

SHOALHAVEN CITY COUNCIL
O R D I N A R Y M E E T I N G

To be held on Friday, 21 June, 2013
Commencing at 4.00 pm

14 June, 2013

Councillors,

NOTICE OF MEETING

You are hereby requested to attend the Ordinary Meeting of the Council of the City of Shoalhaven, **to be held in the Council Chambers, City Administrative Centre, Bridge Road, Nowra on Friday, 21 June, 2013 commencing at 4.00 pm** for consideration of the following business.

R D Pigg
General Manager

Membership
All Councillors

BUSINESS OF MEETING

1. **Opening Prayer** - Father Patrick Faherty - St Michaels Catholic Church
2. **Acknowledgement of Traditional Custodians**
3. **Australian National Anthem**
4. **Apologies/Leave of Absence**
5. **Confirmation of Minutes**
 - Ordinary Meeting – 21 May, 2013
 - Extra Ordinary Meeting – 12 June, 2013
6. **Declarations of Interest**
7. **Petitions and Presentations**
8. **Mayoral Minute**
9. **Deputations**
10. **Report of the General Manager – Committees Report**
 - Report of the Policy and Resources Committee – 11 June, 2013
 - Report of the Development Committee – 13 June, 2013
 - Report of the Shoalhaven Tourism Board – 22 April, 2013
 - Report of the Shoalhaven Tourism Board – 27 May, 2013
 - Report of the Aboriginal Advisory Committee – 28 May, 2013
 - Report of the Shoalhaven Access Advisory Committee – 4 June, 2013
 - Report of the Council Property Steering Committee – 13 June, 2013
11. **Report of the Shoalhaven Traffic Committee – 11 June, 2013**
12. **Report of the General Manager**
 - Finance & Corporate Services
13. **Legal Documents**
 - Shoalhaven Water
14. **Notices of Motion and Questions on Notice**
15. **Addendum Reports**
16. **Confidential Report of the General Manager**
 - Report of the Policy and Resources Committee – 11 June, 2013
 - General Manager

Note: If any items of business require attendance of specialist staff (eg Legal, Insurance, Property) then Council will generally consider those items following the Mayoral Minutes.

Note: The attention of Councillors is drawn to Section 451 of the Local Government Act and Regulations and Code of Conduct regarding the requirements to declare pecuniary and non-pecuniary Interest in matters before Council.

Cell Phones:

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

LOCAL GOVERNMENT ACT 1993

Chapter 3

Section 8(1) - The Council's Charter

(1) The council has the following charter:

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

Wording for Acknowledgement of Traditional Owners

“It is customary to acknowledge country and I do so by paying our respects to elders past and present and acknowledge all peoples who have made Australia this great country we live in.”

Australian National Anthem

“Advance Australia Fair”

Australians all let us rejoice
For we are young and free
We’ve golden soil and wealth for toil,
Our home is girt by sea:
Our land abounds in nature’s gifts
Of beauty rich and rare,
In history’s page let every stage
Advance Australia fair,
In joyful strains then let us sing
Advance Australia fair.

Beneath our radiant Southern Cross,
We’ll toil with hearts and hands,
To make this Commonwealth of ours
Renowned of all the lands,
For those who’ve come across the seas
We’ve boundless plains to share,
With courage let us all combine
To Advance Australia fair.
In joyful strains then let us sing,
Advance Australia fair.

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MAYORAL MINUTE
ORDINARY MEETING
FRIDAY, 21 JUNE 2013

1. Queen's Birthday Honours

File 8592E

RECOMMENDED that in recognition of the honours bestowed upon Mr Robert Dickerson AO, Mrs Jennie George AO, Mrs Shirley Coleman OAM, Mrs Audrey Stuart OAM, Mrs Jan Noble ESM, Warrant Officer Fred Campbell OAM, Commander David Graham CSC and Commander Paul Hines CSC that Council endorse the actions of the Mayor to write letters of congratulations to each of the recipients.

DETAILS

Officer (AO) in the General Division

- **Mr Robert Dickerson AO** for distinguished service to the visual arts as a figurative painter, and to the community through support for a range of cultural, medical research and social welfare organisations.
- **Ms Jennie George AO** for distinguished service to industrial relations, to the Parliament of Australia, and to the community.

Medal (OAM) in the General Division

- **Ms Shirely Coleman OAM** for service to the community of Milton and Ulladulla.
- **Ms Audrey Stuart OAM** for service to the community of the Southern Highlands.

Emergency Services Medal

- **Mrs Jan Noble** for service to the Royal Volunteer Coastal Patrol in Kioloa and Marine Rescue NSW

Medal (OAM) of the Order Of Australia in The Military Division

Royal Australian Navy

- **Warrant Officer Frederick Campbell OAM** for meritorious service in the field of aviation maintenance and for leadership as a Warrant Officer in HMA Ships *Cerberus* and *Creswell*.

Conspicuous Service Cross (CSC)

- **Commander David Graham RAN CSC** for outstanding devotion to duty as the Executive Officer, HMAS *Creswell*

-
- **Commander Paul Hines RAN CSC** for outstanding achievement as the Commanding Officer, Patrol Boat Crew ARDENT FIVE in the rescue of 273 survivors in two search and rescue operations in June and July 2012.

2. **Sussex Inlet RSL Bowling Club**

File 46636E

RECOMMENDED that in recognition of the **Sussex Inlet RSL Bowling Club's** nomination for the prestigious **Ambassador Award** held at the **Clubs NSW Community Spirit – Ambassador of the Year Award Dinner** that Council endorse the actions of the Mayor to write a letter of congratulations for the Club's outstanding contribution to the community during the **Dean's Gap Fires**.

DETAILS

The **Sussex Inlet RSL Bowling Club** was recently nominated for the prestigious ambassador award at the Clubs NSW Communities dinner in Sydney on Friday, 31 May 2013.

With over 1200 guests including members and leaders of the State Government present, stories and interviews were undertaken on the night. **Sussex Inlet RSL Bowling Club** was one of 3 only interviews and was received with applause and later comment by the State Premier.

General Manager **Craig Smith** and Deputy General Manager **Sharyn Kabelka** were interviewed and Ms **Kabelka** congratulated for her article/submission.

Sussex Inlet RSL Bowling Club were one of five clubs from the **Illawarra** and **Shoalhaven** vying for this prestigious award. The nomination was made because of the role the club played in the recent Fire emergency, with the club being turned into a refuge for people, dogs, cats, chooks etc. The Club helped to evacuate **Inasmuch** and their **Dementia** ward patients to the Auditorium.

Over 1,000 people eventually made use of the Club as an evacuation centre and the Club managed to feed and supply non-alcoholic refreshments to all free of charge. This is not the first time that the Club has been used as a refuge and they should be extremely proud to receive the nomination.

Whilst the club did not win the award overall (**West's Illawarra Leagues Club** won for paediatric services support), the Club received special mention and a banner to proudly display.



Joanna Gash (Mrs)
Mayor

SECOND MAYORAL MINUTE

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

1. Shoalhaven City Concert Band

File 2582E

RECOMMENDED that

- a) Council provide an additional amount of \$535.00 for the current Financial Year toward the Shoalhaven City Concert band and an amount of \$616.00 from the 2013/14 Budget to meet the cost of the additional hire fees of the Nowra School of Arts to be funded from the Donations Vote.
- b) Future amounts allocated to the Shoalhaven City Concert Band for the Hire of the Nowra School of Arts be adjusted in line with the actual cost of the hire fees applicable, based on the current usage.

DETAILS

I have received representations on behalf of the Shoalhaven City Concert Band for Financial Assistance to meet the cost of hire fees toward the Nowra School of Arts. The Shoalhaven City Concert Band uses the Nowra School of Arts for three hours per week, with two hour practice sessions for the junior members and a one hour session for the senior members of the Band.

In the past, the amount allocated to the Shoalhaven City Concert Band has met or exceeded the actual costs of the hire fees incurred. However, in recent years, the cost of the hire fees has increased, but the amount allocated by Council has not.

The effect of this action is that in 2011/12, the Shoalhaven City Concert Band was required to pay an amount of approximately \$400.00. The balance for the current financial year is \$535.00 and based on current usage, is expected to increase to \$616.00 for 2013/14.

The Shoalhaven City Concert Band contributes significantly to the performing arts within the City and for this reason, I consider that the minor adjustment in the allocations made is appropriate.



**Joanna Gash (Mrs)
Mayor**

REPORT OF GENERAL MANAGER

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

GENERAL MANAGER – COMMITTEES REPORT

POLICY AND RESOURCES COMMITTEE – TUESDAY 11 JUNE 2013 (ITEMS 1 to 49)

Councillor Report on Conference

1. Local Government Conference – 2013 Australian Coastal Council's Conference
File 3444E [Index](#)

RECOMMENDED that the report regarding the 2013 Australian Coastal Council's Conference held in Adelaide from 27-29 March 2013 be received for information.

General Manager

2. Councillor and Staff Interaction Policy File 13541E [Index](#)

RECOMMENDED that the Councillor and Staff Interaction Policy, as attached be adopted.

3. Membership – Southern Water Services Pty Ltd File 4043E, SWS22 [Index](#)

RECOMMENDED that The Board membership of Southern Water Services Pty Limited be:

Mayor, Cllr Joanna Gash
Deputy Mayor, Cllr John Wells
Councillors Kearney, Kitchener, Watson, Guile and Robertson

4. Local Government Acts Taskforce – Discussion Paper File 3573E [Index](#)

RECOMMENDED that:

- a) The matter be deferred to a Councillor Briefing; and
- b) The General Manager make urgent enquiries regarding the postal voting system in Victoria.

5. Future Directions for NSW Local Government (Twenty Essential Steps) File 44629E [Index](#)

RECOMMENDED that Council make a submission based on the commentary in this report with the addition to Part 19 *that investigations be undertaken into other models and options involving Councils other than those specified in the paper*.

-
6. Improving the Relationship with Community Consultative Bodies - Draft Action Plan
File 1792E [Index](#)
-

RECOMMENDED that:

- a) Council adopt the draft Community Consultative Body Action Plan;
- b) Undertake further engagement with CCBs and the community on the draft Plan; and
- c) A Councillor Workshop be convened to consider all parts of the Action Plan specific to Councillors and/or relating to meetings.

Finance & Corporate Services

7. Holiday Haven Tourist Parks Sponsorship - Huskisson Over 35's Football Tournament
File 18762E [Index](#)
-

RECOMMENDED that Council endorse the sponsorship of the Huskisson Over 35's Football Tournament operated by the Huskisson/Vincentia Football Club to an amount of \$3,500 to be reviewed annually by the General Manager, Finance & Corporate Services.

8. Local Government Remuneration Tribunal
File 5141E [Index](#)
-

RECOMMENDED that Council retain the 2012/13 fees of \$37,230 per annum (Mayor) and \$17,060 per annum (Councillors) Option 2 for the 2013/14 year.

9. Review of Policy - Public Register Access by Community Consultative Bodies and Other Community Groups
File 19060E [Index](#)
-

RECOMMENDED that Council adopt the Public Register Access by Community Consultative Bodies and other Community Groups Policy (POL10/107) as attached to the report to the Policy and Resources Committee meeting of 11 June 2013.

10. Code of Meeting Practice Amendment
File 3798E [Index](#)
-

RECOMMENDED that Council authorise the inclusion of a statement to Part 9.1 of the Code of Meeting Practice relating to when Council moves from open to confidential session, that provides an explanation of why discussion of the matter in open session would be contrary to the public interest as detailed more fully in the report to the Policy & Resources Committee meeting of 11 June, 2013.

11. Draft Delivery Program 2013 - 2017 and Operational Plan 2013 - 2014: Consideration of Submissions
File 45907E [Index](#)
-

RECOMMENDED that Council adopt the Draft Delivery Program 2013 – 2017 and Operational Plan 2013 – 2014 with the changes as detailed in this report.

Addendum Report 1 – Finance & Corporate Services

12. IPART Determination on Council's Special Variation File 46321E & 46813E [Index](#)

RECOMMENDED that Council increase its General Rates in 2013/14 by an amount of 8% in accordance with the determination of the Independent Pricing & Regulatory Tribunal and comply with the conditions set out in the approval as follows:

- a) All additional revenue generated by the Special Variation be expended on infrastructure renewal projects in 2013/14 and in all future years; and
- b) Council reports in its Annual Report from 2013/14 to 2022/23 the program of expenditure that was actually funded by the Special Variation and the reasons for any significant differences from the program listed in Appendix A of IPART's Determination; and the outcomes achieved as a result of the special variation.

13. Resourcing Strategy File 45907E [Index](#)

RECOMMENDED that:

- a) Council consider the Draft Resourcing Strategy between now and the Ordinary Meeting to be held Friday 21st June 2013 with a view to making a decision on whether to adopt it or request further changes;
- b) The Long Term Financial Plan be updated to include Council's Special Variation increase of 8% in 2013/14 as recently approved by IPART; and
- c) The IPART report be placed prominently on Council's webpage.

Finance & Corporate Services

14. Review of Donations and Sponsorship Policy File 4771E [Index](#)

RECOMMENDED that Council

- a) Adopt the Donations Policy POL12/299 as attached to the report of the Policy and Planning Committee meeting of 11 June 2013; and
- b) Adopt the Sponsorship Policy POL12/272 as attached to the report of the Policy and Planning Committee meeting of 11 June 2013.

15. Review of Policy - Communications Site Rental - Licensed Community FM Radio Stations Policy File 29194E [Index](#)

RECOMMENDED that Council adopt the amended Communication Site Rental – Licensed Community Radio Stations Policy (POL11/67) as attached to the report to the Policy and Resources Committee meeting of 11 June 2013.

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16. Review of Changes to Nowra CBD Business Area Following a Request from Owners of the Marriott Park Motel File 2973E [Index](#)

RECOMMENDED that Council redefine the boundary line for the Nowra Business Rating Category to the western side of the Princes Highway from Plunkett Street to Douglas Street so that the Marriott Park Motel is located outside the Nowra Business Rating Category.

17. Community Energy Efficiency Program Funding Application Results - Street Lighting Replacement File 41342E [Index](#)

RECOMMENDED that Council:

- a) Receive the report regarding the Community Energy Efficiency Program Funding Application Results - Street Lighting Replacement for information;
- b) Undertake further investigation into the viability of options proposed in the Ironbark Business Plan where Endeavour Energy funds the upgrade and recovers the costs through the ongoing SLUOS operation charges and if viable, report back to Council; and
- c) Thank the Department of Resources, Energy and Tourism for the comprehensive feedback provided to Council.

18. Draft Fees, Charges and Rentals 2013-2014 File 46321E [Index](#)

RECOMMENDED that the GST exclusive price of the affected fees is rounded accordingly and no GST is charged. The fees are advertised for a period of 28 days.

19. Ice Escape Event January 2014 - Shoalhaven Entertainment Centre File 35525E [Index](#)

RECOMMENDED that:

- a) The Shoalhaven Entertainment Centre hosts "Ice Escape 2014"; and
- b) Council underwrites the event at the Shoalhaven Entertainment Centre held in January 2014.

City Services and Operations

20. Corrected Fees & Charges – 2013/14 - Shoalhaven Swim & Fitness File 5247E [Index](#)

RECOMMENDED that the following Shoalhaven Swim & Fitness fees and charges:

Membership – Complete Aquatic Package

- a) Fee No 14485 – Aquatic Membership Direct Debit – Adult - \$40 (GST inc)
- b) Fee No 14484 – Aquatic Membership Direct Debit – Concession - \$36 (GST inc)

be placed on public exhibition for a period of twenty eight (28) days, in accordance with the Local Government Act 1993, and if no significant, adverse comment is received during that time, the fees be adopted.

21. Public Library Funding System Reforms File 7290E [Index](#)

RECOMMENDED that Council write to the NSW Minister of the Arts, the Hon George Souris MP, through Ms Shelley Hancock, Member for South Coast and Gareth Ward, MP, Member for Kiama, calling upon the Government to implement the submission of the Library Council of NSW for the reform of the funding system for NSW Public Libraries.

22. Tech Savvy Seniors Program File 7290E [Index](#)

RECOMMENDED that Council:

- a) Accept and vote the funding to Council of \$5,000 from Telstra in partnership with the State Library of New South Wales for tuition in electronic devices to senior members of the community to be delivered by Shoalhaven Libraries staff; and
- b) Write to the State Library of New South Wales & William von Armfeld, Telstra Corporation Limited, thanking them for the grant offer.

23. RevitaLising Regional Libraries Grant Funding File 7290E [Index](#)

RECOMMENDED that Council:

- a) Accept and vote the grant funding of \$16,000 from the State Government; and
- b) Write to the NSW Minister of the Arts, the Hon George Souris MP, thanking him for the Revitalising Regional Libraries Grant Funding.

24. Soil Analysis & Renovation Program – New Soccer Field St Georges Basin File 2253E [Index](#)

RECOMMENDED that Council receive the report on Soil Analysis & Renovation Program – New Soccer Field, St Georges Basin for information.

25. Review of Pesticide Use Notification Plan Policy File 17031 [Index](#)

RECOMMENDED that

- a) Council reaffirm the current Pesticide Use Notification Plan Policy (POL12/109) with minor amendments as detailed in the report attachment; and
- b) A Councillor Briefing be held.

26. Drainage Easements - Maintenance of Open Drains Policy File 30633E [Index](#)

RECOMMENDED that that Council affirm the current Drainage Easements – Maintenance of Open Drains Policy (POL12/173) with minor amendments as detailed in the report attachment.

-
27. Review - Tree Planting – Schools Policy File 18685E [Index](#)

RECOMMENDED that Council reaffirm the Tree Planting – Schools Policy (POL12/215) with minor amendments as detailed in the report.

28. Computer and Television Recycling Scheme File 33287E [Index](#)

RECOMMENDED that in accordance with Section 10A(2)(d)(i) and (ii) of the Local Government Act 1993, Council consider a separate confidential report on this matter.

Strategic Planning and Infrastructure

29. Roseby Park Road Repairs – Pothole Repair Work Completed File 45592e [Index](#)

RECOMMENDED that

- a) The “Roseby Park Road Repairs – Pothole Repair Work Completed” report be received for information; and
- b) Council reference this financial allocation to Jerrinja Local Aboriginal land Council for the repair of the Roseby Park road network in Council's next annual report as required by S67(3) of the NSW Local Government Act 1993.

30. St Georges Basin - Revised Estuary Management Plan 2013 and Shoalhaven Wide Dredging Program File 3406e & 3420e [Index](#)

RECOMMENDED that

- a) Council adopt the St Georges Basin Revised Estuary Management Plan 2013 with Action A4 amended to include “investigate sustainable dredging options for Sussex Inlet” and with Actions B2, B3 and C3 amended to include a community education component;
- b) Council develop a prioritised Shoalhaven wide dredging program based on the outcomes of the proposed Maintenance Dredging Feasibility Study for the Shoalhaven (inclusive of Currarong Creek), in order to support future grant funding applications for dredging to the State Government and inform Council's long term financial plan and resourcing strategy;
- c) Should Council's grant application for \$10,000 under the 2013 State Estuary Management Program to undertake a Maintenance Dredging Feasibility Study be unsuccessful, that Council consider funding entirely this study (\$20,000) as it is seen as a high priority; and
- d) Council write to Booderee National Park to notify of ‘Little Manly’ sand dunes erosion by recreational activities.

31. Draft Tabourie Lake Revised Estuary Management Plan 2012 File 1439e [Index](#)

RECOMMENDED that Council adopt the draft Tabourie Lake Revised Estuary Management Plan 2012.

32. Proposed Aquaculture in Jervis Bay

File 4226e [Index](#)

RECOMMENDED that Council:

- a) Defer writing to the NSW Department of Primary Industries (Fisheries) until more information is provided by the EIS currently in preparation; and
- b) Note the recommendation of the Central Shoalhaven Natural Resource & Floodplain Management Committee and consider this when the public consultation on the EIS occurs.

33. Round the Bay Walk – Callala Bay Headland Reserve Walk/Path Route - Report after Public Exhibition

File 46711e [Index](#)

RECOMMENDED that Council:

- a) Adopt the draft Callala Bay Headland Reserve path route as detailed in this report for consideration of a Review of Environmental Factors and NSW Office of Environment & Heritage permit approval (Attachment 'C');
- b) Should approval be granted as per Recommendation a):
 - a) Staged construction commence from Callala Creek to Callala Bay boat ramp amenities building;
 - b) Council staff seek interest from community groups in the Callala Bay area to construct sections of the path;
 - c) Council staff actively seek grant funding to complete the Callala Bay Headland Reserve path route;
 - d) Council consider funding sections of the path in the 2014/15 Delivery Program; and
 - e) Council consider a future funding allocation to examine and cost options to upgrade access and the existing steps behind the Callala Bay Sailing Clubhouse.
- c) Advise those who made submissions on the Callala Bay Headland Reserve path route of this resolution and provide them with the Council adopted path route (as detailed in this report);
- d) Existing funds remaining in job no 85988, Round the Bay Cycleway, be rolled over into the 2013/14 financial year to assist funding the Review of Environmental Factors and NSW Office of Environment & Heritage permit approval; and
- e) Following completing of a REF, a further report be provided to the Committee seeking endorsement of the Callala Bay Headland Reserve path surface materials.

-
34. Amalgamation of Natural Resources and Floodplain Management Committees
File 1229E, 46778E, 30568E, 30569E [Index](#)
-

RECOMMENDED that

- a) Council endorse the charter of the Natural Resources and Floodplain Management Committees as detailed in Attachment 'A' to this report;
- b) Council accept Ms Jessica Zealand as a member of the Northern Shoalhaven Natural Resources and Floodplain Management Committee and the Shoalhaven Heads Estuary Taskforce be requested to nominate an alternative representative for the Northern Shoalhaven Natural Resources and Floodplain Management Committee; and
- c) Council staff design and implement a process to gauge the success of the one year trial of amalgamated Committees.

35. Review of Policy – Access Areas for Dogs POL09/163
File 3220E [Index](#)
-

RECOMMENDED that

- a) Council adopt the Access Areas for Dogs POL09/163 with amendments as detailed in this report;
- b) A comprehensive Councillor Briefing be held with a visual map detailing the areas showing what is 'on leash', what is 'off leash', prohibited areas etc; and
- c) Council undertake further investigation to seek opportunities to increase access areas for dogs 'off leash', 'on leash' and prohibited areas and report these findings back to Council prior to exhibition of any proposed changes.

36. Berry Sporting Complex – Precinct Master Plan
File 3196E [Index](#)
-

RECOMMENDED that:

- a) This item be deferred pending discussions with RMS and the Hon Duncan Gay, Minister for Transport; and
- b) A report be brought back to Council for further consideration.

37. Osborne Park Kangaroo Valley Showgrounds Plan of Management / Management Plan
File 38943E [Index](#)
-

RECOMMENDED that

- a) Council adopt the amended draft Osborne Park Kangaroo Valley Showground Plan of Management/Management Plan as per section 40 (2) part b of the Local Government Act;
- b) Council acknowledge that the process to re-categorise Community Land has been undertaken as per section 40a of the Local Government Act;

-
- c) Council endorse the re-categorisation of Lot A DP376259 from “Sportsground” to “General Community Use”;
 - d) Council endorse the re-categorisation of Lot D DP40929 from “Sportsgrounds” to “General Community Use”; and
 - e) Council forward an adopted version of the Plan of Management/Management Plan to the Osborne Park Management Committee.

38. Review of Private Use of Public Parking Policy File 17432E [Index](#)

RECOMMENDED that Council exhibits for consultation:

- a) The draft Private Use of Public Parking Policy for a period of 60 days; and
- b) The proposed 2013/2014 fees associated with the private use of public parking.

39. Princes Highway Upgrade - BBU (Berry to Bomaderry) File 1992E, 6852E [Index](#)

RECOMMENDED that Council:

- a) Endorse the staff submission made to RMS on 15th April 2013;
- b) Write to the RMS project team to advise of Council's position regarding contentious access issues;
- c) Hold further discussions with the Member for Kiama in relation to changes that may be required due to community consultation; and
- d) RMS hold further community consultation in relation to submissions that have been received.

40. Review of Asset Management Plans and Policies File 25442E & 30281E [Index](#)

RECOMMENDED that:

- a) Following asset management plans (AMPs) and policies be exhibited for three months for community consultation:
 - Asset Management Policy
 - Asset Management Strategy
 - Administration Buildings AMP
 - Aquatic Facilities
 - Arts and Crafts Buildings AMP
 - Bridges and Culverts AMP
 - Bus Shelters AMP
 - Car Parks (Commercial Areas) AMP
 - Cemeteries AMP
 - Coastal and Estuary Assets AMP
 - Community Buildings AMP
 - Courts (Tennis and Netball) AMP

-
- Cultural Centres AMP
 - Drainage AMP
 - Early Childhood Services AMP
 - Flood Mitigation Structures AMP
 - Kerb and Gutter AMP
 - Libraries AMP
 - Parks and Reserves AMP
 - Parks and Reserves – Playgrounds AMP
 - Public Amenities AMP
 - Public Halls and Community Centres AMP
 - Scouts and Guides Facilities AMP
 - Shoalhaven Animal Shelter AMP
 - Streetscapes AMP
 - Surf Lifesaving Clubs AMP
 - Traffic Facilities AMP
 - Transport Infrastructure (Sealed Roads) AMP
 - Transport Infrastructure (Unsealed Roads) AMP
 - Walking Tracks AMP
 - Waterways Infrastructure (Boating Facilities) AMP
- b) Following the public exhibition period, a report be received on proposed amendments to the Asset Management Plans and policies based on:
- The submissions received from the public
 - Further submissions from Councillors and staff
 - Better alignment and support for the revised Community Strategic Plan
 - Recent surveys on the condition of infrastructure
 - NSW Treasury report on Council's financial sustainability
 - Division of Local Government's (DLG) *"On-site Infrastructure Audit of Shoalhaven City Council"*
 - Recommendations from the Transformation Program *"Driving Down Costs and Enhancing Service Quality"* and
 - The adopted Long Term Financial Plan for 2013/2022
- c) Council congratulate staff on the quality of the Asset Management Plans.

Shoalhaven Water

41. Acquisition of Easement for Water Supply at Burrill Lake File 44626E [Index](#)

RECOMMENDED that:

- a) Council resolve to acquire the Easement for Water Supply 5 wide over Lot 150 DP755972 at Burrill Lake, as shown broken line on copy of draft survey plan marked 'Attachment A';
- b) Council pay compensation of \$3,500 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund; and
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

42. Acquisition of Easements for Water Supply at Coolangatta File 4300E [Index](#)

RECOMMENDED that:

- a) Council resolve to acquire the Easement for Water Supply 5 wide over Part Lot 1 DP517528 at Coolangatta, as shown by hatching on copy of DP269427 marked 'Attachment A';
- b) Council pay compensation of \$13,500, plus GST if applicable, and reasonable legal and valuation costs associated with the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund; and
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

43. Acquisition of Easements for Water Supply Coolangatta File 4298E [Index](#)

RECOMMENDED that:

- a) Council resolve to acquire the Easements for Water Supply 5 wide and 3 wide over Part Lot 2 DP517528 at Coolangatta, as shown by hatching on copy of DP269427 marked 'Attachment A';
- b) Council pay compensation of \$10,000, plus GST if applicable, and reasonable legal and valuation costs associated with the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund; and
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

44. Acquisition of Land and Sewer Easement - South Coast Correctional Centre
File 3A07/1006SW [Index](#)

Recommended that:

- a) Council resolve to acquire Lots 3 and 4 DP1158359 and an Easement for Drainage of Sewerage 5 wide & variable over Lot 1 DP1158359, The Links Road South Nowra, as shown on attached copy of that plan, marked Attachment 'A';
- b) The land and easement be acquired by compulsory acquisition under the Local Government Act 1993, in accordance with provisions the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of sewerage infrastructure and road widening;
- c) The necessary application be made to the Minister for Local Government and the Governor;
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution;
- e) The land to be acquired to be classified as Operational Land pursuant to Sections 31(2) and 34 of the Local Government Act;
- f) Minerals are to be excluded from this acquisition; and
- g) The acquisitions are not for the purposes of resale.

45. Kangaroo Valley Sewerage Scheme - Connection of Properties File 2213E [Index](#)

RECOMMENDED that Council levy the following human waste removal charges associated with the decommissioning of on-site systems across the Kangaroo Valley Scheme at the 2012/13 amounts:

- Cleanout of septic tank up to 6,000 litres,
- Cleanout of septic tank greater than 6,000 litres, and
- Cleanout of Aerated Waste system up to 8,000 litres.

46. Review of Shoalhaven Water Group Policies - Round 7 File 12039E [Index](#)

RECOMMENDED that:

- a) Council place the following Asset Management Plans (with changes as detailed in the report) on public exhibition and invite submissions in accordance with Sec 160 of the Local Government Act:
 - i) Water Supply Asset Management Plan
 - ii) Sewer Asset Management Plan
- b) Should Council receive submission(s) considered minor then the AMP's be deemed adopted at the completion of the submissions period, otherwise a further report be provided to Council regarding any substantial submission(s).

Development and Environmental Services

47. Policy Review - Domestic Poultry Abandoned on Public Land File 32667E [Index](#)

RECOMMENDED that Council's adopted policy for Domestic Poultry Abandoned on Public Land (POL12/137) be reaffirmed subject to proposed administrative amendments as outlined in the report.

General Business

48. Additional Item – Shoalhaven Family Local and Cultural History Fair File 2582E [Index](#)

RECOMMENDED that Council waive 50% of the hire fee of Nowra School of Arts for the Shoalhaven Family Local and Cultural History Fair.

49. Additional Item – Berry Pedestrian and Cycling Infrastructure File [Index](#)

RECOMMENDED that:

- a) A Project to establish a learn to ride toddler track, a pump track, the enhancement of current children's facilities and other associated visitor facilities that might complement such a development at the Berry Showground or other alternate locations be placed on the list for the Illawarra Infrastructure funding for advancement;
- b) Project plans, as far as possible, be integrated with other plans for the enhancement of pedestrian and cycling facilities in and around Berry; and
- c) An expression of interest be lodged under the \$100M Illawarra Infrastructure funding provided from the leasing of the Port Kembla Port facility.

Note by General Manager: Council may wish to defer part c) and consider this in conjunction with a report on all potential projects.

DEVELOPMENT COMMITTEE – THURSDAY 13 JUNE 2013 (ITEMS 50 to 55)

Addendum Report 2 - Strategic Planning and Infrastructure / Development & Environmental Services

50. Proposed Council Submission - Planning White Paper: A New Planning System for NSW
File 44089E [Index](#)

RECOMMENDED that Council provide a submission to the Planning White Paper based on the points detailed in Attachment “B” and continue to participate as required in the continuing planning reform process.

Development and Environmental Services

51. Kerb & Gutter Proposal for Dual Occupancy Development and Small Scale infill Subdivisions
File 5034e [Index](#)

RECOMMENDED that Council confirm the need for kerb and gutter on small scale (2-3 lots) infill subdivisions and dual occupancy developments be considered on a needs basis, as outlined in the report, and conditioned in development consents accordingly.

52. On-site Sewage Management DCP/LAP No. 78 Amendment No. 2 File 3399E (PDR) [Index](#)

RECOMMENDED that Council:

- a) Adopt Development Control Plan/Local Approvals Policy (DCP/LAP) No. 78 Amendment No. 2, with the further amendments (outlined in the report) from the exhibited plan;
- b) The decision be advertised in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000 and Clause 77 of the Local Government (General) Regulation 2005; and
- c) The submitters be advised of Council’s decision.

53. Review of Development and Environmental Services Policies - Round 3 File 33571E [Index](#)

RECOMMENDED that Council reaffirm the following policies:

POL12/130	Stormwater Protection on Construction Sites	32379E
POL12/281	The Risks of Building on Sand Dunes (for assistance to people proposing to buy or build on sand dune systems)	31330E
POL12/114	Commercial Home Catering	7467E
POL12/131	Subdivisions, Rural Dwellings and Tourist Facilities – Leebold Hill Road, Parish of Cambewarra	3621E
POL12/255	Dealing with Sick or Injured Animals Policy	32667E
POL12/289	Companion Animals Policy	32667E

Addendum Report 1 - Development and Environmental Services

54. Boarding Houses Act 2012 File 14502E [Index](#)

RECOMMENDED that Council resolve to adopt as exhibited a fee of \$300 for the initial compliance inspection of a boarding house under the Boarding Houses Act 2012

General Business

55. Additional Item – Proposed use of Existing Buildings for Tourist Activities. Coolangatta Road Berry File DA13/1377 [Index](#)

RECOMMENDED that DA 13/1377 Coolangatta Road Berry for the proposed use of existing buildings for tourist accommodation, refreshment room / restaurant be reported to the Development Committee, due to the significant public interest with more than 30 submissions regarding the suitability of the site for this development.

SHOALHAVEN TOURISM BOARD – MONDAY 22 APRIL 2013 (ITEM 56)

General Business

56. Additional Item – Tourism Training Proposal File 35881E [Index](#)

RECOMMENDED that the Shoalhaven Tourism Board endorse the joint business development pilot initiative of the Shoalhaven Business Chamber Southern Region and investigate funding support \$5,000 from Tourism Development and, subject to the General Manager, allocating \$7,500 from Business Economic Development or other reserve.

Note by General Manager: The Economic Development Manager supports this proposal.

SHOALHAVEN TOURISM BOARD – MONDAY 27 MAY 2013 (ITEMS 57)

Finance & Corporate Services

57. Shoalhaven River Festival File 47326E [Index](#)

RECOMMENDED that Council;

- a) Establish a Management Committee formed under Section 355 of the Local Government Act to progress and deliver the Shoalhaven River Festival
 - i. The Committee be named the Shoalhaven River Festival Committee
 - ii. The membership of the Committee be formed from the Shoalhaven Tourism Board and co-opted community members as required
 - iii. The Tourism Manager act as Executive Officer of the Committee and report to the Shoalhaven Tourism Board on the activities of the Committee
- b) Allocate \$20,000 to the Shoalhaven River Festival Committee from the Strategic Projects Reserve for planning, Development Application and other fees and charges for the running of the event
- c) Provide support in-kind in the form of a dedicated promotional website, secretariat, meeting space and event liaison assistance

ABORIGINAL ADVISORY COMMITTEE – TUESDAY 28 MAY 2013 (ITEMS 58 to 60)

City Services and Operations

58. Progress Action Plan from the Aboriginal Advisory Committee Meeting held on Thursday 21 February 2013 File 1209E, 35525E [Index](#)

RECOMMENDED that Council consider a Wall of Fame at the Shoalhaven Entertainment Centre of all people who have contributed to the advancement of the Arts in the Shoalhaven (Aboriginal and Non-Aboriginal persons).

Strategic Planning and Infrastructure

59. Crookhaven Heads Aboriginal Heritage Study Project File 47339E [Index](#)

RECOMMENDED that

- c) Council donate and release in a staged amount \$25,000 (ex GST) in Job Number 15289 to Jerrinja Local Aboriginal Land Council to undertake preparation and installation of carved wooden poles in Crookhaven Headland Reserve, upon presentation of a Tax Invoice from Jerrinja Local Aboriginal Land Council to Shoalhaven City Council;
- d) The donation offer, as detailed in recommendation a) be subject to Jerrinja Local Aboriginal Land Council accepting future maintenance costs associated with the poles and Council can remove the poles and signage from the reserve if they become a risk management issue;
- e) Council detail this resolution, related to a financial donation to Jerrinja Local Aboriginal Land Council, in Council's next annual report as required by S67(3) of the NSW Local Government Act 1993; and
- f) A further report be submitted to Council following completion of the carved wooden poles in Crookhaven Headland Reserve, as required by S67(4) of the NSW Local Government Act 1993.

60. Additional Item – Cultural Heritage Program – National Parks File 4048E, 1209E [Index](#)

RECOMMENDED that the Aboriginal Advisory Committee:

- a) Invite National Parks and Wildlife Service to future meetings;
- b) Receive a follow-up status report from Council on the owned/managed land near Cullunghutti; and
- c) Have this issue as a standing item in the Committee's Action List.

SHOALHAVEN ACCESS ADVISORY COMMITTEE – TUESDAY 4 JUNE 2013 (ITEM 61)

City Services & Operations

61. Accessibility Guidelines and Increase Your Potential Business Booklets
File 26396E, 1228E, 39733E [Index](#)
-

RECOMMENDED that:

- a) The report on Accessibility Guidelines and Increase Your Potential Business Booklets Report be received for information;
- b) A progress report in respect to Council's accessibility issues in respect to DCP 120 Commercial Uses be provided at the next meeting of the Committee;
- c) The Access Advisory Committee provide presentations to the Shoalhaven Tourism Board, Nowra CBD Action, Business and Employment Committee;
- d) The Chairperson of the Access Advisory Committee approach the Shoalhaven Business Chamber to provide a presentation;
- e) Council provide a media release on the Accessibility Guidelines; and
- f) The website links to the accessibility webpage on Council's internet site be made more visible.

**COUNCIL PROPERTY STEERING COMMITTEE – THURSDAY 13 JUNE 2013
(ITEMS 62 to 70)**

Strategic Planning and Infrastructure

62. Shoalhaven City Arts Centre - First Floor 12 Berry Street - Future Long Term Leasing
File 33992e [Index](#)
-

RECOMMENDED that:

- a) Council seek commercial occupants for the vacant first floor rooms of the Shoalhaven City Arts Centre for terms no longer than 12 months pending further consideration of the strategic report commissioned for the future of the Arts Centre and the finalisation of the Request for Proposal process that may include this property; and
- b) Authority be delegated to the General Manager to approve any lease/licence negotiated for 12 Berry Street, Nowra for a period of no more than 12 months.

63. Proposed Licence of Council Land to Narrowcaster Beach FM File 24141E [Index](#)
-

RECOMMENDED that Council:

- a) Enter into a Licence with A & F Broadcasting over Lot 1 DP 635090, Coonemia Road, Wollumboola, for an amount of \$3,060p.a. plus GST;
- b) Delegate authority to the General Manager to finalise negotiations in relation to the occupancy licence with Vodafone; and
- c) Authorise 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 is authorised to sign any documentation necessary to give effect to this resolution.

64. Granting Occupancy Licences - Shoalhaven Community Radio at Berry, Cambewarra and Ulladulla File 27851E, 7434E & 45710E [Index](#)
-

RECOMMENDED that further negotiations with Shoalhaven Community Radio Inc groups be undertaken and reported back to Council

65. Proposed Lease of Room 1, 3 Watt St Huskisson to Huskisson Vincentia & Districts Meals on Wheels Service Incorporated File 2373e [Index](#)
-

RECOMMENDED that Council:

- a) Terminate the current lease of room 1, being that part of 3 Watt St Huskisson currently leased to Huskisson Vincentia & Districts Meals on Wheels Service, Inc;
 - b) Lease to the Huskisson Vincentia & Districts Meals on Wheels Service, Inc. the whole of Lot 6, Section 19 of DP 758530 in accordance with Council's Occupation of Council Owned or Managed Land Policy for a term of five years at an initial rent of \$444.00p.a. plus GST;
 - c) The General Manager be authorised to finalise negotiations for the Lease; and
-

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

66. Dunisla Street, Sanctuary Point Dedication of Land as Public Road, Section 16 of the Roads Act 1993 File 46456e [Index](#)

RECOMMENDED that by way of gazettal the following lots below be dedicated as public road in accordance with Section 16 of the Roads Act 1993:

- a) Lot 32 Section F in DP8324, Lot 63 Section G in DP8324, Lot 63 Section H in DP8323 and Lot 96 Section J in DP8322 situated in Dunisla Street Sanctuary Point Parish of Bherwerre, County of St Vincent and said to be in the ownership of Alfred Saunders.

67. Classification of Land - Various File 7720E, SF9298, SF9786SW [Index](#)

RECOMMENDED that Council resolve to classify the land described below as operational land in accordance with section 31 (2) of the Local Government Act, 1993 and in accordance with subdivision consent.

- a) Lot 271 DP1179205 – South Nowra – Drainage Reserve – SF9298; and
b) Lot 1001 DP1183960 – Vincentia – Sewer and Water Supply – SF9786SW.

General Business

68. Additional Item – Milton Historical Society Property Purchase File [Index](#)

RECOMMENDED that Council request the State Government to provide financial assistance of an interest free loan of up to \$600,000 to the Milton Historical Society to purchase a property in Milton to house their collection.

Addendum Report 1 - General Manager

69. Sale of Additional Land, South Nowra – Consolidated Logistics File 36463E [Index](#)

RECOMMENDED that:

- a) Council authorises the adjustment of boundaries for lots 133 & 134 in DP 1124258 for an adjusted increase in sale price for lot 134 of \$55,000 to \$270,000;
b) Council engages Consolidated Logistics under contract to undertake the reshaping of lots 132 & 133 for \$55,000, subject to agreement on design and scope of works and independent verification of the value of works;
c) Council resets the minimum sale prices for Lot 132 at \$200,000 and Lot 133 at \$210,000 to reflect the additional works;

-
- d) The General Manager be authorised to sign the Contracts for Sale of the industrial lots at Trim St Sth Nowra above; and
 - e) The Transfers to complete the Contracts and boundary adjustment be executed under the seal of Council.

Addendum Report 2 - Strategic Planning and Infrastructure

70. Proposed Egans Lane Car Park Development

File 45129E [Index](#)

RECOMMENDED that Council:

- a) Endorse the undertaking of a procurement process such as an Expression of Interest, or similar, relating to the Redevelopment of Egans Lane Car Park in accordance with the DLG Guidelines;
- b) Endorse the establishment of a Project Team to manage the procurement process led by the Planning Resources & Property Manager as Project Director and supported by external consultants relating to probity, legal, advisory and quantity survey services. The Project team brief will include:
 - i) Setting the parameters for the site including resolving the Arts Centre & Library potential relocation issue;
 - ii) Preparing the Project Description;
 - iii) Preparing a Statement of Outcomes;
 - iv) Establishing a Timeframe;
 - v) Determining the Total Cost and Financing model;
 - vi) Reviewing the Risk Assessment;
 - vii) Reviewing the Governance Structure;
 - viii) Assessing Council's contribution in terms of equity and/or financial commitment;
 - ix) Engagement of a suitably qualified professional company in major development projects to assist in the marketing and assessment of the proposals;
 - x) Engagement of a Probity Advisor;
 - xi) Engagement of a Legal Practitioner with experience in high level negotiations with national and multi-national firms; and
 - xii) Engagement of Quantity Survey and Advisory Services Consultants when applicable;
- c) Vote an amount of \$200,000 from the Strategic Projects Reserve in the 2013/14 Budget into the Property Development General job number 88650 for this purpose;
- d) Invite the current proponents to make a formal submission to the procurement phase; and
- e) In respect to b) x) and xi), continue to use the services of IAB Services to provide probity advice on the project and engage them to prepare a Probity Plan and

Evaluation Plan specifically for this phase of the procurement process in conjunction with the Legal Practitioner engaged for this project, if applicable.

R.D Pigg
GENERAL MANAGER

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 11 JUNE 2013

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

REPORT OF THE CONVENOR

ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY

71. Parking Restrictions - Moss Street, Nowra adjacent Nowra High School (PN 1346)
File 2636E [Index](#)
- # RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of a No Parking Zone 8AM – 9.30AM and 2.30PM – 4PM School Days (for a distance of approximately 42m) on the southern side of Moss Street, Nowra, as detailed in the attached plan TRAF 2013/26.
72. Road Safety, Kangaroo Valley Road, Berry Mountain (PN 2381) File 1664E [Index](#)
- # RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of Double-Barrier (BB) centre linemarking on Kangaroo Valley Road, Berry, for a distance of approximately 45m either side of the intersection with Ben Dooley Road, as detailed in the attached plan TRAF 2013/27.
73. Traffic Congestion and Road Safety - Kalinga Street, Cambewarra Village. (PN 2400)
File 38767E [Index](#)
- # RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of No Stopping zone 8.30AM-9.30AM - 2.30PM-3.30PM School Days on the southern side of Kalinga Street, Cambewarra (between Goorama Drive and Nooramunga Avenue, as detailed in the attached plan TRAF 2013/28.
74. Junction Court Redevelopment - Opening to one way traffic - Junction St, Nowra (PN 2980) File 44389E [Index](#)
- # RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure)
- a) be advised that the Shoalhaven Traffic Committee has no objections the implementation of a One Way (eastbound) traffic flow in Junction Street, Nowra (between Kinghorne Street and O'Connell Lane)
 - b) be requested to install the associated signs and delineation as detailed in TRAF 2013/29, to enable the One way traffic flow.

-
75. Road Upgrade of Kalandar Street and entrance to proposed Dan Murphy's outlet -
Owner: Australian Leisure & Hospitality Group Ltd Applicant: Martin, Morris & Jones
(Graham Rollinson, Director) (PN 2972) File DA09/2325 [Index](#)

RECOMMENDED that the General Manager (Director Development and Environmental Services) be advised that the Shoalhaven Traffic Committee has no objections to the proposed works (as detailed in the attached signs and lines plans (REF No CARDNO CG130055 T 01 Rev P4, CARDNO CG130055 T 02 Rev P2, CARDNO CG130055 T 03 Rev P2)) on Kalandar Street, Nowra in association with the development of the Dan Murphy's outlet, subject to:

- a) the BB lines at western end of the project being extended to Kinghorne Street, to Council satisfaction.
- b) the plans in vicinity of the Lot78 DP219576 (82 Journal Street) and Lot79 DP219576 (77 Kalandar Street) being amended to address safe standards noting the proposed 3.1m lane widths could be accepted, however driveway crossovers have to be amended in accordance with Council's DCP100, this will require relocation of the footpath, and as a consequence of the driveway and path amendments; boundary fence modifications will be required to address pedestrian safety in accordance with AS2890.1.
- c) a final decision on the design to address b) (above) must be undertaken in consultation with the affected owners

Martin Upitis
CONVENOR

REPORT OF GENERAL MANAGER

ORDINARY MEETING

FRIDAY, 21ST JUNE 2013

GENERAL MANAGER

76. Local Government Conference - 2013 OzWater Conference **File 3989E** [Index](#)

PURPOSE: Delivery Program Activity: 4.3.2.1

To provide a report from Councillor Mark Kitchener on the 2013 OzWater Conference held in Perth from 7-9 May 2013.

RECOMMENDED that the report regarding the 2013 OzWater Conference held in Perth from 7-9 May 2013 be received for information.

OPTIONS:

1. Receive the report for information, as requested.
2. Request for further information on the conference.

DETAILS:

In accordance with Clause 3.3(e) of the Council Members – Payment of Expenses and Provisions of Facilities Policy, Cllr Mark Kitchener has submitted a report regarding the 2013 OzWater Conference held in Perth from 7-9 May 2013. The report is attached for information.

**RUSS PIGG
GENERAL MANAGER**

REPORT OF GENERAL MANAGER

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

FINANCE AND CORPORATE SERVICES

77. Record of Investments - May 2013

File 2126E [Index](#)

PURPOSE: Delivery Program Activity: 4.5.1.1

Under Section 625 of the Local Government Act 1993 and Clause 212 of the Local Government (General) Regulation it is a requirement to provide a written report to Council on a monthly basis setting out details of all money that Council has invested.

RECOMMENDED that the Report of the General Manager (Finance and Corporate Services Group) on the Record of Investments for the period to 31 May 2013 be received for information.

OPTIONS

1. The report on the Record of Investments for the period to 31 May 2013 be received for information.
2. Further information regarding the Record of Investments for the period to 31 May 2013 be requested.

DETAILS

Council's overall investment performance resulted in a weighted average return of 4.36% (annualised), 156 basis points above the average 90 day Bank Bill Rate of 2.80% (as supplied by CBA).

The Managed Fund Portfolio returned an average 4.93% over the last twelve months while Council's direct investment portfolio posted a weighted average of 4.33%, 153 basis points above the benchmark.

Interest earned on Council's investment portfolio for this financial year to May 2013 was \$4,497,110 compared with \$5,495,823 for the same period last year. The decrease in interest on investments is due to the Council's overall weighted average return decreasing by 101 basis points over the last 12 months.

The Portfolio Valuation Report provided by ANZ for 30 May 2013 states that:

The Australian equity market lost ground during the month. The S&P ASX 200 closed the month 5.10% lower at 4,926.57. The Australian dollar lost 7.5 cents, buying 0.9571 USD at month end.

RECORD OF INVESTMENTS

as at 31 May 2013

Total Cash And Investments

Total Cash	6,722,908
Total Investments	<u>100,709,701</u>
	<u>107,432,608</u>

Less Cash & Investments Held In Relation To Restricted Assets

Leave Entitlements & Workers Compensation Liability	7,925,308
Financial Assistance Grant	3,025,637
Grant reserve	135,774
North Nowra Link Road	779,769
Other Internal Reserves	8,302,281
Section 94	22,721,491
Section 94 Matching Funds	1,679,363
Strategic Projects General	0
Trust	90,145
Waste Disposal	7,661,719
Sewer Compensation	6,568
Sewer Construction Works	5,798,005
Section 64 Water	9,303,975
Water Construction Works	<u>27,635,274</u>
Total Restricted	<u>95,065,310</u>

Unrestricted Cash And Investments

General	10,367,298
Water	1,000,000
Waste Water	<u>1,000,000</u>
Total Unrestricted	<u>12,367,298</u>

SHOALHAVEN CITY COUNCIL
STATEMENT OF INVESTMENTS
31 May 2013

DIRECT INVESTMENTS:							
Institution	Rating	Inv Type	Principal	Terms	Interest Rate	Maturity (1st)	Final Maturity
ANZ	A1+	TD	\$1,000,000.00	104	4.40%	14-Aug-13	
ANZ	A1+	TD	\$1,000,000.00	104	4.40%	15-Aug-13	
ANZ	A1+	TD	\$1,000,000.00	101	4.30%	15-Aug-13	
ANZ	A1+	TD	\$2,000,000.00	105	4.30%	21-Aug-13	
ANZ	A1+	TD	\$3,000,000.00	98	4.15%	29-Aug-13	
Bank of Qld	A2	TD	\$2,000,000.00	147	4.30%	18-Jul-13	
Bank of Qld	A2	TD	\$1,000,000.00	98	4.45%	31-Jul-13	
Bank of Qld	A2	TD	\$2,000,000.00	98	4.43%	08-Aug-13	
Bank of Qld	A2	TD	\$1,000,000.00	105	4.33%	22-Aug-13	
Bank of Qld	A2	TD	\$1,000,000.00	92	4.28%	15-Aug-13	
Bank of Qld	A2	TD	\$2,000,000.00	105	4.25%	29-Aug-13	
Bank of Qld	A2	TD	\$1,000,000.00	90	4.20%	28-Aug-13	
Bendigo Bank	A2	TD	\$2,000,000.00	184	4.60%	05-Jun-13	
Bendigo Bank	A2	TD	\$1,000,000.00	98	4.20%	10-Jul-13	
Bendigo Bank	A2	TD	\$2,000,000.00	98	4.35%	24-Jul-13	
Bendigo Bank	A2	TD	\$1,000,000.00	105	4.50%	07-Aug-13	
Bendigo Bank	A2	TD	\$1,000,000.00	99	4.45%	08-Aug-13	
Bendigo Bank	A2	TD	\$2,000,000.00	92	4.10%	29-Aug-13	
Heritage Bank	A3	TD	\$2,000,000.00	98	4.30%	11-Jul-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	182	4.75%	13-Jun-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	119	4.29%	13-Jun-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	120	4.30%	27-Jun-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	183	4.29%	28-Nov-13	
Members Equity Bank	A2	TD	\$1,000,000.00	105	4.35%	12-Jun-13	
Members Equity Bank	A2	TD	\$1,000,000.00	105	4.35%	19-Jun-13	
Members Equity Bank	A2	TD	\$1,000,000.00	97	4.43%	03-Jul-13	
Members Equity Bank	A2	TD	\$2,000,000.00	93	4.42%	25-Jul-13	
Members Equity Bank	A2	TD	\$2,000,000.00	99	4.40%	01-Aug-13	
Members Equity Bank	A2	TD	\$1,000,000.00	105	4.33%	22-Aug-13	
Members Equity Bank	A2	TD	\$2,000,000.00	97	4.25%	04-Sep-13	
National Australia Bank	A1+	MATD	\$90,144.80	365	5.03%	30-Jun-13	
National Australia Bank	A1+	TD	\$2,000,000.00	105	4.28%	06-Jun-13	
National Australia Bank	A1+	TD	\$2,000,000.00	112	4.30%	27-Jun-13	
National Australia Bank	A1+	TD	\$4,000,000.00	119	4.43%	25-Jul-13	
National Australia Bank	A1+	TD	\$3,000,000.00	106	4.45%	25-Jul-13	
National Australia Bank	A1+	TD	\$1,000,000.00	99	4.40%	01-Aug-13	
National Australia Bank	A1+	TD	\$2,000,000.00	99	4.15%	29-Aug-13	
National Australia Bank	A1+	TD	\$1,000,000.00	93	4.12%	30-Aug-13	
National Australia Bank	A1+	TD	\$2,000,000.00	98	4.15%	05-Sep-13	
National Australia Bank	A1+	CRD	\$5,000,000.00	34	4.41%	11-Jun-13	
NSW Treasury Corp	A1+	TD	\$3,300,000.00	183	4.37%	04-Oct-13	
Police Credit Union Ltd (SA)	NR	TD	\$1,000,000.00	90	4.21%	28-Aug-13	
Rural Bank	A2	TD	\$2,000,000.00	112	4.25%	20-Jun-13	
St George Bank	A1+	TD	\$2,000,000.00	120	4.20%	27-Jun-13	
Suncorp Metway Ltd Bank	A1	TD	\$2,000,000.00	105	4.20%	06-Jun-13	
Westpac Bank	A1+	TD	\$2,000,000.00	112	4.32%	20-Jun-13	
Westpac Bank	A1+	TD	\$2,000,000.00	118	4.30%	27-Jun-13	
Westpac Bank	A1+	TD	\$2,000,000.00	112	4.31%	27-Jun-13	
Westpac Bank	A1+	TD	\$2,000,000.00	105	4.40%	26-Jun-13	
Westpac Bank	A1+	TD	\$4,000,000.00	112	4.38%	04-Jul-13	
Westpac Bank	A1+	TD	\$2,000,000.00	92	4.35%	28-Jun-13	
Westpac Bank	A1+	TD	\$2,000,000.00	97	4.42%	17-Jul-13	
Westpac Bank	A1+	TD	\$1,000,000.00	97	4.21%	15-Aug-13	
TOTAL DIRECT INVESTMENTS			\$96,390,144.80		4.33%		

MANAGED FUNDS	Rating	Inv Type	Carrying Value	Purchase Date	Monthly Return	Return over last 12 months
CDO Portfolio	NR	CDO	\$2,723,696.91	Various	0.20%	2.41%
Macquarie Income Plus	AAAm	MF	\$1,595,858.81	17/08/2005	0.77%	9.23%
TOTAL MANAGED FUNDS			\$4,319,555.72		0.41%	4.93%
TOTAL INVESTMENTS			\$100,709,700.52			4.36%
Note: <i>CA At Call Account</i> <i>CDO Collateralised Debt Obligation</i> <i>FRSD Floating Rate Sub Debt</i> <i>MF Managed Fund</i> <i>CRD Committed Rolling Deposit</i> <i>FRN Floating Rate Note</i> <i>MATD Mayors Appeal Term Depx TD Term Deposit</i>						
The investments have been made in accordance with the Act, Regulations and the Council's Investment Policy. P Dun Director, Finance & Corporate Services Group						

FINANCIAL IMPLICATIONS:

It is important for Council to be informed in regard to its investment on a regular basis. Revenue from interest on investments forms a vital part of Council's revenue stream.

78. Making of the Rates and Charges for 2013/2014

File 39808E, 41376E [Index](#)

PURPOSE: Delivery Program Activity: 4.3.1.8

Levy annual rates and charges in accordance with legislative requirements under the Local Government Act 1993

RECOMMENDED that Council adopts the making of the rates and charges for 2013-2014 as detailed in Delivery Program 2013-2017 and Operational Plan 2013-2014 which was placed on public exhibition from 26 April 2013 to the 24 May 2013.

OPTIONS

1. To endorse the recommendation.
2. Not endorse the recommendation and change the rates & charges.

DETAILS

The Draft Delivery Program 2013-2017 and Operational Plan 2013-2014 was placed on public exhibition from 26 April 2013 to the 24 May 2013 not being less than 28 days in accordance with Sections 404 (4) & 405 (3) of the Local Government Act, 1993.

In November 2012, the Independent Pricing and Regulatory Tribunal (IPART) announced the rate pegging limit for 2013/2014 would be 3.4%. Council also applied for a special variation increase of 3.6% above the rate pegging limit which was approved in June 2013.

Council has considered all written submissions that were made concerning the Draft Delivery Program 2013-2017 and Operational Plan 2013-2014 and has adopted the Draft Delivery Program 2013-2017 and Operational Plan 2013-2014 for the period 1 July 2013 to 30 June 2014 in accordance with Section 532 of the Local Government Act, 1993. It is therefore appropriate, in accordance with Sections 534 and 535 of the Local Government Act 1993, for Council to make the rates and charges for the 2013/2014 rating year.

RATES

1. RESIDENTIAL

An ordinary rate, consisting of an Ad Valorem Rate, of zero point two one four one five cents (0.21415c) in the dollar in addition to a base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land categorised as "RESIDENTIAL" in accordance with Section 516 BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (1) this rate be named "RESIDENTIAL". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment for the "RESIDENTIAL" category will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "RESIDENTIAL" rate in accordance with Section 537 (b).

2. FARMLAND

An ordinary rate, consisting of an Ad Valorem Rate, of zero point one six eight nine eight cents (0.16898c) in the dollar in addition to a base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land categorised as "FARMLAND" in accordance with Section 515 BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (1) this rate be named "FARMLAND". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment for the "FARMLAND" category will produce twenty four point five seven (24.57%) percentum of the total amount payable by the levying of the "FARMLAND" rate in accordance with Section 537 (b).

3. FARMLAND – DAIRY FARMERS

An ordinary rate, consisting of an Ad Valorem Rate, of zero point zero eight nine two seven cents (0.08927c) in the dollar in addition to a base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land categorised as “FARMLAND” Sub Category “DAIRY FARMERS” and in accordance with Section 515 AND 529 (b) BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (1) this rate be named “FARMLAND” sub category “DAIRY FARMERS”. Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment for the “FARMLAND –DAIRY FARMERS” category will produce thirty two point one one (32.11%) percentum of the total amount payable by the levying of the “FARMLAND – DAIRY FARMERS” rate in accordance with Section 537 (b).

4. RESIDENTIAL NON-URBAN

An ordinary rate, consisting of an Ad Valorem rate, of zero point one one six four three cents (0.11643c) in the dollar in addition to a base amount of twenty eight dollars point nine zero cents (\$28.90c) per rateable assessment in accordance with Section 537 of the Local Government Act, 1993 on all rateable land in the city of Shoalhaven which is zoned so as not to permit any building (ie; Small Lot Rural Subdivisions) and categorised as “RESIDENTIAL” in accordance with Section 516, Sub-Category “NON-URBAN” in accordance with Section 529 (1). Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of twenty eight dollars point nine zero cents (\$28.90c) per rateable assessment for the “RESIDENTIAL NON-URBAN” category will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the “RESIDENTIAL NON-URBAN” rate in accordance with Section 537 (b).

5. BUSINESS

An ordinary rate, consisting of an Ad Valorem Rate, of zero point three zero one zero seven cents (0.30107c) in the dollar in addition to a base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land in the City of Shoalhaven and used or zoned for professional/commercial trade or industrial purposes determined to be a centre of activity and categorised as “BUSINESS” in accordance with Section 518, except all rateable land in the City of Shoalhaven determined to be in the Business Sub-Categories of Nowra, Ulladulla and Permit BE NOW MADE FOR THE PERIOD OF 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (1) this rate be named “BUSINESS”. Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment for the category “BUSINESS” will produce twenty nine point two one (29.21%) percentum of the total amount payable by the levying of the “BUSINESS” rate in accordance with Section 537 (b).

6. BUSINESS NOWRA

An ordinary rate, consisting of an ad Valorem Rate, of one point zero zero one six seven cents (1.00167c) in the dollar in addition to a base amount of four hundred and seventy

five dollars and zero cents (\$475.00c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land in the City of Shoalhaven as shown on a map made available for display at Council's Administrative Offices located at Nowra and Ulladulla during the period 26 April 2013 to the 24 May 2013, determined to be a centre of activity and categorised as "BUSINESS" in accordance with Section 518 sub-category "NOWRA" in accordance with Section 529 (1) BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (1) this rate be named "BUSINESS NOWRA". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment for the "BUSINESS NOWRA" sub-category will produce nine point four five (9.45%) percentum of the total amount payable by the levying of the "BUSINESS NOWRA" rate in accordance with Section 537 (b).

7. BUSINESS ULLADULLA

An ordinary rate, consisting of an Ad Valorem Rate, of zero point four five two zero five cents (0.45205c) in the dollar in addition to a base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment in accordance with Section 537 of the Local Government Act 1993 on all rateable land in the City of Shoalhaven as shown on a map made available for display at Council's Administrative Offices located at Nowra and Ulladulla during the period 26 April 2013 to the 24 May 2013, determined to be a centre of activity and categorised as "BUSINESS" in accordance with Section 518, sub-category "ULLADULLA" in accordance with Section 529 (1) BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (1) this rate be named "BUSINESS ULLADULLA". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of four hundred and seventy five dollars and zero cents (\$475.00c) per rateable assessment for the "BUSINESS ULLADULLA" sub-category will produce sixteen point three one (16.31%) percentum of the total amount payable by the levying of the "BUSINESS ULLADULLA" rate in accordance with Section 537 (b).

8. SUSSEX AREA SPECIAL

In accordance with Section 538 a special rate, consisting of an Ad Valorem Rate, of zero point zero three one one six cents (0.03116c) in the dollar be made on part of Council's rateable land as shown on maps made available for display at Council's Administrative Offices located at Nowra and Ulladulla during the period 26 April 2013 to the 24 May 2013. In accordance with Section 495 (1) the rate, proposed to be levied, is to meet the costs of business promotions for the Sussex Inlet area and surrounds for the period 1 July 2013 to 30 June 2014, which in the opinion of Council is of special benefit to the rateable assessments subject to the rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named "SUSSEX AREA SPECIAL RATE".

9. BUSINESS PERMIT

An ordinary rate, consisting of an Ad Valorem Rate, of zero point two eight five two eight cents (0.28528c) in the dollar be made on all rateable land in the City of Shoalhaven as shown on a map made available for display at Council's Administrative Offices located at

Nowra and Ulladulla during the period 26 April 2013 to the 24 May 2013, determined to be a centre of activity and categorised as “BUSINESS” in accordance with Section 518, sub-category “PERMIT” in accordance with Section 529 (1) BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (1) this rate be named “BUSINESS PERMIT”.

10. JERBERRA REZONING SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point two six zero one five cents (0.26015c) in the dollar in addition to a base amount of one hundred and seventy one dollars point two zero cents (\$171.20c) be made for the ongoing cost of the Jerberra rezoning investigations. In accordance with Section 495 (1) the special rate is to be levied only on those rateable properties within the Jerberra estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named “JERBERRA REZONING SPECIAL RATE”. Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one hundred and seventy one dollars point two zero cents (\$171.20) per rateable assessment for the “JERBERRA REZONING SPECIAL RATE” and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the “JERBERRA REZONING SPECIAL RATE” in accordance with Section 537 (b).

11. JERBERRA ROAD DESIGN SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point one three six six five cents (0.13665c) in the dollar in addition to a base amount of ninety dollars point zero zero cents (\$90.00) be made for the cost associated with the Jerberra road design project. In accordance with Section 495 (1) the special rate is to be levied only on those rateable properties within the Jerberra estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named “JERBERRA ROAD DESIGN SPECIAL RATE”. Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of ninety dollars point zero zero cents (\$90.00) per rateable assessment for the “JERBERRA ROAD DESIGN SPECIAL RATE” and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the “JERBERRA ROAD DESIGN SPECIAL RATE” in accordance with Section 537 (b).

12. JERBERRA ROAD CONSTRUCTION SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point two two two four five cents (0.22245c) in the dollar in addition to a base amount of one hundred and forty six dollars point five zero cents (\$146.50c) be made for the cost associated with the Jerberra road construction project. In accordance with Section 495 (1) the special rate is to be levied only on those rateable properties within the Jerberra estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named “JERBERRA ROAD CONSTRUCTION SPECIAL RATE”. Further, to

comply with Section 500 of the act, the total amount payable by the levying of the base amount of one hundred and forty six dollars point five zero cents (\$146.50c) per rateable assessment for the "JERBERRA ROAD CONSTRUCTION SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "JERBERRA ROAD CONSTRUCTION SPECIAL RATE" in accordance with Section 537 (b).

13. VERON'S REZONING SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point one eight seven nine five cents (0.18795c) in the dollar in addition to a base amount of three hundred and thirty two dollars point two five cents (\$332.25) be made for costs associated with the Veron's rezoning investigations. In accordance with Section 495 (1) the special rate is to be levied only on those rateable properties within the Veron's estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named "VERON'S REZONING SPECIAL RATE". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and thirty two dollars point two five cents (\$332.25) per rateable assessment for the "VERON'S REZONING SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "VERON'S REZONING SPECIAL RATE" in accordance with Section 537 (b).

14. VERON'S ROAD DESIGN SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point zero eight zero seven five cents (0.08075c) in the dollar in addition to a base amount of one hundred and ten dollars point eight zero cents (\$110.80) be made for costs associated with the Veron's road design project. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Veron's estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named "VERON'S ROAD DESIGN SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of one hundred and ten dollars point eight zero cents (\$110.80) per rateable assessment for the "VERON'S ROAD DESIGN SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "VERON'S ROAD DESIGN SPECIAL RATE" in accordance with Section 537 (b).

15. VERON'S ROAD CONSTRUCTION SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point two four three nine five cents (0.24395c) in the dollar in addition to a base amount of three hundred and thirty four dollars point five zero cents (\$334.50) be made for the cost associated with the Veron's road construction project. In accordance with Section 495 (1) the special rate is to be levied on all rateable properties within the Veron's estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2)

this rate be named "VERON'S ROAD CONSTRUCTION SPECIAL RATE". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of three hundred and thirty four dollars and five zero cents (\$334.50) per rateable assessment for the "VERON'S ROAD CONSTRUCTION SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "VERON'S ROAD CONSTRUCTION SPECIAL RATE" in accordance with Section 537 (b).

16. NEBRASKA REZONING SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point four zero six four five cents (0.40645c) in the dollar in addition to a base amount of two hundred and seventy dollars point zero zero cents (\$270.00) be made for costs associated with the Nebraska rezoning investigations. In accordance with Section 495 (1) the special rate is to be levied only on those rateable properties within the Nebraska estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named "NEBRASKA REZONING SPECIAL RATE". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of two hundred and seventy dollars point zero zero cents (\$270.00c) per rateable assessment for the "NEBRASKA REZONING SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "NEBRASKA REZONING SPECIAL RATE" in accordance with Section 537 (b).

17. NEBRASKA ROAD DESIGN SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point one zero zero six five cents (0.10065c) in the dollar in addition to a base amount of sixty eight dollars point zero zero cents (\$68.00) be made for costs associated with the Nebraska road design project. In accordance with Section 495 (1) the special rate is to be levied only on those rateable properties within the Nebraska estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named "NEBRASKA ROAD DESIGN SPECIAL RATE". Further, to comply with Section 500 of the act, the total amount payable by the levying of the base amount of sixty eight dollars point zero zero cents (\$68.00c) per rateable assessment for the "NEBRASKA ROAD DESIGN SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "NEBRASKA ROAD DESIGN SPECIAL RATE" in accordance with Section 537 (b).

18. NEBRASKA ROAD CONSTRUCTION SPECIAL RATE

In accordance with Section 538, a special rate, consisting of an Ad Valorem Rate, of zero point one seven two six five cents (0.17265c) in the dollar in addition to a base amount of one hundred and sixteen dollars and zero zero cents (\$116.00c) be made for the cost associated with the Nebraska road construction project. In accordance with Section 495 (1) the special rate is to be levied only on those rateable properties within the Nebraska estate in which is the opinion of Council derives special benefit and is subject to this rate in accordance with Section 495 (2) (a) (b) and (c). The special rate BE NOW MADE FOR

THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (2) this rate be named "NEBRASKA ROAD CONSTRUCTION SPECIAL RATE". Further, to comply with Section 500 of the Act, the total amount payable by the levying of the base amount of one hundred and sixteen dollars point zero zero cents (\$116.00) per rateable assessment for the "NEBRASKA ROAD CONSTRUCTION SPECIAL RATE" and will produce fifty point zero zero (50.00%) percentum of the total amount payable by the levying of the "NEBRASKA ROAD CONSTRUCTION SPECIAL RATE" in accordance with Section 537 (b).

CHARGES

1. WATER USAGE AND WATER AVAILABILITY CHARGE

In accordance with Section 502 and 552 (1) (a) and (b) a water usage and water availability charge, (based on the size of the meter) and as listed in the Delivery Program 2013-2017, BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (3) the charges be named 'WATER USAGE CHARGE and WATER AVAILABILITY CHARGE".

2. SEWER USAGE AND SEWER AVAILABILITY CHARGE

In accordance with Section 502 and 552 (3) a sewer usage and sewer availability charge, (based on the size of the meter) and as listed in the Delivery Program 2013-2017, BE NOW MADE FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014 and in accordance with Section 543 (3) the charge be named "SEWER USAGE and SEWER AVAILABILITY CHARGE".

3. DOMESTIC WASTE MANAGEMENT SERVICE

That Council provides a weekly domestic waste management service. That Council makes an annual charge for the provision of that service pursuant to Section 496 of the Local Government Act 1993. That the amount of the Domestic Waste Management Charges during the period 1 JULY 2013 TO 30 JUNE 2014 for each assessment for which the service is available be \$489.00 for each 240 litre size bin, \$281.00 for each 120 litre size bin, \$218.00 for each 80 litre size bin and \$49.00 for any additional 240 litre Recycling bin be made in accordance with Section 543 (3) the charge be named "DOMESTIC WASTE MANAGEMENT CHARGE".

4. WASTE MANAGEMENT SERVICE – NEW WORKS

That Council make an annual charge for the purposes of administration and new works associated with the future provision of domestic waste management services to properties described below in (a) and (b) pursuant to Section 496 of the Local Government Act 1993. That the amount of the Administration/New Works Waste Management Charge during the year commencing 1 JULY 2013 TO 30 JUNE 2014 for each assessment described below be \$58.00 and in accordance with Section 543 (3) the charge be named "ADMINISTRATION/NEW WORKS WASTE MANAGEMENT CHARGE".

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

5. EFFLUENT REMOVAL CHARGE

That the Council make annual charges for the provision of effluent removal pursuant to Section 501 (1) of the Local Government Act 1993. That these charges apply to all properties utilising the effluent removal service for the year commencing 1 JULY 2013 TO 30 JUNE 2014. That the amount of those charges are listed in the Delivery Program 2013-2017 and Operational Plan 2013-2014 (Fees and Charges) adopted by the Council on the 21st May 2013 and in accordance with Section 543 (3) this charge be named "EFFLUENT REMOVAL CHARGE".

6. STORMWATER MANAGEMENT SERVICE CHARGE

That council make an annual charge for the provision of stormwater management services pursuant to section 496A of the Local Government Act 1993. That this charge applies to all privately owned, developed rateable properties within the Shoalhaven for the year commencing 1 JULY 2013 TO 30 JUNE 2014. That the amount of this charge be \$25.00 per privately owned, developed rateable properties and \$12.50 per strata allotment and in accordance with Section 543 (3) the charge be named "STORMWATER MANAGEMENT SERVICE CHARGE".

FINANCIAL IMPLICATIONS:

There are no resource implications.

COMMUNITY ENGAGEMENT:

Council is required to levy annual rates and charges in accordance with legislative requirements under the New South Wales Local Government Act, 1993.

79. Amended Council Meeting Date for August

File 3910E [Index](#)

PURPOSE: Delivery Program Activity: 4.3.1.1

To seek the approval of Council to review the Ordinary Council meeting date for August.

RECOMMENDED that Council change the date for the August Ordinary meeting to Tuesday 27 August and authorise the appropriate advertising.

OPTIONS

1. As recommended
2. Council retain the scheduled meeting date of 3 September
3. That Council determine an alternative date for the August Ordinary meeting

DETAILS

The Ordinary meeting date for August was initially proposed for Tuesday 3 September. The reason for this date was that the Parliamentary Calendar indicated at the time that it conflicted with the normal Council meeting date of Tuesday 27 August 2013.

As the Parliament will not be sitting during August, the recommendation provides for the August meeting to revert back to the fourth Tuesday of the month.

FINANCIAL IMPLICATIONS:

There are no financial implications apart from the cost of a newspaper advertisement.

COMMUNITY ENGAGEMENT:

The newspaper advertisement and amendment to the information on the Council website will fulfil Councils' obligations regarding community consultation.

P.J. Dun
DIRECTOR, FINANCE AND CORPORATE SERVICES

R.D Pigg
GENERAL MANAGER

LEGAL DOCUMENTS

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

SHOALHAVEN WATER

80. Ulladulla Wastewater Treatment Plant. Acquisition of Crown Road.File 21687E [Index](#)

RECOMMENDED that

- a) Council resolve to vary the previous Council resolutions for the compulsory acquisition of Crown road for the Ulladulla Wastewater Treatment Plant, now shown as Lot 1 on attached copy of DP1186174.**
- b) The necessary application be made to the Minister for Local Government and the Governor to issue an amended Acquisition Notice which includes a second schedule nominating easements for water supply and overhead power lines to be excluded from the acquisition.**

Note: Council resolved at its meeting on 30 April 2002 (Minute 02.511, copy attached) to compulsorily acquire land for the construction of Ulladulla Wastewater Treatment Plant. An updated Resolution dated 26 October 2012 (Minute 12.1199, copy attached) gave approval to the acquisition of the Crown road, then shown as proposed Lot 3 on Plan 'A'. A survey plan was subsequently registered and the road was shown as Lot 1 in DP1181431.

Compulsory acquisition of the road was approved by the Minister and Governor and an Acquisition Notice was issued for Lot 1 DP1181431.

Recent investigations on a separate matter revealed that the road is partly affected by an Easement for Water Supply 6 wide and an Easement for Overhead Power Lines. The easements would have been extinguished by publication of the Acquisition Notice in its current form, but need to be retained as necessary infrastructure. An amended Acquisition Notice is required to be issued. The easements are to be noted in a second schedule of the Notice to exclude them from the acquisition and ensure they are not extinguished.

A revised survey plan was lodged at the LPI to include the easements. The LPI required a new plan and the Crown road to be acquired is now shown as Lot 1 in DP1186174, copy attached. The area to be acquired is unchanged from the previous resolutions and is the same as shown on the previous plan, DP1181431.

C Krogh
DIRECTOR SHOALHAVEN WATER

R.D Pigg
GENERAL MANAGER

NOTICES OF MOTION
ORDINARY MEETING
FRIDAY, 21 JUNE, 2013

81. Urgent Report on Options for Location/Design of a Multi Storey Car park in Nowra CBD **File 39962E [Index](#)**

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

That a report on options for the location and design of a multi storey car park in Nowra CBD be submitted to Councillors for consideration

Background:

The previous Council favoured the car park at the Worrigeer/Berry Street intersections as the preferred location for a multi storey car park in the CBD. This Council has 10 new Councillors who need to make informed decisions about such a facility for the sake of CBD revitalisation and community benefit.

Nowra needs a car park that has safe, convenient and undercover access to CBD businesses and as such Stewart Place car park and other alternatives need to be examined in close detail by this current term of Councillors.

Signed
Clr Tribe

82. Report on Options for Toilets at Wowly Creek **File 7677E [Index](#)**

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

That a report be provided to Councillors on options for toilets to be located at Wowly Creek for the benefit of Callala Bay residents and tourists.

Background:

The residents of Callala Bay have been calling for a toilet block at Wowly Creek reserve for tourists to utilise for over 30 years. While they were grateful for the temporary solution over Easter a more permanent solution must be found.

Signed
Clr Tribe

Note by General Manager:

The Capital Works Program for 2013/14 to 2016/17 does not include this new project. All funds under the “Public Amenities” program (4 years) are allocated to:

• Asbestos Management – Building Repairs	\$306,000
• Public Amenities Replacement	\$466,000
• Boree Street, Ulladulla Toilet	\$250,000

The Wowley Creek Reserve ‘New Amenities’ is listed in the forward works program as ‘Medium Priority’ in the revised Asset Management Plan. There are 10 ‘New’ Projects with a higher priority.

83. Penwood Railway – Jaspers Brush

File 3583E [Index](#)

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

That the General Manager report to Council on what needs to be done to enable the owner of the Penwood Railway property in Jaspers Brush to subdivide the holding and to achieve a dwelling entitlement on the railway parcel to provide for the future use of the facility which has become an iconic local attraction for families.

Background:

Mr Les Irwin has established a fantastic model railway facility on his property over a number of years. The property is 3.99 ha in size and currently zoned Rural 1(a) and Rural 1(b) under Shoalhaven LEP1985.

Under the existing zones and the provisions in LEP1985 it is possible to create an additional allotment for, or around an existing approved use, however there is no ability under these provisions to provide an additional “dwelling entitlement”. Similar provisions will exist in the new LEP.

Thus, a new lot could be created around the railway, but it would not ordinarily have a “dwelling entitlement” or ability for a managers residence given the size of lot/scale of operation. To assist in keeping this facility available to the public, this report may provide a pathway to seek an approval.

Signed
Clr Guile

Note by General Manager:

Under the existing zones and the provisions in Shoalhaven LEP1985 it is possible to create an additional allotment for, or around an existing approved use, however there is no ability under these provisions to provide an additional “dwelling entitlement”. Similar provisions exist in the draft Shoalhaven LEP2013. Thus, a new lot could be created now

around the railway, but it would not ordinarily have a “dwelling entitlement” or ability for a managers residence given the size of the lot and scale of operation.

The only way to achieve an additional “dwelling entitlement” for the proposed additional lot would be via either SEPP1 or a Planning Proposal (Rezoning) – both would require significant justification and the proponent to prepare relevant applications/submissions, pay required fees and then they will be considered/assessed by Council and then processed further. Both approaches would require concurrence or approval from the Department of Planning & Infrastructure. The requested report will provide further detail on these two options.

CONFIDENTIAL BUSINESS PAPER AGENDA

GENERAL MANAGER – COMMITTEES REPORT

POLICY AND RESOURCES COMMITTEE – 11 JUNE 2013

1. **Tenders for the Management & Operation of Holiday Haven Tourist Park Properties at Shoalhaven Heads Tourist Park and Crookhaven Heads Tourist Park**

Reason

Section 10A(2)(d)(i) - Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

2. **Holiday Haven Tourist Parks - Management Contract for Bendalong Point Tourist Park - Contract Extension Option**

Reason

Section 10A(2)(d)(i) - Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

3. **National Computer & Television Recycling Scheme Agreement**

Reason

Section 10A(2)(d)(i) - Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

GENERAL MANAGER

4. **Code of Conduct Complaints**

Reason

Section 10A(2)(i) *“alleged contraventions of any Code of Conduct requirements applicable under Section 440 of the Local Government Act”*. It is not in the public interest to disclose Code of Conduct allegations.

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

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

FINANCE AND CORPORATE SERVICES

1. Proposed Changes to State Electoral Boundaries

File 14560E

PURPOSE: Delivery Program Activity: 4.2.1.3

To notify Council of the proposed changes to the State Electoral Boundaries that are occurring within the Shoalhaven City Council area.

This matter is presented as an Addendum report as the proposed State Electoral Boundaries proposal went on public exhibition on Monday 17 June and any submission needs to be with the NSW Electoral Commission by 17 July 2013, before the next Council meeting.

Submitted for Council's consideration.

OPTIONS

1. Council may present a submission on the proposed boundary adjustment
2. As the proposed boundaries only affect the internal electoral boundaries within the City, no submission on the proposed State Electoral Boundaries be made.

DETAILS

Advice has been received from the NSW Electoral Commission alerting Council of proposed changes to the State Electoral Boundaries. This is necessary due to a shift in population which has resulted in a variation of more than 10% between the highest and lowest State Electoral Districts.

The role of Council in the process is to make the maps available for inspection in the Council offices. Those maps were placed on the Council Notice Board on 17 June. Advertising is coordinated through the NSW Electoral Commission.

In summary, the report proposal provides that robust enrolment trends in the South Coast district and relative declines in the Illawarra region have resulted in it becoming necessary for the Kiama District to cross the Shoalhaven River to gain the South West Nowra region from the South Coast District. The proposed adjustment will affect those 3947 residents who reside west of the Princes Highway from the Shoalhaven River to slightly north of Tomerong, and residents in and around the Falls Road and parts of Jervis Bay Road areas. Tomerong remains in the South Coast Electorate.

The proposed new area of the Kiama Electorate will incorporate the area west of the Princes Highway to Currumbene Creek. The eastern boundary of the electorate then follows the western side of Currumbene Creek. The boundary then extends south west from the southern side of Currumbene Creek, extending along the rear boundaries on properties located on the western side of Knoll Parade to Jervis Bay Road. It then extends along Pine Forest Road toward the Princes Highway via Yerunda Road and Hawken Road. The southern boundary of the Kiama electorate then extends along Turpentine Road across to Deans Gap Road to Yalwal Road and from a point on Yalwal Road through Danjera Creek and through the Morton National Park to Braidwood Road to the City Boundary with Palerang Shire Council.

The plans showing the proposed boundary changes are included in the attachments.

Kiama loses part of the Robertson area to the Goulburn district.

These changes will result in the Kiama electorate comprising of 52,294 electors, being .090% below the quota and the South Coast Electorate comprising of 51,208 electors, 2.96% below the quota.

Council is entitled to present a submission to the proposed boundary change should it so desire. As the boundary adjustment is within the City of Shoalhaven, it is submitted that there is no adverse impacts arising from the proposal.

A copy of the maps have been provided to the Community Consultative Bodies in the affected area in order for them to present a submission to the NSW Electoral Commission if they consider it warranted.

FINANCIAL IMPLICATIONS:

There are no financial implications that arise from this report

COMMUNITY ENGAGEMENT:

The Parliamentary Electorates and Elections Act requires Council to participate in this process by making the proposed maps available for inspection in the Council offices. The NSW Electoral Commission is responsible for advertising as well as media releases.

P.J Dun
DIRECTOR FINANCE & CORPORATE SERVICES

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

GENERAL MANAGER

1. Local Government Acts Taskforce - Discussion Paper

File 3573E

PURPOSE: Delivery Program Activity: 4.3.1.1

Addendum report following Councillor Briefing held 19th June 2013 concerning the Local Government Acts Taskforce – Discussion paper. Item 4 - Policy & Resources committee meeting 11 June 2013 (Item 4, page 1 in tonight's business paper).

RECOMMENDED that Council make a submission to the Taskforce based on the comments within this report.

DETAILS

As a result of comments arising at the briefing the following amended position is submitted for adoption by council.

Concentrating on the "Summary of Taskforce Proposals" (Pages 6-10), it is suggested that Council's submission be based on the following comments. It is not proposed to comment on proposals with which Council is in general agreement.

Elections (Proposal 3.3.1)

"Postal voting at all Council elections"

Comment: Council supports amendments to the Act & Regulations to allow local councils the choice between "Postal elections" or "Attendance elections" similar to the legislation applicable to local councils in Victoria. It is noted that the vast majority of Victorian council's now use the "Postal elections" model for efficiency & cost saving reasons and this option would be welcomed in NSW.

"The most appropriate voting system – exhaustive preferential; optional preferential; proportional, or first past the post."

Comment: Council supports the Proportional voting system for election of councillors as it allows Group voting and the "quota & transfer" treatment of votes results in representation reflecting the proportion of votes received.

Council supports Optional preferential voting system for the election of Mayor though would also accept first past the post voting as it is considered that the result would effectively be the same.

“Use of electronic voting in the future.”

Comment: Council supports this method if the voter identification and recording is fail-safe.

“Remove need for by-elections, where a vacancy occurs either in the first year after an ordinary election or within 18 months prior to an ordinary election.”

Comment: Council supports this proposal.

“Abolish the Ward system.”

Comment: Council supports this proposal, as it is considered that candidates elected will generally reside in areas representative of the geographic spread of electors and will signify that councillors once elected are on council to represent the whole area, make decisions for the benefit for the community at large and will be less likely to take a local, parochial stance.

“Improving the adequacy of and access to candidate information prior to election.”

Comment: Council supports this in principle.

Meetings (Proposal 3.3.2)

The Taskforce proposes in relation to meetings –

“Review, modernise and remove unnecessary prescription and red tape.”

Comment: Support.

“Use of technology in conduct of meetings and to facilitate public access.”

Comment: Support.

Appointment & Management of Staff (Proposal 3.3.3)

The Taskforce proposes –

(i) The strategic responsibilities of the council be clearly separated from the operational responsibilities of the general manager in determining the council's structure and be aligned with IPR by:

- the general manager being responsible for determining the organisation structure and for recruiting appropriately qualified staff necessary to fulfil each role within the structure*
- the council being responsible for determining those services and priorities required and to provide the resources necessary to achieve the Council's Delivery Program, and*
- the general manager being responsible for the employment of all staff and there be no requirement for the general manager to consult with the council in relation to appointment and dismissal of senior staff.*

Comment: It is agreed that clear delineation of responsibilities is necessary so that the General Manager can be accountable for actions/decisions. However, the Council should retain the decision making power to allocate resources including the determination of the Organisation structure at a high level. The following qualifications must be noted and recognised in the Act –

- The Council adopts the budget and allocates resources to the various operational programs and capital works. In a sense this sets parameters and limitations on the staffing levels achievable and hence the organisation structure must be determined within these limits. This requires very close alignment of the CSP, DP/OP and the organisation structure required to deliver expectations. The General Manager should report to Council on the organisation structure in conjunction with the DP/OP annually with suitable recommendations for council consideration.
- It is considered that there are benefits in continuing to have the General Manager “consult” with Council, and particularly the Mayor, in relation to the appointment and dismissal of senior staff.

Code of Conduct (Proposal 3.3.6)

Comment: The Code needs further amendment to remove the General Manager from any part of assessment and decisions relating to complaints. At present the General Manager initially considers all complaints and decides –

- Whether to dismiss the complaint; eg, vexatious.
- Whether to resolve the complaint by alternate means.
- Whether to refer the complaint to the Complaints Co-ordinator for referral to the Conduct Committee and Reviewer.
- Whether it is a matter for referral to the Division of Local Government.

The General Manager’s role could be undertaken by a redefined “Public Officer” position or referred to an independent person, possibly employed on a regional basis or part of the proposed County Council. Alternatively, complaints could be referred to the dlq for the initial assessment so that they are reviewed in a completely impartial manner.

Acquisition of Land (Proposal 3.3.13)

Comment: Council should be permitted to acquire land (compulsory acquisition process) from the Crown for resale to facilitate economic growth and jobs creation provided this is done in an open/transparent process and with both the Minister for Local Governments’ and Minister for Lands’ consent. This will enable potential and suitable employment lands (on Crown land) to be activated in regional areas.

There is a also a strong case to allow the same process of compulsory acquisition in relation to private lands where it can be demonstrated to the Minister for Local Government that the lands are needed for employment lands expansion or other strategic commercial purpose in accordance with proper zoning & strategic land use plans supported by the community & adopted by the Minister.

FINANCIAL IMPLICATIONS:

N/A

COMMUNITY ENGAGEMENT:

Public may make a submission directly to the Taskforce.

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

GENERAL MANAGER – COMMITTEES REPORT

SHOALHAVEN TOURISM BOARD – MONDAY 27 MAY 2013 (ITEM 1)

- | | | |
|----|---------------------------------------|-------------|
| 1. | <u>Applications for Event Funding</u> | File 42405E |
|----|---------------------------------------|-------------|

RECOMMENDED that Council support and endorse the Surfing NSW “24/7” program and assist with communication of the program to the wider Shoalhaven surfing community.

**BUSINESS & EMPLOYMENT DEVELOPMENT COMMITTEE – MONDAY 17 JUNE 2013
(ITEMS 2 to 3)**

General Manager

2. University of Wollongong, Shoalhaven Campus File 38821E

RECOMMENDED that the Employment & Educational Opportunities Sub-Committee of the Business and Employment Development Committee meet with Professor Paul Wellings, Vice Chancellor of the University of Wollongong, to discuss new courses to be offered and the links into job creation opportunities within the region.

Finance and Corporate Services

3. Membership - Business & Employment Development Committee File 38821E

RECOMMENDED that Council

- a) Appoint the following as members of the Business & Employment Development Committee:
- i. John Lamont, Regional Development Australia – Far South Coast;
 - ii. Gerald Buckley, Secondary Schools Representative;
 - iii. Megan Cleary, NSW Trade & Investment;
 - iv. Robbie Collins, University of Wollongong;
 - v. David Goodman, Shoalhaven Business Chamber;
 - vi. Paul Goodwin, NSW TAFE;
 - vii. Shelley Hancock, Member for South Coast (or nominee);
 - viii. Fiona Hatcher, Regional Development Australia Far South Coast;
 - ix. Michelle Kellaway, Department of Premier & Cabinet (observer);
 - x. Catherine Shields, Shoalhaven Tourism Board;
 - xi. Jennifer Stewart, Shoalhaven Business Chamber;
 - xii. Colin Waller, business representative;
 - xiii. Gareth Ward, Member for Kiama (or nominee);
 - xiv. Julia Driscoll, Youth Advisory Committee;
 - xv. Joanna Gash, Member for Gilmore (or nominee);
 - xvi. Tim Montgomery, Unions Shoalhaven;
 - xvii. Russ Pigg, Shoalhaven City Council (or nominee);
 - xviii. Arthur Rorris, South Coast Labour Council;
 - xix. Bradley Stait, Youth Advisory Committee;
 - xx. Chris Warren, Kangaroo Valley Tourist Association; and

- xxi. All Councillors;
- b) Invite Shoalhaven Professional Business Association (SPBA), Shoalhaven Business Chamber – Southern Area and a representative from the Community Business Sector (suggest Flagstaff Group) to nominate a member to join the Committee.

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

GENERAL MANAGER – COMMITTEES REPORT

NOWRA CBD ACTION – THURSDAY 20 JUNE 2013 (ITEMS 1 to 8)

Finance and Corporate Services

1. Nowra CBD Action Workshops File 45446E
-

RECOMMENDED that:

- a) the role of Nowra CBD Action be as follows:
- i. Nowra CBD Action to be an Advisory Committee;
 - ii. Provide recommendations to Council concerning any Policy, Plan or Development Control Plan that may include impact on the Nowra CBD, including, but not limited to, the Graffiti Policy, Tree Management Plan etc;
 - iii. Provide recommendations to Council on linking developer contributions to the identified works in the Master Plan;
 - iv. To assist in the development of the Nowra CBD Master Plan;
 - v. Determine the maintenance policies within the Nowra CBD;
 - vi. To provide recommendations to Council on strategic matters relating to the maintenance and improvements to assets in the Nowra CBD;
 - vii. To consider graffiti management/maintenance issues within the CBD and provide recommendations to Council; and
 - viii. To investigate private and public solutions to improve parking in the Nowra CBD and to report to Council on those options.
- b) When Council considers the Notice of Motion – ‘Urgent Report on Options for Location/Design of a Multi Storey Car Park in Nowra CBD’ - it recommends a Councillor Briefing be held with Nowra CBD Action and previous members of the Nowra Car Parking Committee.

City Services and Operations

2. Graffiti Management – Progress Report May 2013 File 1244E
-

RECOMMENDED that Council further support the relevant tasks to maintain the Graffiti Management Program at the highest level.

Strategic Planning and Infrastructure

3. Nowra CBD Action - Status of Council Resolutions File 45446E

RECOMMENDED that the report regarding the Nowra CBD Action – Status of Council resolutions be received for information.

4. Nowra CBD Urban Design Master Plan – Draft Implementation Plan File 39962e

RECOMMENDED that:

- a) The Report of the General Manager (Strategic Planning & Infrastructure) regarding the Draft Implementation Plan of the Nowra CBD Urban Design Master Plan be received for information;
- b) Discussions be held to select high priority projects from the attached Draft Implementation Plan and/or other projects for delivery in the next three year timeframe;
- c) The agreed projects be considered for inclusion in Council's Operational Plan, Delivery Program and Resourcing Strategy, subject to Council financial affordability;
- d) A Working Group be created and members nominated from Nowra CBD Action to prioritise other projects from the Draft Implementation Plan for medium and long term delivery, and that the recommendations of this Working Group be submitted to the next Nowra CBD Action meeting;
- e) A Workshop and Councillor Briefing be held in relation to the Draft Implementation Plan and Masterplan; and
- f) The inclusion of 1 or more projects from the Masterplan to be included in the expression of interest process as part of the \$100M State Government Infrastructure Fund.

5. Draft Nowra CBD Building Height and Floor Space Ratio (FSR) Study File 47428e

RECOMMENDED that:

- a) The Draft Nowra CBD Building Height and Floor Space Ratio (FSR) Study be placed on public exhibition for a period of 28 days;
- b) The Draft Nowra CBD Building Height and Floor Space Ratio (FSR) Study be placed on Council's internet site and also displayed at Nowra Administrative Building and Nowra Library;
- c) Landowners within the study boundary be informed in writing of the public exhibition;
- d) The Department of Planning & Infrastructure be informed of the public exhibition and of Council's intention to incorporate the final outcome of the Draft Study into the SLEP 2013 at the appropriate point;
- e) A further report be submitted to Council following the public exhibition period; and

- f) Council revote the unspent budget in the current Nowra CBD Review (Job number 15296) to be allocated in the next financial year's budget for the preparation of a Nowra CBD Development Control Plan.

6. Addendum Report – Request for Membership from Access Advisory Committee
File 1228E, 45446E
-

RECOMMENDED that the Nowra CBD Action invite the nomination of a representative from the Access Advisory Committee.

General Business

7. Additional Item – Nomination of Member from Shoalhaven Business Chamber
File 45446E
-

RECOMMENDED that Nowra CBD Action accept Ms Jacqui Burke as the nomination for membership from the Shoalhaven Business Chamber.

8. Additional Item – Retailer Membership
File 45446E
-

RECOMMENDED that the retail industry be approached for membership to Nowra CBD Action.

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

FRIDAY, 21 JUNE 2013

CITY SERVICES AND OPERATIONS

1. Greenwell Point Public School - Crossing Upgrade Tender Update File 4669E

PURPOSE: Delivery Program Activity: 1.3.3.1

Implement renewal projects under the Capital Works & other programs.

RECOMMENDED that:

- a) **Council receive for information, that no tenders were received for the Greenwell Point Public School Crossing Upgrade; and**
- b) **Council authorise the General Manager (Director City Services and Operations) to carry out the requirements of the proposed contract itself.**

OPTIONS

- 1. Council accept the recommendation as presented.
- 2. Council not accept the recommendation, giving reasons and propose an alternative decision.

DETAILS

Council called tenders for the Greenwell Point Public School - Crossing Upgrade however no tenders were received at close of tenders.

Under Local Government (General) Regulation 2005 (AS2124 - 1986) Clause 178(3) a council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:

- (a) postpone or cancel the proposal for the contract;
- (b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details;
- (c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract;

- (d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract;
- (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender; or
- (f) carry out the requirements of the proposed contract itself.

As the market has now been tested and no interest was found, the time constraints placed on the RMS component of the funding have become paramount. Council's in-house Works and Services road construction crew have capacity to do some or all of this work if other work is re-programmed.

It is proposed to have the Works and Services in house construction resource commence key elements of the work to protect the RMS grant funding and also seek quotes for some elements of the works.

FINANCIAL IMPLICATIONS:

There is currently \$164,399 available for this project in the 2012/13 budget. Part of this funding will be carried over to the 2013/14 budget with construction due to be complete by the end of September 2013. There may also be some revote impact on other work that the Works and Services crew will need to re-program.

COMMUNITY ENGAGEMENT:

Consultation with the stakeholders, in particular Greenwell Point Public School, has provided input into the design resolution. In addition comments were sought by local residents through a letter box drop. No response was received. Stakeholders will continue to be informed through the contribution process.

W P Paterson
DIRECTOR CITY SERVICES & OPERATIONS

R.D Pigg
GENERAL MANAGER