

SHOALHAVEN CITY COUNCIL

ORDINARY MEETING

To be held on Tuesday, 26 February, 2013
Commencing at 4.00 pm

20 February, 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, 26 February, 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** – Reverend Fred Monkton – Nowra Presbyterian Church
2. **Acknowledgement of Traditional Custodians**
3. **Australian National Anthem**
4. **Apologies/Leave of Absence**
 Clr Tribe has been granted a leave of absence for this meeting.
5. **Confirmation of Minutes**
 Ordinary Meeting – 29 January, 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 – 18 February, 2013
 Report of the Policy and Resources Committee – 19 February, 2013
 Report of the Shoalhaven Heads Estuary Taskforce – 4 February, 2013
 Report of the Nowra CBD Action – 6 February, 2013
 Report of the Shoalhaven Arts Board – 13 February, 2013
 Report of the Council Property Steering Committee – 18 February, 2013
11. **Report of the Shoalhaven Traffic Committee – 12 February, 2013**
12. **Report of the General Manager**
 Assistant General Manager
 Finance & Corporate Services
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 – 19 February, 2013
 Report of the Council Property Steering Committee – 18 February 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.

TABLE OF CONTENTS

MAYORAL MINUTE	1
1. Investigations for Replacement of Southbound Shoalhaven River Bridge File 16573E	1
2. Boating in Jervis Bay File 1451E.....	1
3. Entrances to Nowra / Bomaderry and Princes Highway precinct File 46023E	2
4. Congratulations to Huskisson Woollamia Forum File 1730E	2
5. Performance Review - General Manager File 5001e	3
6. Australia Day Celebrations – Nowra Showground File 4033E	3
7. Donation Request – John Towey – Youth off the Streets Charity Bike Ride File 4771E.....	4
GENERAL MANAGER – COMMITTEES REPORT	5
Development Committee – Monday 18 February 2013.....	5
8. Heritage Estates – Zoning & Tenure Resolution Project Update File 1446E (PDR)....	5
9. Draft Shoalhaven Local Environmental Plan 2013 - Section 65 Certificate File 33363E (PDR).....	5
10. Review of Public Policies related to Development Contributions File 1057E & 34468E	9
11. Council Membership on Joint Regional Planning Panel - Southern Region. File 39782E.....	10
12. Boarding Houses Act 2012 File 14502e.....	10
13. Policy (POL12/326) – Contaminated Lands Policy File 1394E.....	10
14. Review of Development & Environmental Services Policies - Round 1 File 33571E	10
15. Development Control Plan 120 - Commercial Use of footpaths (Amendment No 1) File 39733E, 12662E (PDR).....	11
16. Additional Item – Terara Sands File	11
17. Additional Item – Local Environment Plan File 33363E (PDR).....	12
Policy And Resources Committee – Tuesday 19 February 2013.....	13
18. 2013/2014 Rural Fire Fighting Fund Estimates File 2371e	13
19. New Model Code of Conduct File 4420E	13
20. Southern Councils Group File 1822E, 2828E, 28939E	13
21. Delegations to Nowra CBD Action File 45446E	14
22. Review of Policy - Defence Force Training and Service Leave File 32401E.....	15
23. Council Contribution to Shoalhaven Business Chamber for "Shoalhaven Business Awards" and "Shoalhaven on Show" File 41204E.....	15
24. Replacement of Council's Two Way Radio Network File 5845E	15
25. Six Monthly Progress Report on Delivery Program & Operational Plan File 39824E	15
26. Quarterly Budget Review as at 31st December 2012 File 2127E	15
27. Possible Abolition of Ward Boundaries File 3379E	16
28. Policies - Referral to Council Policy File 27448E	16
29. Policy – Conflict of Interest of Staff Reporting to Council File 4063E	16

30.	Review of Policy - Complaints Referral to Community Justice Centre - Administrative Policy and Procedure File 22119E	16
31.	Review of Financial Assistance Policies and Procedures File 4306E	16
32.	Children's Services Reference Group - Determination of Final Membership File 46176E	16
33.	Proposed Alcohol Free Zone - Culburra Beach CBD File 9821E	17
34.	Code of Meeting Practice File 3798E	17
35.	NSW Crime Prevention Grant – Non Domestic Violence Related Assault File 3519E	18
36.	Shoalhaven Family Day Care Change of Ratios 2014 File 34001E	18
37.	Health and Fitness Facilities at Ulladulla Leisure Centre File 7830E	18
38.	Funerary and Monument / Masonry Services Policy File 7949E	18
39.	Tender - Design & Construction of Play Equipment and Softfall Removal and Replacement - Marriott Park, Nowra File 46089e	18
40.	Roseby Park Road Repairs Update – Staging of Works File 45592e	19
41.	Ulladulla Netball Court - Sport and Recreation Grant Funding File 45982	19
42.	Draft Plantation Point Plan of Management and Landscape Plan File 37687e	19
43.	Paradise Beach Reserve Outdoor Fitness Station, Sanctuary Point – Grant offer File 44032e & 46710E	20
44.	Currambene Creek (Parma Road) Bridge Replacement – Single Quotation Authorisation File 45393E	20
45.	Proposed Special Variation 8% Rate Rise - Road and Path Projects File 46813E ...	20
46.	Water and Sewer Headworks Charges (Section 64 Charges) File 15513E	21
47.	Acquisition of Easement for Sewer Rising Main at Worrowing Heights File 45238E.	21
48.	Review of Shoalhaven Water Group Policies – Round 3 File 12039E	21
49.	Boree Street LATM – Additional Funding Offers File 5279E, 8168E, 18998E	22
50.	RMS - Additional Cycleway Funding Offers File 5279E, 6664E	22
51.	Additional Item – Berry Parking Strategy File	23
52.	Additional Item – Round the Bay Walk File	23
53.	Additional Item – Matron Porter Drive Walkway Project File	23
	Shoalhaven Heads Estuary Taskforce – Monday 4 February 2013	24
54.	Estuary Management and Coastal Management Program Grant Applications Report File 3406E	24
55.	Report on Water Quality Sampling/Sewerage Discharge Shoalhaven Heads 2012 File 28254E	24
56.	Additional Item – Review of Limitations within the Shoalhaven River Entrance Management Plan File 3426E, 9825E	24
	Nowra CBD Action – Wednesday 6 February 2013	25
57.	Additional Item – Functions of the Nowra CBD Action File	25
58.	Additional Item – Stewart Place Bus Interchange File	26
59.	Additional Item – Junction St Taxi Rank File	26
60.	Additional Item – Junction Court File	26
61.	Additional Item – Graham Street File	26
62.	Additional Item – Future Development in the CBD File	26

63.	Graffiti Management – Progress Report January 2013 File 1244E	26
64.	Graffiti Management – Private Property File 1244E	27
65.	Nowra CBD - Operational Maintenance and Costings File 45446E	27
66.	Membership – Nowra CBD Action File 45446E.....	28
67.	Kinghorne Street Paving Defects Update File 40780E.....	28
Shoalhaven Arts Board – Wednesday 13 February 2013.....		29
68.	Draft Public Art Policy File 41419E	29
69.	Review of Policy – Shoalhaven Arts Board Guidelines File 2123E	29
70.	Artworks on Loan - Related Conservation Costs File 18106E.....	29
71.	Donation of Artworks - Acquisition File 2123E & 18106E.....	29
Council Property Steering Committee – Monday 18 February 2013		31
72.	Offer of Donation of Land, Lot 1 DP 614607, East Crescent Culburra File 46689E..	31
73.	Progress Report & Consideration for Funding – 124-126 Jacobs Drive Sussex Inlet File 46484E	31
74.	Acquisition of Land for Road Widening at Pyree. File 45815e	31
75.	Proposed Licence of the Sports Clubhouse Erected on Part Lot 2 DP 1137716 to AFL Ulladulla File 42117E.....	32
76.	Classification of Land - Lot 20 DP 1173031 Kangaroo Valley File 43131E.....	32
77.	Council Lease of Shop at 84 Princes Highway, Ulladulla File 46792E.....	32
78.	Additional Item – Major Recreational Facility - Yerriyong File 42554E.....	33
SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 12 FEBRUARY 2013		34
79.	Intersection Priority - Warren Ave / Sutherland Dr, North Nowra (PN 2611) File 1706E.....	34
80.	Proposed Children's Crossing - Greenwell Point Road, Greenwell Point (PN 2884) File 18370E, 2624E.....	34
81.	Double Barrier (BB) Centre Line marking - Larmer Ave, Sanctuary Point (PN 2930) File 1709E, 46218E.....	34
82.	Signs and Lines Plan - Proposed Woolworths Service Station, Princes Highway, Bomaderry. Owner: Fabcot Pty Ltd Applicant: Woolworths Ltd (PN 2932) File DA10/1530	34
83.	Centre linemarking and RRPMS - Kangaroo Valley Road - Blackspot Project (PN 2929) File 28099E, 1664E	35
84.	LATM stage 2 - Boree Street, Ulladulla (PN 2920) File 45794E.....	35
85.	Additional Item - Accessible Car Parking Space - Curtis Reserve Shoalhaven Heads (PN 2927) File 2358E.....	35
SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 12 FEBRUARY, 2013 – INFORMATION REPORT		36
86.	Items not requiring approval under delegated authority File 1491E	36
ASSISTANT GENERAL MANAGER.....		38
87.	Draft Community Strategic Plan - Shoalhaven 2023 for Consultation File 45756E...	38
FINANCE AND CORPORATE SERVICES		41
88.	Record of Investments - January 2013 File 2126E	41

NOTICES OF MOTION.....	45
89. Edith Tynam Reserve Car Park – Ulladulla Precinct File 30088E	45
90. Mollymook Beach Cycleway File 3241E	46
91. Local Community Consultation on Planning Reforms File 44089E	46
92. Thompson Street Sporting Complex File 1233E	48
93. Manyana-Bendalong Community Pathway Project File 43860E	48
94. Pedestrian Access – Lemon Tree Creek, River Road, Tabourie File 2693E.....	49
95. Aims & Objectives for Draft Local Environment Plan 2009 File 33363E	50
96. Radio Broadcasting of Council Core Committee Meetings File 7434E	51
97. Welcome Reef Dam Project File 29976E.....	52
98. Establishment of a steering committee for the Development of an Economic Development Unit File 16852E.....	53
99. Kangaroo Valley Road safety priorities File 1636E	54
100. Report on the incidence of Code of conduct matters resolved by ‘informal counselling’ File 4420E	54
101. Shoalhaven Heads Community Forum – “Our future A strategy” File 45756E.....	55
102. Ison Park Soccer facilities File 3684E	55
103. Controlled hunting in National Parks adjoining Shoalhaven residents File 7697E	56
104. Public release of operational savings targets to assist in community consultation regarding the management plan File 43188E	56
CONFIDENTIAL BUSINESS PAPER AGENDA	58

MAYORAL MINUTE

ORDINARY MEETING

TUESDAY, 26 FEBRUARY 2013

1. Investigations for Replacement of Southbound Shoalhaven River Bridge

File 16573E [Index](#)

RECOMMENDED that Council continue to lobby the State Government to fast-track this project and complete the investigations and determinations in an earlier time-frame.

DETAILS

The Illawarra South Coast Regional Action Plan recently released, lists the project of completing the planning study investigations and determining a preferred option for the replacement of the southbound Shoalhaven River Bridge is anticipated by late 2014. As Council is aware, there are critical strategic decisions which are being held up in respect of development opportunities and infrastructure connections on both the northern and southern sides of the Shoalhaven River and the main entrance into Nowra.

2. Boating in Jervis Bay

File 1451E [Index](#)

RECOMMENDED that Council make urgent representations to relevant insurance companies, with a view to having them continue insuring boats moored within Jervis Bay and also continue to lobby the State Government to inject funds in further investigations for the provision of safe boating facilities.

DETAILS

It is with real concern that I have recently been advised that the major insurance companies covering marine environments and boating appear to be exiting this marketplace and not renewing boat insurance policies. This could have a very detrimental impact in the short to medium term, in respect of boat ownership within the Jervis Bay area, particularly in Callala Bay.

3. **Entrances to Nowra / Bomaderry and Princes Highway precinct** File 46023E [Index](#)

RECOMMENDED that Council consider this in its discussions setting the 2013/14 budget.

DETAILS

One of my aims since becoming Mayor of the City has been to dedicate funds for specific works to improve the appearance of strategic locations, such as the entrances to the City generally and particularly Bomaderry/Nowra. To achieve this, Council needs to dedicate a budget vote for improvements.

4. **Congratulations to Huskisson Woollamia Forum** File 1730E [Index](#)

RECOMMENDED that the Mayor write a letter to the Huskisson Woollamia Community Voice congratulating them on the success on winning the Clean Beaches Award.

DETAILS

From the South Coast Register – Thursday, 6 December 2012

“Huskisson Beach has taken out the overall State Award for the cleanest beach in NSW as part of Sydney Waters 2012 Clean beaches awards.

Huskisson won its regional category last week and was announced the state winner at Palm Beach in Sydney this morning.

Huskisson beach demonstrated the most holistic approach to managing the environment through litter and waste management, environmental protection, community partnerships, water conservation and projects that engage local youth.

Garry Kelson and Paul Sutton from Huskisson Woolamia Community Voice say locals have put a huge amount of effort into caring for the beach, and it is very satisfying to see the work being recognised.”

5. **Performance Review - General Manager**

File 5001e [Index](#)

RECOMMENDED that

- a) **That a Committee of four Councillors, being the Mayor, Deputy Mayor and Councillors Watson and White, be appointed to undertake the Performance Review of the General Manager and report to the Senior Staff Contractual Matters Committee.**
- b) **That the delegation to the Senior Staff Contractual Matters Committee be amended to reflect recommendation (a) above.**
- c) **That Council authorise the Mayor to engage an independent facilitator to assist with the annual Performance Review of the General Manager and funds be voted for this purpose in the 2013/14 budget.**

DETAILS

Councillors recently attended a briefing provided by Mark Anderson, Local Government Solutions, on how to conduct the General Manager's Performance Review and revise the Performance Agreement. His recommended model was to have a small Committee of Council appointed to undertake the review and report back to all Councillors.

There were also some discussions about the merits of having an independent facilitator to assist the Mayor/Council to undertake the review. I believe that Council should accept this advice and use an experienced independent person to assist. I have invited Stephen Blackadder from Blackadder Associates Pty Ltd to provide a proposal.

6. **Australia Day Celebrations – Nowra Showground**

File 4033E [Index](#)

RECOMMENDED that Council endorse the actions of the Mayor to write a thank you letter to the Nowra City Church congratulating them on their efforts on Australia Day 2013.

DETAILS

This year the Australia Day Award and Citizenship Ceremony was again incorporated in to the event which was co-ordinated by Nowra City Church on Australia Day at the Nowra Showground.

This was a very successful event and I would like to acknowledge the outstanding efforts put in by Pastor Peter Pilt and the Nowra City Church team to stage these celebrations. I have taken the liberty of writing thanks on behalf of Council.

The Nowra Show Society has also expressed its appreciation to Council's staff for their efforts to clean the pavilion and assist in setting up the pavilion for the 2013 Nowra Show.

7. **Donation Request – John Towey – Youth off the Streets Charity Bike Ride**
File 4771E [Index](#)

RECOMMENDED that Council donate \$250.00 towards the entry fee for the Youth off the Streets Charity Bike Ride

DETAILS

On 4 May 2013, John Towey will be riding in his 5th charity bike ride to raise money for homeless youth. The ride will begin in Hornsby and ends at Southport Queensland.

John is asking for a donation towards the \$1100.00 entry fee, with a goal of reaching \$1500.00

Joanna Gash
Mayor

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 26 FEBRUARY 2013

GENERAL MANAGER – COMMITTEES REPORT

DEVELOPMENT COMMITTEE – MONDAY 18 FEBRUARY 2013 (ITEMS 8 to 17)

Strategic Planning & Infrastructure

8. Heritage Estates – Zoning & Tenure Resolution Project Update File 1446E (PDR) [Index](#)

RECOMMENDED that Council:

- a) Continue to work collaboratively with the NSW and Federal Governments and the Foundation for National Parks and Wildlife to help resolve the tenure of the Heritage Estates;
 - b) Subject to discussion with and agreement from the Department of Planning & Infrastructure (DP&I) advertise Council's intent to rezone the Heritage Estates to E2 Environmental Conservation (in accordance with MIN12.544);
 - c) Write to the affected landowners to advise them of Council's intent.
9. Draft Shoalhaven Local Environmental Plan 2013 - Section 65 Certificate
File 33363E (PDR) [Index](#)

The following Councillors declared their special LEP pecuniary interests in the matter and remained in the room. (Details included in the Councillors Information Folder)

Clr Gash
Clr Watson
Clr Findley
Clr Anstiss
Clr White
Clr Kitchener
Clr Wells
Clr Baptist
Clr Tribe
Clr Robertson
Clr Guile
Clr Kearney

The General Manager declared a pecuniary interest in Item 2 - Draft Shoalhaven Local Environmental Plan 2013 - Section 65 Certificate – he owns property in the Shoalhaven (Woorin Close, Bomaderry), along with his brother (Ranch Avenue St Georges Basin) and son (Banool Circuit, Bomaderry) – zones R1 and R2 – Mr Pigg left the room.

RECOMMENDED that Council:

-
- a) Accept the conditional s65 certificate and proceed to re-exhibition of the draft SLEP 2013 on the basis that Council may formally request deferral of certain parts of the draft LEP when submitting the draft plan to the Department of Planning and Infrastructure for finalisation or may immediately undertake Planning Proposal(s) on commencement of the Draft SLEP 2013.
 - b) Consider the individual preferred options as set out the body of the report via the successive recommendations.

RECOMMENDATION 1:

RECOMMENDED that in regard to Lots 5 & 6 DP 1065111, Low Bow Point, Culburra Beach, Council:

- a) Progress to exhibition with the E2 zoning as required in the S65 certificate; and
- b) State Council's intention to pursue a planning proposal to include an additional permitted use clause in the LEP to ensure the ongoing permissibility of the golf course, should the golf course be approved.

RECOMMENDATION 2:

Conflict of Interest Declaration – Peter Adams – less than significant non pecuniary interest – Member of the Jervis Bay Yacht Club - remained in the room

RECOMMENDED that in regard to part of Lot 7300 DP 128666 and part of Lot 7007 DP 1125394, Frank Lewis Way, Woollamia, Council:

- a) Progress the draft LEP with the E1 zoning as required in the S65 certificate; and
- b) Continue discussions with NPWS, the Crown and the Jervis Bay Cruising Yacht Club to determine if this matter should progress as a separate Planning Proposal (at the proponent's cost) following the commencement of SLEP 2013.

RECOMMENDATION 3:

RECOMMENDED that in regard to Lot 24 DP 714096 Warrah Road, North Nowra, Council:

- a) Proceed to exhibition with the reduced area of R1 General Residential as required in the S65 certificate;
- b) Continue dialogue with the landowner and State Government on this matter during the exhibition period;
- c) Place on exhibition with the draft SLEP 2013 a notice stating that the zone boundaries in this location may be subject to change post exhibition; and
- d) Consider the need for a deferred zoning after the exhibition of the draft LEP and prior to the final submission of the LEP.

RECOMMENDATION 4:

RECOMMENDATION that in regard to Lot A DP 160817, 1A Riversdale Avenue, Mollymook, Council:

- a) Proceed to exhibition with a minimum lot size of 40ha as required in the S65 certificate; and
- b) Seek assurances from the DP&I that they will continue discussions with the landowner at a State level as to the future of this land including any acquisition/dedication of part of the headland for a public walkway.

RECOMMENDATION 5:

RECOMMENDED that in regard to Lot 1 DP 828093 Roseville Road, Bomaderry, Council proceed to exhibition with the split zoning of R1 General Residential and RU1 Primary Production as required in the S65 certificate.

RECOMMENDATION 6:

RECOMMENDED that in regard to Part of Lot 15 DP 1002772, Sealark Road, Callala Bay (north of Monarch Place), Council:

- a) Progress to exhibition of draft SLEP 2013 with the E3 zoning as required in the S65 certificate; and
- b) Express support for the landowner lodging a Planning Proposal (at the proponent's cost and subject to appropriate environmental studies/ strategic justification) following the commencement of SLEP 2013, should the landowner wish to pursue this matter.

RECOMMENDATION 7:

RECOMMENDED that in regard to Lot 1 DP 130825, C130 Princes Highway, Meroo Meadow, Council proceed to exhibition with the reduction in the R1 zoned area as required in the S65 certificate.

RECOMMENDATION 8:

Conflict of Interest Declaration - **Clr Gash** – significant non pecuniary interest – owner, John Bennett, is known to her and he is Chair of the Federal Electoral Council - left the room, did not take part in discussion or vote.

Conflict of Interest Declaration - **Clr Guile** – less than significant non pecuniary interest – Owner, John Bennett, is an executive member of the Liberal Party, as he is - left the room, did not take part in discussion or vote.

RECOMMENDED that in regard to Lot 19 DP 1073776, Bennett Place, Worrigea, Council:

- a) Proceed to exhibition with the E3 zone as required in the S65 certificate; and

-
- b) Express support for any landowner request (via submission on the draft SLEP 2013) to change that part of the land not identified in the Nowra Bomaderry Structure Plan as “conservation and riparian area” to RU2.

RECOMMENDATION 9:

RECOMMENDED that in regard to Lot 35 DP 805372 Little Forest Road, Little Forest, Council proceed to exhibition with the RU2 zone as required in the S65 certificate.

RECOMMENDATION 10:

RECOMMENDED that in regard to Lot 1 DP 657638 & Lot 1 DP 938241, Cavan Road, Barrengarry, Council proceed to exhibition with a 40ha minimum lot size as required in the S65 certificate.

RECOMMENDATION 11:

RECOMMENDED that in regard to Lot 1 DP 593730 & Lot 1 DP 232180, 211 & 263 Albatross Road, Nowra Hill, Council proceed to exhibition with the RU2 zone as required in the S65 certificate.

RECOMMENDATION 12:

RECOMMENDED that in regard to Lot 33 DP 791918, 780 Croobyar Road, Croobyar, Council proceed to exhibition with the 40ha minimum lot size as required in the S65 certificate.

RECOMMENDATION 13:

RECOMMENDED that in regard to Lot 2 DP 1121854, part of Lot 2 DP 1161638 & part of Lot 106 DP 755923, Inyadda Drive and Sunset Strip, Manyana, Council proceed to exhibition with the R2 and E3 zones and the inclusion of the Schedule 1 Additional permitted use clause as required in the S65 certificate.

RECOMMENDATION 14:

RECOMMENDED that in regard to 1178 Comerong Island Road, Numbaa (Numbaa Marina), Council:

- a) Proceed to exhibition without the exclusion clause as required in the S65 certificate;
- b) Continue to discuss the matter of exclusion from SEPP 50 with the Department of Planning & Infrastructure, Hon. Shelley Hancock (Member for South Coast) and Hon. Gareth Ward (State Member for Kiama), as a priority; and
- c) State Council’s intention to immediately undertake a Planning Proposal to include the exclusion clause once the LEP is commenced should this matter not be satisfactorily resolved prior to the commencement of SLEP 2013.

RECOMMENDATION 15:

RECOMMENDED that Council proceed to exhibition with the replacement Clause 7.3 Short Term accommodation as required in the S65 certificate.

RECOMMENDATION 16:

RECOMMENDED that Council proceed to exhibition with the replacement Clause 7.18 Location of sex services premises as required in the S65 certificate.

RECOMMENDATION 17:

RECOMMENDED that Council proceed to exhibition with the replacement Clause 7.19 Erection of Rural worker's dwellings as required in the S65 certificate.

RECOMMENDATION 18:

Conflict of Interest Declaration – Item 2, Recommendation 18 - **Clr Findley** – significant non pecuniary interest – Public Officer of Ulladulla Aquaculture Research and Recreation Centre which has an interest over the land – left the room, did not take part in discussion or vote.

RECOMMENDED that in regard to Lot 1 DP 1137716 Camden Street, Ulladulla, Council:

- a) Proceed to exhibition with the addition of 'aquaculture' in *Schedule 1 – Additional Permitted Uses* in the draft LEP instrument that accompanied the S65 Certificate;
- b) Consider the need to include clarifying wording in the schedule to ensure the use covers 'pond based' aquaculture and if necessary make a submission to this effect when the plan is exhibited; and
- c) Not proceed with the proposed RE1 Public Recreation zone over the subject land and retain the previously exhibited IN1 General Industrial zone as advised by the Department of Planning & Infrastructure.

RECOMMENDATION 19:

RECOMMENDED that Council proceed to exhibition with the remaining instrument changes as required by the s65 certificate.

10. Review of Public Policies related to Development Contributions File 1057E, 34468E [Index](#)

RECOMMENDED that Council readopt the following public Policies related to Development Contributions:

- a) Payment of Development Contributions and Section 64 Headworks Charges by Deferment or Instalments (under special circumstances) (POL12/15); and
- b) Voluntary Planning Agreements (POL08/417).

Development & Environmental Services

11. Council Membership on Joint Regional Planning Panel - Southern Region. File 39782E [Index](#)

Conflict of Interest Declaration - Clr Gash – less than significant non pecuniary interest – Michelle Bishop is member of the Berry Liberal Party - left the room, did not take part in discussion or vote.

Conflict of Interest Declaration - Clr Guile – less than significant non pecuniary interest – Michelle Bishop is member of the Berry Liberal Party - left the room, did not take part in discussion or vote.

RECOMMENDED that

- a) Mr Ernie Royston be appointed as a community member of the Joint Regional Planning Panel – Southern Region;
- b) Ms Michelle Bishop be nominated as an alternative member; and
- c) A daily remuneration amount of \$400/day be adopted for Council's community representative.

12. Boarding Houses Act 2012 File 14502e [Index](#)

RECOMMENDED that Council:

- a) Receive the report on the Boarding Houses Act 2012 for information;
- b) Following adoption of the Regulations a further report be submitted to Council on options for an ongoing boarding house inspection program in accordance with the Act; and
- c) Advertise proposed amendments to the adopted fees and charges to include a fee of \$300 for the initial compliance inspection of a boarding house under the Boarding Houses Act 2012.

13. Policy (POL12/326) – Contaminated Lands Policy File 1394E [Index](#)

RECOMMENDED that:

- a) Policy POL12/326 – Contaminated Lands be adopted with the amendments as detailed in the report;
- b) The decision be advertised; and
- c) The controls be incorporated into the draft Shoalhaven Development Control Plan 2009.

14. Review of Development & Environmental Services Policies - Round 1 File 33571E [Index](#)

Conflict of Interest Declaration - Clr Anstiss - pecuniary interest – owns a store which has outdoor seating/footpaths - left the room, did not take part in discussion or vote.

RECOMMENDED that Council:

a) Reaffirm the following policies;

- POL 12/111 Bed and Breakfast Guidelines
- POL 12/113 Burrill Lake Foreshore Development Guidelines / Policy
- POL 12/115 Council support for SEPP 1 Applications – Lots in DP 27575 Woolamia Road Woolamia
- POL 12/116 Crematoriums in Funeral Parlours
- POL 12/118 Flinders estate - Zincalume Roofs
- POL 12/120 Garage Sales
- POL 12/123 Operation of Markets
- POL 12/124 Parking of Caravans for Commercial or Community Activities
- POL 12/125 Impacts of Companion Animals on Native Fauna
- POL 12/127 Reflective Building Materials – Use in Coastal and Rural Areas
- POL 12/132 Support for variations of DCP 43 – Old southern Road, South Nowra
- POL 12/133 Vernons Estate – Sussex inlet
- POL 12/134 Security Grills and gates on Shopfronts and arcades in the Nowra CBD
- POL12/161 Stationary Food vans / Vehicles on Existing Operating Service Station sites
- POL 12/252 Dealing with Development Applications Lodged by Council Staff or Councillors Policy
- POL 12/306 Assessment of Council's Own Development Applications Policy
- POL 12/311 Abandoned Shopping Trolleys

b) Revoke the following policies;

- POL 05/77 Floor Heights – Sussex inlet Commercial area
- POL 12/ 228 Public Utilities – Electricity – Planning & Development

15. Development Control Plan 120 - Commercial Use of footpaths (Amendment No 1)
File 39733E, 12662E (PDR) [Index](#)
-

RECOMMENDED that:

- a) Development Control Plan 120 (DCP 120) be adopted as exhibited;
- b) The decision be advertised in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000; and
- c) The controls be incorporated into the draft Shoalhaven Development Control Plan 2009.

General Business

16. Additional Item – Terara Sands File [Index](#)
-

RECOMMENDED that a Confidential Councillor Briefing be provided on the sand extraction of Shoalhaven Sands.

RECOMMENDED that a Councillor Briefing on significant issues such as floor heights etc relating to the Local Environment Plan be held.

**POLICY AND RESOURCES COMMITTEE – TUESDAY 19 FEBRUARY 2013
(ITEMS 18 to 53)**

Strategic Planning & Infrastructure

18. 2013/2014 Rural Fire Fighting Fund Estimates File 2371e [Index](#)

RECOMMENDED that:

- a) Council notes the Shoalhaven Rural Fire Service bid for NSW Fire Fighting Fund funding of \$4,489,011 for 2013/2014, and authorises the General Manager to counter sign the bid document.
- b) An amount of \$558,208 be considered in Council's 2013/2014 Fire Contributions program draft Budget, to reflect the Shoalhaven Rural Fire Service funding budget bid.

General Manager

19. New Model Code of Conduct File 4420E [Index](#)

RECOMMENDED that:

- a) Council adopt the Division of Local Government Model Code of Conduct including the following clauses
 - Clause 15 Access to Information & Council Resources
 - Clause 16 Official Public Comment by Mayor, Chairperson & Authorised Staff
 - Clause 17 Public Comment by the Mayor & Councillors – Personal Opinion
 - Clause 18 Public Comment by the General Manager & Other Staff
- b) A Councillor briefing be held on the new Code and Procedures.

20. Southern Councils Group File 1822E, 2828E, 28939E [Index](#)

RECOMMENDED that:

- a) A Clr Briefing be scheduled on the affect of Council endorsing the Statement of Intent on Climate Change;
- b) Council continue to make representations to have the 2012/13 WASIP funds released;
- c) That Council make representations to the State Government, Federal Government and Federal Opposition to commit funds to ongoing works required on the Princes Highway, in keeping with its classification as an "A" road and Route of National Significance.

RECOMMENDED that:

- a) The Nowra CBD Action (the committee) be established pursuant to Section 355 – Local Government Act with the purpose and delegations pursuant to Section 377 – Local Government Act as follows:
 - i. Policy Matters:
 - a. Provide recommendations to Council concerning any Policy, Plan or Development Control Plan that may impact on the Nowra CBD, including the Graffiti Policy.
 - b. To provide input into the Nowra CBD Masterplan and where considered appropriate recommend changes.
 - c. Provide recommendations to Council on linking developer contributions to the identified works in the Masterplan.
 - d. To assist in the development and implementation of the Nowra CBD Masterplan.
 - ii. CBD maintenance:
 - a. Determine the maintenance priorities within the Nowra CBD and commit expenditure up to the limits determined by Council in the annual budget.
 - b. Determine how maintenance services within the Nowra CBD are delivered and managed.” However, if any decisions are made or proposed that trigger the “Workplace Change” or “Competitive tendering” clauses in the Local Government (State) Award then the committee is to liaise with Council to follow the correct procedures to implement those decisions.
 - c. To provide recommendations to Council on strategic and financial matters relating to the maintenance and improvements to assets in the Nowra CBD.
 - d. To deal with graffiti management/maintenance issues within the CBD.”
 - iii. Car parking:
 - a. To investigate private and public solutions to improving parking in the Nowra CBD and to report to council on those options.
 - iv. Membership to be amended with the deletion of council staff members otherwise remain unchanged.
 - v. Quorum to be determined by Nowra CBD Action.
- b) The General Manager (Director Finance & Corporate Services & Director City Services & Operations) report to council detailing the full maintenance budgets and works programs for the CBD area defined as:
 - i. Bounded by North St., Osborne St., Plunkett St and Princes Highway:
 - ii. The whole CBD area subject to the Business Nowra CBD rate.

-
- c) This matter be deferred pending the scheduling of a Workshop with the Nowra CBD Action to discuss a) and b) above.

Assistant General Manager

22. Review of Policy - Defence Force Training and Service Leave File 32401E [Index](#)

RECOMMENDED that Council reaffirm the Defence Force Training and Service Leave Policy without amendment.

23. Council Contribution to Shoalhaven Business Chamber for "Shoalhaven Business Awards" and "Shoalhaven on Show" File 41204E [Index](#)

RECOMMENDED that Council enter into a new Agreement with the Shoalhaven Business Chamber for the running of the "Shoalhaven Business Awards" and "Shoalhaven on Show" events for the next three (3) financial years (2013/14, 2014/15 and 2015/16) to provide an annual allocation of \$35,000.

24. Replacement of Council's Two Way Radio Network File 5845E [Index](#)

RECOMMENDED that:

- a) Council's existing analogue two way radio network be replaced with a Digital Mobile Radio (DMR) network utilising two repeaters, consistent with the Business Case document.
- b) Funding of \$725,000 for the two way radio network renewal project be considered for the 2013/14, 2014/15 and 2015/16 financial years and reflected in the Long Term Financial Plan.
- c) Leasing options be investigated and communications systems benchmarking be undertaken, and further reported to Council.

Finance & Corporate Services

25. Six Monthly Progress Report on Delivery Program & Operational Plan File 39824E [Index](#)

RECOMMENDED that the Six Monthly Report of the General Manager (Finance & Corporate Services Group) on the 2012 – 2013 Delivery Program and 2012 – 2013 Operational Plan be received for information.

26. Quarterly Budget Review as at 31st December 2012 File 2127E [Index](#)

RECOMMENDED that

- a) The December Quarterly Budget Review and vote movements outlined in the Quarterly Budget Review Statement be adopted by Council.
- b) Council does not commit to any further additional expenditure unless it is in conjunction with a quarterly budget review and a funding source can be identified.

-
27. Possible Abolition of Ward Boundaries File 3379E [Index](#)

RECOMMENDED that the report be received for information.

28. Policies - Referral to Council Policy File 27448E [Index](#)

RECOMMENDED that the Referral to Council Policy as detailed in the attachment to the report to the Policy and Resources Committee of 19 February 2013 be adopted.

29. Policy – Conflict of Interest of Staff Reporting to Council File 4063E [Index](#)

RECOMMENDED that Council adopts the Conflict of Interest Staff Reporting to Council Policy as included in the attachments to the Report to the Policy and Resources Committee meeting of 19 February 2013.

30. Review of Policy - Complaints Referral to Community Justice Centre - Administrative Policy and Procedure File 22119E [Index](#)

RECOMMENDED that the Complaints Referral to Community Justice Centre - Administrative Policy and Procedure, as attached to the report of the Policy & Reserves Committee of 19 February 2013, be adopted by Council.

31. Review of Financial Assistance Policies and Procedures File 4306E [Index](#)

RECOMMENDED that a Councillor Briefing be convened to consider the Donations Policy and the funding allocated under that policy.

32. Children's Services Reference Group - Determination of Final Membership File 46176E [Index](#)

RECOMMENDED that the community based membership of the Children's Services Reference Group include representation by the following:

- a) Noah's Ark – Mrs Bernadette Pullen & Mrs Ginger O'Brien
- b) Family Day Care – Ms Helen Waterhouse
- c) Preschools – Ms Melinda Wren, Ms Carmen Carter, Ms Kimberley Johnson, Mrs Kim Stouse-Lee, Ms Stacey Plim & Mrs Louissa Janes
- d) Care South – Ms Clare Wilson
- e) Nowra & Ulladulla Family Support – Mrs Pamela Arnold
- f) Anglicare – Mrs Michelle Wozatka
- g) Waminda – Mrs Faye Worner
- h) Early Childhood Health –
 - i) Mrs Colleen Foy, Nurse Unit Manager, Paediatrics, Shoalhaven District Hospital
 - ii) Mr Craig Ardler, CEO, South Coast Medical Services Aboriginal Corporation

-
- iii) Mrs Cindy Holmes & Mr Ted Braddick, Cullunghutti Aboriginal Child and Family Centre
 - iv) Ms Alison Grills - Jumbumma Long Day Care

33. Proposed Alcohol Free Zone - Culburra Beach CBD File 9821E [Index](#)

RECOMMENDED that:

- a) Council commence the process for the establishment of the Alcohol Free Zone for the car park servicing the Shopping centre in Prince Edward Avenue Culburra Beach between Canal Street and Fairlands Street which will be due to expire on 1 February 2017.
- b) Should no objections be received to the re-establishment of this zone, authority be given for staff to proceed with the declaration of the above area as an Alcohol Free Zones, without further reference to Council.

34. Code of Meeting Practice File 3798E [Index](#)

RECOMMENDED that

- a) Council adopt the Draft Code of Meeting Practice as placed on public exhibition with the following amendments
 - i. The Heading to Clause 4.8 be amended to clarify that the Rescission Motion process relates to Council meetings and any Core Committees when exercising their delegated authority.
 - ii. If a resolution from a Procedural Motion to recommit an item is adopted, the Chair is then required to determine whether he or she considers the matter to be of great urgency and rule accordingly, and provide a reason for that ruling. The Chair shall also rule whether it is deemed consistent with the spirit of the Code of Meeting Practice, such as, for example, to declare a conflict of interest or an item in a committee report was inadvertently overlooked and then if so deemed, allow for the recommittal of that item.
 - iii. Council note the requirements of Councillors in completing a Pecuniary Interest Form when declaring a conflict of interest to ensure that the interest is accurately recorded.
 - iv. Council vary the Code in respect to deputations to allow multiple speakers only in the event when the Committee deems that the matter is of sufficient importance to warrant a deviation from the existing Code.
 - v. When a petition containing 500 or more signatures is presented to Council that the subject matter of the petition trigger a report from the General Manager to the next Ordinary Meeting of Council.”
- b) Council determine pursuant to Section 362 (2) of the Local Government Act 1993 that the amendments are not substantial.

City Services & Operations

35. NSW Crime Prevention Grant – Non Domestic Violence Related Assault File 3519E [Index](#)

RECOMMENDED that Council:

- a) Accept the offer of \$50,000 Crime Prevention funding from the Department of the NSW Attorney General and Justice and vote the funds;
- b) Thank the NSW Attorney General and Minister for Justice, Hon Greg Smith MP.

36. Shoalhaven Family Day Care Change of Ratios 2014 File 34001E [Index](#)

Conflict of Interest Declaration - Clr Guile - pecuniary interest – his son, Oliver, is enrolled in family day care - left the room, did not take part in discussion or vote.

RECOMMENDED that Council:

- a) Lobby for an increase in funding to accommodate the reduction in ratio of under school age children a Family Day Care Educator can care for;
- b) Endorse Shoalhaven Family Day Care's involvement in a campaign against these changes;
- c) Make representations to the Commonwealth Minister for Education Participation and Childhood, Hon Kate Ellis and State Minister for Family and Community Services / Minister for Women, Hon Pru Goward through our local Federal Member and State Members.

37. Health and Fitness Facilities at Ulladulla Leisure Centre File 7830E [Index](#)

RECOMMENDED that:

- a) Council approve the proposed extension to the Ulladulla Leisure Centre Health and Fitness Facilities at a total cost of \$295,000.
- b) The funding of \$295,000 come from savings made in the 2012/13 Aquatics Operating Budget.

38. Funerary and Monument / Masonry Services Policy File 7949E [Index](#)

RECOMMENDED that Council adopt the Funerary and Monument Masonry Services Policy (POL12/301).

39. Tender - Design & Construction of Play Equipment and Softfall Removal and Replacement - Marriott Park, Nowra File46089e [Index](#)

RECOMMENDED that in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on the Tender for the Design and Construction of Play Equipment and Softfall removal and replacement at Marriott Park, Nowra.

Strategic Planning & Infrastructure

40. Roseby Park Road Repairs Update – Staging of Works File 45592e [Index](#)

RECOMMENDED that:

- a) Council donate the \$25,000 (Job number 15375) to Jerrinja Local Aboriginal Land Council that it has allocated towards the repair of the Roseby Park road network (which is located on land owned by Jerrinja Local Aboriginal Land Council known as Lot 51 DP 755971 (Por 51), Park Row, Orient Point) for urgent repair of potholes which will fund stage 1 repairs of this road network;
- b) Council transfers the donation of up to \$25,000 (Job number 15375) that it has allocated towards the Stage 1 repair of the Roseby Park road network to Jerrinja Local Aboriginal Land Council upon completion of urgent repair of potholes with a Tax Invoice from Jerrinja Local Aboriginal Land Council for the Council donation and the receipt of supporting contractor invoices as proof of costs for the works (i.e. Stage 1 road network repairs);
- c) Council detail any resolution relating to a financial allocation to 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;
- d) That a further report be submitted to Council following completion of the work to the Roseby Park road network as required by S67(4) of the NSW Local Government Act 1993; and
- e) Council staff continue to provide in-kind assistance in approaching other agencies that can contribute to repair the remaining Roseby Park road network (Stage 2 works).

41. Ulladulla Netball Court - Sport and Recreation Grant Funding File 45982 [Index](#)

RECOMMENDED that:

- a) Council accept the grant funding offer of \$25,000 from Communities NSW to upgrade the Ulladulla Sporting Complex Netball Courts, subject to the General Manager accepting the terms and conditions of the grant;
- b) Council write to The Hon. Graham Annesly, Minister for Sport and Recreation, thanking him for the funds received through the Participation and Facility Program.
- c) Any identified saving from capital expenditure budget number 82568 be allocated towards the investigation and possible delivery of two (2) additional courts at Ulladulla Sports Park.

42. Draft Plantation Point Plan of Management and Landscape Plan File 37687e [Index](#)

RECOMMENDED that:

- a) Council adopt the Plantation Point Plan of Management and Landscape Plan and that the adopted plan be placed on Council's website;
- b) Council work with the community on a prioritised action plan.

-
43. Paradise Beach Reserve Outdoor Fitness Station, Sanctuary Point – Grant offer
File 44032e & 46710E [Index](#)
-

RECOMMENDED that:

- a) Council accept the grant offer of \$25,000 from the NSW Minister for Sport and Recreation, the Hon. Graham Annesley, and vote the funds towards the provision of the outdoor fitness station at Paradise Beach Reserve, Sanctuary Point, subject to the General Manager accepting the terms and conditions of the grant; and
- b) The General Manager write to the NSW Minister for Sport and Recreation, The Hon. Graham Annesley, to thank him for this grant;
- c) Council vote the transfer of salary savings from SPIG Policy Planning job number 15222 of \$10,000 to match and accept an additional funding offer of \$10,000 from Basin Community Financial Services Limited.

44. Currumbene Creek (Parma Road) Bridge Replacement – Single Quotation Authorisation
File 45393E [Index](#)
-

RECOMMENDED that

- a) Tenders not be invited for the supply of precast concrete components for the replacement of the Currumbene Creek bridge owing to the extenuating circumstances (Section 55(3)(i) of the Local Government Act) of
 - there is only one cost-effective method of construction for the bridge
 - there is only one supplier of components for this method
 - the one supplier is reputable and its products are widely used
 - the bridge replacement needs to be ‘fast-tracked’ as it is currently closed and significantly impacting the local community
- b) A quotation be invited from Humes (Holcim Ltd) for the supply of precast concrete components for the replacement of the Currumbene Creek bridge;
- c) The General Manager (Director City Services and Operations) be authorised to accept the quotation;
- d) Funding for the purchase of the concrete components be brought forward from the 2013/14 Bridge Replacement Program and be credited to Job No 86077; and
- e) Tenders be invited, as soon as practicable, for the installation of the precast concrete components and associated works to complete the bridge and if any contract payments need to be made by 30 June 2013, then more funding be brought forward from the 2013/14 Bridge Replacement Program.

45. Proposed Special Variation 8% Rate Rise - Road and Path Projects File 46813E [Index](#)
-

RECOMMENDED that

- a) \$1,500,000 from the rate rise be allocated to the following road renewal projects
 - Currarong Road (5.6km to 6.8km from Coonemia Road) - \$624,000
-

-
- Jindy Andy Lane (0.0km to 0.7km from Comerong Is Road) - \$364,000
 - Quinns Lane (0.4km to 0.8km from Princes Highway) - \$512,000
 - Lake Conjola Entrance Road (within tourist park) - \$300,000
 - Orient Point Roadworks (amount to specified)
- b) \$500,000 from the rate rise be allocated to the following path projects
- Woollamia Road (community) path - \$200,000
 - Princes Highway (south of Canberra Cres) path - \$90,000 in lieu of using Roads to Recovery funding (Refer to Minute13.25)
 - Berry Street Nowra path – replace old concrete and asphalt sections between Emporium Lane and Worrigea Street - \$210,000

Shoalhaven Water

46. Water and Sewer Headworks Charges (Section 64 Charges) File 15513E [Index](#)

RECOMMENDED that Council consider the impact of Section 64 Charges when setting new water and sewer prices for the 2013/14 financial year.

47. Acquisition of Easement for Sewer Rising Main at Worrowing Heights File 45238E [Index](#)

RECOMMENDED that:

- a) Council resolves to acquire the Easement for Sewer Rising Main 6 wide over Lot 4 DP849262 at Worrowing Heights, as shown on copy of that plan, marked 'Attachment A'.
 - b) Council pay compensation of \$4,000 and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Wastewater Fund.
 - 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.
48. Review of Shoalhaven Water Group Policies – Round 3 File 12039E [Index](#)

RECOMMENDED that:

- a) Council rescind the following Public Policy for the reasons outlined in the report:
 - i. Section 64 Headworks Charges – Deferment Policy
- b) Council reaffirm the following Public Policies without amendment.
 - i. Pressure Sewer System Policy – Backlog Sewerage Schemes
 - ii. Water and Sewerage Headworks Charges (Section 64 Contributions) – Assistance for Small Business

Strategic Planning & Infrastructure

49. Boree Street LATM – Additional Funding Offers File 5279E, 8168E, 18998E [Index](#)

RECOMMENDED that:

- a) Council accepts the additional funding offers as follows;
 - i) \$19,370 from RMS, making its total contribution towards the project \$69,370,
 - ii) \$14,000 from Sheffield Crest Pty Limited, and
 - iii) Council authorises the expenditure of these additional funds on job number 85986 to enable completion of the Boree Street LATM works.
- b) Council allocate it's \$19,370 (to match RMS additional funding offer) from savings on job number 85749 (transfer \$19,370 to job number 85986).
- c) Council writes to RMS and Sheffield Crest thanking them for their cooperation and funding assistance towards the Ulladulla Boree Street LATM project.

50. RMS - Additional Cycleway Funding Offers File 5279E, 6664E [Index](#)

RECOMMENDED that:

- a) Council accepts the grant funding offers as follows:
 - i) \$95,000 for the shared pathway linking Ulladulla CBD to Lighthouse Sports Oval east access; from the eastern end of South Street and via Di-Dell Street, New Street, Lighthouse Sports Oval (western boundary) and Deering Street. The grant funding offer being 50% of total project costs.
 - ii) \$65,000 for the shared pathway to remove pedestrians and cyclists from River Road Shoalhaven Heads; link from existing pathway at the Shoalhaven River Entrance car park via foreshore reserve to unformed road reserve adjacent #89 River Road (for future link to McIntosh Street). The grant funding offer being 50% of total project costs.
 - iii) \$175,000 for the shared pathway on the Princes Highway Ulladulla; completes the existing missing link on western side of the Highway between Parson Street Ulladulla (southern boundary of McDonalds site) to a location approximately opposite the Ulladulla Ex-Serviceman's Club (510m north of Pitman Avenue). The grant funding offer being 100% of total project costs.
 - iv) Council fund the \$160,000 (being the 50% matching funds required associated with items a)i. & a)ii. above) as follows: \$145,000 from the 2012/13 budget allocation to job number 82570 – Nowra Showground Youth Hall, and bringing forward \$15,000 from the 2013/14 budget for job number 85362 – Cycleways Community Projects.
 - v) A further report on Nowra Showground Youth Hall be brought to the Policy and Reserves Committee.
- b) Council writes to RMS thanking it for its cooperation and funding assistance towards these additional cycleway projects, and advising that Council accepts all

three of the grant funds offered and commits to completion of these projects by the end of June 2013 as required.

General Business

51. Additional Item – Berry Parking Strategy File [Index](#)

RECOMMENDED that:

- a) in response to the initial feedback from residents of Victoria Street Berry and surrounding areas, Council develop further options for the location of parking in and around the Berry CBD:
 - i. Princess Street property purchase adjacent to the CBD
 - ii. Development of a northern parking precinct on surplus RMS land
 - iii. Other options
- b) These options be put to a community meeting that includes local residents, the Berry Alliance, Berry Chamber of Commerce and other interested parties.

52. Additional Item – Round the Bay Walk File [Index](#)

RECOMMENDED that:

- a) The first stage of the Round the Bay Walk Vincentia, undergo planning and design so that stage 1 between 322 and 324 Elizabeth Drive might be considered for construction funding by Council in the 2013/14 Management plan;
- b) Stage 2 undergo planning and design as funds become available.

53. Additional Item – Matron Porter Drive Walkway Project File [Index](#)

RECOMMENDED that:

- a) The General Manager provide a report to the Policy & Resources Committee on the current status of the Mollymook (Matron Porter Drive) Walkway project;
- b) Council staff organise a meeting community stakeholders and Councillors on-site to discuss the current status of the project including [planning options, funding and timeframes.

**SHOALHAVEN HEADS ESTUARY TASKFORCE – MONDAY 4 FEBRUARY 2013
(ITEMS 54 to 56)**

Strategic Planning & Infrastructure

54. Estuary Management and Coastal Management Program Grant Applications Report
File 3406E [Index](#)
-

RECOMMENDED that priority be given in the Shoalhaven River Entrance Process Study to a Lower Estuary Circulation Enhancement Feasibility Study.

RECOMMENDED that the General Manager prepare a report for the next meeting of the Shoalhaven Heads Estuary Taskforce relating to the:

- a) Indication of the likelihood of funding from 13/14 budget
- b) Investigations be undertaken for further potential funding to supplement funding options for the Shoalhaven Heads Estuary Taskforce project.

Shoalhaven Water

55. Report on Water Quality Sampling/Sewerage Discharge Shoalhaven Heads 2012
File 28254E [Index](#)
-

RECOMMENDED that:

- a) The Shoalhaven Heads Estuary Taskforce note the details of this report; and
- b) Council forward the results of the water quality testing of the Shoalhaven River to the Shoalhaven Heads Community Forum.

General Business

56. Additional Item – Review of Limitations within the Shoalhaven River Entrance Management Plan
File 3426E, 9825E [Index](#)
-

RECOMMENDED that:

- a) A report be prepared providing information on the feasibility of reviewing the limitations of the Shoalhaven River Entrance Plan; and
- b) A timeline be prepared to indicate how to get to a partial opening of Shoalhaven Heads as per the objectives of the Shoalhaven Heads Estuary Taskforce and be forwarded to the Shoalhaven Heads Community Focus Group.

NOWRA CBD ACTION – WEDNESDAY 6 FEBRUARY 2013 (ITEMS 57 to 67)

General Business

57. Additional Item – Functions of the Nowra CBD Action File [Index](#)
-

RECOMMENDATION 1

RECOMMENDED that within the ambit of the delegated authority of this Committee, that all matters specific to the Nowra CBD be reported through this Committee.

RECOMMENDATION 2

RECOMMENDED that a comprehensive report on financing options for ‘all day paid parking’ be presented to the next meeting.

RECOMMENDATION 3

RECOMMENDED that the General Manager provide a report on the amendments to the Workcover legislation and what implications that might have on Council’s Workcover Security Reserve.

RECOMMENDATION 4

RECOMMENDED that Council provide a report on the implications of varying the amount allocated to the Strategic Projects Reserve by 50% and allocating this for use by Nowra CBD Action Committee.

RECOMMENDATION 5

RECOMMENDED that Council provide a report on the source and possible extent of grant funding (such as RDA grants) that may be available to assist in maintaining and improving the Nowra CBD.

RECOMMENDATION 6

RECOMMENDED that Council consider allocating any amount received over budget for Council interest on investments and interest expense to the Nowra CBD Action Committee.

RECOMMENDATION 7

RECOMMENDED that Council involves Nowra CBD Action in the development of projects to be included in future s94 plans for future CBD development.

-
58. Additional Item – Stewart Place Bus Interchange File [Index](#)

RECOMMENDED that a report concerning upgrading and improvements to the Stewart Place Bus Interchange, including compliance in meeting the Disability Act and public shelter requirements and facilities, be presented to the next meeting of Nowra CBD Action.

59. Additional Item – Junction St Taxi Rank File [Index](#)

RECOMMENDED that Council request a report from the Shoalhaven Traffic Committee on a possible re-location of the Junction St Taxi Rank to:

- a) Stewart Place (in front of the Telstra Building); or
- b) Kinghorne St outside of Coles and Woolworths

60. Additional Item – Junction Court File [Index](#)

RECOMMENDED that Council expedite Stage 2 of the Junction Court project to open it to traffic.

61. Additional Item – Graham Street File [Index](#)

RECOMMENDED that the Shoalhaven Traffic Committee be asked to investigate and advise on recommended parking limitations in Graham Street, Nowra.

62. Additional Item – Future Development in the CBD File [Index](#)

RECOMMENDED that Council provide a copy of the AEC Economic report concerning development of Nowra CBD to the Nowra CBD Action for consideration.

City Services and Operations

63. Graffiti Management – Progress Report January 2013 File 1244E [Index](#)

Mark Crowther - Pecuniary Interest – Property Owner – remained in the room and abstained from voting.

RECOMMENDED that

- a) The progress report on Graffiti Management be received for information; and
- b) That Council support the trial of mural artwork on the rear of buildings at 74-88 Junction Street (Emporium Lane).

RECOMMENDED that Council:

- a) Defer introduction of the Private Property Agreement until amendments to the Graffiti Control Act 2008 by the Attorney Generals Department are tabled in Parliament mid 2013 and resolved;
- b) Endorse the responsibility of private property owners to remove graffiti from their assets and for Council to proactively assist by:
 - Offering education on the removal process to private property owners;
 - Provision of a trailer outfitted with a pressure cleaner and equipment for graffiti removal free of charge;
 - Removing graffiti using Council's qualified tradesperson at an agreed rate (fee for service);
- c) Resolve the definition of "Graffiti Management" as being "an agreed target involving appropriate action, strategies and defined response times for the prevention and removal of graffiti by infrastructure owners, local government and community".

RECOMMENDED that Nowra CBD Action

- a) Recommend to Council that based on the scope of Tender, that Council invites Tenders and also invite Council to Tender; and
- b) Receive a report on the process to achieve a tender outcome

Note by General Manager: Council will need to define what 'Scope of Tender' means, ie, Is it for all Council Maintenance Works for the CBD area (River to Douglas Street) or only part of these works or part of the area? Prior to making a decision to competitively tender services that are currently being performed by Council employees it **must** consult with the relevant union(s) which have members likely to be affected by the decision. (Clause 36 LG (State) Award).

It is therefore recommended that:

The General Manager (Director City Services & Operations and Director Finance & Corporate Services) submit a report to the next meeting of the Nowra CBD Action that provides a full schedule of works and budget currently undertaken in the CBD area (both "core" area and larger area – Shoalhaven River to Douglas Street) and that the Nowra CBD Action better define what works are recommended to be tendered.

This will then enable Council to identify those staff likely to be affected and commence discussions as required by Clause 36 LG (State) Award.

Finance and Corporate Services

66. Membership – Nowra CBD Action

File 45446E [Index](#)

Mr Nall left the room and did not partake in the discussion or vote.

RECOMMENDED that Nowra CBD Action:

- a) Accept with regret the resignation of Ms Linda Marquis as a member of the Committee;
- b) Seek a further nomination from the Shoalhaven Business Chamber;
- c) Advise Mr Stephen Nall of his ineligibility to represent the CBD Promotions Committee for the reason detailed in the report;
- d) Write to the CBD Promotions Committee requesting a fresh nomination for membership on Nowra CBD Action.
- e) Suggest that Mr Nall be considered for membership as a community member and that such membership be recommended to Council.

Note by General Manager: Mr Crowther has also resigned and nominations will be called to fill this vacancy also.

Addendum Report 1 - City Services and Operations

67. Kinghorne Street Paving Defects Update

File 40780E [Index](#)

RECOMMENDED that:

- a) A further report on the results of the trial application of modified graded sand be presented at the next meeting;
- b) A report on the contractual issues surrounding the Kinghorne Street footpath be submitted to Policy and Resources Committee.

SHOALHAVEN ARTS BOARD – WEDNESDAY 13 FEBRUARY 2013 (ITEMS 68 to 71)

City Services and Operations

68. Draft Public Art Policy File 41419E [Index](#)

RECOMMENDED that:

- a) The Draft Public Art Policy (POL12/351) be placed on public exhibition for a period of twenty eight (28) days, in accordance with the Local Government Act 1993.
- b) If no significant, adverse comment is received following the public exhibition/submission period, the draft Public Art Policy (POL12/351) is deemed to be adopted.

69. Review of Policy – Shoalhaven Arts Board Guidelines File 2123E [Index](#)

RECOMMENDED that Council reaffirm the Shoalhaven Arts Board Guidelines Policy – POL12/310 with the following amendments and additions:

Number	Current	Amendment/Addition
2.1.5	'At the end of 2 consecutive terms the member can reapply through the community application process'	'At the end of each 2 year term, the member may reapply'.
2.8.4.13	Support the establishment or development of Arts spaces in the city and to optimise the practical use of existing facilities	Support the establish and development of Arts spaces and museums in the City and to optimise the practical use of existing facilities.
2.8.7	New	Support the development and scope of the Regional Gallery/Arts Centre
2.9.4	New	The Arts Centre/Regional Art Gallery provide a quarterly report to the Shoalhaven Arts Board

70. Artworks on Loan - Related Conservation Costs File 18106E [Index](#)

RECOMMENDED that the General Manager (City Services & Operations) develop and receive a report at the next meeting of the Shoalhaven Arts Board on the Art Collection Policy and Loan Agreements.

71. Donation of Artworks - Acquisition File 2123E & 18106E [Index](#)

RECOMMENDED that the Shoalhaven Arts Board consider the recommendations of the Art Acquisition Sub-Committee as detailed below:

- a) Artworks on Loan:

-
- i) The loan of *"Farmyard Scene with Goats and Cows"* by William Robinson, owned by Mr Peter J Ross:
 - 1) Be accepted into the Shoalhaven City Council Regional Collection until the agreed expiration date of 1 October 2015
 - 2) The existing Loan Agreement is to be reviewed prior to the expiration date under the Ross Agreement
 - ii) The loan of *"Bird Poachers and White Cockatoo"* by Arthur Boyd, owned by Mr & Mrs R & K Moyes:
 - 1) Be accepted into the Shoalhaven City Council Regional Collection until the agreed expiration date of 1 October 2015
 - 2) The existing Loan Agreement is to be reviewed prior to the expiration date under the Moyes Agreement
 - iii) The loan of *"Liz Ann McGregor"* by Adam Cullen owned by Mr John Wells:
 - 1) Be accepted into the Shoalhaven City Council Regional Collection until the agreed expiration date of 1 December 2015
 - 2) The existing Loan Agreement is to be reviewed prior to the expiration date under the Wells Agreement
 - b) Donation of Artworks to Shoalhaven City Council under the Cultural Gifts Program:
 - i) Jim Birkett's *"Red Buttress"* be accepted into the Regional Collection if approved under the Cultural Gifts Program.
 - ii) Jasper Knight's *"Pick up Sticks IV"* be accepted into the Regional Collection if approved under the Cultural Gifts Program.
 - c) Outright donation of a series of artworks by Michael Ambriano be rejected and not included in the collection as the works do not meet policy guidelines nor the direction of the Regional and City Collections.

**COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 18 FEBRUARY 2013
(ITEMS 72 to 78)**

Strategic Planning and Infrastructure

72. Offer of Donation of Land, Lot 1 DP 614607, East Crescent Culburra File 46689E [Index](#)

RECOMMENDED that Council resolve to:

- a) Accept the offer made by the Foundation for National Parks to donate Lot 1 DP 614607 to Council.
- b) The General Manager be authorised to finalise the terms and conditions of the donation to Council of Lot 1 DP 614607.
- c) The Common Seal of the Council of the City of Shoalhaven is affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.
- d) The General Manager write to the Foundation and the donor to express its appreciation for the donation of Lot 1 DP 614607 to Council
- e) To classify Lot 1 DP 614607 as Community Land pursuant to Section 34 of the Local Government Act 1993 following acquisition.

73. Progress Report & Consideration for Funding – 124-126 Jacobs Drive Sussex Inlet
File 46484E [Index](#)

RECOMMENDED that:

- a) Council receive the report for information and Council staff prepare and submit a DA for the proposed use of the building; and
- b) That Council consider funding of \$35,000 in the 13/14 budget to carry out necessary works to make the building safe for occupancy.
- c) Staff further investigate how zoning matters can be resolved to allow the proposed uses.

74. Acquisition of Land for Road Widening at Pyree. File 45815e [Index](#)

RECOMMENDED that:

- a) Council resolve to acquire for road widening that part of Lot 1 DP916477 as shown on the attached copy of the draft plan of acquisition (Attachment A).
- b) Council pay the following compensation under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 for the acquisition as per the table

AFFECTED LOT	ACQUISITION AREA	COMPENSATION
Lot 1 DP916477	7560 sq.m.	\$40,000 (+ GST If applicable)

-
- c) Council pay the reasonable legal costs incurred by the land owner pursuant to the terms of the Land Acquisition (Just Terms Compensation) Act 1991.
 - 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) Following acquisition, the acquired land be dedicated as Public Road pursuant to Section 10 of the Roads Act 1993.

75. Proposed Licence of the Sports Clubhouse Erected on Part Lot 2 DP 1137716 to AFL Ulladulla File 42117E [Index](#)

RECOMMENDED that:

- a) Council concur to offering a licence to AFL Ulladulla for that part of Lot 2 DP 1137716 whereupon the clubhouse has been erected, for a term of ten years at a commencing licence fee of \$434.00 p.a. plus GST
- b) The General Manager be delegated authority to endorse any terms of the Licence that may not yet settled; 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 this resolution.

76. Classification of Land - Lot 20 DP 1173031 Kangaroo Valley File 43131E [Index](#)

RECOMMENDED that Council resolve to classify Lot 20 DP 1173031 Moss Vale Rd Kangaroo Valley as operational land in accordance with section 31 (2) of the Local Government Act, 1993.

77. Council Lease of Shop at 84 Princes Highway, Ulladulla File 46792E [Index](#)

RECOMMENDED that:

- a) Council lease the 32.2sqm shop at part Lot 1 DP 531711 known as 84 Princes Highway Ulladulla for a term of 1 year with an option for a further 1 year at a rent of \$19,800p.a. plus GST and pay 50% of the outgoings (estimated at \$2,200) in advance, on account of the short lease term; and
- b) 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.

Assistant General Manager

78. Additional Item – Major Recreational Facility - Yerriyong File 42554E [Index](#)

RECOMMENDED that in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council move into confidential session to consider two reports on this matter.

R.D Pigg
GENERAL MANAGER

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 12 FEBRUARY 2013

ORDINARY MEETING

TUESDAY, 26 FEBRUARY 2013

REPORT OF THE CONVENOR

ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY

79. Intersection Priority - Warren Ave / Sutherland Dr, North Nowra (PN 2611) File 1706E [Index](#)

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of a Give Way Sign and associated Hold (TB) line marking for northbound motorists on Warren Avenue at its intersection with Sutherland Drive, North Nowra, as detailed in the attached plan TRAF 2013/06.

80. Proposed Children's Crossing - Greenwell Point Road, Greenwell Point (PN 2884)
File 18370E, 2624E [Index](#)

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for:

- a) The removal of the existing pedestrian facility on Greenwell Point Road, adjacent Greenwell Point Public School, and
- b) The installation of a raised threshold incorporating a school Children's crossing with associated signage and line marking on Greenwell Point Road, adjacent Greenwell Point Public School as detailed in the plan TRAF 2013/08.

81. Double Barrier (BB) Centre Line marking - Larmer Ave, Sanctuary Point (PN 2930)
File 1709E, 46218E [Index](#)

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of Double Barrier (BB) centre line marking on Larmer Avenue, Sanctuary Point from the roundabout at its intersection with The Wool Road to the bridge at Cockrow Creek (a distance of approximately 480m) as detailed in the attached plan TRAF 2013/07.

82. Signs and Lines Plan - Proposed Woolworths Service Station, Princes Highway, Bomaderry. Owner: Fabcot Pty Ltd Applicant: Woolworths Ltd (PN 2932) File DA10/1530 [Index](#)

RECOMMENDED that the General Manager (Director Development Services) be advised that the Shoalhaven Traffic Committee has no objections to the proposed signs and lines (as detailed in plan N102-PC005 Rev 05 dated Feb 2012) in relation to the proposed service station to be developed at 272 Princes Highway, Bomaderry.

-
83. Centre linemarking and RRPMs - Kangaroo Valley Road - Blackspot Project (PN 2929)
File 28099E, 1664E [Index](#)
-

RECOMMENDED that in regard to the possible installation of Edge and Centre Double Barrier (BB) linemarking on Kangaroo Valley Road, (between Bundewallah Road, Berry and Wattamolla Road, Berry Mountain, a distance of approximately 12.378km), the matter be deferred to the next meeting of the Shoalhaven Traffic Committee to allow for further investigations.

84. LATM stage 2 - Boree Street, Ulladulla (PN 2920) File 45794E [Index](#)

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objections to the signs, lines, traffic calming facilities and pedestrian crossing (as detailed in TRAF 2013/09) being installed in Boree Street, Ulladulla.

General Business

85. Additional Item - Accessible Car Parking Space - Curtis Reserve Shoalhaven Heads (PN 2927)
File 2358E [Index](#)
-

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has not objections to the installation of a disabled parking space on Celia Place, Shoalhaven Heads, as detailed in TRAF 2013/10.

Martin Upitis
CONVENOR

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 12 FEBRUARY, 2013

INFORMATION REPORT

ORDINARY MEETING

TUESDAY 26 FEBRUARY, 2013

REPORT OF THE CONVENOR

86. Items not requiring approval under delegated authority File 1491E [Index](#)

Purpose

To advise Council of items resolved by the Shoalhaven Traffic Committee at the meeting held Tuesday 12 February, 2013.

RECOMMENDED that the Information report of the Shoalhaven Traffic Committee be received for information.

Item

- **Temporary Road Closures for ANZAC Day Services and Marches (PN 2776)
File 8601E**

RESOLVED that the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objection to the following temporary road closures to enable ANZAC Day marches and commemorative services to be held on Thursday, 25 April 2013:

Berry – Assemble in Queen Street adjacent to Apex Park at 10.20am. The march will move off at 10.30am via Queen and Alexandra Streets to War Memorial Gardens for the one (1) hour service.

Bomaderry – Dawn Service in Walsh Memorial Park, Meroo Street commencing at 5.45am

Memorial Service – Assemble in Bunberra Street adjacent to Bomaderry RSL Club at 9.00am and march to Walsh Memorial Park in Meroo Street at 9.15am via Bunberra and Meroo Streets for service at 9.30am.

Callala Beach – A Memorial Service will be held at the Cenotaph in the grounds of the Callala RSL Country Club commencing at 10.00am.

Culburra – Assemble in Culburra Bowling and Recreation Club car park at 11.30am. March to the War Memorial adjacent to the Culburra Community Centre at 11.45am via West Crescent and Culburra Road for service at 12noon.

Greenwell Point – Dawn Service – Assemble at Greenwell Point Memorial Hall at 5.10am and march to ANZAC Park via Greenwell Point Road for service commencing at 5.30am.

Huskisson – Assemble in Hawke Street adjacent to White Sands Park at 10.15am. The march will move off at 10.30am via Hawke, Owen and Currambene Streets to Voyager Park for service commencing at 11.00am.

Kangaroo Valley – Assemble at the Showground at 9.45am for march to commence at 10.00am travelling along Moss Vale Road to Cenotaph for service, returning along same route for dispersal at the Showground at approx 11.00am.

Milton Assemble at the intersection of the Princes Highway and Church Street at 10.20am for march to commence at 10.30am along the Princes Highway to Milton Cenotaph for service expected to be completed by 11.00am.

Nowra – Assemble at 10.00am in Junction Street between Berry and Osborne Streets, form up at 10.30am and march to Memorial Gates at Nowra Showground for a one (1) hour service after which the assembly will march along Junction Street to Shoalhaven Street where the parade will be dispersed.

Shoalhaven Heads – Assemble at 5.30am adjacent to the Centre Shops in Shoalhaven Heads Road with march to commence at 5.45am to the Shoalhaven Heads Memorial Park via Shoalhaven Heads Road for the service.

St Georges Basin – Memorial Service – Assemble in the Lions Memorial Park on Island Point Road, (opposite the hardware store) at 10.50am. The Memorial service commences at 11.00am.

Sussex Inlet – Assemble in Jacobs Drive adjacent to the RSL Sub Branch Hall at the intersection of Nielson Road at 9.45am for march commencing at 10.00am to the Sussex Inlet Cenotaph at the RSL Club for the service.

Martin Upitis
CONVENOR/CHAIRMAN

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 26 FEBRUARY 2013

ASSISTANT GENERAL MANAGER

87. Draft Community Strategic Plan - Shoalhaven 2023 for Consultation File 45756E [Index](#)

PURPOSE: Delivery Program Activity: 4.4.1.3

To consider endorsement of the Draft Community Strategic Plan (CSP) – Shoalhaven 2023 for further consultation with the community.

RECOMMENDED that:

- a) **Council endorse the Draft Community Strategic Plan (CSP) – Shoalhaven 2023 for the purposes of community engagement.**
- b) **Staff proceed with community engagement on the Draft CSP – Shoalhaven 2023 in accordance with the adopted CSP Review Engagement Strategy.**
- c) **The Engagement Phase 1 Report and Directions Paper from to the CSP Review be publicly released as part of the engagement process.**

OPTIONS

1. Endorse the Draft CSP together with the related documents for consultation with the community. Recommended Option
2. As per Option 1, with amendments to the Draft CSP and/or the Directions Paper as determined by Council.
3. Not endorse the revised CSP and ask staff to reconsider the content and/or format. Not recommended. Major revision and reconsideration of the Draft CSP will delay its completion and Council's ability to develop a Delivery Program and Operational Plan for 2013/14 that is aligned to the new CSP.

DETAILS

The Division of Local Government (DLG) Integrated Planning and Reporting Guidelines require that Council complete a review of its Community Strategic Plan (CSP) by 30 June 2013. In summary:

1.9 The Community Strategic Plan must be reviewed every four years. From 2012, each newly elected council must complete the review by 30 June in the year following the local government elections and roll the planning period forward by at least 4 years so that it is always a 10 year minimum plan.

1.11 The review must include the following:

- A report from the outgoing council on the implementation and effectiveness of the Community Strategic Plan in achieving its social, environmental, economic and civic leadership objectives over the past four years*
- A review of the information that informed the original Community Strategic Plan*
- A Community Engagement Strategy, as prescribed by the Local Government Act and Essential Element 1.5.*

CSP Review

Council in September 2012 adopted the Project Scope and Engagement Strategy for the CSP Review. The Project is resourced essentially by a Project Team of non-seconded staff and the IPR Officer, and its timeframe is intended to allow adoption of the revised CSP early in 2013 so that it can influence the 2013-17 Delivery Program.

- # Significant review, engagement, analysis and drafting have been undertaken since October 2012, and the process to date is summarised in the attached Phase 1 Engagement Report. Key strategic issues and directions drawn from the engagement process together with Councillor feedback is outlined in the attached Directions Paper.

Draft CSP – Shoalhaven 2023

- # The Draft CSP 2023 has been developed using the community engagement and Directions Paper inputs and also reflects the feedback of Council's appointed Reference Panel (Mayor Gash and Crs Wells, Baptist and Findley).

While the Vision and Mission remain unchanged, the structure of the new CSP is based on five Key Result Areas - People, Place, Prosperity, Leadership and Sustainable Services and Programs. Other notable changes include:

- the Core Principles are expanded to include financial sustainability and customer service;
- the number of Objectives remain at 19 (with limited change, removals and additions)
- the number of Strategies reduced to 58 (down from 79);
- Strategies are aligned collectively (no longer individually) to the Objectives for each Key Result Area;
- approximately 60% of previous CSP 2020 Strategies are retained with the remainder being new or significantly different;
- the measures (indicators) framework is retained, subject to future review, with some additional indicators included at the KRA level.

An important but possibly subtle change to the draft CSP 2023 is the focus of the Plan on 'more strategic purpose', concerned with tactical and city-growth initiatives, with day to

day operational functions reflected only at high level and detailed further in Appendix 1. The People, Place, Prosperity and Leadership KRAs are now entirely focused on tactical and city-growth Strategies while the Sustainable Services and Programs KRA addresses Council's on-going service and asset renewal and creation programs.

Service Profiles taken from Council's business performance tool 'Interplan' are included in the Draft CSP as Appendix 1 to ensure that Council's commitment to continuity of services and works is maintained.

FINANCIAL IMPLICATIONS:

The CSP Review has incurred limited direct costs to date (approximately \$6,500), plus the cost of staff time estimated to be in excess of 500 hours to date.

Council's rate variation proposal, closely linked to future financial sustainability and services and works delivery capacity, requires the early adoption of the revised CSP, to which the 2013/17 Delivery Program and 2013/14 Operational Plan will be aligned. Adoption of the Draft CSP 2023 and further community engagement will provide the basis for business planning towards the new Delivery Program and Operational Plan that reflects the current Council's priorities.

COMMUNITY ENGAGEMENT:

A significant community engagement program has been integral to the CSP Review, within the time and resource constraints for the project, and this will continue in line with the adopted CSP Review Community Engagement Strategy.

The next consultation phase, during March 2013, will involve a range of activities including media releases, Mayoral radio spots, emails to CCBs and State Government Agencies, website publication, social media and a number of 'drop-in' days for the community to speak with Council officers about the Draft CSP.

R.T. Donaldson
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 26 FEBRUARY 2013

FINANCE AND CORPORATE SERVICES

88. Record of Investments - January 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 January 2013 be received for information.

OPTIONS

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

DETAILS

Council's overall investment performance resulted in a weighted average return of 4.44% (annualised), 139 basis points above the average 90 day Bank Bill Rate of 3.05% (as supplied by CBA).

The Managed Fund Portfolio returned an average 3.76% over the last twelve months while Council's direct investment portfolio posted a weighted average of 4.48%, 143 basis points above the benchmark. The Managed Fund Portfolio returns have decreased due to the poor performance of some of the investments which have been directly affected by the downturn in the US & European markets.

Interest earned on Council's investment portfolio for this financial year to January 2013 was \$3,074,352 compared with \$3,540,118 for the same period last year. The decrease in interest on investments is due to the Council's overall weighted average return decreasing by 119 basis points over the last 12 months.

The Portfolio Valuation Report provided by ANZ for 31 January 2013 states that:

The RBA left the official cash rate unchanged at 3.00% at its January meeting. While the 3 month BBSW rate closed the month at 2.95%, a decrease of 0.12% for the month.

The Australian equity market gained 4.9% during the month with the S&P ASX 200 closing at 4,878.80. The Australian dollar gained slightly in January, buying 1.0425 USD at month end.

RECORD OF INVESTMENTS as at 31st January 2013

Total Cash And Investments

Total Cash	2,687,649
Total Investments	99,778,261
	<u>102,465,909</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	717,148
North Nowra Link Road	794,277
Other Internal Reserves	7,902,449
Section 94	22,258,451
Section 94 Matching Funds	1,692,290
Strategic Projects General	819,140
Trust	90,145
Waste Disposal	7,269,121
Sewer Compensation	6,568
Sewer Construction Works	4,910,159
Section 64 Water	8,841,583
Water Construction Works	23,035,016
Total Restricted	89,287,291

Unrestricted Cash And Investments

General	11,178,618
Water	1,000,000
Waste Water	1,000,000
Total Unrestricted	13,178,618

SHOALHAVEN CITY COUNCIL
STATEMENT OF INVESTMENTS
31 January 2013

DIRECT INVESTMENTS:								
Institution	Rating	Inv Type	Principal	Terms	Interest Rate	Maturity (1st)	Final Maturity	
ANZ	A1+	FRN	\$2,000,000.00	90	4.36%	22-Apr-13	22-Apr-13	
ANZ	A1+	TD	\$2,000,000.00	105	4.48%	24-Apr-13		
Bank of Qld	A2	TD	\$1,000,000.00	119	4.70%	07-Feb-13		
Bank of Qld	A2	TD	\$2,000,000.00	105	4.70%	21-Feb-13		
Bank of Qld	A2	TD	\$1,000,000.00	91	4.50%	11-Apr-13		
Bank of Qld	A2	TD	\$2,000,000.00	98	4.30%	02-May-13		
Bank of Qld	A2	TD	\$1,000,000.00	119	4.50%	15-May-13		
Bank of Qld	A2	TD	\$2,000,000.00	119	4.50%	16-May-13		
Bendigo Bank	A2	TD	\$2,000,000.00	91	4.55%	28-Feb-13		
Bendigo Bank	A2	TD	\$1,000,000.00	91	4.70%	14-Mar-13		
Bendigo Bank	A2	TD	\$2,000,000.00	83	4.35%	17-Apr-13		
Bendigo Bank	A2	TD	\$1,000,000.00	98	4.35%	01-May-13		
Bendigo Bank	A2	TD	\$2,000,000.00	184	4.60%	05-Jun-13		
Bendigo Bank (Nowra)	A2	TD	\$1,000,000.00	91	4.50%	03-Apr-13		
Community CPS Australia	NR	TD	\$1,000,000.00	94	4.50%	07-Mar-13		
Heritage Bank	A3	TD	\$2,000,000.00	91	4.50%	04-Apr-13		
Heritage Bank	A3	TD	\$2,000,000.00	111	4.50%	24-Apr-13		
Heritage Bank	A3	TD	\$2,000,000.00	105	4.50%	24-Apr-13		
Illawarra Mutual Building Society	A2	TD	\$2,000,000.00	104	4.50%	28-Feb-13		
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	91	4.58%	14-Feb-13		
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	175	4.68%	24-Apr-13		
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	182	4.75%	13-Jun-13		
Intech Credit Union	NR	TD	\$1,000,000.00	97	4.60%	27-Mar-13		
Members Equity Bank	A2	TD	\$2,000,000.00	105	4.70%	21-Feb-13		
Members Equity Bank	A2	TD	\$1,000,000.00	98	4.60%	27-Feb-13		
Members Equity Bank	A2	TD	\$1,000,000.00	104	4.60%	06-Mar-13		
Members Equity Bank	A2	TD	\$2,000,000.00	105	4.55%	14-Mar-13		
Members Equity Bank	A2	TD	\$2,000,000.00	105	4.66%	21-Mar-13		
Members Equity Bank	A2	TD	\$2,000,000.00	84	4.35%	18-Apr-13		
National Australia Bank	A1+	TD	\$1,000,000.00	105	4.52%	06-Feb-13		
National Australia Bank	A1+	CRD	\$5,000,000.00	31	4.70%	08-Feb-13	08-Apr-14	
National Australia Bank	A1+	TD	\$1,000,000.00	105	4.52%	13-Feb-13		
National Australia Bank	A1+	TD	\$2,000,000.00	105	4.52%	14-Feb-13		
National Australia Bank	A1+	TD	\$2,000,000.00	112	4.53%	21-Feb-13		
National Australia Bank	A1+	TD	\$2,000,000.00	98	4.60%	07-Mar-13		
National Australia Bank	A1+	TD	\$2,000,000.00	111	4.62%	21-Mar-13		
National Australia Bank	A1+	TD	\$4,000,000.00	97	4.43%	28-Mar-13		
National Australia Bank	A1+	TD	\$3,000,000.00	76	4.40%	10-Apr-13		
National Australia Bank	A1+	TD	\$2,000,000.00	98	4.37%	08-May-13		
National Australia Bank	A1+	MATD	\$90,144.80	365	5.03%	30-Jun-13		
Newcastle Permanent Building Society	A2	TD	\$2,000,000.00	92	4.40%	14-Mar-13		
NSW Treasury Corp	A1+	TD	\$3,300,000.00	182	3.10%	04-Apr-13		
Police Credit Union Ltd (SA)	NR	TD	\$1,000,000.00	92	4.63%	14-Feb-13		
Rural Bank	A2	TD	\$2,000,000.00	92	4.68%	28-Feb-13		
Suncorp Metway Ltd Bank	A1	TD	\$1,000,000.00	105	4.50%	20-Feb-13		
Suncorp Metway Ltd Bank	A1	TD	\$2,000,000.00	91	4.60%	21-Feb-13		
Westpac Bank	A1+	TD	\$4,000,000.00	105	4.50%	07-Feb-13		
Westpac Bank	A1+	TD	\$2,000,000.00	92	4.59%	28-Feb-13		
Westpac Bank	A1+	TD	\$2,000,000.00	103	4.56%	13-Mar-13		
Westpac Bank	A1+	TD	\$2,000,000.00	112	4.40%	28-Mar-13		
TOTAL DIRECT INVESTMENTS			\$93,390,144.80		4.48%			

MANAGED FUNDS	Rating	Inv Type	Carrying Value	Purchase Date	Monthly Return	Return over last 12 months
CDO Portfolio	NR	CDO	\$4,826,316.71	Various	0.17%	2.03%
Macquarie Income Plus	AAAm	MF	\$1,561,799.31	17/08/2005	0.76%	9.09%
TOTAL MANAGED FUNDS			\$6,388,116.02		0.31%	3.76%
TOTAL INVESTMENTS			\$99,778,260.82		4.44%	

<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.

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.

P.J. Dun
DIRECTOR FINANCE AND CORPORATE SERVICES

R.D Pigg
GENERAL MANAGER

NOTICES OF MOTION

ORDINARY MEETING

TUESDAY, 26 FEBRUARY, 2013

89. Edith Tynam Reserve Car Park – Ulladulla Precinct

File 30088E [Index](#)

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

For the Council to vote for and authorize expenditure of \$100,000 for the sealing of the car park known as Edith Tynam Reserve at Mollymook and to include the sealing of Edith Tynam Reserve in the 2013/14 budget.

Background:

Edith Tynam Reserve is situated on one of the most iconic headlands in the Ulladulla precinct. It is located on Mollymook Point, north of Ulladulla Harbor and south of Bannister Head at Mollymook Beach. To arrive at Edith Tynam Reserve one must drive through the picturesque beachside Mollymook Golf Course which offers tree lined views of the Pacific Ocean in the east and on departure, panoramic views of the distant ranges of Mt Talaterang, Mt Tianjarra and Mt Jerrawangala in the northwest.

Turning off Riversdale Ave into Burleigh Way and Edith Tynam Reserve is the only vehicle access to the Bogie Hole which has attracted generations of young families, senior citizens, tourists, day walkers, divers, fisherman and surfers. Day visitors start arriving before sunrise for an early morning dip in the crystal clear enclosed waters of the Bogie Hole and don't stop arriving till after dark when a fisherman wants to cast his line into the waters of Collers Bay.

Historically, Edith Tynam Reserve was utilized by the local indigenous people to gain easy access to a source of food and to use as a place for socialization. Today, tourists and locals flock here regularly making the car park one of the most frequently used car parks in the region. The Bogie Hole, Golf Course, Colliers, Crystals and Kamikaze reefs are some of the most photographed family and surfing attractions in the region with many a picture finding their way into tourist and surfing magazines.

Edith Tynam Reserve includes a landscaped picnic area and a block of toilets but is the only remaining unsealed waterfront car park with direct access to the ocean in the Ulladulla precinct. Sealed car parks can be found at North and South Narrawallee, Mollymook Surf Club, Mollymook Beach, Ulladulla Lighthouse, Rennies Beach Close, South Pacific Crescent and Burrill-Lake Entrance with only Mollymook Surf Club car park rivaling Edith Tynam Reserve for use and frequency.

Sealing Edith Tynam Reserve would be of benefit not only to the local residents who use the car park all year round but also to the tourists who frequently visit the region and who are tired of having their picnic lunch covered with dust or their toddler stub their toe on

the uneven surface of the car park. It would formalize parking and prevent further erosion of the hillside where informal overflow parking occurs during excellent surfing conditions.

Edith Tynam Reserve has been identified as the next car park for attention on the Shoalhaven City Council's Coastal Car Park Sealing Strategy which has not been funded for several years. It is well and truly time for this asset to be properly completed.

Signed
Clr Kitchener

90. Mollymook Beach Cycleway

File 3241E [Index](#)

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

That Council prioritise the completion of the missing link in the Mollymook Beach cycleway.

Background

The Mollymook Beach cycleway is a great community asset. At any time of the day people can be observed, cycling, walking and jogging. It is particularly popular with mums /dads pushing prams. However the missing link which would connect people to Beach Road is missing and prams etc have to be pushed up a steep hill on a grass surface or risk walking on the road. In the past I have requested that Council use any fees that could be collected from Mr Chee's use of Crown Land and have them directed towards finishing this small length of cycleway. I request that Council prioritise this section either through the quarterly review process, reorganisation of existing pathway priorities or in the next budget period.

Signed
Clr Findley

91. Local Community Consultation on Planning Reforms

File 44089E [Index](#)

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

That Council:

- a) **Notes the potential widespread impact on our local community of the proposed planning law reform being undertaken by the NSW government.**
- b) **Calls on the O'Farrell government to ensure there is at least 6 months of public consultation on the planning reform White Paper when it is released early this year; and**
- c) **Commits to holding one or more community consultation workshops on the White Paper once it is released to:**

-
- i) Assist the community to understand the NSW Government planning reforms**
 - ii) Discuss the implications of these reforms for our Local Government Area**
 - iii) Consult with the community on how to cooperate in the new environment for the benefit of our local area**
 - iv) Gain feedback on what the Council needs to know to support their community**
 - v) Obtain resident views for the Council response to the White Paper and Draft Legislation.**

Background

Local Government is an integral part of delivering State Planning law reform. Planning and development are quite often the most contentious part of day to day operation of Council.

The NSW State Government gave a very short period of consultation on its Green paper –it also clashed heavily with Local Government Elections.

The 13 Councillors of Shoalhaven City Council have varying degrees of knowledge when it comes to NSW planning legislation which is complex and multi-faceted. In order to come to terms with the ramifications of the changes to planning that will be proposed in the White Paper the NSW Government needs to implement a consultation period that not only gives access to the community but also Councillors a sufficient period of time to understand the changes.

Should Shoalhaven City Council support this notice of motion it is envisaged that workshops supported by Council would also be attended by Councillors so that Councillors can experience and understand the views of the community while broadening their own understanding of the White Paper changes.

The White Paper is due for release in February.

Signed
Clr Findley
Clr Baptist

Note by General Manager: Part (c) commits Council resources to a community engagement process for input into a Council submission on the White Paper. Potentially there will be a wide range of anticipated conflicting views which will need careful management, to gauge what truly represents the view of a majority of citizens.

Council would normally have staff assess and report on implications of the White Paper without this step. Community members are likely to be able to also make direct submissions to the Government. If community engagement is supported, then the Department of Planning should be the lead agency in presenting to the community and Council should make that request.

92. **Thompson Street Sporting Complex**

File 1233E [Index](#)

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

That Council advance an amount of \$17,000 from the 2013/14 – Advances to Community Groups budget allocation to the Thompson Street Sporting Complex Management Committee for the resurfacing of the tennis courts at the Thompson Street Sporting Complex.

Background

The tennis courts at Thompson Street Sporting Complex need to be resurfaced as they are reaching the end of their useful life. The Thompson Street Sporting Complex Management Committee are prepared to enter into a loan agreement with Council to have the funds required to undertake the works advanced to them, and have the amount repaid interest free over a period of 7 years at \$2,428 per year.

The Thompson Street Sporting Complex Management Committee have previously received advance from Council to carry out works at the complex and have been very good in repaying these advances on time.

Signed
Clr Watson

93. **Manyana-Bendalong Community Pathway Project**

File 43860E [Index](#)

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

In considering Councils 13/14 Budget Council prioritise funding of a foot bridge for the Manyana-Bendalong community pathway project.

Background

The Manyana- Bendalong community have been successful in applying to Council for funding for a community constructed pathway connecting the two villages.

The route chosen by the community traverse's through bushland rather than the main road. There is a small intermittently open and closed creek that requires an all-weather crossing. At present this bridge is unfunded and this is undermining the communities ability to get on with the project.

The completed pathway will be a great community and tourist asset that provides safe access to the local shops without having to traverse the busy connecting road of Inyadda Drive.

This proposal meets the objectives of the community strategic plan and the desires of the community.

Signed
Clr Findley

Note by General Manager: Preliminary investigation have already been commenced for a footbridge, including environmental and heritage assessments. Although this is a community pathway project, the foot bridge is essential to allow the community to work on path approaches to the bridge. A nominal budget allocation of \$20,000 has already been made in 2012/13 and this could be matched in 2013/14 to allow project completion.

94. Pedestrian Access – Lemon Tree Creek, River Road, Tabourie **File 2693E** [Index](#)

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

In considering the 2013/14 budget Council prioritise funding for pedestrian access across Lemon Tree Creek, River Road, Tabourie.

Background

The community of Tabourie have been concerned about the safety of residents including children trying to cross the bridge at Tabourie village. The bridge doesn't have dedicated pedestrian access, River Road is unmarked and is the busy main through road for all of Tabouries residents and visitors alike.

The community seeks to have pedestrian access across the bridge and would prefer an independent bridge. Council may be able to resolve this pedestrian conflict in a more lateral manner, but a foot bridge could be the preferred option. This motion seeks to bring forward this project for the residents of Tabourie as they have made requests on this issue for many years.

Signed
Clr Findley

Note by General Manager: The existing bridge on Centre Street has a footpath on its southern side and is the only access point for pedestrians to cross Lemon Tree Creek in Lake Tabourie.

Pedestrians in the Lyra Drive precinct would save about ten minutes in walking time to get to the beach if the proposed footbridge was constructed.

The estimated cost to construct a 20m single-span footbridge is about \$150,000 with on-going average annual costs of about \$4,000.

The provision of a new footbridge has not been previously listed in any strategy or asset management plan but Council had supported the concept of the footbridge and resolved at its meeting on 29 November 2011 that:

“Council consider the construction of a footbridge over Lemontree Creek from River Road Reserve to Beach Street at Lake Tabourie in its budget planning for 2012/13. The funding to be sourced from grants and/or from council’s Capital Works budget allocation”

Council chose not to fund the footbridge in the 2012/13 financial year.

95. Aims & Objectives for Draft Local Environment Plan 2009

File 33363E [Index](#)

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

That Council reinstates the exhibited Aims of Plan for the Draft Local Environment Plan 2009 with minor reordering and rewording as per Option 2 in the business paper of 19 March 2012.

The aims being as follows:

1.2 Aims of Plan [compulsory]

- (1) This Plan aims to make local environmental planning provisions for land in Shoalhaven in accordance with the relevant standard environmental planning instrument under section 33A of the Act.**
- (2) The particular aims of this Plan are as follows:**
 - (a) allow for ecologically sustainable development through the proper management, development, protection, restoration, enhancement and conservation of the environment, consistent with the principles of Ecologically Sustainable Development and taking into account the impacts of climate change and sea level rise, and**
 - (b) to conserve and maintain and improve biodiversity and ecosystems function, and**
 - (c) to consider and plan for the potential effects of natural hazards on development and infrastructure, and**
 - (d) to facilitate economic and business development to increase employment opportunities by providing sufficient employment lands in the City and a mix of business and industrial zones; and**
 - (e) to protect scenic and landscape qualities, places of cultural and heritage value, and the amenity and character of settlements, and coastal and rural areas, and**
 - (f) to safeguard the role and efficiency of the main road system of the region, particularly by recognising the importance of primary arterial roads; and**
 - (g) to ensure the consideration and protection of social wellbeing and community through responsible development, and**
 - (h) to maintain the agricultural use of prime crop and pasture land by minimising development which has an adverse and irreversible impact on the land’s agricultural potential, and**
 - (i) to protect and enhance watercourses, riparian habitats, groundwater, surface water, wetlands and water quality within the hydrological catchment so as to enable the achievement of the water quality objectives, and**

-
- (j) to ensure an appropriate mix of land uses that provides for housing choice and that enables easy access to employment and commercial, recreational, open space and community facilities.

Background

Link to the referred business paper.

http://slep2009.shoalhaven.nsw.gov.au/sites/slep2009.shoalhaven.nsw.gov.au/files/2012_0319_sdev_19_march.pdf

In the first exhibition of the SLEP2009 Council exhibited a comprehensive set of Aims for the plan. In general terms the aims of the plan were supported by the community at large with some minor rewording and reorder of the objectives. The original aims of the plan dovetailed with Council's existing policy directions and also with the 2010 Community Strategic Plan (CSP) which focused on the sustainable development of the Shoalhaven going forward.

Council however decided to adopt a much narrower set of objectives that do not reflect the desires of the community as reflected in the (CSP) or other higher and lower order planning documents.

With the coming re-exhibition of the plan Council has the opportunity to revert to the aims of the plan that were broadly supported.

Signed
Clr Findley

Note by General Manager: Given the point the draft LEP is currently at, if Council decides to amend the "Aims of the Plan" now, this would be at odds with the current Section 65 Certificate we have received from the State Government. It could however best be achieved by resolving a position now on the ultimate "Aims of the Plan", advise this as part of the exhibition package, make a submission to our own plan and then insert the new "Aims of the Plan" into the plan at the s68 stage. This is preferable and would not require Council to obtain a new Section 65 Certificate to make the change, thus delaying the re-exhibition

96. Radio Broadcasting of Council Core Committee Meetings **File 7434E** [Index](#)

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

Council invites 2UUU ~ Shoalhaven FM Community Radio~ to broadcast Policy Resources and Reserves and Development Committees.

Background

Shoalhaven FM have intermittently over many years broadcast Councils Ordinary meetings – this is an important community service as it links people who are unable to attend to listen to the debate and decisions of Council.

This system was particularly useful when all decisions of Council were deliberated and made at the Ordinary meeting, however , with the delegation of authority and binding decisions being made in Councils committee meetings its seems appropriate to invite 2UUU to broadcast these meetings also.

Signed
Clr Findley

97. **Welcome Reef Dam Project**

File 29976E [Index](#)

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

1. **That Council provides a brief to the Coalition on what this dam would mean for our region including:**
 - **The reduction of flow rates by more than 25%**
 - **Restrictions on the Shoalhaven's capacity to extract water from the Shoalhaven with reduced flows**
 - **The risks to local businesses such as the oyster industry**
 - **The threat to native species including koalas, eastern quolls, eastern pygmy possums, powerful owls and others.**
2. **That Council seeks a commitment that this project will not be supported by a future Coalition Government.**

Background:

If reports are correct, any plans to revive the Welcome Reef Dam project could potentially put at risk our City's water security, the oyster industry as well as the overall environmental health of the Shoalhaven River.

Under the proposal, around 15,000 hectares along a 42-kilometre section of the Shoalhaven River would be flooded to contribute to Sydney's water supply. Another 6000 hectares of land that encroaches on the inundation zone is now gazetted as nature reserve although it is still possible for the dam to be built notwithstanding these zones. Welcome Reef would have the largest surface area of any NSW dam and, with a capacity of 2.7 mega litres, would hold 600 million mega litres more water than Warragamba Dam's Lake Burragorang.

My understanding is that the catchment for Welcome Reef is also in a rain shadow area. If Welcome Reef was built, the dam would take, at current inflow, more than a decade to reach its capacity of 2,680,000 megalitres. This is assuming zero evaporation and not

allowing any flow into the gorge downstream of the dam wall. The cost of the Welcome Reef dam has previously been estimated at between \$430 million and \$1 billion.

While it is perfectly reasonable for any potential government to seek to bolster the region's water supply and to provide clean hydro energy, there are many obvious reasons why Welcome Reef would have a negative impact on the Shoalhaven as described here. It is important that we seek to have it ruled out from the beginning.

Signed
Clr Guile

98. Establishment of a steering committee for the Development of an Economic Development Unit **File 16852E [Index](#)**

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

- 1. That Council resolve to form a steering committee to work with the General Manager to identify and prioritise entities and projects that provide investment and employment opportunities in the Shoalhaven.**
- 2. That membership be offered to all Councillors and the General Manager.**
- 3. That once appropriate entities or structures are in place, the General Manager bring forward a report to consider winding up the steering committee and return oversight to relevant existing committees.**

Signed
Clr Guile

Note by General Manager: On 21 November 2012 Council adopted the following resolution of the Business and Employment Development Committee.

“A future meeting of the Business & Employment Development Committee be set aside to hold workshop discussions on the issues affecting and arising from unemployment and ways in which business, Government and the not-for-profit sector can contribute to improving Shoalhaven workforce participation and employment levels.”

If Council adopts this Notice of Motion then the Economic Development Manager should be the primary officer to lead this steering committee together with actioning the previous resolution.

99. **Kangaroo Valley Road safety priorities**

File 1636E [Index](#)

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

1. **That Council receive a report on the current plans and future proposals in place to address the safety concerns on Kangaroo Valley Road between Bundewallah Road and Wattamolla Road.**
2. **That Council consider the funding of urgent improvements to safety railings along the stretches of Kangaroo Valley Road above the heights of Bundewallah at the end of the current safety fencing and for a distance of approximately 400m, from either grant funding or other sources.**

Background:

While there are currently plans and funding to address some of the safety concerns on Kangaroo Valley Road, there is no funding source or plan currently available to construct this section of railing. The traffic safety statistics are quite serious on this road with many more near misses than actual incidents. Given that the cost to the public purse of a road fatality is on average \$2,000,000 there is no financial excuse for not undertaking further works on this increasingly busy local road. This would provide a barrier to vertical drop offs of almost 250m to the Bundewallah Valley floor.

Signed
Clr Guile

100. **Report on the incidence of Code of conduct matters resolved by 'informal counselling'**

File 4420E [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 the number of Code of conduct complaints addressed in the current term of Council by the use of 'informal counselling' or associated measures.

Signed
Clr Guile

Note by General Manager: The information requested would for part of the annual report to Council on Code of Conduct complaints due to be reported to the Ordinary Meeting on 26 March 2013.

101. Shoalhaven Heads Community Forum – “Our future A strategy” File 45756E [Index](#)

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

1. **That Council adopt the Shoalhaven Heads Community Forum *Our future A strategy* documents as the first stage of a draft strategic plan for the development of the village.**
2. **That Council place the draft plan on public exhibition to engage further comment from local residents.**
3. **That Council continue to work with the forum to further develop the plan and to fund further improvements to Shoalhaven Heads consistent with the priorities identified by the community.**
4. **That Council thank Mr Steve Thompson and the members of the Shoalhaven Heads Community forum for the extensive work they have contributed to date in developing such a professional proposal.**

Signed
Clr Guile

Note by General Manager: The attached plan was submitted to Council at a meeting between Shoalhaven Heads Community Forum representatives, Council's General Manager, senior staff, Mayor and other Councillors on 8 February 2013.

Senior Council staff have met with representatives of the Forum since 8 Feb 2013, to progress the development of the Forum's Proposal. Council staff, at this meeting, were informed that the Forum was planning to undertake community consultation in April 2013, before seeking adoption of the 'strategy'. This approach was supported by staff and staff recommended that the "Our Future A Strategy" document be presented to Council following this consultation process.

102. Ison Park Soccer facilities File 3684E [Index](#)

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

1. **That the General Manager work with representatives of the Shoalhaven Soccer Football Club to develop a plan for the renewal or replacement of clubhouse, amenities, storage facilities and carparking at Ison Park.**
2. **That Council consider funding proposals for these developments from both grants and other sources in the future management plans.**

Background:

While Council has committed funding to the development of Ison Park primarily for baseball, there is also a need for the soccer facilities to receive some much needed attention. There are a committed group of volunteers who work hard to maintain these

facilities for a popular and growing sport in the Shoalhaven. It is time that we saw some improvements to their ageing facilities.

Signed
Clr Guile

Note by General Manager:

The funding for the replacement of the old amenities was included for consideration by the Special Policy, Resources and Reserves Committee on 20 June 2012. Council chose not to fund the \$650K replacement cost at that meeting.

However, the roof of the old amenities building was replaced in 2012/13 to extend its useful life. From an asset management perspective, the replacement of the whole building has not been programmed in the short- or medium-term.

Resealing of the car park is scheduled for 2012/13. No other major building renewals are planned in the short-term.

103. Controlled hunting in National Parks adjoining Shoalhaven residents File 7697E [Index](#)

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

That Council seek assurances on behalf of local residents, from the NSW Government in relation to shooting in local National Parks, as to the safety and amenity of residents whose properties border these areas.

Background:

Residents who live close by National Parks have expressed some concerns about the proposals for shooting of feral pests and the possibility for this to impact on their amenity and safety. In some areas of the Shoalhaven, this is already an issue even though shooting is not currently permitted in these areas.

Signed
Clr Guile

104. Public release of operational savings targets to assist in community consultation regarding the management plan File 43188E [Index](#)

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

That Council immediately release the target for operational savings that may be achieved for the future management plan.

Background:

It is widely known that Council is undergoing an organisational review that will result in savings in future budgets. These funds will therefore be available for other purposes into the future. In the interests of transparency with the community that they have an idea of the benefits available to Council as they consider the implications of a rate rise.

Signed
Clr Guile

Note by General Manager: The consultants engaged by Council to undertake the organisational review will present a report to Council in February 2013. The report will include a proposed "Communications Plan" to inform the staff & community of the progress and Council's decisions. As Council is aware the current Long Term Financial Plan (adopted June 2012) showed a predicted deficit of \$4.634 million for the 2013/14 year and operational savings or other budget adjustments must be found if Council is to achieve a balanced budget. The Council decision to consider seeking an above rate-pegging rate increase for 2013/14 was on the basis that the additional rates would be put towards additional works on roads renewal and provision of community paths. The backlog of road works to achieve a satisfactory condition was \$23.85 million at 30 June 2012.

CONFIDENTIAL BUSINESS PAPER AGENDA

GENERAL MANAGER – COMMITTEE REPORTS

POLICY AND RESOURCES COMMITTEE – 19 FEBRUARY 2013

1. Design & Construction of Play Equipment and Softfall Removal and Replacement Tender Marriott Park – Nowra

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.

COUNCIL PROPERTY STEERING COMMITTEE – 18 FEBRUARY 2013

2. Acquisition of Crown Land at Yerriyong - Major Recreational Facility

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. Additional Item – Major Recreational Facility - Yerriyong

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.

4. Land Swap Options - Nowra

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.

5. Property for Purchase - Bomaderry

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.

6. Council Land - Egans Lane, Nowra

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.

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

TUESDAY, 26 FEBRUARY 2013

STRATEGIC PLANNING AND INFRASTRUCTURE

1. St Georges Basin Estuary Management Plan Review File 3420E, 40881E

PURPOSE: Delivery Program Activity: 2.1.1.12

To recommend to Council to undertake an additional public exhibition of the St Georges Basin Estuary Management Plan Review.

RECOMMENDED that

- a) **The draft Final St Georges Basin Revised Estuary Management Plan 2013 be placed on public exhibition; and**
- b) **A community meeting be organised to present the draft document with a focus on the issue of siltation at Sussex Inlet.**

OPTIONS

- 1. Adopt the recommendation of this report. This will enable exhibition of the draft Final St Georges Basin Revised Estuary Management Plan to proceed.
- 2. Adopt an alternative recommendation to this report.

DETAILS

At its meeting of 26 June 2012, Council resolved in part (MIN12.702) that

- a) *The draft St Georges Basin Estuary Management Plan be further revised to protect and preserve the rights of user groups in Wandandian Creek and Tallawalla Lagoon and be placed on public exhibition;*

In accordance with this resolution, the draft St Georges Basin Estuary Management Plan was revised and placed on public exhibition from 10 October 2012 to 9 November 2012.

The document was made available for viewing at Council's Nowra and Ulladulla Administrative Offices, Libraries at Nowra, Sanctuary Point and Ulladulla, Post Offices at Erowal Bay, Sanctuary Point & Sussex Inlet and on Council's website.

The exhibition period was advertised through the local press and letters were sent to CCBs and NRFMC members to advise them of the exhibition process. In addition Council staff presented the document at the Basin Villages Forum.

Three (3) submissions were received following the exhibition period, including one from the Basin Villages Forum. These submissions raised the following key points:

- Foreshore areas need to be protected;
- The requirements of Council's Foreshore Reserve Policy should be consistent with the draft Estuary Management Plan;
- The need for a stronger focus on stormwater management;
- Dredging or entrance training are not supported; and
- The need for wider consultation

Copies of the submissions received have been included in the Councillors Information Folder.

Since the close of exhibition, Council has received strong representation from members of the community requesting that the issue of the silting up of the channel at Sussex Inlet be addressed. Requests to extend the exhibition period and hold a community forum were also received.

The purpose of this report is to recommend to undertake an additional exhibition process to address these concerns (a copy of the draft final St Georges Basin Revised Estuary Management Plan 2013 will be placed in the Councillors room). It is also proposed to hold a public meeting on Friday 22nd March at the Sussex Inlet Community Centre from 4pm to 6pm.

It is anticipated that the new exhibition period and public meeting will be advertised through the following means: local press, letters sent to persons who had written to council on these issues, letters to CCBs, NRFMC members, fishing clubs, sailing clubs, marine rescue, leaflets at key shops, post offices and libraries.

FINANCIAL IMPLICATIONS:

Navigation and boating activity is primarily managed by NSW Roads and Maritime Services and dredging activities primarily managed by Crown Lands.

Navigation dredging is not a core business of Council, however in order to facilitate discussion in regard to Sussex Inlet, Council has agreed to provide

- Survey assessments of the channel that will inform a dredging operation
- Operational details and cost estimates in consultation with Department of Lands
- Preliminary approval discussion with agencies

In addition, Council has made strong representations to relevant Ministers asking them to consider this issue as a matter of priority.

Council staff have very limited experience with this type of work and will require assistance from Crown Lands, which has been sought. Site survey has been provided to Crown Lands. Preliminary estimates of the design, environmental review and approval phase budgets (\$50,000) and the operational budget (estimated at \$500,000) are un-resourced.

Council does not currently have a Waterways Maintenance Dredging Program of our estuary system. However, there have been many previous community proposals such as:

- Ulladulla Harbour – marine development
- Currumbene Creek (Huskisson) – commercial boating access/marina development
- Shoalhaven Heads/Berrys canal – marina development
- Greenwell Point – marina development
- Lake Wollumboola – entrance management
- Lake Conjola – entrance management and boat navigation
- Swan Lake – entrance management
- Burrill Lake – entrance management
- Tabourie Lake – entrance management

Council's focus has been to maintain and strategically upgrade boat launching facilities across the City.

COMMUNITY ENGAGEMENT:

The proposed recommendation will allow for further community engagement on this issue.

P.L. Adams
DIRECTOR STRATEGIC PLANNING & INFRASTRUCTURE

R.D Pigg
GENERAL MANAGER