

SHOALHAVEN CITY COUNCIL

ORDINARY MEETING

To be held on Tuesday, 24 September, 2013
Commencing at 4.00 pm

18 September, 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, 24 September, 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** – Lieutenant Dominic Wallis – Nowra Salvation Army
2. **Acknowledgement of Traditional Custodians**
3. **Australian National Anthem**
4. **Apologies/Leave of Absence**
5. **Confirmation of Minutes**
 - Ordinary Meeting – 3 September, 2013
 - Extra Ordinary Meeting – 10 September 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 – 16 September, 2013
 - Report of the Policy and Resources Committee – 17 September, 2013
 - Report of the Southern Shoalhaven Natural Resource & Floodplain Management Committee – 28 August, 2013
 - Report of the Council Bushcare Representatives Group – 29 August, 2013
 - Report of the Shoalhaven Access Advisory Committee – 3 September, 2013
 - Report of the Business & Employment Development Committee – 9 September, 2013
 - Report of the Children's Services Reference Group – 12 September, 2013
 - Report of the Council Property Steering Committee – 16 September, 2013
11. **Report of the Shoalhaven Traffic Committee – 10 September, 2013**
12. **Report of the General Manager**
 - Councillor Reports on Conferences
 - Corporate and Community 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 – 17 September, 2013

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

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

Cell Phones:

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

LOCAL GOVERNMENT ACT 1993

Chapter 3

Section 8(1) - The Council's Charter

(1) The council has the following charter:

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

Wording for Acknowledgement of Traditional Owners

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

Australian National Anthem

“Advance Australia Fair”

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

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

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MAYORAL MINUTE
ORDINARY MEETING
TUESDAY, 24 SEPTEMBER 2013

1. Noah's Ark Shoalhaven - Restart Illawarra Infrastructure Funding Program**File 47463E**

RECOMMENDED that Council provide financial support of \$300,000 to Noah's Ark Shoalhaven should they be successful in obtaining the Restart NSW Illawarra Infrastructure funding and this funding come from savings anticipated in several projects in the Capital Works Program for 2013/14.

OPTIONS

1. Accept the recommendation to support Noah's Ark Shoalhaven
2. Not accept the recommendation to support Noah's Ark Shoalhaven

DETAILS

- # Please see attached letter to Ginger O'Brien, CEO, Noah's Ark Shoalhaven outlining Council's full support for the project submitted under the Restart NSW Illawarra Infrastructure Funding Program.

The Noah's Ark facility has long ago outgrown its current location and Council to date has not been able to find a suitable solution. The Restart Illawarra Program could provide the opportunity to resolve the is matter and allow the expansion and relocation of the Early Intervention Family Support Centre for children with a disability. With Councils' financial support plus funds from the State Government and a high class centre which benefits the whole region could be achieved.

It is proposed that the funding source for Councils contribution be savings anticipated from Capital Works Projects such as the Ulladulla Civic Centre Project, Nowra Pool and other projects.

2. Sculpture by the Sea Project**File 6121E**

RECOMMENDED that Council apply for the \$20,000 funding from the NSW Government to give one regional NSW local government area the opportunity to purchase one of the artworks on display at this years "Sculpture by the Sea"

DETAILS

- # Minister for Tourism, Major Events and the Arts, Mr George Souris announced that the NSW Government will provide up to \$20,000 to give one regional NSW local government area the opportunity to purchase one of the artworks on display at this year's famous

Sculpture by the Sea. Any additional costs to display the sculpture would be sourced from the Arts Board budget.

Sculpture by the Sea attracts about 400,000 visitors each year, including almost 20,000 who travel from interstate and overseas specifically for the event.

Expressions of interest are being called for from all of NSW's regional local councils to acquire one of the sculptures from this year's event. The winning council will be able to choose a work by one of five eligible NSW sculptors.

As part of the expressions of interest process local councils will need to outline the benefits to their local community, identify potential sites for the sculpture and agree to cover the costs of transporting, installing and maintaining the work.

An announcement about the successful local council, the selected sculpture and the artist will be made in Bondi during Sculpture by the Sea, taking place between 24 October and 10 November 2013.

Information on how to apply is available from www.sculpturebythesea.com or by emailing tian@sculpturebythesea.com, or by contacting Sculpture by the Sea on (02) 8399 0233.

3. Election of new Member for Gilmore – Ann Sudmalis

File 1829E

RECOMMENDED that a letter of congratulations be forwarded to the new Member for Gilmore, Ann Sudmalis, on her win in the recent Federal Election.

DETAILS

The official declaring of polls will be on Friday, 27 September 2013 when Ms Sudmalis will take over the Federal Office and staff.

Once she is ensconced, Council may consider inviting her to discuss related issues for Council.

4. Election of Deputy Chair to Southern Councils Group

File 2172E

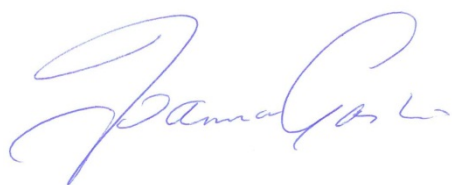
RECOMMENDED that Council acknowledge and congratulate the Deputy Mayor, Cllr John Wells, on his election of Deputy Chair to Southern Council's Group.

DETAILS

The Southern Councils Group is a voluntary association of six Local Government Authorities including Bega Valley, Shoalhaven, Shellharbour, Kiama, Wingecarribee and Wollongong.

The group combines to undertake joint initiatives, prevent duplication of services within the region and lobby both the NSW State and Australian Governments for increased funding and project opportunities.

The Chairperson is the Lord Mayor of Wollongong City and it is pleasing that Cllr Wells was elected unanimously retaining some geographic balance to the executive team.

A handwritten signature in blue ink, appearing to read 'Joanna Gash', with a stylized flourish at the end.

Joanna Gash (Mrs)
Mayor

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 24 SEPTEMBER 2013

GENERAL MANAGER – COMMITTEES REPORT

DEVELOPMENT COMMITTEE – MONDAY 16 SEPTEMBER 2013 (ITEMS 1 to 5)

Planning and Development Services

1. Adoption of Caravan Parks in Flood Prone Areas Policy DCP 123 LAP
File 43405E, 45889E [Index](#)

RECOMMENDED that:

- a) The report on the Adoption of Caravan Parks in Flood Prone Areas Policy DCP 123 LAP be deferred pending Council receiving the submission from the Caravan and Camping Industry of NSW; and
 - b) Staff address lowering the Freeboard from 0.5m to 0.3m.
2. Finalisation of Draft Voluntary Planning Agreement - Bishop Drive, Mollymook
File 43578E, SF9665, SF9225 & SF9366 (PDR) [Index](#)

RECOMMENDED that Council:

- a) Endorse the draft Voluntary Planning Agreement for Bishop Drive as placed on public exhibition as the final document and commence its execution;
- b) Delegate authority to the General Manager to agree to any amendments to the draft VPA relating to the Minister for Planning and Infrastructure being a party and any other minor amendments that do not affect the contributions to be made under the VPA;
- c) Authorise the General Manager to execute the VPA as exhibited together with any amendments agreed by the Council's General Manager under delegation on behalf of the Council;
- d) Authorise the General Manager to execute any documents associated with the VPA or necessary to give effect to the arrangements under the VPA; and
- e) Provide the Minister for Planning and Infrastructure a copy of the Voluntary Planning Agreement for Bishop Drive within 14 days after the agreement has been entered into.

-
3. DCP 56 Ulladulla Town Centre, Amendment 5 – “Deferred” Area, Burrill Street South, Ulladulla
File 13767E (PDR) [Index](#)
-

RECOMMENDED that

- a) The following draft controls for the area deferred from DCP56 Amendment No.5 – Ulladulla Town Centre and Harbour Review (Attachment ‘B’), be placed on public exhibition in accordance with the requirements of the Environmental Planning & Assessment Act:
- i) A maximum height of three (3) storeys and 11 metres, and a maximum floor space ratio (FSR) of 1.5:1 in respect to Lots 5-54 DP263391, Wason Street and Burrill Street South;
 - ii) A maximum height of two (2) storeys and 8 metres, and a maximum floor space ratio (FSR) of 1.0:1 in respect to Lot 1 DP529128, Burrill Street South;
 - iii) A 5 metre building setback to Burrill Street South, Wason Street and South Street; and
 - iv) The controls for the Deferred Area remain in DCP 56 and be removed from DCP 108.
- b) Notice of exhibition be placed in local newspapers and the draft Plan (Attachment ‘B’) be placed on Council website and displayed at Nowra Administrative Building, Ulladulla Office:
- i) Landowners within the DCP 108 boundary (the deferred area included), the Southern Branch of the Business Chamber, and the Ulladulla Districts Community Forum (CCB) be informed in writing of the public exhibition; and
 - ii) A further report be submitted to Council following the public exhibition period.
4. Sussex Inlet Badgee Urban Release Area – Development Control Plan (DCP No.126) Preparation Commencement
File 47610E (PDR) [Index](#)
-

RECOMMENDED that Council:

- a) In accordance with Clause 74(c) of the EP&A Act, commence the preparation of a draft Development Control Plan (No.126) for land in the vicinity of Badgee Lagoon Sussex Inlet as required by Clause 54I of Shoalhaven LEP amendment No. 242;
- b) Add the project to Council’s Planning Works Program, noting that the proponent has agreed to fund its preparation; and
- c) Receive a further report on the detail of the draft DCP, when prepared, to enable it to proceed to exhibition.

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

RECOMMENDED that

- a) Council endorse the draft Contributions Plan 2010 Amendment No. 2 as detailed in this report for public exhibition for 28 days;
- b) Public exhibition of the draft Contributions Plan 2010 Amendment No. 2 occur via public notice in local newspapers and exhibition on Council's internet site.
- c) The following groups/agencies be advised in writing of the public exhibition of draft Contributions Plan 2010 Amendment No. 2:
 - i) All Community Consultative Bodies
 - ii) Development industry representatives which form part of Council's Development Industry Forum
 - iii) NSW Department of Planning & Infrastructure – Southern Region Office
- d) A further report be submitted to Council following the public exhibition of draft Contributions Plan 2010 Amendment No. 2.

**POLICY AND RESOURCES COMMITTEE – TUESDAY 17 SEPTEMBER 2013
(ITEMS 6 to 38)**

Assets and Works

6. Options for Toilets - Wowly Creek File 7677E [Index](#)

RECOMMENDED that:

- a) A report on providing a low cost toilet structure at Wowly Creek be provided to Council;
- b) A portable toilet be made available at Wowly Creek in the interim; and
- c) A report on the feasibility of providing a portable toilet at Willinga Point be provided to Council

Assets and Works / Planning and Development

7. Callala Bay Headland Reserve Walk/Path – Progress report File 46711E [Index](#)

RECOMMENDED that:

- a) Council submit an application to NSW Office of Environment & Heritage for an Aboriginal Heritage Impact Permit (AHIP) to construct the Callala Bay Headland Reserve walk at grade and in stages from Callala Bay Boat Ramp to Callala Creek with the minor realignment of the Walk as detailed in this report;
- b) The Callala Bay Headland Reserve Walk surface material be a 2m wide concrete oxide coloured path;
- c) Council consider voting \$32,000 within its upcoming budget review to complete all investigations and design for the Callala Bay Headland Reserve Walk;
- d) The Shoalhaven Traffic Committee consider a low speed vehicle/pedestrian shared zone on a road pavement which encourages residential vehicle use only to the private properties between 47-53 Marine Parade, Callala Bay; and
- e) Council advise residents adjacent to the Callala Bay Headland Reserve Walk and the Callala Bay Community Association of this resolution and provide them with an amended walk plan.

Assets & Works / Planning & Development / Corporate & Community Services

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

RECOMMENDED that Council:

- a) Place the draft Shoalhaven Bike Plan on public exhibition for a period of 28 days on Council's Internet site and make it available for Internet viewing at all Shoalhaven libraries and the Nowra Administrative Centre;

-
- b) Advise all Community Consultative Bodies, local Business Chambers, Shoalhaven based cycling groups and NSW Roads & Maritime Service that the draft Shoalhaven Bike Plan has been placed on public exhibition and invite their comment;
 - c) Receive a further report after the public exhibition of the draft Shoalhaven Bike Plan to enable its finalisation; and
 - d) The members of the Working Group be thanked for their contributions.

General Manager

9. Audit Committee Recommendation File 39763E [Index](#)

RECOMMENDED that Council identify funding at the September quarterly budget review, to enable an independent review of the Internal Audit function, the Audit Plan and the Internal Audit/External Audit interface to be undertaken.

Corporate and Community Services

10. Review of Council's Information Guide - Government Information (Public Access) Act 2009 File 39765E [Index](#)

RECOMMENDED that Council adopt the Information Guide as shown in the attachment to the report in accordance with Section 21 of the Government Information (Public Access) Act 2009.

11. Request for Public Holiday - Kangaroo Valley File 2128E [Index](#)

RECOMMENDED that:

- a) An application be made to the Department of Industrial Relations (NSW Government – Finance and Services) for the proclamation of a Public Holiday under the Banks and Bank Holiday Act, 1912, for the first day of the Kangaroo Valley Show to be held on Friday 14th February 2014 between the times of 9.00am and 5.00pm over the area described as that part of the county of Camden, the Parish of Cambewarra and those portions of the Parishes of Burrawang, Bugong, Yarrawa and Wallawa, situated in the City of Shoalhaven, as shown in the report; and
- b) That future requests for Public Holidays for the Kangaroo Valley Show be supported for the times set out in part a) without further referral to Council unless variations to or submissions against the proposal are received.

-
12. Review of Code of Meeting Practice File 3798E [Index](#)

RECOMMENDED that the following statement be added to Clause 9.1 of the Code of Meeting Practice:

“Incorporated into the resolution to consider the confidential items will be an explanation of the way in which discussion of the matter in an open meeting would be on balance, contrary to the public interest (unless the matter relates to a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret.”

13. Amended Public Access to Council Information Policy File 10139E [Index](#)

RECOMMENDED that Council adopt the amended Public Access to Council Information Policy

14. Review of Ward Boundaries File 3379E [Index](#)

RECOMMENDED that

- a) Council proceed with Scenario 3 of the report to the Policy and Resources Committee Meeting of 17 September 2013 which involves the relocation of the following Census Collector Districts from Ward 1 into Ward 2:

- 1180410 509
- 1181012 71
- 1181001 484

and the relocation of the following Census Collector Districts from Ward 2 to Ward 1:

- 1180603 228
- 1180604 431
- 1180605 504
- 1180612 307
- 1180702 541

- b) Authority be given to the General Manager to commence the requirements set out in Section 210A of the Local Government Act as detailed in this report.

15. Review of the Risk Management Policy File 25218E [Index](#)

RECOMMENDED that Council adopt the revised Risk Management Policy.

16. Review of the Gathering Information Policy File 25218E [Index](#)

RECOMMENDED that the Gathering Information Policy is rescinded as a public policy.

-
17. Voyager Memorial Court Detail Design Remembrance Court File 2893E [Index](#)

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

18. Sale of Land for Unpaid Rates and Charges Policy File 16401E [Index](#)

RECOMMENDED that

- a) No amendments be proposed to the draft policy as included in the attachment to the report of the Policy & Resources Committee on 17 September 2013 and it be placed on public exhibition pursuant to Section 160 of the Local Government Act;
- b) If no submissions are received or submissions that would mean minor alteration to the draft policy then the policy be deemed adopted at the conclusion of the submissions period; and
- c) If submissions are received that are considered to have a significant effect on the draft policy than a further report be presented to Council.

19. External Auditing Services Tender File 47454E [Index](#)

RECOMMENDED that Council in accordance with Section 10A (2)(d)(i) of the Local Government Act, 1993 consider a separate confidential report on this matter and that any decision made in confidential session be made public after Council has made its final decision.

20. Review of Payment of Untaken Sick Leave to Council Staff Policy File 3781E [Index](#)

RECOMMENDED that Council adopt the Sick Leave - Payment of Untaken Sick Leave to Council Staff Policy with the proposed minor amendment.

Assets and Works

21. Risk Management Procedures - Transport Infrastructure and Sealed Road Resurfacing
File 25218E [Index](#)

RECOMMENDED that Council reaffirm the following:

- a) Risk Management Procedure - Transport Infrastructure (Sealed Roads) (POL12/269); and
- b) Risk Management Procedure - Sealed Road Resurfacing (POL12/244).

22. Review of Policy - Vibrating Rollers Use File 6820E [Index](#)

RECOMMENDED that Council rescinds the Vibrating Rollers Use Policy and Procedure (POL08/454).

-
23. Town Street Tree Planting Policy POL12/177. File 2023E [Index](#)

RECOMMENDED that Council adopts the amended Town Street Tree Planting Strategy (POL12/177).

Planning and Development

24. National Sea Change Taskforce Conference – Australian Coastal Councils Conference: Ballina, NSW – March 2014 File 3444E [Index](#)

RECOMMENDED that:

- a) Council notes the details of the forthcoming conference National Sea Change Taskforce Inc – Australian Coastal Councils Conference, scheduled for 24 to 26 March 2014, in Ballina, NSW;
- 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.

25. Community Strategic Plan Review – Evaluation Report File 45756E [Index](#)

RECOMMENDED that the Community Strategic Plan Review – Evaluation Report and follow up community survey be:

- a) Received for information and accepted as the final report on the CSP Review project 2023;
- b) Made available to the community through publication on Council's website; and
- c) Provided to staff for information and to note 'lessons learnt' and survey results and to use as a reference example in support of the community engagement handbook that has been developed.

Shoalhaven Water

26. Grant of Electricity Easements - Kangaroo Valley Sewerage Treatment Plant File 44527E [Index](#)

RECOMMENDED that:

- a) Council resolve to grant an Easement for Padmount Substation, Easements for Underground Cables and Restrictions on the Use of Land to Endeavour Energy over Lot 2 DP 11646891, described as (A), (B), (C), (D) & (E) and shown by hatching on plan marked Attachment 'A', at nil compensation;

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- 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 (Shoalhaven Water) is authorised to sign any documentation necessary to give effect to the resolution; and
 - c) All costs associated with the creation of the easements and restriction on use, including all survey, plan registration and ancillary costs are to be funded from Shoalhaven Water's Kangaroo Valley Sewerage Scheme fund.

27. Acquisition of electricity easements - Kangaroo Valley Sewerage Treatment Plant

File 43132E [Index](#)

RECOMMENDED that:

- a) Council resolve to acquire an Easement for Underground Cables variable width and an Easement for Electricity Purposes variable width in favour of Endeavour Energy over Lot 1 DP726020 at Kangaroo Valley, as shown by hatching on copy of draft plan marked 'Attachment A';
- b) Council pay compensation of \$10,000 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; and
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution.

28. Acquisition of Part of Crown Road at Kangaroo Valley

File 43143E [Index](#)

RECOMMENDED that:

- a) Council resolve to compulsorily acquire part of a Crown road shown as Lot 101 and by hatching on the attached copy of draft survey plan marked Attachment 'A', under the Local Government Act 1993 for the purposes of the Kangaroo Valley Sewerage Scheme;
- b) Council pay compensation for the acquisition as assessed by the Valuer General in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991. All costs associated with the acquisition are to be met from Shoalhaven Water's Kangaroo Valley Sewerage Scheme fund;
- c) The necessary application be made to the Minister for Local Government and the Governor;
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to the resolution; and
- e) Upon acquisition the land be classified as Operational land pursuant to Sections 31(2) and 34 of the Local Government Act.

29. Acquisition of Land and Grant of Easements - Vincentia Water Reservoir File 37424E [Index](#)

RECOMMENDED that

- a) Council resolve to compulsorily acquire:
- Lot 82, shown by hatching on sheets 1 & 3 of draft survey plan marked Attachment 'A', from itself and the Minister administering the National Park and Wildlife Act 1974, for the purposes of water supply under the Local Government Act 1993.
 - Lot 83, shown by hatching on sheet 2 of draft survey plan marked Attachment 'A', from the Minister administering the National Park and Wildlife Act 1974, for the purpose of water supply under the Local Government Act 1993. Lot 83 is to be subject to grant of a Right of Access 60.96 wide over the whole of the lot.
 - Lots 84-87, shown by hatching on sheets 1 - 3 of draft survey plan marked Attachment 'A', from itself for the purposes of water supply and drainage under the Local Government Act 1993.
 - Lots 88-98, shown by hatching on sheet 5 of draft survey plan marked Attachment 'A', and Lot 9 DP880940, shown by hatching on copy of that plan marked Attachment 'B', from itself for the purpose of road under the Roads Act 1993.
- b) Council accept the transfer of an Access Easement 5 wide and variable over proposed Lot 81, as shown on sheets 1 & 3 of draft survey plan marked Attachment 'A';
- c) All costs associated with the acquisitions and grant of easements are to be met from Shoalhaven Water's Water Fund, in accordance with Council's requirements under the Deed of Agreement for the sale of Council land to National Parks & Wildlife Service in 2007. The land and easements are to be transferred at \$nil consideration;
- d) The necessary application be made to the Minister for Local Government and the Governor;
- 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 the resolution; and
- f) Upon acquisition:
- Lots 82-87 of the draft survey plan are to be classified as Operational pursuant to Sections 31(2) and 34 of the Local Government Act, and
 - Lots 88-98 of the draft survey plan and Lot 9 DP880940 are to be dedicated as road pursuant to Section 10 of the Roads Act, 1993.

30. Acquisition of Land at Albany Street, Berry File 32870E [Index](#)

RECOMMENDED that:

- a) Council resolve to acquire part of Lot 3 DP858893, as shown by hatching on acquisition sketch plan marked 'Attachment A', under the Local Government Act 1993;

-
- b) Council to pay compensation of \$75,000, plus legal, valuation and survey 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; and
 - d) Council resolve to classify the land as Operational in accordance with section 31 (2) of the Local Government Act, 1993.

31. Review of Shoalhaven Water Group Policies – Final Round File 12039E [Index](#)

RECOMMENDED that:

- a) Council place on public exhibition the following Public Policy for the reasons outlined in the report:
 - i. Provision of Water and Sewerage Infrastructure – Developments Not Included in Development Servicing Plans
- b) Should Council receive no feedback or minor comments in relation to the Policy placed on public exhibition, then the Policy be deemed adopted at the conclusion of the submissions period, otherwise a further report is to be provided to Council.
- c) Council reaffirm the following Public Policy with minor amendment.
 - i. Minor Mains Extension Policy

32. Porters Creek Dam - Remediation Works File 8393E [Index](#)

RECOMMENDED that Council adopt Option 3 of the GHD Option Study Report (Mass concrete placed along the downstream face of the existing dam) as the preferred option for the upgrading of Porters Creek Dam and commence discussions with NPWS and other stakeholders to program the required works.

33. Expressions of Interest Process - Minor Mains Replacement Panel File 47349E [Index](#)

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

Assets and Works

34. Expression of Interest - Domestic Waste Processing - Community Engagement File 47109E [Index](#)

Conflict of Interest Declaration – Russ Pigg – Significant Non Pecuniary Interest – EOI respondent is a neighbour - left the room, did not take part in discussion or vote.

RECOMMENDED that:

- a) In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, Council consider a separate confidential report on this matter to provide detailed background information;
- b) Council undertake community engagement on options to process domestic waste, based on information provided by the Expression of Interest applicants that is not confidential; and
- c) Report to Council on the outcomes of the community engagement process and the evaluation of the Expression of Interest.

General Business

35. Additional Item – Jervis Bay Wild Cruise Vessel File 34994E [Index](#)

RECOMMENDED that:

- a) Council give permission to Jervis Bay Wild to allow the use of the part of the public wharf, near the rocks, in front of their dock boundary;
- b) Council advise the Huskisson Wharf Management Committee and other operators of Council's concurrence; and
- c) The approval can be revoked by Council in the future if the space is required by Council or the operation is found to have interfered with other public wharf users.

36. Additional Item – Removal of Vegetation File 1949E [Index](#)

RECOMMENDED that the vegetation behind the directional side on the western side of the Merriton St and Island Point Rd junction be cleared to allow for pedestrian access.

37. Additional Item – Central Shoalhaven Skate Facility File 32489E [Index](#)

RECOMMENDED that a report on the Central Shoalhaven Skate facility advising of budget and status of the project be provided to Council.

38. Additional Item – Footpath Extensions File 1949E, 26149E [Index](#)

RECOMMENDED that the St Georges Basin and Sanctuary Point Public Schools have footpath extensions undertaken at the front of both schools and that these extensions be considered as a priority in the budget.

SOUTHERN SHOALHAVEN NATURAL RESOURCES & FLOODPLAINS MANAGEMENT COMMITTEE – WEDNESDAY 28 AUGUST 2013 (ITEMS 39 to 41)

Corporate & Community Services

39. Membership - Resignation Advice File 30569E [Index](#)

RECOMMENDED that:

- a) The Committee accept the resignation of Mr Mark Paloff;
- b) The Committee write to Mr Paloff thanking him for his membership; and
- c) Council advertise the vacancy in local newspapers with a view to replacing Mr Paloff's position.

Planning & Development

40. Lake Conjola Boardwalk Replacement Project Update File 1438E & 31367E [Index](#)

RECOMMENDED that Council proceed to engage consultants to complete community consultation, detailed construction design and a Review of Environmental Factors for approval and construction for the replacement of the Lake Conjola Boardwalk in accordance with option 2 which involves the replacement along the existing alignment with minor deviations to comply with disabled access standards.

41. Lake Conjola Draft Interim Entrance Management Plan and REF and Information Brochure File 2235E [Index](#)

RECOMMENDED that Council:

- a) Adopt the attached Interim Entrance Management;
- b) Recognise that the Lake Conjola Community are working on a response to Council on the Draft Estuary Management Plan with an express desire to have dredging considered as an ongoing maintenance option for Lake Conjola (as referred to in the previous minutes of the Southern Shoalhaven Natural Resources & Floodplain Management Committee); and
- c) Distribute the Lake Conjola information brochure to residents & tourists once the following amendments have been made:
 - Under the Heading 'Why doesn't Council keep the lake open' delete the following words :
 - Second paragraph from 'that risk' to 'closed';
 - Fourth paragraph 'in fact it can have negative effects'.

**COUNCIL BUSHCARE REPRESENTATIVES GROUP – THURSDAY 29 AUGUST 2013
(ITEMS 42 to 43)**

Planning & Development Services

42. Eight Bushcare Group Action Plans – Consultation and Adoption File 1835E [Index](#)

RECOMMENDED that Council adopt the following eight Bushcare Group Action Plans, with amendments made to the Farrant Avenue Bushcare Group Action Plan and Violet Clarke and Orion Beach Reserves Action Plan (*in italics*):

- Wirracoo Walk – Basin Bushcare Group Action Plan – Huskisson
- Depot Beach Bushcare Group Action Plan – Depot Beach
- Farrant Avenue Bushcare Group Action Plan – Culburra Beach – *Include education actions to meet Objective 3 of the Plan*
- Ilowra Wetland & Rainforest (Bolong Road) Bushcare Group Action Plan – Bomaderry
- Tapitallee Reserve Bushcare Group Action Plan
- Upper Kangaroo River Bushcare Group Action Plan
- Lower Mulgen Creek Bushcare Group Action Plan
- Violet Clarke & Orion Beach Reserves – Bushcare Group Action Plan – Vincentia Bushcare Group – *The golf course be included in education programs*

General Business

43. Additional Item – Bushcare Voluntary Work File [Index](#)

RECOMMENDED that Council recognise the value of the Bushcare Groups' voluntary hours, 59,411 hours worth approximately \$1,782,330 since 2005, and its significant contribution to community building within the Shoalhaven and further the Council Bushcare Representatives Group encourages Councillors to include Bushcare site tours on their Familiarity Tours.

**SHOALHAVEN ACCESS ADVISORY COMMITTEE – TUESDAY 3 SEPTEMBER, 2013
(ITEMS 44 to 46)**

Corporate & Community Services

44. Membership Request - Nowra CBD Action File 45446E [Index](#)

RECOMMENDED that the Access Advisory Committee nominate Bill Deaves as its representative on the Nowra CBD Action.

Addendum Report – Assets & Works

45. Stewart Place Bus Interchange File 8028E [Index](#)

RECOMMENDED that Plan 1184 – Revision 04a for proposed changes to the Stewart Place bus interchange be adopted.

General Business

46. Additional Item – Worrigee/Kinghorne St Roundabout File [Index](#)

RECOMMENDED that Council investigate the visibility for wheelchair users at the south western corner of the Worrigee/Kinghorne Streets roundabout intersection.

BUSINESS & EMPLOYMENT DEVELOPMENT COMMITTEE – MONDAY 9 SEPTEMBER 2013 (ITEM 47)

General Business

47. Additional Item – Membership to Committee File 38821E [Index](#)

RECOMMENDED that Lexie Meyer be appointed to the Business and Employment Development Committee as the southern Community Representative.

**CHILDREN'S SERVICES REFERENCE GROUP – THURSDAY 12 SEPTEMBER 2013
(ITEM 48)**

General Business

48. Additional Item – Kids Korner Roof Repairs File 1440E [Index](#)

RECOMENDED that

- a) Council allocate funds to reroof Kids Korner, allowing for the design to accommodate a future extension of the building;
- b) The Children's Services Reference Group acknowledges that Kids Korner has established the following priority order for repairs:
 - i. Roof repairs;
 - ii. Bathroom upgrades for older children;
 - iii. Carpark maintenance; and
 - iv. Extension of the building; and
- c) A budget for future design be considered and reported to the Children's Services Reference Group.

Note by General Manager:

The estimated cost for roof repairs is \$70,000. Total programmed maintenance for all child care buildings is \$35,000 (2013/14). If all of these funds are used for Kids Korner, an additional \$35,000 needs to be sourced. Council needs to identify where these funds will come from.

**COUNCIL PROPERTY STEERING COMMITTEE – MONDAY 16 SEPTEMBER 2013
(ITEMS 49 to 51)**

Assets and Works

49. Closure of Public Road, Western End of Forster Drive, Bawley Point, NSW, 2539.
File 46868E [Index](#)
-

RECOMMENDED that:

- b) Council resolves to make an application to the Minister administering the Roads Act 1993 for the part of Forster Drive shown by hatching on Attachment A to be closed and sold to the owner of the adjoining lots, Lot 3 DP262902 & Lot 3 DP527264, being Capital Property Corporation Pty Ltd;
 - c) Authority be given to affix the Common Seal of the Council of the City of Shoalhaven to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution;
 - d) Council authorise the sale of the closed road to Capital Property Corporation Pty Ltd for \$65,000 plus GST if applicable;
 - e) All costs associated with the road closure are to be met by the applicant Capital Property Corporation Pty Ltd;
 - f) In accordance with the requirements of the Roads Act 1993 the sale proceeds be applied to acquiring land for public road or carrying out road works; and
 - g) Upon closure of the road the land will be classified as Operational in accordance with Section 31 and Section 34 of the Local Government Act 1993.
50. Classification of Land - Flat Rock Dam West Nowra File 7720E, 34313E [Index](#)
-

RECOMMENDED that Council resolve to classify the land described in Schedule A as operational land in accordance with section 31 (2) of the Local Government Act, 1993 and the Land Acquisition (Just Terms Compensation) Act, 1991, for the purpose of the Nowra Water Supply Scheme.

Schedule A

Legal Description	Locality	Reference
Lot 1 & 2 DP1181430	West Nowra	34313E
Lot 1 & 2 DP1102279	West Nowra	34313E

RECOMMENDED that Council not take any further action to acquire the land (Lots 3, 4 and 13, Section 13 DP9063) at Callala Beach.

R.D Pigg
GENERAL MANAGER

SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 10 SEPTEMBER 2013

ORDINARY MEETING

TUESDAY, 24 SEPTEMBER 2013

REPORT OF THE CONVENOR

ITEMS FOR APPROVAL UNDER DELEGATED AUTHORITY

52. Parking restrictions - Basin View Boat Ramp (PN 1321) File 2949E [Index](#)

- # RECOMMENDED that the General Manager (Director Assets and Works) be requested to arrange for the installation of a No Parking zone to replace existing No Stopping zone for a distance of approximately 40m in the turning circle of the boat ramp to allow loading and unloading of vehicles when launching and retrieving boats as per TRAF 2013/47.

53. Safety Concerns - Median Strip Crest Avenue, North Nowra (PN 3006) File 1706E [Index](#)

- # RECOMMENDED that the General Manager (Director Assets and Works) be requested to:
- a) Arrange for the installation of a Give Way sign (R1-2B) and associated Hold Linemarking (TB/TB1) on Crest Avenue at its intersection with Yurunga Drive, North Nowra
 - b) Arrange for the installation of Double Barrier (BB) Centre Linemarking on Crest Avenue, North Nowra for a distance of 30m at its intersection with Yurunga Drive, as detailed in the attached plan TRAF 2013/48.

Martin Upitis
CONVENOR

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 24 SEPTEMBER 2013

COUNCILLOR REPORTS ON CONFERENCES

54. **Local Government Conference - CBD Town Centre Design & Development Conference** File 4688e [Index](#)
-

PURPOSE: Delivery Program Activity: 4.3.2.1

To provide a report from Cllr Allan Baptist on the CBD Town Centre Design & Development Conference held in Sydney 19-20 June 2013.

RECOMMENDED that the report regarding the CBD Town Centre Design & Development Conference held in Sydney 19-20 June 2013 be received for information.

OPTIONS:

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

DETAILS:

In accordance with Clause 3.3(e) of the Council Members – Payment of Expenses and Provisions of Facilities Policy, Cllr Allan Baptist has submitted a report regarding the CBD Town Centre Design & Development Conference held in Sydney 19-20 June 2013. The conference report is attached for information.

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY 24 SEPTEMBER 2012

CORPORATE & COMMUNITY SERVICES

55. Election of Deputy Mayor and Assistant Deputy Mayor for the Ensuing Year

File 36617E [Index](#)

PURPOSE: Delivery Program Activity: 5.1.3.6

Under the provisions of Section 231 of the Local Government Act 1993 (LG Act) the Councillors may elect a person from among their members to be the Deputy Mayor. A Deputy Mayor may be elected for the Mayoral term or a shorter term. The recommendation provides for the positions to be filled for one year.

Council has previously appointed an Assistant Deputy Mayor who may exercise the function of Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising the function of the Deputy Mayor. Election to the position of Assistant Deputy Mayor should follow the same procedure as for Deputy Mayor if Council considers the position is required.

RECOMMENDED that Council determine the method of election and then conduct an election for Deputy Mayor and Assistant Deputy Mayor for the period until September 2014.

OPTIONS

1. Elect and appoint the Deputy Mayor and the Assistant Deputy Mayor. (as recommended)
2. Elect and appoint a Deputy Mayor only.

DETAILS:

Council at its meeting on 25 September 2012 elected Cllr Wells as Deputy Mayor and Cllr Baptist as Assistant Deputy Mayor.

The Deputy Mayor or the Assistant Deputy Mayor in his/her absence may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of the Mayor.

The method of election is as follows:

i. Returning Officer

The General Manager (or a person appointed by the General Manager) is the Returning Officer. The General Manager has appointed Greg Roberts as the Returning Officer.

ii. Nominations

- a) A Councillor may be nominated without notice for election as Deputy Mayor, and that Councillor has indicated consent to the nomination.
- b) The nomination can also be made in writing by two (2) or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- c) The nomination is to be delivered or sent to the Returning Officer.
- d) The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is held.

It would be appreciated if nominations could be in the hands of the Returning Officer by 2.00 pm on Monday 23 September 2013 to allow ballot papers to be prepared should there be more than one candidate and Council elects to proceed by preferential or ordinary ballot. However, this does not preclude nominations being lodged under part (a) above.

iii. Election

- a) If only one Councillor is nominated, that Councillor is elected.
- b) If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting. (ie. show of hands)
- c) The election is to be held at the Council meeting at which the Council resolves on the method of voting.
- d) In this clause:
 - (1) **Ballot** has its normal meaning of secret ballot;
 - (2) **Open voting** means voting by a show of hands or similar means.
- e) In the event of an equal number of ballots being cast for the position of Deputy Mayor or Assistant Deputy Mayor, the position shall be determined by draw. In the event of a draw the name drawn shall be the Councillor appointed to the position.

56. Ordinary Meeting - Order of Business

File 3910E [Index](#)

PURPOSE: Delivery Program Activity: 5.3.1.6

The Local Government General Regulation 2005 states that at a meeting of the Council (other than an Extra Ordinary meeting) the General Order of Business is as fixed by the Council's Code of Meeting Practice or as fixed by resolution of the Council.

RECOMMENDED that Council adopt the Order of Business, as follows, for the Ordinary Meetings of Council:

Opening Prayer

Acknowledgement of Traditional Custodians

Australian National Anthem

Apologies/Leave of Absence

Confirmation of Minutes

Declarations of Interest

Presentation of Petitions

Mayoral Minutes

Deputations

Report of the General Manager – Committees Report

Report of the Shoalhaven Traffic Committee

Report of the General Manager

Notices of Motion and Questions on Notice

Addendum Reports

Confidential Report of the General Manager

*** 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**

OPTIONS

1. Council adopt the order of business as shown in the recommendation.
2. Council change the order of business.

DETAILS:

Council's Code of Meeting Practice provides that "the Order of Business on the Agenda for Council and Committee Meetings be as fixed by the Code or by resolution of Council".

Council's Code of Meeting Practice provides a procedure whereby priority can be given to those items of business of particular interest to members of the public present at the meeting if the Council so resolves.

57. Determination of "Core" Council Committees

File 1753E [Index](#)

PURPOSE: Delivery Program Activity: 4.1.1.3

In accordance with Clause 260 of the Local Government General Regulation 2005, a Council may appoint or elect such committees as it considers necessary. In regard to such committees Council must specify the functions, membership and quorum of each Committee.

RECOMMENDED that:

- a) **Pursuant to Section 355 (b) – LG Act and Clause 260 of the LG (General) Regulation 2005 Council establish the "Core" Council Committees as:**

-
- i) **Policy and Resources Committee**
 - ii) **Development Committee**
 - b) **Pursuant to S377 of the LG Act the Core Committees have the delegated authority to determine all matters able to be delegated in respect of their functions.**
 - c) **The functions, membership and quorums be as set as follows:**
 - 1. **Policy & Resources Committee:**

Functions:

 - i) **Subject to part b) to make recommendations on the exercise of all powers vested in Council under any Statutes, By-Laws or Regulations in relation to Council's operational functions;**
 - ii) **To consider, formulate and review Policies in relation to Council's operational function and all matters within the Committees responsibilities and recommend to Council;**
 - iii) **To consider and recommend the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the next Operational Plan;**
 - iv) **To consider all matters in relation to the Community Strategic Plan, Delivery Program, Operational Plan and Resourcing Strategy and recommend to Council;**
 - v) **To monitor, review and develop matters of relevance in respect of the operations and strategic direction of Council's Holiday Haven Tourist Parks Group and**
 - vi) **To recommend to Council on all matters relating to the management and facilities provided on all Crown Reserve Trust Land where Council is the Trust Manager;**
 - vii) **To provide corporate direction for the Shoalhaven Water Group to the exercise of powers vested in Council under any statutes or regulations affecting the construction, alteration or maintenance of water and sewerage works and effluent works and pump out removal;**
 - viii) **To authorise the expenditure funds raised under Section 64 - LG Act within the limits established by Council;**
 - ix) **To recommend Fees and Charges for the Water and Wastewater services provided;**
 - x) **To develop implement and review strategic policies for water, sewerage and effluent operations;**
 - xi) **Be responsible for policy review and development for matters within the Committee's responsibilities;**

Membership:

 - i) **Mayor**

-
- ii) All Councillors
 - iii) General Manager (or nominee)
 - iv) Chairperson has casting vote.
 - v) Quorum – Five (5).

2. Development Committee

Functions:

- i) To deal with major variations to policy and determine policy guidelines where there are insufficient relevant policy guidelines to allow staff to proceed to determine a development application under delegated authority and make recommendations to Council;
- ii) To formulate and review policy guidelines for determining applications under delegated authority by staff;
- iii) To prepare and review Development Control Plans, Planning Policies and the LEP's and recommend to Council;
- iv) To act as a Committee of Review when an application has been refused under delegated authority and an application for reconsideration has been made by an applicant;
- v) To deal with other matters which may be referred to the Committee by the General Manager or Council; and
- vi) To be responsible for policy review and development for matters within the Committee's responsibilities and recommend their adoption to Council;

Membership:

- i) Mayor
- ii) All Councillors
- iii) General Manager (or nominee)
- iv) Chairperson has casting vote.
- v) Quorum – Five (5).

OPTIONS

- 1. Re-establish the current Core Council Committees including the functions, purpose and delegation, the membership and quorums.
- 2. Establish the same, or different, Core Council Committees with changes in functions, purpose and delegation, membership or quorums.

DETAILS:

The recommendation reflects the current status quo.

A Council must specify the function, purpose and delegation of each of its committees when such a committee is appointed or elected but may from time to time amend those functions or purpose and delegation.

Such a committee is to consist of The Mayor, and such other Councillors as are elected by the Councillors or appointed by Council.

The Chairperson of each committee (i.e. a committee consisting of only Councillors) of Council must be:

- a) The Mayor; or
- b) If the Mayor does not wish to be the Chairperson of the Committee – a member of the Committee elected by the Council; or
- c) If the Council does not elect such a member – a member of the committee elected by the Committee.

As the Council has historically included the General Manager as a member of committees the Local Government Act provision relating to Chairmanship does not apply.

A Council may elect a member of a committee of the Council as Deputy Chairperson of the committee. If the Council does not elect a Deputy Chairperson of such a committee, the committee may elect a Deputy Chairperson.

If neither the Chairperson nor the Deputy Chairperson of a committee of a Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be the Acting Chairperson of the committee.

The Chairperson is to preside at a meeting of a committee of a Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the Acting Chairperson is to preside at the meeting.

The quorum for a meeting of such a committee is to be:

- a) Such number of members as the Council decides; or
- b) If the Council has not decided a number – a majority of the members of the committee.

58. Determination of Date and Time of Regular Council Committee Meetings, Ordinary Meetings and Councillor Briefings **File 3910E [Index](#)**

PURPOSE: Delivery Program Activity: 4.3.1.1.

Council's Code of Meeting Practice states that "The Council shall, by resolution, set the time, date and place for the meeting cycle of ordinary and committee meetings in accordance with Section 365 – Local Government Act (namely at least ten times each year, each time in a different month).

If Option 1 is adopted, it will allow for any additional meetings (such as Extra Ordinary Meetings) to be convened on the fourth Tuesday of the month.

RECOMMENDED that Council

- a) **Adopt Option 1.**
- b) **Amend the Ordinary Meeting date of 15 October to 22 October 2013 due to the absence of a number of Councillors on 15 October.**

OPTIONS

1. Council:

- a) Adopt a three week cycle of meeting dates generally consisting of:

- Development Committee (Week 1);
- Policy & Resources (Week 2);
- Council Meeting (Week 3);

As per the attached schedule of meeting dates taking into consideration:

- Christmas break;
 - Easter break;
 - Australian Local Government Association General Assembly 2014;
 - Local Government Association Conference 2014;
 - No meetings or briefing scheduled for the first two weeks of January or July;
- b) Reaffirm the authorisations to the General Manager as set out in the report; and
 - c) Determine the start time for Council and Committee meetings and Councillor Briefings, to be generally 4:00 pm.

2. Council determine the meeting date schedule and authorisations to the General Manager.

DETAILS:

It is recommended that Council adopt the following authorisation to the General Manager:

- a) **Calling of Special Committee Meetings and Briefing Sessions:** the General Manager be authorised to call Special Meetings or Briefing Sessions for any of the Core or Advisory Committees and Boards.

-
- b) **Commencement Time for Regular Council Committees:** the General Manager be authorised to make changes to the commencing time for the Core Council Committees where appropriate.
 - c) **Advisory Committees – Frequency of Meetings:** Advisory Committees to meet not more than quarterly subject to the General Manager, in consultation with the Chairperson, being authorised to call meetings on a more regular basis to consider urgent and/or important business.
 - d) To allow the General Manager to consider alternate venues for the Ordinary Meeting of Council in special circumstances.

FINANCIAL IMPLICATIONS:

The frequency and time dedicated to Committee meetings have a direct correlation with the administrative costs.

59. Community Consultation and Committee System

File 1229E [Index](#)

PURPOSE: Delivery Program Activity: 4.2.2.1.

To determine the Councillor membership, confirm or disband the purpose/objective, delegated authority and quorum of Council's Committees.

RECOMMENDATIONS for the period to 30 September 2014:

1. **That Council establish the following Boards and Committees pursuant to Section 355 – Local Government Act with the purpose, delegation (if applicable) pursuant to Section 377 – Local Government Act, comprising of the membership and quorum shown hereunder:**
 - a) **Shoalhaven Arts Board – 2123E**
Purpose and Delegated Authority

The purpose of the Committee shall be to oversee the Arts in the Shoalhaven in accordance with the delegation set out below;

 - Foster ways to enrich, celebrate and develop the arts for the benefit, esteem and image of the whole of the Shoalhaven;
 - Organise and oversee the City's Arts Grants Program;
 - Act on Arts matters and in regard to Arts development and promotion matters;
 - Commit expenditure up to the total budget limit determined by Council and allocated to the Arts Board (including grant funding);
 - To develop and implement policy and planning pertaining to the development, promotion and enrichment of the artistic and cultural life of the City of Shoalhaven;
 - Allocate funding for arts projects and programs based on applications for financial assistance.
 - To provide recommendations to Council on Strategic and Financial matters relevant to Arts in the Shoalhaven

Membership

Clr Gash – Mayor
Clr Baptist – Chairperson
Clr Kearney
Clr White
Clr Guile
Ms Christine Currey
Mr Max Dingle
Ms Deborah Ely
Mr Robert Swieca
Ms Denise Stevens
Ms Robbie Collins
Ms Merilynn Weiss
Mr Stephen Nall
Mr Noel Wellington

Honorary Life Members

John Anderson
Jennifer Dickerson

IT Advisor

Mr Richard Ballinger

Quorum – Four (4)**b) Shoalhaven Sports Board - File 12623E****Purpose and delegated authority**

To coordinate sport in the Shoalhaven in accordance with the delegation set out below:

- To determine the strategic development of sports in the Shoalhaven to maximize the benefits to the people of Shoalhaven and make Recommendations to Council;
- To commit expenditure up to the budget limits determined by Council and allocated to the Sports Board;
- Formulate Policies on the use of Grounds in the City of Shoalhaven;
- To determine and present recommendations to Council on the need for additional sporting facilities in the City;
- To establish priorities for the development of facilities in the City including both sport and recreation;
- To set priorities for Government Grants for sport and recreation facilities in the City;
- To provide recommendations to Council on strategic and financial matters relating to sport in the Shoalhaven;
- To promote the role and scope of sport and recreation to the Shoalhaven community.

Membership

Clr Gash – Mayor

Clr Robertson
Clr White
Clr Findley
Clr Guile
Clr Watson
Clr Kitchener
General Manager or nominee
Mr Roger Walker
Mr Andrew Johnstone
Mr David Goodman – Chairperson
Mr David Chapple
Mr Syd Weller
Mr John Dyball
Ms Elaine Caswell
Mr Barry Horton
Mr Malcolm Campbell
Mr Ian Cockburn
Ms Kate Montague – NSW Sport and Recreation

Quorum – Eight (8)

c) Shoalhaven Tourism Board – File 1490E

Purpose & delegated authority

To oversee Tourism and events in the Shoalhaven in accordance with the delegation set out below:

- The primary function of the Shoalhaven Tourism Board is to implement the Tourism Master Plan and monitor and report on performance;
- To commit expenditure up to the budget limits determined by Council and allocated to the Board (including grant funding);
- To develop and implement tourism activities focusing on the promotion, coordination and review of issues affecting the development of tourism in the Shoalhaven City;
- To provide recommendations to Council on strategic and financial matters relating to tourism in the Shoalhaven.
- To administer a co-funded grant program for minor tourism infrastructure development at strategic locations throughout the Shoalhaven.
- To consider and determine financial and other assistance for events being held in the Shoalhaven
- To determine and review the Shoalhaven Events Strategy annually;
- To strategically review resource allocation for events in the City and recommend funding levels to Council;
- To review the placement and timing of events in the Shoalhaven to maximize their positive impact on the economy, culture and environment of Shoalhaven City
- To develop a branding strategy for the Shoalhaven, review pitches from branding agencies and recommend the further development and implementation of a Branding Strategy.

Membership

Clr Gash – Mayor
Clr Wells – Deputy Mayor
Clr Kearney
Clr Kitchener
Clr Tribe
Clr Watson
Ms Catherine Shields – Chairperson
Ms Fiona Hatcher
Mr Keith Greenwood
Mr Ken Banks
Mr Andrew Herring
Ms Michelle Bishop
Ms Melissa McManus
Ms Lynn Locke
Ms Kate Dezarnaulds

Quorum – One third of members

d) City Branding Working Group Sub Committee – 44825E

Purpose

- To develop a branding strategy for the Shoalhaven
- To review the pitches from branding agency experts
- Provide recommendations to Council for the further development and implementation of a Shoalhaven Branding Strategy

Membership

Clr Baptist
Clr Tribe
Clr Kearney
David Goodman – Business & Employment Development Committee
Catherine Shields – Shoalhaven Tourism Board
Fiona Hatcher – Shoalhaven Tourism Board
Andrew Herring – Shoalhaven Tourism Board
Ken Banks – Shoalhaven Tourism Board
Keith Greenwood – Shoalhaven Tourism Board

Quorum – Three (3)

2. Pursuant to Section 355 – Local Government Act, Council retain the following Natural Resource & Floodplain Management Committees with their purpose, membership and quorum as listed below until detailed consultation is undertaken with a view to establishing one overall Shoalhaven Natural Resource & Floodplain Management Committee:

a) Northern Shoalhaven Natural Resources & Floodplain Management Committee – 46778E

Purpose

To foster sustainable management of Shoalhaven's natural resources including floodplains, coast and estuaries.

-
- Provide overall guidance for the management of natural resource management including floodplain management, estuary management and coastal zone management in accordance with Federal, State and Local Government Policy and Legislative instruments;
 - Advise Council on natural resource management including floodplain management, estuary management and coastal zone management matters;
 - Formulate agreed vision, goals, objectives, and targets sought from the Natural Resource Management Plans;
 - Facilitate the preparation of Natural Resources Management Plans;
 - Provides input into the identification of management options for Natural Resources Management Plans;
 - Facilitate broad community consultation;
 - Monitor State and Federal Government natural resource management direction and advises Council on appropriate response;
 - Monitor advances in knowledge and science of natural resource management issues (such as sea level rise and climate change) and integrate this knowledge in new Natural Resource Management Plans as well as in the review of existing Plans; and
 - Provide overall guidance for the future management of the coastal zone in accordance with the NSW Coastal Policy;
 - Develop agreed vision, goals, objectives and targets for the coastal zone in consultation with the wider community;
 - Facilitates various investigations and studies that are required in order to evaluate coastal zone management options, inclusive of coastal hazard mapping and assessment;
 - Facilitate the preparation of Coastal Zone Management Plans;
 - Make recommendations to the Council regarding management options and the contents of Coastal Zone Management Plans;
 - Provide advice and assistance to the council regarding the implementation of Coastal Zone Management Plans; and
 - Make recommendations for Council consideration.

Membership

Clr Gash – Mayor

Clr Watson - Chairperson

All Councillors

General Manager or nominee

Mr John Downey

Mr Bill Pigott

Mr Terry Barrett

Mr John Skidmore

Mr Tony Emery

Mr Barry Harper

Mr Theo Wright

Mr David McCorkell

Mr John Tate

Ms Patricia Mason

Ms Jessica Zealand or nominee – Shoalhaven Heads Community Forum
Mr Craig Whitemore – RMS
Mr Brad Dudley – RMS
Mr Allan Lugg – DPI Fisheries
Mr Alex Deura – NPWS
Ms Libby Shields – NPWS
Mr Phil Craven – NPWS
Mr John Murtagh – OEH
Ms Gabrielle Pietrini – OEH
Mr Chris Presland – SRCMA
Mr David Zerafa – NSW Office of Water
Dr Stephen Allen – NSW Office of Water
Mr Stephen Dwight – Forests NSW
Ms Delia Lowe – Jerrinja Local Aboriginal Land Council
Mr George Curtis – DP&I
Mr Ian Borrowdale – SES
Mr Mark Edwards – Crown Lands Division

Quorum – Three (3) provided that a minimum of one Councillor and two community representatives are present.

b) Southern Shoalhaven Natural Resources & Floodplain Management Committee – 30569E

Purpose

To foster sustainable management of Shoalhaven's natural resources including floodplains, coast and estuaries.

- Provide overall guidance for the management of natural resource management including floodplain management, estuary management and coastal zone management in accordance with Federal, State and Local Government Policy and Legislative instruments;
- Advise Council on natural resource management including floodplain management, estuary management and coastal zone management matters;
- Formulate agreed vision, goals, objectives, and targets sought from the Natural Resource Management Plans;
- Facilitate the preparation of Natural Resources Management Plans;
- Provides input into the identification of management options for Natural Resources Management Plans;
- Facilitate broad community consultation;
- Monitor State and Federal Government natural resource management direction and advises Council on appropriate response;
- Monitor advances in knowledge and science of natural resource management issues (such as sea level rise and climate change) and integrate this knowledge in new Natural Resource Management Plans as well as in the review of existing Plans; and
- Provide overall guidance for the future management of the coastal zone in accordance with the NSW Coastal Policy;
- Develop agreed vision, goals, objectives and targets for the coastal zone in consultation with the wider community;

-
- Facilitates various investigations and studies that are required in order to evaluate coastal zone management options, inclusive of coastal hazard mapping and assessment;
 - Facilitate the preparation of Coastal Zone Management Plans;
 - Make recommendations to the Council regarding management options and the contents of Coastal Zone Management Plans;
 - Provide advice and assistance to the council regarding the implementation of Coastal Zone Management Plans; and
 - Make recommendations for Council consideration.

Membership

Clr Gash – Mayor

Clr Findley – Chairperson

Clr Baptist – Deputy Chairperson

All Councillors

General Manager or nominee

Mr Peter Lloyd

Mr Geoff Johnstone

Mr Horrie Tebbutt

Mr Glen Thomson

Mr Bob O'Brien

Mrs Elaine Caswell

Mr David Wilson

Mrs Robyn Kerves

Ms Gail Taylor

Ms Wendy Fuller

Dr Michael Brungs

Mr Brendon Wood

Ms Annette Parsons

Mr Peter Mueller

Mr Thomas Booler

Mr Tom Shields

Mr Peter Finnegan

Ms Kay Milsom

Mr Allan Lugg – DPI Fisheries

Mr Trevor Daly – DPI Fisheries

Mr John Murtagh – OEH

Mr Habib Ullah – OEH

Ms Gabrielle Pietrini – OEH

Mr Craig Whitmore – RMS

Mr Rob Moldovan – RMS

Mr Chris Presland – SRCMA

Ms Angie Batey – Southern SES

Mr Bill McInnes – SES

Mr Fred Carriage – Ulladulla Local Aboriginal Land Council

Mr Stephen Dwight – Forests NSW

Mr Neale Watson – NPWS

Mr Alex Deura – NPWS

Ms Libby Shields – NPWS

Mr George Curtis – DP&I
Mr Mark Edwards – Crown Lands Division

Quorum – Three (3) provided that a minimum of one Councillor and two community representatives are present.

c) Central Shoalhaven Natural Resources & Floodplain Management Committee – 30568E

Purpose

To foster sustainable management of Shoalhaven's natural resources including floodplains, coast and estuaries.

- Provide overall guidance for the management of natural resource management including floodplain management, estuary management and coastal zone management in accordance with Federal, State and Local Government Policy and Legislative instruments;
- Advise Council on natural resource management including floodplain management, estuary management and coastal zone management matters;
- Formulate agreed vision, goals, objectives, and targets sought from the Natural Resource Management Plans;
- Facilitate the preparation of Natural Resources Management Plans;
- Provides input into the identification of management options for Natural Resources Management Plans;
- Facilitate broad community consultation;
- Monitor State and Federal Government natural resource management direction and advises Council on appropriate response;
- Monitor advances in knowledge and science of natural resource management issues (such as sea level rise and climate change) and integrate this knowledge in new Natural Resource Management Plans as well as in the review of existing Plans; and
- Provide overall guidance for the future management of the coastal zone in accordance with the NSW Coastal Policy;
- Develop agreed vision, goals, objectives and targets for the coastal zone in consultation with the wider community;
- Facilitates various investigations and studies that are required in order to evaluate coastal zone management options, inclusive of coastal hazard mapping and assessment;
- Facilitate the preparation of Coastal Zone Management Plans;
- Make recommendations to the Council regarding management options and the contents of Coastal Zone Management Plans;
- Provide advice and assistance to the council regarding the implementation of Coastal Zone Management Plans; and
- Make recommendations for Council consideration.

Membership

Clr Gash – Mayor
Clr Watson – Chairperson

Clr Findley – Deputy Chairperson
All Councillors
General Manager or nominee
Mr Theo Wright
Mr John Dale
Mr Arvan Pritchard
Mr Barry Harper
Mr Peter Cumes
Mr David Reynolds
Mr Brett Stevenson
Mr David Tarbett
Mr Greg Westlake
Mr Bob Pullinger
Ms Rebecca Rudd
Mr Mike Clear
Mr Phil Queripel
Mr Chris Grounds
Mr Bradley Dudley – RMS
Mr Craig Whitmore – RMS
Mr Allan Lugg – DPI Fisheries
Mr Trevor Daley – DPI Fisheries
Mr John Murtagh – OEH
Ms Gabrielle Pietrini – OEH
Mr Chris Presland – SRCMA
Mr Stephen Dwight – Forests NSW
Ms Delia Lowe – Jerrinja Local Aboriginal Land Council
Mr George Curtis – DP&I
Mr Matt Carr – DPI Jervis Bay Marine Park
Mr Phil Craven – NPWS
Ms Frances Clements – NPWS
Mr Alex Deura – NPWS
Mr Ian Borrowdale – SES
Mr Mark Edwards – Crown Lands Division
Ms Libby Shields - NPWS

Quorum – Three (3) provided that a minimum of one Councillor and two community representatives are present.

3. **Establish the Audit Committee pursuant to Section 355 – Local Government Act and pursuant to Section 377 - Local Government Act authorize the Committee to carry out the roles and responsibilities in accordance with the Audit Committee guidelines published by the Division of Local Government and Council's Audit Committee charter with the objective, membership, sitting fee, and quorum shown hereunder:**

The objective of the Audit Committee (Committee) is to provide independent assurance and assistance to Shoalhaven City Council on risk management, control, governance, and external accountability responsibilities.

Membership

Mr Anthony Messner – – Chairperson - independent person

Clr Wells
Clr Guile
Clr Baptist (alternate member)
Mr Colin Lonergan - independent person
Mr Bob Pullinger – independent person

Quorum – Three (3) to include one (1) independent member and one (1) Councillor

Membership: To be reviewed following Expression of Interest process for the independent members.

Sitting Fee: \$400 per meeting or other authorised business applicable for Independent Members

4. **Establish the Regional Development Committee pursuant to Section 355 – Local Government Act and pursuant to Section 377 – Local Government Act delegate authority to the Committee to consider staff reports sent to the Joint Regional Planning Panel and make determinations in support or otherwise including making representations to the Joint Regional Planning Panel, with the following membership and quorum:**

Membership

Clr Gash – Mayor
All Councillors
General Manager or nominee

Quorum – Three (3)

5. **Establish the Council Property Steering Committee pursuant to the Section 355 with the following purpose, membership and quorum:**

Council Property Steering Committee – 30977E

Purpose

- To undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc) into development opportunities for Council's strategic land holdings.
- To review and recommend to Council the sale prices of land in connection with residential and industrial Council subdivisions.
- To consider and recommend to Council the sale of Council property or the purchase or resumption of land where the estimated market value is less than \$100,000.
- To recommend to Council the compensation to be offered in respect of land resumed by Council.
- To review properties leased or rented by Council and make recommendations thereon.

Membership

Clr Gash – Mayor – Chairperson
Clr Wells – Deputy Mayor – Deputy Chairperson

All Councillors
General Manager or nominee

Quorum – Three (3)

6. **Establish the Senior Staff Contractual Matters Committee pursuant to Section 355 – Local Government Act and pursuant to Section 377 – Local Government Act delegate authority to the Committee for the purpose set out below, with the following membership and quorum:**

Senior Staff Contractual Matters Committee – 5001E

Purpose and Delegated Authority

The Committee be delegated authority under Section 377 of the Local Government Act to:

- Review the General Managers performance against the agreement, at least annually.
- Deal with matters relating to requirements of the contract including the annual review of remuneration and to make any determinations where necessary.
- Receive the General Manager's annual reports on other Senior Staff contracts where Council is required to deal with contractual matters.
- Consider and determine –
 - The organisational structure.
 - Industrial Relations Policy.
 - Other staff matters requiring Council consideration.

Membership

Mayor - Chairperson
All Councillors
General Manager or nominee

Quorum – Five (5)

7. **That the Northern Shoalhaven Leisure Centre Steering Committee be disbanded.**
8. **Pursuant to Section 355 LG Act establish the following Advisory Committees, Working Parties and Reference Groups with the purpose, membership and quorum detailed hereunder:**

a) **Aboriginal Advisory Committee – File 1209E**

Purpose

- Advise Council on issues relating to the Aboriginal community.
- Act as a channel to advise Council of new issues affecting the Aboriginal community.
- Receive information on issues affecting the Aboriginal community and forward to Council.
- Provide a facilitation role.

-
- Advocate for the Aboriginal community.

Membership

Clr Gash – Mayor
Clr Findley – Chairperson
All Councillors
General Manager or nominee
Ms Sue-Anne Cutmore
Mr Shane Brown
Ms Rhonda Connolly
Mr Noel Wellington
Ms Lena Bloxsome
Ms Leslie Halls
Ms Patricia Lester
Ms Cindy Holmes – Relationships Australia
Mr Edward Braddick – NSW Family & Community Services
Jacinda Patten
Donna Castagna
Syliva Timbery – Indigenous Community Links
Shondelle Bolt
Jessica Hopkinson
Tamarra Muller

Quorum – Five (5)**b) Bomaderry Shopping Centre and Railway Precinct Working Party – 30100E****Purpose**

Within the defined geographic scope of this group, consideration of:

- the future form of the Bomaderry shopping centre;
- transport servicing/relationships – rail, bus, taxi;
- access – in particular disabled access;
- car parking – in particular the need for secure parking adjacent to the railway station;
- traffic circulation;
- streetscape;
- need for footpath widening;
- DCP review considerations.
- Ways to connect with other related bodies that exist within the precinct

Membership

Clr Gash – Mayor
All Councillors
General Manager or nominee
Mr John Barron
Mr Alan Hawkes
Ms Nola Stephens
Mr Warren Snodgrass
Mr Ron Arthur

Mr Ed Jolly
Mr Stewart Aiken
Mr Chris Neale
Mr David Esdaile
Mr Leon Sadubin
Mr Steen Pedersen
Mr Wayne Simpson
Mr Jim Tsirimiagos
Mr Graham Duke

Quorum – Six (6)

c) Business and Employment Development Committee – 38821E

Purpose

- To assist in the implementation of the Economic Development Strategy and monitor and report on performance.
- Support the expansion of industry activities within the Shoalhaven, across all sectors.
- Encourage the location of new industries in the region which will lead to an increase in the number of employment opportunities for the residents of the region
- Grow the socio economic base of the Shoalhaven.
- Examine and review employment development strategies and report on initiatives to carry their strategies forward.

Membership

Clr Gash – Mayor
All Councillors
General Manager or nominee
Mr John Lamont – Regional Development Australia – Chairperson
Member for Gilmore or nominee (Federal Member of Parliament)
Ms Shelley Hancock MP or nominee
Mr Gareth Ward MP or nominee
Ms Robbie Collins – University of Wollongong, Shoalhaven Campus
Ms Megan Cleary – NSW Trade & Investment
Mr Tim Montgomery – Unions Shoalhaven
Mr David Goodman – Shoalhaven Business Chamber
Mr Gerald Buckley – Secondary Schools Representative
Mr Arthur Rorris – South Coast Labour Council
Ms Catherine Shields – Shoalhaven Tourism Board
Mr Collin Waller – Business Representative
Mr Chris Warren – Kangaroo Valley Tourist Association
Mr Bradley Stait – Youth Advisory Committee
Ms Julia Driscoll – Youth Advisory Committee
Ms Fiona Hatcher – Regional Development Australia
Mr Paul Goodwin – NSW TAFE
Ms Jennifer Stewart – Shoalhaven Business Chamber
Ms Lexie Meyer – Community Representative

Observer

Michelle Kellaway – Department of Premier & Cabinet

Quorum – Six (6)

d) Children's Services Reference Group

Purpose

To progress the future planning of facilities and services to meet the growth and development needs of the Shoalhaven's Children, with specific regard to:

- Children aged between 0 and 12 years.
- The expansion and relocation of the Noah's Ark Children's Centre in Nowra.
- The provision and resourcing of Pre-School facilities and places, including Pre-schools serviced by the mobile unit, in the Shoalhaven.
- Enhancing the development, resourcing quality and member of Family Day Care and Child Care places throughout the Shoalhaven
- Planning for the specific needs of children in the provision of active and passive recreation services and facilities including but not limited to sporting infrastructure, entertainment, library and cultural services.
- Enhancing the health and welfare of the City's Children.

Membership

Clr Gash – Mayor

Clr Tribe - Chairperson

All Councillors

Mrs Bernadette Pullen – Noah's Ark

Mrs Ginger O'Brien – Noah's Ark

Ms Helen Waterhouse – Family Day Care

Ms Melinda Wren – Preschools

Ms Carmen Carter – Preschools

Ms Kimberlie Johnson – Preschools

Mrs Kim Stouse-Lee – Preschools

Ms Stacey Plim – Preschools

Mrs Louissa Janes – Preschools

Mr Alison Grills – Jumbunna Long Day Care Centre

Mrs Cindy Holmes – Cullunghutti Aboriginal Child & Family Centre

Mr Ted Braddick – Cullunghutti Aboriginal Child & Family Centre

Ms Clare Wilson – Care South

Ms Pamela Arnolda – Nowra & Ulladulla Family Support

Mrs Michelle Woszatka – Anglicare

Mrs Fay Worner – Waminda

Mr Craig Ardler – South Coast Medical Services

Ms Melissa Wicks – Illawarra Area Child Care Ltd

Ms Julie Flanagan – Kids Korner OOSH

Quorum - Five (5) provided at least one Councillor and three (3) community representatives present

e) Council Bushcare Representative Group – 42643E

Purpose

To act as an advisory group on all matters relating to the future directions of the Bushcare Policy and program.

Membership

Clr Gash – Mayor
Clr Findley – Chairperson
All Councillors
Mrs Annie Boutland
Ms Francis Bray
Dr Mike Clear
Mr Tony Jennings
Mr Bryan Lenne
Mr Bill Pigott
Mr Eric Zarrella – SRCMA
Representative - OEH

Quorum – Five (5)

f) Crookhaven Heads Lighthouse Steering Committee – 41571E

Purpose

- To actively engage with the community and seek broad support and assistance to upgrade the Crookhaven Heads Lighthouse;
- To liaise with all levels of Government and their necessary departments to facilitate the upgrade and management of the Crookhaven Heads Lighthouse;
- To educate the community about the importance of the preservation of local heritage;
- To seek feedback from all stakeholders on the future uses of the Lighthouse once the restoration is complete.

Membership

Clr Gash – Mayor
Clr White – Chairperson
All Councillors
General Manager or nominee
Ms Shelley Hancock MP or nominee
Member for Gilmore or nominee (Federal Member of Parliament)
Mr Delia Lowe – Jerrinja Local Aboriginal Land Council
Mr Noel Wellington - Jerrinja Local Aboriginal Land Council
Mr George Aldridge - Jerrinja Local Aboriginal Land Council
Mr David Ward – South Coast Correctional Centre
Mr Brett Cousley – Department of Corrective Services
Mr John Hanscombe or nominee – South Coast Register
Ms Anne Hollis-Coates – Culburra Beach Progress Association
Mr John Castellan – Orient Point Progress Association
Mr Ian Clifford or nominee – Lighthouses of Australia Inc
Mr Pat Welch – Marine Rescue Shoalhaven
Ms Wendy Billett – Shoalhaven Historical Society

Ms Catherine Shields – Shoalhaven Tourism Board
Mr Alan Branson
Representative – Crown Lands
Representative – 2ST

Quorum – Seven (7)

g) Northern Shoalhaven Indoor Sports Centre Reference Group – 46024E

Purpose

To assist and provide Council and/or its consultant with advice and expertise in the detail design and specifications towards the construction of the Northern Shoalhaven Indoor Sports Centre and assist in the development of potential management models for consideration by Council.

Membership

General Manager or nominee – Chairperson
Director Planning & Development Services
Director Assets & Works
Recreation, Community & Culture Manager
Parks Operations Manager
Recreation Planning & Development Manager
Project Delivery & Contracts Manager, or appointed project manager
2 representatives – Basketball NSW
2 representatives – Bomaderry Volleyball
2 representatives – Futsal NSW
2 representatives – Nowra Netball Association
2 representatives – Bomaderry AFL
2 representatives – Bomaderry Cricket
2 representatives – Bowling NSW

Quorum – Five (5), provided a majority are stakeholder members

h) Nowra CBD Action – 45446E

Purpose

- Provide recommendations to Council on the adoption of any policy or Development Control Plan that may impact on the Nowra CBD, including the Graffiti Policy
- Provide input into the maintenance priorities within the Nowra CBD
- To commit expenditure up to the limits determined by Council, including grant funding for the maintenance and improvements to assets in the Nowra CBD;
- To provide input into how maintenance services within the Nowra CBD are delivered and managed.
- To provide input into the Nowra CBD Masterplan and where considered appropriate recommend changes
- Provide recommendations to Council on linking developer contributions to the identified works
- To provide recommendations to Council on strategic and financial matters relating to the maintenance and improvements to assets in the Nowra CBD.

-
- To deal with graffiti management
 - To investigate private and public solutions to improving parking in the Nowra CBD
 - To assist in the development and implementation of the Nowra CBD Masterplan
 - To investigate options for Nowra Gateway Park.

Membership

Clr Gash – Mayor

Clr Wells – Chairperson

All Councillors

Director Planning & Development Services (or nominee)

Director Assets & Works (or nominee)

Mr David Goodman – Shoalhaven Business Chamber

Mr Paul Dean – Community Representative

Mr Stephen Nall

Mr Lance Sewell

Mr Scott Baxter

Mr Peter Price

Ms Catherine Shields – Shoalhaven Tourism Board

Mr Alan Hawkes - Shoalbus

Mr Ernie Panucci

Mr Lee Carmichael

Ms Robbie Collins – University of Wollongong, Shoalhaven Campus

Mr John Watts – Berry Court Owners Committee

Ms Jacqui Burke – SBC

Ms Margaret Simoes – SCAT

Representative – Youth Advisory Committee

Quorum – Seven (7)

i) Nowra Pool Advisory Committee – 43815E

Purpose

To advise Council on possible upgrade options for the Nowra Pool and adjoining area.

Membership

Clr Gash – Mayor – Chairperson

All Councillors

Ms Fiona Phillips - Representative Nowra Swimming Club

Mr Peter Robertson - Representative Nowra Swimming Club

Ms Jill Turnbull - Representative Nowra Swimming Club

Ms Jodie Caple - Representative Nowra Swimming Club

Ms Patricia Mason - Representative Community

Ms Lynne Allen - Representative Community

Mr John McGuire - Representative Community

Mr David Goodman Shoalhaven Business Chamber

Representative Community

Representative Nowra CBD Action x2

Representative Shoalhaven Business Chamber

Quorum – Four (4)

j) Rural Fire Service Strategic Planning Committee- 1227E

Objectives:

To advise Council on issues of a strategic and policy nature relating to the operation of the Rural Fire Services having regard to the following:

- That the core communication between brigades and Fire Control Officer on operational issues be raised through the Group Officers utilising the committee structure.
- All issues be raised through Fire Control so that statutory matters can be resolved immediately.
- Policy matters raised can be referred to the Strategic Planning Committee. Outcomes from the Committee are to be referred to the Policy and Planning Committee through the General Manager so that statutory matters can be resolved.
- That the Strategic Planning Committee be developed as the body advising Council on Rural Fire Service policy issues.

Membership

Clr Gash – Mayor

Clr Robertson – Chairman

General Manager or nominee

Mr Mark Williams – District Manager RFS

Mr Paul Gooley – (Acting) Staff Representative RFS

Mr Vic Walker – Group Officer Representative RFS

TBA – Group 1 Area Primary Representative (alternate – Mr Steve Thompson)

Ms Jennifer Lawther – Group 2 Area Primary Representative

Ms Angela Thornley – Group 3 Area Primary Representative (alternate – Ms Michelle Thornley)

Mr Paul Gleeson – Group 4 Area Primary Representative (alternate – Ms Tracy Griffiths)

Mr Brian Lynn – Group 5 Area Primary Representative (alternate – Mr John Ashton)

Quorum - Five (5)

k) Shoalhaven Access Advisory Committee – File 1228E

Purpose

- To identify the major needs of the different disability groups in the Local Government area.
- To make recommendations to Council to resolve the local access problems in priority order.
- To develop a policy on access which can be used in conjunction with the Building Code of Australia in the consideration of applications for building or development and generally in the preparation of Council's own plan for recreation facilities.

-
- To increase public awareness of access barriers and the extent to which they disadvantage people with disabilities, the aged and parents with children etc.

Membership

Clr Gash – Mayor

Clr Findley - Chairperson

All Councillors

General Manager or nominee

Member for Gilmore or nominee (Federal Member of Parliament)

Mr John Burns

Ms Meg Madge – non attending member

Mr Brett Tory – non attending member

Ms Jodie Hoger – TAFE Illawarra Insitute

Ms Gillian Lidsey – Department of Aging Disability and Homecare

Mr Brendan Vaghan – Department of Aging Disability and Homecare

Ms Jackie Kay

Ms Susan Booth – Essential Personnel

Ms Leonie Dippel – Shoalhaven Community Transport

Mr Paul Hartley – Vision Australia

Mr Bill Deaves

Ms Andrea Wallace

Mr Theo Bagou

Ms Nola Stephens

Mr Neville Foord

Mr Peter Thomas

Ms Leah Ogden

Mr Arthur Ball

Representative Occupational Therapy Department, Shoalhaven Hospital

Quorum – Eight (8)

I) Shoalhaven City Mayor's Relief Fund – 3926E**Purpose**

- The fund has been established and maintained as a public fund for the relief of persons in Australia who are in necessitous circumstances and it is intended that the public be invited to contribute to the fund.
- A person will be in necessitous circumstances where his or her financial resources are insufficient to obtain all that is necessary, not only for a bare existence, but for a modest standard of living in the Australian community.
- Necessitous circumstances may result from a disaster caused by flood, fire, drought, tempest or other calamity.

Delegated Authority

The management of the fund is vested in the Shoalhaven City Mayor's Relief Fund Committee. Rules have been adopted by Council.

Membership

Clr Gash – Mayor – Chairperson

All Councillors

General Manager or nominee
Director Corporate & Community Services
Shoalhaven City Fire Control Officer
Coordinator, Shoalhaven City State Emergency Services
Nowra Ministers Association or his nominee

Quorum – Three (3)

m) Shoalhaven Heads Estuary Taskforce – 45866E

Purpose and Objectives

- Examine options for pursuing a partial or complete opening of Shoalhaven Heads
- Review Councils current Entrance and Estuary Management Plans for Shoalhaven Heads
- Report directly to Council
- Address the current build up of sedimentation and sand levels within the estuary.
- Investigate the viability of options to create greater flow and movement of water within the estuary, including a Permanent Opening.
- Update and review the Shoalhaven River Entrance Management Plan to include provisions that restore, maintain and sustain the health of the Shoalhaven Heads estuary; not just for the purpose of Flood Mitigation.
- Ensure the objectives and actions for sustaining the Shoalhaven River within the Shoalhaven River Estuary Management Plan are effective.
- Challenge the Healthy River Commission assertion in the Shoalhaven Estuary Management Plan (Clause: 4.3.1.2) as unacceptable to the community of Shoalhaven Heads.
- Formulate a time lined programme of actions to achieve the above requests.

Membership

Clr Gash – Mayor
Clr Guile – Chairperson
Clr Wells
Clr Kearney
Clr McCrudden
Mr Gareth Ward MP or nominee
Mr Laurie Talbot
Ms Jessica Zealand
Mr Ray Faux
Mr Graeme Philpott
Mr Allan Richardson
Mr Mike James
Mr Matthew Vout
Mr Phil Guy
Mr David Lamb
Mr David McCorkell
Mr Barry Allen
Mr Brian Allen

Quorum – Three (3) provided that a minimum of one Councillor and two community representatives are present.

n) Youth Advisory Committee – File 1506E

Purpose and delegated authority

To represent the interests and views of young people to Council and the Community in accordance with the delegation set out below:

- To advise and recommend to Council staff on matters of an operational nature and implement policy relating to the interests and views of young people and/or within adopted budgets;
- To recommend to Council on policy matters and other matters not able to be delegated by Council;
- To provide recommendations to Council on Strategic and Financial directions relating to Youth in the Shoalhaven;
- To commit expenditure up to the limits determined by Council, including grant funding.

Note: At the Council meeting of Tuesday 26 March 2013, the following was adopted:

That Council endorse the following changes to the Youth Advisory Committee:

- a) A maximum of 26 youth members, comprising 18 students aged 15yrs and over from local high schools, be appointed as members;*
- b) A maximum of 5 students may be elected from each local high school, however only a maximum of 2 students from each school may attend and vote at any meeting;*
- c) A maximum of 8 young people, aged between 15 and 24yrs, from the community and/or Youth Services be appointed as members;*
- d) Councillors of Shoalhaven City Council are members of Youth Advisory Committee and therefore can vote; other interested people may attend as support and observers but are not able to vote on motions. The Youth Advisory Committee may also call on other people to attend the meetings as required;*
- e) The quorum to increase from 5 members to 6 members;*
- f) The Youth Advisory Committee meet quarterly and convene additional meetings when required;*
- g) Meetings to be held on a week day during school terms between 10 am - 12 pm;*
- h) A Guest Speaker be invited to attend Committee meetings; and*
- i) Set agendas & minutes of the meetings will be undertaken by Executive Support staff, but will not necessarily have a business paper, unless there are Council issues to report to Youth Advisory Committee etc;*
- j) Meetings be conducted in an informal manner, but still within Council's "Code of Meeting Practice" Policy.*

Membership

Clr Gash – Mayor

All Councillors

General Manager or nominee

Ms Kyriana Van Den Belt - Youth Liaison Officer, Shoalhaven Local Area Command

Clr Gareth Ward MP or nominee

Member for Gilmore or nominee (Federal Member of Parliament)

Ms Shelley Hancock MP or nominee

Ms Shannon Karger

Mr Dean Naylor-Clark

Mr Scott Castelnoble

Ms Julia Driscoll

Mr Campbell Harvey

Ms Kimberley Peat

Mr Jonah Allen

Mr Chris Farley

Representative Shoalhaven Business Chamber

Representative – Sanctuary Point Youth & Community Centre, Bay & Basin Community Resources

FINANCIAL IMPLICATIONS:

The Board and Committee framework needs to be cost effective as well as contribute in a meaningful way to the good governance process.

COMMUNITY ENGAGEMENT:

Whether Council establishes formal Committees or Boards or informal community based Reference Groups it is essential that Council engage the community to participate in the decision making process

60. Council Representatives on Other Committees or Organisations Outside of Council
File 4043E [Index](#)

PURPOSE: Delivery Program Activity: 4.2.2.1.

To confirm the list of Council representatives on Other Committees or Organisations Outside of Council.

RECOMMENDED that Council resolve the membership of Councillors and other delegates on other Committees or Organisations Outside of Council.

OPTIONS

1. Council reaffirm membership as per the recommendation.
 2. Council change the membership of Councillors and other delegates on other Committees or Organisations Outside of Council.
-

DETAILS:

Details of the other committees or organisations in which Council has an interest, along with their respective purpose and current membership, are listed below.

1. Batemans Marine Park – 33451E

Purpose

Advise the Ministers and the Marine Parks Authority (NSW) on the development of the Batemans Marine Park.

Membership

Clr Findley

2. Crown Cemeteries Advisory Committee – 4043E

Purpose

To advise the Minister on matters affecting the day to day management and long term sustainability of public cemeteries in NSW.

Membership

Bereavement Service Manager or delegate

3. Healthy Cities Illawarra Management Committee – 4043E

Purpose

Healthy Cities Illawarra is a community based, non profit organisation that is part of a world wide movement initiated by the World Health Organisation, committed to improvement of health, environment and the quality of life within the Illawarra community.

Membership

Clr Anstiss

General Manager (or delegate) – Alternative representative

4. Illawarra Academy of Sport – 2388E

Purpose

To develop outstanding young community citizens who utilise their sporting talents and role model status in a positive manner within the Illawarra Region. This appointment is a three year term.

Membership (nominated by the Mayor)

Clr Wells – Deputy Mayor, Mayor's representative

5. Illawarra Shoalhaven Medicare Local Board Council

Purpose

The Illawarra-Shoalhaven Medicare Local is to lead and support the primary health care sector to achieve significant improvements in the health and wellbeing of our population. Their role is to collaborate with existing providers to ensure integrated

service delivery and to enhance and develop service delivery where gaps are identified.

Membership

Clr Wells – Deputy Mayor

Clr Findley (alternate delegate)

6. Jervis Bay Marine Park Advisory Authority Committee – 1462E

Purpose

Advise the Ministers and the Marine Parks Authority (NSW) on the management of the Park and:

- The conservation of the marine biological diversity within the Marine Park
- The ecologically sustainable use of the Marine Park
- The public use and enjoyment of the Marine Park

Previous Membership

Clr Findley

7. Joint Regional Planning Panel

Purpose

To determine regionally significant development applications.

Previous Membership

Clr Watson

Ernie Royston (Alternative Michelle Bishop) – Community Representative

Note: A sitting fee of \$400.00 is paid to the Council and Community Representatives.

8. National Sea Change Task Force - Committee of Management – 3245E

Purpose

To represent the interests of coastal councils and communities experiencing the effects of rapid growth and development.

Previous Membership

Clr Findley

9. NSW Country Mayors Association – 14214E

Purpose

The NSW Country Mayors Association is a group that comprises Mayors and General Managers, or their representatives, from country areas of NSW under its constitution.

Membership

Clr Gash – Mayor

Clr Wells – Deputy Mayor (alternate delegate)

Russ Pigg – General Manager

10. Noxious Weeds Advisory Committee – 6735E

Purpose

- Provide a forum for all matters relating to the control of noxious weeds
- Provide advice to the Minister on all matters related to noxious weed control
- Recommend to the Minister allocations from the Government's Weeds Action Program funding and to ensure public authorities are accountable for those funds.
- Recommend to the Minister plant species proposed to be declared as noxious weeds

Membership

Clr Guile

11. Renewable Energy Precinct Advisory Committee – 4043E

Purpose

To provide advice to facilitate the development of renewable energy within areas of strong wind resources.

Membership

Clr Findley

12. Rural Fire Service Shoalhaven District Liaison Committee – 2122E

Purpose

In regard to the RFS:

- Monitor the performance of the Service Level Agreement
- Develop a local service delivery model
- Prepare an annual budget and business plan for Councils consideration
- Provide financial performance reports
- Act as the appropriate disciplinary authority for Council.

Membership

Clr Robertson

Clr White

General Manager (or nominee)

13. Safer Community Action Team – 3519E

Purpose

To increase community safety in the Shoalhaven and develop an Action Plan containing strategies to address the issues and enlist support for the Plan from the community.

Membership

Clr Findley

Clr Anstiss

Clr Kearney (alternate delegate)

Clr Baptist (alternate delegate)

14. Shoalhaven Bush Fire Management Committee – 2820E

Purpose

Under the Rural Fires Regulation 2002 – Part 3:

- At the request of the Bush Fire Co-ordinating Committee:
 - Assist the Bush Fire Co-ordinating Committee in the performance of its functions under Section 48 of the Act;
 - Assist the Bush Fire Co-ordinating Committee in the performance of its functions under Sections 60(2) and 63(4) of the Act;
 - Draw to the attention of the following in regard to any matter it considers relevant to the protection of land, life, property or the environment in that area from the impact of bush fires:
 - The Bush fire Co-ordinating Committee; or
 - A public authority exercising its functions in the Bush Fire Management Committee's area.

Note: The Committee has no power to conduct or take part in fire fighting or fire prevention operations authorised by the Act, this regulation or any other Act or statutory instrument.

Membership

Clr Robertson

General Manager (or nominee)

15. Shoalhaven Traffic Committee – 1491E

Purpose

The Traffic Authority has delegated certain powers to Councils in respect of the provision of Traffic control facilities and traffic management measures on public streets. The exercise of such powers is conditional upon the Council forming a Local Traffic Committee and seeking its advice /approval before a traffic facility/traffic management measure is implemented or removed.

It should be noted that Local Traffic Committee is not a Committee appointed by Council under the Local Government Act but a Committee to be formed by Council in the exercise of its delegated powers. Councillors do not have a formal vote but have attended as “observers”.

Membership

Clr Gash – Mayor

Clr White

Clr Anstiss

Clr Guile

Mr Martin Uptis – Asset Management Manager (Convenor/Chairperson)

16. South Coast Co-operative Library Services – 3934E

Purpose and Delegated Authority

To provide Control and manage libraries or library services within the areas of the Member Councils upon the terms and subject to the conditions specified in the agreement.

Note: The member Councils are Shoalhaven City Council, Kiama Municipal Council, Eurobodalla Shire Council.

Membership

Clr Gash - Mayor

All Councillors

General Manager or nominee

Director Corporate & Community Services

Library Services Manager

Ms Sarah Taylor – Information Services Manager

Three Representatives – Kiama Municipal Council

Three Representatives – Eurobodalla Shire Council

Quorum – Majority of Members

17. South Coast Correctional Centre Community Consultative Committee – 4043E

Purpose:

- To assist in the development and maintenance of a positive relationship with the local community
- To provide a forum for local community consultation and comment on correctional programs and procedures
- To facilitate the involvement of the local community in correctional centres programs
- To provide a mechanism to identify appropriate programs in which the correctional centre can participate and assist in the local community
- To assist in the establishment of worthwhile community partnerships

Membership

Clr Anstiss

Mr Ben Stewart – Director Assets & Works

18. South Coast Regional Tourism Organisation Incorporated – 6853E

Purpose

To promote Tourism to the South Coast of NSW.

Membership

Mr Bill Powell

Tourism Manager

19. South East Australia Transport Strategy Inc – 3678E

Purpose

To improve the transport network to enhance economic development within the region.

Membership

Clr Guile

Mr Greg Pullen – Economic Development Manager

20. Southern Councils Group – 2172E

Purpose

- To consider the needs of the Local Government area and of the people of the Illawarra and South Coast Region and of making known those needs to the Commonwealth and New South Wales Government;
- To submit to such governments requests for financial assistance, policy changes and additional resources for the region of member Councils;
- To strengthen the role of Local Government in regional affairs particularly where the region may be affected by Australian or New South Wales Government policy;
- To encourage the Councils of the region to work together and co-operate on problems and projects of joint interest;
- To advance the interests of the region; and
- To encourage closer co-ordination among Local, State and Commonwealth Governments for the promotion and benefit of the region.

The Southern Councils Group is comprised of representatives from the following Councils:

- Shellharbour
- Kiama
- Wingecarribee
- Wollongong
- Shoalhaven
- Bega
- Eurobodalla

being two representatives of each Council (Mayor and one other).

Membership

Clr Gash – Mayor

Clr Wells – Deputy Mayor

General Manager (alternate delegate)

21. Southern Tablelands and South Coast Regional Noxious Plants Committee – 3201E

Purpose

This Committee allows representatives of Councils involved in noxious weed eradication on the Southern Tablelands and South Coast to meet quarterly for the purpose of discussing common problems and objectives. The Committee also

makes special purchasing arrangements for noxious weed sprays, in order that the Councils in the area can obtain the most advantageous prices available.

Membership

Clr Gash – Mayor or nominee
Clr White
Clr Guile

22. Southern Water Services Pty Ltd – 4043E

Purpose

To operate in a commercial way under the Companies Act on a similar basis to any other trading Company.

Previous Membership

Clr Gash – Mayor – Director
Clr Wells – Deputy Mayor – Director
Clr Kearney – Director
Clr Kitchener – Director
Clr Watson – Director
Clr Guile – Director
Clr Robertson – Director
Ms Vanessa Phelan – Secretary

23. Sydney Catchment Authority Local Government Reference Panel – 19869E

Purpose

Regularly consult with one or more Consultative Committees to enable community involvement on issues relevant to the performance of the Authority's obligations under the licence, those being:-

- Securing future water resources from the Shoalhaven River in competition with the Authority
- The development of a sewerage scheme for Kangaroo Valley township
- Impacts on development and land use in Kangaroo Valley on water supply quality for Kangaroo Valley township
- Pricing of bulk water from the Sydney Catchment Authority and particularly over periods of severe drought for the City.
- Liaison between the Department of Land & Water Conservation and the Sydney Catchment Authority for issue of a licence and specifically requirements for environmental flows in the Shoalhaven River.

Membership

Clr Wells – Deputy Mayor
Ms Carmel Krogh - Director Shoalhaven Water

1. On site Waste Water Management Systems (Sub Committee of Sydney Catchment Authority Local Government Reference Panel) - 19869E

Indicative Terms of Reference

- Current Sydney Management Catchment priorities and capacity
- Lessons from the current program

-
- Local Government advice on ongoing needs
 - Integration with other initiatives (eg NorBE assessment)

Membership

Clr Findley

24. Ulladulla Working Port Committee – 4043E

Purpose

To provide input and support to the Department of Lands and it's proposed agent in connection with the operation of the present maritime and associated facilities at Ulladulla Harbour.

Membership

Clr Kitchener

Clr White

25. Vincentia High School Hall Management Committee – 4043E

Purpose

To oversee procedures in regard to hall hire, management and insurance. Council contributed \$100,000 towards the construction of the hall.

Membership

Clr Robertson

26. Illawarra Shoalhaven Medicare Local Committee – 4043E

Purpose

To provide a diverse range of primary health care services through service brokerage, direct delivery and purchasing to improve health outcomes of our community.

Membership

Clr Wells

61. Section 355 Management Committees

File 9012 [Index](#)

PURPOSE: Delivery Program Activity: 4.2.2.1.

To confirm the Section 355 Management Committee's delegated responsibility and their authority to expend up to an amount of \$5,000.

RECOMMENDED that:

- a) **The Section 355 Management Committees listed, in this report, retain their delegated responsibility pursuant to Section 377 – LG Act for the care control and management of their facilities with authority to expend up to an amount of \$5,000 consistent with the delegation; and**
- b) **The authorisation to the General Manager to appoint members as required be confirmed.**

OPTIONS

1. That the Section 355 Management Committees retain their delegated responsibility for the care control and management of their facilities with authority to expend up to an amount of \$5,000 consistent with the delegation.(as recommended)
2. Council change the delegated responsibility for the care control and management of its facilities with authority to expend up to a different amount consistent with the delegation

DETAILS:

Council has previously delegated responsibility for the care control and management of the facilities operated by Management Committees on behalf of Council, with authority to expend up to an amount of \$5,000 consistent with the delegation, to the Management Committees listed below.

Council also previously confirmed the authorization to the General Manager to appoint members as required.

Management Committees

Ahimsa Sailing Club Management Committee
Berry Showgrounds (Hazel & David Berry Parks)
Berry Sporting Complex
Bomaderry Community Centre
Burrill Lake Public Hall
Callala Bay Community Centre
Callala Bay Progress Hall
Callala Beach Community Centre
Cudmirrah Berrara Community Hall/Tennis Courts
Culburra Beach Community Centre
Culburra Tennis Courts
Currarong Tennis Courts
Former Pyree Public School
Finkernagel Reserve
Frogs Holla Sporting Complex
Greenwell Point Memorial Community Centre
Greenwell Point Wharf
Huskisson Community Centre
Huskisson Tennis Courts
Kioloa-Bawley Point Community Centre
Lady Denman Heritage Museum
Milton/Mollymook Pony Club Grounds
Milton Showground
Milton Theatre
Mollymook Oval
North Nowra Community Centre
Nowra Community Hall
Osborne Park Management

St Georges Basin Community Centre
Shoalhaven Heads Community Centre
Shoalhaven Heads Tennis Courts
Shoalhaven Rugby Park
Sussex Inlet Thompson Street Community Facilities
Ulladulla Slipway
Vic Zealand Oval
Vincentia Sailing Club
Wandandian Recreation Reserve
West Street Oval
Worrigee Equestrian Common
Yulunga Reserve

FINANCIAL IMPLICATIONS:

Having community based Management Committees take responsibility for the care, control and management of local facilities is an extremely cost effective delivery method.

COMMUNITY ENGAGEMENT:

Council supports the Management Committee volunteers with advice, in kind assistance and budget provisions where appropriate.

Volunteerism is a delivery method encouraged and supported by Council.

62. Record of Investments – August 2013

File 2126E [Index](#)

SECTION MANAGER: Nancy Marriott

PURPOSE: Delivery Program Activity: 5.1.3.14

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

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

OPTIONS

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

DETAILS

Council's current investment portfolio has a weighted average return of 4.09% (annualised), 149 basis points above the average 90 day Bank Bill Rate of 2.60% (as supplied by CBA).

The Managed Fund Portfolio returned an average 4.07% over the last twelve months while Council's direct investment portfolio will return a weighted average of 4.09%.

Interest received on Council's investment portfolio for the financial year to date is \$703,454 compared with \$756,994 for the same period last financial year. The decrease in interest on investments is due to the Council's overall weighted average return decreasing, the weighted average of the interest received last financial year to 31 August was 5.48% compared to this financial year of 4.34%. The interest earned for the month of August is above pro-rata budget.

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

The Australian equity market gained during the month. The S&P ASX 200 closed the month 1.6% higher at 5,134.96. The Australian dollar fell slightly, buying 0.8901 USD at month end.

The RBA lowered the target cash rate to 2.50% at the August meeting, whilst the 90 day Bank Bill Swap Rate (BBSW) closed the month down 14 basis points at 2.58%.

RECORD OF INVESTMENTS

Cash and Investment Balances

	August 2013	July 2013
Total Cash And Investments		
Total Cash	\$5,361,633	\$3,164,047
Total Investments	<u>\$115,722,632</u>	<u>\$109,717,553</u>
	<u>\$121,084,264</u>	<u>\$112,881,599</u>
 Less Cash & Investments Held In Relation To Restricted Assets		
Leave Entitlements & Workers Compensation Liability	\$7,620,937	\$7,620,937
Loans - General Fund	\$774,478	\$0
Financial Assistance Grant	\$4,793,727	\$4,793,727
Grant reserve	\$2,205,865	\$406,445
North Nowra Link Road	\$745,946	\$661,689
Other Internal Reserves	\$12,687,804	\$11,909,671
Section 94	\$18,812,637	\$17,411,102
Section 94 Matching Funds	\$1,445,579	\$1,001,586
Storm Water Levy	\$179,374	\$85,599
Strategic Projects General	\$3,810,276	\$2,058,842
Trust	\$98,006	\$98,006
Waste Disposal	\$9,624,473	\$7,266,181
Sewer Compensation	\$6,568	\$6,568
Sewer Construction Works	\$6,876,012	\$7,649,176
Section 64 Water	\$9,663,662	\$9,576,506
Water Construction Works	<u>\$25,990,267</u>	<u>\$24,008,814</u>
Total Restricted	<u>\$105,335,610</u>	<u>\$94,554,850</u>
 Unrestricted Cash And Investments		
General	\$13,748,654	\$16,326,749
Water	\$1,000,000	\$1,000,000
Waste Water	<u>\$1,000,000</u>	<u>\$1,000,000</u>
Total Unrestricted	<u>\$15,748,654</u>	<u>\$18,326,749</u>

The increase in the restricted assets is due to unspent funds being revoted from last financial year during the Council Meeting on the 3rd September. The total cash and the Waste Disposal fund are also higher as August was a rates instalment month.

SHOALHAVEN CITY COUNCIL
STATEMENT OF INVESTMENTS
31 August 2013

DIRECT INVESTMENTS:							
Institution	Rating	Inv Type	Principal	Terms	Interest Rate	Maturity (1st)	Final Maturity
ANZ	A1+	TD	\$4,000,000.00	105	3.80%	28-Nov-13	
ANZ	A1+	TD	\$1,000,000.00	105	3.80%	27-Nov-13	
ANZ	A1+	TD	\$2,000,000.00	98	3.75%	05-Dec-13	
ANZ	A1+	TD	\$3,000,000.00	110	4.20%	25-Sep-13	
B & E Ltd Bank	NR	TD	\$1,000,000.00	99	4.00%	13-Nov-13	
Bank of Qld	A2	TD	\$2,000,000.00	97	3.85%	04-Dec-13	
Bank of Qld	A2	TD	\$1,000,000.00	98	3.85%	04-Dec-13	
Bank of Qld	A2	TD	\$1,000,000.00	91	3.95%	21-Nov-13	
Bank of Qld	A2	TD	\$2,000,000.00	98	3.95%	21-Nov-13	
Bendigo Bank	A2	TD	\$1,000,000.00	105	3.90%	20-Nov-13	
Bendigo Bank	A2	TD	\$1,000,000.00	91	3.90%	07-Nov-13	
Bendigo Bank	A2	TD	\$2,000,000.00	98	4.10%	11-Sep-13	
Bendigo Bank	A2	TD	\$2,000,000.00	183	4.05%	23-Jan-14	
Bendigo Bank	A2	TD	\$2,000,000.00	112	3.75%	19-Dec-13	
Heritage Bank	A3	TD	\$2,000,000.00	97	4.15%	16-Oct-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	91	4.27%	12-Sep-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	98	4.27%	19-Sep-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	91	4.28%	26-Sep-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	183	4.29%	28-Nov-13	
ING Bank (Australia) Ltd	A1	TD	\$2,000,000.00	104	4.29%	18-Sep-13	
Members Equity Bank	A2	TD	\$1,000,000.00	112	4.20%	02-Oct-13	
Members Equity Bank	A2	TD	\$1,000,000.00	99	4.25%	26-Sep-13	
Members Equity Bank	A2	TD	\$2,000,000.00	97	4.25%	04-Sep-13	
Members Equity Bank	A2	TD	\$1,000,000.00	92	4.20%	03-Oct-13	
Members Equity Bank	A2	TD	\$1,000,000.00	119	3.93%	19-Dec-13	
Members Equity Bank	A2	TD	\$2,000,000.00	84	4.10%	24-Oct-13	
Members Equity Bank	A2	TD	\$2,000,000.00	90	4.20%	23-Oct-13	
National Australia Bank	A1+	CRD	\$5,000,000.00	32	4.21%	09-Sep-13	
National Australia Bank	A1+	MATD	\$98,006.21	365	4.22%	30-Jun-14	
National Australia Bank	A1+	TD	\$2,000,000.00	98	4.15%	05-Sep-13	
National Australia Bank	A1+	TD	\$2,000,000.00	112	4.12%	26-Sep-13	
National Australia Bank	A1+	TD	\$1,000,000.00	103	3.85%	11-Dec-13	
National Australia Bank	A1+	TD	\$2,000,000.00	116	3.85%	23-Dec-13	
National Australia Bank	A1+	TD	\$4,000,000.00	106	3.89%	05-Dec-13	
National Australia Bank	A1+	TD	\$2,000,000.00	91	3.90%	07-Nov-13	
National Australia Bank	A1+	TD	\$4,000,000.00	91	4.07%	24-Oct-13	
National Australia Bank	A1+	TD	\$2,000,000.00	100	3.91%	14-Nov-13	
National Australia Bank	A1+	TD	\$4,000,000.00	173	4.19%	18-Dec-13	
National Australia Bank	A1+	TD	\$1,000,000.00	97	4.00%	06-Nov-13	
National Australia Bank	A1+	TD	\$2,000,000.00	148	4.20%	28-Nov-13	
National Australia Bank	A1+	TD	\$2,000,000.00	91	4.01%	30-Oct-13	
NSW Treasury Corp	A1+	TD	\$3,300,000.00	183	4.37%	04-Oct-13	
Police Credit Union Ltd (SA)	NR	TD	\$1,000,000.00	147	3.78%	22-Jan-14	
Rural Bank	A2	TD	\$2,000,000.00	96	4.32%	02-Oct-13	
Rural Bank	A2	TD	\$2,000,000.00	106	4.25%	19-Sep-13	
Westpac Bank	A1+	TD	\$4,000,000.00	101	4.17%	12-Sep-13	
Westpac Bank	A1+	TD	\$3,000,000.00	111	4.20%	26-Sep-13	
Westpac Bank	A1+	TD	\$2,000,000.00	105	4.05%	03-Oct-13	
Westpac Bank	A1+	TD	\$2,000,000.00	103	4.18%	09-Oct-13	
Westpac Bank	A1+	TD	\$3,000,000.00	104	4.18%	10-Oct-13	
Westpac Bank	A1+	TD	\$3,000,000.00	188	4.21%	02-Jan-14	
Westpac Bank	A1+	TD	\$2,000,000.00	99	4.12%	24-Oct-13	
Westpac Bank	A1+	TD	\$4,000,000.00	105	4.13%	17-Oct-13	
TOTAL DIRECT INVESTMENTS			\$111,398,006.21		4.09%		

MANAGED FUNDS	Rating	Inv Type	Carrying Value	Purchase Date	Monthly Return	Return over last 12 months
CDO Portfolio	NR	CDO	\$2,723,696.91	Various	0.19%	2.23%
Macquarie Income Plus	AAAm	MF	\$1,600,928.74	17/08/2005	0.60%	7.21%
TOTAL MANAGED FUNDS			\$4,324,625.65		0.34%	4.07%
TOTAL INVESTMENTS			\$115,722,631.86			4.09%
Note:						
<i>CA At Call Account</i>		<i>CDO Collateralised Debt Obligation</i>			<i>FRSD Floating Rate Sub Debt</i>	
<i>MF Managed Fund</i>		<i>CRD Committed Rolling Deposit</i>			<i>FRN Floating Rate Note</i>	
<i>MATD Mayors Appeal Term Depos</i>		<i>TD Term Deposit</i>				
The investments have been made in accordance with the Act, Regulations and the Council's Investment Policy.						
Russ Pigg General Manager						

CDO Portfolio

ISIN	Security	Maturity Date	Face Value	Market Value 30 June 2013	Market Value 31 August 2013	Pool Factor
AU300AFEX047	APHEX	22/12/2014	\$700,000.00	\$540,400.00	\$549,640.00	100%
AU3FN0001236	CORSAIR	20/03/2014	\$450,000.00	\$91,485.00	\$117,090.00	91.40%
AU300MSMA020	MORGAN STANLEY	20/06/2015	\$1,150,000.00		\$0.00	
XS0305158031	LEHMAN CPPI	15/06/2009	\$423,696.91			
			\$2,723,696.91	\$631,885.00	\$666,730.00	

Council is currently receiving 100% of the interest (based on face value) from Aphex and only 91.4% from Corsair as there have been some credit events causing the pool of funds to be reduced. Morgan Stanley is currently valued at zero with no interest being paid. Assets are being sold for the Lehman CPPI and Council has received a return of Principal of \$76,303 to date. The market value for the Lehman CPPI is uncertain however Council periodically receives offers to purchase its interest in this note and claim on Lehman Brothers Holdings Inc. The latest offer was USD 93,769.13. The market value for these securities is disclosed in Council's Annual Financial Statements. As at 30 June 2012 the market value for the four securities still held by Council was \$167,795. As the market value has increased since that date the increase in value of \$464,090 will be disclosed as Interest and Investment Revenue in the Annual Financial Statements for the 2012/13 financial year.

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.

Craig Milburn
DIRECTOR CORPORATE & COMMUNITY SERVICES

R.D. Pigg
GENERAL MANAGER

NOTICES OF MOTION

ORDINARY MEETING

TUESDAY, 24 SEPTEMBER, 2013

63. Shoalhaven City Turf Club – Family Day Out

File 4771E [Index](#)

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

That Council re-instate its funding support for the Shoalhaven City Turf Clubs Family Day Out meeting and fund such support from Council's Unallocated Donations Vote.

Background:

Council considered a range of variations and adjustments to its Donations Votes on 11 April 2013. It is by belief that staff may have interpreted those decisions as supporting withdrawal of support for the Turf Clubs Family Day Out event. Council has supported this event for many years and provides an opportunity for many families to take advantage of a range of fun events and activities provided, in the case of children, for free.

Signed
Clr Wells
Clr White

Note by General Manager:

A Councillor Briefing was convened on 11 April to discuss the Donations Policy as well as the specific allocations proposed as Donations and Subsidies in the Delivery Program/Operational Plan.

At that Briefing, Councillors attending suggested that the allocation of \$6,000 to the Shoalhaven Turf Club be removed. At that Briefing other suggestions were made to remove the allocation of the Mayoral Ball, as well as a reduction in funding for hosting Christmas Carols, New Year's Eve Events and Australia Day Events. These suggestions were taken on board and reflected in the subsequent reports to Council.

The draft Delivery Program/Operational Plan was adopted and placed on public exhibition, and then subsequently adopted by Council.

Should Council be of a mind to re-introduce this event, the Unallocated Donations Vote is the appropriate funding source. At the time of preparing this note an amount of \$10,950 remains in this vote.

CONFIDENTIAL BUSINESS PAPER AGENDA

GENERAL MANAGER – COMMITTEES REPORT

POLICY AND RESOURCES COMMITTEE – TUESDAY 17 SEPTEMBER, 2013

1. External Auditing Services Tender

Reason

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

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

2. Update on Contractual Status Kangaroo Valley Sewerage Scheme

Reason

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

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

3. Expressions of Interest Process - Minor Mains Replacement Panel

Reason

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

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

4. Expression of Interest - Domestic Waste Processing - Community Engagement

Reason

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

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

CONFIDENTIAL ADDENDUM REPORT 1 – ASSETS AND WORKS

1. Berry Court – Non-compulsory Acquisition – 64 Berry Street, 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.

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

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

REPORT OF GENERAL MANAGER

ORDINARY MEETING

TUESDAY, 24 SEPTEMBER 2013

ASSETS AND WORKS

1. Berry Court - Non-compulsory Acquisition - 64 Berry Street, Nowra File 45351E

SECTION MANAGER: Paul Dorahy

PURPOSE: Delivery Program Activity: 4.4.6.5

In accordance with s10A(2) (c) of the Local Government Act 1993 some information should remain confidential as it would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (and proposes to conduct) business. It is not in the public interest to discuss valuations of property in open Council if Council decides to negotiate with landowners in the future. This is considered as part of a separate confidential report to Council.

To respond to Item c) of MIN13.828 Restart NSW Illawarra Infrastructure Fund - Projects and Costs:

- c) Receive a report on a non-compulsory acquisition or exit strategy for affected residents of Berry Court and a cost analysis be provided detailing its impact on the Long Term Financial Plan.*

RECOMMENDED that the report of the General Manager (Assets and Works) be received for information and that Council reconsider this matter once the Restart Illawarra Projects have been determined.

OPTIONS

1. As recommended.

Implications: the outcome of the funding application will determine the strategy in the short term. Council also needs to determine what it would do with the units if purchased.

2. Council determine not to commence any negotiations to purchase strata units in Berry Court.

Implications: this will mean that normal commercial market forces will determine the future of the property. It should be noted that the residential units are approximately 45 years old and the land is zoned for business uses.

3. That Council commence negotiations immediately to purchase any available strata units (not recommended).

Implications: Council's financial situation needs further analysis to determine a funding source.

DETAILS

Land and Property Information

The property at 64 Berry Street Nowra is a strata-title property described as Lot CP SP3682. The Strata Plan was registered in 1968. The property has not been inspected for the purpose of this report at this stage. However, it would seem to comprise of eight residential two (2) bedroom units of a two (2) level building with an open car park area. There is a 6ft wide easement for sewer. The building is well set back from the public car park boundaries - see aerial photograph attached. In addition a further setback of the top floor of the car park is being designed to reduce the impact of overshadowing.

The land is zoned 3(b) Business and in the draft LEP 2013, the zoning is proposed as B4 - Mixed Use.

The property is located to the south and west of Council's land holding that is bounded by Berry and Worrigee Street and Lawrence Avenue. This land holding is known as Worrigee Street public car park.

Acquisition Process (Non- compulsory)

The possible purchase of the subject lands would be in accordance with the Local Government Act 1993.

Councils, under Section 186 of the Local Government Act 1993, can only acquire land for the purposes of exercising any of its functions (Chapter 5). Council functions include "land and property development" and "housing".

The Land Acquisition (Just Terms Compensation) Act 1991 (LA Act) does not apply where the land is advertised for public sale or the owner offers or otherwise indicates that the land is available for sale. In this case Council intends to ask the owners if they would like to sell, in which case the LA Act does not apply.

Should the owner indicate their unwillingness to sell the Council would not pursue the acquisition. Alternatively, if the land owner is willing to sell a private treaty acquisition will progress as usual.

FINANCIAL IMPLICATIONS:

The only option would be loan funding and this will have a major impact on what other projects or services would need to be cut to fund the repayments. Council should undertake some form of community engagement if it proposed to cut other projects and services.

COMMUNITY ENGAGEMENT:

Under the Community Engagement Policy this matter is assessed as 'City Wide/High Impact'. No consultation has been undertaken to date. Should Council wish to move forward with this proposal it needs to:

- Determine what it plans to do with the units acquired in the short, medium and long term;
- Determine a funding source and consider any implications on projects, works and services in the adopted DP/OP; and
- Undertake proper community engagement process before a final decision.

Ben Stewart
DIRECTOR, ASSETS AND WORKS

R.D Pigg
GENERAL MANAGER