be misconstrued as providing development consent under the Environmental Planning and Assessment Act 1979. The organisers should contact Council's Development Services Division to ascertain if such consent is required and, if so, to make arrangements for the formal lodgement of such application..
 - l) If the proposed event is to be held on public land, a permit will be sought from Shoalhaven City Council.

R Sutherland
CONVENOR/CHAIRPERSON

SHOALHAVEN TRAFFIC COMMITTEE – 15TH MAY, 2007

INFORMATION REPORT

ORDINARY MEETING

TUESDAY, 29TH MAY, 2007

REPORT OF THE CONVENOR

ITEMS NOT REQUIRING APPROVAL UNDER DELEGATED AUTHORITY

1. Disabled Parking Space - St Vincent Street, Ulladulla (PN 1284) File 10456

RESOLVED by consent that

- a) The General Manager (Director, Strategic Planning Group) be requested to investigate options with Department of Education and Training regarding the provision of off-street disabled car parking spaces for the Ulladulla Dental Clinic.
- b) The General Manager (Director, Strategic Planning Group) investigate options for timed disabled parking

2. Road Safety Issue, Intersection of Bunberra Street and Meroo Street, Bomaderry (PN 2096) File 1667

RESOLVED by consent that the General Manager (Director, Strategic Planning Group) take no action in regards to sight distances at the intersection of Bunberra Street and Meroo Road, Bomaderry as minimum stopping sight distances are being met in accordance with AUSTRROADS Part 4 – Intersections at Grade.

3. Sealing of Main Road 92 (PN 2065) File 1466-13

RESOLVED by consent that

- a) The report concerning the advice from the Roads & Traffic Authority regarding proposed temporary road closures of Braidwood Road (MR92) in the Bulee Gap area to allow essential rock anchoring works at the “Beehive” section in advance of construction contracts for Braidwood Road (MR92) be received for information.
- b) The Roads and Traffic Authority be requested to consider
 - a) Additional signage regarding the temporary closure of Braidwood Road at:
 - i) Tarago
 - ii) Turpentine Road, Tomerong
 - b) Notifying National Parks and Wildlife Service and residents of Sassafras of the Road closure.

-
4. Additional item – Pedestrian Safety – Princes Highway, Berry (PN 1222) File 4792
-

RESOLVED by consent that the General Manager (Director, Strategic Planning Group) investigate the options for the installation of a visible barrier between the Princes Highway, Berry and the pedestrian footpath across Broughton Creek Bridge.

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

RESOLVED by consent that the Roads and Traffic Authority be requested to formally advise Shoalhaven City Council on the proposed tree removal, on the eastern side of Moss Vale Road, Kangaroo Valley approximately 300 metres north of Walkers Lane.

6. Additional item – Road Safety – Forest Road and Princes Highway Intersection (PN 2034) File 9519
-

At the Shoalhaven Traffic Committee Alan Trass expressed concerns over the safety of the Forest Road and Princes Highway intersection South Nowra particularly with regards to:

- Insufficient lighting of the intersection
- The need for a turning lane from the highway
- Speed zoning on Forest Road.

The meeting were advised that the speed zone on Forest Road outside of the residential houses is being reduced to 60 km/h.

Council and Roads & Traffic Authority (RTA) advised that an upgrade of the Forest Road and Princes Highway intersection is currently being considered and the RTA advised that the issue is being considered as a matter of urgency.

7. Additional item – Presentation – Route Assessment Procedures for Restricted Access Vehicles (PN 2208) File 5525
-

RESOLVED by consent that the verbal presentation by Roads and Traffic Authority on the route assessment procedures for Restricted Access Vehicles be received for information.

R Sutherland
CONVENOR/CHAIRPERSON

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29TH MAY 2007

GENERAL MANAGER

**REPORT OF THE INDUSTRIAL DEVELOPMENT & EMPLOYMENT COMMITTEE –
MONDAY 23RD APRIL 2007**

1. Main Road 92 File 1466-13

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding Main Road 92 be received for information.

2. Economic Promotion File 33592, 35513

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

3. Blueprint Shoalhaven File 35878

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

4. Employment / Unemployment in Shoalhaven File 2454-03

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the Employment / Unemployment in Shoalhaven be received for information.

5. Monitoring of Development Applications File 31474

RECOMMENDED that

- a) The report of the General Manager (Finance and Corporate Services) regarding the monitoring of development applications be received for information.
- b) Council set up a Review Group as a sub committee of Industrial Development & Employment Committee (IDEC) to review how Council can better facilitate economic development in the Shoalhaven.
- c) The General Manager (Finance and Corporate Services) submit a further report to IDEC outlining the proposed structure and purpose of the Review Group

6. Executive Marina Review Committee File 1451-02

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the Executive Marina Review Committee be received for information.

REPORT OF THE SHOALHAVEN ACCESS ADVISORY COMMITTEE – THURSDAY 26TH APRIL 2007

7. Wheelchair Accessible Parking Spaces, Worrige Street Car park, Nowra File 10456

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding provision of new wheelchair accessible parking spaces in the Worrige Street car park, Nowra, be received for information.

8. Accessible Public Amenities along the Princes Highway File 8852

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding the number and location of accessible public amenities along the Princes Highway, within Shoalhaven, be received for information

9. Direction Signage for Accessible Public Amenities File 8852

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding provision of additional signage for accessible public amenities at Nowra Showground and Mollymook Beach Reserve be received for information.

10. Mobility Maps File 3665-03

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Mobility Maps for Nowra and Ulladulla CBD be received for information.

11. Guidelines on Access to Buildings and Services File 25522

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Guidelines on Access to Buildings and Services be received for information.

12. Additional item – Accessible Carparking – Worrige Street, Nowra File 10456

RECOMMENDED that the General Manager (Strategic Planning) investigate the opportunity of providing additional accessible carparking spaces in the Worrige and/or Stewart Place carparks, Nowra for access to community health services.

13. Additional item – Accessible Toilets – Driver Reviver, Sussex Inlet File 18680

RECOMMENDED that the General Manager (Strategic Planning) write to the Roads and Traffic Authority requesting consideration be given to suppling temporary disable toilets at the Sussex Inlet Driver Reviver on the Princes Highway.

14. Additional item – Carpark - Nowra Mall File 27988

RECOMMENDED that the General Manager (Strategic Planning) write to Coles expressing the Shoalhaven Access Advisory Committees concerns regarding

- a) The lack of lighting on the internal pedestrian crossing
- b) The lack of visible signage on the disabled access parking spaces.

15. Additional Item - Moby Mat, Mollymook Beach

File 28441

RECOMMENDED that the General Manager (City Services and Operations) investigate

- a) The re-laying of the Moby Mat at Mollymook Beach; and
- b) Options for connecting the Moby Mat to the existing concrete path for easier access on and off the mat.

16. Additional item - Morrisons Arcade

File 3743

RECOMMENDED that the General Manager (City Services and Operations) investigate opportunities for installing a hand rail or seat in Morrisons Arcade to assist the frail and disabled.

REPORT OF THE COUNCIL PROPERTY STEERING COMMITTEE – WEDNESDAY 2ND MAY 2007

1. Nowra - Shoalhaven River Foreshore Concept Masterplan File 35919

RECOMMENDED that in regard to the Shoalhaven River Foreshore Concept Masterplan:

- a) The General Manager (Assistant General Manager) carry out preliminary investigations in the area bounded by Mandalay Avenue, Bridge Road, Hyam Street and the Shoalhaven Riverbank, Nowra;
- b) A report on the preliminary investigations be submitted to a future meeting of the Council Property Steering Committee.

2. Council Land at Erowal Bay Road, Erowal Bay File 35762

RECOMMENDED that Council reject the offer from Erowal Bay Pty Ltd to purchase Council owned land at the location of “Worowing Heights”.

Note: Clr Watson left the room during discussion on this matter, the time being 5.13 pm. Clr Anderson took the role of Chairperson.

3. Council Land - Shoalhaven Heads File 35747

RECOMMENDED that:

- a) The General Manager (Assistant General Manager) commence discussions with the Shoalhaven Heads Community Consultative Body and Chamber of Commerce to trial the proposal of possible disposal of Council land/property if not needed under the Open Space Plan requirements with proceeds to be put towards to be put towards projects of community benefit ;
- b) The General Manager (Assistant General Manager) submit a report to a future meeting of the Council Property Steering Committee on the discussions held with the Shoalhaven Community in regard to retention/disposal of Council land/property in the area.

4. Council Property - Part of Lot 20 Berry Street, Nowra File 35747

RECOMMENDED that:

- a) Council demolish the building, known as the “Ken Furness Centre” on Part of Lot 20 Berry Street, Nowra;
- b) The General Manager (Assistant General) report back to a future meeting of the Council Property Steering Committee on possible uses for the land.

5. Sale by Tender - Lot 2 DP 571682 - 59 Owen Street, Huskisson File 35563

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Sale by Tender - Lot 2 DP 571682 - 59 Owen Street, Huskisson be received for information.

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

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Proposed Retail and Supermarket Development - Weston Street, Culburra Beach be received for information.

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

RECOMMENDED that 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.

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

RECOMMENDED that the General Manager continue to negotiate with Huscorp Group Pty Ltd regarding the proposed hotel development at Bridge Road, Nowra.

9. Land Acquisition - Lots 2 & 4 DP1106524 Nowra File 32364

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Land Acquisition - Lots 2 & 4 DP1106524 Nowra be received for information.

10. Sale of Council Land - Comberton Grange Road, South Nowra File 18583

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Sale of Council Land - Comberton Grange Road, South Nowra be received for information.

11. Release of Covenant over Lot 12 DP584374 Junction Street, Nowra File 34809

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Release of Covenant over Lot 12 DP584374 Junction Street, Nowra be received for information.

**REPORT OF THE RURAL FIRE SERVICE STRATEGIC PLANNING COMMITTEE -
THURSDAY, 17TH MAY 2007**

1. Bawley Point Rural Fire Station File 10466

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Bawley Point Rural Fire Station be received for information.

2. Bendalong Rural Fire Station File 25365

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Bendalong Rural Fire Station be received for information.

3. Culburra Rural Fire Service Station File 8827

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Culburra Rural Fire Service Station be received for information.

4. Falls Creek Rural Fire Service Station File 6826

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Falls Creek Rural Fire Service Station be received for information.

5. Lake Tabourie Rural Fire Station File 5362

The Rural Fire Service Strategic Planning meeting was advised that the construction of the new fire station building for Lake Tabourie may not commence this financial year due to the request from RFS to increase the size of the building and the need to apply for a S96 approval.

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Lake Tabourie Rural Fire Service Station be received for information.

6. Mundamia Rural Fire Service Station Site File 36004

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the future Mundamia Rural Fire Service Station be received for information.

7. Cambewarra RFS Brigade – Application under Local Grants Scheme File 7159

RECOMMENDED that Council endorse and support the Local Grants Scheme application for the Satellite RFS building at the Cambewarra Scout Hall.

8. Rural Fire Service Strategic Plan File 2041

The Rural Fire Service Strategic Plan is a long term strategic plan commencing 2007 which includes capital expenditure, vehicle replacements, station maintenance and provision of breathing apparatus has been developed. It is included in the Section 94 Contributions Plan – Draft Amendment 78 – Fire Control and Emergency Services Major Review and was presented at a Councillor Briefing on 3 May 2007.

The Strategy considers the changing demographic of three areas: Nowra/Bomaderry, Bay and Basin and Bendalong/Cunjurong.

RECOMMENDED that the General Manager (Assistant General Manager) prepare a report to Council on the Rural Fire Service Strategic Plan which was presented at the Councillor Briefing held on 3 May 2007.

9. Presentation of Award to NSW Rural Fire Service Shoalhaven District Files 1227

RECOMMENDED that Council congratulate the NSW Rural Fire Service Shoalhaven District who received the Shoalhaven Area Consultative Committee's Award for Providing Excellence in Training.

10. Report of the Fire Control Officer File 1227

A copy of the report is attached to the minutes.

RECOMMENDED that the report of the Fire Control Officer be received for information.

R.D Pigg
GENERAL MANAGER

REPORT OF THE GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29 MAY, 2007

CITY SERVICES AND OPERATIONS

1. Turpentine Road Upgrade & Sealing - Tenders for Construction Works **File 35795**

Construction Tender

As advised to the Works and Finance committee meeting of 1 May 2007, Tenders for the upgrade and sealing of Turpentine Road (CH2.33 to 4.33 km) closed on 17 May 2007.

Five (5) tenders were received as shown below in apparent order of price:

Tenderer	Tender Sum
Hisway Pty Ltd	\$ 737,919.00
Ganderton Civil	\$ 767,029.00
Druce DP	\$ 870,884.26
SCC Construction Unit *	\$ 989,000.00
Tropic Asphalts	\$1,326,226.00
Pre-tender estimate	\$ 900,000.00

* - Internal Tender

Tenders have been assessed in accordance with criteria established in the Tender Documents as follows:

- Total Cost of the tender to Council;
- Experience and expertise in the nature of work;
- Resource capacity to undertake the work;
- The Tenderer's Management ability in terms of OH&S, Environmental, Quality, Subcontractors and Suppliers.

The three (3) lowest tenderers, Hisway Pty Ltd, Ganderton Civil and Druce DP are all well known to Council, have successfully completed many similar projects and all hold current contracts with Council. All satisfy the assessment criteria and are considered suitable for the works, with Hisway Pty Ltd being the lowest tenderer.

The internal tender by Asset Construction Unit, City Services and Operations Group includes a 15% allowance for Administrative Overheads as prescribed by Council's Fees and Charges item 11436. This item, which applies to private works undertaken by Council has been applied to allow competitive assessment in accordance with the National Competition Policy. The pretender

estimate of \$900,000 is primarily based on unit rates from recent similar contracts, including the Forest Road project. Therefore consideration of the Shoalhaven City Council Construction Unit raw construction price at \$860,000 is competitive, but remains 10 to 15% higher than the two (2) lowest tenders on this occasion.

The tender of Tropic Asphalts who are primarily Asphalt Contractors, is not competitively priced.

Funding

Funding for the project was originally allocated from the Roads to Recovery Round 2 program at \$1,244,262 in the 2006/07 Budget with \$1,000,000 transferred to the Grants Reserve in conjunction with the 1st Quarter Review. An amount of \$1,200,000 is currently identified for 2007/08 in the Draft Management Plan, with a further amount of \$600,000 identified in 2009/10.

With current expenditure (survey investigation and design) and anticipated construction costs, an amount of \$1,000,000 in total will be required to construct and seal the section from CH2.33km to CH4.33km. Pursuant to Council's resolution of 27 February 2007 to seal Turpentine Road in front of as many houses as possible an amount of up to \$444,000 could be available to extend the works proposed under the contract. Additionally opportunity exists to review final costs on current 2006/07 Road to Recovery projects (Forest Road, Lemon Tree Creek Bridge and Willinga Lake Bridge) and to determine an appropriate re-allocation of any savings from these projects.

The current tender provides only for construction of the section from 2.33km to 4.33 kms, however, in order to best meet Council's resolution an additional length of 300 meters either side of this length is desired. Additionally a further section of road between the Princes Highway and CH2.0 will remain unsealed and may be considered for upgrading should funding allow. Negotiation with the successful contractor under the terms and provisions of the contract will allow accurate costs to be determined to allow the works to be extended to fully expend all available funding.

RECOMMENDED that:

- a) **Council authorise the acceptance by the General Manager of the tender of Hisway Pty Ltd for the Upgrading and Sealing of Turpentine Road CH2.33km to CH4.33km, specification CH0307/01, File 35795;**
- b) **The Contract be executed under the Seal of Council.**
- c) **Council authorise the General Manager (Director City Services & Operations) to negotiate with the successful contractor for the extension of contract works to provide sealing in front of as many houses as possible.**
- d) **A further report be submitted to Council on the outcome of these negotiations and the anticipated amount of Roads to Recovery (2) funding available.**

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29 MAY 2007

STRATEGIC PLANNING

1. Recreation Fishing Trust Grant

File 29441

The Natural Resources and Floodplain Management Unit have been formally advised by Department of Primary Industries (Fisheries) that applications for \$125,000 in funding to construct fishing platforms and install education signage at five sites across the Shoalhaven has been successful.

Sites were selected to enhance recreational fishing amenity provision at recent Estuary and Floodplain Management Foreshore Stabilisation projects including:

- Scenic Drive, Nowra
- Terara Levee
- Greenwell Point
- Lake Conjola
- Lake Tabourie.

There is no additional matching funding requirement from Council, with the expenditure for the completed foreshore rehabilitation works being offered and accepted as Council's contribution.

Detailed design, agency approvals, signage design and community consultation are currently being initiated with installation before the Christmas holidays being targeted. As the funds will not be expended prior to the end of 06/07 financial year, the majority of the funds will require revolving into 07/08.

RECOMMENDED that

- a) **Council accept and vote the funding offer of \$125,000 (exclusive of GST) for fishing platform construction at:**
 - **Scenic Drive, Nowra**
 - **Terara Levee**
 - **Greenwell Point**
 - **Lake Conjola**
 - **Lake Tabourie**

- b) **Council thank the Minister for Primary Industries (Fisheries), The Hon. Ian Macdonald and the Department of Primary Industries (Fisheries) for the significant contribution to recreational fishing amenities in the Shoalhaven.**

2. Acquisition of Part Lot 4 DP628403, Mimosa Park Road, Milton**File 34271****Purpose of Report**

- # To seek a resolution of Council to acquire that part of Lot 4 DP628403 described as Lot 1 DP 1107039 (a copy of which is attached) for purposes of remedying an encroachment of Mimosa Park Road onto Lot 4 DP628403.

Background

The owner of Lot 4 DP628403 brought to Council's attention the encroachment of Mimosa Park Road onto their property. In response Council surveyors made investigations and confirmed the existence of the encroachment.

Negotiations

Council's Valuers, Walsh & Monaghan assessed compensation in the amount of \$5,000 for the area of 2,318m² required to remedy the encroachment.

The owner rejected the assessment and sought an additional valuation. In accordance with that valuation the owner sought compensation in the sum of \$7,500.

Thereafter negotiations resulted in the owners acceptance of compensation in the sum of \$6,500 plus reasonable costs associated with the acquisition. Funds are to be allocated from Job No. 85001.99999.

RECOMMENDED that

- a) **Council resolve to acquire that part of Lot 4 DP628403 described as Lot 1 DP 1107039 for \$6,500 (plus GST if applicable).**
- b) **The compensation payable, valuation and reasonable legal costs payable in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 are to be funded from Job No. 85001.99999.**
- 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.**
- d) **Following acquisition the land to be dedicated as Road pursuant to Section 10 of the Roads Act 1993.**

3. Proposed Lease of Shop 41 - Kinghorne Street, Nowra**File 4720-02****Reason for Report**

This report seeks Council approval to grant a lease of Shop 41, Kinghorne Street, Nowra.

The report is submitted to the Ordinary meeting because an offer to lease the shop was received in early May after the deadline for committee reports. Deferral of the report until the June meeting

would involve a delay of nearly two months in finalising the lease proposal and could result in the tenant taking alternative premises.

Background

In January 2007 Council resolved to lease Shop 41, Kinghorne Street, Nowra to Alimstreak Pty Ltd or Evenlair Pty Ltd which proposed to operate the Nowra Eyecare Centre from the premises. However prior to fitout of the building and execution of lease documents the prospective tenant advised it did not wish to proceed with the lease.

A number of other persons showed interest in taking a lease of the premises but none of these proceeded. The shop was then listed with a real estate agency which has now confirmed that it has obtained a prospective tenant who has agreed to take a lease on the terms required by Council. The shop will be leased at current market rental with annual CPI adjustments and with a review to current market rental at the end of the third year.

Since the report to Council in January an assessment of current market rental has been received from Walsh & Monaghan for one of the other Council shops in Kinghorne Street which confirms that market rentals in the CBD have taken a downward turn in recent months. Market rental for Council's Kinghorne Street shops has now dropped to \$350 / m2 plus GST and the rental for Shop 41 has therefore been amended from \$19,250 plus GST as reported in January to \$18,200 per annum plus GST.

RECOMMENDED that

- a) **The Council of the City of Shoalhaven leases to Deborah Dunn, Shop 41 at Kinghorne Street, Nowra for a term of three years with an option for a further three years at a rental of \$18,200 per annum plus GST;**
 - b) **The rental is reviewed annually on the basis of movements in the Consumer Price Index with a review to current market rental at the end of the third year;**
 - c) **The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.**
4. **Acquisition of Easement for Drainage over Lot 5 DP 571465, Kingsley Avenue Ulladulla**

File 33953

Purpose of Report

- # To seek Council endorsement to the acquisition of an easement to drain water over Lot 5 DP 571465 (Lot 5) shown as "B" on the attached copy of DP 1094030.

Background

Lot 5 is burdened by an existing easement in favour of Council that pipes water from St.Vincent Street. The existing easement does not traverse the whole length of Lot 5 and currently water discharges onto Lot 5. The easement sought to be acquired will enable the pipe to continue from St Vincent Street to Kingsley Avenue

Acquisition and piping of the easement will also facilitate the orderly development of the adjoining Lot 15 DP 759018.

Negotiation

Lot 5 is vacant land owned by the Department of Housing. Walsh & Monaghan has determined compensation in the sum of \$1,000.

The Department of Housing has accepted compensation in the sum of \$1,000 provided the piping of the easement meets certain design, maintenance and other criteria. Council staff have investigated these criteria and found them acceptable.

RECOMMENDED that Council

- a) **Resolve to acquire an Easement to Drain Water 3 wide over that part of Lot 5 DP 571465 shown as "B" in DP 1094030 for the sum of \$1,000 plus GST if applicable.**
 - b) **The compensation payable, valuation and legal costs payable in accordance with the Land Acquisition (Just Terms Compensation) Act, 1991 are to be funded from the annual Road /easement acquisition fund 85001.99999**
 - 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.**
5. **Draft State Government Coastal Lake Management Strategies for Burrill Lake and Narrawallee Inlet** **File 21242-03**
-

This matter is reported directly to Council given the timeframes involved and the need to provide feedback by the end of May 2007.

Introduction

In response to the Healthy Rivers Commission Coastal Lakes Inquiry, the NSW Cabinet issued a Statement of Intent for Coastal Lakes in NSW which has resulted in pilot sustainability assessments and management strategies for priority lakes. The pilot lakes were selected by the NSW Cabinet and include Burrill Lake, Narrawallee Inlet and Lake Wollumboola within Shoalhaven. The funding for this project came from the Comprehensive Coastal Assessment (CCA) process. This process was initiated by the NSW Government to provide comprehensive data bases and decision support tools to improve strategic planning, land use, natural resource protection and socio-economic development in the coastal zone.

The former Department of Natural Resources has prepared draft sustainability assessments and management strategies for a number of coastal lakes. It should be noted that these documents are marked "Confidential Draft" by the Department, however there is no provision in the Local Government Act that would allow this report to be included in a confidential business paper. They are now seeking comment on the draft Strategies for Burrill Lake and Narrawallee Inlet. Executive summaries of both reports are included in the Councillors Information Folder for today's meeting and copies of the draft Strategies will be available for review in the Councillors Room.

Various issues will arise for Council if these draft Strategies are finalised in their current form. If the Strategies are finally adopted, the South Coast Regional Strategy states that management actions arising from them are to be considered by Council when reviewing the suitability of planning controls in existing urban zoned and undeveloped lands in the catchments of Burrill Lake and Narrawallee Inlet.

Overview of Draft Strategies

The draft Strategies have been developed by the Department using a Coastal Lake Assessment and Management (CLAM) tool. The tool is designed to model potential impacts given a range of management scenarios. It integrates social, economic and ecological values for a catchment and the results are incorporated into a software interface.

Using the CLAM tool each Lake was assessed for its capabilities and limitations. Issues and threats to maintaining lake health were summarized and specific human activities that pose threats to lake health were identified. Following this process, management strategies were developed which incorporate operational plans for each Lake to address threats and issues identified by the CLAM tool.

Comments on the draft Strategies follow.

General comments

- The two draft Strategies generally provide a good summary of the current knowledge base and historical issues related to the water bodies. The documents are also well set out and easy to follow.
- If more vulnerable water bodies had been chosen, the performance indicators / targets would have more chance of being a priority for funding. As it stands the documents recommend thousands of dollars be spent on two of Shoalhaven's more stable, low risk estuarine areas. The costings documented in the Strategies are underestimated across almost all actions and could not be reasonably used for forward budget planning. Funding and costings would need to be increased across the board by a factor of five to be realistic. There is currently no funding identified to implement these Strategies for what are relatively low priority estuaries. It is a concern that these documents could have future budget impacts on Council.
- In the case of Burrill Lake, the assessment has been made on the premise that the lake has a **low to medium natural sensitivity classification** due to the entrance being mostly open, therefore having a reasonable dilution effect on pollutant inputs. Entrance and climate scenarios have resulted in extended lake closure over the last two years resulting in reduced tidal exchange and flushing times and as a result this assumption needs to be reviewed. The likely outcome will be that the natural sensitivity condition would approach **medium to high** and significantly increase the urgency of improved land practices across the catchment to maintain existing ecological health and function into the future.
- The CLAM tool analysis has not resulted in targeted priority areas / works in either catchment. The assessment should highlight the need to prioritise attention in the upper low flushing reaches of each catchment most vulnerable to anthropocentric inputs. This will allow a measure of focus for all stakeholders given the relatively low level of available financial support to implement these initiatives.

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- The lack of attention paid to the nutrient cycling potential of the target estuaries, to establish the nutrient processing capability is queried. Geoscience Australia has conducted a National Estuary Study which includes some south coast estuaries and this provides a rigorous and focused method for evaluation and monitoring of sustainability and estuary health. Also the NSW EPA work on nutrient inputs does not feature in the draft Strategies. This is a concern, given the public resources expended and the decade long research period. The EPA work on inputs combined with the Geoscience Australia work on cycling could have provided a far more integrated approach to management than the mostly subjective attributes used in the CLAM tool.
 - The relationship of the Strategies to the South Coast Regional Strategy (SCRS) is unclear and could have potential impacts that need to be clarified. Page 14 of the SCRS states:

‘Councils will review the suitability of planning controls in existing urban zoned and undeveloped lands in the catchments of nominated coastal lakes and estuaries. Councils will consider the NSW Government endorsed estuary management and coastal zone management plans and coastal Lake Sustainability Assessments in undertaking this task.’

Now that a 117 Direction has been made relating to the implementation of Regional Strategies the SCRS has legislative standing. It is unclear what ‘consider’ will involve. It needs to be made clear what the expectation on Council will be. It would be unacceptable for Council to be forced into implementing components of the Strategies when the water bodies they cover are low priority areas.

- The lack of consultation will decrease the value of the document. In this regard, tasks, indicative costs and responsibilities have been allocated without sufficient consultation with the bodies involved (eg. Council). Placing more than one agency as ‘responsible’ could result in inactivity. As such there needs to be a lead for each task and they need to be committed to the tasks and have funding available. Council is already undertaking many items listed and this is not clear in the documents. For example, generally the development / planning / recreational / bushland / stormwater / asset / education recommendations are already being addressed under the existing Council flood studies, management plans for natural areas, entrance management plans, estuary management plans within available resources. The documents summarise these, but it is unclear how the Strategies will add value to current estuary management regimes and practices.
- There is no clear framework for how implementation priorities were determined.
- The riparian buffer recommendations are good in-principle, but are largely unachievable on Council managed land due to the lack of frontage depth and high recreational use.
- The Strategies need to reflect the new guidelines on Planning for Bushfire Protection published in 2006 and also changes to NSW Government Departments responsibilities following the election.
- The Strategies mention the Soil Landscape Constraints mapping from the Comprehensive Coastal Assessment (CCA) Project 5 and require development to ‘*consider or be in accordance with*’ it. The availability of this data needs to be confirmed as any data from the CCA series of investigations would be very useful to Council if it is made available.

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- Council is mentioned in the documents as being responsible for ongoing mitigation actions against Caulerpa. This is not the case and needs to be corrected in the final Strategies, should they proceed.

Specific Comments

The following comments relate to the Management Strategy Section of the documents and any direct impacts on Council. Comments relate to both Strategies as they follow the same format and contain generic material.

Section 5 – Management Strategy

Generally, this section demonstrates a lack of understanding of Local Government process and powers of enforcement and this needs to be rectified.

5.2 – Strategy Framework

The Strategy framework outlines the mechanisms for implementing the recommendations of the Management Strategy. The mechanisms listed are largely local government controls (eg. changes to LEPs and DCPs and place based Plans of Management). Therefore, it would have been prudent to adequately involve local government in the preparation of the documents. The lack of involvement has resulted in many of the suggested controls in the documents being unrealistic and without statutory support.

5.4.2 On-site Sewage Management

Council currently has an inspection regime for all on-site effluent management systems. These systems are regularly assessed for failures and failing systems required to be rectified. It will not be possible to “force” landholders to replace systems that are failing as upgrades may rectify problems.

Council has a Development Control Plan (DCP) that sets out the appropriate requirements for locating effluent disposal systems in relation to elevation and flood heights. The Strategies need to reflect Council’s approach.

Table 15 (Narrawallee) contains unrealistic operational plan tasks. For example, requiring landholders to upgrade to new systems. All systems are currently required to operate as per legislative standards and Council inspects systems to determine this compliance and requires rectification in areas that do not comply.

Road Runoff & Urban Stormwater Operational Plans

Table 17 -Road Runoff Operational Plan

- Task 1 (erosion causing sediment runoff) should be modified to include the option of Kerb & Gutter to mitigate against verge erosion.
- Task 2 (road sealing) should also be modified to include the option of Kerb & Gutter. The indicative cost of \$10,000 is also very low, it is more likely to be \$1 million.

-
- Task 3 (design and construct mini sediment traps etc) - Council should not agree to this action for Council's roads and road verges as there is doubt as to the benefit and there will be an unacceptable ongoing maintenance cost to Council.

Table 18 - Urban Stormwater Operational Plan

- It is disappointing that the tasks in this Section are generic and that the Assessments did not extend to development of a Stormwater Plan from the catchment modelling.
- Council is designated as being solely responsible for catchment modelling and development of a Stormwater Management Plan. This is not however, the sole responsibility of Council. While we do undertake some modelling, it is usually for high priority catchments. Grant funding needs to be made available for investigations and implementation if Council is the lead on these matters, as this is not currently seen as a priority for Council.

Section 5.5 Future Development controls and conditions

The Strategies are overly restrictive in terms of the actions that are suggested for prohibition on certain land categories and expects that these conditions '*should be implemented through Council Development Control Plans and Policies as part of necessary conditions for development consent*'. This places a further workload burden on Council to develop a policy or planning instrument to implement Strategies that may not be consistent with community expectations. Many of the proposed conditions are unworkable and have no statutory basis, others are worded loosely.

The issue of existing use rights and how these are protected needs to be addressed in Section 5.5. For many of the activities (eg agriculture), the consent of Council is not currently required and therefore there is currently no legal mechanism to implement the "Conditions for Future Development", they will essentially have no impact without planning instrument amendments.

If this section is implemented as it currently exists it will possibly impact on the ability of land holders to undertake certain activities on their properties. Council's existing Local Environment Plan allows for some human activities that appear to be restricted by the CLAM tool. For example, bulk earthworks are prohibited on potential conservation land however, this is currently zoned general rural and dams would normally be allowed on such a zoning. Implementation of this strategy would therefore require substantial changes to zoning provisions to have effect. This raises the question of the appropriateness of such requirements to be placed on land that is currently zoned for example, general rural use.

It is indicated that development proposals will need to demonstrate *net positive environmental outcomes*. This is likely to be difficult to achieve and will require definitive guidelines to explain.

There are already appropriate assessment legislative requirements in place that address impacts of clearing vegetation and habitat. The *Native Vegetation Act 2003* controls the removal of vegetation on non-urban land. The purpose of the Native Vegetation Act is to end broadscale clearing and reverse the decline of at risk vegetation assemblages. The following examples from the draft Strategies illustrate the lack of statutory link to the *Native Vegetation Act 2003*.

- Item 8.1 on page 93 requires 'development only to occur on current cleared land' for commercial and industrial land. There is a very limited supply of industrial and commercial zoned land, and the assumption that it can be utilised in a vegetated state is not practical. This is one of the reasons that the *Native Vegetation Act 2003* does not apply to business or industrial land. Land has been zoned for a purpose and presumably the appropriate studies

have been undertaken prior to rezoning to insure the site does not have significant flora and fauna. The Strategies have no statutory basis to require this, unless there is an EEC identified on the site. There are similar issues for items 19.2 (residential urban land). Requiring offsetting on urban land is very difficult to achieve and has no statutory backing. The documents do not recognise the current legislative framework that is in place.

- 15.1 (rural land) requires any vegetation cleared for house site and APZ to be offset using DECC's biometric and threatened species tools. This is inconsistent with the *Native Vegetation Act 2003* which allows clearing for a house and associated APZ's without an offset. The offset idea proposed in the Strategies cannot be required under current legislation. Council can not require applicants to do this unless there is a statutory requirement. Another important point is that DECC have not released their bio-certification tools to the public and most consultants would not have access to these tools.
- 15.5 – encourages preparation and implementation of Property Vegetation Plans (PVP). This is not something Council would include in a DCP and is currently a CMA responsibility. There is also a suggestion that PVP's would be developed in instances where the *Native Vegetation Act 2003* would not apply. This has no current legal basis and the capacity of the CMA to service these requests needs to be questioned.

Conclusion

In conclusion, the proposed requirements in the draft Strategies go beyond what is logically required to maintain the quality of both coastal lakes. They contain unrealistic restrictions that could impact on landholders within the catchments. The other draft Coastal Lake Strategies do not appear as restrictive as the two in the Shoalhaven area and contain more common sense approaches to protecting water quality, and rather than prohibiting activities, they set standards that need to be met.

The Myall Lakes Coastal Lakes Strategy appears to have a much more reasonable approach to the issue of protecting the catchment and still allowing residents to undertake activities on their land. This model could be pursued prior to the finalisation of the Strategies. It would be helpful for the State Government to discuss the content of the Strategies further with Council before they are finalised so that they contain appropriate content that can realistically be implemented if required by local government.

One of the most concerning components of the Strategies is their relationship to the South Coast Regional Strategy. Now that a 117 Direction has been released the South Coast Regional Strategy has legislative standing. It is not clear what the expectation on Council is regarding the draft Strategies. This must be made clear before the Strategies are finalised. It would be unacceptable for Council to be forced into implementing components of the Strategies when the water bodies they cover are relatively low priority areas.

If the strategies remain relatively unchanged there are serious concerns regarding their ability to be implemented and the implications for Council.

RECOMMENDED that Council make a submission to the Department of Environment and Climate Change on the draft Coastal Lake Management Strategies for Burrill Lake and Narrawallee Inlet based on the content of this report.

E J Royston
DIRECTOR, STRATEGIC PLANNING

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

REPORT OF THE GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29 MAY, 2007

FINANCE AND CORPORATE SERVICES

1. Appointments to the Shoalhaven Tourism Board **File 1490-07**

Each year half the industry representatives on the Shoalhaven Tourism Board step down and the vacancies so created are advertised. The appointments to the Shoalhaven Tourism Board are for industry representatives and are for a two year term.

In 2007 the industry representatives on the Shoalhaven Tourism Board stepping down are Mr Danny Koutoulas, Mr Ken Merrifield and Ms Lesley Zandstra.

All three members of the Board were thanked for their services to tourism and advised that they could re-apply for the positions.

The positions were advertised and all community groups and tourist associations were notified of the vacancies.

A total of 8 applications were received.

All 8 people were interviewed by a Committee consisting of Clr. John Anderson, Deputy Chair of the Shoalhaven Tourism Board, Mr. Peter Dun, Director Finance and Corporate Services and Mr. Tom Phillips, Tourism Manager.

RECOMMENDED that the following people be appointed to the Shoalhaven Tourism Board for a two year term expiring on 31st March, 2009.

- a) **Mr Matt Cross of Huskisson**
- b) **Mrs Vera Farnham of Greenwell Point**
- c) **Mr. Ken Merrifield of Shoalhaven Heads.**

2. Local Government Remuneration Tribunal - Mayoral and Councillor Fees 2007/08 **File 5141-02**

Background

Council previously considered a detailed report to the Policy and Planning Committee held on Tuesday 13th February 2007 regarding the review that the Local Government Remuneration Tribunal was undertaking in respect of Mayoral and Councillors fees for 2007/08. The thrust of the report to the Policy and Planning Committee in February was to advise Council that:

In accordance with section 239 of the Act of the Tribunal is required to determine the categories of Council's and mayoral offices at least once every three (3) years. Categories of Council's and mayoral office were last determined by the Tribunal in 2006. As outlined in the report and determination of 19th April 2006 the Tribunal determined that Category 5 Councils should be merged with Category 4 Councils and that Category 5 would be abolished. The Tribunal found that the remaining existing categories were still appropriate and determined no further changes.

The Tribunal does not intend to undertake a further review of categories during the 2007 review. The Tribunal will review the categories of Councils again as part of the 2009 review. Until then the Tribunal would not expect to move Councils within categories unless there is significant change in the role and responsibilities of individual Councils.

On 17 January 2007 the Local Government Remuneration Tribunal wrote to all Mayors and Presidents of both the Local Government and Shires Association advising the commencement of the 2007 annual review and that all submissions received would be considered. As a review of the Categories of Council's was last determined in 2006 only the minimum and maximum fee levels for each category were to be reviewed in 2007.

Determination

- # The report and determination were published in the *Government Gazette* on 4th May 2007 (copy attached).

The Tribunal, after considering submissions received, and taking into account economic indicators and the views of the Assessors, determined that an increase of four (4) percent in the fees for Councillors and Mayors is appropriate and so determined.

Pursuant to section 242 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, mayors, members and chairpersons of the County Councils effective on and from 1 July 2007 and determined as follows.

	<i>Councillor/Member Annual Fee</i>		<i>Mayor/Chairperson Additional Fee *</i>	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
Category 4	6,610	8,715	7,020	19,035
Category 3	6,610	14,540	14,050	31,740
Category 2	6,610	14,540	14,050	31,740
Category 1	9,905	18,510	21,070	49,165
Category 1A	13,215	21,805	28,090	63,560
S4	1,320	7,270	2,815	11,940
S3	1,320	4,360	2,815	7,935
S2	13,215	21,805	28,090	63,560
S1	19,830	29,080	121,305	159,620

- This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (section 249 (2)).

RECOMMENDED that Council set the Councillors' fees at \$14,540 for each Councillor and \$31,740 for the Mayoral fee (being in addition to the Councillor fee) for the 12 months commencing 1st July 2007.

3. **Local Government Representative - Jervis Bay Marine Park Advisory Committee**

File 1462-05

The Marine Parks Authority has advised that Clr Watson's term of appointment on the Jervis Bay Marine Park Advisory Committee expired on 31 December 2006. The Authority therefore seeks nomination/s from Council to represent local government on the Committee.

Committee members are appointed for a period of up to four years by the Hon. Mr Phil Koperberg MP, Minister for Climate Change, Environment and Water, and the Hon. Mr Ian Macdonald MP, Minister for Primary Industries.

The principal function of the Advisory Committee is to advise the Ministers and the Authority on the management of the marine park and, in particular on:

- The conservation of marine biological diversity within the marine park;
- The ecologically sustainable use of the marine park; and
- The use and enjoyment of the marine park by members of the public.

The Committee meets at least twice each year and other members of the Committee include people representing the interests of Tourism, Conservation, Commercial Fisheries, Scuba Divers, Indigenous and Marine Science.

The maximum total term of appointment is eight years so Clr Watson is eligible to be nominated again for membership of this advisory body until 16 May 2008.

RECOMMENDED that Council nominate the Mayor, Clr Greg Watson, for appointment to the Jervis Bay Marine Park Advisory Committee.

4. **Replacement of Caterpillar Grader plant item 98240**

File 35667

Tenders were called, and closed on 15th March 2007 for the supply to Council of one 100-110kW articulated motor Grader as per Specification GW0207/03 to replace existing Caterpillar Grader plant number 98240. The tender included the option to trade or purchase outright Council's existing grader. The 2006/07 General Fund Plant Replacement Budget provided \$330,000 for the replacement and an estimated \$130,000 sale price of the existing machine.

Council's present grader is approaching ten years old having been purchased in 1997 for \$239,164 and has logged over 7,600 hours. Council operates six graders which are used in a variety of maintenance and construction programs. This particular machine is used in the basin/central area and also in operations at West Nowra tip. There may be scope in future to reduce grader numbers depending on a number of programs. Issues that may impact will include the completion of Main Rd 92 and maintenance requirements there.

Six tenders were received from which three graders (John Deere 672D, Komatsu GD555-3 and Volvo G930) were short listed for further evaluation based on specification compliance. The CAT 12H and John Deere 670D are the same as models currently used in Councils fleet. A summary of tenders is shown below:

SUPPLIER	Make/Model	Engine/Power	WARRANTY	TOTAL
Hitachi Const.	John Deere 672D	6.7Lt / 140-185HP (Variable)	12/60Mth/6,000Hr	\$ 315,564
CJD Equipment	Volvo G930	7.2Lt / 155Hp-195HP (Variable)	12/60Mth / 10,000Hr	\$ 318,300
Komatsu Aus.	Komatsu GD555-3	5.9Lt / 147 / 167HP (Variable)	24/36Mth / 6,000hr	\$ 269,955
Hitachi Const.	John Deere 670D	6.8Lt / 145-185HP (Variable)	12/60Mth / 6,000Hr	\$ 287,400
BT Equipment	Mitsubishi MG460	11.9Lt / 155-185HP (Variable)	12/60Mth / 5,000Hr	\$ 282,000
Westrac	CAT 12H	8.8Lt / 145-185HP (Variable)	12/36Mth/6,000hr	\$ 331,600

Although suppliers offered trade prices for the existing grader, tenders for outright purchase were also received with the best offer coming from RD Williams (QLD) for \$160,650.

In assessing the various machines emphasis was placed on driveability and operating controls and environment, attachments and functions, power to weight ratio's, maintenance checking, warranty, price and expected resale.

After inspection and demonstration of machines it is considered that the John Deere 672D offered by Hitachi was the best grader for Councils operation for the following key reasons:

- Excellent vision, smooth controls, power to weight and operator comfort.
- The variable dial-in front traction drive allows the plant to be much more productive spreading and grading materials and the added front traction & weight is a distinct advantage
- The standard Low Profile Traction Tyres assist greatly to the overall operation of the grader especially maintaining steering direction and reduction in future tyre wear.
- Accessibility, daily ground level maintenance and checks of the Deere are also very simple.
- The John Deere has added extras like fully floating ripper/scarifiers adding to the simplicity of the overall machine operation.
- The extended 60 month /6,000Hr Warranty is excellent and will be well supported by Hitachi Machinery.
- The John Deere grader is totally manufactured in the USA with all components and power train being John Deere and substantial resale value is expected at replacement.

RECOMMENDED that Council purchase the John Deere 672D grader from Hitachi for \$315,564 (excluding GST) and sell existing Caterpillar grader to RD Williams for \$160,650 (excluding GST) with net changeover costs to be allocated to the 2006/07 General Fund Plant Replacement Budget.

5. 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 30th April 2007:

RECORD OF INVESTMENTS
as at 30th April 2007

TOTAL INVESTMENTS		114,269,777
LESS INVESTMENTS HELD IN RELATION TO RESTRICTED ASSETS		
LEAVE ENTITLEMENTS	5,667,202	
WASTE DISPOSAL	2,750,157	
STRATEGIC PROJECTS GENERAL	23,410,861	
MULTI PURPOSE CULTURAL & CONVENTION CENTRE	14,000,000	
OTHER INTERNAL RESERVES	5,305,971	
SECTION 94	15,212,336	
SECTION 94 LIABILITY RESERVE	3,000,000	
TRUST	69,257	
WORKCOVER GUARANTEE	3,755,000	
SECTION 64 WASTE WATER	1,176,544	
SEWER COMPENSATION	6,568	
SEWER CONSTRUCTION WORKS	9,663,081	
SECTION 64 WATER	2,934,128	
WATER CONSTRUCTION WORKS	25,303,266	
TOTAL RESTRICTED		112,254,371
UNRESTRICTED		
GENERAL	15,406	
WATER	1,000,000	
WASTE WATER	1,000,000	
TOTAL UNRESTRICTED INVESTMENTS		2,015,406

RECORD OF INVESTMENTS AS AT 30th April 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	61	6.6600%	1/05/2007	2992
Australian Central Credit Union	NR	TD	2,000,000.00	181	6.6600%	21/05/2007	2952
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	6.6200%	25/08/2010	2989
CBA	A1+	BB	2,000,000.00	87	6.3400%	1/06/2007	2916
CBA	A1+	BB	1,408,054.75	88	6.3700%	11/05/2007	2869
CBA	A1+	MABB	69,256.98	88	6.3700%	11/05/2007	2869
CITIBANK	A1+	TD	3,000,000.00	98	6.4300%	30/05/2007	2864
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
Credit Union Australia	NR	TD	1,500,000.00	180	6.5900%	10/09/2007	2882
Deutsche Bank AG London	AA-	FRN	2,000,000.00	91	6.5800%	30/05/2007	2863
HORIZON	NR	TD	2,000,000.00	61	6.4600%	1/05/2007	2994
HORIZON	NR	TD	3,000,000.00	62	6.6300%	29/05/2007	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	91	6.4700%	24/05/2007	2913
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
LGFS	A1	CRI	1,000,000.00	91	6.6400%	12/07/2007	2793
LGFS	A1	TD	1,000,000.00	34	6.4000%	9/05/2007	2983
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	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	98	6.3600%	30/05/2007	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	6.7400%	16/02/2009	2988
Savings and Loans Credit Union	NR	TD	1,000,000.00	37	6.7100%	9/05/2007	2993
Savings and Loans Credit Union	NR	TD	1,500,000.00	181	6.6600%	21/05/2007	2907
Savings and Loans Credit Union	NR	TD	1,500,000.00	180	6.6400%	10/09/2007	2881
T/CORP	A1+	TD	1,014,000.00	365	6.2400%	4/10/2007	2842
T/CORP	A1+	TD	3,290,000.00	365	6.2400%	4/10/2007	2842
WESTPAC	A1+	BB	2,953,390.64	91	6.3300%	28/05/2007	2982
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	14,167.06	120	5.8300%	27/06/2007	190
NAB	A1+	O/S	663,167.02	120	5.8700%	26/06/2008	186
GRANGE SECURITIES		MGMD FD	10,294,563.45	At Call	8.7400%	At Call	2984
Deutsche Cash Plus	Af	MGMD FD	4,436,832.64	At Call	7.1000%	At Call	2915
Macquarie Income Plus	Af	MGMD FD	1,121,710.86	At Call	7.3400%	At Call	2915
Perpetual Investments	Af	MGMD FD	3,309,813.13	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 30th April 2007 be received for information.

6. Goods and Services Tax – Council Compliance for period 1 May 2006 to 30 April 2007
File 3603-04

The Department of Local Government requires Council to supply a certificate of confirmation that it is meeting its GST obligations. The certificate is for the period 1st May 2006 to 30th April 2007 and is required before 1st June 2007 by the Department of Local Government.

During the financial year Council submitted all Business Activity Statements and other returns required in relation to GST to the Australian Taxation Office within the required time frames. Council has not been notified of any non compliance issues. Whilst Council's finance section does seek advice from the Australian Taxation Office in regard to unusual or non standard transactions, during the period there were no occasions where advice was required.

As part of Council's Annual External Audit the Auditors review Council's internal control and GST management systems. For the audit ended 30th June 2006 and interim audit conducted in March 2007, no matters in relation to GST have been raised. The Department of Local Government requires Council to verify the following:

- Voluntary GST has been paid by Shoalhaven City Council for the period 1 May 2006 to 30 April 2007.
- Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

RECOMMENDED that Council confirm that it is meeting its GST obligations and that the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer sign the Goods and Services Tax Certificate required to be submitted to the Department of Local Government.

P.J. Dun
DIRECTOR - FINANCE & CORPORATE SERVICES GROUP

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF THE GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29 MAY, 2007

CITY SERVICES AND OPERATIONS

7. Nowra Gasworks Remediation

File 35612

The Nowra Gas Works site has been identified as requiring remediation of contaminated ground and a series of borehole water & soil tests have been undertaken to ascertain as best as possible the extent of remediation works.

Tenders were previously called in 2006 for the remediation works however no tender was accepted due to the latest tests indicating the scope of works specified in that tender required changes. Possession of site to undertake the works could also not be granted at that time due to the ongoing occupation by Kleenheat.

The extent of works has now been better defined and the contract has two components, a lump sum to remediate specified areas for specified depths and a schedule of rates component for additional scope. The lump sum component is based upon all the tests taken to date and includes areas of known high levels of contamination and a surrounding clearance zone. The contaminated material will be excavated, treated and disposed of off site. The lump sum component includes new stormwater and electric cabling and the first capping layer of base course for the carpark so that remediated ground does not have to be disturbed during the carpark construction.

As reported previously, the probability of additional scope is very high as the full extent of contamination will not be known until excavation is undertaken, for example, contamination could occur along service trenches or cracks or open grained gravelly areas of the subsurface. These “fingers” of contamination are required to be chased in whatever direction they travel and the direction and depth can not be determined by testing as the test bores are only 75 to 100mm wide. The remediation is, accordingly, undertaken on an “as found” basis and payment made against a schedule of rates.

The extent of the “chasing” will be instructed by council’s onsite consultant and the instruction to remediate given areas will be recorded daily and tallied against the tendered rates to monitor the total contract cost.

Full records of the extent of the lump sum and schedule of rates work are kept, as are records of the existing tests, the in-progress tests and the completion tests. All these records are to be forwarded to the Department of Environment and Conservation as appointed Auditor having the ultimate verification of the remediation.

Funds available for the project, some of which is held in Reserves, total \$1,890,673. It will be recommended that funds held in Reserves be voted on 1 July 2007 to enable the Contract to commence. Council has been offered a grant of \$500,000 from the EPA toward the remediation of the site.

Public Invitations to Tender were advertised in Shoalhaven and Sydney newspapers and tenders closed at 3:00pm on Thursday 12 April 2007.

Six (6) tenders were received from:

Tenderer	Tender
a) J A Bradshaw Civil	\$1,033,470.97
b) EnviroPacific Services	\$1,282,294.60
c) JFTA Pty Ltd	\$1,824,190.00
d) Earth Tech	\$1,859,067.00
e) Thiess Services	\$2,288,239.00
f) Synergy Resource Management	\$3,889,152.00

An alternative tender was offered by Synergy Resource Management to retain the contaminated soil onsite in a sealed underground cell. This strategy had been mooted as an option, however the Remediation Action Plan and the Development Consent did not cover this strategy. The alternative is not commercially advantageous and has not been considered further.

The tender submitted by JA Bradshaw Civil relied upon retaining the contaminated spoil onsite in a containment cell and did not therefore allow for the mandatory required lump sum scope of works. The tender of JA Bradshaw is therefore non-conforming. Applying the average of all other tenderer's costs for off site disposal to the tender of JA Bradshaw also results in them no longer being the lowest apparent tenderer. The tender of JA Bradshaw Civil has therefore not been considered further.

The next lowest apparent tender was submitted by Enviropacific Service. Enviropacific Services included the lump sum scope and included all Schedule of Rates together with a letter of clarification regarding the extent of works.

Further correspondence has been submitted clarifying the matters raised in the tenderer's cover letter and in the post tender meeting, particularly in regard to the management of odours, and the extent of boundary monitoring and testing for odours. The responses are satisfactory.

At this time it is not expected that large quantities of contaminants will be found in rock and therefore will not require extensive rock excavation. It is understood Council will only be required to undertake its best endeavours to remove the majority of contamination.

The site is currently being vacated by Kleenheat and written advice to vacate the site in it's entirety by 30 May 2007 has been given to Kleenheat. Contract commencement is anticipated on and from 15 June, 2007.

Funds sufficient for this package of works are available and the lowest apparent tender is within the budget.

RECOMMENDED that:

- a) The tender of EnviroPacific Services in the amount of \$1,282,294.60 and the rates in the Schedule of Rates be accepted;
- b) EnviroPacific Services be requested to provide costs if acceptance is delayed beyond 15 June, 2007;
- c) Council vote \$76,220 from Strategic Projects Reserve and \$1,249,453 from the Land Decontamination Reserve on 1 July 2007 to enable the Contract to proceed.
- d) Execute the Contract under the seal of Council.

J J Wells
DIRECTOR CITY SERVICES & OPERATIONS

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29TH MAY 2007

GENERAL MANAGER

REPORT OF THE NOWRA SKATE PARK ADVISORY GROUP – MONDAY 28TH MAY 2007

1. **Nowra Skate Park Design and Development** **File 24903**

RECOMMENDED that

- a) **Council adopt the Nowra Skate Park concept plan design as endorsed by the Nowra Skate Park Advisory Group and proceed to the detailed design, tender and construction phase in accordance with the attached concept plans.**
- b) **The General Manager (Strategic Planning) formally make available the Nowra Skate Park concept plan design to the public and if any significant public comment is received the matter be deferred to the next Council meeting for further consideration.**

2. **Additional Item – Nowra Skate Park Design Completion** **File 35337**

RECOMMENDED that at the conclusion of the Nowra Skate Park Advisory Groups role, Council formally thank all community members for volunteering their time and services on the Nowra Skate Park Advisory Group.

R.D Pigg
GENERAL MANAGER

NOTICES OF MOTION

ORDINARY MEETING

TUESDAY, 29TH MAY, 2007

1. Shoalhaven River Precinct Working Party **File 3426-02**

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

It is recommended that a Shoalhaven River Bridge Precinct Working Party be formed to consider a Master Plan for the Shoalhaven River Bridge Precinct.

It is recommended that the committee comprise the following:

- a) Mayor and available Councillors
- b) The General Manager (or representative)
- c) The Director of Strategic Planning (or representative)
- d) One RiverWatch representative
- e) One Representative from the Nowra Chamber of Tourism and Business
- f) Four community representatives

Signed
Clr G Ward

Background

The Shoalhaven River is one of the Shoalhaven's most beautiful assets – but it is also one of the most underutilised. The River and its banks are teeming with opportunity and I believe we need to bring the community together to develop a vision for the future of our outstanding Shoalhaven River

While I am aware that some Councillors wish to only focus on the Nowra Pool site, I believe this attitude is short-sighted and myopic. The Shoalhaven River Bridge Precinct would easily come alive with a small degree of development along with boardwalks and community infrastructure.

The Shoalhaven River could easily be a major tourist focal point, but at present its banks are barren with little activities for families and tourists. In order to improve this important community asset, it's essential that Council develop a Master Plan with community input and feedback so that we can ensure that the Shoalhaven River receives the focus and attention it deserves.

Our Council doesn't always have to work harder – but we do need to work smarter. Bringing life and vitality to this most unique and outstanding asset is something that the entire community can have a hand in and be proud of. I want to see this process involve all groups that have a keen interest in the future of our district.

2. Shoalhaven River Estuary Management Plan

File 3427

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

It is recommended that:

- a) A second public meeting of the Shoalhaven River Estuary Management Plan be convened
- b) All directly affected property owners effected by the Shoalhaven River Estuary Management Plan be written to advising them of the meeting
- c) another public notice be issued in local newspaper as per our community consultation policy
- d) Submissions on this document be extended to 30 July 2007

Signed
Clr G Ward

Background

As Councillors would be aware, local property owners affected by the Shoalhaven River Estuary Management Plan have expressed concern about the lack of adequate consultation over this proposed plan.

As this proposal will certainly impact on local property owners covered by this document, I believe it to be fair and reasonable to give those who are affected by this plan, the opportunity to have an active input and make a contribution before Council determines the future of this document.

As some of the recommendations may well affect the livelihood of those making a living from farming and agriculture for many years and in some cases for several generations, it is prudent and appropriate that Council directly consult with those affected by the plan particularly those people who will be charged with the responsibility of complying with the recommendations of this plan – if adopted.

Note by the General Manager:

Consultation in relation to this plan has consisted of:

The draft Shoalhaven River Estuary Management Plan has been on public exhibition for 8 weeks with the closing date of comments being 1st June 2007.

Consultation has involved its distribution to all community consultation bodies in the Shoalhaven River Catchment, and the Nowra Aboriginal Land Council. Advertisements were placed in the

Shoalhaven Nowra News and the South Coast Register on 4th, 5th, 18th and 19th April 2007. A media release was also issued resulting in editorial comment on Radio 2ST and the South Coast Register on a number of occasions. A public meeting was held in Nowra on 23rd April 2007. The plan has also been on display at Councils Nowra Administration building and Library. It is proposed to report the outcomes of the consultation to the next Shoalhaven River Natural Resources and floodplain Management Committee on 25th June 2007.

3. Declaration of Pecuniary Interest and Election Expenses – Online

File 4063

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

It is recommended that a scanned copy of each Councillor's Declaration of Pecuniary Interests as declared under Part 5A of the Local Government (General) Regulations 1999 and Declarations of Elections Expenses as declared under the Election Funding Act 1981 be placed on Council's internet site. That these declaration be incorporated in the page containing Councillors individual contact details and committee membership.

Signed
Clr G Ward

Background

Transparency in Government is not an option – it's a necessity. While the documents referred to in the above Notice of Motion are already available under Section 12 of the NSW Local Government Act, it is not unreasonable to suggest that the public should have easier access to these documents so as to scrutinise those who have been elected to Civic Office.

Local Councillors often compare our circumstances to representatives in other spheres of Government. The Australian Electoral Commission and the State Electoral Office already publish on-line the election funding returns of candidates in each seat but there is no reason why Council cannot go one step further and make it easier for the public to access our declarations of pecuniary interest in addition to election expenses.

At a time where criticism of politicians and politics reaches new levels, we have an opportunity to raise the bar and show the community that our interests are in their interests.

4. Security Cameras and CBD changes

File 24464

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

It is recommended that:

- a) The General Manager investigate and report on the cost of purchase, installation and maintenance of Closed Circuit Television Cameras (CCTV) in the Nowra CBD with a view to their installation as soon as practicable.

-
- b) Council investigate Federal and State Grant funding to assist with the abovementioned objectives
 - c) The General Manager (Strategic Planning) bring forward a report on a timetable to remove Junction Court and Open this area back up to traffic
 - d) That this report present options for both one and two way traffic.

Signed
Clr G Ward

Background

Security and safety in the Nowra CBD is certainly not a new debate. Last year I tabled petitions in Council with over 3,000 signatures requesting that Council work together with State and Federal agencies to improve safety and security in the Nowra CBD.

Last year the State Member for South Coast Shelley Hancock convened a forum of local traders, police and businesspeople to discuss a number of the issues that have been raised concerning the ongoing attacks on local traders premises. While Mrs Hancock was successful in seeing extra police patrols as well as extra police deployed in the South Coast, traders believe that commitments given by the Mayor in respect of town security paid for by the CBD business levy have not be honoured.

In order to assist in not only catching but dissuading persons from committing acts of vandalism, CCTV cameras are a reasonable approach to addressing crime and safety in the Nowra CBD. It is therefore not unreasonable to consider the cost implications as well as any Government grants available to install and maintain this equipment in order to provide a greater degree of protection and surveillance for our traders who have suffered more than enough.

One of the issues that must be resolved as part of any debate on crime, safety and antisocial behaviour in the Nowra CBD is the future of Junction Court.

Many local traders and shoppers alike have long complained that this area is a rallying point for anti-social behaviour and the area does not serve any on-going practical purpose. With regard to strong opposition from traders and customers its time that Council gave regard to removing this area and opening this Court up to traffic flow – be that one way with angle parking, to two way traffic.

Note by the General Manager:

A meeting of Living Futures Shoalhaven is being scheduled for June 2007. One matter for discussion will be possible grant applications under the National Community Crime Prevention Program closing 28th June, 2007.

SHOALHAVEN CITY COUNCIL

ORDINARY MEETING

To be held on Tuesday, 29th May, 2007
Commencing at 4.00 pm

City Administrative Centre
Bridge Road
NOWRA NSW 2541

23rd May, 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 Tuesday, 29th May, 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: Pastor John Dickerson - New Covenant Church, Nowra.

1. **Australian National Anthem**
2. **Apologies**
3. **Confirmation of Minutes**
 - Ordinary Meeting - 24th April, 2007
 - Extra Ordinary Meeting - 1st May, 2007
4. **Presentation of Petitions**
5. **Reports of Committees**
 - Report of the Policy and Planning Committee Meeting - 1st May, 2007
 - Report of the Works and Finance Committee Meeting - 1st May, 2007
 - Report of the Development Committee Meeting - 1st May, 2007
 - Report of the Crown Reserves, Community and Commercial Operations Committee Meeting - 3rd May, 2007
 - Report of the Shoalhaven Traffic Committee Meeting - 15th May, 2007
6. **Report of the General Manager**
 - City Services & Operations
 - Strategic Planning
 - Finance & Corporate Services
7. **Notices of Motion**

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.

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 1ST MAY, 2007 COMMENCING AT 3.34 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 Anderson
Clr J Willmott
Clr J Young
Clr R Bates

REPORT OF THE GENERAL MANAGER

SHOALHAVEN ARTS BOARD – MONDAY 4TH APRIL 2007

1. Art Collection Policy 2006 File 18106

RECOMMENDED that Council appoint a Working Party, consisting of Arts Board Members Deborah Ely, Jennifer Mors, Jennifer Dickerson and Allan Baptist to review the Art Collection Policy 2006 and make recommendations and variations to the next Shoalhaven Arts Board meeting.

2. Corporate Pin Design File 2123-14

RECOMMENDED that:

- a) Council commission Radka Passianova to fabricate one prototype pin in sterling silver of the dimensions quoted at \$50 after which the Board can determine the total quantity it needs to be replicated for its use as corporate gifts;
- b) The General Manager (City Services and Operations) seek a firm quote on a ‘trophy’ for the Arts Awards 2008 event to include a stainless steel spiral of 30cm - 40cm based on 20cm high black granite or timber rectangle (dimension 20cm x 10cm x 10cm).

3. Multi Media and Music Centre File 34887

RECOMMENDED that the Report of the General Manager regarding the Multi Media and Music Centre be received for information.

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4. Shoalhaven City Arts Centre - Variation of Hours File 35610

RECOMMENDED that

- a) Council consider engaging casual staff to work four hours on Saturdays to operate the Shoalhaven City Arts Centre;
- b) Shoalhaven City Arts Centre be generally closed on Sundays;
- c) The Shoalhaven Arts Board review the situation in six months.

5. David Hockney Exhibition - Arts Centre File 28729-08

RECOMMENDED that the Report of the General Manager regarding the David Hockney Exhibition - Arts Centre be received for information.

6. Arts Centre Report File 28729-08

RECOMMENDED that the Report of the General Manager regarding the Arts Centre Report be received for information.

7. Additional Item - Pecuniary Interest Forms File 4063, 2123-14

RECOMMENDED that the General Manager (Finance and Corporate Services) submit a report to a future Shoalhaven Arts Board meeting on the ability for the Board to have delegated authority to action decisions.

8. Additional Item - Next Meeting of the Shoalhaven Arts Board File 2123-14

RECOMMENDED that the next meeting of the Shoalhaven Arts Board be held in on 30th May 2007.

YOUTH ADVISORY COMMITTEE – THURSDAY 12TH APRIL 2007

9. Youth Advisory Committee Financials File 1506-04

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

10. United Nations Youth Association's Model United Nations Security Council Competition Request To Be Held in Council Chambers File 10210-02

RECOMMENDED that Council allocate an amount of \$972.00 from the Youth Advisory Committee budget to the United Nations Youth Association to host the Regional Round 2007 Model Security Competition in the Shoalhaven City Council Chambers, Nowra on Saturday 9th June 2007 from 7 am to 5.30 pm.

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11. Youth Week 2007 Update & Request File 2503-05

RECOMMENDED that Council allocate an amount of \$180 from the Youth Advisory Committee budget to meet the shortfall of grant funding for two (2) buses to transport young people within the Shoalhaven during Youth Week 2007 activities.

12. FYRE Youth Entertainment Plans for 2007 Financial Support Request File 3587

RECOMMENDED that

- a) Council donate an amount of \$500 from the Youth Advisory Committee budget to Fresh Youth Regional Entertainment (FYRE) towards the Kangaroo valley FYRE Youth Festival on 10th June 2007.
- b) The General Manager (City Services and Operations) advise FYRE to re-submit an application for financial assistance with Youth events scheduled in the 2007/2008 financial year from the Youth Advisory Committee or Council's Support for Community Groups allocation.

13. Youth Week 2007 Culmination Event, Voyager Park, Huskisson, Youth Advisory Committee Expression Session Tent File 2503-05

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Youth Week 2007 Culmination Event, Youth Advisory Committee expression session tent be received for information.

14. Headspace Program - Participation Request File 3587

RECOMMENDED that Council nominate the Youth Advisory Committee as a member of "Headspace" consortium to assist with securing funding for addressing mental health and substance use issues for young people in the Shoalhaven.

15. Linking Lifetimes Mentoring Programme - Steering Committee Formation File 10210-02

RECOMMENDED that

- a) Council nominate Merryn Corbyn, representing the Youth Advisory Committee as a member of Mission Australia's Linking Lifetimes Mentoring Program Steering Committee to participate with connecting young people in out-of-home care with mentors as a form of support.
- b) The General Manager (City Services and Operations) advise Linking Lifetimes Mentoring Program Coordinator, Liz Foster of the opportunity to advertise free of charge on the YWCA and IACC Mentoring website.

16. Bay & Basin Youth Fest Identified Needs File 1506-04

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Bay and Basin Youth Fest identified needs be referred to the Youth Advisory Committee planning day.

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17. Inactive Members - Youth Advisory Committee File 1506-04

RECOMMENDED that the General Manager (Finance and Corporate Services) forward a letter to Kate Quilter and Marlon Mareira advising that they are no longer serving members on the Youth Advisory Committee and thanking them for their contribution to the Committee.

18. Membership - Youth Advisory Committee File 1506-04

RECOMMENDED that Council defer the appointment of Miss Grace Woods as a member of the Youth Advisory Committee and extend a further invitation to Miss Woods to attend the next Youth Advisory Committee.

SHOALHAVEN SPORTS BOARD – WEDNESDAY 18TH APRIL 2007

19. Good Sporting Behaviour - On & Off the Field File 2990-06

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Good Sporting Behaviour, on and off the field be received for information.

20. Voluntary user Contributions Fund File 24899

RECOMMENDED that:

- a) Council revotes uncommitted funds from the Voluntary Contributions Fund where a good reason exists, up to an amount of \$35,000 per project (in accordance with Council's policy.
- b) A report be presented to the Sports Board at the conclusion of the financial year with recommendations for allocating uncommitted funds.
- c) Funds accumulated for Hockey for a synthetic field and Netball be transferred from Voluntary User Contributions Fund to a construction job number or suspense account.
- d) Council staff liaise with Hockey and Netball Associations regarding their accumulation of Voluntary User Contributions Funds.

21. Acceptance of Grants - NSW Sport and Recreation - Capital Assistance Program File 34229

RECOMMENDED that the report of the General Manager(City Services and Operations) regarding acceptance of grants – NSW Sport and Recreation and Capital Assistance Program be received for information.

22. Sportsground Irrigation - Alternative Water Sources File 4538-04

RECOMMENDED that

- a) The Shoalhaven Sports Board & Council support the active pursuit of alternatives for the irrigation of Council sports grounds.
- b) Council (Shoalhaven Water) investigate the provision of reclaimed water to Lighthouse Oval at Ulladulla.

-
- c) Council investigate options for provision of non-potable water to the Bomaderry sports ground precinct (Bomaderry Sporting Complex / Artie Smith Oval).
 - d) Council support a Federal Funding application for the stormwater harvesting proposal for the South Nowra Soccer Fields.

23. Your City Your Sport Newsletter File 26275

RECOMMENDED that

- a) Council terminate the production of the quarterly Your City Your Sport Newsletter and replace it with an Internet Sporting Bulletin of news and information on Council's website.
- b) The General Manager (Strategic Planning) advise all sporting groups and Associations of the change to disseminating sporting information
- c) The General Manager (Strategic Planning) review the success of the Internet Sporting Bulletin within 12 months.

24. Development of Storage Facility for Sailing Boats - Culburra Beach File 3048

RECOMMENDED that Council provide in principle support for Sailability NSW Callala for the establishment of a Sailing Storage Facility at Culburra Beach, off the West Crescent boat ramp.

25. NSW Regional Sports Facilities Program File 22308

RECOMMENDED that the report of the General Manager (Strategic Planning) on the NSW Regional Sports Facilities Program be received for information.

26. Nowra Skate Park File 24903

RECOMMENDED that the report on the progress of the design and development of the Nowra Skate Park be received for information.

27. Skate Park and BMX Circuit for Currarong File 35454, 32431

RECOMMENDED that

- a) Council support the request by the Currarong Progress Association to develop a skate park facility at Elliot Reserve
- b) Initial design of the skate facility be developed by the Association to obtain Development Approval.
- c) The Association be supported in its endeavours to seek grant funding subject to Development Consent being issued.

28. Future Nowra Croquet Facility File 7353

RECOMMENDED that

- a) Council endorse the reuse of the dilapidated tennis courts at Bomaderry for the purpose of developing croquet courts for the Nowra Croquet Club Inc.

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- b) The Nowra Croquet Club finalise the details for the Development Application of the new Croquet facilities at the Bomaderry Tennis Court complex.
 - c) The Department of Sport and Recreation be advised that the grant for the development of the Croquet lawns at the Nowra Showground is requested to be transferred to be utilised at the Bomaderry Sporting complex site and not the Nowra Showground as initially indicated.

29. Request for BMX facility at Tomerong File 35897

RECOMMENDED that

- a) Council support the development of a BMX facility in Tomerong.
- b) Council work with the Tomerong Community Forum and local school in the redevelopment of the existing playground in Church St.

30. Capital Improvement Projects File 4538-04

RECOMMENDED that the report of the General Manager (City Services and Operations / Strategic Planning) regarding Capital Improvement Projects be received for information.

NOWRA SKATE PARK ADVISORY COMMITTEE – THURSDAY 19TH APRIL 2007

31. Nowra Skate Park Design - Concept Plans File 24903

RECOMMENDED that

- a) The initial draft concept designs and principles for the Nowra Skate Park as presented by Convic Designs be endorsed.
- b) More detailed designs of the Nowra Skate Park be submitted to the next meeting of the Nowra Skate Park Advisory Group.
- c) Safety with the highway underpass be included as part of the Nowra Skate Park design.

ASSISTANT GENERAL MANAGER

32. State Emergency Service - Southern Shoalhaven Unit - Unit Controller File 2429

RECOMMENDED that

- a) Council write to Mr Bill McInnes and thank him for his dedication and work as Unit Controller of the Southern Shoalhaven Unit of the State Emergency Services.
- b) Council extend recognition to Mr Bill McInnes for his dedication and work at the annual Emergency Services dinner.

CITY SERVICES AND OPERATIONS

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33. Raising Expectations? A Review of NSW Local Government Social and Community Plans
File 3991-12
-

RECOMMENDED that Council:

- a) Receive the report of the General Manager (Director City Services & Operations) on Raising Expectations? A Review of NSW Local Government Social and Community Plans, for information; and
- b) Continue to support Social and Community planning processes within Council.

34. Asia Pacific Cities Summit 2007
File 35019
-

RECOMMENDED that Council support the attendance of the Mayor or his nominee at the Asia Pacific Cities Summit to be held in Brisbane between 31 August to 3 September, 2007, and that attendance be deemed business of Council.

STRATEGIC PLANNING

35. Required Amendment to Clause 28 of Shoalhaven Local Environmental Plan 1985 – “Danger of Bushfire” (utilising Clause 73A of the Environmental Planning & Assessment Act, 1979)
File 28873
-

RECOMMENDED that Council resolve to amend Clause 28 “Danger of Bushfire” of Shoalhaven Local Environmental Plan 1985 via section 73A of the Environmental Planning and Assessment Act 1979 in accordance with the provisions of the Department of Planning, Planning Circular PS 06-014.

36. Quarterly Report – Strategic Planning Group, Environmental Planning & Assessment Act (EPAA) Work Program
File 28283
-

RECOMMENDED that the quarterly report of the General Manager (Strategic Planning) in relation to the Strategic Planning Group Work Program be received for information and the work program adopted.

FINANCE AND CORPORATE SERVICES

37. Management Plan 2006-2009 3rd Quarter Operating Report
File 33481
-

RECOMMENDED that the report of the General Manager regarding the 3rd Quarterly Operating Report (1st January 2007 to 31st March 2007) of the Management Plan 2006-2009 be received for information.

38. Quarterly Budget Review as at 31st March 2007
File 2127
-

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

39. Draft Compliance Policy
File 34946
-

RECOMMENDED that

-
- a) Council adopt the draft Compliance Policy.
 - b) Council place the draft Compliance Policy on public exhibition for comment in accordance with Council's Community Consultation Strategy.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

40. Unauthorised Building Works in Jerberra Estate Tomerong - Update Audit File 28040

RECOMMENDED that Council seek Court Orders for demolition of the unauthorised structures.

41. Quarterly Progress Report File 1442

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

Note: Clr Green was absent during the voting on this item, the time being 4.36 pm.

There being no further business, the meeting concluded, the time being 4.37 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 1ST MAY, 2007 COMMENCING AT 5.42 PM

The following members were present;

Clr J Anderson - Chairman
Clr J Finkernagel
Clr R Bates
Clr P Green
Clr G Kearney

REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

1. Turpentine Road Upgrade - Tenders File 35795

RECOMMENDED that the report of the General Manager, (Director City Services and Operations) regarding Turpentine Road Upgrade – Tenders be received for information.

STRATEGIC PLANNING

2. Leo Drive, Narawallee - Drainage File 26414

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding Leo Drive, Narawallee drainage be received for information.

3. Classification of Land at Milton as Operational File 33340

RECOMMENDED that Council classify Lot 1 DP1105993 as “operational land” pursuant to Sections 31(2) and 34 of the Local Government Act 1993.

4. Asset Management Plan - Public Amenities File 30985

RECOMMENDED that Council adopt the draft revised Public Amenity Strategy as shown on the attachment and for 2007/10 as follows:-

2007/08	Tilbury Cove (New) - \$65,000
2007/08 and 2008/09	Kangaroo Valley (replacement) at rear of hall - \$160,000 Note: expected to award tender May 2008
	2007/08 - \$100,000; 2008/09 - \$60,000
2008/09	Swan Lake boat ramp (new) - \$55,000
	Boree Street Car Park Ulladulla (replaced/refurbish) - \$180,000
2009/10	Howell Faulks Reserve Cambewarra (new) - \$55,000
	Moona Moona Creek Reserve Huskisson (replacement) - \$180,000

-
5. Proposed Works within St Georges Basin Country Club Land File 12437

RECOMMENDED that

- a) The report of the General Manager, (Director, Strategic Planning Group) on proposed drainage works within St Georges Basin Country Club land be received for information.
- b) Council endorse the proposal to undertake drainage works within the St Georges Basin Country Club to mitigate against flooding to private property in Waratah Cres, St Georges Basin.

6. Roads & Traffic Authority 2006/07 Blackspot Program - Grant Funding Offer - Guardrail Project Bolong Rd File 5279-02, 3898

RECOMMENDED that

- a) Council accept the additional grant funding from the RTA of \$5,500 and vote and authorise expenditure (T1-85759) for the repair and extension of guardrail on Bolong Rd south of Gerroa Rd intersection.
- b) Additional matching funds of \$5,500 be provided from the Regional Roads Block Grant.

7. Condition and Future Upgrade of Broughton Vale Road, Broughton Vale File 9042

RECOMMENDED that the report of the General Manager, (Director, Strategic Planning Group) on condition of Broughton Vale Road be received for information.

8. Sussex Inlet - Car Parking File 16282, 35531

Clr Finkernagel declared a non-pecuniary interest in this item being a relative of property owners in the Sussex Inlet CBD.

RECOMMENDED that

- a) Council endorse the submission of a development application for the construction of a public car park to Lots 121 & 122 DP 21038 in accordance with the concept plan attached to this report.
- b) Council include the project in the draft 2007/08 Capital Works Program in an amount of \$250,000, funded from the Section 94 Reserve.
- c) Council investigate an appropriate method of indexing Section 94 charges as part of the Management Plan Fees and Charges Review to accommodate changes in the Consumer Price Index (CPI) or other relevant factors.

FINANCE AND CORPORATE SERVICES

9. White Sands Easter Carnival - Financial Assistance Request File 4771-06

RECOMMENDED that Council vote an amount of \$2,150 from the Unallocated Donations Vote to the Jervis Bay Lions Club to assist in staging the 2007 White Sands Carnival.

STRATEGIC PLANNING / CITY SERVICES AND OPERATIONS

10. Road Designs, Erowal Bay - Urban Road Sealing Program

File 30281, 35373

RECOMMENDED that

- a) Council determine the projects for inclusion in the draft 2007/10 Management Plan under the Urban Road Sealing Program as:-

2007/08

- i) First Ave, Erowal Bay - \$130,000
- ii) Gurumbi Ln, Erowal Bay - \$70,000

2008/09

- i) Killarney Rd, Erowal Bay - \$45,000
- ii) Kallaroo Rd, Erowal Bay - \$180,000
- iii) Edendale Rd, Woollamia - \$180,000

2009/10

- i) Waterpark Rd (north), St Georges Basin - \$35,000
- ii) Fisherman Rd, St Georges Basin - \$80,000
- iii) Brooks Ln, Kangaroo Valley - \$50,000
- iv) Jervis St, Tomerong - \$90,000
- v) The Marina (off Orient Point Rd), Culburra Beach - \$135,000

There being no further business, the meeting concluded, the time being 6.22 pm.

Clr Anderson
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 1ST MAY, 2007 COMMENCING AT 5.45 PM.

The following members were present;

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

REPORT OF THE GENERAL MANAGER

DEVELOPMENT AND ENVIRONMENTAL SERVICES

1. Stationary Food Vans on Existing (Operating) Service Station Sites Policy File 33417

RECOMMENDED that Council adopt the Policy on Stationary Food Vans on Existing (Operating) Service Station Sites for a trial period of 12 months on the basis that service stations that operate within the urban core CBDs be excluded from the policy.

ADDENDUM REPORT OF THE GENERAL MANAGER

DEVELOPMENT AND ENVIRONMENTAL SERVICES

2. Application for Modification of Consent, DS06/1105, Lot 61 DP 569244, corner of Illet Street and Princes Highway, Mollymook. Applicant: Peter Smith. File SF9233

RECOMMENDED that the application (DS06/1105) for Lot 61 DP 569244, corner of Illet Street and Princes Highway, Mollymook be determined in accordance with the following:

- a) That the Planning Policy No. 1 be varied to support:
- i) The provision of a noise attenuation barrier on the boundary.
 - ii) Mature street trees be planted within the road reserve.
 - iii) Further consultation be undertaken with the owner, Council's Arts Manager, Development and Environmental Services staff to determine appropriate articulation in colours and appropriate landscaping.

There being no further business, the meeting concluded, the time being 7.00pm.

Clr Young
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 3RD MAY, 2007 COMMENCING AT 3.50 PM

The following members were present;

Clr Anderson - Chairperson
Clr Watson
Clr Finkernagel
Clr Bates
Clr Willmott
Clr Ward – arrived 3.58 pm
Clr Rudd – arrived 4.00 pm

REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

1. Ulladulla Leisure Centre - Ultra Violet Secondary Disinfection Trial Offer File 26762-07

RECOMMENDED that:

- a) The General Manager (City Services & Operations) arrange for the trial, at no cost to Council, of the Ultra Violet (UV) Secondary Disinfection Chamber at Ulladulla Leisure Centre commencing in May 2007 and concluding in the 2007/2008 financial year.
- b) A further report be submitted to the Crown Reserve, Community and Commercial Operations Committee at the conclusion of the trial.

2. Beach Patrol Report - 2006 /2007 File 17639-06

RECOMMENDED that the report of the General Manager (City Services & Operations) concerning the Beach Patrol Report for December 2006/January 2007 by Surf Lifesaving Services Pty Limited be received for information.

ADDENDUM REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

3. Fishing Community Assistance Program File 35330

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Fishing Community Assistance Program be received for information.

STRATEGIC PLANNING

4. Section 94 Passive Recreation File 28707-03

RECOMMENDED that Council transfer additional funds received for the 040REC0001 to Job Number: 82495 to be used for works on Ellmoos Reserve Sussex Inlet as per the adopted plans.

FINANCE AND CORPORATE SERVICES

5. Tenders for the Management and Operation of Various Holiday Haven Tourist Parks File 35806, 35807 & 35808

RECOMMENDED that:

- a) Council accept the tenders of The Annexe Factory Pty Ltd for the Management and Operation of Huskisson Beach Tourist Resort and Least Pty Ltd for the Management and Operation of Huskisson White Sands Tourist Park and Kewale Pty Ltd for the Management and Operation of Ulladulla Headland Tourist Park respectively for the tendered percentage of Gross Profit.
- b) Council enter into Contracts for the Management and Operation of its Tourist Parks at Huskisson Beach Tourist Resort, Huskisson White Sands Tourist Park and Ulladulla Headland Tourist Park respectively with The Annexe Factory Pty Ltd, Least Pty Ltd and Kewale Pty Ltd respectively, and
- c) Council sign deeds to give effect to the above under ordinary seal.

CITY SERVICES AND OPERATIONS / STRATEGIC PLANNING

6. Kangaroo Valley Village Pool - Lease of Land - Further Negotiations File 3070-02, 24297-05

RECOMMENDED that:

- a) The current licence agreement between Shoalhaven City Council and the Lions Club of Kangaroo Valley Inc to operate Kangaroo Valley Village Pool, situated partially on Lot 3, DP589396 (Crown Reserve No D580016) and partially on Lot 127, DP751264, Moss Vale Road, Kangaroo Valley (Osborne Park - Kangaroo Valley Showground – Crown Reserve No P580015), be extended for a period of two (2) years, to the end of the 2009/2010 swimming season, in order to enable this agreement to coincide with the term of any agreement made between Council, the Lions Club of Kangaroo Valley Inc and NSW Police;
- b) Council become a co-signatory on the licence agreement with the Lions Club of Kangaroo Valley Inc. and the NSW Police Department for Police land adjacent to the Kangaroo Valley Pool compound;
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed and that, otherwise, the General Manager be authorised to sign any documentation necessary to give effect to the licence agreement between Shoalhaven City Council and the Lions Club of Kangaroo Valley Inc.;
- d) The proposed lease extension for the Kangaroo Valley Pool be referred to the Minister for Lands, the Hon Tony Kelly MLC, for endorsement.

7. Fencing of Frances Ryan Reserve Sanctuary Point File 1741

RECOMMENDED that Council;

- a) Enclose both sporting fields at the Francis Ryan Reserve, Sanctuary Point, with 1.8m black chain wire mesh fence with a minimum of five (5) double gates for a limited period of four

-
- (4) years, unless construction of alternative sporting fields in the area is completed within that time;
- b) Make provision for future construction of a footpath at the Francis Ryan Reserve, Sanctuary Point where practicable.

There being no further business, the meeting concluded, the time being 4.55 pm.

Clr Anderson
CHAIRPERSON

SHOALHAVEN TRAFFIC COMMITTEE – 15th MAY 2007

ORDINARY MEETING

TUESDAY, 29th MAY, 2007

REPORT OF THE CONVENOR

ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY

1. Request for Angle Parking & Bus Zone, Eastern End of Scenic Drive, Nowra (PN 1616)
File 2636-02

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to arrange for the installation of regulatory signage and appropriate delineation to give effect to the parallel and 45 degree angle parking (nose to kerb) parking restrictions in Scenic Drive, Nowra as show on plan #1616-01 noting its deficiency with respect of aisle offset as required by AUSTROADS Part 11, however taking into consideration the low traffic volume and speed environment.

2. One Way - Parkes Crescent, Callala Beach (PN 2053) File 1685

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to install all traffic facilities (lines and signs) at Parkes Crescent, Callala Beach as identified on plan #4670-01 to provide better delineation and regulate traffic flow in the area.

3. Edge Linemarking - Mitchell Parade, Mollymook (PN 2203) File 1704

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to arrange for the installation of edge linemarking to provide 3.2m travel lanes on that section of Mitchell Parade between Blackwater Creek and the northern junction of Donlan Parade, Mollymook.

4. Stop Signs - Intersections of Currarong Road with Nowra Road & Walton Way (PN 2204)
File 11723

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning Group) be requested to:-
- i) Arrange for the installation of a Stop sign and associated Hold linemarking (TF/TB) on Nowra Road at its junction with Currarong Road, Currarong due to deficient sight distance for south bound motorists on Nowra Road.
 - ii) Investigate the current centre linemarking on that section of Currarong Road between Nowra Road and Fishery Road (including the junction of **Walton**

Way) and undertake any amendments to ensure that it complies with current standards and guidelines.

- b) No action be taken with respect of the request for a Stop sign to be installed in Walton Way at its junction with Currarong Road as an on-site inspection of the junction revealed that there is sufficient sight distance at the junction.
- c) The Currarong Progress Association Inc. be advised accordingly.

5. Amendment to Parking Restrictions - John Purcell Way, Nowra (PN 2205) File 2641

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning Group) be requested to amend the current No Stopping zone located on the eastern side of John Purcell Way, Nowra 10m south of the southern driveway access to the netball complex to incorporate standard school times (ie 8.00am-9.30am and 2.30pm-4.00pm School Days).
- b) The Shoalhaven Netball Association Inc. be advised accordingly.

6. Cambewarra Classic Endurance Ride (PN 623) File 1644-05

RECOMMENDED that the Secretary, Cambewarra Classic Endurance Ride be advised that there is no objection to the proposed annual Cambewarra Classic Endurance Horse Ride on Sunday 24th June 2007 commencing at 6.00 am on the course as submitted subject to the following conditions:

- a) Police Department consent and conditions. This consent to be obtained directly from the Police Department by the applicant a minimum of six (6) weeks prior to the event.
- b) Consent and conditions of National Parks & State Forests. The applicant to contact National Parks & State Forests directly in this regard.
- c) All residents/shopkeepers who may be affected by the activity being personally notified by the organisers. The organisers shall address any concern expressed with respect of the proposed closure/traffic disruption in the first instance.
- d) All bus operators, taxi companies and emergency service providers (including ambulance and fire fighting services) that may be affected by the activity being personally notified by the organisers.
- e) Submission of a Traffic Control Management Plan and a Pedestrian Management Control Plan to Council for approval. Such plans to be submitted a minimum of three (3) weeks prior to the date of the event. All traffic/pedestrian control measures contained in the plan(s) are to be in accordance with Australian Standard AS1742.3.
- f) All traffic control including the placement and removal of barricades and/or regulation of traffic is to be carried out by either Police or Traffic Controllers appropriately trained in accordance with the requirements of AS1742.3 and accredited by the RTA.
- g) Access for residences and businesses contained within the affected area (including reasonable vehicular access), is to be maintained at all times during the event.
- h) Advertisement of the temporary road closure and/or traffic disruption together with associated traffic management proposals is to appear in the local area printed media **a**

minimum of ten (10) days prior to the date of the event. NOTE – All media advertisements of road closures, traffic disruptions and events, are the responsibility of the applicant.

- i) A Public Liability Insurance Policy to the amount of \$10 million shall be endorsed to indemnify Shoalhaven City Council, the Roads & Traffic Authority and the NSW Police Service against any claim arising out of the activity, a copy of which is to be directed to Council's Insurance Office a minimum of three (3) weeks prior to the event.
- j) The applicant is to forward a letter to Council accepting the above conditions.
- k) Compliance with the above conditions should not be misconstrued as providing development consent under the Environmental Planning and Assessment Act 1979. The organisers should contact Council's Development Services Division to ascertain if such consent is required and, if so, to make arrangements for the formal lodgement of such application..
- l) If the proposed event is to be held on public land, a permit will be sought from Shoalhaven City Council.

7. Annual Bay Stages Rally (PN 982)

File 4625-02

RECOMMENDED that the North Shore Sporting Car Club be advised that there is no objection to the proposed EcoPoint Murramarang Bay Stages Car Rally on 20th and 21st July, 2007 subject to the following conditions:-

- a) Police Department consent and conditions. This consent to be obtained directly from the Police Department by the applicant a minimum of six (6) weeks prior to the event. For events involving racing of vehicles (including bicycles) a Permit under Part 3, Division 1 Section 40 of the Road Transport (Safety and Traffic Management) Act 1999 No. 20 is also required.
- b) Consent and conditions of National Parks & State Forests. The applicant to contact National Parks & State Forests directly in this regard.
- c) All residents/shopkeepers who may be affected by the activity being personally notified by the organisers. The organisers shall address any concern expressed with respect of the proposed closure/traffic disruption in the first instance.
- d) All bus operators, taxi companies and emergency service providers (including ambulance and fire fighting services) that may be affected by the activity being personally notified by the organisers.
- e) Submission of a Traffic Control Management Plan and a Pedestrian Management Control Plan to Council for approval. Such plans to be submitted a minimum of three (3) weeks prior to the date of the event. All traffic/pedestrian control measures contained in the plan(s) are to be in accordance with Australian Standard AS1742.3.
- f) All traffic control including the placement and removal of barricades and/or regulation of traffic is to be carried out by either Police or Traffic Controllers appropriately trained in accordance with the requirements of AS1742.3 and accredited by the RTA.
- g) Access for residences and businesses contained within the affected area (including reasonable vehicular access), is to be maintained at all times during the event.
- h) Advertisement of the temporary road closure and/or traffic disruption together with associated traffic management proposals is to appear in the local area printed media a

minimum of ten (10) days prior to the date of the event. NOTE – All media advertisements of road closures, traffic disruptions and events, are the responsibility of the applicant.

- i) A Public Liability Insurance Policy to the amount of \$10 million shall be endorsed to indemnify Shoalhaven City Council, the Roads & Traffic Authority and the NSW Police Service against any claim arising out of the activity, a copy of which is to be directed to Council's Insurance Office a minimum of three (3) weeks prior to the event.
- j) The applicant is to forward a letter to Council accepting the above conditions.
- k) Compliance with the above conditions should not be misconstrued as providing development consent under the Environmental Planning and Assessment Act 1979. The organisers should contact Council's Development Services Division to ascertain if such consent is required and, if so, to make arrangements for the formal lodgement of such application..
- l) If the proposed event is to be held on public land, a permit will be sought from Shoalhaven City Council.

8. Burrier Endurance Ride (PN 1864)

File 1644-05

RECOMMENDED that the Secretary, Burrier Endurance Ride, be advised that there is no objection to the proposed Burrier Endurance Ride to be held on Sunday 29th July 2007 between the hours of 5.00 am and 6.00 pm on the route as advised, subject to the following conditions:

- a) Police Department consent and conditions. This consent to be obtained directly from the Police Department by the applicant a minimum of six (6) weeks prior to the event.
- b) Consent and conditions of National Parks & State Forests. The applicant to contact National Parks & State Forests directly in this regard.
- c) All residents/shopkeepers who may be affected by the activity being personally notified by the organisers. The organisers shall address any concern expressed with respect of the proposed closure/traffic disruption in the first instance.
- d) All bus operators, taxi companies and emergency service providers (including ambulance and fire fighting services) that may be affected by the activity being personally notified by the organisers.
- e) Submission of a Traffic Control Management Plan and a Pedestrian Management Control Plan to Council for approval. Such plans to be submitted a minimum of three (3) weeks prior to the date of the event. All traffic/pedestrian control measures contained in the plan(s) are to be in accordance with Australian Standard AS1742.3.
- f) All traffic control including the placement and removal of barricades and/or regulation of traffic is to be carried out by either Police or Traffic Controllers appropriately trained in accordance with the requirements of AS1742.3 and accredited by the RTA.
- g) Access for residences and businesses contained within the affected area (including reasonable vehicular access), is to be maintained at all times during the event.
- h) Advertisement of the temporary road closure and/or traffic disruption together with associated traffic management proposals is to appear in the local area printed media a minimum of ten (10) days prior to the date of the event. NOTE – All media advertisements of road closures, traffic disruptions and events, are the responsibility of the applicant.

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- i) A Public Liability Insurance Policy to the amount of \$10 million shall be endorsed to indemnify Shoalhaven City Council, the Roads & Traffic Authority and the NSW Police Service against any claim arising out of the activity, a copy of which is to be directed to Council's Insurance Office a minimum of three (3) weeks prior to the event.
 - j) The applicant is to forward a letter to Council accepting the above conditions.
 - k) Compliance with the above conditions should not be misconstrued as providing development consent under the Environmental Planning and Assessment Act 1979. The organisers should contact Council's Development Services Division to ascertain if such consent is required and, if so, to make arrangements for the formal lodgement of such application..
 - l) If the proposed event is to be held on public land, a permit will be sought from Shoalhaven City Council.

R Sutherland
CONVENOR/CHAIRPERSON

SHOALHAVEN TRAFFIC COMMITTEE – 15TH MAY, 2007

INFORMATION REPORT

ORDINARY MEETING

TUESDAY, 29TH MAY, 2007

REPORT OF THE CONVENOR

ITEMS NOT REQUIRING APPROVAL UNDER DELEGATED AUTHORITY

1. Disabled Parking Space - St Vincent Street, Ulladulla (PN 1284) File 10456

RESOLVED by consent that

- a) The General Manager (Director, Strategic Planning Group) be requested to investigate options with Department of Education and Training regarding the provision of off-street disabled car parking spaces for the Ulladulla Dental Clinic.
- b) The General Manager (Director, Strategic Planning Group) investigate options for timed disabled parking

2. Road Safety Issue, Intersection of Bunberra Street and Meroo Street, Bomaderry (PN 2096) File 1667

RESOLVED by consent that the General Manager (Director, Strategic Planning Group) take no action in regards to sight distances at the intersection of Bunberra Street and Meroo Road, Bomaderry as minimum stopping sight distances are being met in accordance with AUSTRROADS Part 4 – Intersections at Grade.

3. Sealing of Main Road 92 (PN 2065) File 1466-13

RESOLVED by consent that

- a) The report concerning the advice from the Roads & Traffic Authority regarding proposed temporary road closures of Braidwood Road (MR92) in the Bulee Gap area to allow essential rock anchoring works at the “Beehive” section in advance of construction contracts for Braidwood Road (MR92) be received for information.
- b) The Roads and Traffic Authority be requested to consider
 - a) Additional signage regarding the temporary closure of Braidwood Road at:
 - i) Tarago
 - ii) Turpentine Road, Tomerong
 - b) Notifying National Parks and Wildlife Service and residents of Sassafras of the Road closure.

-
4. Additional item – Pedestrian Safety – Princes Highway, Berry (PN 1222) File 4792
-

RESOLVED by consent that the General Manager (Director, Strategic Planning Group) investigate the options for the installation of a visible barrier between the Princes Highway, Berry and the pedestrian footpath across Broughton Creek Bridge.

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

RESOLVED by consent that the Roads and Traffic Authority be requested to formally advise Shoalhaven City Council on the proposed tree removal, on the eastern side of Moss Vale Road, Kangaroo Valley approximately 300 metres north of Walkers Lane.

6. Additional item – Road Safety – Forest Road and Princes Highway Intersection (PN 2034) File 9519
-

At the Shoalhaven Traffic Committee Alan Trass expressed concerns over the safety of the Forest Road and Princes Highway intersection South Nowra particularly with regards to:

- Insufficient lighting of the intersection
- The need for a turning lane from the highway
- Speed zoning on Forest Road.

The meeting were advised that the speed zone on Forest Road outside of the residential houses is being reduced to 60 km/h.

Council and Roads & Traffic Authority (RTA) advised that an upgrade of the Forest Road and Princes Highway intersection is currently being considered and the RTA advised that the issue is being considered as a matter of urgency.

7. Additional item – Presentation – Route Assessment Procedures for Restricted Access Vehicles (PN 2208) File 5525
-

RESOLVED by consent that the verbal presentation by Roads and Traffic Authority on the route assessment procedures for Restricted Access Vehicles be received for information.

R Sutherland
CONVENOR/CHAIRPERSON

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29TH MAY 2007

GENERAL MANAGER

**REPORT OF THE INDUSTRIAL DEVELOPMENT & EMPLOYMENT COMMITTEE –
MONDAY 23RD APRIL 2007**

1. Main Road 92 File 1466-13

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding Main Road 92 be received for information.

2. Economic Promotion File 33592, 35513

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

3. Blueprint Shoalhaven File 35878

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

4. Employment / Unemployment in Shoalhaven File 2454-03

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the Employment / Unemployment in Shoalhaven be received for information.

5. Monitoring of Development Applications File 31474

RECOMMENDED that

- a) The report of the General Manager (Finance and Corporate Services) regarding the monitoring of development applications be received for information.
- b) Council set up a Review Group as a sub committee of Industrial Development & Employment Committee (IDEC) to review how Council can better facilitate economic development in the Shoalhaven.
- c) The General Manager (Finance and Corporate Services) submit a further report to IDEC outlining the proposed structure and purpose of the Review Group

6. Executive Marina Review Committee File 1451-02

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the Executive Marina Review Committee be received for information.

REPORT OF THE SHOALHAVEN ACCESS ADVISORY COMMITTEE – THURSDAY 26TH APRIL 2007

7. Wheelchair Accessible Parking Spaces, Worrige Street Car park, Nowra File 10456

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding provision of new wheelchair accessible parking spaces in the Worrige Street car park, Nowra, be received for information.

8. Accessible Public Amenities along the Princes Highway File 8852

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding the number and location of accessible public amenities along the Princes Highway, within Shoalhaven, be received for information

9. Direction Signage for Accessible Public Amenities File 8852

RECOMMENDED that the report of the General Manager (Strategic Planning) regarding provision of additional signage for accessible public amenities at Nowra Showground and Mollymook Beach Reserve be received for information.

10. Mobility Maps File 3665-03

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Mobility Maps for Nowra and Ulladulla CBD be received for information.

11. Guidelines on Access to Buildings and Services File 25522

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Guidelines on Access to Buildings and Services be received for information.

12. Additional item – Accessible Carparking – Worrige Street, Nowra File 10456

RECOMMENDED that the General Manager (Strategic Planning) investigate the opportunity of providing additional accessible carparking spaces in the Worrige and/or Stewart Place carparks, Nowra for access to community health services.

13. Additional item – Accessible Toilets – Driver Reviver, Sussex Inlet File 18680

RECOMMENDED that the General Manager (Strategic Planning) write to the Roads and Traffic Authority requesting consideration be given to suppling temporary disable toilets at the Sussex Inlet Driver Reviver on the Princes Highway.

14. Additional item – Carpark - Nowra Mall File 27988

RECOMMENDED that the General Manager (Strategic Planning) write to Coles expressing the Shoalhaven Access Advisory Committees concerns regarding

- a) The lack of lighting on the internal pedestrian crossing
- b) The lack of visible signage on the disabled access parking spaces.

15. Additional Item - Moby Mat, Mollymook Beach

File 28441

RECOMMENDED that the General Manager (City Services and Operations) investigate

- a) The re-laying of the Moby Mat at Mollymook Beach; and
- b) Options for connecting the Moby Mat to the existing concrete path for easier access on and off the mat.

16. Additional item - Morrisons Arcade

File 3743

RECOMMENDED that the General Manager (City Services and Operations) investigate opportunities for installing a hand rail or seat in Morrisons Arcade to assist the frail and disabled.

REPORT OF THE COUNCIL PROPERTY STEERING COMMITTEE – WEDNESDAY 2ND MAY 2007

1. Nowra - Shoalhaven River Foreshore Concept Masterplan File 35919

RECOMMENDED that in regard to the Shoalhaven River Foreshore Concept Masterplan:

- a) The General Manager (Assistant General Manager) carry out preliminary investigations in the area bounded by Mandalay Avenue, Bridge Road, Hyam Street and the Shoalhaven Riverbank, Nowra;
- b) A report on the preliminary investigations be submitted to a future meeting of the Council Property Steering Committee.

2. Council Land at Erowal Bay Road, Erowal Bay File 35762

RECOMMENDED that Council reject the offer from Erowal Bay Pty Ltd to purchase Council owned land at the location of “Worowing Heights”.

Note: Clr Watson left the room during discussion on this matter, the time being 5.13 pm. Clr Anderson took the role of Chairperson.

3. Council Land - Shoalhaven Heads File 35747

RECOMMENDED that:

- a) The General Manager (Assistant General Manager) commence discussions with the Shoalhaven Heads Community Consultative Body and Chamber of Commerce to trial the proposal of possible disposal of Council land/property if not needed under the Open Space Plan requirements with proceeds to be put towards to be put towards projects of community benefit ;
- b) The General Manager (Assistant General Manager) submit a report to a future meeting of the Council Property Steering Committee on the discussions held with the Shoalhaven Community in regard to retention/disposal of Council land/property in the area.

4. Council Property - Part of Lot 20 Berry Street, Nowra File 35747

RECOMMENDED that:

- a) Council demolish the building, known as the “Ken Furness Centre” on Part of Lot 20 Berry Street, Nowra;
- b) The General Manager (Assistant General) report back to a future meeting of the Council Property Steering Committee on possible uses for the land.

5. Sale by Tender - Lot 2 DP 571682 - 59 Owen Street, Huskisson File 35563

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Sale by Tender - Lot 2 DP 571682 - 59 Owen Street, Huskisson be received for information.

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

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Proposed Retail and Supermarket Development - Weston Street, Culburra Beach be received for information.

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

RECOMMENDED that 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.

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

RECOMMENDED that the General Manager continue to negotiate with Huscorp Group Pty Ltd regarding the proposed hotel development at Bridge Road, Nowra.

9. Land Acquisition - Lots 2 & 4 DP1106524 Nowra File 32364

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Land Acquisition - Lots 2 & 4 DP1106524 Nowra be received for information.

10. Sale of Council Land - Comberton Grange Road, South Nowra File 18583

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Sale of Council Land - Comberton Grange Road, South Nowra be received for information.

11. Release of Covenant over Lot 12 DP584374 Junction Street, Nowra File 34809

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Release of Covenant over Lot 12 DP584374 Junction Street, Nowra be received for information.

**REPORT OF THE RURAL FIRE SERVICE STRATEGIC PLANNING COMMITTEE -
THURSDAY, 17TH MAY 2007**

1. Bawley Point Rural Fire Station File 10466

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Bawley Point Rural Fire Station be received for information.

2. Bendalong Rural Fire Station File 25365

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Bendalong Rural Fire Station be received for information.

3. Culburra Rural Fire Service Station File 8827

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Culburra Rural Fire Service Station be received for information.

4. Falls Creek Rural Fire Service Station File 6826

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Falls Creek Rural Fire Service Station be received for information.

5. Lake Tabourie Rural Fire Station File 5362

The Rural Fire Service Strategic Planning meeting was advised that the construction of the new fire station building for Lake Tabourie may not commence this financial year due to the request from RFS to increase the size of the building and the need to apply for a S96 approval.

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the Lake Tabourie Rural Fire Service Station be received for information.

6. Mundamia Rural Fire Service Station Site File 36004

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding the future Mundamia Rural Fire Service Station be received for information.

7. Cambewarra RFS Brigade – Application under Local Grants Scheme File 7159

RECOMMENDED that Council endorse and support the Local Grants Scheme application for the Satellite RFS building at the Cambewarra Scout Hall.

8. Rural Fire Service Strategic Plan File 2041

The Rural Fire Service Strategic Plan is a long term strategic plan commencing 2007 which includes capital expenditure, vehicle replacements, station maintenance and provision of breathing apparatus has been developed. It is included in the Section 94 Contributions Plan – Draft Amendment 78 – Fire Control and Emergency Services Major Review and was presented at a Councillor Briefing on 3 May 2007.

The Strategy considers the changing demographic of three areas: Nowra/Bomaderry, Bay and Basin and Bendalong/Cunjurong.

RECOMMENDED that the General Manager (Assistant General Manager) prepare a report to Council on the Rural Fire Service Strategic Plan which was presented at the Councillor Briefing held on 3 May 2007.

9. Presentation of Award to NSW Rural Fire Service Shoalhaven District Files 1227

RECOMMENDED that Council congratulate the NSW Rural Fire Service Shoalhaven District who received the Shoalhaven Area Consultative Committee's Award for Providing Excellence in Training.

10. Report of the Fire Control Officer File 1227

A copy of the report is attached to the minutes.

RECOMMENDED that the report of the Fire Control Officer be received for information.

R.D Pigg
GENERAL MANAGER

REPORT OF THE GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29 MAY, 2007

CITY SERVICES AND OPERATIONS

1. Turpentine Road Upgrade & Sealing - Tenders for Construction Works **File 35795**

Construction Tender

As advised to the Works and Finance committee meeting of 1 May 2007, Tenders for the upgrade and sealing of Turpentine Road (CH2.33 to 4.33 km) closed on 17 May 2007.

Five (5) tenders were received as shown below in apparent order of price:

Tenderer	Tender Sum
Hisway Pty Ltd	\$ 737,919.00
Ganderton Civil	\$ 767,029.00
Druce DP	\$ 870,884.26
SCC Construction Unit *	\$ 989,000.00
Tropic Asphalts	\$1,326,226.00
Pre-tender estimate	\$ 900,000.00

* - Internal Tender

Tenders have been assessed in accordance with criteria established in the Tender Documents as follows:

- Total Cost of the tender to Council;
- Experience and expertise in the nature of work;
- Resource capacity to undertake the work;
- The Tenderer's Management ability in terms of OH&S, Environmental, Quality, Subcontractors and Suppliers.

The three (3) lowest tenderers, Hisway Pty Ltd, Ganderton Civil and Druce DP are all well known to Council, have successfully completed many similar projects and all hold current contracts with Council. All satisfy the assessment criteria and are considered suitable for the works, with Hisway Pty Ltd being the lowest tenderer.

The internal tender by Asset Construction Unit, City Services and Operations Group includes a 15% allowance for Administrative Overheads as prescribed by Council's Fees and Charges item 11436. This item, which applies to private works undertaken by Council has been applied to allow competitive assessment in accordance with the National Competition Policy. The pretender

estimate of \$900,000 is primarily based on unit rates from recent similar contracts, including the Forest Road project. Therefore consideration of the Shoalhaven City Council Construction Unit raw construction price at \$860,000 is competitive, but remains 10 to 15% higher than the two (2) lowest tenders on this occasion.

The tender of Tropic Asphalts who are primarily Asphalt Contractors, is not competitively priced.

Funding

Funding for the project was originally allocated from the Roads to Recovery Round 2 program at \$1,244,262 in the 2006/07 Budget with \$1,000,000 transferred to the Grants Reserve in conjunction with the 1st Quarter Review. An amount of \$1,200,000 is currently identified for 2007/08 in the Draft Management Plan, with a further amount of \$600,000 identified in 2009/10.

With current expenditure (survey investigation and design) and anticipated construction costs, an amount of \$1,000,000 in total will be required to construct and seal the section from CH2.33km to CH4.33km. Pursuant to Council's resolution of 27 February 2007 to seal Turpentine Road in front of as many houses as possible an amount of up to \$444,000 could be available to extend the works proposed under the contract. Additionally opportunity exists to review final costs on current 2006/07 Road to Recovery projects (Forest Road, Lemon Tree Creek Bridge and Willinga Lake Bridge) and to determine an appropriate re-allocation of any savings from these projects.

The current tender provides only for construction of the section from 2.33km to 4.33 kms, however, in order to best meet Council's resolution an additional length of 300 meters either side of this length is desired. Additionally a further section of road between the Princes Highway and CH2.0 will remain unsealed and may be considered for upgrading should funding allow. Negotiation with the successful contractor under the terms and provisions of the contract will allow accurate costs to be determined to allow the works to be extended to fully expend all available funding.

RECOMMENDED that:

- a) **Council authorise the acceptance by the General Manager of the tender of Hisway Pty Ltd for the Upgrading and Sealing of Turpentine Road CH2.33km to CH4.33km, specification CH0307/01, File 35795;**
- b) **The Contract be executed under the Seal of Council.**
- c) **Council authorise the General Manager (Director City Services & Operations) to negotiate with the successful contractor for the extension of contract works to provide sealing in front of as many houses as possible.**
- d) **A further report be submitted to Council on the outcome of these negotiations and the anticipated amount of Roads to Recovery (2) funding available.**

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29 MAY 2007

STRATEGIC PLANNING

1. Recreation Fishing Trust Grant

File 29441

The Natural Resources and Floodplain Management Unit have been formally advised by Department of Primary Industries (Fisheries) that applications for \$125,000 in funding to construct fishing platforms and install education signage at five sites across the Shoalhaven has been successful.

Sites were selected to enhance recreational fishing amenity provision at recent Estuary and Floodplain Management Foreshore Stabilisation projects including:

- Scenic Drive, Nowra
- Terara Levee
- Greenwell Point
- Lake Conjola
- Lake Tabourie.

There is no additional matching funding requirement from Council, with the expenditure for the completed foreshore rehabilitation works being offered and accepted as Council's contribution.

Detailed design, agency approvals, signage design and community consultation are currently being initiated with installation before the Christmas holidays being targeted. As the funds will not be expended prior to the end of 06/07 financial year, the majority of the funds will require revolving into 07/08.

RECOMMENDED that

- a) **Council accept and vote the funding offer of \$125,000 (exclusive of GST) for fishing platform construction at:**
 - **Scenic Drive, Nowra**
 - **Terara Levee**
 - **Greenwell Point**
 - **Lake Conjola**
 - **Lake Tabourie**

- b) **Council thank the Minister for Primary Industries (Fisheries), The Hon. Ian Macdonald and the Department of Primary Industries (Fisheries) for the significant contribution to recreational fishing amenities in the Shoalhaven.**

2. Acquisition of Part Lot 4 DP628403, Mimosa Park Road, Milton

File 34271

Purpose of Report

- # To seek a resolution of Council to acquire that part of Lot 4 DP628403 described as Lot 1 DP 1107039 (a copy of which is attached) for purposes of remedying an encroachment of Mimosa Park Road onto Lot 4 DP628403.

Background

The owner of Lot 4 DP628403 brought to Council's attention the encroachment of Mimosa Park Road onto their property. In response Council surveyors made investigations and confirmed the existence of the encroachment.

Negotiations

Council's Valuers, Walsh & Monaghan assessed compensation in the amount of \$5,000 for the area of 2,318m² required to remedy the encroachment.

The owner rejected the assessment and sought an additional valuation. In accordance with that valuation the owner sought compensation in the sum of \$7,500.

Thereafter negotiations resulted in the owners acceptance of compensation in the sum of \$6,500 plus reasonable costs associated with the acquisition. Funds are to be allocated from Job No. 85001.99999.

RECOMMENDED that

- a) **Council resolve to acquire that part of Lot 4 DP628403 described as Lot 1 DP 1107039 for \$6,500 (plus GST if applicable).**
- b) **The compensation payable, valuation and reasonable legal costs payable in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 are to be funded from Job No. 85001.99999.**
- 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.**
- d) **Following acquisition the land to be dedicated as Road pursuant to Section 10 of the Roads Act 1993.**

3. Proposed Lease of Shop 41 - Kinghorne Street, Nowra

File 4720-02

Reason for Report

This report seeks Council approval to grant a lease of Shop 41, Kinghorne Street, Nowra.

The report is submitted to the Ordinary meeting because an offer to lease the shop was received in early May after the deadline for committee reports. Deferral of the report until the June meeting

would involve a delay of nearly two months in finalising the lease proposal and could result in the tenant taking alternative premises.

Background

In January 2007 Council resolved to lease Shop 41, Kinghorne Street, Nowra to Alimstreak Pty Ltd or Evenlair Pty Ltd which proposed to operate the Nowra Eyecare Centre from the premises. However prior to fitout of the building and execution of lease documents the prospective tenant advised it did not wish to proceed with the lease.

A number of other persons showed interest in taking a lease of the premises but none of these proceeded. The shop was then listed with a real estate agency which has now confirmed that it has obtained a prospective tenant who has agreed to take a lease on the terms required by Council. The shop will be leased at current market rental with annual CPI adjustments and with a review to current market rental at the end of the third year.

Since the report to Council in January an assessment of current market rental has been received from Walsh & Monaghan for one of the other Council shops in Kinghorne Street which confirms that market rentals in the CBD have taken a downward turn in recent months. Market rental for Council's Kinghorne Street shops has now dropped to \$350 / m² plus GST and the rental for Shop 41 has therefore been amended from \$19,250 plus GST as reported in January to \$18,200 per annum plus GST.

RECOMMENDED that

- a) **The Council of the City of Shoalhaven leases to Deborah Dunn, Shop 41 at Kinghorne Street, Nowra for a term of three years with an option for a further three years at a rental of \$18,200 per annum plus GST;**
 - b) **The rental is reviewed annually on the basis of movements in the Consumer Price Index with a review to current market rental at the end of the third year;**
 - c) **The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.**
4. **Acquisition of Easement for Drainage over Lot 5 DP 571465, Kingsley Avenue Ulladulla**

File 33953

Purpose of Report

- # To seek Council endorsement to the acquisition of an easement to drain water over Lot 5 DP 571465 (Lot 5) shown as "B" on the attached copy of DP 1094030.

Background

Lot 5 is burdened by an existing easement in favour of Council that pipes water from St. Vincent Street. The existing easement does not traverse the whole length of Lot 5 and currently water discharges onto Lot 5. The easement sought to be acquired will enable the pipe to continue from St Vincent Street to Kingsley Avenue

Acquisition and piping of the easement will also facilitate the orderly development of the adjoining Lot 15 DP 759018.

Negotiation

Lot 5 is vacant land owned by the Department of Housing. Walsh & Monaghan has determined compensation in the sum of \$1,000.

The Department of Housing has accepted compensation in the sum of \$1,000 provided the piping of the easement meets certain design, maintenance and other criteria. Council staff have investigated these criteria and found them acceptable.

RECOMMENDED that Council

- a) **Resolve to acquire an Easement to Drain Water 3 wide over that part of Lot 5 DP 571465 shown as "B" in DP 1094030 for the sum of \$1,000 plus GST if applicable.**
 - b) **The compensation payable, valuation and legal costs payable in accordance with the Land Acquisition (Just Terms Compensation) Act, 1991 are to be funded from the annual Road /easement acquisition fund 85001.99999**
 - 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.**
5. **Draft State Government Coastal Lake Management Strategies for Burrill Lake and Narrawallee Inlet** **File 21242-03**
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This matter is reported directly to Council given the timeframes involved and the need to provide feedback by the end of May 2007.

Introduction

In response to the Healthy Rivers Commission Coastal Lakes Inquiry, the NSW Cabinet issued a Statement of Intent for Coastal Lakes in NSW which has resulted in pilot sustainability assessments and management strategies for priority lakes. The pilot lakes were selected by the NSW Cabinet and include Burrill Lake, Narrawallee Inlet and Lake Wollumboola within Shoalhaven. The funding for this project came from the Comprehensive Coastal Assessment (CCA) process. This process was initiated by the NSW Government to provide comprehensive data bases and decision support tools to improve strategic planning, land use, natural resource protection and socio-economic development in the coastal zone.

The former Department of Natural Resources has prepared draft sustainability assessments and management strategies for a number of coastal lakes. It should be noted that these documents are marked "Confidential Draft" by the Department, however there is no provision in the Local Government Act that would allow this report to be included in a confidential business paper. They are now seeking comment on the draft Strategies for Burrill Lake and Narrawallee Inlet. Executive summaries of both reports are included in the Councillors Information Folder for today's meeting and copies of the draft Strategies will be available for review in the Councillors Room.

Various issues will arise for Council if these draft Strategies are finalised in their current form. If the Strategies are finally adopted, the South Coast Regional Strategy states that management actions arising from them are to be considered by Council when reviewing the suitability of planning controls in existing urban zoned and undeveloped lands in the catchments of Burrill Lake and Narrawallee Inlet.

Overview of Draft Strategies

The draft Strategies have been developed by the Department using a Coastal Lake Assessment and Management (CLAM) tool. The tool is designed to model potential impacts given a range of management scenarios. It integrates social, economic and ecological values for a catchment and the results are incorporated into a software interface.

Using the CLAM tool each Lake was assessed for its capabilities and limitations. Issues and threats to maintaining lake health were summarized and specific human activities that pose threats to lake health were identified. Following this process, management strategies were developed which incorporate operational plans for each Lake to address threats and issues identified by the CLAM tool.

Comments on the draft Strategies follow.

General comments

- The two draft Strategies generally provide a good summary of the current knowledge base and historical issues related to the water bodies. The documents are also well set out and easy to follow.
- If more vulnerable water bodies had been chosen, the performance indicators / targets would have more chance of being a priority for funding. As it stands the documents recommend thousands of dollars be spent on two of Shoalhaven's more stable, low risk estuarine areas. The costings documented in the Strategies are underestimated across almost all actions and could not be reasonably used for forward budget planning. Funding and costings would need to be increased across the board by a factor of five to be realistic. There is currently no funding identified to implement these Strategies for what are relatively low priority estuaries. It is a concern that these documents could have future budget impacts on Council.
- In the case of Burrill Lake, the assessment has been made on the premise that the lake has a **low to medium natural sensitivity classification** due to the entrance being mostly open, therefore having a reasonable dilution effect on pollutant inputs. Entrance and climate scenarios have resulted in extended lake closure over the last two years resulting in reduced tidal exchange and flushing times and as a result this assumption needs to be reviewed. The likely outcome will be that the natural sensitivity condition would approach **medium to high** and significantly increase the urgency of improved land practices across the catchment to maintain existing ecological health and function into the future.
- The CLAM tool analysis has not resulted in targeted priority areas / works in either catchment. The assessment should highlight the need to prioritise attention in the upper low flushing reaches of each catchment most vulnerable to anthropocentric inputs. This will allow a measure of focus for all stakeholders given the relatively low level of available financial support to implement these initiatives.

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- The lack of attention paid to the nutrient cycling potential of the target estuaries, to establish the nutrient processing capability is queried. Geoscience Australia has conducted a National Estuary Study which includes some south coast estuaries and this provides a rigorous and focused method for evaluation and monitoring of sustainability and estuary health. Also the NSW EPA work on nutrient inputs does not feature in the draft Strategies. This is a concern, given the public resources expended and the decade long research period. The EPA work on inputs combined with the Geoscience Australia work on cycling could have provided a far more integrated approach to management than the mostly subjective attributes used in the CLAM tool.
 - The relationship of the Strategies to the South Coast Regional Strategy (SCRS) is unclear and could have potential impacts that need to be clarified. Page 14 of the SCRS states:

‘Councils will review the suitability of planning controls in existing urban zoned and undeveloped lands in the catchments of nominated coastal lakes and estuaries. Councils will consider the NSW Government endorsed estuary management and coastal zone management plans and coastal Lake Sustainability Assessments in undertaking this task.’

Now that a 117 Direction has been made relating to the implementation of Regional Strategies the SCRS has legislative standing. It is unclear what ‘consider’ will involve. It needs to be made clear what the expectation on Council will be. It would be unacceptable for Council to be forced into implementing components of the Strategies when the water bodies they cover are low priority areas.

- The lack of consultation will decrease the value of the document. In this regard, tasks, indicative costs and responsibilities have been allocated without sufficient consultation with the bodies involved (eg. Council). Placing more than one agency as ‘responsible’ could result in inactivity. As such there needs to be a lead for each task and they need to be committed to the tasks and have funding available. Council is already undertaking many items listed and this is not clear in the documents. For example, generally the development / planning / recreational / bushland / stormwater / asset / education recommendations are already being addressed under the existing Council flood studies, management plans for natural areas, entrance management plans, estuary management plans within available resources. The documents summarise these, but it is unclear how the Strategies will add value to current estuary management regimes and practices.
- There is no clear framework for how implementation priorities were determined.
- The riparian buffer recommendations are good in-principle, but are largely unachievable on Council managed land due to the lack of frontage depth and high recreational use.
- The Strategies need to reflect the new guidelines on Planning for Bushfire Protection published in 2006 and also changes to NSW Government Departments responsibilities following the election.
- The Strategies mention the Soil Landscape Constraints mapping from the Comprehensive Coastal Assessment (CCA) Project 5 and require development to ‘*consider or be in accordance with*’ it. The availability of this data needs to be confirmed as any data from the CCA series of investigations would be very useful to Council if it is made available.

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- Council is mentioned in the documents as being responsible for ongoing mitigation actions against Caulerpa. This is not the case and needs to be corrected in the final Strategies, should they proceed.

Specific Comments

The following comments relate to the Management Strategy Section of the documents and any direct impacts on Council. Comments relate to both Strategies as they follow the same format and contain generic material.

Section 5 – Management Strategy

Generally, this section demonstrates a lack of understanding of Local Government process and powers of enforcement and this needs to be rectified.

5.2 – Strategy Framework

The Strategy framework outlines the mechanisms for implementing the recommendations of the Management Strategy. The mechanisms listed are largely local government controls (eg. changes to LEPs and DCPs and place based Plans of Management). Therefore, it would have been prudent to adequately involve local government in the preparation of the documents. The lack of involvement has resulted in many of the suggested controls in the documents being unrealistic and without statutory support.

5.4.2 On-site Sewage Management

Council currently has an inspection regime for all on-site effluent management systems. These systems are regularly assessed for failures and failing systems required to be rectified. It will not be possible to “force” landholders to replace systems that are failing as upgrades may rectify problems.

Council has a Development Control Plan (DCP) that sets out the appropriate requirements for locating effluent disposal systems in relation to elevation and flood heights. The Strategies need to reflect Council’s approach.

Table 15 (Narrawallee) contains unrealistic operational plan tasks. For example, requiring landholders to upgrade to new systems. All systems are currently required to operate as per legislative standards and Council inspects systems to determine this compliance and requires rectification in areas that do not comply.

Road Runoff & Urban Stormwater Operational Plans

Table 17 -Road Runoff Operational Plan

- Task 1 (erosion causing sediment runoff) should be modified to include the option of Kerb & Gutter to mitigate against verge erosion.
- Task 2 (road sealing) should also be modified to include the option of Kerb & Gutter. The indicative cost of \$10,000 is also very low, it is more likely to be \$1 million.

-
- Task 3 (design and construct mini sediment traps etc) - Council should not agree to this action for Council's roads and road verges as there is doubt as to the benefit and there will be an unacceptable ongoing maintenance cost to Council.

Table 18 - Urban Stormwater Operational Plan

- It is disappointing that the tasks in this Section are generic and that the Assessments did not extend to development of a Stormwater Plan from the catchment modelling.
- Council is designated as being solely responsible for catchment modelling and development of a Stormwater Management Plan. This is not however, the sole responsibility of Council. While we do undertake some modelling, it is usually for high priority catchments. Grant funding needs to be made available for investigations and implementation if Council is the lead on these matters, as this is not currently seen as a priority for Council.

Section 5.5 Future Development controls and conditions

The Strategies are overly restrictive in terms of the actions that are suggested for prohibition on certain land categories and expects that these conditions '*should be implemented through Council Development Control Plans and Policies as part of necessary conditions for development consent*'. This places a further workload burden on Council to develop a policy or planning instrument to implement Strategies that may not be consistent with community expectations. Many of the proposed conditions are unworkable and have no statutory basis, others are worded loosely.

The issue of existing use rights and how these are protected needs to be addressed in Section 5.5. For many of the activities (eg agriculture), the consent of Council is not currently required and therefore there is currently no legal mechanism to implement the "Conditions for Future Development", they will essentially have no impact without planning instrument amendments.

If this section is implemented as it currently exists it will possibly impact on the ability of land holders to undertake certain activities on their properties. Council's existing Local Environment Plan allows for some human activities that appear to be restricted by the CLAM tool. For example, bulk earthworks are prohibited on potential conservation land however, this is currently zoned general rural and dams would normally be allowed on such a zoning. Implementation of this strategy would therefore require substantial changes to zoning provisions to have effect. This raises the question of the appropriateness of such requirements to be placed on land that is currently zoned for example, general rural use.

It is indicated that development proposals will need to demonstrate *net positive environmental outcomes*. This is likely to be difficult to achieve and will require definitive guidelines to explain.

There are already appropriate assessment legislative requirements in place that address impacts of clearing vegetation and habitat. The *Native Vegetation Act 2003* controls the removal of vegetation on non-urban land. The purpose of the Native Vegetation Act is to end broadscale clearing and reverse the decline of at risk vegetation assemblages. The following examples from the draft Strategies illustrate the lack of statutory link to the *Native Vegetation Act 2003*.

- Item 8.1 on page 93 requires 'development only to occur on current cleared land' for commercial and industrial land. There is a very limited supply of industrial and commercial zoned land, and the assumption that it can be utilised in a vegetated state is not practical. This is one of the reasons that the *Native Vegetation Act 2003* does not apply to business or industrial land. Land has been zoned for a purpose and presumably the appropriate studies

have been undertaken prior to rezoning to insure the site does not have significant flora and fauna. The Strategies have no statutory basis to require this, unless there is an EEC identified on the site. There are similar issues for items 19.2 (residential urban land). Requiring offsetting on urban land is very difficult to achieve and has no statutory backing. The documents do not recognise the current legislative framework that is in place.

- 15.1 (rural land) requires any vegetation cleared for house site and APZ to be offset using DECC's biometric and threatened species tools. This is inconsistent with the *Native Vegetation Act 2003* which allows clearing for a house and associated APZ's without an offset. The offset idea proposed in the Strategies cannot be required under current legislation. Council can not require applicants to do this unless there is a statutory requirement. Another important point is that DECC have not released their bio-certification tools to the public and most consultants would not have access to these tools.
- 15.5 – encourages preparation and implementation of Property Vegetation Plans (PVP). This is not something Council would include in a DCP and is currently a CMA responsibility. There is also a suggestion that PVP's would be developed in instances where the *Native Vegetation Act 2003* would not apply. This has no current legal basis and the capacity of the CMA to service these requests needs to be questioned.

Conclusion

In conclusion, the proposed requirements in the draft Strategies go beyond what is logically required to maintain the quality of both coastal lakes. They contain unrealistic restrictions that could impact on landholders within the catchments. The other draft Coastal Lake Strategies do not appear as restrictive as the two in the Shoalhaven area and contain more common sense approaches to protecting water quality, and rather than prohibiting activities, they set standards that need to be met.

The Myall Lakes Coastal Lakes Strategy appears to have a much more reasonable approach to the issue of protecting the catchment and still allowing residents to undertake activities on their land. This model could be pursued prior to the finalisation of the Strategies. It would be helpful for the State Government to discuss the content of the Strategies further with Council before they are finalised so that they contain appropriate content that can realistically be implemented if required by local government.

One of the most concerning components of the Strategies is their relationship to the South Coast Regional Strategy. Now that a 117 Direction has been released the South Coast Regional Strategy has legislative standing. It is not clear what the expectation on Council is regarding the draft Strategies. This must be made clear before the Strategies are finalised. It would be unacceptable for Council to be forced into implementing components of the Strategies when the water bodies they cover are relatively low priority areas.

If the strategies remain relatively unchanged there are serious concerns regarding their ability to be implemented and the implications for Council.

RECOMMENDED that Council make a submission to the Department of Environment and Climate Change on the draft Coastal Lake Management Strategies for Burrill Lake and Narrawallee Inlet based on the content of this report.

E J Royston
DIRECTOR, STRATEGIC PLANNING

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

REPORT OF THE GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29 MAY, 2007

FINANCE AND CORPORATE SERVICES

1. Appointments to the Shoalhaven Tourism Board **File 1490-07**

Each year half the industry representatives on the Shoalhaven Tourism Board step down and the vacancies so created are advertised. The appointments to the Shoalhaven Tourism Board are for industry representatives and are for a two year term.

In 2007 the industry representatives on the Shoalhaven Tourism Board stepping down are Mr Danny Koutoulas, Mr Ken Merrifield and Ms Lesley Zandstra.

All three members of the Board were thanked for their services to tourism and advised that they could re-apply for the positions.

The positions were advertised and all community groups and tourist associations were notified of the vacancies.

A total of 8 applications were received.

All 8 people were interviewed by a Committee consisting of Clr. John Anderson, Deputy Chair of the Shoalhaven Tourism Board, Mr. Peter Dun, Director Finance and Corporate Services and Mr. Tom Phillips, Tourism Manager.

RECOMMENDED that the following people be appointed to the Shoalhaven Tourism Board for a two year term expiring on 31st March, 2009.

- a) **Mr Matt Cross of Huskisson**
- b) **Mrs Vera Farnham of Greenwell Point**
- c) **Mr. Ken Merrifield of Shoalhaven Heads.**

2. Local Government Remuneration Tribunal - Mayoral and Councillor Fees 2007/08 **File 5141-02**

Background

Council previously considered a detailed report to the Policy and Planning Committee held on Tuesday 13th February 2007 regarding the review that the Local Government Remuneration Tribunal was undertaking in respect of Mayoral and Councillors fees for 2007/08. The thrust of the report to the Policy and Planning Committee in February was to advise Council that:

In accordance with section 239 of the Act of the Tribunal is required to determine the categories of Council's and mayoral offices at least once every three (3) years. Categories of Council's and mayoral office were last determined by the Tribunal in 2006. As outlined in the report and determination of 19th April 2006 the Tribunal determined that Category 5 Councils should be merged with Category 4 Councils and that Category 5 would be abolished. The Tribunal found that the remaining existing categories were still appropriate and determined no further changes.

The Tribunal does not intend to undertake a further review of categories during the 2007 review. The Tribunal will review the categories of Councils again as part of the 2009 review. Until then the Tribunal would not expect to move Councils within categories unless there is significant change in the role and responsibilities of individual Councils.

On 17 January 2007 the Local Government Remuneration Tribunal wrote to all Mayors and Presidents of both the Local Government and Shires Association advising the commencement of the 2007 annual review and that all submissions received would be considered. As a review of the Categories of Council's was last determined in 2006 only the minimum and maximum fee levels for each category were to be reviewed in 2007.

Determination

- # The report and determination were published in the *Government Gazette* on 4th May 2007 (copy attached).

The Tribunal, after considering submissions received, and taking into account economic indicators and the views of the Assessors, determined that an increase of four (4) percent in the fees for Councillors and Mayors is appropriate and so determined.

Pursuant to section 242 of the Local Government Act 1993, the annual fees to be paid in each of the categories to Councillors, mayors, members and chairpersons of the County Councils effective on and from 1 July 2007 and determined as follows.

	<i>Councillor/Member Annual Fee</i>		<i>Mayor/Chairperson Additional Fee *</i>	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
Category 4	6,610	8,715	7,020	19,035
Category 3	6,610	14,540	14,050	31,740
Category 2	6,610	14,540	14,050	31,740
Category 1	9,905	18,510	21,070	49,165
Category 1A	13,215	21,805	28,090	63,560
S4	1,320	7,270	2,815	11,940
S3	1,320	4,360	2,815	7,935
S2	13,215	21,805	28,090	63,560
S1	19,830	29,080	121,305	159,620

- This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (section 249 (2)).

RECOMMENDED that Council set the Councillors' fees at \$14,540 for each Councillor and \$31,740 for the Mayoral fee (being in addition to the Councillor fee) for the 12 months commencing 1st July 2007.

3. Local Government Representative - Jervis Bay Marine Park Advisory Committee

File 1462-05

The Marine Parks Authority has advised that Clr Watson's term of appointment on the Jervis Bay Marine Park Advisory Committee expired on 31 December 2006. The Authority therefore seeks nomination/s from Council to represent local government on the Committee.

Committee members are appointed for a period of up to four years by the Hon. Mr Phil Koperberg MP, Minister for Climate Change, Environment and Water, and the Hon. Mr Ian Macdonald MP, Minister for Primary Industries.

The principal function of the Advisory Committee is to advise the Ministers and the Authority on the management of the marine park and, in particular on:

- The conservation of marine biological diversity within the marine park;
- The ecologically sustainable use of the marine park; and
- The use and enjoyment of the marine park by members of the public.

The Committee meets at least twice each year and other members of the Committee include people representing the interests of Tourism, Conservation, Commercial Fisheries, Scuba Divers, Indigenous and Marine Science.

The maximum total term of appointment is eight years so Clr Watson is eligible to be nominated again for membership of this advisory body until 16 May 2008.

RECOMMENDED that Council nominate the Mayor, Clr Greg Watson, for appointment to the Jervis Bay Marine Park Advisory Committee.

4. Replacement of Caterpillar Grader plant item 98240

File 35667

Tenders were called, and closed on 15th March 2007 for the supply to Council of one 100-110kW articulated motor Grader as per Specification GW0207/03 to replace existing Caterpillar Grader plant number 98240. The tender included the option to trade or purchase outright Council's existing grader. The 2006/07 General Fund Plant Replacement Budget provided \$330,000 for the replacement and an estimated \$130,000 sale price of the existing machine.

Council's present grader is approaching ten years old having been purchased in 1997 for \$239,164 and has logged over 7,600 hours. Council operates six graders which are used in a variety of maintenance and construction programs. This particular machine is used in the basin/central area and also in operations at West Nowra tip. There may be scope in future to reduce grader numbers depending on a number of programs. Issues that may impact will include the completion of Main Rd 92 and maintenance requirements there.

Six tenders were received from which three graders (John Deere 672D, Komatsu GD555-3 and Volvo G930) were short listed for further evaluation based on specification compliance. The CAT 12H and John Deere 670D are the same as models currently used in Councils fleet. A summary of tenders is shown below:

SUPPLIER	Make/Model	Engine/Power	WARRANTY	TOTAL
Hitachi Const.	John Deere 672D	6.7Lt / 140-185HP (Variable)	12/60Mth/6,000Hr	\$ 315,564
CJD Equipment	Volvo G930	7.2Lt / 155Hp-195HP (Variable)	12/60Mth / 10,000Hr	\$ 318,300
Komatsu Aus.	Komatsu GD555-3	5.9Lt / 147 / 167HP (Variable)	24/36Mth / 6,000hr	\$ 269,955
Hitachi Const.	John Deere 670D	6.8Lt / 145-185HP (Variable)	12/60Mth / 6,000Hr	\$ 287,400
BT Equipment	Mitsubishi MG460	11.9Lt / 155-185HP (Variable)	12/60Mth / 5,000Hr	\$ 282,000
Westrac	CAT 12H	8.8Lt / 145-185HP (Variable)	12/36Mth/6,000hr	\$ 331,600

Although suppliers offered trade prices for the existing grader, tenders for outright purchase were also received with the best offer coming from RD Williams (QLD) for \$160,650.

In assessing the various machines emphasis was placed on driveability and operating controls and environment, attachments and functions, power to weight ratio's, maintenance checking, warranty, price and expected resale.

After inspection and demonstration of machines it is considered that the John Deere 672D offered by Hitachi was the best grader for Councils operation for the following key reasons:

- Excellent vision, smooth controls, power to weight and operator comfort.
- The variable dial-in front traction drive allows the plant to be much more productive spreading and grading materials and the added front traction & weight is a distinct advantage
- The standard Low Profile Traction Tyres assist greatly to the overall operation of the grader especially maintaining steering direction and reduction in future tyre wear.
- Accessibility, daily ground level maintenance and checks of the Deere are also very simple.
- The John Deere has added extras like fully floating ripper/scarifiers adding to the simplicity of the overall machine operation.
- The extended 60 month /6,000Hr Warranty is excellent and will be well supported by Hitachi Machinery.
- The John Deere grader is totally manufactured in the USA with all components and power train being John Deere and substantial resale value is expected at replacement.

RECOMMENDED that Council purchase the John Deere 672D grader from Hitachi for \$315,564 (excluding GST) and sell existing Caterpillar grader to RD Williams for \$160,650 (excluding GST) with net changeover costs to be allocated to the 2006/07 General Fund Plant Replacement Budget.

5. 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 30th April 2007:

RECORD OF INVESTMENTS
as at 30th April 2007

TOTAL INVESTMENTS		114,269,777
LESS INVESTMENTS HELD IN RELATION TO RESTRICTED ASSETS		
LEAVE ENTITLEMENTS	5,667,202	
WASTE DISPOSAL	2,750,157	
STRATEGIC PROJECTS GENERAL	23,410,861	
MULTI PURPOSE CULTURAL & CONVENTION CENTRE	14,000,000	
OTHER INTERNAL RESERVES	5,305,971	
SECTION 94	15,212,336	
SECTION 94 LIABILITY RESERVE	3,000,000	
TRUST	69,257	
WORKCOVER GUARANTEE	3,755,000	
SECTION 64 WASTE WATER	1,176,544	
SEWER COMPENSATION	6,568	
SEWER CONSTRUCTION WORKS	9,663,081	
SECTION 64 WATER	2,934,128	
WATER CONSTRUCTION WORKS	25,303,266	
TOTAL RESTRICTED		112,254,371
UNRESTRICTED		
GENERAL	15,406	
WATER	1,000,000	
WASTE WATER	1,000,000	
TOTAL UNRESTRICTED INVESTMENTS		2,015,406

RECORD OF INVESTMENTS AS AT 30th April 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	61	6.6600%	1/05/2007	2992
Australian Central Credit Union	NR	TD	2,000,000.00	181	6.6600%	21/05/2007	2952
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	6.6200%	25/08/2010	2989
CBA	A1+	BB	2,000,000.00	87	6.3400%	1/06/2007	2916
CBA	A1+	BB	1,408,054.75	88	6.3700%	11/05/2007	2869
CBA	A1+	MABB	69,256.98	88	6.3700%	11/05/2007	2869
CITIBANK	A1+	TD	3,000,000.00	98	6.4300%	30/05/2007	2864
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
Credit Union Australia	NR	TD	1,500,000.00	180	6.5900%	10/09/2007	2882
Deutsche Bank AG London	AA-	FRN	2,000,000.00	91	6.5800%	30/05/2007	2863
HORIZON	NR	TD	2,000,000.00	61	6.4600%	1/05/2007	2994
HORIZON	NR	TD	3,000,000.00	62	6.6300%	29/05/2007	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	91	6.4700%	24/05/2007	2913
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
LGFS	A1	CRI	1,000,000.00	91	6.6400%	12/07/2007	2793
LGFS	A1	TD	1,000,000.00	34	6.4000%	9/05/2007	2983
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	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	98	6.3600%	30/05/2007	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	6.7400%	16/02/2009	2988
Savings and Loans Credit Union	NR	TD	1,000,000.00	37	6.7100%	9/05/2007	2993
Savings and Loans Credit Union	NR	TD	1,500,000.00	181	6.6600%	21/05/2007	2907
Savings and Loans Credit Union	NR	TD	1,500,000.00	180	6.6400%	10/09/2007	2881
T/CORP	A1+	TD	1,014,000.00	365	6.2400%	4/10/2007	2842
T/CORP	A1+	TD	3,290,000.00	365	6.2400%	4/10/2007	2842
WESTPAC	A1+	BB	2,953,390.64	91	6.3300%	28/05/2007	2982
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	14,167.06	120	5.8300%	27/06/2007	190
NAB	A1+	O/S	663,167.02	120	5.8700%	26/06/2008	186
GRANGE SECURITIES		MGMD FD	10,294,563.45	At Call	8.7400%	At Call	2984
Deutsche Cash Plus	Af	MGMD FD	4,436,832.64	At Call	7.1000%	At Call	2915
Macquarie Income Plus	Af	MGMD FD	1,121,710.86	At Call	7.3400%	At Call	2915
Perpetual Investments	Af	MGMD FD	3,309,813.13	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 30th April 2007 be received for information.

6. Goods and Services Tax – Council Compliance for period 1 May 2006 to 30 April 2007

File 3603-04

The Department of Local Government requires Council to supply a certificate of confirmation that it is meeting its GST obligations. The certificate is for the period 1st May 2006 to 30th April 2007 and is required before 1st June 2007 by the Department of Local Government.

During the financial year Council submitted all Business Activity Statements and other returns required in relation to GST to the Australian Taxation Office within the required time frames. Council has not been notified of any non compliance issues. Whilst Council's finance section does seek advice from the Australian Taxation Office in regard to unusual or non standard transactions, during the period there were no occasions where advice was required.

As part of Council's Annual External Audit the Auditors review Council's internal control and GST management systems. For the audit ended 30th June 2006 and interim audit conducted in March 2007, no matters in relation to GST have been raised. The Department of Local Government requires Council to verify the following:

- Voluntary GST has been paid by Shoalhaven City Council for the period 1 May 2006 to 30 April 2007.
- Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

RECOMMENDED that Council confirm that it is meeting its GST obligations and that the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer sign the Goods and Services Tax Certificate required to be submitted to the Department of Local Government.

P.J. Dun

DIRECTOR - FINANCE & CORPORATE SERVICES GROUP

R.D Pigg

GENERAL MANAGER

ADDENDUM REPORT OF THE GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29 MAY, 2007

CITY SERVICES AND OPERATIONS

7. Nowra Gasworks Remediation

File 35612

The Nowra Gas Works site has been identified as requiring remediation of contaminated ground and a series of borehole water & soil tests have been undertaken to ascertain as best as possible the extent of remediation works.

Tenders were previously called in 2006 for the remediation works however no tender was accepted due to the latest tests indicating the scope of works specified in that tender required changes. Possession of site to undertake the works could also not be granted at that time due to the ongoing occupation by Kleenheat.

The extent of works has now been better defined and the contract has two components, a lump sum to remediate specified areas for specified depths and a schedule of rates component for additional scope. The lump sum component is based upon all the tests taken to date and includes areas of known high levels of contamination and a surrounding clearance zone. The contaminated material will be excavated, treated and disposed of off site. The lump sum component includes new stormwater and electric cabling and the first capping layer of base course for the carpark so that remediated ground does not have to be disturbed during the carpark construction.

As reported previously, the probability of additional scope is very high as the full extent of contamination will not be known until excavation is undertaken, for example, contamination could occur along service trenches or cracks or open grained gravelly areas of the subsurface. These “fingers” of contamination are required to be chased in whatever direction they travel and the direction and depth can not be determined by testing as the test bores are only 75 to 100mm wide. The remediation is, accordingly, undertaken on an “as found” basis and payment made against a schedule of rates.

The extent of the “chasing” will be instructed by council’s onsite consultant and the instruction to remediate given areas will be recorded daily and tallied against the tendered rates to monitor the total contract cost.

Full records of the extent of the lump sum and schedule of rates work are kept, as are records of the existing tests, the in-progress tests and the completion tests. All these records are to be forwarded to the Department of Environment and Conservation as appointed Auditor having the ultimate verification of the remediation.

Funds available for the project, some of which is held in Reserves, total \$1,890,673. It will be recommended that funds held in Reserves be voted on 1 July 2007 to enable the Contract to commence. Council has been offered a grant of \$500,000 from the EPA toward the remediation of the site.

Public Invitations to Tender were advertised in Shoalhaven and Sydney newspapers and tenders closed at 3:00pm on Thursday 12 April 2007.

Six (6) tenders were received from:

Tenderer	Tender
a) J A Bradshaw Civil	\$1,033,470.97
b) EnviroPacific Services	\$1,282,294.60
c) JFTA Pty Ltd	\$1,824,190.00
d) Earth Tech	\$1,859,067.00
e) Thiess Services	\$2,288,239.00
f) Synergy Resource Management	\$3,889,152.00

An alternative tender was offered by Synergy Resource Management to retain the contaminated soil onsite in a sealed underground cell. This strategy had been mooted as an option, however the Remediation Action Plan and the Development Consent did not cover this strategy. The alternative is not commercially advantageous and has not been considered further.

The tender submitted by JA Bradshaw Civil relied upon retaining the contaminated spoil onsite in a containment cell and did not therefore allow for the mandatory required lump sum scope of works. The tender of JA Bradshaw is therefore non-conforming. Applying the average of all other tenderer's costs for off site disposal to the tender of JA Bradshaw also results in them no longer being the lowest apparent tenderer. The tender of JA Bradshaw Civil has therefore not been considered further.

The next lowest apparent tender was submitted by Enviropacific Service. Enviropacific Services included the lump sum scope and included all Schedule of Rates together with a letter of clarification regarding the extent of works.

Further correspondence has been submitted clarifying the matters raised in the tenderer's cover letter and in the post tender meeting, particularly in regard to the management of odours, and the extent of boundary monitoring and testing for odours. The responses are satisfactory.

At this time it is not expected that large quantities of contaminants will be found in rock and therefore will not require extensive rock excavation. It is understood Council will only be required to undertake its best endeavours to remove the majority of contamination.

The site is currently being vacated by Kleenheat and written advice to vacate the site in it's entirety by 30 May 2007 has been given to Kleenheat. Contract commencement is anticipated on and from 15 June, 2007.

Funds sufficient for this package of works are available and the lowest apparent tender is within the budget.

RECOMMENDED that:

- a) The tender of EnviroPacific Services in the amount of \$1,282,294.60 and the rates in the Schedule of Rates be accepted;
- b) EnviroPacific Services be requested to provide costs if acceptance is delayed beyond 15 June, 2007;
- c) Council vote \$76,220 from Strategic Projects Reserve and \$1,249,453 from the Land Decontamination Reserve on 1 July 2007 to enable the Contract to proceed.
- d) Execute the Contract under the seal of Council.

J J Wells
DIRECTOR CITY SERVICES & OPERATIONS

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 29TH MAY 2007

GENERAL MANAGER

REPORT OF THE NOWRA SKATE PARK ADVISORY GROUP – MONDAY 28TH MAY 2007

1. **Nowra Skate Park Design and Development** **File 24903**

RECOMMENDED that

- a) **Council adopt the Nowra Skate Park concept plan design as endorsed by the Nowra Skate Park Advisory Group and proceed to the detailed design, tender and construction phase in accordance with the attached concept plans.**
- b) **The General Manager (Strategic Planning) formally make available the Nowra Skate Park concept plan design to the public and if any significant public comment is received the matter be deferred to the next Council meeting for further consideration.**

2. **Additional Item – Nowra Skate Park Design Completion** **File 35337**

RECOMMENDED that at the conclusion of the Nowra Skate Park Advisory Groups role, Council formally thank all community members for volunteering their time and services on the Nowra Skate Park Advisory Group.

R.D Pigg
GENERAL MANAGER

NOTICES OF MOTION

ORDINARY MEETING

TUESDAY, 29TH MAY, 2007

1. Shoalhaven River Precinct Working Party **File 3426-02**

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

It is recommended that a Shoalhaven River Bridge Precinct Working Party be formed to consider a Master Plan for the Shoalhaven River Bridge Precinct.

It is recommended that the committee comprise the following:

- a) Mayor and available Councillors
- b) The General Manager (or representative)
- c) The Director of Strategic Planning (or representative)
- d) One RiverWatch representative
- e) One Representative from the Nowra Chamber of Tourism and Business
- f) Four community representatives

Signed
Clr G Ward

Background

The Shoalhaven River is one of the Shoalhaven's most beautiful assets – but it is also one of the most underutilised. The River and its banks are teeming with opportunity and I believe we need to bring the community together to develop a vision for the future of our outstanding Shoalhaven River

While I am aware that some Councillors wish to only focus on the Nowra Pool site, I believe this attitude is short-sighted and myopic. The Shoalhaven River Bridge Precinct would easily come alive with a small degree of development along with boardwalks and community infrastructure.

The Shoalhaven River could easily be a major tourist focal point, but at present its banks are barren with little activities for families and tourists. In order to improve this important community asset, it's essential that Council develop a Master Plan with community input and feedback so that we can ensure that the Shoalhaven River receives the focus and attention it deserves.

Our Council doesn't always have to work harder – but we do need to work smarter. Bringing life and vitality to this most unique and outstanding asset is something that the entire community can have a hand in and be proud of. I want to see this process involve all groups that have a keen interest in the future of our district.

2. Shoalhaven River Estuary Management Plan

File 3427

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

It is recommended that:

- a) A second public meeting of the Shoalhaven River Estuary Management Plan be convened
- b) All directly affected property owners effected by the Shoalhaven River Estuary Management Plan be written to advising them of the meeting
- c) another public notice be issued in local newspaper as per our community consultation policy
- d) Submissions on this document be extended to 30 July 2007

Signed
Clr G Ward

Background

As Councillors would be aware, local property owners affected by the Shoalhaven River Estuary Management Plan have expressed concern about the lack of adequate consultation over this proposed plan.

As this proposal will certainly impact on local property owners covered by this document, I believe it to be fair and reasonable to give those who are affected by this plan, the opportunity to have an active input and make a contribution before Council determines the future of this document.

As some of the recommendations may well affect the livelihood of those making a living from farming and agriculture for many years and in some cases for several generations, it is prudent and appropriate that Council directly consult with those affected by the plan particularly those people who will be charged with the responsibility of complying with the recommendations of this plan – if adopted.

Note by the General Manager:

Consultation in relation to this plan has consisted of:

The draft Shoalhaven River Estuary Management Plan has been on public exhibition for 8 weeks with the closing date of comments being 1st June 2007.

Consultation has involved its distribution to all community consultation bodies in the Shoalhaven River Catchment, and the Nowra Aboriginal Land Council. Advertisements were placed in the

Shoalhaven Nowra News and the South Coast Register on 4th, 5th, 18th and 19th April 2007. A media release was also issued resulting in editorial comment on Radio 2ST and the South Coast Register on a number of occasions. A public meeting was held in Nowra on 23rd April 2007. The plan has also been on display at Councils Nowra Administration building and Library. It is proposed to report the outcomes of the consultation to the next Shoalhaven River Natural Resources and floodplain Management Committee on 25th June 2007.

3. Declaration of Pecuniary Interest and Election Expenses – Online

File 4063

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

It is recommended that a scanned copy of each Councillor's Declaration of Pecuniary Interests as declared under Part 5A of the Local Government (General) Regulations 1999 and Declarations of Elections Expenses as declared under the Election Funding Act 1981 be placed on Council's internet site. That these declaration be incorporated in the page containing Councillors individual contact details and committee membership.

Signed
Clr G Ward

Background

Transparency in Government is not an option – it's a necessity. While the documents referred to in the above Notice of Motion are already available under Section 12 of the NSW Local Government Act, it is not unreasonable to suggest that the public should have easier access to these documents so as to scrutinise those who have been elected to Civic Office.

Local Councillors often compare our circumstances to representatives in other spheres of Government. The Australian Electoral Commission and the State Electoral Office already publish on-line the election funding returns of candidates in each seat but there is no reason why Council cannot go one step further and make it easier for the public to access our declarations of pecuniary interest in addition to election expenses.

At a time where criticism of politicians and politics reaches new levels, we have an opportunity to raise the bar and show the community that our interests are in their interests.

4. Security Cameras and CBD changes

File 24464

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

It is recommended that:

- a) The General Manager investigate and report on the cost of purchase, installation and maintenance of Closed Circuit Television Cameras (CCTV) in the Nowra CBD with a view to their installation as soon as practicable.

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- b) Council investigate Federal and State Grant funding to assist with the abovementioned objectives
 - c) The General Manager (Strategic Planning) bring forward a report on a timetable to remove Junction Court and Open this area back up to traffic
 - d) That this report present options for both one and two way traffic.

Signed
Clr G Ward

Background

Security and safety in the Nowra CBD is certainly not a new debate. Last year I tabled petitions in Council with over 3,000 signatures requesting that Council work together with State and Federal agencies to improve safety and security in the Nowra CBD.

Last year the State Member for South Coast Shelley Hancock convened a forum of local traders, police and businesspeople to discuss a number of the issues that have been raised concerning the ongoing attacks on local traders premises. While Mrs Hancock was successful in seeing extra police patrols as well as extra police deployed in the South Coast, traders believe that commitments given by the Mayor in respect of town security paid for by the CBD business levy have not be honoured.

In order to assist in not only catching but dissuading persons from committing acts of vandalism, CCTV cameras are a reasonable approach to addressing crime and safety in the Nowra CBD. It is therefore not unreasonable to consider the cost implications as well as any Government grants available to install and maintain this equipment in order to provide a greater degree of protection and surveillance for our traders who have suffered more than enough.

One of the issues that must be resolved as part of any debate on crime, safety and antisocial behaviour in the Nowra CBD is the future of Junction Court.

Many local traders and shoppers alike have long complained that this area is a rallying point for anti-social behaviour and the area does not serve any on-going practical purpose. With regard to strong opposition from traders and customers its time that Council gave regard to removing this area and opening this Court up to traffic flow – be that one way with angle parking, to two way traffic.

Note by the General Manager:

A meeting of Living Futures Shoalhaven is being scheduled for June 2007. One matter for discussion will be possible grant applications under the National Community Crime Prevention Program closing 28th June, 2007.