
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON TUESDAY 29 JANUARY 2013 COMMENCING AT 4.00 PM

The following members were present;

Clr Gash – Chairperson
Clr Robertson
Clr Kearney
Clr Baptist
Clr White
Clr Wells
Clr Anstiss
Clr Findley
Clr Guile
Clr Watson
Clr Kitchener
Clr McCrudden

The meeting was opened in Prayer by Pastor Trevor Aspin, followed by the Welcome to Country/Acknowledgement of Traditional Custodians and the playing of the Australian National Anthem.

1. Apologies/ Leave of Absence

Note: Clr Tribe has been granted a leave of absence for the Ordinary meetings for January and February 2013.

2. **Confirmation of the Minutes of the Ordinary Meeting of Council held on 14 December 2012**

MOTION: Moved: Findley / Second: Kearney

That the Minutes of the Ordinary Meeting of Council held on Friday 14 December 2012 be confirmed.

CARRIED

3. Declarations of Interest

Conflict of Interest Declaration - Clr Watson - pecuniary interest – Item 1, page 1 – Clr Watson is a property owner in the Woollamia area.

PRESENTATION OF PETITION – ORDINARY MEETING – TUESDAY, 29 JANUARY 2013

4. Petition - Water Craft Launching Facilities, Calymea Creek File 45127E

Clr Gash presented a petition containing approximately 54 signatures from the residents and land owners from the upper reaches of the Shoalhaven River requesting immediate action from Council to:

- a) Continue the process to provide a low impact, low cost, canoe/kayak launching facility at Calymea Creek on Council Reserve land;
- b) Abandon the costly investigation and study to provide a new power boat launching facility and associated carpark at Calymea Creek on reserve land until Council, in consultation with all the relevant government agencies and community stakeholders, develops a management plan that protects the environmental values of the river and ensures compatible usage by a range of recreational users.

MOTION: Moved: Baptist / Second: White

That the petition regarding water craft launching facilities at Calymea Creek be accepted.

CARRIED

MAYORAL MINUTE – TUESDAY 29 JANUARY 2013

5. The Fires over the Holiday Period File 46763E

MOTION: Moved: Findley / Second: Robertson

That Council endorse the Civic Function to thank all those involved with ‘catastrophic’ fires over the holiday period.

CARRIED

6. Australia Day – Shoalhaven Celebrations File 4033E

MOTION: Moved: Anstiss / Second: Wells

That Council receive the report for information.

CARRIED

7. **Australia Day Awards** **File 4033E**

MOTION: Moved: Anstiss / Second: Wells

That in recognition of the honours bestowed upon Commander Timothy Standen CSC, Commander Paul Moggach CSC RAN, Ian Stewart and Wendy Woodward OAM that Council endorse the actions of the Mayor to write letters of congratulations to each of the recipients.

CARRIED

8. **Crime Prevention Van** **File 3519E**

MOTION: Moved: Anstiss / Second: Wells

That an update on the Crime Prevention Van status and running costs be prepared and submitted to Council.

CARRIED

9. **Sanctuary Point Mens Shed** **File 43724E**

MOTION: Moved: Anstiss / Second: Wells

That a report to be submitted to Council for consideration.

CARRIED

10. **Tourism & Economic Opportunities** **File 46263E**

MOTION: Moved: Gash / Second: White

That all Councillors in future support a positive and collaborative approach to advance and progress the interests of our City and work as a team to resolve problems.

AMENDMENT: Moved: Watson / Second: Wells

That all Councillors be encouraged to support a positive and collaborative approach to advance and progress the interests of our City and work as a team to resolve problems.

AMENDMENT CARRIED

AMENDMENT becomes the MOTION

MOTION CARRIED

GENERAL MANAGER – COMMITTEE REPORTS

DEVELOPMENT COMMITTEE – MONDAY 21 JANUARY 2013

- 11. Draft Local Environmental Plan No LP404 – Woollamia Farmlets Rural Residential Lots, Woollamia - Planning Proposal - Post Exhibition Report**
File 43684E, 33571E (PDR)
-

Conflict of Interest Declaration - Cllr Watson - pecuniary interest – he is a property owner in the Woollamia area - left the room, did not take part in discussion or vote.

MOTION:

Moved: Guile / Second: Wells

That Council:

- a) Receive the outcomes of the exhibition of the Woollamia Farmlets Rural Residential Lots Planning Proposal as detailed in the report, for information;
- b) Adopt the following recommended changes, as detailed in the report, to the Planning Proposal:
 - i. Remove Lot 72 DP 15266 from the Planning Proposal, associated mapping and supporting material;
 - ii. Amend the Draft SLEP 2009 Zoning Map over Lots 78, 78A and 79 in accordance with the revised Zoning Map in Attachment 'D' to reflect the E2 Environmental Conservation zone over the SEPP 14 wetland.
 - iii. Amend the draft SLEP 2009 Minimum Lot Size Map over Lots 79, 78 and 78A in accordance with the revised Minimum Lot Size Map in Attachment 'D' to the report.
 - iv. Amend the Indicative Development Area mapping to accommodate increased Asset Protection Zone areas in accordance with advice from NSW Rural Fire Service and the revised map in Attachment 'E' to the report;
 - v. Amend the written Planning Proposal to include comments from NSW Rural Fire Service (RFS) that advise future dwellings could be required to be built to flame zone construction in accordance with Table 2.4.2 of Australian Standard 3959-2009 – Construction of buildings in bushfire – prone areas based on proposed setbacks.
- c) Submit the revised Planning Proposal to the NSW Department of Planning and Infrastructure (DP&I) for finalisation (notification); and
- d) Include the Indicative Development Area Map (Attachment 'E') and specific requirements as detailed in the report, relating to the development of the subject land, as a section of the Area Specific chapter of the Citywide Development Control Plan.

CARRIED

FOR: Robertson, Kearney, Baptist, White, Wells, Anstiss, Findley, Guile, Kitchener, McCrudden, Gash.

AGAINST: Nil

12. Additional Item - Vagabond Music & Arts Festival, Kangaroo Valley
File DA12/2230 (PDR)

Note: Cllr Watson returned to the meeting.

MOTION:

Moved: Guile / Second: Wells

That DA 12/2230 Vagabond Music and Arts Festival in Kangaroo Valley on 25/26 of April 2013 be reported to the Development Committee for determination for the reason of public interest considerations given the interest from Kangaroo residents and particularly those who arrange the ANZAC commemoration.

CARRIED

FOR: Robertson, Kearney, Baptist, White, Wells, Anstiss, Findley, Guile, Kitchener, McCrudden, Gash.

AGAINST: Nil

POLICY & RESOURCES COMMITTEE – TUESDAY 22 JANUARY 2013

13. Adoption of Report

MOTION:

Moved: Wells / Second: Guile

That the following items of the Policy & Resources Committee be adopted

CARRIED

14. Revised Organisational Energy and Water Management Policy
File 34317E

That

- a) The revised Organisational Energy and Water Management Policy contained in the report attachments be adopted.**
- b) The community be informed of the revised Policy, in accordance with the Community Engagement Policy.**

15. Alcohol Free Zones - Culburra Beach
File 9821E

Withdrawn – See MIN13.40

16. Staff Gratuities upon Retirement Policy Review File 30099E

That Council adopt the Staff Gratuities Policy as attached to the Report to the Policy and Resources Committee meeting of 22 January 2013 noting that it shall only apply to staff who are employed by Council before 29 January 2013.

17. Review of Guidelines for Community Consultative Bodies File 1792E

Withdrawn – See MIN13.41

18. Council Members - Payment of Expenses and Provision of Facilities Policy File 5141E

That

- a) Council adopt the Council Members – Payment of Expenses and Provision of Facilities Policy as placed on public exhibition including a clause which allows Councillors to be provided with a Council jacket with the option of an embroidered pocket or plain badge identifying Council;**
- b) Council, pursuant to Section 253 (3) of the Local Government Act 1993 deem that the proposed amendments are not substantial and for this reason public notice is not required.**
- c) Council take no further action on the Training component of the Policy, and review it again as part of the next annual review of the Policy as required by Section 252 of the Local Government Act.**

19. CCTV at Sanctuary Point Shopping Centre File 24464E

That:

- a) Council staff, in collaboration with NSW Police, undertake a Safety Audit of the Sanctuary Point shopping precinct;**
- b) Possible CCTV installation/s in this location be reconsidered after completion and consideration of the Safety Audit Report.**

20. Ulladulla High School Bushcare Group File 26281E

That Council endorse the formation of the Ulladulla High School Bushcare Group under the Shoalhaven City Council Bushcare Program.

21. Acceptance of Grant on behalf of the Mulgen Creek and the Grotto Bushcare Groups from NSW Office of Environment and Heritage File 1835E

That Council accept the two grants of \$2,000 each on behalf of the Mulgen Creek and Grotto Bushcare Groups from the NSW Office of Environment and Heritage.

22. Shoalhaven Transport Register **File 40733E**

That Council:

- a) Endorse the application to Transport for NSW for grant funds to assist with the costs of a Shoalhaven Transport Register;**
- b) If successful, accept the grant, vote the funds and receive a further report on implementation arrangements;**
- c) Write to thank the funding body, if successful.**

23. North Nowra Link Road **File 5253E**

Withdrawn – See MIN13.42

24. Upgrade Bomaderry Sporting Complex – Perimeter Fence **File 7353E**

That Council transfer \$30,000 from budget number 82476 to budget number 82572 to fund an identified shortfall in the Bomaderry sporting complex upgrade project, thus allowing completion of the project.

25. Ulladulla South Shared Pathway - Acceptance of 2012 NSW Coastline Cycleway Grant **File 2491E**

That:

- a) The 2012 NSW Coastline Cycleway grant offer of \$112,500 be accepted;**
- b) The total project cost of \$225,000 be funded by: the \$112,500 grant; \$5,000 from Footpath Investigation (in 2012/13 Job No 85145); \$17,500 from Local Roads – Survey/Design (in 2012/13 Job No 85635); and by \$90,000 from the 2013/14 Roads to Recovery grant program; and**
- c) The Director General (Department of Planning and Infrastructure) be thanked for the grant offer.**

26. Extension of Deed of Variation for RMS/Council Road Safety Officer Program Funding Agreement to June 30 2014 **File 2499E**

That:

- a) The Road Safety Officer Program continue until 30 June 2014;**
- b) Council write to RMS asking for consideration of a multi-year funding cycle for the Road Safety Officer Program rather than an annual term; and**
- c) The General Manager be authorised to sign the “Deed of Variation”.**

27. Local Government Conference - National Sea Change Taskforce Inc - Australian Coastal Councils Conference: South Australia - March 2013 **File 3444E**

That:

- a) Council notes the details of the forthcoming conference National Sea Change Taskforce Inc – Australian Coastal Councils Conference, scheduled for 25 to 27 March 2013, in Glenelg & Victor Harbor, South Australia;
- b) Council authorises available Councillors to attend the conference and such attendance be deemed Council Business; and
- c) Council meets the travel, registration fees, accommodation and all reasonable out-of-pocket expenses in accordance with its adopted policy.

28. Amalgamation of Natural Resources and Floodplain Management Committees **File 1229E**

That:

- a) Council endorse the recommended amalgamation of the Natural Resources and Floodplain Committees to form three Committees as proposed, on a one year trial basis; and
- b) An amended charter be developed and presented to the newly amalgamated Committees for consideration and recommendation to Council.

29. Berry Car Parking - Princess Street Reserve - Contributions Plan **File 35185E, 3265E**

Withdrawn – See MIN13.43

30. Estuary Management and Coastal Management Program Grants 2012-13 & 2013-14 **File 3406E**

That:

- a) Council receive the report for information only;
- b) Council acknowledge the acceptance of the grant funds, valued at \$60,000, received for the purpose of the Shoalhaven River Flood Plain Agricultural Remediation Assessment Project;
- c) The accepted grant funds be allocated to job number 75714; and
- d) Council receive a further report on the outcomes of the grant funding applications sought for the 2013 (OEH) funding program, detailed within this report.

31. Bomaderry Oval – Soccer Field Extension **File 2451E**

Withdrawn – See MIN13.44

32. Kangaroo Valley Sewerage Scheme Capacity Allocation - Redevelopment of Lot 4 DP 537784 Marshall Street File 1375E

That:

- a) The proposed 15 lot residential subdivision of Lot 4 DP 537784, permissible under the current zoning, be included as part of the Kangaroo Valley Sewerage Scheme design capacity;**
- b) A report be provided to Council after 12 months operation of the Sewerage Scheme that demonstrates the theoretical vs actual loadings and determines any spare system capacity; and**
- c) In the interim, (ie prior to the 12 month proving period), any development that seeks to take up spare capacity from the design allowance be reported to Council for consideration. The cumulative total of all additional development proposals serviced by the Scheme shall not exceed the 10% development capacity factored into the design of scheme, until the outcomes of Part (b) of this resolution are resolved.**

33. Grant of Easement for Sewerage purposes at Sanctuary Point File 21806E, 46728E

That:

- a) Council resolves to grant the Easement for Sewerage Purposes 3 metres wide over Council land Lot 1151 DP 1159783 at Sanctuary Point as attached to the report;**
- b) Costs associated with the creation of the easement are to be met from Shoalhaven Water's Wastewater Fund. The easement is to be granted at \$nil consideration;**
- 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.**

34. Ozwater '13 National Water Conference and Exhibition File 3989E

That:

- a) Council notes the details of the forthcoming conference Ozwater '13 National Water Conference and Exhibition, scheduled for 7-9 May 2013, at Perth Convention & Exhibition Centre;**
- b) Council authorises available Councillors to attend the conference and such attendance be deemed Council Business;**
- c) Council meets the travel, registration fees, accommodation and all reasonable out-of-pocket expenses in accordance with its adopted policy;**
- d) Councillors attending the conference provide a written report within 30 days of returning from the conference.**

File 12039E

- a) Council adopt the following Public Policies with minor changes as detailed within the report:
 - i) Down size, disconnect or nominal sizing of water meter services
- b) Council adopt the following Local Approvals Policy with minor changes as detailed within the report:
 - i) Water Hydrant Standpipe Extraction

File 8139E

- a) **The revised policy “Community Consultation for DAs (including Subdivision) and the Formulation of Development Guidelines and Policies” be adopted as exhibited;**
- b) **The policy be placed on Council’s website, and Community Consultative Bodies and the development industry be advised.**

File 4537E

Road Shoulder Remediation Works - Various Streets, Narrawallee TenderFile 45950E

File 6171E

Note: This matter was reintroduced at MIN13.46

40. (Item 4, page 3) Alcohol Free Zones - Culburra Beach

File 9821E

MOTION:

Moved: Guile / Second: Watson

That:

- a) **Council re-establish an Alcohol Free Zone for a period of four years, commencing 1 February 2013, for the following roads and car parks:**
- **Ocean Street, Culburra Beach**
 - **Haven Street, Culburra Beach**
 - **Surf Club, Farrant Avenue, Culburra Beach**
 - **Adjacent to Crookhaven Heads Tourist Park (near the boat ramp), Orient Point**
- b) **Staff initiate consultation with the NSW Police on the introduction of an Alcohol Free Zone in the car park of the Shopping centre in Prince Edward Avenue between Canal Street and Fairlands Crescent.**

CARRIED

41. (Item 6, page 3) Review of Guidelines for Community Consultative Bodies**File 1792E**

MOTION:

Moved: Guile / Second: Findley

That Council adopt the Guidelines for Community Consultative Bodies as attached to the report of the Policy and Resources Committee meeting of 22 January 2013

AMENDMENT

Moved: Wells / Second: Kearney

That:

- a) **Council adopt the Guidelines for Community Consultative Bodies as attached to the report of the Policy and Resources Committee meeting of 22 January 2013;**
- b) **CCBs be requested to submit to Council the number of attendees at each of their meetings and numbers of those who voted in favour and those against each item where a resolution was made.**

AMENDMENT CARRIED

FOR: Robertson, Kearney, Baptist, White, Wells, Anstiss, Watson, Kitchener, McCrudden, Gash.

AGAINST: Findley, Guile

AMENDMENT becomes the MOTION

MOTION CARRIED

FOR: Robertson, Kearney, Baptist, White, Wells, Anstiss, Watson, Kitchener, Gash.

AGAINST: Findley, Guile, McCrudden.

42. (Item 12, page 5) North Nowra Link Road

File 5253E

MOTION:

Moved: Guile/ Second: Findley

That:

- a) The next steps in the planning process to build North Nowra Link Road Option 3 (Northern Option) be deferred until traffic modelling is reviewed and refined with current growth predictions and up-to-date traffic data; and
- b) Appropriate preliminary studies for the provision of the Illaroo Road-Moss Vale Road link be commenced and further consultation be undertaken with NSW Roads and Maritime Services (RMS) regarding options for providing traffic relief on the Princes Highway.
- c) The General Manager convene a public meeting with local residents, businesses and community groups, when the traffic data and the options for improved traffic movements at the Illaroo Rd and Princes Highway intersection are available, if possible by 30 April 2013. The Public meeting be convened to report on Council's current policy on the North Nowra Link road; to hear local views and to respond to questions.

CARRIED

43. (Item 18, page 6) Berry Car Parking - Princess Street Reserve - Contributions Plan

File 35185E, 3265E

Note: Cllr Anstiss left the meeting.

MOTION:

Moved: Guile / Second: Wells

That:

- a) Residents of Victoria Street adjacent to the Berry Showground be consulted as a matter of urgency to determine their views on the proposed formalisation of parking;
- b) Subject to the outcomes of this community consultation, the staged construction of 90 degree parking in Victoria St, Berry, adjacent to the Berry Showground, be commenced using the existing budget allocations of \$80,000 (Job Number 86578) and \$59,330 (Job Number 85963) in lieu of parking in Princess Street and the acquisition of service lanes'
- c) Should there be any opposition to the proposal to formalise parking, a further report be presented to Council prior to any works proceeding;
- d) The full scope of the parking project in Victoria Street be completed when sufficient contributions from development are received or from some other funding source; and

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- e) **Formal on-street parking along the northern side of North Street, Berry be designed and this project proceed, before the angled parking in Princess Street and after the completion of the Victoria Street project, when sufficient contributions from development are received.**

CARRIED

44. (Item 20, page 7) Bomaderry Oval – Soccer Field Extension **File 2451E**

Note: Cllr Anstiss was absent from the meeting.

MOTION:

Moved: Guile / Second: Kearney

That:

- a) **Council reallocate \$33,000 from budget number 82569 (Sports Field Shade Provision) to budget number 82511 (Implement POM) for the purpose of extending the playing surface area at Bomaderry Oval, Bomaderry; and**
- b) **A further report on the findings and options for Thurgate Oval, be presented back to Council.**

CARRIED

45. Procedural Motion – Reintroduction of Item

Note: Cllr Anstiss was absent from the meeting.

PROCEDURAL MOTION:

Moved: Guile / Second: McCrudden

That Item 28 – Additional Item – Tree Removal – Callala Beach be reintroduced for further consideration.

CARRIED

46. Additional Item – Tree Removal – Callala Beach **File 6171E**

Note: This item was reintroduced.

Note: Cllr Anstiss returned to the meeting during discussion on this matter.

MOTION:

Moved: Watson / Second: Guile

That the tree, recently inspected and trimmed by Council, located in the road reserve on the corner of Centre Street and King George Street, Callala Beach be removed due to continued falling of branches and combustible material.

CARRIED

FOR: Robertson, Baptist, White, Anstiss, Guile, Watson, Gash

AGAINST: Kearney, Wells, Findley, Kitchener, McCrudden.

COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 21 JANUARY 2013

47. Adoption of Report

Note: Cllr Robertson left the meeting.

MOTION:

Moved: Guile / Second: White

That the following items of the Council Property Steering Committee be adopted

CARRIED

48. Land Sale for Overdue Rates and Charges **File 46605E**

That

- a) Council proceed to sell by public auction, the properties nominated within the report for overdue rates and charges pursuant to Section 713 of the Local Government Act, 1993.
- 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 (or his delegate) is authorised to negotiate with the highest bidder if the reserve price is not met (if applicable) and sign any documentation necessary to give effect to this resolution.

49. Acquisition of Land for Road Widening at Pyree **File 45816E, 45817E, 45818E**

That:

- a) Council resolve to acquire for road widening that part of Lot 2 DP1110521, Lot 73A DP2813 and Lot 1 DP863730 as shown on the attachment to the report.
- b) Council pay the following compensation under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 for the acquisitions:

AFFECTED LOT	ACQUISITION AREA	COMPENSATION
Lot 2 DP1110521	1,433sq.m	\$3,754 (Plus GST if applicable)
Lot 73A DP2813	1,613 sq.m	\$3,240 (Plus GST if applicable)
Lot 1 DP863730	4,403 sq.m.	\$11,506 (Plus GST if applicable)

- c) Council pay any reasonable legal costs incurred by the land owner pursuant to the terms of the Land Acquisition (Just Terms Compensation) Act 1991

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- 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.

50. Proposed licence of part of Crown Reserve - 96902 to Jervis Bay Game Fishing Club for construction of clubhouse File 45825E

That:

- a) The Reserve 96902 Trust (the affairs of which are managed by the Council of the City of Shoalhaven) licence to the Jervis Bay Game Fishing Club Inc. part of Lot 7004 DP 1057339 for a term of ten years at an initial rent of \$434.00p.a. plus GST;
- b) The General Manager be authorised to finalise negotiations for the licence; and
- 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.

51. Lease from the Cambewarra (R246) Reserve Trust to W &R Povey - Cambewarra Lookout Cottage & Tearooms File 4291E

That:

- a) Council lease the Cambewarra Tea Rooms to W and R Povey for a term of 2 years with a 3 year option at an initial rent of \$20,000 (Plus GST), and subject to conditions identified in the report.
- b) Council delegate authority to the General Manager to approve those terms of the Lease not yet finalised;
- 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 this resolution; and
- d) Council refer the proposed Lease to the DPI Crown Lands Division for Minister's consent.

52. Proposed SubLicence of 275 Green Street, Ulladulla from Milton Ulladulla Historical Society to R & S Sherlock trading as Something's Brewing File 3581E

That:

- a) Council permit Milton Ulladulla Historical Society Inc to enter into a sub-licence of Part Lot 702 DP 1065245 known as "Ulladulla's Oldest House" for a period to run concurrently with the Licence from Council to Milton Ulladulla Historical Society Inc of 5 years. The commencing licence fee to be set at \$4,800 inclusive of GST.**
- b) The sub licence to be prepared in accordance with the requirements of the Crown Lands Division and to be submitted for the Minister administering the Crown Lands Act for concurrence.**
- 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.**

53. Request to Acquire Land - 77 Princess St, Berry - Lot 1 DP 209665 File 44187E

That the matter of the Request to Acquire Land - 77 Princess St, Berry - Lot 1 DP 209665 be deferred pending consideration of a further report.

54. Road Reserve Closing and Opening through Lot 323 DP 751302, Upper Kangaroo Valley River File 45099e

That:

- a) Council resolve to make an application to the Minister administering the Roads Act 1993, for the closure of that part of Upper Kangaroo Valley Road traversing Lot 323 DP751302 shown as shaded on Attachment A.**
- b) Council resolve to accept the dedication of public road by the owner of Lot 323 DP751302 in respect of the area shown hatched on Attachment A.**
- c) Council authorise the transfer of that part of Upper Kangaroo Valley Road to be closed to the owner of Lot 323 DP751302, by way of exchange with no further compensation for the proposed new road through Lot 323 that is to be dedicated as public road.**
- d) Council pay all survey, legal costs and lodgement fees associated with the closure of the existing road reserve and establishment and recording of a new road reserve within the lot, from job number 85001 16350.**
- e) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.**

55. Classification of land - Lot 518 DP1179957 Sugarwood Road, Worrige **File SF8735-02**

That Council resolve to classify Lot 518 DP1179957 Sugarwood Road, Worrige as operational land in accordance with section 31 (2) of the Local Government Act, 1993.

56. Classification of Land - Lot 2 DP1161380, Part of 418 Princes Highway, Burrill Lake **File 39444E**

That Council resolve to classify Lot 2DP1161380 Princes Highway, Burrill Lake as operational land in accordance with Section 31 (2) of the Local Government Act, 1993.

57. Additional Item – Report - Re-Configuration of Worrige St Carpark **File 17670E**

That a report be presented to Council on the potential re-configuration of the Worrige St all day car park to meet minimum Australian Standards.

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 15 JANUARY 2013

58. Adoption of Report

Note: Cllr Robertson was absent from the meeting.

MOTION:

Moved: Guile / Second: Baptist

That the following items of the Shoalhaven Traffic Committee be adopted

CARRIED

59. Adjustments to Centre Linemarking – City Wide (PN 1457) **File 1948E**

That the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objections to the centre linemarking on the following roads being adjusted to comply with Australian Standards:

- a) Burrier Road, Burrier**
- b) Cabbage Tree Lane, Nowra Hill**
- c) Illaroo Road, North Nowra**
- d) Main Road, Cambewarra**
- e) Woollamia Road, Woollamia.**

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60. **Bus Zone - Scenic Drive, Nowra - Adjacent Hospital (PN 2606)** **File 6869E**
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That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the 6m of the bus zone in Scenic Drive, Nowra to be signed to permit Community Transport vehicles to use the area, as detailed in TRAF 2013/02, attached to the report.

61. **Proposed Development - Signs and Lines Plan - 2 Murdoch St Huskisson - Lot 102 DP 755928 (PN 2914)** **File DA07/3188**
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That the General Manager (Director Development Services) be advised that the Shoalhaven Traffic Committee has no objections to the proposed signs and lines plan (TRAF 2013/04) associated with the re-alignment of the Murdoch/Burrill Street intersection, Huskisson.

62. **Road safety at T junction - Charles and Church Street, Milton (PN 2915)** **File 1703E**
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That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the installation of No Stopping zones for the regulatory distance of 10m on the north-west and south-western corners of the intersection of Charles/Church Street, Milton, as detailed in TRAF 2013/0, attached to the report.

63. **Additional Item – Proposed temporary occupancy of on-street parking – Lawrence Avenue, Nowra. Development Application including a 2 storey hostel for short term accommodation – 11 Lawrence Avenue, Nowra Lots 1-2, DP 213469 Applicant: Project Coordination Owner: St Vincent De Paul Society NSW** **File DA09/1239**
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That the General Manager (Director Strategic Planning and Infrastructure) be advised that the Shoalhaven Traffic Committee has no objections to the temporary loss of nine parking spaces (3 on the western side of Lawrence Avenue) and (6 on the eastern side of Lawrence Avenue) during the 12 month construction phase of Lots 1-2 DP 213469 Lawrence Avenue, Nowra as detailed in TRAF 2013/05 attached to the report.

ASSISTANT GENERAL MANAGER

64. **Energy Efficiency Program Funding Application - Street Lighting Replacement** **File 41342E**
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Note: Cllr Robertson returned to the meeting during discussion on this matter.

MOTION:

Moved: Findley / Second: Kearney

That:

- a) **Council apply for Community Energy Efficiency Program Round Two funding to upgrade the city's street lighting to energy efficient fittings;**

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- b) The project proposal be based on a one year project implementation and capital funding provided by Council and the CEEP;
 - c) The General Manager be authorised to vary the project proposal details to optimise financial and environmental outcomes to Council;
 - d) If the CEEP funding application is successful, project assumptions be monitored and details revised if required to optimise financial and environmental outcomes to Council, including negotiations with Endeavour Energy to ensure use of the best available light fittings at the time the project is rolled out.

CARRIED

FINANCE & CORPORATE SERVICES

65. Record of Investments - December 2012 File 2126E

MOTION:

Moved: Wells / Second: Findley

That the Report of the General Manager (Finance and Corporate Services Group) on the Record of Investments for the period to 31 December 2012 be received for information.

AMENDMENT

Moved: Guile

That:

- a) The Report of the General Manager (Finance and Corporate Services Group) on the Record of Investments for the period to 31 December 2012 be received for information
- b) Council receive a report on the possibility of outsourcing its funds management process.

Amendment lapsed due to lack of seconder.

MOTION CARRIED

66. Changes to Council Meeting Dates File 3910E

MOTION:

Moved: Guile / Second: Robertson

That Council amend the meeting dates for the Council Ordinary Meeting and the Committee meetings as detailed below:

- **Development and Council Property Steering Committee from Tuesday 5th February to Monday 18th February**
- **Policy & Resources from Tuesday 12th February to Tuesday 19th February**
- **Ordinary Meeting from Tuesday 19th February to Tuesday 26th February**

THIS IS PAGE 19 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN
HELD ON TUESDAY 29 JANUARY 2013

MINUTES CONFIRMED ON TUESDAY 26 FEBRUARY 2013- CHAIRMAN

-
- Policy and Resources from Tuesday 12th March to Thursday 7 March
 - Policy and Resources from Tuesday 14th May to Thursday 9th May
 - Development & Council Property Steering Committee from Tuesday 4th June to Thursday 13th June
 - Development and Council Property Steering Committee from Tuesday 10th September to Monday 16th September

CARRIED

SHOALHAVEN WATER

67. Tender for Shoalhaven Water Pump Procurement File 46328E

MOTION:

Moved: Findley / Second: Baptist

That in accordance with Clause 179 of the Local Government (General) Regulation 2005, Council consider the separate confidential report.

CARRIED

NOTICES OF MOTION

68. Growth and development of Shoalhaven File 18107E

MOTION:

Moved: Guile / Second: Robertson

That:

- a) **The General Manager report to Council the progress on reaching the population growth target off 135,000 by 2016 as previously identified by planning staff.**
- b) **The report might also include but not be limited to the following:**
 - **Shoalhaven's growth and economic performance against the rest of regional NSW**
 - **Constraints to growth**
 - **Initiatives that Council can implement to address the results.**

CARRIED

FOR: Robertson, Kearney, Baptist, White, Wells, Guile, Watson, Kitchener, McCrudden, Gash.

AGAINST: Findley, Anstiss.

69. Public release of the briefing report on the North Nowra Link Road **File 5253E**

MOTION:

Moved: Guile / Second: McCrudden

That Council release to the public the report of Council staff provided to Councillors in the confidential briefing held on Wednesday 5 December 2012.

CARRIED

70. Public meeting regarding Council's position on the North Nowra link road File 5253E

This Notice of Motion was withdrawn.

71. Return of Ice Skating to the Shoalhaven Entertainment Centre **File 39846E**

MOTION:

Moved: Guile / Second: Findley

That Council:

- a) **Thanks Mr Bob Mangan and all the staff team at the Shoalhaven Entertainment Centre for the enormous effort invested by them to make 'Ice Escape' the success that it was;**
- b) **Encourage the General Manager to bring forward a further proposal to stage this event in 2014 to capitalise on the both the success, experience and event knowledge gained from the 2013 program.**

CARRIED

72. Harry Sawkins Park improvements **File 19244E**

MOTION:

Moved: Guile / Second: Robertson

That:

- a) The General Manager provide a plan for the installation of seating and/or associated outdoor furniture in Harry Sawkins Park in the vicinity of the Graham Street cafe, after consultation with park users and cafe staff;
- b) Council consider funding the implementation of this plan either from quarterly surpluses, budget savings, current works budgets or for the 2013/14 management plan.

CARRIED

File 3031E

Moved: Guile / Second: Kearney

CARRIED

File 1435E

Note: Ctr Gash left the meeting. Ctr Wells took the chair.

Moved: Guile / Second: Robertson

That:

- a) Council request the General Manager (Director Strategic Planning and Infrastructure) to investigate and report on possible changes to zonings surrounding the Shoalhaven Memorial Hospital Health Precinct;
- b) The report should also address any planning initiatives that might ease the impact of the developments in this area on surrounding residences.

CARRIED

File 46263E

Note: Cllr Gash returned to the meeting and resumed the Chair.

Moved: Guile / Second: Watson

That:

- a) **The General Manager report to Council a strategy to promote the benefits of businesses and families relocating to the Shoalhaven from major centres, to coincide with the 2013/14 South Coast tourist influx;**
- b) **The report should address above and below the line marketing strategies as well as social media to capture the attention of visitors and travellers.**

CARRIED

76. Tourism risk management contribution to marketing program File 1490E

MOTION:

Moved: Guile / Second: Wells

Council requests the Shoalhaven Tourist Board give consideration to commencing a process of working with community tourism groups to develop a template risk management plan for fire instances and other natural disasters that would assist all tourism operators in developing their own plans that would enhance their marketing performance.

CARRIED

77. Wheelbarrow, Monkey Mountain and Woodburn Roads File 9099E, 42176E, 13199E

MOTION:

Moved: Baptist / Second: Kitchener

That:

- a) Given that logging is to commence within the following month, the General Manager urgently report on the current poor conditions and maintenance schedule for the above roads.**
- b) The report should cover the plans, costs and timing on addressing:**
 - Where the landslide has occurred on the western end of Wheelbarrow Road (currently with traffic management)**
 - Major corrugations across each of these roads**
 - The site of the recent truck accident on Woodburn Road and safety factors that may be relevant.**

CARRIED

78. Procedural Motion - Introduction of Item as a Matter of Urgency

PROCEDURAL MOTION:

Moved: Watson / Second: Guile

That the matter of Addendum Report 1 – Strategic Planning & Infrastructure be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency as the lease wishes to take possession before the next meeting of Council and allowed its introduction.

ADDENDUM REPORT 1 - STRATEGIC PLANNING & INFRASTRUCTURE

79. Grant of Lease - Western Freight Management - Council Property - 21 Norfolk Avenue, South Nowra File 12657E, 46603E

MOTION:

Moved: Watson / Second: Guile

That:

- a) Council offer a lease to Western Freight Management of Lot 2 DP 1137716 for a term of one year at a rent of \$24,000 p.a. plus GST payable at commencement of the lease term, with an option for a further two years term.
- b) The General Manager be delegated authority to endorse any terms of the Lease that may not yet be 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.
- d) Council concur to the granting of occupancy from the week ending 8 February, 2013.
- e) Council seek legal advice on the application of revenue off Waste Services “assets” being contributed to the General Fund and the advice be reported to the Council Property Steering Committee.

CARRIED

80. Procedural Motion - Introduction of Item as a Matter of Urgency

MOTION:

Moved: Guile / Second: Kearney

That the matter of Drainage Issues – Mattes Way, Bomaderry be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency due to the risks of fire and flood and allowed its introduction.

81. Additional Item - Drainage Issues – Mattes Way, Bomaderry File 10275E

MOTION:

Moved: Guile / Second: Kearney

That:

- a) Council request the General Manager to report on an engineering solution to the drainage issues surrounding 12 Mattes Way, Bomaderry;

-
- b) **The General Manager give consideration to providing relief to residents of Mattes Way, Bomaderry for the clearing away of large quantities of green waste that is blocking Council drains;**
 - c) **Council give consideration to a regular street sweeping service in Mattes Way, Bomaderry to cope with generation of green waste.**

CARRIED

82. Procedural Motion - Introduction of Item as a Matter of Urgency

MOTION:

Moved: Gash

That the matter of the Removal of Waste Items – Corner Jervis St & Princes Highway, Nowra be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency as the rubbish needs to be picked up and allowed its introduction.

83. **Additional Item - Removal of Waste Items – Corner Jervis St & Princes Highway, Nowra** **File 3965E**

MOTION:

Moved: Gash / Second: Wells

That the General Manager be requested to arrange for the removal of waste items left on the corner of Jervis Street and the Princes Highway, Nowra

CARRIED

FOR: Robertson, Kearney, Baptist, White, Wells, Anstiss, Guile, Watson, Kitchener, McCrudden, Gash.

AGAINST: Findley.

CONFIDENTIAL REPORT

GENERAL MANAGER – COMMITTEE REPORTS

POLICY & RESOURCES COMMITTEE – TUESDAY 22 JANUARY 2013

Item	Reason
Road Shoulder Remediation Works - Various Streets, Narrawallee - Tender	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 21 JANUARY 2013

Item	Reason
Additional Item – Further Report - Land Swap Options, Nowra	Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business 10(A)(2)(c)

SHOALHAVEN WATER

Item	Reason
Tender for Supply of Pumps and Ancillary Equipment to Shoalhaven Water	Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)

Pursuant to Section 10(A)(4), the public were invited to make representations to the Ordinary Meeting of Council before any part of the meeting is closed, as to whether that part of the meeting should be closed. The Chairperson asked the General Manager if any written representations had been received as to whether that part of the meeting should be closed.

MOTION:

Moved: Robertson / Second: Anstiss

That the Ordinary Meeting exclude the press and public from the Meeting pursuant to Section 10(A)(1)(a) of the Local Government Act, 1993 as it was to consider items of a confidential nature in relation to matters pursuant to Sections 10(A)(2)(c) & 10(A)(2)(d)(i).

CARRIED.

The meeting moved into confidential the time being 6.45 pm.

The meeting moved into open session, the time being 6.49 pm.

84. Road Shoulder Remediation Works - Various Streets, Narrawallee – Tender

File 45950E

The following resolution of the Ordinary Meeting of Council, whilst closed to the public, was read to the meeting by the Executive Support Manager.

MOTION

That:

- a) **Council accept the tender of MGA Contracting Pty Ltd, in the amount of \$173,450 (excluding GST) for the Road Shoulder Remediation Works along**

sections of Matron Porter Drive, Macleay Street, Bangalow Street and Normandy Street in Narrawallee;

- b) Council allocate a further \$40,000 in funds from the Waste Management operations budget in order to construct the works and administer the contract;
- c) Contract Documents and associated documents (including variations) be executed by the Director of City Services & Operations on behalf of the General Manager.

85. Additional Item – Further Report - Land Swap Options, Nowra **File 46609E**

The following resolution of the Ordinary Meeting of Council, whilst closed to the public, was read to the meeting by the Executive Support Manager.

MOTION

That the recommendation remain confidential in accordance with Section 10A(2)(c) of the Local Government Act 1993

86. Tender for Supply of Pumps and Ancillary Equipment to Shoalhaven Water **File 46328E**

The following resolution of the Ordinary Meeting of Council, whilst closed to the public, was read to the meeting by the Executive Support Manager.

MOTION

That:

- a) Council accept the tender from Xylem Water Solutions Australia Ltd for the supply of pumps and ancillary equipment (Tender ID 46328E) at the rates provided in their schedule.
- b) Council authorise the General Manager (Shoalhaven Water) to finalise and execute the contract with Xylem Water Solutions Australia Ltd on behalf of Council.
- c) Council authorises the General Manager (Shoalhaven Water) to adjust the contract for variations for components under the contract.

There being no further business, the meeting concluded, the time being 6.50 pm.

Clr Gash
CHAIRPERSON