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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF SHOALHAVEN HELD IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA ON THURSDAY 29<sup>TH</sup> OCTOBER 2009 COMMENCING AT 4.59 PM.**

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The following members were present;

Clr Green – Chairman – left 7.05 pm  
Clr Soames  
Clr Fergusson  
Clr Bennett  
Clr Guile  
Clr Miller  
Clr Brumerskyj – arrived 7.03 pm  
Clr Ward  
Clr Kearney  
Clr Watson  
Clr Proudfoot – arrived 5.50 pm  
Clr Findley

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

1431. Apologies/ Leave of Absence

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Clr Young forwarded an apology for the Ordinary Meeting of 29 October 2009.

RESOLVED on a MOTION of Clr Ward, seconded Clr Bennett, that the apology from Clr Young be received.

The meeting was advised that Clr Brumerskyj would be late due to work commitments and Clr Proudfoot would be late due to attendance with his son at the Homebush State Junior Athletics Finals.

Note: Clr Proudfoot and Brumerskyj were absent from the meeting.

1432. Confirmation of the Minutes of the Ordinary Meeting of Council held on 13<sup>th</sup> October 2009

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RESOLVED on a MOTION of Clr Ward, seconded Clr Fergusson, that the Minutes of the Ordinary Meeting of Council held on Tuesday 13<sup>th</sup> October 2009 be confirmed.

Note: Clr Proudfoot and Brumerskyj were absent from the meeting.

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**PRESENTATION OF PETITION – ORDINARY MEETING – THURSDAY 29<sup>TH</sup> OCTOBER 2009**

1433. Petition – Big W in Ulladulla

File DA08/2630-02

Clr Findley presented a petition containing approximately 149 signatures from residents and tourists of the Milton and Ulladulla areas and people from surrounding towns supporting a Big W store instead of a Woolworths store being built in Ulladulla.

Note: Clr Proudfoot and Brumerskyj were absent from the meeting.

**MAYORAL MINUTE – THURSDAY 29<sup>TH</sup> OCTOBER 2009**

1434. Donation Equivalent to Hire Fees of the Shoalhaven Entertainment Centre File 37751E

RESOLVED on a MOTION of Clr Green, seconded Clr Ward, that Council endorse the actions of the Acting Mayor, Clr. Gareth Ward in directing that the \$400 cost of the hire of the Shoalhaven Entertainment Centre for Mr. Kevin Roberts, OAM funeral held on Thursday, 15<sup>th</sup> October, 2009 be met by Council and that this contribution be made from General Fund.

Note: Clr Proudfoot and Brumerskyj were absent from the meeting.

1435. 2011 Local Government Conference Bid

File 39428E, 39430E

RESOLVED on a MOTION of Clr Green, seconded Clr Ward, that:

- a) Letter of congratulations be forwarded to contenders Dubbo City Council and Orange City Council for the high quality of their submissions to host the 2011 Local Government and Shires Association Conference.
- b) Appreciation be expressed to Deputy Mayor, Clr. Gareth Ward, Chairman of the Shoalhaven Entertainment Centre Conference Promotions Sub Committee in leading the successful bid.
- c) Letter of appreciation be forwarded to Tourism Manager, Tom Phillips, Economic Development Officer, Ben Harnwell and Tourism Officer, Sally Tozer for their outstanding contribution to ensuring the success of Council's bid to host the 2011 Local Government and Shires Association Conference.
- d) Letter of appreciation be sent to Michael Pignataro of Essential Films for his extraordinary effort in perfecting the DVD presented to the Tamworth Conference and for his continuing passionate efforts in promoting the Shoalhaven generally through multi media.
- e) The Shoalhaven Entertainment Centre Conference Promotion Sub Committee become the Conference Organising Committee and the Chair pass to Clr Green from Clr Ward, with all available Councillors as members and the Committee be delegated to co-opt members as needed.

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- f) The current Chairperson of the Shoalhaven Entertainment Centre Conference Promotion Sub Committee write to the members of that Committee thanking them for their contributions towards this bid.

Note: Clr Proudfoot and Brumerskyj were absent from the meeting.

1436. Bravehearts Annual Dinner File 3669E

RESOLVED on a MOTION of Clr Green, seconded Clr Ward, that the Mayoral Minute highlighting the recognition received by Council at the Bravehearts Annual Dinner held on Thursday, 22<sup>nd</sup> October, 2009 be received for information.

Note: Clr Proudfoot and Brumerskyj were absent from the meeting.

**SHOALHAVEN WATER OPERATIONS & STRATEGIC REVIEW COMMITTEE –  
TUESDAY 20<sup>TH</sup> OCTOBER 2009**

1437. Adoption of Report

RESOLVED on a MOTION of Clr Guile, seconded Clr Miller, that the following items of the Shoalhaven Water Operations & Strategic Review Committee be adopted.

Note: Clr Proudfoot and Brumerskyj were absent from the meeting.

1438. Kangaroo Valley Sewerage Scheme - Scheme Status File 1375E

That:

- a) In accordance with Clause 178 (1)(b) of the Local Government (General) Regulations 2005, Council decline to accept any tender for the Kangaroo Valley Sewerage Scheme Concept Design
- b) In accordance with Clause 178 (3)(b), invite fresh tenders at such a time that the landowner negotiations are completed, should those negotiations be successful.
- c) The General Manager urgently endeavour to complete negotiations with current property owners, should negotiations fail, the General Manager (Shoalhaven Water) be authorised to seek expressions of interest from other land owners.

1439. 2009 LGSA Conference File 35844E, 3989E

That the detail contained in the report be noted.

1440. Local Approvals Policy - Liquid Trade Waste Discharge to the Sewerage System File 9827E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Shoalhaven Water Operations & Strategic Review Committee report.

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1441. Water Rebate Options - Drought Affected Farmers

File 40185E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Shoalhaven Water Operations & Strategic Review Committee report.

1442. (Page 2, Item 4) Local Approvals Policy - Liquid Trade Waste Discharge to the Sewerage System

File 9827E

This item was withdrawn and dealt with separately.

Note: Cllr Proudfoot and Brumerskyj were absent from the meeting.

Cllr Watson declared his pecuniary interest in the matter being that one of his tenants has a trade waste discharge and left the room and did not take part in discussion or vote on this matter

RECOMMENDED that the Local Approvals Policy "Liquid Trade Waste Discharge to the Sewerage System" be adopted as amended.

RESOLVED on a MOTION of Cllr Guile, seconded Cllr Miller, that the recommendation of the Shoalhaven Water Operations & Strategic Review Committee be adopted.

1443. (Page 2, Item 5) Water Rebate Options - Drought Affected Farmers

File 40185E

This item was withdrawn and dealt with separately

Note: Cllr Proudfoot and Brumerskyj were absent from the meeting.

Cllr Miller declared his pecuniary interest in the matter being that he will gain a financial benefit from the rebate and left the room and did not take part in discussion or vote on this matter

Cllr Fergusson declared his less than significant, non pecuniary interest in the matter being by a political group association to Cllr Miller and left the meeting and did not take part in discussion or vote on the matter.

Cllr Findley declared her less than significant, non pecuniary interest in the matter being that she is a drought affected farmer and not on town water and will not receive any financial benefit and elected to stay and vote on the matter.

Cllr Green declared his less than significant non pecuniary interest in the matter being that he received political support from a farmer and left the room and did not take part in discussion or vote on this matter

Cllr Ward took the Chair.

RECOMMENDED that:

- a) Council provide a water rebate to drought affected farmers to an amount as calculated in similar manner with other water consumption rebates;

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- b) This proposal be publicly notified in accordance with Section 356 of the Local Government Act and that a further report be provided after the required public notification period (28 days).

RESOLVED on a MOTION of Clr Ward, seconded Clr Guile, that the recommendation of the Shoalhaven Water Operations & Strategic Review Committee be adopted.

## **WORKS & FINANCE COMMITTEE – TUESDAY 20<sup>TH</sup> OCTOBER 2009**

### **1444. Adoption of Report**

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Note: Clr Green returned to the meeting at the commencement of this item and resumed the Chair.

Note: Clr Proudfoot and Brumerskyj were absent from the meeting.

RESOLVED on a MOTION of Clr Guile, seconded Clr Miller, that the following items of the Works & Finance Committee be adopted.

### **1445. Community Consultation Strategy File 30427E**

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This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

### **1446. Question Time at Council Meetings File 3798E**

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That Council establish a Working Party to consider this matter further and report to Council on recommended amendments to the Code of Meeting Practice and that the Working Party comprise of the following, Clr Ward (Chairperson), and available Councillors.

### **1447. Refreshing the City's logo File 38962E**

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That:

- a) No change be made to the current Shoalhaven City logotype and crest; and
- b) This be reconsidered in 12 months time.

### **1448. Construction of a Communications Tower and Associated Infrastructure by Telstra Corporation Limited at Council's Sewerage Treatment Plant, 125 Kings Point Drive, Kings Point File 32524E**

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This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

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1449. Request for Financial Assistance – Milton Ulladulla Community Christmas Carols by Candlelight  
File 4771E

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This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1450. Request for Financial Assistance – Lions Club of Bomaderry - Carols in the Park  
File 4771E

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This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1451. Request for Financial Assistance - Ulladulla & Districts Blessing of the Fleet Festival  
File 8029E

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That:

- a) Council allocate an amount of \$10,000 to the Ulladulla Blessing of the Fleet from the Festivals budget;
- b) Council waive the hire fees of the Ulladulla Civic Centre for the Princess Ball and Blessing of the Fleet Festival totaling \$5446.60 to be funded from foregone revenue and impose a cleaning charge of \$270 and refundable bond of \$500.

1452. Replacement of Iveco MP4500 Eurotech II Prime Mover - Plant No 99860 File 40104E

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That:

- a) Council accepts Stillwell Trucks Pty Ltd on Contract File No 40104 for the Supply of a Cab over Chassis Prime Mover, SPEC:PW0709/12 and offer 99860 for sale to South Coast Truck Sales and that Council enter into Contracts with Stillwell Trucks Pty Ltd and South Coast Truck Sales in accordance with Clause 178 of the Local Government, General Regulation 2005.
- b) Council authorises the General Manager to finalise and execute the contract on behalf of Council with Stillwell Trucks Pty Ltd for the Supply of a Cab over Chassis Prime Mover, SPEC:PW0709/12 and offer 99860 for sale to South Coast Truck Sales.
- c) The unsuccessful Tenderers are notified that their tenders were unsuccessful.

1453. Replacement of Iveco/Garwood Solid Waste Refuse Compactor – Plant No 97030  
File 40025E

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That:

- a) Council accepts Tricity Trucks Pty Ltd on Contract File No 40025 for the Supply of a Solid Waste Refuse Compactor, SPEC:PW0709/08 and that Council enter into a Contract with Tricity Trucks Pty Ltd in accordance with Clause 178 of the Local Government, General Regulation 2005.

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- b) Council authorises the General Manager to finalise and execute the contract on behalf of Council with Tricity Trucks Pty Ltd for the Solid Waste Refuse Compactor, SPEC: PW0709/08.
  - c) The unsuccessful Tenderer's are notified that their tenders were unsuccessful.

1454. New Year's Eve Fireworks File 2161E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1455. Main Road 92 – the next stage “Beyond Nerriga” File 40290E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1456. Jobs Fund Application File 39560E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1457. Waiving of Fees for Open Space Venues & Community Facilities File 19969E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1458. Request for Waiver of Hire Fees - Ulladulla Civic Centre File 1247E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1459. Local Heritage Assistance Fund 2009/10 File 1110E

That in respect to the Shoalhaven Local Heritage Assistance Fund 2009/10, Rodney and Ann Chick be offered an additional \$350 (making a total of \$700) to assist with the preparation of a heritage Conservation Management Plan for “Strathroy” at Woollamia.

1460. Heavy Vehicle Safety and Productivity Program (HVSPP) – Proposed Rest Area near Sussex Inlet Road File 19834E

That the report regarding the Heavy Vehicle Safety and Productivity Program (HVSPP) – Proposed Rest Area near Sussex Inlet Road be received for information.

1461. Footpath Construction - Basin View Masonic Village to Shopping Centre File 38289E, 10286E

That the available budget of \$40,000 be used to construct the path along The Wool Road from the Basin View Masonic Village towards Elanora Parade – Job No. 85807.

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1462. Jobs Fund - Cycle Way Projects

File 39560E

That:

- a) The report of the General Manager (Finance and Corporate Services) regarding Jobs Fund – Cycle Way Projects be received for information;
- b) A Councillor Briefing be held on this matter.

1463. Regional and Local Community Infrastructure Program (RLCIP) – Supplementary Funding - Project Proposals

File 38968E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1464. Alternative Shared Path Route - Croobyar Road, Milton

File 3241E

That:

- a) A shared path be constructed in 2009/2010 along the northern side of Croobyar Road, from Gordon Street to Drury Lane.
- b) The completion of the path to the Princes Highway be considered for funding in the 2010/2011 Operational Plan;
- c) The funding for this project be considered from the cycleway funding.

1465. Traffic Flow - Albert Court Car Park, Berry

File 9052E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1466. Regional and Local Community Infrastructure Program (RLCIP) – Supplementary Funding - Project Proposals

File 38968E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Works & Finance Committee report.

1467. (Page 3, Item 6) Community Consultation Strategy

File 30427E

This item was withdrawn and dealt with separately

Note: Cllrs Brumerskyj and Proudfoot were absent from the meeting

RECOMMENDED that Council retain the status quo.

RESOLVED on a MOTION of Cllr Guile, seconded Cllr Kearney, that the recommendation of the Works & Finance Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

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The following Councillors voted "Aye";

Clrs Soames, Fergusson, Bennett, Guile, Miller, Ward, Kearney, Watson, Green.

The following Councillors voted "No";

Clr Findley

1468. (Page 3, Item 9) Construction of a Communications Tower and Associated Infrastructure by Telstra Corporation Limited at Council's Sewerage Treatment Plan, 125 Kings Point Drive, Kings Point File 32524E
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This item was withdrawn and dealt with separately

Note: Clrs Brumerskyj and Proudfoot were absent from the meeting

Clrs Green, Ward, Bennett, Soames, Fergusson and Russ Pigg declared their less than significant non pecuniary interest in the matter being that they are Directors of Southern Water Services Group that stand to benefit with respect to this arrangement

RECOMMENDED that Council note the report on the advice of Telstra and the status of the proposed communications tower and associated infrastructure at Kings Point and staff report further on any appropriate options.

RESOLVED on a MOTION of Clr Guile, seconded Clr Bennett, that the recommendation of the Works & Finance Committee be adopted.

1469. (Page 3, Item 10) Request for Financial Assistance – Milton Ulladulla Community Christmas Carols by Candlelight File 4771E, 1247E
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This item was withdrawn and dealt with separately.

Note: Clrs Brumerskyj and Proudfoot were absent from the meeting

Clr Findley declared her less than significant, non pecuniary interest in the matter being that she has been invited to perform at the event as part of the MUD Singers. She explained that no further action was necessary as she did not gain financially from this donation.

RECOMMENDED that Council donate an amount of \$1000 from the unallocated donations vote to the Milton-Ulladulla Combined Churches towards their annual Carols by Candlelight concert.

RESOLVED on a MOTION of Clr Findley, seconded Clr Ward, that:

- a) Council donate \$500 from the Unallocated Donations Vote to the Milton Ulladulla Combined Churches towards their annual Carols by Candlelight concert;
- b) Council donate \$500 to the Milton Ulladulla Entertainers Inc, for the hire fees of the Ulladulla Civic Centre.

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1470. (Page 3, Item 11) Request for Financial Assistance – Lions Club of Bomaderry - Carols in the Park File 4771E

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This item was withdrawn and dealt with separately

Note: Clrs Brumerskyj and Proudfoot were absent from the meeting

RECOMMENDED that Council donate \$4,200, being the remaining balance of the Unallocated Donations Vote, to the Lions Club of Bomaderry towards the annual Carols in the Park Concert.

RESOLVED on a MOTION of Clr Ward, seconded Clr Guile, that the recommendation of the Works & Finance Committee be adopted.

1471. (Page 4, Item 15) New Year's Eve Fireworks File 2161E

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This item was withdrawn and dealt with separately.

Clr Green declared his pecuniary interest in the matter being that he was given honorary membership of the Shoalhaven Turf Club and left the room and did not take part in discussion or vote on this matter.

Clr Ward took the Chair.

Note: Clr Proudfoot arrived at the meeting during discussion on this matter, the time being 5.50 pm.

Note: Clr Brumerskyj was absent from the meeting.

RECOMMENDED that providing that each applicant secures the necessary licences and approvals:

- a) An amount of \$10,000 be allocated to the Nowra area for a fireworks celebration on New Year's Eve to be held at Archer Raceway and organised by the Shoalhaven Turf Club;
- b) An amount of \$10,000 be allocated to the Ulladulla area for a fireworks celebration on New Year's Eve to be held at Ulladulla Harbour and organised by Sunset Fireworks;
- c) An amount of \$10,000 be allocated to the Huskisson area for a fireworks celebration to be organised by Jervis Bay Lions club and the Huskisson Chamber of Commerce and Tourism.

A MOTION was moved by Clr Fergusson, seconded Clr Soames, that the recommendation of the Works & Finance Committee be adopted.

The MOTION upon being PUT to the meeting was declared LOST.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

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The following Councillors voted "Aye";

Clrs Soames, Fergusson, Bennett, Miller, Findley

The following Councillors voted "No";

Clrs Guile, Kearney, Watson, Proudfoot, Ward

Note: Motion lost on the casting vote of the Chairperson

RESOLVED on a MOTION of Clr Ward, seconded Clr Guile, that providing that each applicant secures the necessary licences and approvals:

- a) An amount of \$10,000 be allocated to the Nowra area for a fireworks celebration on New Year's Eve to be held at Archer Raceway and organised by the Shoalhaven Turf Club;
- b) An amount of \$10,000 be allocated to the Ulladulla area for a fireworks celebration on New Year's Eve to be held at Ulladulla Harbour and organised by Sunset Fireworks;
- c) An amount of \$5,000 be allocated to the Huskisson area for a fireworks celebration to be organised by Jervis Bay Lions club and the Huskisson Chamber of Commerce and Tourism.
- d) An amount of \$5,000 be allocated to the Berry-Gerringong Rotary Club to assist with the provision of fireworks in the township of Berry, organised by the Berry-Gerringong Rotary Club

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Bennett, Guile, Kearney, Watson, Proudfoot, Ward

The following Councillors voted "No";

Clrs Soames, Fergusson, Miller, Findley.

Note: A Rescission Motion has been submitted on this matter.

1472. (Page 5, Item 16) Main Road 92 – the next stage "Beyond Nerriga" File 40290E, 40074E

This item was withdrawn and dealt with separately

Note: Clr Brumerskyj was absent from the meeting.

Note: Clr Green returned to the meeting at the commencement of this item and resumed the Chair.

RECOMMENDED that Council:

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- a) Commit to implementing, on a collective basis with Palerang, Goulburn-Mulwaree and Upper Lachlan Councils, a signage strategy in the 2010/11 budget to promote the use of the escarpment crossing based on the Nowra-Nerriga upgrade;
  - b) Agree to fund up to 50% of the agreed signage strategy up to a maximum of \$10,000 in the 2010/11 budget;
  - c) Join with other Councils on the Southern Tablelands (Palerang, Goulburn-Mulwaree and Upper Lachlan) to commit to a partnership alliance to undertake a freight route investigation study from Nerriga to the Highway corridors on the Southern Tablelands;
  - d) Join with other Councils on the Southern Tablelands (Palerang, Goulburn-Mulwaree and Upper Lachlan) to bring to the alliance partners with a common goal to enhance business and trade based on an improved escarpment crossing;
  - e) Join with other Councils on the Southern Tablelands (Palerang, Goulburn-Mulwaree and Upper Lachlan) to develop a funding package for the selected freight route based on Infrastructure Australia guidelines.

RESOLVED on a MOTION of Clr Green, seconded Clr Ward, that Council:

- a) Commit to implementing, on a collective basis with Palerang, Goulburn-Mulwaree and Upper Lachlan Councils, a signage strategy in the 2010/11 budget to promote the use of the escarpment crossing based on the Nowra-Nerriga upgrade;
- b) Agree to fund up to 50% of the agreed signage strategy up to a maximum of \$10,000 in the 2010/11 budget;
- c) Join with other Councils on the Southern Tablelands (Palerang, Goulburn-Mulwaree and Upper Lachlan) to commit to a partnership alliance to undertake a freight route investigation study from Nerriga to the Highway corridors on the Southern Tablelands;
- d) Join with other Councils on the Southern Tablelands (Palerang, Goulburn-Mulwaree and Upper Lachlan) to bring to the alliance partners with a common goal to enhance business and trade based on an improved escarpment crossing;
- e) Join with other Councils on the Southern Tablelands (Palerang, Goulburn-Mulwaree and Upper Lachlan) to develop a funding package for the selected freight route based on Infrastructure Australia guidelines;
- f) Make representations to the Geographical Names Board to rename Main Road 92 to the Shoalhaven Way.

1473. (Page 5, Item 17) Jobs Fund Application

File 39560E

This item was withdrawn and dealt with separately

Note: Clr Brumerskyj was absent from the meeting.

RECOMMENDED that

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- a) The report of the General Manager (Finance and Corporate Services) regarding Jobs Fund Application be received for information.
  - b) The Mayor's letter to Senator Arbib be endorsed as an appropriate response from Council.

RESOLVED on a MOTION of Clr Green, seconded Clr Ward, that:

- a) The report of the General Manager (Finance and Corporate Services) regarding Jobs Fund Application be received for information.
- b) The Mayor's letter to Senator Arbib be endorsed as an appropriate response from Council;
- c) The Mayor's letter to Senator Arbib be updated and a copy forwarded to the Prime Minister.

1474. (Page 5, Item 18) Waiving of Fees for Open Space Venues & Community Facilities File 19969E

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This item was withdrawn and dealt with separately

Note: Clr Brumerskyj was absent from the meeting.

Clr Green declared his pecuniary interest in the matter being that he is a business owner and will receive a financial benefit from this policy and left the room and did not take part in discussion or vote on this matter

Clr Ward took the Chair.

RECOMMENDED that the report regarding the Waiving of Fees, from October 2008 to September 2009, for the use of Council's open space venues and community facilities be received for information.

RESOLVED on a MOTION of Clr Guile, seconded Clr Miller, that the recommendation of the Works & Finance Committee be adopted.

1475. (Page 6, Item 19) Request for Waiver of Hire Fees - Ulladulla Civic Centre File 1247E

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This item was withdrawn and dealt with separately

Note: Clr Green returned to the meeting at the commencement of this item and resumed the Chair.

Note: Clr Brumerskyj was absent from the meeting.

RECOMMENDED that Council decline the request to waive the fees and apply the Council adopted fees and charges for the use of the Ulladulla Civic Centre by the Milton-Ulladulla Entertainers Inc as this organization does not qualify for a fee waiver under the terms of Council's Donation Policy.

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RESOLVED on a MOTION of Clr Findley, seconded Clr Ward, that the report of the General Manager (Finance & Corporate Services) regarding Request for Waiver of Hire Fees - Ulladulla Civic Centre be received for information.

1476. (Page 6, Item 24) Regional and Local Community Infrastructure Program (RLCIP) –  
Supplementary Funding - Project Proposals File 38968E

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This item was withdrawn and dealt with separately.

Note: Clr Brumerskyj was absent from the meeting.

Clr Proudfoot declared his less than significant non pecuniary interest in the matter being that the footpath may go past his house or in front of the school that his grandchildren attend. He explained that no further action was necessary as neither he, or his grandchildren stand to gain or lose from this project.

RECOMMENDED that with respect to the Local Regional Community Infrastructure Program, that Council allocates the \$612,000 in the following manner:

- a) \$217,000 for a footpath at Sanctuary Point Primary School along Idlewild Street, and continue the cycle way from Paradise Beach Road along Walmer Avenue, to Loralyn Avenue;
- b) \$265,000 toward the Berry Queens Street upgrade;
- c) \$30,000 to the Kangaroo Valley Footpath Action Group Plan;
- d) \$30,000 to the extension of the Beinda Street Footpath, Bomaderry;
- e) \$70,000 required for the completion of the footpath in Basin View from the Masonic Village to the Basin View shopping centre be included.

RESOLVED on a MOTION of Clr Ward, seconded Clr Green, that the recommendation of the Works & Finance Committee be adopted.

1477. (Page 7, Item 26) Traffic Flow - Albert Court Car Park, Berry File 9052E

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This item was withdrawn and dealt with separately

Note: Clr Brumerskyj was absent from the meeting.

RECOMMENDED that:

- a) That one way traffic flow within the Albert Court car park in Berry be implemented.
- b) The island at the western end of the car park be modified (reduced in size) to enable safe turning manoeuvres for vehicles.
- c) The car parking space adjacent the island be converted to two (2) motor cycle parking spaces

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- d) The bollards demarking the preferred pedestrian route be removed and that pavement marking be installed to promote pedestrian use and prevent parking in this area.
  - e) Install wheel stops along the northern boundary of the Grapefruit café to provide a guide for vehicles parking in this area.
  - f) The property boundary along the western side of the car park be surveyed.
  - g) Council discuss the condition of the fence between the adjacent property with the property owner, and request that the existing fence be made good or replaced.
  - h) Ensure that adequate sight distance at all entry/egress points to the car park is provided.
  - i) Additional signage in Berry be installed, directing motorists to the various car parks within Berry.
  - j) Funding for the above works be allocated from the Car Park Maintenance Budget.

RESOLVED on a MOTION of Clr Ward, seconded Clr Guile, that:

- a) That one way traffic flow within the Albert Court car park in Berry be implemented.
- b) The island at the western end of the car park be modified (reduced in size) to enable safe turning manoeuvres for vehicles.
- c) The car parking space adjacent the island be converted to two (2) motor cycle parking spaces
- d) The bollards demarking the preferred pedestrian route be removed and that pavement marking be installed to promote pedestrian use and prevent parking in this area.
- e) Install wheel stops along the northern boundary of the Grapefruit café to provide a guide for vehicles parking in this area.
- f) The property boundary along the western side of the car park be surveyed.
- g) Council discuss the condition of the fence between the adjacent property with the property owner, and request that the existing fence be made good or replaced.
- h) Ensure that adequate sight distance at all entry/egress points to the car park is provided.
- i) Additional signage in Berry be installed, directing motorists to the various car parks within Berry.
- j) Funding for the above works be allocated from the Car Park Maintenance Budget.
- k) That the RTA and the NSW Police be advised through the Shoalhaven Traffic Committee of this resolution by Council.

This item was withdrawn and dealt with separately

Note: Clr Brumerskyj was absent from the meeting.

RECOMMENDED that

- a) Council apply for further funding of \$7,000,000, or part there of, under the Regional and Local Community Infrastructure Program (RLCIP) for the Bomaderry Basketball Stadium;
- b) A Clr Briefing be scheduled to consider this matter.

A MOTION was moved by Clr Miller, seconded Clr Findley that a Councillor Briefing be held on Regional and Local Community Infrastructure Program (RLCIP) – Supplementary Funding - Project Proposals.

The MOTION upon being PUT to the meeting was declared LOST.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Miller, Findley

The following Councillors voted “No”;

Clrs Soames, Fergusson, Bennett, Guile, Ward, Kearney, Watson, Proudfoot, Green.

RESOLVED on a MOTION of Clr Watson, seconded Clr Guile, that the recommendation of the Woks & Finance Committee be adopted.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted “Aye”;

Clrs Soames, Bennett, Guile, Ward, Kearney, Watson, Proudfoot, Findley, Green

The following Councillors voted “No”;

Clrs .Fergusson, Miller.

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**SHOALHAVEN ACCESS ADVISORY COMMITTEE – TUESDAY 6<sup>TH</sup> OCTOBER 2009**

1479. Adoption of Report

Note: Cllr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Cllr Ward, seconded Cllr Findley, that the following items of the Shoalhaven Access Advisory Committee be adopted.

1480. Provision of Access for the Aged & Disabled Community Members File 20168E

That Council support in full the following options:

- a) Shoalhaven Access Advisory Committee to apply for the Shoalhaven City Council Community Grants Scheme and the Community Builders Funding Scheme as appropriate;
- b) As the Shoalhaven City Council Community Grants Scheme and the Community Builders Funding Scheme opportunities become available Community Development Officers in conjunction with Shoalhaven City Council's Media Officer to prepare a media release for the information of the Community.

1481. Access Appraisal Training File 3665E

That Council consider providing the opportunity for training in Access Appraisal and Building Barrier Free Access for Statutory Planners and Building Certifiers to appropriate staff and interested Councillors.

1482. Disabled Parking Space Relocation - Nowra School of Arts Car Park File 10456E

That no action be undertaken to move the current disabled spaces in the Berry Street Carpark.

1483. Membership Application - Shoalhaven Access Advisory Committee File 1228E

That Council appoint Clair Puller as a member of the Shoalhaven Access Advisory Committee.

1484. Additional Item – Design Streetscape File 25522E

That Council Streetscape policy follow guidelines set down by Australian Building Standards Code Disability Discrimination Act Access to premises standards.

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**COUNCIL PROPERTY STEERING COMMITTEE – THURSDAY 8<sup>TH</sup> OCTOBER 2009**

1485. Adoption of Report

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Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Fergusson, seconded Clr Ward, that the following items of the Council Property Steering Committee be adopted.

1486. Development and/or Disposal of Council Lands File 1457E

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That Council adopt the draft “Development and/or Disposal of Council Lands” policy, as attached to the report.

1487. Lease of Public Road Adjoining Lot 4 DP829264, Golden Flats, Conjola File 38666E

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That:

- a) Council maintains the current position as per resolution MIN09.514; and
- b) Council provide for access and risk management as follows:
  - i) Retain the existing fencing at the commencement of the road subject to ii) below – see attachment “C” to the report.
  - ii) Construct turnstile type pedestrian access points at the existing fence at the southern end and the fence approximately 30 metres from the creek;
  - iii) Erect signage at the commencement of the subject road reserve adjacent to turnstile to inform the public –
    - No vehicular entry allowed
    - Road is not maintained by council beyond this point
    - Caution rough/steep area

1488. Policy Review (POL08/411) - Small Lot Rural Subdivisions – Transfer of land in lieu of unpaid rates File 16401E

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That Council adopt the revised Small Lot Rural Subdivisions – Transfer of land in lieu of unpaid rates Policy as attached to the report.

1489. Expansion of the Shoalhaven River Masterplan – Fee Proposal File 35919E, 36839E

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That Council accept the fee proposal from Cox Humphries Moss Pty Ltd for a site analysis for the Nowra/ North Nowra/ Bomaderry frontages of the Shoalhaven River and vote \$41,560 from 15367/99999 – Strategy Planning Consultants.

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**BOMADERRY SHOPPING CENTRE & RAILWAY PRECINCT WORKING PARTY –  
FRIDAY 9<sup>TH</sup> OCTOBER 2009**

1490. Adoption of Report

Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Ward, seconded Clr Fergusson, that the following items of the Bomaderry Shopping Centre & Railway Precinct Working Party be adopted.

1491. Bomaderry Town Clock File 28924E, 17696E, 40079E

That:

- a) Council with Mr Phill Speer and Bomaderry Rotary Club investigate the mechanism and upgrade of the Bomaderry Town Clock and that Council give consideration to the provision of funds in the 2010/11 Management Plan;
- b) Further, it is requested that the General Manager make improvements to street furniture in and around the Bomaderry Town Clock;
- c) A further report be submitted back to the committee.

1492. Additional Item – Bomaderry Railway Station area Visitor Information File DA84/2328

That concerning file DA84/2328 a report on the resolution be submitted to next meeting of the Bomaderry Shopping Centre and Railway Precinct Working Party.

1493. Membership Nominations – Bomaderry Shopping Centre and Railway Precinct Working Party File 30100E

This item was withdrawn and dealt with separately at the conclusion of consideration of the Bomaderry Shopping Centre & Railway Precinct Working Party report.

1494. (Page 11, Item 39) Membership Nominations – Bomaderry Shopping Centre and Railway Precinct Working Party File 30100E

This item was withdrawn and dealt with separately

Note: Clr Brumerskyj was absent from the meeting.

RECOMMENDED that Council adopt the following community and agency representatives to be appointed as members of the Bomaderry Shopping Centre & Railway Precinct Working Party:

Mr Chris Neale  
Mr Ron Arthur  
Mr Edward Jolly  
Mr David Esdaile  
Mr Leon Sadubin  
Mr Stewart Aiken

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Mr Jim Tsirimiagas (Rail Corp)

RESOLVED on a MOTION of Clr Ward, seconded Clr Guile, that:

- a) Council adopt the following community and agency representatives to be appointed as members of the Bomaderry Shopping Centre & Railway Precinct Working Party:
- Mr Chris Neale  
Mr Ron Arthur  
Mr Edward Jolly  
Mr David Esdaile  
Mr Leon Sadubin  
Mr Stewart Aiken  
Mr Jim Tsirimiagas (Rail Corp)
- b) At the next meeting of the Bomaderry Shopping Centre & Railway Precinct Working Party discussions be held on commencement times for future meetings taking into consideration Clr Kearney's inability to attend before 5.00 pm on Fridays.

### **SHOALHAVEN ARTS BOARD - WEDNESDAY 14<sup>TH</sup> OCTOBER 2009**

#### **1495. Adoption of Report**

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Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Ward, seconded Clr Bennett, that the following items of the Shoalhaven Arts Board be adopted.

#### **1496. Art Acquisition Sub-committee**

File 18106E

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That:

- i) Investigate the possibilities of engaging a student to undertake research to further articulate the strengths of the Dingle and Hughes bequest and gather further information on the Regional Gallery Collection's scoping statements;
- Artworks which relate to the Shoalhaven region, by significant Australian artists, particularly those who have a proven record of practice and development of their art form and who are represented in public collections or who have received recognition through awards and prizes;
  - Build upon strengths and fill gaps in the current holdings of the Shoalhaven Regional Gallery's collection, as well as develop the representation of artists already held, in order to create a comprehensive, though specifically oriented collection;
  - Artworks by local Indigenous artists, particularly those who have proven development and commitment to their art form or represent a significant group or time in the Shoalhaven.

- 
- ii) Introduce donation forms for the Acquisition of works into the 'City Collection and the Regional Collection.

That Council:

- a) Agree to no further additions to its 'Regional Gallery Collection' until the proposed further research is completed, including donations and purchases.
- b) Accept the donation of the abstract artwork by Lee Elvy into the City Collection.

1497. Cultural Arts Foundation File 38139E

That the Shoalhaven Regional Gallery pursue gift recipient status for the Shoalhaven City Arts Centre to be received through the Federal Government's Cultural Gift recipient status and offer Tax incentive for the donation of Artworks.

1498. Additional Item – Meeting Dates 2010 File 2123E

That the meeting dates for Shoalhaven Arts Board be set every 2 months for 2010 until the Call Meeting and they be held on a Wednesday at 4.00pm.

### **BUSINESS & JOBS GROWTH COMMITTEE – MONDAY 19<sup>TH</sup> OCTOBER 2009**

1499. Adoption of Report

Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Fergusson, seconded Clr Ward, that the following items of the Business & Jobs Growth Committee be adopted.

1500. Membership File 38821E

That James Coburn be appointed as a member of the Employment Development Strategy Sub-Committee.

1501. Quorum File 38821E

That the Quorum of the Employment Development Strategy Sub-Committee be decreased to 3 members.

1502. Marketing Tools File 16852E

That the General Manager (Finance and Corporate Services) report back on developing a new marketing policy/strategy, the report will include options and costs for implementation.

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1503. Identify Target Groups for Employment Development

File 16852E

That the Economic Development Office continue to target industry sectors identified as:

- a) Defence – aviation, IT/simulation/training, avionics/mechanical servicing;
- b) Logistics – transports and storage;
- c) Manufacturing (some niche sectors and products);
- d) Aged care and related industries (but utilising the SME model);
- e) Community service providers – especially those delivering professional services;
- f) Tertiary education (export education – vocational training for others and other areas);
- g) Agribusiness (niche) – can be linked to tourism;
- h) Tourism Products

1504. Summary of Assistance Provided

File 16852E

That:

- a) Endorse the Economic Development Office in the assistance provided to clients. Subject to the collection of additional data going forward;
- b) A report be prepared that reviews and investigates the option of a separate Economic Development Corporation entity.

1505. The Potential of Value-adding to Raw Products

File 16852E

That:

- a) The report of the General Manager (Finance and Corporate Services) regarding The Potential of Value-adding to Raw Products be received for information;
- b) The General Manager Finance and Corporate Services analyse 10 existing business or industries to identify opportunities for value adding or providing services.

1506. Employment Development Strategy

File 16852E

That:

- a) The currently adopted Economic Development Strategy be temporarily supported and re-endorsed;
- b) A further report be submitted on specific action plan issues after determination by the Committee via email discussions with the General Manager.

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1507. Main Road 92 - the Next stage "Beyond Nerriga"

File 40290E

That

- a) Council support the next stage of Main Road 92 "Beyond Nerriga"; and
- b) The presentation of Finance and Corporate Services regarding Main Road 92 - the Next stage "Beyond Nerriga" be received for information.

**SHOALHAVEN TOURISM BOARD – MONDAY 19<sup>TH</sup> OCTOBER 2009**

1508. Adoption of Report

Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Fergusson, seconded Clr Miller, that the following items of the Shoalhaven Tourism Board be adopted.

1509. Precinct Marketing Program

File 1864E

That Council consider increasing the Tourism Development Budget to \$100,000 per annum.

1510. New South Wales Tourism Awards

File 4256E

That:

- a) The report of Finance & Corporate Services concerning the New South Wales Tourism Awards finalists be received for information.
- b) Council meets the cost of tickets, accommodation and reasonable out of pocket expenses for Clr Miller and Chris Warren, and other members of the Shoalhaven Tourism Board (as advised by 5.00 pm 20/10/09), to attend the NSW Tourism Awards Ceremony.

1511. Next Meetings – November and December

File 1490E

That Shoalhaven Tourism Board members and partners, staff involved with the Shoalhaven Tourism Board and their partners, be invited to attend the Dinner Meeting.

1512. Additional Item – Membership Review

File 1490E

That the Charter of the Shoalhaven Tourism Board be amended to provide that members of the Board may miss up to three meetings, within a financial year, with apologies or by leave of absence, however, if they miss an additional meeting the Board may determine that the appointment of the member in question be terminated.

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## SHOALHAVEN TRAFFIC COMMITTEE – TUESDAY 20<sup>TH</sup> OCTOBER 2009

### 1513. Adoption of Report

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Note: Cllr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Cllr Ward, seconded Cllr Bennett, that the following items of the Shoalhaven Traffic Committee be adopted.

### 1514. Construct Roundabout - St Vincent St/North St, Ulladulla - Black Spot (Nation Building) 2009 (PN 2512) File 28099E

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That the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objections to the proposed construction of the roundabout and associated linemarking and regulatory signage at the intersection of St Vincent Street and North Street, Ulladulla, as detailed in plan TRAF 2009/29 subject to items of a technical nature.

### 1515. Bus Zone - Osborne Street, Nowra (PN 1022) File 6869E

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That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the removal of the 'Bus' zone on the eastern side of Osborne Street, Nowra, immediately south of the Children's Crossing adjacent to Nowra Infants School.

### 1516. Traffic Congestion - Piscator Avenue, Currarong (PN 2101) File 11723E

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That the General Manager (Director Strategic Planning & Infrastructure) be requested to:-

- a) Arrange for the following traffic facilities in Currarong:
  - i. Install a No Stopping zone on the south western corner of Piscator Ave/Walton Way (opposite shops) to reduce congestion at the junction and in area immediately opposite shops.
  - ii. Install centre linemarking (double barrier) in Piscator Ave (west from Walton Way) to reduce incidence of 'U' turn manoeuvres - thus encouraging traffic to circulate through Beecroft Pde to Weber Pde.
  - iii. Install centre linemarking (double barrier) with raised reflective markers at junction of Beecroft Pde and Weber Pde to reduce incidence of motorists cutting the corner when manoeuvring through the junction.
- b) Liaise with Shoalhaven Water with a view to providing on street parking provisions on the inside of the curve in Beecroft Parade adjacent to the recently upgraded sewerage pumping station.
- c) Consider options for the widening of Beecroft Parade, in a future works program.
- d) Consider options to extend the current 90 degree angle parking provisions in Beecroft Pde adjacent to the public reserve (possible 3-4 additional spaces at eastern end of current parking area).
- e) Consider options for the provision of additional formalised parking (angle) in the vicinity of the Beecroft Pde/Weber Pde junction (adjacent to church)

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1517. Parking Restrictions - Boat Ramp (Flying Boat) - Island Point Road, St Georges Basin (PN 2315) File 2939E

That the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objection to the proposed car park design and installation of associated signs and linemarking as contained on plan TRAF 2009/26 (Option 3) for the flying boat ramp car park in Island Point Road, St Georges Basin, subject to items of technical nature.

1518. Road Safety - Brinawarr Street, Bomaderry (PN 2463) File 1667E

That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the extension of the recently installed 'No Stopping' zone located on the eastern side of Brinnawarr Street, Bomaderry to incorporate the driveways of house numbers 46 and 48 (approximately 20m to the north) to provide safer access for residents.

1519. Stop Sign in Isa Road, Worrigea (PN 2506) File 28512E

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the following traffic facilities to be installed at the junction of Isa Road and Worrigea Road, Worrigea:

- a) Stop sign and associated hold linemarking (TF/TB) in Isa Road.
- b) The installation of approximately 50M of centre linemarking (BB) and RRPMS in Isa Road, West from Worrigea Road.
- c) Side Road junction warning signs on Worrigea road at appropriate locations (on both approaches to the junction).

1520. Loading Zone - Nowra Mall, Kinghorne St, Nowra (PN 2507) File 2636E, 6869E

That the General Manager (Director of Strategic Planning & Infrastructure) be requested to relocate the existing bus zone on Kinghorne Street, Nowra 9m north and install a loading zone for a distance of 9m south of the relocated bus zone.

1521. Parking Restrictions - Smiths Lane, Nowra (PN 2513) File 2636E

That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the extension of the existing 'No Stopping' zone located on the northern side of Smith Lane, adjacent to O'Connell Lane, Nowra, 6m to the west.

1522. Linemarking - Wandean Road, Wandandian (PN 2514) File 25444E, 6324E

That the General Manager (Director Strategic Planning & Infrastructure) be:

- a) Advised that the Shoalhaven Traffic Committee has no objections to the proposed edge and centre linemarking of Wandean Road, Wandandian as detailed in TRAF 2009/28, subject to items of a technical nature.

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- b) Requested to install:
- i) A sight board on Wandean Road, opposite the junction of Bollerang Road, Wandandian
  - ii) A 'Stop' sign in Bollerang Road, at this junction with Wandean Road, Wandandian.

1523. Linemarking - Various Roads (PN 2516)  
File 1709E, 1692E, 1685E, 2645E, 6330E, 1694E, 1707E,

That the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee approves the recent amendments carried out in the centre linemarking on the various roads as noted in the report to comply with current Australian Standards (AS1742.2) and Roads and Traffic Authority guidelines.

1524. No Stopping Zone - Princes Highway, South Nowra (PN 2517) File 2641E

RECOMMENDED that the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the existing 'No Stopping' zone located on the western side of the Princes Highway between Flinders Road and Hillcrest Ave, to be extended approximately 225m north to the commencement of the guardrail.

1525. Parking Restrictions - Church Street, Vincentia (PN 2518) File 10582E

That the General Manager (Director Strategic Planning & Infrastructure) be requested to arrange for the following traffic facilities to be installed in Church Street, Vincentia:

- a) Installation of 'No Stopping' on the northern side of Church Street from the intersection with Elizabeth Drive for a distance of 18.2m.
- b) Installation of 18.2m 'No Stopping' zone, 9.3m 'No Parking' zone, followed by 'No Stopping' to the end of the street on the southern side of Church Street from the intersection with Elizabeth Drive.
- c) Three (3) car parking spaces be provided (linemarked) at the end of Church Street.
- d) Installation of pavement marking re-inforcing the 'No Stopping' zone adjacent to the gated entrance located on the southern side of Church Street.

1526. Car Parking Facilities, Signs and Linemarking - St Georges Basin Playing Fields (PN 2519)  
File 36332E

That the General Manager (Director Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objections to the signs/ linemarking plan (PLAN # 2229/21) for the proposed access and car parking facilities for the St Georges Basin playing fields, The Wool Road, St Georges Basin subject to items of a technical nature.

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1527. Additional Item - Installation of Give Way Sign - Intersection of Coonemia & Currarong Roads, Callala Bay (PN 2497) File 1684E

That the General Manager (Strategic Planning & infrastructure) be requested to install a Give Way Sign and associated hold line (TB) marking at the intersection of Coonemia Road and Currarong Road.

1528. Additional Item – Boat Launching Facility, Greenwell Point File 1694E, 2937E

That the General Manager (Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objection to the installation of signs and linemarking as contained on plan 4711-15 for the Greenwell Point boat launching facility subject to items of a technical nature.

1529. Additional Item – Ulladulla Sports Park File 2947E, 1716E

That the General Manager (Strategic Planning & Infrastructure) be advised that the Shoalhaven Traffic Committee has no objection to the installation of signs and linemarking as contained on plan 2194-92 for the Ulladulla Sports Park subject to items of a technical nature.

**SHOALHAVEN TRAFFIC COMMITTEE – 20<sup>TH</sup> OCTOBER 2009 – INFORMATION REPORT**

1530. Items not requiring approval under delegated authority File 1491E

Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Ward, seconded Clr Proudfoot, that the Information Report of the Shoalhaven Traffic Committee be received for information.

**GENERAL MANAGER**

1531. National Sea Change Taskforce AGM, Melbourne File 3245E

Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Ward, seconded Clr Guile, that the report of Clr Bohdan Brumerskyj following his attendance at the National Sea Change Taskforce AGM held in Melbourne on 12<sup>th</sup> July 2009, be received for information.

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## **STRATEGIC PLANNING & INFRASTRUCTURE**

1532. Climate Change Adaptation Forum and Workshop - Managing the Risks and Building Resilience - Sydney November 2009 File 3328E

Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Ward, seconded Clr Fergusson, that interested Councillors be authorised to attend the Climate Change Adaptation Forum and Workshop in Sydney on 26 and 27 November 2009, which will be regarded as business of Council.

1533. Draft Local Environmental Plan No. LP401 - Reclassification of Land at Nowra and Huskisson File 39248E (PDR)

Note: Clr Brumerskyj was absent from the meeting.

RESOLVED on a MOTION of Clr Fergusson, seconded Clr Bennett, that Council defer the Huskisson site (Owen Street Carpark) from draft LEP No. LP 401 – Reclassification of land at Nowra and Huskisson, and forward the amended plan to the Department of Planning in accordance with Section 68 & 69 of the Environmental Planning & Assessment Act 1979 requesting its gazettal, assuming the Parliamentary Counsel's Opinion on the plan does not change its intent and meaning.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Soames, Fergusson, Bennett, Guile, Miller, Ward, Kearney, Watson, Proudfoot, Findley, Green

The following Councillors voted "No";

Nil

## **NOTICES OF MOTION**

1534. Rescission Motion - Beach Patrol Service - South Mollmook Beach File 17639E

Note: Clr Brumerskyj arrived during discussion on this matter, the time being 7.03pm.

A MOTION was moved by Clr Miller, seconded Clr Proudfoot, that the Motion of the Ordinary Meeting held on 13<sup>th</sup> October 2009, regarding Beach Patrol Service - South Mollmook Beach, be rescinded

The MOTION upon being put to the meeting was declared LOST.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

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Clrs Fergusson, Miller, Kearney, Watson, Proudfoot.

The following Councillors voted "No";

Clrs Soames, Bennett, Guile, Brumerskyj, Ward, Findley, Green.

Note: Clr Green left the meeting at the conclusion of this item, the time being 7.05 pm, Clr Ward took the Chair.

1535. Rescission Motion - Change of Council Meeting Commencement Time File 3910E

Note: Clr Green was absent from the meeting.

A MOTION was moved by Clr Brumerskyj, seconded Clr Guile, that the Motion of the Ordinary Meeting held on 13<sup>th</sup> October 2009, regarding Change of Council Meeting Commencement Time, be rescinded.

The MOTION upon being put to the meeting was declared LOST.

THE RECORD OF VOTING ON THIS MATTER WAS AS FOLLOWS:

The following Councillors voted "Aye";

Clrs Guile, Brumerskyj, Ward.

The following Councillors voted "No";

Clrs Soames, Fergusson, Bennett, Miller, Kearney, Watson, Proudfoot, Findley.

1536. Procedural Motion - Introduction of Item as a Matter of Urgency

Note: Clr Green was absent from the meeting.

RESOLVED on a MOTION of Clr Guile, seconded Clr Fergusson that the matters of:

- Addendum Report 1 – Finance & Corporate Services – Record of Investments;
- Addendum report 2 – Finance & Corporate Services – Renewable Energy Precinct Advisory Committee;
- Confidential Addendum 1 – General Manager – Bridge Road Hotel Site – Huscorp Group Pty Ltd's Claim for Restitution and Expenses

be introduced as a matter of urgency in accordance with the regulations.

The Chairperson ruled the matters as ones of urgency as they relate to urgent business affairs of Council and allowed their introduction.

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**ADDENDUM REPORT 1 - FINANCE & CORPORATE SERVICES**

1537. Record of Investments

File 2126E

Note: Clr Green was absent from the meeting.

RESOLVED on a MOTION of Clr Guile, seconded Clr Brumerskyj, that the Report of the General Manager (Finance & Corporate Services Group) on the Statement of Record of Investments for the period of 30<sup>th</sup> September 2009 be received for information.

**ADDENDUM REPORT 2 - FINANCE & CORPORATE SERVICES**

1538. Renewable Energy Precinct Advisory Committee

File 4043E

Note: Clr Green was absent from the meeting.

RESOLVED on a MOTION of Clr Guile, seconded Clr Brumerskyj, that Council appoint Clr Ward as a delegate to the Wind Renewable Energy Precinct Advisory Committee.

**CONFIDENTIAL REPORT OF GENERAL MANAGER**

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

**SHOALHAVEN WATER OPERATIONS & STRATEGIC REVIEW COMMITTEE – 20<sup>TH</sup> OCTOBER, 2009**

Item	Reason
Conjola Regional Sewerage Scheme – Firedam Contract Issues	Information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business 10A(2)(c) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 10A(2)(g)

**GENERAL MANAGER**

Bridge Road Hotel Site – Huscorp Group Pty Ltd's Claim for Restitution of Costs and Expenses	Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 10A(2)(g)
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Pursuant to section 10A(4), the public were invited to make representations to the Ordinary Meeting of Council before any part of the meeting is closed, as to whether that part of the meeting should be closed.

A MOTION was moved by Clr Guile, seconded by Clr Findley, that the Ordinary Meeting exclude the press and public from the Meeting pursuant to section 10A(1)(a) of the Local Government Act, 1993 as it was to consider items of a confidential nature in relation to matters pursuant to Section 10A(2)(c) & (g).

The MOTION upon being PUT to the meeting was declared CARRIED.

The meeting moved into confidential the time being 7.40 pm.

The meeting moved into open session, the time being 7.47 pm.

1539. Conjola Regional Sewerage Scheme – Firedam Contract Issues File 33166E

Note: Clr Green was absent from the meeting.

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

RESOLVED on a MOTION that the recommendation remain confidential in accordance with Sections 10A(2)(c) & (g) of the Local Government Act 1993.

1540. Bridge Road Hotel Site – Huscorp Group Pty Ltd's Claim for Restitution of Costs and Expenses File 31908E

Note: Clr Green was absent from the meeting.

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

RESOLVED on a MOTION that this recommendation remain confidential in accordance with S10A(2)(g) of the Local Government Act 1993.

1541. Rescission Motion - New Year's Eve Fireworks File 2161E

Note: Clr Green was absent from the meeting.

The Chairperson advised that a rescission motion had been submitted to rescind Council's decision on MIN09.1471 New Year's Eve Fireworks signed by Clrs Fergusson, Soames and Findley.

There being no further business, the meeting concluded, the time being 7.47 pm.

Clr Green/Ward  
CHAIRPERSONS