
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 27TH MARCH 2007 COMMENCING AT 4.05 PM

The following members were present;

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

The meeting was opened with the playing of the Australian National Anthem.

317. Confirmation of the Minutes

RESOLVED on a MOTION of Clr Ward, seconded Clr Kerr, that the Minutes of the following Meetings of Council be confirmed:

- Ordinary Meeting held Tuesday 27th February 2007
- Extra Ordinary Meeting held Tuesday 13th March 2007

be confirmed.

MAYORAL MINUTES – TUESDAY 27TH MARCH 2007

318. Princes Highway, South Nowra - Landscape South of Hillcrest Avenue File 3897, 1383-12

A MOTION was moved by Clr Watson, seconded by Clr Kerr, that Council vote the sum of \$20,000 to carry out landscaping works at South Nowra and that funds be sourced from existing relevant maintenance votes.

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 Murphy, McCrudden, Kerr, Kearney, Ward, Watson

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 27TH MARCH, 2007

MINUTES CONFIRMED ON TUESDAY 24TH APRIL, 2007 - CHAIRMAN

The following Councillors voted “No”

Clrs Finkernagel, Rudd, Green, Anderson, Willmott, Young, Bates

319. Milton Ulladulla Tennis Complex Upgrade File 34979

RESOLVED on a MOTION of Clr Watson, seconded Clr Finkernagel, that letters of appreciation be forwarded to the Member for Gilmore, Mrs. Joanna Gash, M.P., the Shoalhaven Area Consultative Committee and the President, Mr. Alan Gilkes, Milton Ulladulla District Tennis Association for successfully securing a grant of \$242,000 under the Australian Government’s Regional Partnerships Program.

320. Blueprint Shoalhaven Executive Officer File 33110-02

RESOLVED on a MOTION of Clr Watson, seconded Clr Ward, that a letter of appreciation be forwarded to the Member for Gilmore, Mrs. Joanna Gash, M.P. for successfully securing a grant of \$250,000 from the Australian Government for the appointment for two years of an Executive Officer to take the Blueprint Shoalhaven Action Plan forward.

321. New South Wales State Elections File 8318

Clr Ward declared a non-pecuniary interest in this item.

RESOLVED on a MOTION of Clr Watson, seconded Clr Willmott, that letters of congratulations be forwarded to the Hon. Morris Iemma, M.P. Premier of New South Wales, Member for South Coast, Mrs. Shelley Hancock, M.P. and Member for Kiama, Mr. Matt Brown, M.P. on their resounding win in the recent New South Wales State Government Elections.

REPORT OF THE POLICY AND PLANNING COMMITTEE – TUESDAY 13TH MARCH 2007

322. Adoption of Report

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

323. Budget File 1490-07

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

324. Correspondence File 1490-07, 33268

RECOMMENDED that with regard to the item on the Illawarra Regional Tourism Organisation and the Illawarra Regional Development Board’s proposal to establish an International Tourist Bureau the Tourism Manager’s actions in committing the Shoalhaven Tourism Board to the proposed International Tourist Bureau of \$5,000 per year for two years be confirmed.

325. Artfest Ulladulla File 2161-09

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the Artfest Ulladulla securing Regional Flagship funding be received for information.

326. Huskisson Trading Post File 12770

RECOMMENDED that the existing arrangements with the Huskisson Trading Post with respect to running a supplementary visitors centre continue.

327. Film Illawarra - Report on activities for 2006 File 3083-05

RECOMMENDED that the General Manager (Finance & Corporate Services) should write to Film Illawarra noting that the Shoalhaven Tourism Board is committed to the funding of Film Illawarra but noting the Board's disappointment at the lack of feature films, or other filming events in the Shoalhaven and encouraging Film Illawarra to be more active in putting Shoalhaven's case forward when encouraging filming activities in this area.

328. Film Illawarra - January Report File 3083-05

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) concerning the Film Illawarra January Report be received for information.

329. Shoalhaven Tourism Board Membership File 1490-07

RECOMMENDED that the General Manager (Finance and Corporate Services) thank the three members of the Shoalhaven Tourism Board for their services to tourism during the term of their latest appointment and encourage each of the members to re-nominate for the Shoalhaven Tourism Board.

330. Marketing Campaigns File 1011-02

RECOMMENDED that

- a) Due to the lack of support from tourism operators that the Shoalhaven Tourism Board not produce a Package Holiday Brochure at this time.
- b) The report of the General Manager (Finance & Corporate Services) on the Marketing Campaigns to be undertaken by the Shoalhaven Tourism Board be received for information.

331. Online Booking Service www.shoalhavenholidays.com.au File 31341

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

332. Sydney Melbourne Coastal Drive Report File 3823-10

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

333. Roadshows File 1023-03

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) concerning the Roadshows the Shoalhaven Tourism Board is attending be received for information.

334. Visitation over Summer File 8169-05

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the estimated visitation over Summer be received for information.

335. Shoalhaven Tourism Master Plan File 32929

RECOMMENDED that the report of the General Manager (Finance & Corporate Services) on the progress of the Shoalhaven Tourism Master Plan be received for information.

336. Mega Regional Tourism Organisation File 6853-08

RECOMMENDED that the Shoalhaven Tourism Board recommend to Shoalhaven City Council to endorse the proposal for the creation of a mega RTO incorporating the Local Government areas of (north to south) Wollongong City Council, Shellharbour Municipal Council, Kiama Municipal Council, Shoalhaven City Council, Eurobodalla Shire Council and Bega Valley Shire Council.

337. Shaolin Temple File 33378

RECOMMENDED that the verbal report given on the progress of the Shaolin Temple be received for information.

338. Small Tourist Brochures/Cards File 26944

RECOMMENDED that the General Manager (Finance & Corporate Services) examine the possibility of utilising small tourist brochures/cards.

339. Website Statistics File 31341

RECOMMENDED that the General Manager (Finance & Corporate Services) examine the possibility of obtaining more detailed website statistics through www.shoalhavenholidays.com.au.

340. Shark Planes File 4977-04

RECOMMENDED that the report from the Board on the Shark Planes be received for information.

341. Presentation on Shoalhaven Water Supply Security File 4844-04

RECOMMENDED that the verbal presentation on Shoalhaven water supply security be received for information.

342. Youth Advisory Committee Budget File 1506-04

RECOMMENDED that

- a) The report of the General Manager (City Services and Operations) regarding the Youth Advisory Committee budget be received for information.
- b) The General Manager (City Services and Operations) write to the Nowra Show Society expressing disappointment at the lack of recognition given the Youth Advisory Committee for its support of Council's \$1,000 contribution towards the Nowra Show Society Youth Program.

343. Mental Health Services in the Shoalhaven File 32242

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Mental Health service in the Shoalhaven be received for information.

344. Beautiful Soul Mental Health/Suicide Prevention Workshop – Funding Request File 1506-04

RECOMMENDED that

- a) Council support a donation of \$750 from the Youth Advisory Committee budget towards a Beautiful Soul Mental Health / Suicide Prevention Workshop to be held in Nowra in 2007.
- b) The Youth Advisory Committee members organise the format for the Workshop with the assistance of Council's Youth Development Officer.

345. Youth Advisory Committee Workshops / Informal Meetings File 1506-04

RECOMMENDED that Council Youth Development Officer liaise with Youth Advisory Committee (YAC) members to schedule a Workshop/Informal meeting to brainstorm strategies, identify and action goals for the YAC to undertake in accordance with Council's Community Plan at a time suitable to the majority of members.

346. Youth Week 2007 Grant Application File 2503-05

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

347. Youth Week Plans and Preparation File 2503-05

RECOMMENDED that

- a) The Youth Advisory Committee invite Council to promote and support all events and activities for Youth Week 2007

THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 27TH MARCH, 2007

MINUTES CONFIRMED ON TUESDAY 24TH APRIL, 2007 - CHAIRMAN

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- b) Promotional material for Youth Week 2007 be circulated through local schools and Student Representative Council's (SCR).

348. Holiday Activities 2007 File 1506-04

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

349. Good News Youth Publication File 1506-04

RECOMMENDED that the Youth Advisory Committee seek Council's support for a good news youth publication to be produced quarterly.

350. Local Government Focus Publication - Youth Council Article File 1506-04

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Local Government Focus publication article on Youth Council be received for information.

351. "Croc Fest" Youth Event File 1506-04

RECOMMENDED that the General Manager (City Services and Operations) write to Constable Kathryn Wynham, Nowra Police expressing Council and the Youth Advisory Committee's endorsement in seeking the staging of the "Croc Fest" youth event festival in the Shoalhaven for 2007.

352. Nowra Skate Park Advisory Group Representative File 35337

RECOMMENDED that

- a) Council appoint Paul Ell as a representative of the committee on the Nowra Skate Park Advisory Group.
- b) The previous nomination of Scott Walker as a representative of YAC on the Nowra Skate Park Advisory Group be withdrawn.

353. Additional Item – Feedback - XXXIX Annual The Hague International Model United Nations (THIMUN) File 1506-04

RECOMMENDED that the verbal presentation of Morgan Forrest on his experience at the XXXIX Annual The Hague International Model United Nations (THIMUN) conference in the Netherlands on 5th – 29th January 2007 be received for information.

354. Additional Item – Poetry Festival 2007 File 35751

RECOMMENDED that

- a) Council endorse the promotion of the 2007 Poetry Festival among local High Schools with particular focus on day three (3) events due to its link with the Higher School Certificate curriculum.
- b) The promotion of the Poetry Festival among schools be undertaken by Council's Youth Development Officer in conjunction with Council's Arts & Events Manager.

355. Additional item - United Nations Youth Association (UNYA)- Perez de Cuellar Security Council Competition File 10210-02

RECOMMENDED that the General Manager (City Services and Operations) prepare a report to the Youth Advisory Committee on the request of the United Nations Youth Association (UNYA) to use the Council Chamber on Saturday 9th June 2007 to host a regional round of the Perez de Cuellar Security Council Competition for further consideration.

356. Additional item - Youth Parliament File 1506-04

RECOMMENDED that Council allocate up to \$400 from the Youth Advisory Committee budget for the attendance of two youth residents from the Shoalhaven to attend the 2007 Youth Parliament training camp on 20th -22nd April and the residential component in parliament on 1st-6th July 2007.

357. Presentation - Shoalhaven Multi Purpose Cultural Convention Centre File 32877

RECOMMENDED that:

- a) The General Manager (City Services and Operations) seek the permission of the Chairperson of the Shoalhaven Multi Purpose Cultural Convention Centre Project Control Group (SMPCCCPCG) for representatives of the Shoalhaven Access Advisory Committee to attend the next meeting of the SMPCCCPCG;
- b) The representatives of the Shoalhaven Access Advisory Committee be permitted to convey detailed concerns in regard to an undercover drop off area proposed at the Shoalhaven Multi Purpose Cultural Convention Centre;
- c) Meg Madge and Nathan Black be the representatives to attend the meeting.

358. Master Locksmith Access Key (MLAK) System File 8852

RECOMMENDED that the General Manager (City Services and Operations) investigate the need for directional signage for disabled facilities to be installed at Nowra Showground and Mollymook Park.

359. Mobility Maps File 3665-03

RECOMMENDED that:

- a) The report of the General Manager (City Services and Operations) regarding Mobility Maps be received for information;
- b) The General Manager (City Services and Operations) pursue advertising from commercial premises with disability access for inclusion on the Mobility Maps.

360. Disability Discrimination Act (DDA) Action Plan Review File 20168-02

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Disability Discrimination Act (DDA) Action Plan Review be received for information.

361. Young People in Nursing Homes File 3665-03

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Young People in Nursing Homes be received for information.

362. Smartview Xtend File 3665-03

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

363. Shoalhaven Hospital - Pedestrian Access File 8020

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

364. Membership Applications - Leith Hamilton and Andrea Wallace File 1228-02

RECOMMENDED that

- a) Leith Hamilton and Andrea Wallace be appointed as members of the Shoalhaven Access Advisory Committee;
- b) The General Manager (Finance & Corporate Services) write to Leith Hamilton and Andrea Wallace advising them of their membership to the Shoalhaven Access Advisory Committee.

365. Member Attendance Difficulties File 1228-02

RECOMMENDED that General Manager (Finance & Corporate Services) write to Mr Brett Tory, member of the Shoalhaven Access Advisory Committee, advising that Council will continue to forward the Notice of Meeting, Minutes and Reports to him and that any concerns he may wish to raise should be forwarded to Council's Community Development Officer in writing.

366. Additional Item - Lever Taps for the HACC Centre File 31164

RECOMMENDED that the General Manager (City Services and Operations) investigate options for updating bathroom fittings at the HACC Centre, Nowra.

367. Additional Item - Next Meeting of the Shoalhaven Access Advisory Committee File 1228-02

RECOMMENDED that the next meeting of the Shoalhaven Access Advisory Committee be scheduled for Thursday 19th April 2007 at 2.00 pm.

368. Tourism Advertising at Bomaderry Railway Station File 1490-07

RECOMMENDED that the General Manager (Finance & Corporate Services) submit a report to the next meeting of the Bomaderry Shopping Centre and Railway Precinct Working Party in regard to investigations by the Shoalhaven Tourism Board into strategies to promote tourism facilities at Bomaderry Railway Station.

369. Policing of the Alcohol Free Zone at Walsh Park, Bomaderry File 6598

RECOMMENDED that the General Manager (Finance & Corporate Services) submit a report to the next meeting of the Bomaderry Shopping Centre and Railway Precinct Working Party in regard to a request to the Local Area Command to police the Alcohol Free Zone at Walsh Park, Bomaderry.

370. Bomaderry Shopping Centre Newsletter - Results of Public Distribution File 13200

RECOMMENDED that Council be requested to allocate funds from General Fund to engage Planning and Urban design consultants to review the Bomaderry Shopping Centre DCP in the 2008/2009 financial year.

371. Pedestrian Link - Railway Station, Merroo Street to Public Carpark on Coomea Street File 13200

RECOMMENDED that the General Manager (Strategic Planning Group)

- a) Negotiate with the owners of properties to the north and south of the proposed pedestrian link from Merroo Street to the public carpark on Coomea Street, Bomaderry, to provide a minimum of 3 metres each to allow for a safe walkway;
- b) Submit a report to the next meeting of the Bomaderry Shopping Centre and Railway Precinct Working Party on the outcomes of the negotiations.

372. Additional Item - Carpark Maintenance Required File 5758

RECOMMENDED that the General Manager (Strategic Planning) investigate maintenance requirements contained in the Development Consent for the car park at the rear of the Bomaderry Hotel, Bomaderry.

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373. Additional Item - Next Meeting of the Bomaderry Shopping Centre and Railway Precinct Working Party File 30100

RECOMMENDED that the next meeting of the Bomaderry Shopping Centre and Railway Precinct Working Party be scheduled for June 2007.

374. Ulladulla Town Centre and Harbour DCP No. 56 Review - Status Report File 13767-03

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

375. Ulladulla Town Centre and Harbour DCP No. 56 Review - Facilitated Workshop No. 1 File 13767-03

RECOMMENDED that the report of the General Manager (Strategic Planning) concerning the Facilitated Workshop No. 1 for the Ulladulla Town Centre and Harbour DCP No. 56 Review be received for information.

376. Additional Item - Next Meeting - Ulladulla DCP 56 Review Working Party File 34759

RECOMMENDED that the next meeting of the Ulladulla DCP 56 Review Working Party followed by Workshop No.2 be scheduled for June.

377. Code of Conduct and Code of Conduct Guidelines File 4420-02

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

378. Code of Conduct - Conduct Committee Status Report File 31148-02

RECOMMENDED that the report of the General Manager regarding the Code Of Conduct - Conduct Committee Status Report be received for information.

379. WorkChoices and Industrial Relations File 14611

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

380. NSW Business Priorities 2007 File 4159-02

RECOMMENDED that Council note the Business Priorities 2007 of the NSW Business Chamber and receive the report of the General Manager for information.

381. Home Composting Trial File 2210

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Home Composting trial be received for information.

382. Change to POEO Waste Regulation File 12124

RECOMMENDED that Council make representation to the Minister for the Environment to have this legislation amendment reviewed.

383. Amendments for Guidelines for Public Access to Council Information File 10139-02

RECOMMENDED that Council adopt the amended guidelines for “*Public Access to Council Information*”.

384. AusLink: Sydney - Wollongong Corridor Strategy File No: 27588-02

RECOMMENDED that

- a) The report of the General Manager on the Draft Sydney – Wollongong Corridor Strategy prepared by AusLink be received for information;
- b) Council include in their submission that a high priority be given to the following works in the next phase of AusLink:
 - i) Fast track the extension of the F6 link through the southern suburbs of Sydney;
 - ii) The link from Gerringong to the Jervis Bay turnoff be funded and completed;
 - iii) Electrification of the rail line from Kiama to Bomaderry.
- c) The submission to AusLink be endorsed by Council;
- d) A copy of Council’s submission be sent to the Member for Gilmore, Joanna Gash MP.

385. Community Consultation Strategy File 30427

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

386. Ulladulla & Districts Community Forum File 1792-02

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

387. Trees (Disputes Between Neighbours) Act 2006 File 7378-03

RECOMMENDED that the report on Trees (Disputes Between Neighbours) Act 2006 be received for information.

388. Earth Hour - Community Action on Climate Change to Reduce Greenhouse Gas Emissions.
File 8596-02

RECOMMENDED that Shoalhaven City Council participate in Earth Hour and encourage the businesses and the community of Shoalhaven to also turn off lights for one hour between 7.30 - 8.30pm on Saturday 31 of March.

THIS IS PAGE 11 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 27TH MARCH, 2007

MINUTES CONFIRMED ON TUESDAY 24TH APRIL, 2007 - CHAIRMAN

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389. Authorisation of Independent Suitably Qualified Persons to Grant Operational Approval for On-Site Sewage Management Facilities File 10970-03

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

390. Offer of Grant Funding for the Preparation of an Education Brochure on *Minimising the Impacts of Development on Native Fauna* File 26743

RECOMMENDED that Council accept the grant offer under the Voiceless Grants Program of \$5,000 for the preparation of a brochure on *Minimising Impacts of Development on Native Fauna* and vote the funds.

391. Community Consultation Policy for Development Applications (Including Subdivision) and the Formulation of Development Guidelines and Policies (Draft Amendment No 4) File 8139

RECOMMENDED that

- a) Council adopt Community Consultation Policy for Development Applications (Including Subdivision) and the Formulation of Development Guidelines and Policies (Draft Amendment No 4), for the purposes of public exhibition in accordance with Council's existing policy;
- b) Following the consideration of submission from the public exhibition of this Policy, the matter be reported back to Council.

392. Additional Item - Broughton Vale Road File 9042

RECOMMENDED that:

- a) The General Manager (City Services and Operations/Strategic Planning) report to Council on the present condition of Broughton Vale Road;
- b) The report give consideration to the road and creek bank erosion as a result of significant flooding as well as possible funding options from one of Council's three road funding programs;
- c) The report also canvas any possible grant funding that may be available from State and Federal Governments with respect to the remediation of Broughton Creek bank.

393. (Page 17, Item 43) Shoalhaven Hospital - Pedestrian Access File 8020

This item was withdrawn and dealt with separately.

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding Shoalhaven Hospital - Pedestrian Access be received for information.

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

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394. (Page 19, Item 54) Ulladulla Town Centre and Harbour DCP No. 56 Review - Status Report
File 13767-03
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This item was withdrawn and dealt with separately.

RECOMMENDED that the report of the General Manager (Strategic Planning) on the status of the Ulladulla Town Centre and Harbour DCP No. 56 Review be received for information.

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

395. (Page 20, Item 57) Code of Conduct and Code of Conduct Guidelines
File 4420-02
-

This item was withdrawn and dealt with separately.

RECOMMENDED that Council adopt the amended draft Code of Conduct and Code of Conduct Guidelines as exhibited.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye"

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

The following Councillors voted "No"

Clrs Rudd, Green, Ward, Bates

396. (Page 21, Item 59) WorkChoices and Industrial Relations
File 14611
-

This item was withdrawn and dealt with separately.

RECOMMENDED -

- a) That Council's Industrial Relations matters be dealt with by the General Manager, in consultation with the Local Government & Shires Association and be subject to negotiation with staff and the relevant Unions.
- b) That Councillors be kept informed of the nature and outcomes of negotiations through Councillor Briefings from time to time.

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

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) Council adopt the Community Consultation Strategy as amended, with the name Principal Consultative Bodies being replaced with Community Consultative Bodies.
- b) All current Principal Consultative Bodies be advised of Council's determination on the name change;
- c) Council's Community Consultation Strategy be prominently displayed on Council's website;
- d) Council amend the document 'Guidelines for Principal Consultative Bodies' to reflect the name change to 'Community Consultative Bodies'.
- e) Council amend the rules in relation to Community Consultative Bodies as follows:
 - i) A Community Consultative Body will not continue to be recognised as a Community Consultative Body if in Council's opinion they become involved in any political activities against the Federal, State and Local Government of the day;
 - ii) Shoalhaven City Council be the sole arbiter of this issue.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye"

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

The following Councillors voted "No"

Clrs Finkernagel, Rudd, Green, Ward, Bates

Note: A Rescission Motion has been received in respect of this item prior to the closure of the meeting.

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) Council recognise the Ulladulla and Districts Community Forum as a Community Consultative Body for the Ulladulla Mollymook area (excluding the Narrawallee and Burrill Lake areas);

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- b) The Ulladulla Chamber of Commerce be recognised as the primary consultative group in regard to business issues in the Ulladulla area.

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

- a) Council recognise the Ulladulla and Districts Community Forum as a Community Consultative Body as advertised;
- b) Council recognise other interested groups in the Ulladulla area.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

Clrs Finkernagel, Rudd, Ward, Bates

The following Councillors voted “No”

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

A MOTION was moved by Clr Murphy, seconded by Clr Kerr, that

- a) Council recognise the Ulladulla and Districts Community Forum as a Community Consultative Body for the Ulladulla and Mollymook area including Burrill Lake until such time as they wish to form their own Community Consultative Body;
- b) The Southern Branch of the Shoalhaven Business Chamber be recognised as the primary consultative group in regard to business issues in the Ulladulla area.

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

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clrs Finkernagel, Rudd, Ward, Bates

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clrs Rudd, Bates

399. (Page 24, Item 69) Authorisation of Independent Suitably Qualified Persons to Grant Operational Approval for On-Site Sewage Management Facilities File 10970-03
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This item was withdrawn and dealt with separately.

RECOMMENDED that Council make representations to the Minister for Local Government to support an amendment to Section 68 of the NSW Local Government Act to provide for private certification in respect of the issuing of Approvals to Operate a System of Sewerage Management. That this amendment also contain penalties for malpractice as well as the ability for the private certifier to advise a Council of environmental health issues along with orders for enforcement.

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

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

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clrs Rudd, Ward, Willmott, Bates

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clrs Rudd, Murphy, Green, Anderson, Bates, Watson

REPORT OF THE WORKS AND FINANCE COMMITTEE – TUESDAY 13TH MARCH 2007

400. Adoption of Report

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

401. Bomaderry Creek Flood Study File 34657-05

RECOMMENDED that Council engage WBM Oceanics Australia to prepare the Bomaderry Creek Flood Study as outlined in the report for an upper limit fee of \$64,550 (excluding GST), plus the associated preliminary survey costs of \$25,000 (excluding GST) which will be finalised after the engagement of the consultant.

402. Continuing Control of Bitou Bush Funding Offer File 7358-03

RECOMMENDED that:

- a) Council accept the grant offer by Natural Heritage Trust administered through the Southern Rivers Catchment Management Authority totalling \$98,000;
- b) Council vote the sum of \$20,000 to enable works to be undertaken in the current financial year;
- c) The balance of funds be included as a line item in the 2007/2008 Budget;
- d) Council write to the Minister for Environment and Conservation Mr Bob Debus, thanking him for the grant offer.

403. Tender for the Milton Ulladulla District Tennis Courts Expansion Program File 35309

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Tender for the Milton Ulladulla District Tennis Courts Expansion Program be received for information.

404. Waiver of Fees: Ross Kalenderidis Exhibition File 4329-02

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

405. Community Grants Program File 3991-12, 35860

RECOMMENDED that:

- a) Council endorses the concept of a Community Grants Program;
- b) The General Manager (City Services and Operations), develop Draft Guidelines and Application Forms for the operation of the Community Grants Program and submit them to Council for further consideration.

406. Tender for the Milton Ulladulla District Tennis Courts Expansion Program File 35309

RECOMMENDED that the report of the General Manager (City Services and Operations) regarding the Tender for the Milton Ulladulla District Tennis Courts Expansion Program be received for information.

407. Asset Management Plans File 8983

RECOMMENDED that

- a) Council adopt the following draft Asset Management Plans for Public Exhibition:-
 - Kerb & Gutter
 - Traffic Facilities
 - Car Parks
 - Flood Mitigation Structures
 - Playgrounds
 - Public & Community Buildings
 - Public Halls & Community Centres
 - Libraries
 - Early Childhood Services
 - Community Buildings
 - Scout & Guide Clubs
 - Arts & Craft Buildings
 - Surf Life Saving Clubs
 - Museums and Cultural Centres
 - Administrative Centres
 - Cemeteries
 - Aquatic Facilities
 - Sealed Roads
- b) Community consultation be undertaken by public advertisement for a period of 28 days
- c) The draft document be placed on Council's Internet site with easy links to make the comments electronically.
- d) Principal Consultative Bodies be advised of the availability of the draft documents on Council's web site and invited to comment.
- e) A further report be submitted to Council on the outcome of the public exhibition.

408. Asset Management Plan - Tennis & Other Courts File 30281

RECOMMENDED that Council adopts the draft Asset Management Plan – Tennis & Other Courts.

409. Access to Subdivision of Lot 10, DP 579888, Portions 27, 116, 120, 132 & 178, Parish of Conjola
File SF7180

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

410. Illuminated Advertising Signs (Identilites) - Agreement Renewal and Amended Policy File 3670

RECOMMENDED that:

- a) Council adopt the amended Policy for Illuminated Advertising Signs as shown on Attachment A.
- b) Council agree to the extension of the existing agreement with the Claude Group for installation and maintenance of Illuminated Advertising (Identilite) Signs for a period of five (5) years with a single five (5) extension option.
- c) Council execute the final agreement under the Seal of Council.

RECOMMENDED that

- a) Council authorise the following adjustments to the 2006/07 Drainage Program:-

Proposed Projects	Current Budget	Budget Adjustment	Revised Budget
Drainage Investigations & Design	\$40,000	-\$10,000	\$30,000
Emmett St - School easement acquisition	\$30,000	-\$29,302	\$698
Cook/Emmett St, Callala Bay	\$129,302	\$36,394	\$165,696
190 Island Point Rd - shared pipe easement	\$30,000	-\$28,000	\$2,000
Robinsville Pl, Sanctuary Point - Drain	\$28,519	-\$20,000	\$8,159
Worrigee Rd, Worrigee - diversion swale	\$56,000	-\$36,000	\$20,000
Kingsly Ave, Ulladulla	\$40,000	\$20,000	\$60,000
Silver Strand, Hyams Beach	\$35,000	-\$20,000	\$15,000
Tharwa St, Vincentia	\$35,000	-\$20,000	\$15,000
Blair St, Old Erowal Bay	\$45,000	\$45,000	\$90,000
Drainage Unallocated	\$1,092	-\$1,092	\$0
Prince Edward St, Culburra Beach	\$0	\$60,000	\$60,000
Old Berrara Rd	\$7,000	\$3,000	\$10,000

- b) The General Manager (Strategic Planning) investigate the need for further drainage on Old Berrara Road.

RECOMMENDED that

- a) Council accept the NSW Government Environmental Trust offer of \$37,000;
- b) Council vote the grant fund offer of \$37,000 to a new job number; and
- c) Council write to the Hon Bob Debus, Minister for the Environment, thanking him for the grant offer.

413. Shoalhaven Women's Conference - Live & Work with Passion 2006 File 4771-06

RECOMMENDED that Council purchase a Silver Sponsorship to the value of \$500 for the Shoalhaven Area Consultative Committee Inc Women's Conference – Live & Work with Passion 2007 scheduled for September 2007 from the Community Services budget.

414. Supervision of Shoalhaven City Council's Ten Recycling & Waste Depots File 35224

RECOMMENDED that:

- a) The Assistant General Manager be authorised to accept the tender of Fidoto Pty Ltd trading as Shoalhaven Recycling for the Supervision of Shoalhaven City Council's Ten (10) Recycling and Waste Depots for the period of 29 June 2007 to the 30 June 2008 at an initial estimated annual cost of \$1,064,087.05.
- b) Council authorise the Assistant General Manager to execute the Contract under seal of Council.

415. (Page 28, Item 4) Waiver of Fees: Ross Kalenderidis Exhibition File 4329-02

This item was withdrawn and dealt with separately.

RECOMMENDED that the Council authorise payment of a \$450 fee for the hire of the Milton Theatre for a Ross Kalenderidis Exhibition, using funds available in the Arts/Cultural Activities budget (Job No 21596).

A MOTION was moved by Clr Willmott, seconded by Clr Anderson, that in regard to the matter of Waiver of Fees – Ross Kelenderidis Exhibition, the matter be referred to the Shoalhaven Arts Board.

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 McCrudden, Anderson, Willmott

The following Councillors voted "No"

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

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye"

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

The following Councillors voted “No”

Clrs McCrudden, Kerr, Anderson, Willmott

416. (Page 29, Item 9) Access to Subdivision of Lot 10, DP 579888, Portions 27, 116, 120, 132 & 178, Parish of Conjola File SF7180
-

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) Council accept the upgrade of the Right of Ways to the agreed standard (bitumen sealed, nominal 200mm pavement overlay) as a suitable upgraded standard for the existing two Right of Ways on Lot 2 DP 829264 and Lot 661 DP 868700 to be dedicated as public roads.
- b) Council agrees to fund survey, lodgement and legal costs associated with creation and dedication of public roads of Lot 2 DP 829264 and Lot 661 DP 868700, to be funded from existing funds for Public Road Acquisitions.
- c) Council consider funding of \$28,000 for the bitumen sealing of gravel roads in adjacent public road reserves to a “Low Cost Seal” standard, to eliminate isolated gravel road sections from the 2007/08 Gravel Road Improvement Program (Maintenance).

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

REPORT OF THE DEVELOPMENT COMMITTEE – TUESDAY 13TH MARCH 2007

417. Adoption of Report
-

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

418. Proposed Amendment to Policy for the Demolition of Buildings containing Asbestos File 1538-02

RECOMMENDED that Council amend the Demolition of Buildings Containing Asbestos Policy as follows:

- a) The requirement for the provision of a clearance certificate from an independent competent person in accordance with the National Occupational Health and Safety Commission Code of Practice for the Safe Removal of Asbestos be limited to cases involving the removal of friable asbestos;
- b) Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Demolition Licence or a current WorkCover Class 2 (Restricted) Asbestos Licence; and

THIS IS PAGE 22 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 27TH MARCH, 2007

MINUTES CONFIRMED ON TUESDAY 24TH APRIL, 2007 - CHAIRMAN

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- c) Advice on the amendments to the Policy be forwarded to all licensed demolition and asbestos removal contractors in the Shoalhaven.

419. Request for a Variation to Council's Policy relating to Requests to Support the Closure of Rural roads in respect to Development Application for a Rural Dwelling and Detached Shed - Lot 44 DP 751264, Irvines Road, Bellawongarah. Applicant: Jim Livingston File DA06/2823

RECOMMENDED that:

- a) in respect to the Application for Closure and Purchase of the Crown Road, located adjacent to the northern boundary of Lot 44 DP 751264, Irvine Road, Bellawongarah, Council support a variation of the "*Consideration of Request to Support Closure of Rural Roads Policy*" in this instance
- b) Council support the proposed road closure and subsequent sale of the road on the understanding that prior to sale, the Department of Lands, will grant to Council and adjoining landowners, a right of carriageway over the alignment of the existing Crown road reserve.

420. Failure to Comply with an Order for Land in an Unsightly Condition File 4750

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

421. Land and Environment Court Appeal - Proposed Dwelling - Lot 4 DP 8188 - 11 Quay Road, Callala Beach. Applicant: G Prochilo File DA01/2294, 35859

RECOMMENDED that Council:

- a) Prepare a Coastal Hazards DCP incorporating information from coastal management studies, i.e. Callala Beach, and establishing relevant minimum setbacks for building foreshore locations; and
- b) In terms of the involvement with and input of the Strategic Planning work program, the project be given a low priority.

422. (Page 34, Item 3) Failure to Comply with an Order for Land in an Unsightly Condition File 35872, 32379

This item was withdrawn and dealt with separately.

RECOMMENDED that the report on failure to comply with an order for land in an unsightly condition be received for information.

RESOLVED on a MOTION of Cllr Anderson, seconded by Cllr Murphy, that Council:

- a) Proceed directly to the Land and Environment Court to obtain an order for Council to carry out clean up and disposal of material at the property in Sanctuary Point;

-
- b) Adopt a policy to ensure that in similar circumstances Council take direct action to proceed to obtain an order from the Land and Environment Court.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clrs Rudd, Murphy, Ward, Bates, Watson

REPORT OF THE SHOALHAVEN WATER OPERATIONS AND STRATEGIC REVIEW COMMITTEE – TUESDAY 20TH MARCH 2007

423. 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.

424. National Water Initiative – Water Supply and Sewerage Performance Benchmarking File 28864

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

425. Reclaimed Water Management Policy File 12039

RECOMMENDED that Council:

- a) Endorse the strategy to pursue a Reclaimed Water Management Policy and the proposed stakeholder engagement, and
- b) Receive a further report after the stakeholder engagement for endorsement of a draft policy

426. Conjola Regional Sewerage Scheme – Proposed Reclaimed Water Scheme File 1370-13

RECOMMENDED that Council:

- a) Endorse the direction for the implementation of a Reclaimed Water Scheme at Manyana/Bendalong,
- b) Undertake community, agency and developer consultation in line with the proposed Reclaimed Water Management Policy, and
- c) Consider a further report on the proposed Manyana/Bendalong Reclaimed Water Scheme.

THIS IS PAGE 24 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 27TH MARCH, 2007

MINUTES CONFIRMED ON TUESDAY 24TH APRIL, 2007 - CHAIRMAN

427. Preliminary Budget/Capital Works Program File 10677-03

RECOMMENDED that:

- a) The General Manager (Shoalhaven Water) undertake a review of the time frame for the projects in the Works Program;
- b) The General Manager (Shoalhaven Water) proceed with 'Case 3' as detailed in the report, excluding the Ulladulla Industrial Area and Ulladulla Lighthouse Oval area unless proven unviable;
- c) Council move towards separating the consolidated quarterly billing notices by 1 July 2007.

428. Conjola and Currarong Subsidy Funding Announcements File 1370-13, 1374-05

RECOMMENDED that Council write to the Minister for Water Utilities, the Hon. David Campbell, thanking him for his generosity for the funding of the pressure sewer "on-property" construction for the Conjola Regional and Currarong Sewerage Schemes.

429. Additional Item - World Water Day File 9717

RECOMMENDED that the verbal report regarding World Water Day being Thursday 22nd March 2007 be received for information.

REPORT OF THE CROWN RESERVE, COMMUNITY AND COMMERCIAL OPERATIONS COMMITTEE – TUESDAY 20TH MARCH 2007

430. Adoption of Report

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

431. Membership - Nowra Skate Park Advisory Group File 35337

RECOMMENDED that Council endorse the Youth Advisory Committee (YAC) recommendation and appoint Paul Ell as a representative of YAC on the Nowra Skate Park Advisory Group.

432. Nowra Skate Park Design File 24903

RECOMMENDED that

- a) The report of the General Manager (Strategic Planning / City Services and Operations) regarding the Nowra Skate Park design be received for information.
- b) Council develop the design for the Nowra Skate Park in a combination of materials, using a multi coloured concrete base, concrete street elements and Rhinotop for other various skate elements.

RECOMMENDED that

- a) Council adopt the following design parameters for the appointed designer of the Nowra Skate Park;
 - i) To comply with the approved Development Application approval;
 - ii) Minimise noise impact onto adjoining residential properties through a considered layout of the skate elements and landscaping;
 - iii) Provision of streetscape elements which include, but are not limited to the provision of a ledge, streetspine, fun box and stairs, half pipe and/or quarter pipe;
 - iv) Provision of appropriate safety fencing to ensure run-away skate boards do not leave the skate park site;
 - v) Provision for spectators to view the use of skating facility;
 - vi) Maximisation of Passive surveillance;
 - vii) Connectivity to existing path system within the park, and existing amenities building;
 - viii) Provision of security lighting and other safety measures to minimise inappropriate use of the facility; and
 - ix) Provision of shade and seating
- b) Council adopt the following skate elements to be incorporated into the Nowra Skate Park;
 - i) Half pipe
 - ii) Stairs
 - iii) Fun Box
 - iv) Quarter pipe
 - v) Street spine
 - vi) Ledge
 - vii) Flat banks
 - viii) Mini pyramid
- c) The General Manager (Strategic Planning / City Services and Operations) investigate and report back to the Skate Park Advisory Group on options for partial shade coverage of the Skate Park and the feasibility of a secondary use of shade structures for lighting.

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

435. Foreshore Reserve Improvement - The Basin Road Reserve, St Georges Basin File 2253

RECOMMENDED that

- a) Available funds of \$32,000, comprising \$22,000 in Section 94 Reserves (66305.14687) and \$10,000 from Estuary Program funding (75701) be voted and authorised for the foreshore reserve improvement works to the reserve at The Basin Road, St Georges Basin (66307.14687) with the priority being on addressing roads and associated drainage and erosion.
- b) The General Manager (Strategic Planning) submit a further report on the subsequent priorities for the additional funding from Section 94 Reserves 03REC0002, 0004, 0005, 0006, 0007, and 03REC0008.

436. BMX Track for Sussex Inlet File 2391

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

437. Huskisson Beach Tourist Resort Redevelopment - Supply of Cabins and Ensuities File 17887-05

RECOMMENDED that Council advertise for Expressions of Interest for the manufacture and placement of cabins and ensuite units for the proposed redevelopment of the Huskisson Beach Tourist Resort.

438. Tender for Operation of Cambewarra Tea Rooms File 35505

RECOMMENDED that:

- a) The Council of the City of Shoalhaven, as Manager of the Cambewarra Crown Reserve R246 Trust, grants a licence to William and Robyn Povey, trading as Cambewarra Mountain Lookout & Tearooms, for the Operation of Cambewarra Tea Rooms being described as Crown Reserve No R246 – Lot 1 shown on Council Plan 1299-1 for a three (3) year term plus a three (3) year option at a licence fee of \$19,469.88 (GST inclusive) per annum.
- b) 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 this resolution.
- c) The matter be referred to the Minister for Lands, the Hon. Tony Kelly MLC, for endorsement.

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439. Cambewarra Communication Tower Redevelopment - Licence Agreement with Department of Lands File 8706-02
-

RECOMMENDED that

- a) The Council of the City of Shoalhaven, as Manager of the Cambewarra (R246) Reserve Trust, resolve to grant a Licence to the Council of the City of Shoalhaven for a period of 12 months for purposes of erecting and commissioning a new telecommunications tower.
- b) That the Council of the City of Shoalhaven resolve to enter in a licence with the Cambewarra (R246) Reserve Trust for a period of 12 months.
- c) The common seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed to give effect to paragraphs (a) and (b) of this resolution otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

440. Voyager Memorial Park - Landscape Masterplan File 3578-02 & 27590-05
-

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

441. (Page 38, Item 4) Ulladulla Library Expansion File 34411
-

This item was withdrawn and dealt with separately.

RECOMMENDED that consideration of the Ulladulla Library Expansion be deferred until other options are canvassed.

A MOTION was moved by Cllr Willmott, seconded by Cllr Green, that Council proceed to install double doors giving access from the Ulladulla Library to the Ulladulla Civic Centre.

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"

Cllrs Green, McCrudden, Willmott, Bates

The following Councillors voted "No"

Cllrs Finkernagel, Rudd, Murphy, Kerr, Ward, Kearney, Anderson, Young, Watson

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

This item was withdrawn and dealt with separately.

RECOMMENDED that

- a) Council thank the Premier and accept the one-off grant offered by the Premier for the development of a BMX facility in Sussex Inlet; and
- b) Council liaise with Department of Lands on the matter of allocation of Crown Land for the development of the BMX track.

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

This item was withdrawn and dealt with separately.

RECOMMENDED that Council

- a) Adopt a staged approach to the landscaping of Voyager Memorial Park;
- b) Council adopt the amended Landscape Plan Stage 1 as per Attachment E;
- c) Council seek the Department of Lands endorsement to the amended Landscape Plan and staging approach;
- d) Subject to the Department of Lands endorsement of the amended Landscape Plan, Council approve the erection of one shade structure adjacent to the playground as per Attachment "D" and the planting of 4 Tuckeroo trees adjacent to the existing seats in the south east section of the Reserve; and
- e) Council advise all who submitted individual comments on the exhibited Landscape Plan of Council's resolution (all form letters to be treated as submission submitted by the RSL).

A MOTION was moved by Clr Finkernagel, seconded by Clr Green, that the recommendations of the Crown Reserve, Community and Commercial Operations Committee be adopted.

A PROCEDURAL MOTION was moved by Clr Anderson, seconded Clr Ward that the motion be PUT.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye"

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

The following Councillors voted “No”

Clrs Rudd, Willmott, Bates

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clrs Rudd, Bates

REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 20TH MARCH 2007

444. Adoption of Report

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

445. Parking Restrictions - Holden and Sutton Streets, Huskisson-Vincentia (PN 2175) File 10582

RECOMMENDED that in view of the advice from Shoalhaven Water that vehicles are being parked across the gate and blocking access for service trucks to the sewerage pumping stations located in Holden and Sutton Streets, Vincentia the General Manager (Director Strategic Planning) arrange for the installation of:

- a) "No Stopping" (R5 - 400) regulatory signs across the gated area in front of the sewerage pumping station on the western side of Holden Street, Vincentia.
- b) "No Stopping" (R5 - 400) regulatory signs to replace existing "No Standing" (R5 - 420) regulatory signs across the driveway in front of the sewerage pumping station on the eastern side of Sutton Street, Vincentia.

Note: the driveway is currently an 'informal' driveway so there are no other legal mechanisms to stop cars parking across the access.

446. Parking Restrictions - Berry Street, Nowra (PN 772) File 2636-02

RECOMMENDED that for the purposes of reducing traffic congestion and to improve road safety in the vicinity of the Nowra Public School, cnr Berry and Plunkett Streets, Nowra:-

- a) The General Manager (Director Strategic Planning Group) be requested to arrange for the installation of a 'No Parking Zone to operate between the hours of 8.00 to 9.30 am school days starting at the existing No Stopping and extending for a distance of 12m on the eastern side of Berry Street; Nowra, south of the intersection of Plunkett Street;
- b) The Roads and Traffic Authority be requested to investigate a pedestrian phase at Berry and Plunkett Streets traffic lights.

447. Stop Sign - Park Row, Culburra Beach (PN 2164) File 1688

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to:-

- a) Arrange for standard cycleway signage (Give Way & Road Ahead) to be installed on the cycleway located on the eastern side of Prince Edward Avenue, Culburra Beach on both approaches to its intersection with Park Row to better define the priority for all vehicles at this location.

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- b) Review the remaining length of the cycleway on the eastern side of Prince Edward Avenue, Culburra beach to ensure it complies with the minimum Australian Cycleway Standards.
 - c) Advise the applicant accordingly.

448. Sight Distance - Intersection of Cambewarra Road and Currarong Road, Currarong (PN 2179) File 11723

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to arrange for the installation of a Stop sign and associated hold linemarking (TF & TB) in Cambewarra Road at its junction with Currarong Road, Currarong due sight distance deficiencies.

449. Road Safety - Intersection of North Street and St Vincent Street, Ulladulla (PN 2180) File 1715

RECOMMENDED that to better define and delineate the intersection of North Street and St Vincent Street, Ulladulla the General Manager (Director Strategic Planning) be requested to:-

- a) Install Double Barrier (BB) centre linemarking and Raised Reflective Pavement markers (RRPMs) in North Street, Ulladulla for a distance of 30 metres east and west the intersection.
- b) Repaint the existing hold lines (TB) in North Street either side of the intersection.

450. Centre Linemarking - Beinda Street, Bomaderry (PN 2184) File 1667

RECOMMENDED that the General Manager (Director Strategic Planning) be requested to arrange the installation of approximately 30 metres of Double Barrier (BB) centre linemarking in Beinda Street at its junction with Bolong Road, Bomaderry to better delineate the junction for turning traffic.

451. Road Safety - Intersection of Isa Road and Asteria Street, Worrigea (PN 2185) File 8178

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to:-

- a) Install a short length (approx. 30m) of Double Barrier (BB) centre linemarking in Asteria Street (to the first driveway) at its junction with Isa Road to better delineate the junction and provide a means for Police enforcement of illegal manoeuvres at the junction.
- b) Advise the letter writer accordingly.

452. Road Safety - Intersection of Wallace & McKay Streets, Nowra (PN 2187) File 2636-02, 1707

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to:-

- a) Install No Stopping zones at a point to ensure minimum sight distance is provided in accordance with AUSTRROADS guidelines at the following locations:

-
- i) On the northern side of McKay Street east from the junction of Wallace Street and wrapping into Wallace Street.
 - ii) On the southern side of McKay Street west from the junction of Weeroona Place and wrapping into Weeroona Place to the existing No Stopping zone.
- b) Install a Give Way sign and associated hold line (TB) in Wallace Street at its junction with McKay Street.
 - c) Advise the letter writer accordingly.

Note: the purpose for the installation of No Stopping zones is to increase sight distance to a minimum standard and improve road safety.

453. Sight Distance Problem - Intersection of Emmett and Lackersteen Streets, Callala Bay (PN 417) File 18517, 1684

RECOMMENDED that:-

- a) The General Manager (Director Strategic Planning Group) be requested to arrange for the installation of a Stop sign and associated hold linemarking (TF/TB) in Emmett Street at its intersection with Lackersteen Street, Callala Bay due to deficient sight distance for eastbound vehicles at the intersection.
- b) The Callala Bay Progress Association Inc. be advised accordingly.

454. Stop Sign - Canal Street East, Culburra Beach (PN 733) File 1688

RECOMMENDED that the General Manager (Director Strategic Planning Group) be requested to arrange:-

- a) For the current edge line on the northern side of Culburra Road to be extended and to wrap into Canal Street East, Culburra Beach.
- b) For the current Stop sign and associated hold linemarking in Canal Street East to be relocated approximately 6 metres south towards Culburra Road upon completion of the edge linemarking extension.
- c) Delineate the current 45 degree angle rear to kerb parking area located adjacent to the Ambulance Station on the northern side of Culburra Road and to the west of the junction of Canal Street East.

455. Annual King of the Mountain Foot Race (PN 592) File 1644-05

RECOMMENDED that the Nowra Athletics Club be advised that there is no objection to the conduct of the 32nd Annual King of the Mountain foot race on Sunday 16 July 2006 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) 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.
 - c) 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.
 - d) 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.
 - e) 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.
 - f) Access for residences and businesses contained within the affected area (including reasonable vehicular access), is to be maintained at all times during the event.
 - g) 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.
 - h) 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.
 - i) The applicant is to forward a letter to Council accepting the above conditions.
 - j) 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.
 - k) If the proposed event is to be held on public land, a permit will be sought from Shoalhaven City Council.

INFORMATION REPORT OF THE SHOALHAVEN TRAFFIC COMMITTEE - TUESDAY 20TH MARCH 2007

456. Adoption of Report

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

REPORT OF THE GENERAL MANAGER

COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 12TH MARCH 2007

457. Adoption of Report

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

458. 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.

459. 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.

460. Sale of Council Land - Lot 1 DP1107453 Junction Street, Nowra File 32480-02

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Sale of Council Land - Lot 1 DP1107453 Junction Street, Nowra be received for information.

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

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

462. Council Property – Bridge Road & Lamonds Lane, Nowra File 7708-05

RECOMMENDED that Council consider no Expressions of Interest until remediation of Council Property - Bridge Road & Lamonds Lane, Nowra, is completed and all structures, other than those identified in the Heritage LEP, have been removed. New Expressions of Interest will then be called.

463. Property at Lot 3 DP600640 Westbrook Road, Nowra File 34162

RECOMMENDED that the report of the General Manager (Assistant General Manager) regarding Property at Lot 3 DP600640 Westbrook Road, Nowra be received for information.

RECOMMENDED that

- a) The Council of the City of Shoalhaven leases to Callistemon Pty Ltd part Lot 1 DP 334547 and Lot B DP 335109 at Moss Street, Nowra on the following terms:
 - i) A lease term of four years, with an early termination provision after two years, at a rental for the first year of \$36,400 per annum including GST;
 - ii) The annual rental to be increased on an annual basis based on the upward movement in the Consumer Price Index during the previous 12 month period;
- 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.
- c) Council call for Expressions of Interest, during the lease term, for the purchase of part of Lot 1 DP181400, Lot 1 DP334547, Lots A & B DP335109, Lot 2 DP1607 Sec 2 (being the residue land) at Moss Street, Nowra with a guarantee that Council will lease back the land acquired for the widening of North Street until required.

RECOMMENDED that:

- a) The General Manager be delegated the authority to invoke the contractual rights of Council to buyback industrial land once sold but not developed within the two(2) year period.
- b) This reciprocal contract and related documents be executed under the seal of Council.
- c) The land (once repurchased) be classified 'operational' under the Local Government Act 1993.
- d) The repurchased land be offered for sale in accordance with Council's current land price determination.
- e) The General Manager be delegated the authority to decided on extending the period by up to six (6) months to allow purchasers the opportunity to comply with the contractual condition to develop the industrial lot, with the purchaser meeting any additional costs incurred.

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

This item was withdrawn and dealt with separately.

RECOMMENDED that:

- a) In regard to Lot 86 DP 1077878 Tom Thumb Ave, Flinders Industrial Estate Council agree to the 12 months extension to the buy back provision of the Contract for Sale requiring development of the lot within two years of purchase;
- b) Conditional upon the new purchaser entering into an option agreement with Council to purchase the land at the original sale price should development not take place within the extended 12 month period, and
- c) A Caveat is to be created over Lot 86 DP 1077878 Tom Thumb Ave, Flinders Industrial Estate.

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

- a) In regard to Lot 86 DP 1077878 Tom Thumb Ave, Flinders Industrial Estate Council agree to the 12 months extension to the buy back provision of the Contract for Sale requiring development of the lot within two years of purchase;
- b) Conditional upon the new purchaser entering into an option agreement with Council to purchase the land at the original sale price should development not take place within the extended 12 month period;
- c) A Caveat is to be created over Lot 86 DP 1077878 Tom Thumb Ave, Flinders Industrial Estate;
- d) Council authorise General Manager to sign the relevant documents and those documents be executed under the seal of Council.

REPORT OF THE GENERAL MANAGER

468. 8th International Cities, Town Centres & Communities Society Conference - Auckland, New Zealand - 26th to 28th June, 2007
File 3328-06
-

A MOTION was moved by Clr Rudd, seconded by Clr Bates, that the Council receive the report regarding 8th International Cities, Town Centres & Communities Society Conference - Auckland, New Zealand - 26th to 28th June, 2007 for information.

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, Bates

The following Councillors voted “No”

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

A MOTION was moved by Clr Willmott, seconded Clr Anderson, that Council authorise the attendance of available Councillors to attend the 8th International Cities, Town Centres and Communities Conference in Auckland, New Zealand from 26-28 June 2007 and that such attendance be deemed to be business of Council.

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

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

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

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

The following Councillors voted “No”

Clrs Ward, Bates

469. Procedural Motion - Matters Brought Forward

A MOTION was moved by Clr Finkernagel, seconded by Clr Kerr, that the Notices of Motion regarding:

- Industrial Relations, Workchoices and AWA's
- Referral Agreements

be brought forward for consideration.

470. (Page 59, Item 1) Industrial Relations, Workchoices and AWA's File 14611

This item was brought forward for consideration.

A MOTION was moved by Clr Finkernagel, seconded by Clr Rudd, that Council acknowledges the uncertainty surrounding the questions whether councils are constitutional corporations and whether the Workplace Relations Act 1996 applies to local councils and their employees. Accordingly, in the absence of a judicial determination on these issues, Council resolves to immediately enter into discussions with the United Services Union regarding the use of a common law deed or unregistered collective agreement to provide wage increases and terms and conditions of employment for Council's employees.

A PROCEDURAL MOTION was moved by Clr Anderson, seconded Clr Willmott that the motion be PUT.

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

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

Clrs Finkernagel, Rudd, Murphy, McCrudden, Kerr, Anderson, Willmott, Young, Bates, Watson

The following Councillors voted “No”

Clrs Green, Ward, Kearney

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, Young, Bates, Watson

The following Councillors voted “No”

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

471. (Page 60, Item 2) Referral Agreements File 14611

This item was brought forward for consideration.

A MOTION was moved by Clr Finkernagel, seconded by Clr Rudd, that Council supports the use of Referral Agreements pursuant to Section 146A of the Industrial Relations Amendment Act 2006 (NSW), to ensure ongoing access to the New South Wales Industrial Relations Commission for the resolution of industrial disputes and unfair dismissals.

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, Bates, Watson

The following Councillors voted “No”

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

RESOLVED on a MOTION of Clr Willmott, seconded Clr Kearney, that the Ordinary meeting adjourn for dinner.

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

The meeting adjourned, the time being 7.41 pm.

The meeting reconvened, the time being 8.47 pm.

The following members were present;

Clr G Watson – Chairman
Clr J Finkernagel
Clr R Rudd
Clr P Murphy
Clr P Green
Clr J McCrudden
Clr J Kerr
Clr G Ward
Clr J Anderson
Clr J Willmott
Clr J Young
Clr R Bates

472. Apologies

An apology was received from Clr Kearney.

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

FINANCE AND CORPORATE SERVICES

473. Leave of Absence - Councillor Jack Kerr File 28866

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

- a) Clr Kerr be granted leave from 1 May 2007 to 31 October 2007;
- b) The normal annual councillor fee (determined monthly) be paid to Councillor Kerr during the three (3) month period 1 May 2007 to 31 July 2007 inclusive and that no councillor fee be paid for the period 1 August 2007 to 31 October 2007 in accordance with Section 254A (2) LGA, 1993.

474. Record of Investments File 2126

RESOLVED on a MOTION of Cllr Young, seconded Cllr Ward, that the Report of the General Manager (Finance & Corporate Services Group) on the Statement of Record of Investments for the period to 28th February 2007 be received for information.

475. Re-establishment of Alcohol Free Zone - Shoalhaven Heads File 16533

RESOLVED on a MOTION of Cllr Anderson, seconded Cllr Ward, that in regard to the re-establishment of the Alcohol Free Zone in Shoalhaven Heads which will expire on 7th April 2007 that Council:

- a) In pursuance of Section 644 of the Local Government Act declare an extension of the Alcohol Free Zones for a further three years concluding on 7th April 2010, over the following streets and sections of streets and car parks within the areas bounded by:
“The Shoalhaven Heads Surf Lifesaving Club car parking area and the section of McIntosh Street adjacent to the Charles Harrison Gumley Reserve”.
- b) Council update and/or erect appropriate signage in accordance with the requirements of the Local Government Act.
- c) Council advertise the re-establishment of the Alcohol Free Zones in Shoalhaven Heads.

476. Introduction of Item as a Matter of Urgency

RESOLVED on a MOTION of Cllr Anderson, seconded Cllr Ward that the matters of:

- Section 96 Application to Amend Development Consent for Shoalhaven Multi-Purpose Cultural and Convention Centre - Bridge Road, Nowra - Shoalhaven City Council;
- Tender for the Milton Ulladulla District Tennis Courts Expansion Program

be introduced as a matter of urgency.

The Chairperson ruled the matters as ones of urgency and allowed their introduction.

ADDENDUM REPORT OF THE GENERAL MANAGER

DEVELOPMENT AND ENVIRONMENTAL SERVICES

477. Section 96 Application to Amend Development Consent for Shoalhaven Multi-Purpose Cultural and Convention Centre - Bridge Road, Nowra - Shoalhaven City Council
File DA05/4094-02, 32877

RESOLVED on a MOTION of Cllr Kerr, seconded Cllr Young, that the Ordinary adjourn into Committee of the Whole.

The meeting adjourned into Committee of the Whole, the time being 9.12 pm.

THIS IS PAGE 41 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD ON TUESDAY, 27TH MARCH, 2007

MINUTES CONFIRMED ON TUESDAY 24TH APRIL, 2007 - CHAIRMAN

The meeting reconvened the time being 9.23 pm.

The following members were present;

Clr G Watson – Chairman
Clr J Finkernagel
Clr R Rudd
Clr P Murphy
Clr P Green
Clr J McCrudden
Clr J Kerr
Clr G Ward
Clr J Anderson
Clr J Willmott
Clr J Young
Clr R Bates

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

- a) The General Manager be requested to determine the Section 96 Application for the Shoalhaven Multi Purpose Cultural and Convention Centre;
- b) The Project Design Team be requested to investigate the provision of covered disabled parking and access on the southern side of the MPCCC building and, subject to compliance with the Australian Standard AS 1428.01;

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”

Clrs Rudd, Murphy, Green, McCrudden, Kerr, Young, Bates, Watson

The following Councillors voted “No”

Clrs Finkernagel, Ward, Anderson, Willmott

ADDENDUM REPORT OF THE GENERAL MANAGER

CITY SERVICES AND OPERATIONS

478.	Tender for the Milton Ulladulla District Tennis Courts Expansion Program	File 35309
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RESOLVED on a MOTION of Clr Willmott, seconded Clr Finkernagel, that

- a) On the basis that the announced grant funding of \$220,000 is available, Council endorse the construction of four tennis courts at Warden and Green Streets, Ulladulla;

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- b) On the basis that Milton Ulladulla District Tennis Association Inc provide Council with the funding support, that Council resolve the General Manager is delegated with authority to accept the sum of \$180,000 from the Milton Ulladulla District Tennis Association Inc to proceed with the increased scope of work;
 - c) Council provide adequate security to an approved lender to the Milton Ulladulla District Tennis Association Inc for a maximum value of \$140,000;

(Note: Council accepts that any default on the loan in the future, it will guarantee the loan commitment).
 - d) Council authorise the General Manager to enter into a Contract with Dynamic Tennis Courts Pty Ltd at the tendered lump sum value; and
 - e) The Contract with Dynamic Tennis Courts Pty Ltd be executed under the Ordinary Seal of Council.

LEGAL DOCUMENTS - TUESDAY, 27TH MARCH, 2007

479. Positive Covenant - Approved Managers Residence on a Tourist Facility - Lot 2 DP 1032076, Broughton Vale Road, Broughton Vale. Owner: Graeme Fredrick Oke File DA06/1384

RESOLVED on a MOTION of Clr Kerr, seconded Clr Ward, that the Positive Covenant between Graeme Fredrick Oke and the Council of the City of Shoalhaven where the registered proprietor for the time being and so as to bind his heirs, successors and assigns covenants with the authority benefited to ensure the retention and maintenance of the Camellia Gardens whilst ever a dwelling house (managers residence) is erected upon the lot burdened and the Cameilla gardens will be open to regular weekly visitation by the general public as a tourist facility, be executed under the Common Seal of Council.

NOTICES OF MOTION - TUESDAY, 27TH MARCH 2007

480. Industrial Relations, Workchoices and AWA's File 14611

This item was brought forward for consideration.

481. Referral Agreements File 14611

This item was brought forward for consideration.

482. Pedestrian/Cycleway - Section 217 Funding, Mitchell Parade, Mollymook File 2093

A MOTION was moved by Clr Finkernagel, that Council waive the Section 217 levy for the Mitchell Parade, Mollymook, Pedestrian/Cycleway project.

The motion lapsed for want of a seconder.

483. Procedural Motion – Introduction of Item as Matter of Urgency

A MOTION was moved by Clr Ward, that the matter of the Loss of Aquarium be introduced as a matter of urgency.

The motion lapsed for want of a seconder.

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

The Chairperson advised that a Rescission Motion had been submitted in respect of the Community Consultation Strategy signed by Clr Rudd, Clr Finkernagel and Clr Bates

There being no further business, the meeting concluded, the time being 9.45 pm.

Clr Watson
CHAIRPERSON