

SHOALHAVEN CITY COUNCIL

ORDINARY MEETING

To be held on Tuesday, 17 December, 2013
Commencing at 4.00 pm

11 December, 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 Tuesday, 17 December, 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** – Pastor Trevor Aspin – Nowra City Church
2. **Acknowledgement of Traditional Custodians**
3. **Australian National Anthem**
4. **Apologies/Leave of Absence**
5. **Confirmation of Minutes**
Ordinary Meeting – 19 November, 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 Development Committee – 3 December, 2013
Report of the Policy and Resources Committee – 10 December, 2013
Report of the Shoalhaven Arts Board – 13 November, 2013
Report of the Shoalhaven Sports Board – 20 November, 2013
Report of the Business and Employment Development Committee – 25 November, 2013
Report of the Northern Shoalhaven Natural Resource and Floodplain Management Committee – 27 November, 2013
Report of the Central Shoalhaven Natural Resource and Floodplain Management Committee – 2 December, 2013
Report of the Shoalhaven Access Advisory Committee – 3 December, 2013
Report of the Council Property Steering Committee – 3 December, 2013
Report of the Southern Shoalhaven Natural Resource and Floodplain Management Committee – 5 December, 2013
Report of the Nowra CBD Action – 9 December, 2013
11. **Report of the Shoalhaven Traffic Committee – 10 December, 2013**
12. **Report of the General Manager**
Assets and Works
13. **Notices of Motion and Questions on Notice**
14. **Addendum Reports**
15. **Confidential Report of the General Manager**
Report of the Policy and Resources Committee – 10 December, 2013
Report of the Council Property Steering Committee – 3 December, 2013

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

TUESDAY, 17 DECEMBER 2013

1. **Thank you to Warren Halloran for donation of paintings** **File 18106E**
-

DETAILS

On Friday, 13 December 2013, Deputy Mayor, John Wells, President of the Shoalhaven Historical Society, Mrs Lynne Allen and myself went to Mr Halloran's property and picked up his generous donation of four paintings by Samuel Elyard to Council and 4 to the Shoalhaven Historical Society.

Shoalhaven City Council received:

Mr Grays Point from Nowra Cliffs marked No.1
The Basin Dangera Creek marked No. 3
Chimney Rock No.4
Spains Farm Shoalhaven River

Shoalhaven Historical Society received:

Grays Beach Shoalhaven River marked No. 6
The Basin Cabbage Treet Creek marked No. 7
Fitzroy Falls marked No. 8
Bush & Rocks Nowra marked No. 9

On behalf of Shoalhaven City Council, I would like to sincerely thank Mr Halloran for his wonderful donation to both Council and the Historical Society and sharing the gift of art and culture to the people of the Shoalhaven and visitors alike. Thank you.

2. **Southern Phone dividend payment** **File 26805E**
-

DETAILS

The Southern Phone Company has written to Council informing that the dividend that will be paid to Council for its \$2 shareholding will be \$406,665.72. This payment will be made in February 2014.

The total dividend paid this year of \$2,700,000 is double the amount paid last year. The dividend is determined by the proportion of revenues generated from each council area.

This is a fabulous effort, with Southern Phone the number three home phone provider in regional Australia after Telstra and Optus.

I have taken the liberty of writing to the Chairman, Mr Bill Hilzinger to thank Southern Phone on an outstanding achievement.

3. **Congratulations – NSW Tourism Awards Winners**

File 27177E

RECOMMENDED that the Mayor write a letter of congratulations to Crystal Creek Meadows Luxury Cottages & Spa Retreat and Julian Ledger from Callala Bay, Chief Executive of YHA Australia for their recent wins at the NSW Tourism Awards.

DETAILS

The 2013 NSW Tourism Awards Dinner and Ceremony were held at Royal Randwick on 28 November 2013 with 32 categories including Major Festivals & events, Adventure Tourism, Heritage & Cultural Tourism, the NSW Tourism Awards celebrate the diverse and significant achievements of tourism operators, who collectively contribute billions of dollars to the state's economy.

Julian Ledger, CEO YHA Ltd, was recognised for his Outstanding Contribution to Tourism in NSW by an Individual. Julian is responsible for YHA's accommodation, travel retailing, membership and publishing operations. He has been active in the promotion of youth travel within Australia and internationally.

Crystal Creek Meadows Luxury Cottages & Spa Retreat won the Qantas Award for Excellence in Sustainable Tourism – this category is open to tourism operators that exemplify a strong commitment to sustainable and innovative business practices. This award recognises and showcases successful tourism businesses that set out to minimise their environmental impact, conserve natural resources, respect local cultures and benefit local communities

4. **Louise Petchell Memorial Award**

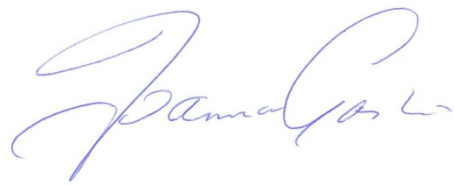
File 48229E

DETAILS

It is with great pleasure that I congratulate Senior Environmental Planner, Elizabeth Dixon on receiving the prestigious Louise Petchell Memorial Award at the Local Government Excellence in Environment Awards. The Award recognises individual achievement by a Council officer or elected Councillor. Elizabeth was nominated by the Southern Council's Group.

Elizabeth played an integral role in the formation of both of Council's Sustainable Shoalhaven Committee & Resource Energy Taskforce while also developing the organisation's Climate Change Adaptation Plan. Elizabeth has also developed Council's Renewable Energy Policy and the Sustainability Action Plan, as well as playing a key role in the establishment and ongoing operation of Council's Resource Efficiency Taskforce.

Congratulations Elizabeth.

A handwritten signature in blue ink, appearing to read 'Joanna Gash'.

Joanna Gash (Mrs)
Mayor

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 17 DECEMBER 2013

GENERAL MANAGER – COMMITTEES REPORT

DEVELOPMENT COMMITTEE – TUESDAY 3 DECEMBER 2013 (ITEMS 1 to 5)

Planning and Development Services

1. Planning Proposal (Rezoning) - Lot 14 DP 773481 Moss Vale Road, Kangaroo Valley
File 1089E (PDR) [Index](#)
-

Conflict of Interest – Cllr Watson – less than significant non pecuniary interest – the applicant made a donation to the Shoalhaven Independents Group approximately 7 years ago – remained in the room.

RECOMMENDED that Council support the progression of the Planning Proposal with the following changes or inclusions, and forward it to the Department of Planning and Infrastructure for a 'Gateway' Determination.

- a) Flood prone land remains in a non-urban zone such as RU1 or E3 with the lot size map to be used to allow for the creation of smaller lots which include flood prone land.
 - b) Controls placed over the entire lot restricting the equivalent tenements (ETs) of any subdivision and future development to a maximum of 15 ETs.
 - c) Restrictions placed on the proposed cluster lot to:
 - i) Ensure that the ETs from all dwellings constructed on the lot do not exceed the ETs allocated i.e. 4 ETs.
 - ii) Encourage the construction of disability friendly dwellings.
 - d) A 20m riparian buffer area along Barrengarry Creek to possibly be transferred via a voluntary planning agreement to Council to ensure ongoing management and protection of the water and to provide potential for a future walking track (subject to landowner agreement).
 - e) Include a mechanism to enable the eventual surrendering of the existing development consent for the tourist facility over the subject land at the time of any new development consent for the sub division.
2. Draft Development Control Plan 125 (Jerberra Estate) – Exhibition outcomes and Adoption
File 46741E, 2653E (PDR) [Index](#)
-

RECOMMENDED that:

- a) Council adopt the revised attached Development Control Plan No. 125 - Jerberra Estate;

-
- b) Public notification of the approved Development Control Plan be advertised in accordance with the EP&A Act and notify landowners and the Tomerong Community Forum in writing once the commencement date for the Jerberra LEP is known so that the LEP and DCP commence on the same date.
3. Huskisson Business 3(g) Zone Precincts Development Control Plan (DCP 99) – Draft Amendment No 2 – Revised Lane Improvements File 20891E (PDR) [Index](#)

RECOMMENDED that in relation to draft Huskisson Business 3(g) Zone Precincts Development Control Plan (DCP 99) - Amendment No.2, Council hold a Councillor Briefing to establish a Strategy and way forward.

4. Draft Shoalhaven Contributions Plan 2010 - Amendment No 2 – Finalisation File 46506E (PDR) [Index](#)

RECOMMENDED that:

- a) Adopt the draft Shoalhaven Contributions Plan 2010 Amendment No 2 as publicly exhibited;
- b) Place a Notice of Adoption in the local newspapers within 28 days of the date of this resolution;
- c) Advise the Industry Development industry representatives (which form part of Council's Development Industry Forum) & NSW Department of Planning & Infrastructure – Southern Region Office of the adoption of Shoalhaven Contributions Plan 2010 Amendment No 2.
5. Draft Shoalhaven Contributions Plan 2010 - Amendment No 3 File 47787E (PDR) [Index](#)

RECOMMENDED that in relation to the draft Contributions Plan 2010 Amendment No. 3:

- a) Council endorse the draft Amendment as detailed in this report, with the exception of Huskisson DCP Project, for public exhibition for a minimum of 28 days;
- b) Public exhibition of the draft Amendment via public notice in local newspapers and exhibition at Council offices in Nowra and Ulladulla and on Council's internet site;
- c) The following groups / agencies be advised in writing of the public exhibition of draft Amendment:
- i) Development industry representatives which form part of Council's Development Industry Forum;
 - ii) NSW Department of Planning & Infrastructure – Southern Region Office;
 - iii) Landowners within the Mundamia URA; and
- d) A further report be submitted to Council following the public exhibition of draft Amendment.

**POLICY AND RESOURCES COMMITTEE – TUESDAY 10 DECEMBER 2013
(ITEMS 6 to 25)**

Assets and Works

6. Huskisson Wharves File 5909E [Index](#)

RECOMMENDED that:

- a) Council use of Huskisson Public Wharves continues for the broad community benefit of both recreational and commercial users with priority given for the loading and unloading of passengers and goods;
- b) The authority to resolve day to day operational issues remains with the Huskisson Wharf Management Committee (HWMC) with an appeal process to Council being available subject to the issue first being considered by the HWMC; and
- c) Council allow the status quo for both Dolphin Wild and Dolphin Watch to remain until the applications to Crown Land are determined
- d) Council advise the Crown Lands Office that Council has no objection to an application by Dolphin Wild vessel extending their wet area berthing licence so as to extend in front of the public wharf/reserve
- e) Council urgently attend to sediment clearance at the eastern end of the Rotary Wharf;
- f) Works be funded from the existing waterways vote and the budget be adjusted from any surplus identified in the next quarterly review.

Council Bushcare Representatives Group – 28 November 2013

7. Bushcare Group Action Plans - Review File 1835E [Index](#)

RECOMMENDED that Council review the 30 Bushcare Group Action Plans and that the level of consultation be as outlined in the report (see Attachment 1).

8. Bushcare Field Officer - Report File 1835E [Index](#)

RECOMMENDED that appreciation be expressed to Council for its ongoing support to the Bushcare Program and the employment of the Bushcare Coordinator and field support officers.

9. Additional Item - Honours Thesis – “The People Driving Biodiversity – An Investigation of the Effectiveness of a Community Based Natural Resource Management Program Using the Community Capacity Framework” File 32379E, 1834E [Index](#)

RECOMMENDED that:

- a) The findings from the Honours Thesis – “The People Driving Biodiversity – An Investigation of the Effectiveness of a Community Based Natural Resource

Management Program Using the Community Capacity Framework” be reported to Council for consideration of the recommendations contained within the report; and

- b) The report be circulated to the Bushcare Groups.

10. Additional Item – Bushcare Policy File 1835E [Index](#)

RECOMMENDED that Council review the Bushcare Policy in respect to community consultation levels for Bushcare Plans so that it is consistent with Council’s Community Engagement Strategy.

Corporate and Community Services

11. External Plant Hire Preferred Supplier Panel – 2013/2015 File 47287E [Index](#)

RECOMMENDED that Council appoint all suppliers who tendered to the 2013/2015 External Plant Hire Preferred Supplier Panel.

12. Dogs in the Shoalhaven - Dog Signage - Trial Times - Enforcement File 3220E [Index](#)

RECOMMENDED that:

- a) Council continue to implement the current Access Areas for Dogs Policy (POL12/5).
- b) Council establish a working party of local community members, Council staff and National Parks & Wildlife Services representatives and interested Councillors to review Dog Access signage and other issues
- c) Council trial a new winter time - 3pm to 10am - during 2014 for restricted off leash areas at Nelson Beach, Vincentia, Huskisson Beach and Culburra Beach.
- d) Council endorse its current position providing and maintaining dog waste bag dispensers through Community Consultative Bodies and provide information to CCB’s in early 2014 on dog waste bag dispensers.
- e) Once the 12 month review has been completed and reported to council identify funding for replacement signs
- f) Look at alternate areas other than beaches to provide more flexibility across the city for dog off leash areas
- g) Council identify a budget source of \$12,500 for the trial from reprioritisation from other projects.

13. Country Libraries Fund Grant Application File 7290E [Index](#)

RECOMMENDED that Council:

- a) Endorse the Country Libraries Fund grant application made to the State Library of New South Wales
- b) If successful, vote the funds and write to thank the State Library of New South Wales.
- c) The City Librarian be congratulated on the initiative.

-
14. Greys Beach Revised Master Plan & Landscape Plan File 25412E [Index](#)

RECOMMENDED that the matter be deferred to a Councillor Briefing to assess the parking demand.

15. Request Fee Waiver – BreastScreen NSW Free Mobile Breast XRay Detection File 2245E [Index](#)

RECOMMENDED that Council:

- a) Waive the booking fee of \$1,332 for the hire of the Civic Centre grounds in Ulladulla for the BreastScreen NSW and South East Sydney Illawarra Area Health Service mobile breast screening unit on an ongoing basis.
- b) Investigate establishing a partnership agreement with BreastScreen NSW and South East Sydney Illawarra Area Health Service for future use of Council assets.

16. Community Grants Scheme File 35860E [Index](#)

RECOMMENDED that Council allocate funds from the Community Grants Scheme funds (Job Number 13030) to support the following projects:

- a) Healthy Cities Illawarra Inc. - Feel Alive Five- Community Walking and Running Event. 5km one night a week for five weeks. To develop healthy habits in a fun supportive environment. - \$2000
- b) Lara Jean Association Inc. – Bowlarama – To provide a fun filled free day out for local special needs kids and give them an opportunity they may never have experienced - \$2000.

17. Commonwealth Government Funding for CCTV in Bomaderry, East Nowra and Sanctuary Point File 24464E [Index](#)

RECOMMENDED that Council:

- a) Provide in principle support to accepting Commonwealth Funds to install CCTV in Bomaderry, Sanctuary Point and East Nowra
- b) Commit staff resourcing time for the Community Development Coordinator to oversee the project of 1 day per week for 6 months
- c) Commit staff resourcing time for the Youth Liaison Officer to assist in the consultation and engagement process for 1 day per week over an 8 week period
- d) Allocate an initial budget of \$20,000 in the 2013/14 financial year to appoint a security consultant to develop the technical aspects of the program and oversee the installation phase.
- e) Increase the CCTV maintenance budget by \$30,000 to include additional locations.
- f) Any cameras installed be capable of ultra HD recording;
- g) Write to the Member for Gilmore thanking her for the generous financial offer.

Assets and Works

18. Huskisson Car Park Re-design and Investigations File 7527E, 2248E [Index](#)

RECOMMENDED that:

- a) Council votes developer contributions of \$150,000 for Project 03CARP2002 to reconfigure the Owen Street car park (Job number 88793) for additional spaces; and
- b) Investigations continue into preferred sites for future public car parking in accordance with previous Council Minute (MIN10.828) which requires discussions with property owners of potential car parking sites;
- c) A further report be provided on modifications to Council's Contribution Plan that may be required.

19. Grant Offer - Crookhaven Heads - Recreational Fishing Trust File 29441E [Index](#)

RECOMMENDED that the grant offer of \$10,000 from the NSW Recreation Fishing Trust, for the provision of a fishing platform at Crookhaven Heads Boat Ramp, be accepted.

20. Fee Waiver Request - Waiver of fees for the hire of Titania Park - Monthly Markets - 2013/2014 - Marine Rescue NSW - Shoalhaven File 32996E [Index](#)

RECOMMENDED that Council waive the fee of \$2,652 for the hire of Titania Park, Greenwell Point for Marine Rescue NSW - Shoalhaven, to conduct their monthly markets for 2013/2014.

21. Princes Highway Upgrade - Nowra Bridges Project File 6852E, 28392E, 28985E [Index](#)

RECOMMENDED that Council write to the RMS project team to:

- a) Advise of Council's strategic objectives that should be addressed as part of the project, as detailed in the report; and
- b) Request further briefings of Council at key stages throughout the project development.

Planning and Development

22. Draft Shoalhaven Bike Plan – Public Exhibition Report File 1366E [Index](#)

RECOMMENDED that Council:

- a) Adopt the draft Shoalhaven Bike Plan as publicly exhibited with the recommended changes as detailed in this report;
- b) Write to all groups/persons who made a submission on the draft Shoalhaven Bike Plan, to thank them for their contribution.

-
- c) Consider funding the Shoalhaven Bike Plan's priority projects in the upcoming Delivery Program and Operational Plans, and available grant programs.
 - d) Establish a cycling committee to annually review the Bike Plan priority projects and recommend to Council the Shoalhaven Bike Plan's annual works program.

Shoalhaven Water

23. Tender Process - Minor Mains Replacement Panel - Construction Package 1A File 48201E [Index](#)

RECOMMENDED that Council, in accordance with Section 10A(2)(d)(i) of the Local Government Act (2003), consider a separate confidential report on this matter.

Addendum Report 1 - Assets and Works

24. Tender Process - Ison Park Amenities File 48125E [Index](#)

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

General Business

25. Additional Item – Blue Tourist/Directional Sign – Berry Community Church File [Index](#)

RECOMMENDED that Council waive the fees for the implementation of a Blue Directional sign for the Berry Community Church on Schofields Lane.

SHOALHAVEN ARTS BOARD – WEDNESDAY 13 NOVEMBER 2013 (ITEM 26)

Corporate and Community Services

26. Draft Developing Public Art – Themes and ‘Sense of Place’ – Shoalhaven
File 2123E, 41419E [Index](#)
-

RECOMMENDED that:

- a) The draft Developing Public Art – Themes and ‘Sense of Place’ Shoalhaven planned be placed on public exhibition for a minimum 28 day seeking community feedback.
- b) The developing Public Art – Themes and ‘Sense of Place’ Shoalhaven plan be considered as part of the implementation of the Nowra CBD Master Plan and any other locality-based town DCP
- c) A further report be submitted to the Arts Board and Council at the end of the public exhibition period.

Note by General Manager: Council has resolved that all matters relating to the Nowra CBD be referred to Nowra CBD Action for consideration. This action should be added to the resolution.

SHOALHAVEN SPORTS BOARD – WEDNESDAY 20 NOVEMBER 2013 (ITEMS 27 to 28)

Corporate and Community Services

27. Elite Athlete Support Program Policy File 5247E [Index](#)

RECOMMENDED that Council adopt the Elite Athlete Support Program Policy (POL13/115).

General Business

28. Additional Item – Status Report for Budget Bids File 47767E [Index](#)

RECOMMENDED that:

- a) A detailed report be submitted on the updates for the 2014/15 Budget Bids for the Ulladulla Sporting Complex Access Road and Car Park;
- b) The following projects be submitted as part of the 2014/15 Budget;
 - i) Replacement of Amenities Block South Nowra Sporting Fields
 - ii) Lake Conjola Recreation Park – Toilet Facilities

BUSINESS AND EMPLOYMENT DEVELOPMENT COMMITTEE – MONDAY 25 NOVEMBER 2013 (ITEMS 29 to 32)

General Manager

29. Shoalhaven Defence Industry Group File 9045E [Index](#)

RECOMMENDED that Council:

- a) Join with the Shoalhaven Defence Industry Group and the local office of NSW Trade & Investment to write to Minister Stoner MP and request an annual funding allocation of \$10,000 be made to support the networking activities of the Shoalhaven Defence Industry Group;
- b) Continue to be actively involved in activities of the Shoalhaven Defence Industry Group; and
- c) Support the Shoalhaven Defence Industry Group's request that NSW State Government host in the Nowra/Albatross area, a National or International conference of significance and relevance to the local defence industry.

30. City Branding File 44239E [Index](#)

RECOMMENDED that:

- a) The Business & Employment Development Committee agree that the final recommendation to Council will be determined at the next Tourism Development Committee;
- b) The Branding Project continue to be overseen by the City Branding Group, comprising members from both the Tourism Development Committee and Business & Employment Development Committee;
- c) Funds for the engagement be sourced from the Shoalhaven Tourism Board and the Economic Development Reserve in equal portions; and
- d) The implementation of the branding strategy and placement of the brand be subject to a further report from the City Branding Group.

General Business

31. Additional Item – Membership File 38821E [Index](#)

RECOMMENDED that Mr Ross Thompson and Mr Gerry Moore be appointed as members of the Business and Employment Development Committee.

32. Additional Item – Unemployment in the Shoalhaven File 40167E [Index](#)

RECOMMENDED that an Unemployment Sub Group comprising of Ann Sudmalis MP, Gareth Ward MP, Shelley Hancock MP, Clr Jo Gash, John Lamont, Fiona Hatcher, Jane, Robertson and Gerry Moore be formed to meet with 3 levels of Government in a scheduled meeting in February/March 2014.

**NORTHERN SHOALHAVEN NATURAL RESOURCE AND FLOODPLAIN COMMITTEE –
WEDNESDAY 27 NOVEMBER 2013 (ITEMS 33 to 38)**

Corporate and Community Services

33. Resignation from the Northern Shoalhaven Natural Resources and Floodplain Management Committee File 46778E [Index](#)

RECOMMENDED that:

- a) The report regarding Resignation from the Northern Shoalhaven Natural Resources and Floodplain Management Committee be received for information; and
- b) A vacancy be held open until a new nomination is received from the Kangaroo Valley Community Association.

34. Alternative Representation from the Shoalhaven Heads Estuary Taskforce File 46778E [Index](#)

RECOMMENDED that Council endorse the nomination of Mr Graeme Philpott as the alternate representative from the Shoalhaven Heads Estuary Taskforce.

35. Australia's Oyster Coast Representative File 47308E & 46778E [Index](#)

RECOMMENDED that Council endorse the nomination of Mr Andrew Wales, as its representative of the Australia's Oyster Coast, as a member of the Committee.

Planning and Development

36. Australia's Oyster Coast File 47308e [Index](#)

RECOMMENDED that Council authorises the Mayor to sign the Memorandum of Understanding between Council and Australia's Oyster Coast.

37. Options for Stabilisation of Bank Erosion in the Lower Shoalhaven Estuary and Berry's Canal File 3426e [Index](#)

RECOMMENDED that

- a) Council and NSW National Parks and Wildlife Service continue monitoring the erosion along Berry's Canal and lower Shoalhaven River estuary at 5 to 10 year intervals or after major flood events and that the outcome of this monitoring inform future management strategies; and
- b) Soft options such as cattle exclusion, reed planting and revegetation remain the preferred management tool for bank erosion and that hard engineering options such as rock revetment be limited to the protection of high value assets such as roads, bridges or urban areas where softer techniques would not provide the required level of protection.

General Business

38. Additional Item – Grant Offer – Recreational Fishing Trust File [Index](#)

RECOMMENDED that Council accept the Grant offer of \$25,000 from the Recreational Fishing Trust for the Bolong Road Fishing Platform and authorise the General Manager to sign the Funding Deed.

CENTRAL SHOALHAVEN NATURAL RESOURCE AND FLOODPLAIN MANAGEMENT COMMITTEE – MONDAY 2 DECEMBER 2013 (ITEM 39)

Planning and Development

39. Hyams Beach Viewing Platform: Villagers Association Proposal File 24693E [Index](#)

RECOMMENDED that a low key viewing area be constructed at the site recommended by the Hyams Beach Villagers Association and be jointly funded by the Shoalhaven Tourism Board, Shoalhaven City Council's Coastal Access budget and Hyams Beach Villagers Association.

**SHOALHAVEN ACCESS ADVISORY COMMITTEE – TUESDAY 3 DECEMBER 2013
(ITEM 40)**

General Business

40. Additional Item – Membership – Resignation of Susan Booth File 1228E [Index](#)
-

RECOMMENDED that Council accept the resignation of Susan Booth and thank her for her contribution to the Shoalhaven Access Advisory Committee.

**COUNCIL PROPERTY STEERING COMMITTEE – TUESDAY 3 DECEMBER 2013
(ITEMS 41 to 50)**

Assets and Works

41. Request by SES for Occupation of Council Premises – 41 Tasman Road, St Georges Basin File 47043E [Index](#)

Declaration of Conflict of Interest – Clr Kitchener – less than significant non pecuniary – he is an active member of the SES, remained in the room.

RECOMMENDED that:

- a) Council waive the requirements of the Occupation of Council Owned or Managed Land Policy (POL12/227) and enter into direct negotiations with SES for the occupation of 41 Tasman Road following vacation by the RFS and further report to Council; and
- b) The General Manager write to the SES and thank them for the business plan that they have provided to Council, their ongoing commitment to the Shoalhaven area.

General Manager

42. Development Opportunities File 1457E [Index](#)

RECOMMENDED that Council determine what entrepreneurial projects it wishes to pursue by:

- a) Holding a Councillor Briefing to assess case by case opportunities; and
- b) Establish a Working Party comprising of Staff and 4 Councillors including the Mayor and report to council with outcomes.

Assets and Works

43. Proposed Licence Agreement - Shoalhaven Community Radio telecommunications sites at Berry, Cambewarra and Ulladulla File 27851E, 7434E, 45710E [Index](#)

RECOMMENDED that:

- a) Council Enter into a licence agreement which covers all three (3) telecommunications sites at Berry, Beaumont & Ulladulla for the purpose of installing, operating and maintaining broadcasting equipment for the respective terms:
 - i) Berry \$1,103 p.a. plus GST, subject to annual review to 5% terminating on 30 June 2020.
 - ii) Beaumont \$4,950 p.a. plus GST, subject to 5% annual rent increases for a term of 15 years.

-
- iii) Ulladulla \$3,365 p.a. plus GST, subject to 5% annual rent increases for a term of 15 years.
 - b) The General Manager (Assets and Works) be delegated authority to finalise the licence terms that may not yet be determined; and
 - c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documentation requiring the seal to be affixed, otherwise the General Manager be authorised to sign any documentation necessary to give effect to this resolution.
44. The Future Development of the Property known as the “Old Bakery” at Sussex Inlet 124 – 126 Jacobs Drive Sussex Inlet, Lots 97 and 98, DP21038. File 39731E [Index](#)

RECOMMENDED that:

- a) An Advisory Committee be established for the Old Sussex Inlet Bakery at 124 – 126 Jacobs Drive, Sussex Inlet, to present within 18 months a business model for its community use with recommendations for its management structure and property management including recommendations for its modification/redevelopment.
- b) The membership of the committee is to comprise of:
 - i) Two members of the Old Bakery Redevelopment Project;
 - ii) A member from Sussex Inlet CTC;
 - iii) A member from Southern Shoalhaven Meals on Wheels;
 - iv) A Council staff member from Asset Management;
 - v) A Council staff member from Council’s Community Section;
 - vi) A Council staff member from the Council’s Property section; and
 - vii) A nominee of Sussex Inlet Chamber of Commerce as a representative of their Tourism Committee.
- b) The Terms of Reference for the Committee be as follows:
 - i) The identification of community services to be delivered;
 - ii) The identification and consultation with key stakeholders to deliver services;
 - iii) The identification of sources of funding;
 - iv) The preparation of budgets for ongoing sustainable operations; and
 - v) The identification of any building modifications required, including costs, and the consents to be lodged, together with the cost benefit of any modifications and the construction of a new facility.
- c) The Committee to be disbanded following submission of its recommendations or 18 months, whichever first occurs.

-
45. Classification of Council Public Land – Recent Land and Environment Court Decision File 7720E [Index](#)

RECOMMENDED that Council receive the report of the General Manager (Assets & Works) concerning Classification of Council Public Land - Recent Land and Environment Court Decision for Information.

46. Deed of Mortgage – Shaolin Temple Foundation (Australia) Limited File 18583E [Index](#)

RECOMMENDED that:

- a) Council agrees to vary the Mortgage AE610852R between the Council of the City of Shoalhaven (mortgagee) and Shaolin Temple Foundation (Australia Limited (mortgagor) by deferring the date for repayment of both principal and interest due on 31 December 2013 until the EAP is determined or 30 June 2014 whichever is earlier;
- b) The terms and conditions of the Deed of Mortgage AE610852R otherwise apply including Annexure A and the Guarantee and Indemnity and Variation of Mortgage;
- c) If exchange of letters is not acceptable in this matter, then all costs associated with a Variation of Mortgage be payable by the mortgagor; and
- 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 be authorised to sign any documentation necessary to give effect to this resolution;
- e) Additional Studies undertaken in respect of the proposal and 3A Application be transferred to Council if the development does not proceed.

47. Proposed Sale of Council Land Deemed Surplus to Requirements. File 48045E [Index](#)

RECOMMENDED that:

- a) Council resolves to progress the sale of Council land which has been assessed by Council staff as surplus to requirement, in accordance with Policy 12/291 Due Diligence for Land Transactions and Policy 12/275 Development and/or Disposal of Council Lands. The land proposed to be sold Lots 23 & 24 DP9063, Chisholm Street, Callala Bay, Lot 2827 DP237223, 6 Dunisla Street, Sanctuary Point and Lot 1 DP27261, 52 Cambewarra Road, Bomaderry is shown in the table contained in Attachment A and by aerial overhead pictures in Attachment B.
- b) Appropriate community consultation will occur before placing the properties on the market, this will include newspaper advertising, notification on Council's website and consulting with the Community Consultative Bodies.
- c) The net funds received from the sale of the land are to be placed in a nominated restricted asset or other account as necessary for future reinvestment into assets that will provide the most optimum return for the public.
- d) A further report be prepared on each property following the consultation process and prior to placing it on the market for sale outlining the community feedback and due diligence undertaken in preparing the property for the market.

48. Egans Lane Precinct Status Report

File 47709E [Index](#)

RECOMMENDED that Council:

- a) Council receive the report of the General Manager (Assets & Works) concerning Egans Lane Precinct Redevelopment for Information; and
- b) Endorse the commencement of a Public Interest Evaluation in accordance with Council's Community Engagement Handbook using the CBRE concept as the preferred option.

49. Variation of Drainage Easement within 10 Dacres St & 303 Elizabeth Dr Vincentia

File 47596E, 47595E, 45708E [Index](#)

RECOMMENDED that:

- a) Council resolve to approve the variation of a drainage easement through Lot 746 DP28179, 10 Dacres St & Lot 716 DP 28173, 303 Elizabeth Dr Vincentia as shown in Attachment 'A' under the provisions of Section 47(5A) of the Real Property Act 1900;
- b) No entitlement to compensation as the variation of the easement is a relocation of an existing easement; however Council to pay the owner's reasonable legal costs and other ancillary costs funded from job 85001/45908 Assets & Works (Land Acquisition); 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 be authorised to sign any documentation necessary to give effect to the resolution.

50. Increase in Compensation Payable for Land Acquisition at Pyree Lane, Pyree for Road Widening Purposes.

File 45815E, 45818E [Index](#)

RECOMMENDED that Council resolves to increase the compensation to be paid (on a pro rata basis) for the acquisition of the land shown in the table below, located at Pyree Lane, Pyree for road widening purposes.

Affected Lot	Area SQ.M	Rate P.S.M	Original Assessed Compensation	Final Area SQ.M	Rate P.S.M	Increased Compensation
Lot.1 DP916477	7560	\$5.37	\$40,000	8048	\$5.37	\$43,200
Lot.1 DP863730	4403	\$2.61	\$11,506	4437	\$2.61	\$11,600

SOUTHERN SHOALHAVEN NATURAL RESOURCE AND FLOODPLAIN MANAGEMENT COMMITTEE – THURSDAY 5 DECEMBER 2013 (ITEMS 51 to 53)

Planning and Development

51. Citywide Dredging Feasibility Study File 47957E [Index](#)

RECOMMENDED that the Southern Natural Resources and Floodplain Management Committee nominate Annette Parsons, Wendy Fuller / Peter Finnegan, David Wilson and Dirk Treloar to attend the consultation meeting/workshop on 17th December 2013 on the Draft Citywide Dredging Feasibility Study.

Addendum Report – Planning and Development

52. Vacancies - Southern Shoalhaven Natural Resource & Floodplain Management Committee File 30569E [Index](#)

RECOMMENDED that the Southern Shoalhaven Natural Resources and Floodplain Management Committee endorse the appointment of Cathy Stapleton and Dirk Treloar as members of the Committee.

General Business

53. Additional Item – One Year Trial for the Amalgamation of the NRFMCs File 30569E [Index](#)

RECOMMENDED that Council hold a workshop with the members of the 3 Natural Resources and Floodplain Management Committees to discuss the results of the survey on the One Year Trial for the amalgamation of the NRFMCS in view of informing the preparation of a report to Council.

NOWRA CBD ACTION – MONDAY 9 DECEMBER 2013 (ITEMS 54 to 57)

Assets & Works

54. Graffiti Abatement - Progress Report - December 2013 File 1244E [Index](#)

RECOMMENDED that:

- a) The report of the General Manager (Assets and Works) regarding Graffiti Abatement – Progress – December 2013 be received for information;
- b) Council provide the option of the charge back service to utility providers;
- c) Council express its disappointment in those businesses that did not return the Permit to Enter and the utility providers that failed to respond, reminding them of the free use of the graffiti trailer or alternatively the use of Council's specialist tradesperson at the scheduled fee.

55. Nowra CBD Maintenance and Cleaning Program File 45446E, 27690E [Index](#)

RECOMMENDED that:

- a) The report of the General Manager (Assets and Works) regarding Nowra CBD Maintenance and Cleaning program be received for information;
- b) A report be submitted to Nowra CBD Action on items to be included in a possible scope for tender, including street sweeping;
- c) Council request quotes for the removal of chewing gum from the pavement.

Planning & Development

56. Nowra CBD- Possible Incentives and Initiatives File 39962E [Index](#)

RECOMMENDED that Council:

- a) Invite Marcus Westbury to present the Renew Australia concept to the Nowra CBD Action Committee and other interested stakeholders in both Nowra and Ulladulla;
- b) Any costs associated with the presentations be met from the Strategic Planning Budget;
- c) Receive the details on other revitalisation incentives and initiatives for information and they be considered in the development of the Implementation Plan for the Nowra CBD Masterplan.

57. Nowra CBD Masterplan- Draft Implementation Plan- Progress Update File 39962E [Index](#)

RECOMMENDED that:

- a) The report of the General Manager (Planning & Development Services Group) regarding Nowra CBD Masteplan - Draft Implementation Plan be received for information;
- b) The draft revitalisation implementation plan be made available for consideration by Nowra CBD Action by June 2014.

RECOMMENDED that:

- a) Council consider including car parking for the Nowra CBD in the Delivery Program and Operational Plan for the next 3 years;
- b) The Berry / Worrigeer St carpark be included in the Delivery Program and Operational Plan for 2014/15
- c) Council convey to the Minister for Illawarra, the Hon. John Ajaka, Nowra CBD Action's disappointment in the failure to secure funding through the Restart Funding Illawarra program.

R.D Pigg
GENERAL MANAGER

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 10 DECEMBER 2013

ORDINARY MEETING

TUESDAY, 17 DECEMBER 2013

REPORT OF THE CONVENOR

ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY

58. Parking Restrictions - entry/exit of the IGA Supermarket - Island Point Road, St Georges Basin (PN 2999) File 2939E [Index](#)

RECOMMENDED that Council the General Manager (Director Assets and Works) be requested to arrange for the extension of the existing No Stopping zone south of the IGA carpark driveway, on the eastern side of Island Point Road, to approximately 8m north of the Medical Centre driveway (138 Island Point Road, St Georges Basin), as detailed in the attached plan TRAF 2013/58.

59. Parking Restrictions – Worrigee Street/Haigh Avenue Carpark, Nowra (PN 3022) File 29025E, 2636E [Index](#)

RECOMMENDED that the General Manager (Director Assets and Works) be requested to convert two 2 hour car parking spaces opposite the IGA loading dock in the Worrigee Street/Haigh Avenue Carpark to unrestricted parking as detailed in TRAF 2013/60.

60. Intersection safety - Bugong Fire Trail, Budgong (PN 3036) File 20637E [Index](#)

RECOMMENDED that the General Manager (Director Assets and Works) be requested to arrange for the installation of the following as detailed in TRAF2013/57:

- a) a Give Way (R1-2B) sign on Bugong Fire Trail at its intersection with Bugong Road
- b) a side road junction on curve warning sign (W2-9B) (L) approx 60m east of the curve on Bugong Road
- c) a side road junction on curve warning sign (W2-9B) (R) approx 60m north of the curve on Bugong Road

61. Intersection Safety - Kurrajong Crescent and Lake Conjola Entrance Road, Lake Conjola (PN 3039) File 1687E [Index](#)

RECOMMENDED that the General Manager (Director Assets and Works) be requested to arrange for the installation of a Give Way sign (R1-2B) and associated Hold Linemarking TB/TB1 on Kurrajong Crescent at its intersection with Lake Conjola Entrance Road, Lake Conjola as detailed in TRAF 2013/59.

Martin Upitis
CONVENOR

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 17 DECEMBER 2013

ASSETS AND WORKS

62. 2013 National Local Roads and Transport Congress - Sustaining Our Roads

File 4688E [Index](#)

PURPOSE: Delivery Program Activity: 4.4.3.5

To provide a report from Mayor Gash, Deputy Mayor Wells and Cllr Watson on the 2013 National Local Roads and Transport Congress - 'Sustaining Our Roads' held in Alice Springs from 12 to 14 November 2013.

RECOMMENDED that the report regarding the 2013 National Local Roads and Transport Congress - Sustaining Our Roads be received for information.

OPTIONS

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

DETAILS

Clause 9 of Mayoral Minute (D13/295969) submitted to the Ordinary Meeting on 19 November 2013 stated that

“further details on the Congress will be tabled to the next meeting of Council.”

- # In accordance with Clause 3.3(e) of the Council Members - Payment of Expenses and Provisions of Facilities Policy, Mayor Gash, Deputy Mayor Wells and Cllr Watson have submitted a combined report regarding the National Local Roads and Transport Congress. The report is attached for information - see **Attachment 'A'**.

Ben Stewart

DIRECTOR ASSETS AND WORKS GROUP

R.D Pigg

GENERAL MANAGER

NOTICES OF MOTION

ORDINARY MEETING

TUESDAY, 17 DECEMBER, 2013

63. Rescission Motion – Water and Sewer Headworks Charges (Section 64 Charges)
File 15513E [Index](#)

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

We rescind the motion in respect of Section 64 Charges and apply the charges from 1 June 2013 (concession rate).

Signed
Clr Watson
Clr Kitchener
Clr McCrudden

Note: The following resolution was adopted at the Ordinary Meeting held Tuesday 19 November 2013:

That:

- a) *Council confirm that the concession rates for Section 64 charges apply to payments made in the 2013/14 financial year; and*
- b) *Council convene an industry forum to develop a policy relating to the subdivision of land and the payment of Section 64 charges to assist in facilitating economic growth.*

Note: The Director of Shoalhaven Water advises

"A number of requests have been received to back date this policy to various dates, including the following:

- Payment made on 28 June 2012
- Credit from payment August 2005 where lots have not been released
- Generic enquiry from local consultant regarding clients that have paid before 1 July 2013 and requesting "what is the process for them to seek a refund?"

To back date any refund beyond the commencement of this financial year creates a false premise upon which previous dividend payments have been made, and utilised.

For information, the Section 64 funds received in the month of June 2013 was \$480,889. The funds received for the 6 months period 1 January 2013 to 30 June 2013 was \$1,776,680.

The proposed rescission motion with an effective date of 1 June 2013 would provide for a repayment of approximately \$290,000 involving 26 developments."

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

That Council respond to the petition submitted at the start of this meeting by undertaking the following actions:

- 1. Remove the car parking/vehicular access prohibition on the recently installed signs on the reserve.**
- 2. Not to fence or install Bollards aimed at restricting access.**
- 3. Place the reserve in a future management plan for consideration for the installation of an electric barbecue and picnic seating.**

Background:

This reserve receives moderate use primarily by locals and family groups enjoying an area which is relatively protected from the strong north-east winds of summer. The reserve is quite wide and is not showing any sign of any deterioration or loss of grass cover caused by the occasional vehicle parking on the reserve while the owners and family members enjoy a quiet picnic on the grass. The reserve is also used by individuals launching kayaks and canoes on the western end where there is an informal boat ramp which is suitable only for small tinnies. By installing signs on the reserve which prohibit most of the enjoyable activities undertaken by the local community we have really only restricted honest law-abiding people as the odd hoon that may do a burnout can already be prosecuted for reckless driving under State Laws and should be dealt with appropriately by the police.

Signed
Greg Watson
Jemma Tribe

CONFIDENTIAL BUSINESS PAPER AGENDA

GENERAL MANAGER – COMMITTEE REPORTS

POLICY AND RESOURCES COMMITTEE – 10 DECEMBER 2013

1. Abandonment of Debt

Reason

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

It is not in the public interest to disclose this information as it may impact on the ability of Council to conduct appropriate legal proceedings.

2. Tender Process - Minor Mains Replacement Panel - Construction Package 1A

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.

It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

3. Tender Process – Ison Park Amenities

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.

It is not in the public interest to disclose this information as it may impact on the ability of Council to attract competitive tenders in the future.

COUNCIL PROPERTY STEERING COMMITTEE – 3 DECEMBER 2013

4. Egans Lane Precinct Status Report

Reason

Section 10A(2)(c) - Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

It is not in the public interest to disclose this information as it may prejudice Council's commercial position with land dealings.

5. Land Price Determination – Albatross Aviation Technology Park

Reason

Section 10A(2)(c) - Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

It is not in the public interest to disclose this information as it may prejudice Council's commercial position with land dealings.

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.

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 17 DECEMBER 2013

CORPORATE AND COMMUNITY SERVICES

1. Ulladulla Civic Centre Representations - Proposed Naming File 2113E, 46867E

SECTION MANAGER: Jane Lewis.

PURPOSE: Delivery Program Activity: 5.1.2.23

To seek direction from Council on naming of part of Ulladulla Civic Centre in memory of a member of the local community.

RECOMMENDED that:

- a) **Council acknowledge the representations of the Ulladulla & Districts Community Forum Inc and the Milton District Country Women's Association.**
- b) **Council approach the local community consultative body, the Ulladulla & Districts Community Forum Inc, to seek further comment on whether there are other local identities who, in memoriam, should also be considered.**
- c) **A further report on this matter be submitted to Council once discussions have been held.**

OPTIONS

1. Council acknowledge the representations of the Ulladulla & Districts Community Forum Inc and the Milton District Country Women's Association and, via the CCB, seek further comment on whether there are other local identities who, in memoriam, should also be considered.
2. Council support the representations from the Ulladulla & Districts Community Forum Inc, local community consultative body of Ulladulla and the Milton District Country Women's Association, and adopt their recommendation to officially name the Ulladulla Civic Centre Main Auditorium as the "Ruth Richards OAM Auditorium".
3. Council acknowledge the representations of the Ulladulla & Districts Community Forum Inc and the Milton District Country Women's Association, and seek comment on the proposal via Public Notice in local papers and on Council's website to gain broader public feedback.
4. Council acknowledge the representations of the Ulladulla & Districts Community Forum Inc and the Milton District Country Women's Association, but decline, at this point in time, to name the Ulladulla Civic Centre Main Auditorium.

DETAILS

Council has received representations from the Ulladulla & Districts Community Forum Inc and the Milton District Country Women's Association, requesting that Council consider officially naming part of the Ulladulla Civic Centre in memory of Ruth Richards OAM who passed away in 2012. Correspondence from these community organisations are shown at Attachments 1 and 2.

In its representations, the Milton District Country Women's Association advises that:

"Ruth was a member of the CWA for 50 years and played the same active role in our association as we know she played in many others. Her perseverance, hard work and dedication to her community in a wide range of different roles and capacities made her so widely known that her sudden and shocking death in the middle of last year made headline news in the local press, and her funeral in Ulladulla was packed to the rafters with those whose lives she had touched.

"We know Ruth was a keen supporter of the Civic Centre and have no doubt that a room or hall named in her honour would be well received by the community, and it would certainly be a fitting tribute to a model citizen whose efforts were unfortunately acknowledged only shortly before her death, so that it was her bereaved husband Bruce and her daughter who went to Canberra to collect Ruth's Order of Australia Medal."

The Ulladulla & Districts Community Forum Inc:

"... would like to request Shoalhaven City Council to commemorate the efforts and hard work of the late Ruth Richards OAM somewhere within the soon to be completed renovated Ulladulla Civic Centre.

...

"We believe having the old auditorium renamed in her honour, recognising Ruth's unique perseverance, hard work and dedication to her community within the Ulladulla Civic Centre, a building she helped and support for over 50 years, will mean Ruth will forever be remembered within our district."

Council may wish to defer making a decision and approach the community consultative body – the Ulladulla & Districts Community Forum Inc - to determine if, in their deliberations, other local identities have been considered in memoriam prior to them making this submission to Council.

The community consultative body has indicated that other organisations within the local area may be making submissions to Council in support of this commemoration in honour of Ruth Richards OAM. To date, two (2) such representations have been received.

The CCB have spoken with the Richards family and have their support and consent to raise this matter with Council.

Alternatively, Council may wish to defer making a decision and seek broader public comment through a public notice on the proposal to name part of the Ulladulla Civic Centre in commemoration of Ruth Richards OAM.

Council also has the option to acknowledge the representations received to date but decline at this point in time to name a part of the Ulladulla Civic Centre in memory of Ruth Richards OAM. Council has recently taken this approach when considering renaming the studio at the Shoalhaven Entertainment Centre.

The venue comprises of the Library, Visitors Information Centre, the Civic Centre Auditorium and a number of smaller meeting rooms. The Auditorium may be the most appropriate part of the building to consider suitable for naming.

FINANCIAL IMPLICATIONS:

Costing for the signage can be funded from the project budget for Ulladulla Civic Centre.

COMMUNITY ENGAGEMENT:

Representations have been received from the Ulladulla & Districts Community Forum Inc, local community consultative body of Ulladulla and the Milton District Country Womens Association.

Given that the local community consultative body has made its support for this proposal known, Council may consider this as indicative of broad community support for the suggestion, although to date, no further representations have been received from the organisations mentioned within the Ulladulla & Districts Community Forum's correspondence.

Alternatively, Council may decide to seek further public feedback, seeking comment via public notice in local newspapers and on Council's website.

2. Record of Investments – November 2013

File 2126E

SECTION MANAGER: Pamela Gokgur

PURPOSE: Delivery Program Activity: 5.1.3.14

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 (Corporate Services and Community Services Group) on the Record of Investments for the period to 30 November 2013 be received for information.

OPTIONS

1. The report on the Record of Investments for the period to 30 November 2013 be received for information
2. Further information regarding the Record of Investments for the period to 30 November 2013 be requested

DETAILS

Council's current investment portfolio has a weighted average return of 3.81% (annualised), 122 basis points above the average 90 day Bank Bill Rate of 2.59% (as supplied by CBA).

The Managed Fund Portfolio returned an average 3.28% over the last twelve months while Council's direct investment portfolio will return a weighted average of 3.83%.

Interest received on Council's investment portfolio for the financial year to date is \$1,799,782 compared with \$2,210,001 for the same period last financial year. The decrease in interest on investments is due to the Council's overall weighted average return decreasing, the weighted average of the interest received last financial year to 30 November was 5.22% compared to this financial year of 4.23%. The interest earned to the month of November is above pro-rata budget.

The Australian Financial Review dated 2nd December 2013 reports that:

The Australian equity market dropped during the month of November. The S&P ASX 200 closed the month 1.98% lower at 5,425.50. The Australian dollar dropped, buying 0.9101 USD at month end.

The RBA left the target cash rate at 2.50% at the November meeting, whilst the 90 day Bank Bill Swap Rate (BBSW) closed the month at 2.63%.

RECORD OF INVESTMENTS Cash and Investment Balances

	November 2013	October 2013
Total Cash And Investments		
Total Cash	\$4,394,891	\$2,666,681
Total Investments	<u>\$115,703,115</u>	<u>\$116,698,875</u>
	<u>\$120,098,007</u>	<u>\$119,365,556</u>
Less Cash & Investments Held In Relation To Restricted Assets		
Leave Entitlements & Workers Compensation Liability	\$9,620,937	\$9,620,937
Loans - General Fund	\$0	\$0
Financial Assistance Grant	\$4,793,727	\$4,793,727
Grant reserve	\$0	\$583,607
North Nowra Link Road	\$743,842	\$744,858
Other Internal Reserves	\$9,930,870	\$10,977,710
Section 94	\$18,556,716	\$18,583,482
Section 94 Matching Funds	\$1,090,861	\$1,091,717
Storm Water Levy	\$0	\$0
Strategic Projects General	\$3,214,850	\$3,179,875
Trust	\$98,006	\$98,006
Waste Disposal	\$9,672,500	\$10,425,803
Sewer Compensation	\$6,568	\$6,568
Sewer Construction Works	\$8,781,667	\$8,781,667
Section 64 Water	\$9,633,208	\$9,704,893
Water Construction Works	<u>\$25,507,911</u>	<u>\$25,436,226</u>
Total Restricted	<u>\$101,651,664</u>	<u>\$104,029,077</u>
Unrestricted Cash And Investments		
General	\$16,446,343	\$13,336,480
Water	\$1,000,000	\$1,000,000
Waste Water	<u>\$1,000,000</u>	<u>\$1,000,000</u>
Total Unrestricted	<u>\$18,446,343</u>	<u>\$15,336,480</u>

Total cash increased in November due to rates instalments being received. The grants reserve has reduced due to agreed works being done, for which grant funds will be received at project end.

SHOALHAVEN CITY COUNCIL STATEMENT OF INVESTMENTS 30 November 2013							
DIRECT INVESTMENTS: Institution	Rating	Inv Type	Principal	Terms	Interest Rate	Maturity (1st)	Final Maturity
AMP Bank	A1	TD	\$1,000,000.00	96	3.60%	23-Dec-13	
AMP Bank	A1	TD	\$4,000,000.00	93	3.80%	05-Dec-13	
ANZ	A1+	TD	\$4,000,000.00	105	3.65%	13-Mar-14	
ANZ	A1+	TD	\$1,000,000.00	0	3.65%	27-Feb-14	
ANZ	A1+	TD	\$2,000,000.00	98	3.75%	05-Dec-13	
ANZ	A1+	TD	\$3,000,000.00	106	3.70%	09-Jan-14	
ANZ	A1+	TD	\$3,000,000.00	126	3.70%	30-Jan-14	
ANZ	A1+	TD	\$2,000,000.00	154	3.75%	06-Mar-14	
Bank of Qld	A2	TD	\$2,000,000.00	119	3.65%	12-Feb-14	
Bank of Qld	A2	TD	\$1,000,000.00	98	3.85%	04-Dec-13	
Bank of Qld	A2	TD	\$2,000,000.00	97	3.85%	04-Dec-13	
Bank of Qld	A2	TD	\$2,000,000.00	98	3.53%	27-Feb-14	
Bendigo Bank	A2	TD	\$2,000,000.00	99	3.60%	19-Dec-13	
Bendigo Bank	A2	TD	\$1,000,000.00	99	3.50%	27-Feb-14	
Bendigo Bank	A2	TD	\$2,000,000.00	183	4.05%	23-Jan-14	
Bendigo Bank	A2	TD	\$2,000,000.00	112	3.75%	19-Dec-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	126	3.60%	16-Jan-14	
Members Equity Bank	A2	TD	\$2,000,000.00	110	3.70%	23-Dec-13	
Members Equity Bank	A2	TD	\$1,000,000.00	125	3.70%	29-Jan-14	
Members Equity Bank	A2	TD	\$1,000,000.00	119	3.93%	19-Dec-13	
Members Equity Bank	A2	TD	\$1,000,000.00	98	3.65%	08-Jan-14	
Members Equity Bank	A2	TD	\$1,000,000.00	126	3.70%	06-Feb-14	
Members Equity Bank	A2	TD	\$2,000,000.00	119	3.60%	19-Feb-14	
Members Equity Bank	A2	TD	\$2,000,000.00	90	3.55%	22-Jan-14	
National Australia Bank	A1+	CRD	\$5,000,000.00	31	4.19%	09-Dec-13	08-Apr-14
National Australia Bank	A1+	CRD	\$3,000,000.00	29	3.89%	03-Dec-13	03-Mar-15
National Australia Bank	A1+	MATD	\$98,006.21	365	4.22%	30-Jun-14	
National Australia Bank	A1+	TD	\$1,000,000.00	106	3.78%	20-Feb-14	
National Australia Bank	A1+	TD	\$2,000,000.00	116	3.85%	23-Dec-13	
National Australia Bank	A1+	TD	\$1,000,000.00	103	3.85%	11-Dec-13	
National Australia Bank	A1+	TD	\$2,000,000.00	97	3.72%	05-Mar-14	
National Australia Bank	A1+	TD	\$2,000,000.00	105	3.85%	19-Dec-13	
National Australia Bank	A1+	TD	\$2,000,000.00	101	3.72%	27-Feb-14	
National Australia Bank	A1+	TD	\$1,000,000.00	100	3.72%	26-Feb-14	
National Australia Bank	A1+	TD	\$2,000,000.00	98	3.75%	13-Feb-14	
National Australia Bank	A1+	TD	\$2,000,000.00	106	3.79%	13-Feb-14	
National Australia Bank	A1+	TD	\$2,000,000.00	126	3.80%	30-Jan-14	
National Australia Bank	A1+	TD	\$4,000,000.00	173	4.19%	18-Dec-13	
National Australia Bank	A1+	TD	\$4,000,000.00	106	3.89%	05-Dec-13	
Newcastle Permanent Building Society	A2	TD	\$2,000,000.00	98	4.70%	15-Jan-14	
Newcastle Permanent Building Society	A2	TD	\$2,000,000.00	99	3.70%	19-Dec-13	
Newcastle Permanent Building Society	A2	TD	\$2,000,000.00	91	3.70%	09-Jan-14	
Newcastle Permanent Building Society	A2	TD	\$1,000,000.00	97	3.60%	06-Feb-14	
Newcastle Permanent Building Society	A2	TD	\$1,000,000.00	101	3.60%	27-Feb-14	
Newcastle Permanent Building Society	A2	TD	\$1,000,000.00	99	3.60%	20-Feb-14	
NSW Treasury Corp	A1+	TD	\$3,300,000.00	181	3.75%	31-Mar-14	
Police Credit Union Ltd (SA)	NR	TD	\$1,000,000.00	147	3.78%	22-Jan-14	
Rural Bank	A2	TD	\$2,000,000.00	91	3.64%	19-Dec-13	
Rural Bank	A2	TD	\$2,000,000.00	126	3.70%	05-Feb-14	
Rural Bank	A2	TD	\$2,000,000.00	125	3.75%	30-Jan-14	
Westpac Bank	A1+	TD	\$4,000,000.00	126	3.67%	16-Jan-14	
Westpac Bank	A1+	TD	\$3,000,000.00	188	4.21%	02-Jan-14	
Westpac Bank	A1+	TD	\$4,000,000.00	154	4.63%	20-Mar-14	
Westpac Bank	A1+	TD	\$2,000,000.00	97	3.50%	29-Jan-14	
TOTAL DIRECT INVESTMENTS			\$111,398,006.21		3.83%		

MANAGED FUNDS	Rating	Inv Type	Carrying Value	Purchase Date	Monthly Return	Return over last 12 months
CDO Portfolio	NR	CDO	\$2,691,009.88	Various	0.17%	2.03%
Macquarie Income Plus	AAAm	MF	\$1,614,099.27	17/08/2005	0.45%	5.45%
TOTAL MANAGED FUNDS			\$4,305,109.15		0.27%	3.28%
TOTAL INVESTMENTS			\$115,703,115.36			3.81%
<i>Note:</i>						
<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 Deposit</i>		<i>TD Term Deposit</i>				
The investments have been made in accordance with the Act, Regulations and the Council's Investment Policy.						
Pamela Gokgur Chief Financial Officer						

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.

3. Successful Grant Funding - 'Remembrance Court' - Voyager Memorial Park, Huskisson File 2893E

SECTION MANAGER: Jane Lewis.

PURPOSE: Delivery Program Activity: 1.3.2.2

To advise Council of the successful NSW Government's Community Building Partnership Program grant for 2013/14 and to seek endorsement of reallocation of monies from Unidentified Program of Works.

RECOMMENDED that Council:

- a) **Accept the NSW Government's Community Building Partnership Program Grant of \$20,000 for the Voyager Park 'Remembrance Court' project, Huskisson.**
- b) **Provide to the General Manager delegated authority to accept the grant funding and acquittal of the funds.**
- c) **Transfer funding of \$11,900 from Budget Job No 82576 (Unidentified Programs of Works) to Budget Job No 82439 to assist with delivery of the project.**

- d) **Write to the Hon Barry O'Farrell, MP, Member for Ku-ring-gai, Premier of NSW, thanking him and accepting for the grant offer.**

OPTIONS

1. Council adopt the recommendation as printed.
2. Council reject the recommendation and provide an alternate.

DETAILS

An application for funding for \$20,000 was submitted to the NSW Government's Community Building Partnership Program to assist with delivery of the 'Remembrance Court' at Voyager Memorial Park, Huskisson. Council has received notification that this grant application has been successful.

- # The 'Remembrance Court' project is 'shovel ready' with detail design, geotechnical, survey, Review of Environmental Factors and electrical design completed (see attached plans).

The overall strategy of the design is to commemorate those who serve our country, creating a space to remember, acknowledge, reflect and mourn. The 'Remembrance Court' seeks to function as an intimate space for quiet individual reflection as well as a ceremonial space for commemorative occasions for the whole community.

Council, at its Ordinary meeting held on 23 April 2013, made the following resolution (Min 13.381) that:

- "a) *Adopt the revised Voyager Memorial Park Master Plan;*
- "b) *Allocate \$10,000 from existing budgets in the 2013-14 budget to support detail design of the Remembrance Court, in preparation of significant memorial services; and*
- "c) *Implement strategies as identified when funding becomes available."*

Council later resolved, at its Ordinary meeting held on 24 September 2013 (Min 13.960):

"That the report on the detailed design Plans of Remembrance Court at Voyager Memorial Park Huskisson be received for information."

The money from Budget Job No 82576 (Unidentified Programs of Works) is revenue from Crown Reserves and needs to be spent on Crown Lands, which is the designation of Voyager Park. The funds cannot go back into general savings. Budget Job No 82576 did not have an identified program of works for this money and, therefore, this project would be ideal for these monies to assist in the delivery of a 'Remembrance Court' for Voyager Memorial Park Huskisson.

FINANCIAL IMPLICATIONS:

The \$20,000 grant funding, along with the transfer of \$11,900 (Job No 82576), will assist with the delivery of the project. This is not 100% of the required funding to complete all the embellishments of the project, but the additional embellishments can be incorporated as funds become available.

Council will continue to seek the additional funds required to complete the project from funding sources as they become available. Council proposes to write to the Huskisson RSL Sub Branch to seek financial and in-kind assistance for the full delivery of this project.

Council staff have sought advice from the Assets & Works Group to identify what components of the project can be delivered with the total sum of \$31,900. The total value of the project is estimated at \$120,000 which includes footpaths, lighting and embellishments.

COMMUNITY ENGAGEMENT:

This project has had extensive community consultation during the Master Plan and detail design stages of the project. Council will continue to keep the community engaged and informed of the progress of this project.

Craig Milburn
DIRECTOR OF CORPORATE AND COMMUNITY SERVICES

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER**ORDINARY MEETING****TUESDAY, 17 DECEMBER 2013****GENERAL MANAGER – COMMITTEE REPORTS****YOUTH ADVISORY COMMITTEE – WEDNESDAY 11 DECEMBER 2013 (ITEM 1)****General Business**

1. Additional Item – Youth Advisory Committee Budget 2013/14 File 1506E

RECOMMENDED that the Community Development Officer – Youth be authorised to provide the following funding from the Youth Advisory Committee's budget for 2013 - 2014:

Organisation	Project/Activity	Funded Amount
Nowra Show Society	Youth Stand at Show	\$ 600
Access Community Group	Youth Resources for Mobile Youth Bus	\$1000
Shoalhaven Youth Hub	Professional Development Training for Youth Workers	\$1000
BBCRI – Sanctuary Point Youth Centre	Adventure Activity – Stand up paddle boarding for disadvantaged youth in the Bay & Basin area	\$ 700
Ulladulla Youth Centre	Drop in youth engagement activities – art, dance, cooking etc.	\$ 800
RDA – SYVI	Volunteering information session for L2L at risk young people	\$1000
Various High Schools	Shoalhaven Senior Student Leadership Conference	\$1000
Shoalhaven High School	Interschool film competition and festival	\$ 500
Vincentia High School	Student run breakfast club	\$ 800
	Total	\$7400

ABORIGINAL ADVISORY COMMITTEE – THURSDAY 12 DECEMBER 2013 (ITEMS 2 to 4)

Corporate & Community Services

2. Progress Action Plan from the Aboriginal Advisory Committee Meeting Held on 23rd May 2013 File 1209E

RECOMMENDED that in regard to the establishment of a Walk/Wall of Fame in the Shoalhaven Entertainment Centre:

- a) A Sub Committee be established to pursue the Wall/Walk of Fame consisting of:
 - i) Members of the Arts Board
 - ii) Shoalhaven Entertainment Centre staff
 - iii) Members of the Aboriginal Advisory Committee;
- b) The purpose of the Sub Committee would be to:
 - i) Create the guidelines and criteria and determine the process of selection;
 - ii) Determine the style of presentation ie photo and biography being preferable to a list of names;
 - iii) Consideration be given to Jimmy Little be amongst the nominees.
- c) Following consultation with the Shoalhaven Entertainment Centre Manager a report be submitted to the Aboriginal Advisory Committee on display options.

Addendum Report 2 - Corporate & Community Services

3. Membership Application File 1209E

RECOMMENDED that Council endorse the appointment of Darren Cruickshank as a member of the Aboriginal Advisory Committee.

4. Additional Item – Review – Aboriginal Advisory Committee Guidelines File 1209E

RECOMMENDED that:

- a) A Working Group be established to review the Guidelines for the Aboriginal Advisory Committee;
- b) The Working Group consist of:
 - Clr Findley
 - Ted Braddick
 - Shondelle Bolt
 - Noel Wellington
 - Sylvia Timbery
 - Leslie Halls.
- c) The Working Group meet in late January or early February.

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 17 DECEMBER 2013

ASSETS AND WORKS

1. PCL Areas 42 and 54 - Nowra Gasworks Environs

File 45987E

SECTION MANAGER: Paul Dorahy

PURPOSE: Delivery Program Activity: 4.4.6.7

To inform Council of the current status of the investigations in relation to potentially contaminated lands referred to as the environs of the former Nowra gasworks.

In accordance with S10A(2)(g) of the Local Government Act 1993, some information should remain confidential as part of a separate confidential report to Council. It is not in the public interest to disclose this information as it contains “commercial information of a confidential nature that would, if disclosed, affect advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege”. It is not in the public interest to disclose this information as it may impact on any legal proceedings involving Council.

RECOMMENDED that this report be received for Information.

OPTIONS

1. That this report be received for information.
2. Council not accept the recommendation and propose an alternative, giving reasons.

DETAILS

GHD, Council’s consultant for the Nowra Gasworks Environs PCL Investigation project, briefed Council’s Property Steering Committee on the process for the intrusive site investigation into contamination within PCL Areas 42 and 54.

Council commissioned URS Australia to carry out a Health and Environmental Risk Assessment (HERA) and this report by URS has been peer reviewed by GHD. GHD will provide a Councillor briefing on 17 December 2013.

FINANCIAL IMPLICATIONS:

In the short term, additional site investigations are required and these are funded in the current budget.

COMMUNITY ENGAGEMENT:

Council will keep landowners and residents advised throughout the process of the investigation in relation to the former Nowra gasworks at all stages. Council will be in contact with property owners early in 2014 in relation to these matters.

2. Request to Acquire Land at 77 Princess Street, Berry

File 44187e

SECTION MANAGER: Paul Dorahy.

PURPOSE: Delivery Program Activity: 4.4.6.5

To inform the Council of developments in respect to the acquisition of land at 77 Princess Street, Berry.

In accordance with s10A(2)(b) of the Local Government Act 1993 some information should remain confidential and will be considered as part of a separate confidential report to Council. It is not in the public interest to disclose this information as it may prejudice Council's commercial position with land dealings.

RECOMMENDED that this report be received for Information.

OPTIONS

3. **(Recommended).** That is report be received for Information only.
4. **(Not Recommended).** Not endorse Recommendation.

DETAILS

A report was presented to Council at its meeting on 22 October 2013 in the confidential session. This has resulted in discussions with the property owner at 77 Princess Street, Berry and is part of the separate confidential report.

FINANCIAL IMPLICATIONS:

This is discussed in the separate confidential report.

COMMUNITY ENGAGEMENT:

This matter is considered as being Low Impact Local Area significance.

Ben Stewart
DIRECTOR, ASSETS AND WORKS

R.D Pigg
GENERAL MANAGER

ADDITIONAL ITEM

ORDINARY MEETING

TUESDAY, 17 DECEMBER, 2013

1. Tree Vandalism Banner Collingwood Beach

File 9929E

The following Motion is submitted for Council's consideration:

We the signatories hereby call for the motion below to be rescinded and the following motion put;

That;

- a) Council move the Tree Vandalism banner to an alternative location along Collingwood Beach, (preferably near dead vegetation and not directly opposite a residential property) for the remainder of the trial period**
- b) A briefing be called to discuss how flora is selected for bushcare works and the communication strategy with nearby property owners.**

Signed
Clr Tribe
Clr Gash
Clr White

Note: The following resolution was adopted at the Policy and Resources Committee Meeting held Tuesday 10 December 2013:

RESOLVED that, in accordance with the Committee's Delegated Authority from Council:

- a) Council remove the banner from Collingwood beach for the duration of holiday period; and*
- b) Council contact neighbours expressing regret to any neighbours that may feel they have suffered any reputational damage;*
- c) Council continue to work with local community to address the problem of tree and vegetation vandalism;*
- d) In 2014 Council revisit the issue of how to place appropriate signage as an aid to dealing with tree vandalism, with a view to relocating the sign that will cause no offence to residents.*

Note by General Manager: The Council will need to accept this item as late business and the Mayor rule as urgent before being dealt with. The work to remove the banner is scheduled for Thursday morning.