
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON TUESDAY 24TH APRIL 2007 COMMENCING AT 4.10 PM

The following members were present;

Clr G Watson – Chairman
Clr J Finkernagel
Clr R Rudd
Clr P Green
Clr J McCrudden
Clr J Kerr
Clr G Ward
Clr G Kearney
Clr J Anderson
Clr J Willmott – arrived 4.20 pm
Clr J Young
Clr R Bates

The meeting was opened in Prayer by Reverend Peter Robinson, St Stephen’s Anglican Church, Bomaderry, followed by the playing of the Australian National Anthem.

485. Apologies

An apology was received from Clr Murphy

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

486. Confirmation of the Minutes of the Ordinary Meeting of Council held on Tuesday 27th March 2007

RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that the Minutes of the Ordinary Meeting of Council held on Tuesday 27th March 2007 be confirmed.

REPORT OF THE POLICY AND PLANNING COMMITTEE – TUESDAY 10TH APRIL 2007

487. Adoption of Report

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

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488. Presentation by Mr. Peter Valerio of Tourism Strategy Development Services (Statistician) File 8169-05

RECOMMENDED that the presentation and verbal report given by Mr. Peter Valerio on the latest statistics for Shoalhaven be received for information.

489. Budget File 1490-07

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

490. Australian Tourism Awards File 4256-13

RECOMMENDED that congratulations be extended to Christopher and Sophie Warren of Crystal Creek Meadows, Kangaroo Valley for their excellent showing at the National Tourism Awards, 2007.

491. Additional Matter - Current Marketing Campaign File 1011-02

RECOMMENDED that the discussions on the Current Marketing Campaign be received for information.

492. Jervis Bay Tourism Inc and Huskisson Chamber of Commerce File 11259-02

This item was withdrawn and dealt with separately at the conclusion of consideration of the Policy and Planning Committee report.

493. Placement of Media Stories File 4929-05

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

494. Grand Pacific Drive File 33856

RECOMMENDED that the Tourism Manager's actions in giving a long term commitment to the Grand Pacific Drive Program, without detailing any financial commitment, be confirmed.

495. Marketing Program File 1011-02

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

496. Roadshows File 1023-03

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

497. Local Government Tourism Conference File 5359-03

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

498. On-Line Booking Service - www.shoalhavenholidays.com.au File 31341

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the On-Line Booking Service - www.shoalhavenholidays.com.au be received for information.

499. Mega South Coast Regional Tourism Organisation File 6853-08

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the Mega South Coast Regional Tourism Organisation be received for information.

500. New South Wales Cruise Strategy File 24666

RECOMMENDED that the Shoalhaven Tourism Board and Shoalhaven City continue to be opportunistic in its approach to cruise vessels and take advantage of vessels that may be plying the New South Wales coast and in particular plying between Sydney and Eden.

501. When Worlds Collide - Kangaroo Valley File 4929-05

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the topic - When Worlds Collide - Kangaroo Valley be received for information.

502. Shoalhaven Tourism Master Plan File 32929

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

503. Promotion by Lend lease - Dogs Celebrity Breakfast File 1011-02

RECOMMENDED that the verbal report given by Mr. Peter Martin, a member of the Shoalhaven Tourism Board on the Promotion by Lend Lease be received for information.

504. Youth Advisory Committee Representative File 3519-08

RECOMMENDED that

- a) The Living Futures Committee accept the Youth Advisory Committee's (YAC) change of representative from Julie Wilton to Justine Vost.
- b) Justine Vost be advised that her representation is for the YAC and that of the Local Member, Joanna Gash MP.

505. Community Arts Beautification File 6185, 3519-08

RECOMMENDED that

- a) The Director, City Services and Operations investigating costing options for the removal of the existing graffiti on the metal fence stretching along Grange Road from the intersection of Island point Road and Grange Road, St Georges Basin and planting a suitable landscape screen between the road reserve and metal fence.

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- b) A further report be submitted to Living Futures Shoalhaven on the cost implications for a) in comparison to seeking Council's allocation of up to \$3,000 towards an \$8,000 Community Art Beautification program for the metal fence stretching along Grange Road from the intersection of Island point Road and Grange Road, St Georges Basin.

506. Additional Item - Membership Living Futures Shoalhaven File 3519-08

RECOMMENDED that

- a) The General Manager (City Services and Operations) write to the Shoalhaven Industry and Business Association acknowledging Mr Buik's dedication and efforts on Living Futures Shoalhaven and expressing the Committees condolences to the Association and Buik family.
- b) The Shoalhaven Industry and Business Association be approached to consider a successor to the late John Buik on Living Futures Shoalhaven.
- c) The General Manager (City Services and Operations) write to the Ulladulla Youth Centre inviting them to become a member of Living Futures Shoalhaven and to nominate a representative.

507. Shoalhaven Group Training 2006 Safety Award File 5246-02

RECOMMENDED that Council congratulate trainees Kiri Larter and Danielle Townsend for their excellent achievements and also congratulate the OH&S Unit team members, for their endeavours to continually improve safety throughout the organisation.

508. National Local Roads and Transport Congress 2007 File 3059-11

RECOMMENDED that available Councillors be authorised to attend the 2007 National Local Roads and Transport Congress in Newcastle and that out of pocket expenses be paid.

509. Seniors Week 2007 File 4171-03

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

510. International Women's Day File 9357

RECOMMENDED that:

- a) the report of the General Manager (Community Services and Operations) on International Women's Day be received for information; and
- b) Council congratulate Community Development Worker – Generalist, Melissa Hedger, on her award in recognition of the work she has done for women in the Shoalhaven.

511. Proposed Street Carnival - Junction Street, Nowra - Saturday 2nd June 2007 File 1637-02, 2895

RECOMMENDED that

- a) Council endorse the closure of Junction Street on 2 June 2007 for the purpose of a “Lifestyle Expo” street carnival; and
- b) Council endorse amendment of the existing policy (POL04/113) to include an allowance for closure of Junction St for community events subject to endorsement by the Shoalhaven Business Chamber and the Nowra Central Promotion Committee.

512. Berry Car Parking - Adoption of Section 94 Contributions Plan Amendment No.94 File 35185

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

513. Section 94 Contributions Plan Amendment 74 - Major Review, Car Parking - Progress Report and Interim Recommendation File 28706

RECOMMENDED that

- a) That Council amend the Section 94 Contributions Plan in relation to car parking to remove the 30% discount factor;
- b) The Draft Amendment be exhibited;
- c) Community consultation be undertaken by public advertisement for a period of 28 days;
- d) The draft amendment be placed on Council’s internet site with easy links to make comments electronically;
- e) Forward copies of the Draft Amendment to all Community Consultative Bodies and Business Chambers;
- f) A further report be submitted following public exhibition.

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

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

- a) The SES Contributions Plan will be reported to Council when the SES Strategic Plan is adopted;
- b) A new project be created for SES services;
- c) Option 3 (ie Citywide approach) for the calculation of Contributions Rates is endorsed;
- d) Draft Contributions Plan Amendment No 78 be exhibited;
- e) Community consultation be undertaken by public advertisement for a period of 28 days

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- f) The draft document be placed on Council's Internet site with easy links to make the comments electronically; and
 - g) A further report be submitted following public exhibition.

515. Amendment to Tree Preservation Order (TPO) File 7378-03

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

516. Draft Sussex Inlet Settlement Strategy - Revision File 30152-06

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

517. Dob in a Hoon - Save a Life Program File 35732

RECOMMENDED that

- a) Council support the "Dob in a Hoon" program as outlined in the report;
- b) Council resolve to adopt the use of the "Dob in a Hoon" fliers, forms and template letter as provided as attachments to this report in principle (subject to minor alterations as required prior to the commencement of the program);
- c) Council secure the required funding for the program from the Roads and Traffic Authority, Local Government Road Safety Program through application by the Councils Road Safety Officer; and
- d) Subject to successful application for funding - the General Manager (Strategic Planning) be requested to implement the Dob in a Hoon program with a view for commencement in July in 2007.

518. Planning Reform Fund (2006/2007) – Citywide LEP Review Funding Offer File 31157-03, 33363

RECOMMENDED that Council

- a) Accept the funding of \$50,000 provided by the Department of Planning from the 2006/2007 Planning Reform Fund and vote it to the Citywide LEP Review Project as proposed in the draft 2007/2008 Budget; and
- b) Transfer \$50,000 to grant reserve, and allocate in 07/08 Budget for works to be undertaken during 07/08.
- c) Write to the NSW Minister for Planning, the Hon. Frank Sartor MP to thank him for the funding offer.

519. Strategic Planning Group – Planning Tasks Work Program File 28283

RECOMMENDED that in relation to the report of the General Manager (Strategic Planning) on the Strategic Planning Group Planning Tasks Work Program Council adopt the principles and structure as outlined in the report.

520. Malbec Subdivision, Manyana - S94 Contributions imposed by Minister for Planning - response from Department of Planning File SF9787

RECOMMENDED that

- a) The report of the General Manager (Strategic Planning) concerning S94 Contributions for the Malbec subdivision be received for information.
- b) Council submit an amended submission to the Department of Planning qualified by a supporting infrastructure documentation.

521. Tourism Statistics File 8169-05

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) on the latest tourism statistics be received for information.

522. Re-establishment of Alcohol Free Zone – Basin View File 29199

RECOMMENDED that the General Manager (Finance & Corporate Services) complete the statutory process, subject to compliance with the guidelines for the re-establishment of the Basin View Alcohol Free Zone from 21st July 2007 to 21st July 2010 and such area include the following streets and sections of streets and car parks: *Tallyan Point Road from the corner of Collingwood Street to the end of the Infants and Primary School, Basin View.*

523. Fees - Waiving of Development Application and Other Fees for Charitable Organisations and Community Groups File 23618

RECOMMENDED that

- a) Council's Policy for Fees - Waiving of Development Application and Other Fees for Charitable Organisations & Community Groups (Draft Amendment No 1), be exhibited for a minimum period of twenty-eight (28) days in accordance with Council's Community Consultation Policy; and
- b) Following the consideration of submissions from the public exhibition of this Policy, the matter be reported back to Council.

524. Offer of further Grant Funding to conduct On-Site Sewage Management Facility Inspections in Kangaroo Valley File 1092

RECOMMENDED that Council accept the offer of additional funding from Sydney Catchment Authority for on-site sewage management facility inspections and it be allocated to job number 15897.

525. Gazettal of Planning for Bush Fire Protection 2006 File 28873

RECOMMENDED that the report of the General Manager (Strategic Planning / Development & Environmental Services) concerning Planning for Bush Fire Protection 2006 be received for information.

526. Additional Item - June Ordinary Meeting File 3910

RECOMMENDED that the June Ordinary meeting of Council be rescheduled from Tuesday 26th June 2007 to Monday 25th June 2007 at 4.00 pm due to the absence of several Councillors on the Tuesday.

527. (Item 5, Page 5) Jervis Bay Tourism Inc and Huskisson Chamber of Commerce File 11259-02

This item was withdrawn and dealt with separately.

RECOMMENDED that on viewing the promotional DVD produced by Jervis Bay Tourism Inc and the Huskisson Chamber of Commerce, that Jervis Bay Tourism Inc and the Huskisson Chamber of Commerce be advised that

- a) The Shoalhaven Tourism Board and Shoalhaven City Council is of the opinion that the DVD is not in accordance with the original funding as applied for and agreed to by the Shoalhaven Tourism Board.
- b) The DVD is not in the spirit of tourism or tourism promotion for the Shoalhaven and in fact is an anti development promotion.
- c) The Shoalhaven City Council requests that Jervis Bay Tourism Inc and the Huskisson Chamber of Commerce return the funds that were advanced for the production of Plan for Tourism for the Huskisson/Jervis Bay area.
- d) The General Manager schedule a Councillor Briefing and viewing of the DVD prior to the April Ordinary Council meeting.

RESOLVED on a MOTION of Clr Anderson, seconded Clr Kearney that on viewing the promotional DVD produced by Jervis Bay Tourism Inc and the Huskisson Chamber of Commerce, that Jervis Bay Tourism Inc and the Huskisson Chamber of Commerce be advised that

- a) The Shoalhaven Tourism Board and Shoalhaven City Council is of the opinion that the DVD is not in accordance with the original funding as applied for and agreed to by the Shoalhaven Tourism Board.
- b) The DVD is not in the spirit of tourism or tourism promotion for the Shoalhaven.
- c) The Shoalhaven City Council requests that Jervis Bay Tourism Inc and the Huskisson Chamber of Commerce return the funds that were advanced for the production of Plan for Tourism for the Huskisson/Jervis Bay area.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted “No”;

Clrs Rudd, Green, Ward, Bates

528. (Item 15, page 7) Shoalhaven Tourism Master Plan File 32929, 3571

This item was withdrawn and dealt with separately.

RECOMMENDED that a Councillor Briefing should be given with an overhead presentation of the overall structure of the Shoalhaven Tourism Master Plan, detailing:

- a) Key areas of activity by the Shoalhaven Tourism Board
- b) Key areas of recommendations within the Tourism Master Plan
- c) A report on the current activities within the existing budget
- d) A request for an extra \$500,000 so that the Tourism Board can keep up and expand its existing work.

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

- a) Council adopt the Tourism Master Plan subject to the strategies being implemented within the present budget allocated to the Shoalhaven Tourism Board.
- b) Council make representations to the Department of Local Government and Ministers to amend the Local Government Act rating provisions to enable all tourism establishments, including Bed and Breakfast’s and holiday rentals to be levied under a business category.

529. (Item 29, Page 10) Berry Car Parking - Adoption of Section 94 Contributions Plan Amendment No.94 File 35185

This item was withdrawn and dealt with separately.

RECOMMENDED that the Contributions Plan Amendment No.94 – Berry Car Parking be deferred pending a Councillor Briefing on the Plan.

Clr Ward declared a non-pecuniary interest in this matter being a recipient of campaign contributions from a developer affected by the Section 94 Contributions Plan.

Clr Green declared a non-pecuniary interest in this matter being a recipient of campaign contributions from a developer affected by the Section 94 Contributions Plan and left the room and did not take part in discussion or vote on this matter.

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

This item was withdrawn and dealt with separately.

RECOMMENDED that Council amend Schedule 2 (i) of its Tree Preservation Order, to read: "Lands in the following Deposited Plans: 8362, 8399, 8590, 8591, 8592, 8769, 8770, 8771, 8772, 9063 (zoned 1(g) only), 9699 (zoned Rural only), 9897, 11629, 11388, 14958, 14959, 15559, 27575 (north of Woollamia Road only), 27814, 29970 (Lots 76-106 only), 877898, 877899, 877900."

Clr Watson declared an interest in this matter being a property owner in the affected area and left the room and did not take part in discussion or vote on this matter.

Clr Finkernagel declared an interest in this matter being a property owner in the affected area and left the room and did not take part in discussion or vote on this matter.

Clr Young, Assistant Deputy Mayor took the position of chairperson.

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

Clr Watson resumed the position of Chairperson.

This item was withdrawn and dealt with separately.

RECOMMENDED that Council defer the revised Sussex Inlet Settlement Strategy pending a further report from the General Manager (Strategic Planning) on options for the inclusion of the One Tree Bay proposal within the Strategy.

Clr Finkernagel declared an interest in this matter being a property owner in the affected area and left the room and did not take part in discussion or vote on this matter.

RESOLVED on a MOTION of Clr Watson, seconded Clr Anderson that this item be considered in conjunction with Item 1, Page 37 Sussex Inlet Settlement Strategy Revision and Finalisation.

REPORT OF THE SPECIAL POLICY AND PLANNING COMMITTEE – MONDAY 16TH APRIL 2007

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted “No”;

Clrs Rudd, Ward, Bates.

533. DCP No.54 Huskisson Town Centre Draft Amendment No 2 - Height and Setbacks File 10132-03

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

534. 2007/2008 Water and Wastewater Draft Budget and Financial Plan File 35373, 2213-02

RECOMMENDED that Council adopt the 2007/2010 Water and Sewerage Capital Works Program and Charges as shown in the Draft Management Plan, Volume 1 and Volume 2 Fees and Charges for public exhibition.

535. Draft Management Plan 2007 – 2010 File 35373

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

536. Draft Budget 2007/2008 File 35373

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

537. Draft List of Fees, Charges and Rentals 2007/2008 File 35373

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

538. Proposed General Fund Plant Replacement Program – 2007/08 to 2011/12 File 35373

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

539. (Item 1, Page 15) DCP No.54 Huskisson Town Centre Draft Amendment No 2 - Height and Setbacks File 10132-03

This item was withdrawn and dealt with separately.

RECOMMENDED that Council

- a) Adopt draft DCP No. 54 for Huskisson CBD subject to the following:

- i) The terminology “Tourist Town” be retained within the wording of the DCP and for hierarchical considerations;

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- ii) The bonus provisions of the DCP be retained;
 - iii) The requirement for high architectural merit and high degree of articulation being applicable to all development;
 - iv) Following community consultation, further consideration be given to architectural guidelines;
- b) Reactivate dialogue with the National Parks and Wildlife Service in relation to the proposed bypass of Huskisson.

RESOLVED on a MOTION of Clr Willmott, seconded Clr McCrudden that Council:

- a) Adopt the Draft DCP No 54 for Huskisson CBD subject to the following:
 - i) The terminology “Tourist Town” be retained within the wording of the DCP and for hierarchical considerations;
 - ii) The following bonus provisions be incorporated for buildings that demonstrate high architectural merit and a high degree of articulation:
 - On the northern side of Owen Street a maximum of up to four storeys where the development site consists of two or more lots and has a minimum area of 1200 square metres.
 - On the southern side of Owen Street a maximum of up to five storeys where the development site consists of two or more lots and has a minimum areas of 1200 square metres with a maximum of 50% floor space coverage on a sixth level for sites over 3000 square metres.
- b) Reactivate dialogue with National Parks and Wildlife Service in relation to the proposed bypass of Huskisson.
- c) Council advertise the following proposed amendment to the Development Control Plan No 54 in relation to Lot 2, DP 471682:
 - Limiting development to a FSR of 1:1
 - A 12 metre setback from Currambene Street.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Finkernagel, Rudd, Green, Ward, Bates.

Note: a rescission motion was submitted in respect of Part a) of this item only.

This item was withdrawn and dealt with separately.

RECOMMENDED that the Draft Management Plan 2007 – 2010 Volumes 1 & 2 be adopted for public exhibition (subject to any subsequent amendments adopted by Council at this meeting).

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Green, McCrudden, Kerr, Kearney, Anderson, Willmott

The following Councillors voted “No”;

Clrs Finkernagel, Rudd, Ward, Young, Bates, Watson

Note: this motion was carried on the casting vote of the Mayor.

This item was withdrawn and dealt with separately.

RECOMMENDED that Council adopt the 2007/08 Draft General Fund Budget, and include it as part of Councils Draft Management Plan to be put on public exhibition for a period of 28 days.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Green, McCrudden, Kerr, Kearney, Anderson, Willmott.

The following Councillors voted “No”;

Clrs Finkernagel, Rudd, Ward, Young, Bates, Watson.

Note: this motion was carried on the casting vote of the Mayor.

This item was withdrawn and dealt with separately.

RECOMMENDED that the Draft List of Fees, Charges and Rentals for 2007/2008 as contained in Volume 2 of the Draft Management Plan 2007 – 2010 be adopted for public exhibition.

RESOVLED on a MOTION of Clr Anderson, seconded Clr Kearney that the recommendation of the Special Policy and Planning Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Rudd, Green, McCrudden, Kerr, Kearney, Anderson, Willmott, Bates.

The following Councillors voted “No”;

Clrs Finkernagel, Ward, Young, Watson.

Note: this motion was carried on the casting vote of the Mayor.

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) The report of the General Manager (Finance and Corporate Services) regarding the Proposed General Fund Plant Replacement Program – 2007/08 to 2011/12 be received for information;
- b) A further report on the Proposed General Fund Plant Replacement Program – 2007/08 to 2011/12 be submitted to the Works and Finance Committee detailing usage rates of major plant.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clr Ward.

REPORT OF THE WORKS AND FINANCE COMMITTEE – TUESDAY 10TH APRIL 2007

544. Adoption of Report

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

545. Southern Councils Group - Proposed Secretariat & Project Officer for Research into the Control of Fireweed. File 1822-09

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

546. Ulladulla Youth Centre – Donation Request File 14360

RECOMMENDED that Council:

- a) Advise the Ulladulla Youth Service that it is not able to provide the requested funding support to cover the Centre Co-ordination leave arrangements;
- b) Write to the Department of Community Services requesting additional funding to provide year-round Youth Co-ordination services for the Ulladulla Youth Service.

547. Australian Local Government Women's Association Conference 2009 File 3884

RECOMMENDED that the Report of the General Manager (City Services and Operations) regarding the Australian Local Government Women's Association Conference 2009 be received for information.

548. Estuary Management Program - 2007/08 Grant Offers File 3406-02

RECOMMENDED that

- a) Council accept the offer of \$80,000 for the Stage 2 Scenic Drive Bank Stabilisation and Stage 2 Sussex Inlet Foreshore rehabilitation as 2007/08 Estuary Management Program; and
- b) Council write to Mr Ian McDonald MLC, Minister for Natural Resources thanking him for the offer.

549. Request to Remove Lease from Title - Mattes Way, Bomaderry File 35407

RECOMMENDED that

- a) Council execute a Request to the Registrar General to remove Lease No. 3329996 from the Council of the City of Shoalhaven to Shoalhaven Employment & Training Inc. from the title to the Council property at Mattes Way, Bomaderry described in Auto Consol 15193-186;and

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- b) The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed, and that otherwise, the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

550. Footpath Risk Management Procedure File 28124

RECOMMENDED that Council formally adopt the 'Footpath Risk Management Procedure (Revision November 2006)' as publicly exhibited.

551. Pedestrian Access & Mobility Plan - Draft Three Year Footpath and Cycleway Programs File 19631-03

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

552. 2006/07 Coastal Cycleway Grant Program File 35214, 2491, 15875

RECOMMENDED that

- a) Council accept the grant offer of up to \$90,000 for the Mitchell Pde Mollymook cycleway from Blackwater Creek to Donlan Rd and thank the Minister for Planning, the Hon Frank Sartor MP for the grant;
- b) Council transfer \$73,025 from the Mitchell Pde cycleway project to the cycleway project at White Sands Tourist Park. (T1 - 82521); and
- c) Council transfer \$42,250 of unallocated footpath/cycleway funding to the cycleway project at White Sands Tourist Park. (T1 - 82521).

553. Lease to Southern Shoalhaven Zone Meals on Wheels Co Operative Limited File 34028

RECOMMENDED that

- a) Prior to determination of the lease to Southern Shoalhaven Zone Meals on Wheels Co Operative Limited, Council ascertain the rental assistance they receive in their funding;
- b) The Lease documents to Southern Shoalhaven Zone Meals on Wheels Co Operative Limited incorporate the previous arrangement for the reimbursement of the expenditure on the installation of the commercial kitchen.

554. Southern Rivers Catchment Management Authority - Roads & Tracks Program File 11304, 8558, 27051

RECOMMENDED that

- a) Council accepts the offer of \$66,800 from the SRCMA for funding of two road sealing projects on The River Road as part of the 2007/08 SRCMA Roads and Tracks Program and vote and authorise expenditure in 2007/08;
- b) Council vote and authorise in 2007/08 the available balance of Section 94 Project 05ROAD0043 (approximately \$28,868) as part Council matching funds for the 2007/08 SRCMA Roads and Tracks Program; and

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- c) Council fund the remaining Council matching funding of \$24,432 for the 2007/08 SRCMA Roads and Tracks Program from the 2007/08 Gravel Roads Improvement Program.

555. Request for Financial Support - Berry Men's Shed File 4771-06

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

556. Fundraising Posties - Linear Accelerator Appeal Request File 30963

RECOMMENDED that Council provide a vehicle on loan to Mr Dean Devenish, fundraising for the Shoalhaven Linear Accelerator Appeal, as a support vehicle for the Honda Ct110 "postie" motorcycle ride from Perth to Shoalhaven in June 2007.

557. (Item 1, Page 17) Southern Councils Group - Proposed Secretariat & Project Officer for Research into the Control of Fireweed. File 1822-09

This item was withdrawn and dealt with separately.

RECOMMENDED that Council fund an amount of \$5,000 from the 2007/08 City Services & Operations Budget for a contribution through the Southern Councils Group towards a secretariat and project officer, to pursue funding opportunities for research into a biological control of fireweed.

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

558. (Item 7, Page 18) Pedestrian Access & Mobility Plan - Draft Three Year Footpath and Cycleway Programs File 19631-03

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) Council adopt the Draft Three Year Footpath and Cycleway Programs for purpose of seeking comments from affected residents / property owners during the public exhibition period of the Draft 2007/10 Management Plan, with the following amendment:
 - i) Removal of Shoalhaven Street, Nowra - Douglas to Junction Street
 - ii) Inclusion of MacGibbon Parade, Old Erowal Bay – The Wool Road to McGowen Street.
- b) A further report be referred to Council following receipt of comments.

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

This item was withdrawn and dealt with separately.

RECOMMENDED that Council acknowledge the social benefits the Men's Shed provides to the local community, however regretfully advises it cannot provide financial assistance.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted "No";

Clr Ward.

REPORT OF THE DEVELOPMENT COMMITTEE – TUESDAY 10TH APRIL 2007

560. Adoption of Report

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

561. Development Control Plan DCP No. 106 – Shoalhaven City Floodplain Management (Proposed Amendment No. 1) File 24778-04

RECOMMENDED that in relation to Draft Development Control Plan No. 106 – Floodplain Management:

- a) The document be placed on public exhibition for a minimum of 28 days;
- b) The document be placed on Council's Internet site with easy links to make the comments electronically;
- c) Forward copies to Principal Consultative Bodies;
- d) A further report be submitted following public exhibition; and
- e) A Councillor Briefing be scheduled at the conclusion of the exhibition period.

562. Compliance with Conditions of Development Consent - Use of Galvanised Iron Roof, 130 North Street, Berry. Applicant: Craig Johnston Designs File DA06/1623

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

563. Proposed Modification to Garage Entry and Vehicular Access - Lot 16 DP 26636, 336 Sussex Inlet Road, Sussex Inlet. File DA03/3664

RECOMMENDED that

- a) Vehicular access to Lots 16 and 17 be required from the existing informal access road located adjacent to Sussex Inlet Road;
- b) Advice of Council's decision be forwarded to the owners of Lot 16 and 17; and
- c) The Section 96 Application be determined under delegated authority.

564. Development Application - Medium Density Development comprising three (3) two-bedroom detached townhouses and strata subdivision on Lot 1 DP 566965, 8 Milham Street, Lake Conjola. Applicant: Classic Plans File DA05/4039

RECOMMENDED that Council not support the variations to the Lake Conjola Village Zone Policy for the subject Development Application.

565. Modification of Development Consent (Section 96(1A)) - Amendment to Condition 17 of Development Application DA99/1333 for Professional Consulting Rooms - Existing Carpark and Easement for Access and Carparking. Applicant: Neil Donovan. File DS07/1041

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

566. Application for Review of Determination (Section 82A) for Development Application for New Dwelling, Machinery Shed and Barn at Lot 215 DP 6131, Jaspers Brush Road, Jaspers Brush. Applicant: Evelyne Concetta Parker. File DA02/4346

RECOMMENDED that in respect of Development Application DA02/4346 for the erection of a New Dwelling, Machinery Shed and Barn at Lot 215 DP 6131, Jaspers Brush Road, Jaspers Brush the Section 82A Application for Review of Determination:

- a) Be deferred until submissions made at the Development Committee meeting can be assessed by staff;
- b) A report on the assessment by staff be submitted to a future meeting of the Development Committee

567. Development Control Plan 63 - Tourist Development in Rural Areas (Draft Amendment No 5) File 17912-02

RECOMMENDED that

- a) Draft Development Control Plan 63 - Tourist Development in Rural Areas (Amendment No 5) be placed on public exhibition for a minimum period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000*.
- b) The public exhibition period include notification to community groups, development and tourist industry representatives; and

-
- c) A further report addressing submissions be submitted to Council following the public exhibition.

568. Development Control Plan 82 - Signage Strategy (Section 2) Development Guidelines for Advertising Signs (Draft Amendment No 1) File 4102-06

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

569. (Item 2, page 21) Compliance with Conditions of Development Consent - Use of Galvanised Iron Roof, 130 North Street, Berry. Applicant: Craig Johnston Designs File DA06/1623, 12856

This item was withdrawn and dealt with separately.

RECOMMENDED that a Clause be added to draft Development Control Pan No.91 that generally discourages the use of highly reflective building materials within urban locations, particularly Zinalume and galvanised iron that causes a nuisance or an adverse amenity impact to surrounding residents.

RESOLVED on a MOTION of Clr Willmott, seconded Clr Green that a Clause be added to draft Development Control Pan No.91 that generally discourages the use of highly reflective building materials within urban locations that causes a nuisance or an adverse amenity impact to surrounding residents.

570. (Item 5, Page 22) Modification of Development Consent (Section 96(1A)) - Amendment to Condition 17 of Development Application DA99/1333 for Professional Consulting Rooms - Existing Carpark and Easement for Access and Carparking. Applicant: Neil Donovan. File DS07/1041

This item was withdrawn and dealt with separately.

RECOMMENDED that in respect of the Section 96 Application lodged by Dr Donovan in relation to Development Consent DA99/1333 on Lot 12 DP 816490, Prince Alfred Street, Berry that:

- a) Condition No 17 be replaced by: *“The development shall provide a minimum of 6 vehicle parking spaces are to be located on Lot 12 DP 816940 in accordance with DA07/1105. The extinguishment of the easement created over Lot 11 DP 816490 can occur once all the right of way requirements of DA07/1105 (including the construction of the carpark) are completed to the satisfaction of Council”*; and
- b) Council advise the applicant of the necessity to obtain a legal Right of Carriageway over the access road located on the Berry Bowling Club land to ensure legal access is provided to the proposed car park to be located on Lot 12 DP 816490.

Clr Ward declared a non-pecuniary interest in this item being a recipient of campaign contributions from the adjoining property owner.

RESOLVED on a MOTION of Clr Green, seconded Clr Kearney that in respect of the Section 96 Application lodged by Dr Donovan in relation to Development Consent DA99/1333 on Lot 12 DP816490 Prince Alfred Street, Berry that Council resolve to:

- a) Consent to the extinguishment of the existing Easement for Access and Car Parking variable width over Lot 11 DP 816490 subject to:
 - i) The respective landowners of Lot 11 and 12 DP 816490 entering into a License Agreement to permit the continued use of the access and car park upon Lot 11 by Lot 12 for purposes of the approved Doctors Surgery (DA99/1333) for a period of not less than two (2) years.
 - ii) Council being notified in advance by both parties of any intention to terminate the license agreement.
- b) Replace Condition No. 17 as follows:

“The development shall provide a minimum of six (6) vehicle parking spaces which are to be located at the rear of Lot 12 DP816940 and provide pedestrian access in accordance with the Australian Standards and to meet disabled requirements, linking the car park with the medical Centre.

The applicant shall obtain a legal Right of Carriageway over the access road located on the Berry Bowling Club land to ensure legal access is provided to the proposed car park in accordance with the requirements of development consent – DA07/1105.

However, for an interim period of not exceeding two (2) years from the date of this resolution, the applicant must continue to use the existing car parking and access over Lot 11 DP816940 until such time as the car park on Lot 12 DP 816940 is constructed providing such use is supported by a license agreement between the affected landowners.

In the event that the existing car parking and access on Lot 11 is no longer available to Lot 12 then, the applicant shall forthwith construct the car park as required by DA07/1105 or cease the approved use and surrender the development consent DA99/1333”.

571. (Item 8, Page 23) Development Control Plan 82 - Signage Strategy (Section 2) Development Guidelines for Advertising Signs (Draft Amendment No 1) File 4102-06

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) Council adopt the outlined amendments to DCP 82 - Signage Strategy (Section 2) Development Guidelines for Advertising Signs (Draft Amendment No 1), for the purposes of public exhibition in accordance Clause 18 of the *Environmental Planning & Assessment (EP &A) Regulation 2000*, for a minimum period of twenty-eight (28) days;
- b) The Signage Strategy (Section 3) be varied to permit Service Club signs at the entrance to towns.

Clr Ward declared a non pecuniary interest in this matter being that of a member of the Berry APEX Club.

Clr Bates left the meeting the time being 6.17 pm.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd, Willmott.

Note: Clr Bates was absent from the meeting during the vote on this item.

Clr Bates returned the time being 6.17 pm.

REPORT OF THE SHOALHAVEN WATER OPERATIONS AND STRATEGIC REVIEW COMMITTEE – TUESDAY 17TH APRIL 2007

572. Adoption of Report

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

573. Separation of Water and Sewerage Availability Charges from the Annual Rates Notice

File 2213-02

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

574. Financial Assistance offer - Country Towns Water Supply and Sewerage Program - Conjola Regional Sewerage Scheme

File 1370-13

RECOMMENDED that Council:

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

575. Integrated Water Cycle Management (IWCM) File 29188

RECOMMENDED that:

- a) The report of the General Manager (Shoalhaven Water) regarding the Integrated Water Cycle Management be received for information.
- b) The General Manager (Shoalhaven Water) submit a further report containing more detailed information on activities for scenario three (3).

576. (Item 1, Page 25) Separation of Water and Sewerage Availability Charges from the Annual Rates Notice File 2213-02

This item was withdrawn and dealt with separately.

RECOMMENDED that:-

- a) Council target the 1st July 2007 as the date to separate water and sewer availability charges from Council's Rates Notice and aim to combine the charges with usage accounts from 1st July 2008.
- b) Council authorise the General Manager to provide additional staff as required to meet this strategy and Council vote additional funds as necessary.

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

- a) Council target the 1st July 2008 as the desirable date to separate water and sewer availability charges from Council's Rates Notice and aim to combine the charges with usage accounts from 1st July 2008.
- b) Council authorise the General Manager to provide additional staff as required to meet this strategy.

REPORT OF THE CROWN RESERVE, COMMUNITY AND COMMERCIAL OPERATIONS COMMITTEE – TUESDAY 17TH APRIL 2007

577. Adoption of Report

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

578. Bushcare Volunteer Community Nursery Group - Funding File 26279-05

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

579. "KeepWatch @ Public Pools" Partnership File 4410-12

RECOMMENDED that Council enter into a Partnership Agreement with the Royal Life Saving Society of Australia (RLSSA) under its "KeepWatch @ Public Pools Program" for a period of twelve months.

580. Customer Service Survey - Learn to Swim File 1754-08, 26763-07, 20696-03, 26762-07

RECOMMENDED that

- a) The report of the General Manager (City Services & Operations) concerning Customer Service Survey - Learn to Swim be received for information.
- b) Council congratulate the staff responsible for the high levels of satisfaction recorded in the Customer Service Survey – Learn to Swim.

581. Ulladulla Leisure Centre – Replacement of Heating System File 26762-07

RECOMMENDED that

- a) The report of the General Manager (City Services & Operations) concerning Ulladulla Leisure Centre – Replacement of Heating System be received for information.
- b) The replacement of the Ulladulla Leisure Centre heating system be referred to the Executive Energy Committee to investigate opportunities for receiving carbon credits.

582. Shade Planning Workshop for Local Government - Wollongong and the South Coast File 5270

RECOMMENDED that Council incorporate shade in the future planning, assessment and design of any Council owned and managed public open spaces, in accordance with the NSW Health and NSW Cancer Council Guidelines "Under Cover" for Shade Planning and Design.

583. New Years Eve 2006 File 2161-09

RECOMMENDED that

- a) A working arrangement be considered between the Local Area Command and Shoalhaven City Council's Ranger Services and Community Services section develop working strategies for combating anti-social new Years Eve incidents in 2007.
- b) Where appropriate Licensed Clubs, Bottle shop owners, Security companies and accommodation providers be consulted
- c) The Director City Services and Operations make representations to the Director Finance and Corporate Services to consider funding accommodation within Holiday Haven Parks over the New Years Eve period, for Police Officers and their families in an attempt to reduce anti-social behaviour.
- d) The General Manager (City Services and Operations) submit a report to Living Futures Shoalhaven on a) to c) above.

584. Shoalhaven Community Safety Plan 2003-2006 File 3519-08

RECOMMENDED that

- a) Council include an amount of \$10,000 in the 2007/08 budget to facilitate the review and update of the Shoalhaven Community Safety Plan.
- b) The Community Safety Plan cover a five (5) year period.

585. Callala Bay Community Concerns - Fridge Magnet File 3519-08

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Callala Bay Community Concerns – Fridge Magnet be received for information.

586. Gambling Impact Society File 19858

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

587. "Dropping Off the Edge" report File 2990-06

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the “Dropping Off the Edge” report be received for information.

588. Holiday Haven Tourist Parks - Red Area Amenity Block Upgrade File 2703-03

RECOMMENDED that Council apply to the Crown for loan funding of \$250,000 for the building of a replacement amenity block at Lake Tabourie Tourist Park under the Crown Lands Caravan Park Levy Scheme and that this funding be included in the 07/08 budget.

589. Huskisson Beach Tourist Resort - Stage 1 Redevelopment - Progress Report File 17887-05

RECOMMENDED that the report of the General Manager (Finance and Corporate Services) regarding the Huskisson Beach Tourist Resort Stage 1 redevelopment progress report be received for information.

590. Shoalhaven River Northern Headland Reserve File 2358

RECOMMENDED that Council provide a letter of support to the Parks and Wildlife Service for their application for funding for Stage 2 of the Shorebird Protection Plan under the Environmental trust – Environmental Education Program.

591. National Heart Foundation - No Smoking Resource Kit File 2530

RECOMMENDED that Council advise the NSW division of the National Heart Foundation that it is prepared to be the regional Case Study for inclusion in a Resource Kit relating to policy bans on smoking in outdoor places.

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) Council accept the NSW Government Environmental Trust offer of a grant totalling \$12,892 for expansion of the Shoalhaven Bushcare Volunteer and Culburra Beach Progress Association Community Nursery at Crookhaven Heads.
- b) An amount of \$3,000 be voted in the 2006/2007 financial year and the balance be included as a line item in the 2007/2008 budget.
- c) Council write to the Minister for Climate Change, Environment and Water, Mr Phil Koperberg MP, thanking him for the grant offer.
- d) The General Manager (City Services and Operations) liaise with Bush Care Groups and Progress Association on the upgrade and future co-ordination of the Community Nursery at Crookhaven Heads.

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

- a) Council accept the NSW Government Environmental Trust offer of a grant totalling \$12,892 for expansion of the Shoalhaven Bushcare Volunteer and Culburra Beach Progress Association Community Nursery at Crookhaven Heads.
- b) An amount of \$3,000 be voted in the 2006/2007 financial year and the balance be included as a line item in the 2007/2008 budget.
- c) Council write to the Minister for Climate Change, Environment and Water, Mr Phil Koperberg MP, thanking him for the grant offer.
- d) The General Manager (City Services and Operations) liaise with Bush Care Groups and Culburra Beach Progress Association on the upgrade and future co-ordination of the Community Nursery at Crookhaven Heads.

This item was withdrawn and dealt with separately.

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Gambling Impact Society be received for information.

RESOVLED on a MOTION of Clr Green seconded Clr Rudd that Council

- a) Support the presentation of the "Third Place" concept and project for safe, informal gathering spaces without gambling and drinking opportunities in the Shoalhaven, by allocating \$500 from the Community Plan budget to the Shoalhaven Gambling Impact Society Inc
- b) Assistance with the provision of a venue, morning tea and lunch for the "Third Place" concept be supported out of the Community Worker- Generalist's budget.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Finkernagel, Rudd, Green, Ward, Willmott, Bates, Watson

The following Councillors voted "No";

Clrs McCrudden, Kerr, Kearney, Anderson, Young.

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 17TH APRIL 2007

594. Adoption of Report

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

595. Parking Restrictions - Tomerong Street, Huskisson (PN 2174) File 2944

RECOMMENDED that the General Manager (Strategic Planning) arrange for the installation of:

- a) "No Stopping" (R5 - 400) regulatory signs on the northern side of Tomerong Street east of Dent Street for a minimum distance of 16.5 metres to obtain the necessary minimum stopping sight distance in accordance with AUSTRROADS Part 5 (Intersections at Grade).
- b) "No Stopping" (R5 - 400) regulatory signs on the eastern side of Dent Street south of Tomerong Street for a minimum distance of 10 metres to obtain the necessary minimum stopping sight distance in accordance with AUSTRROADS Part 5 (Intersections at Grade).

596. Road Safety - Junction of Cumberland Avenue with Flinders Road, South Nowra (PN 2196) File 1712

RECOMMENDED that with respect of the concerns raised regarding road safety at the junction of Cumberland Avenue with Flinders road, South Nowra the General Manager (Director Strategic Planning Group) be requested to arrange for -

- a) The installation of Give Way sign (R1-2) and associated hold linemarking (TB) in Cumberland Avenue at its junction with Flinders Road, South Nowra.
- b) Investigation of double barrier (BB) centre linemarking and Raised Reflective Pavement Markers (RRPMs) for approximately 50 metres on Flinders Road east and west of the junction of Cumberland Avenue and report back to the Shoalhaven Traffic Committee.
- c) Double barrier (BB) centre linemarking and Raised Reflective Pavement Markers (RRPMs) for approximately 30 metres on Cumberland Avenue south from Flinders Road to the driveway access of the Roads & Traffic Authority Motor Registry Office.

597. Road Safety - Junction of Haigh Avenue with Plunkett Street, Nowra (PN 2194) File 2636-02

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

598. Parking Restrictions - Burton Street, Vincentia (PN 2145) File 7418

RECOMMENDED that;

- a) The General Manager (Strategic Planning) be advised that the Shoalhaven Traffic Committee ratifies the proposal to install two (2) hour parking restriction (front to kerb) regulatory signage in that section of Burton Street located between Elizabeth Drive and Excellent Street, Vincentia in accordance with Council's resolution (MIN 07.81).
- b) The General Manager (Strategic Planning) review the options for motorcycle parking in the Burton Street Mall, Vincentia and report back to the Shoalhaven Traffic Committee.
- c) The matter of disabled parking in the Burton Street Mall, Vincentia, as discussed at the meeting be referred to the Shoalhaven Access Advisory Committee.

599. Shoalhaven Multi Purpose Cultural Convention Centre - Graham Street, Nowra (PN 2084) File 32622

RECOMMENDED that the General Manager (Strategic Planning) be advised that the Shoalhaven Traffic Committee agrees in principle to the proposed traffic and pedestrian access facilities and signs and line-marking plans (plan #23-11344-C354, 23-11344-300 & 301) to be constructed in conjunction with the development of the Shoalhaven Multi Purpose Cultural Convention Centre (SMPCCC) however subject to the following items being subject to further discussion at the Shoalhaven Multi Purpose Cultural Convention Centre Working Party:

- Disabled parking signs to be erected in accordance with standards
- “No Parking” signs to be installed at both ends of each of the indented bus bays
- Bollards and Council’s standard ‘Pedestrians Give Way to Vehicles’ signage to be installed at all designated pedestrian crossing points (two bollards on each approach to a designated crossing point ie one bollard on each side of access pathway)
- Although it is recognised that in the future there will be a need for No Right Turn bans into and out of the car parking area it is suggested that these not be installed in the interim and that the requirement for these turn bans be regularly monitored.
- Double barrier (BB) line-marking to be extended for the full length of the internal road with breaks only at all internal intersections
- The proposed pedestrian crossing facility in Graham Street is to be staggered from the approach pathway – ie needs to be relocated approximately 4.0m further to the west along Graham Street to effect an appropriate stagger arrangement
- Pram ramp access is to be provided from the new Graham Street car park to the proposed footpath to provide improved access for less mobile and disabled pedestrians from the Graham Street car park to the new designated crossing facility on Graham Street (the pram ramp is also required to be staggered from the Graham Street crossing facility)

-
- Given the changes made to the southern SMPCC car park (north of Graham Street) - clarification is to be provided on how service vehicles are going to enter/exit the loading dock areas in accordance with Council policy.
 - Change is required to the direction of regulatory traffic flow proposed in the northern-most car park (to the north of SMPCC) – that is traffic flow in the northern car park is to be changed from anti-clockwise to clockwise with changes to regulatory signs accordingly. This is due to safety issue as result of inadequate sight distance at the western most access (for egress from northern car park). Even if sight distance was improved to the standard required – motorists would be expected to have difficulty at this location (west most access) due to a need to turn almost 180 degrees to view approaching traffic on Bridge Road.
 - As a result of this change to the northern most car park, the following changes are also recommended to ensure safe traffic operations :
 - It is likely that visitors to the new centre will not be able to negotiate the first (western most entry to the northern car park) when entering from Bridge Road. As such - it is recommended that the eastern most access to the northern car park area be made two way (7m width) to allow visitors access to the northern most car park whilst still retaining this eastern most location as the new safe egress from northern most car park. This means that the northern car park is recommended to be two-way traffic flow with exception of only the western most access point which is recommended to be made one way northbound (ie for clockwise traffic flow).
 - It is recommended that sight distance be improved for vehicles wishing to access the northern most car park from the new western most access (right turn movement east to north) – by way of reshaping of the existing batter between the new internal road and a point approximately 60m north of the intersection of the new internal access road with Bridge Road. (This is the batter between Bridge Road and the proposed new northern car park that in its current form would obstruct sight distance at the western most access point). This is required to address the safety issue of inadequate sight distance for those right turn movements (east to north). It is noted that reshaping of this batter would not result in reverting the northern car park flow back to anti-clockwise due to the physical constraints of motorists to give way in that direction. Clockwise flow is considered the most appropriate direction of flow.
 - It is recommended that a new (additional) interim access be provided to link the new northern car park to the overflow (former white ensign) car park at a location approximately 15m east of the western most access. That proposed new interim access (western most) is to be sign posted as entry only (to the overflow (former white ensign) car park from the new northern car park ie with No Entry sign being displayed on the rear of that sign, and the existing interim access (central to the northern car park area) is to be sign posted as No Entry (from the overflow former white ensign car park only ie with entry only being displayed at that location for vehicles entering from the overflow former white ensign car park.
 - To ensure sight distance is available at the interim access points and to ensure those access points are not obstructed, it is recommended that No Stopping signs be placed along the full length of the remaining fence line along the north side of northern most car park
 - Additional pavements arrows are to be provided in the northern most car park including two single one way pavement arrows at the western most access (one

way northbound ie clockwise movement) and two-way pavement arrows are to be installed at the eastern most access point (following the recommended widening to 7m access) as well as at two locations in the east-west aisle of the northern car park (ie evenly spaced either side of the central intermediate access point).

- At this point in time - interim access arrangements to the overflow (former white ensign) car park to be retained in current form and monitored following opening of the new northern car park to traffic.

600. Sign & Linemarking Plan - Mollymook Beach Cycleway Kerb Re-alignment (PN 2193)

File 35214

RECOMMENDED that the General Manager (Director Strategic Planning Group) be advised that the Shoalhaven Traffic Committee has no objection to the sign and linemarking plan (# 4603-02B) to be installed in conjunction with the Mollymook Beach Cycleway project on Mitchell Parade in the vicinity of Donlan Road.

601. Line-marking - Sussex Inlet Road, Sussex Inlet (PN 200)

File 1714

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning Group) be requested to arrange for alteration to the centre line marking on that section of Sussex Inlet Road east from the junction of Old Berrara Road to house number 481 Sussex Inlet Road to ensure that the linemarking in this area complies with the minimum Australian Standards.
- b) The letter writer be advised accordingly.

602. Car Park Layout - Myrtle Street, Milton (PN 2197)

File 35837

RECOMMENDED that the General Manager (Director Strategic Planning Group) be advised that the Shoalhaven Traffic Committee has no objection to the proposed signage and linemarking plan (Traf 07/03) to formalise the public car parking area located off Myrtle Street (behind Milton Village Cultural Centre) subject to replacement of “No Stopping” with “No Parking (maintenance vehicles accepted)” in the area directly adjacent to the cultural centre courtyard to allow use of the area by vehicles picking up / setting down passengers or goods, and by Council maintenance vehicles.

603. Additional Item – Line-marking - Coolangatta Road, Far Meadow (PN 2198)

File 13226

RECOMMENDED that the General Manager (Strategic Planning) be requested to arrange for the centre line-marking on that section of Collangatta Road from 500m north of the intersection of Swamp Road to 200m south of Swamp road as shown on diagram Traf2007/04.

604. (Item 3, Page 31) Road Safety - Junction of Haigh Avenue with Plunkett Street, Nowra (PN 2194)
File 2636-02

This item was withdrawn and dealt with separately.

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning Group) be requested to arrange for the installation of No Stopping zones on the northern side of Plunkett Street for a minimum distance of 16 metres to the west and a minimum distance of 12 metres to the east of Haigh Avenue to obtain the necessary minimum stopping sight distance in accordance with AUSTRROADS Part 5 (Intersections at Grade).
- b) The letter writer be advised accordingly.

A MOTION was moved by Clr Ward that

- a) The General Manager (Director Strategic Planning Group) not arrange for the installation of No Stopping zones on the northern side of Plunkett Street for a minimum distance of 16 metres to the west and a minimum distance of 12 metres to the east of Haigh Avenue to obtain the necessary minimum stopping sight distance in accordance with AUSTRROADS Part 5 (Intersections at Grade).
- b) The letter writer be advised accordingly.

This Motion lapsed for want of a seconder.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted "No";

Clr Ward.

**INFORMATION REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE –
TUESDAY 17TH APRIL 2007**

605. Adoption of Report

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

REPORT OF THE GENERAL MANAGER

STRATEGIC PLANNING

606. Sussex Inlet Settlement Strategy Revision and Finalisation File 30152-06

Clr Finkernagel declared a pecuniary interest in this matter being a property owner in the affected area and left the room and did not take part in discussion or vote on this matter.

RESOLVED on a MOTION of Clr Watson seconded Clr Anderson that

- a) Council adopt the revised Sussex Inlet Settlement Strategy, with the inclusion of additional detail regarding the One Tree Bay proposal in Section 2.1.1 “Future Settlement” and amended actions in Section 2.1.1 and 3.1.2 as detailed in the report to Council dated 24th April 2007 and seek final comments from the relevant State Government Agencies prior to seeking its endorsement by the Director General of Department of Planning.
- b) In respect of Verons Estate, Council maintain its previously resolved position of:
 - i) One (1) dwelling on each allotment within the catchment of Swan Lake
 - ii) Potential subdivisions outside the Swan Lake catchment be reduced to two (2) hectare lots
 - iii) Tourist development and facilities outside the Swan Lake catchment be allowed.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

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

The following Councillors voted “No”;

Clrs Rudd, Bates.

607. Grant Funding Advice File 3422, 26324

RESOLVED on a MOTION of Clr Young seconded Clr Green that Council accept the following funding offers and vote grants in 07/08 budget and letters of thanks be forwarded to:

- The Hon. Phil Koperberg MP Department of Environment and Climate Change (\$15,000) for the completion of the Ulladulla Harbour/Millards Creek Natural Resources Management Plan;
- Ms Pam Green, Chairperson Catchment Management Authority, SRCMA (\$150,300) for the development and implementation of the Coastal Headland Vegetation Management Projects.

608. Proposal to form a New South Wales Coastal Councils Group File 3245-05

RESOLVED on a MOTION of Clr Anderson seconded Clr Kerr that Council not participate in the establishment of the NSW Coastal Councils Group, noting that Council is already a member of the National Seachange Group, Southern Councils Group, Country Mayors Association and Local Government Association.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted "No";

Clrs Finkernagel, Rudd, Green, Bates, Watson.

FINANCE AND CORPORATE SERVICES

609. Public Libraries NSW – Country 2007 Conference, Merimbula File 35616

RESOLVED on a MOTION of Clr Kerr seconded Clr Ward that Councillors be authorised to attend the Public Libraries NSW – Country 2007 Conference in Merimbula from the 17th July to the 20th July 2007 with out of pocket expenses being paid.

610. Record of Investments File 2126

RESOLVED on a MOTION of Clr Ward seconded Clr Young that the Report of the General Manager (Finance & Corporate Services Group) on the Statement of Record of Investments for the period of 31st March 2007 be received for information.

DEVELOPMENT AND ENVIRONMENTAL SERVICES

611. Section 82A Request for Review of Council's Determination to Refuse Extension to Husky Pub Trading Hours at Lot 2 DP 209436, 75 Owen Street, Huskisson. Applicant: Mr Paul McGroder File DA06/2432

RESOLVED on a MOTION of Clr Finkernagel seconded Clr Ward that in relation to the Section 82A request for Council to review its determination of DA06/2432 for Extension of Trading Hours from 12:00 midnight until 1:00am on Friday and Saturday nights at the Huskisson Hotel:

a) Council support the S82A request and approve the extension to hotel trading hours, subject to the following conditions:

Limited Consent

1. To monitor the development and to ensure any adverse impacts do not continue indefinitely, this consent for extended hotel trading hours is limited and shall lapse

twelve (12) months after the start of the trial period set by the NSW Licensing Court, after which hotel operations will revert to the trading hours applying immediately prior to the trial period. The applicant may submit a Section 96 application to extend the development consent prior to the expiration of the approval date.

In determining whether or not to extend the consent, Council will take into account the number and nature of any complaints received in connection with the development and any recommendation(s) made by the Police Service.

Operating Hours

2. The following hotel operating hours are approved:
10:00am to 12:00 midnight Mondays to Thursdays;
10:00am to 1:00am Fridays and Saturdays (for the duration of this consent); and,
10:00 am to 10:00pm Sundays.

Entry Curfew

3. No persons shall be permitted to enter the hotel premises after 11:00pm on Friday or Saturday nights. In this regard, the hotel shall impose a "SHUT-OUT" at 11:00pm on Friday and Saturday nights.

Bottle-shop Sales

4. The hotel shall cease bottle-shop sales to patrons at 11:00 pm on Friday and Saturday nights.

Security Guards

5. To ensure the orderly behaviour of patrons, the hotel shall employ a minimum of two licensed security guards on Friday and Saturday nights. The premises and the environment adjoining and adjacent to the hotel shall be regularly patrolled by the licensed security staff.

Courtesy Bus

6. To ensure patrons are transported home and away from the area in a safe and orderly manner, the hotel shall provide a courtesy bus on Friday and Saturday nights. Pre-arranged departure times shall be displayed for the convenience of patrons.

Closed Circuit TV

7. For the safety of patrons and to provide adequate monitoring of the premises, the hotel shall install digital closed circuit TV (CCTV) surveillance and recording equipment to be placed internally and externally throughout the premises.

- b) The applicant be advised of the above and any rights of appeal.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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

The following Councillors voted “No”;

Clrs Bates, Green, Rudd

LEGAL DOCUMENTS - TUESDAY, 24 APRIL 2007

STRATEGIC PLANNING

612. Licence to Bomaderry Swimming Club Inc. – Bomaderry Aquatic Centre File 8960

RESOLVED on a MOTION of Clr Ward seconded Clr Kerr that

- a) The Council of the City of Shoalhaven licences to the Bomaderry Swimming Club Inc. the Bomaderry Swimming Club clubhouse at the Bomaderry Aquatic Centre being part Lot 4 DP 544264 for a term of five years at a rental of \$1 per annum;
- b) The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed and that otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

NOTICES OF MOTION - TUESDAY, 24TH APRIL 2007

613. Rescission Motion – Community Consultation Strategy File 30427, 1792-02

A MOTION was moved by Clr Rudd, seconded Clr Bates that the Motion in respect of the Community Consultation Strategy Report adopted at the Ordinary Meeting of Council on 27th March 2007 be rescinded.

The MOTION upon being PUT to the meeting was declared LOST

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Finkernagel, Rudd, Ward, Bates.

The following Councillors voted “No”;

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

614. Graffiti Removal File 1244-02

RESOLVED on a MOTION of Clr Willmott, seconded Clr Green that Council support the ongoing efforts of council’s team in pursuing alternate methods of graffiti removal.

615. Termeil Creek Bridge and Princes Highway Alignment

File 2646-02

RESOLVED on a MOTION of Clr Finkernagel seconded Clr Anderson that Council make representations to the RTA regarding community concerns about their proposed western alignment for the replacement of the Termeil Creek Bridge and asking for the road alignment to be constructed within the road reserve or to the east on public property.

616. Community Service Orders

File 1244-02

A MOTION was moved by Clr Ward, seconded Clr Green that Council write to local court magistrates requesting that in instances where a conviction has been recorded for vandalising public assets, and consideration is being given to a community service order, that the Court consider placing said person under the direction of Shoalhaven City Council for the duration of the order or part thereof so that said person can be involved in the restoration of the public asset they have damaged as well as the conditioning and repair of other public assets.

The MOTION upon being PUT to the meeting was declared LOST.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Green, Ward.

The following Councillors voted "No";

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

617. Caravan parking spaces

File 2186

A MOTION was moved by Clr Ward, seconded Clr Kerr that the General Manager (City Services and Operations) install one (1) Caravan Parking space in O'Keeffe's lane, Nowra.

The MOTION upon being PUT to the meeting was declared LOST.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Kerr, Ward.

The following Councillors voted "No";

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

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

RESOLVED on a MOTION of Clr Anderson, seconded Clr Ward that the Ordinary Meeting exclude the press and public from the Meeting pursuant to section 10 (2) of the Local Government Act, 1993 as it was to consider the following items of a confidential nature: -

Item	Reason
	Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 10A(2)(g)

The meeting moved into confidential session, the time being 7.40 pm.

The meeting moved into open session the time being 7.50 pm.

618. Isa Road Drainage Augmentation File SF7024 & DA04/2312

RESOLVED on a MOTION of Clr Anderson seconded Clr McCrudden that the General Manager continue to negotiate and liaise with Council's Insurers, Minister for Climate Change, Environment and Water and Mr Illiopoulos to ensure a cost effective and environmentally satisfactory solution to the drainage situation associated with ISA Estate.

619. Procedural Motion

A MOTION was moved by Clr Bates, seconded Clr Young that Item 1, Page 15 of the Special Policy and Planning Committee report - DCP No.54 Huskisson Town Centre Draft Amendment No 2 - Height and Setbacks be reintroduced as a matter of urgency.

During debate on this item, Clr Young withdrew her seconding.

The motion lapsed for want of a seconder.

620. Rescission Motion - DCP No.54 Huskisson Town Centre Draft Amendment No 2 - Height and Setbacks File 10132-03

The Chairperson advised that a Rescission Motion had been submitted in respect of the DCP No.54 Huskisson Town Centre Draft Amendment No 2 - Height and Setbacks signed by Clr Ward, Clr Finkernagel, Clr Rudd and Clr Bates.

Note: a notice was received signed by Clrs Bates, Finkernagel and Rudd withdrawing their signatures from the Rescission Motion on DCP No.54 Huskisson Town Centre Draft Amendment No 2 - Height and Setbacks.

This rescission motion lapses for want of two additional signatures.

621. Rescission Motion - DCP No.54 Huskisson Town Centre Draft Amendment No 2 - Height and Setbacks File 10132-03

A Rescission Motion has been submitted in respect of the Part a) only of the motion on DCP No.54 Huskisson Town Centre Draft Amendment No 2 - Height and Setbacks signed by Clr Bates, Finkernagel and Rudd.

There being no further business, the meeting concluded, the time being 7.53 pm.

Clr Watson
Chairperson