
MINUTES OF THE STRATEGY AND ASSETS COMMITTEE MEETING HELD ON TUESDAY, 14 JUNE 2016 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4.00PM

The following members were present:

Clr Wells - Chairperson
Clr Tribe – left 5.36pm, returned 5.38pm
Clr Robertson
Clr Kearney – left 5.58pm
Clr Anstiss
Clr White
Clr Gash – left 5.36pm, returned 5.40pm
Clr Baptist
Clr Findley
Clr Guile – arrived 4.02pm
Clr Watson
Clr Kitchener
Russ Pigg – General Manager

Apologies/Leave of absence:

Clr McCrudden has been granted a Leave of Absence for June 2016.

1. Confirmation of the Minutes of the Strategy and Assets Committee meeting held on Tuesday 10 May 2016

MOTION: Moved: White / Second: Baptist

(MIN16.452) RESOLVED that the Minutes of the Strategy and Assets Committee meeting held on Tuesday 10 May 2016 be confirmed.

CARRIED

2. Deputations

Note: Clr Guile arrived at the meeting.

Anne Norton and Diana Perkins addressed the Committee in relation to Addendum Report 2 – regarding storm damage at the foreshore Currarong

3. Procedural Motion – Introduction of Addendums and Bring Item forward

MOTION: Moved: Robertson / Second: White

That the Addendum Reports be introduced as a matter of urgency and Addendum Report 2 be brought forward for consideration.

CARRIED

ADDENDUM REPORT 2 – GENERAL MANAGER

4. June 2016 Storm Event Response

File 53449E

MOTION:

Moved: Watson / Second: Guile

That, in accordance with the Committee's delegated authority from Council, the Committee:

- a) Receive the report for information;
- b) Thank all staff involved in the response and recovery operations relating to the flooding event for their efforts and support;
- c) Thank the Federal & State Governments for a speedy declaration as a Natural Disaster;
- d) Make further representations to seek government funding for restoration works in natural areas and recreation areas, and to have Council "ordinary" hours costs recognised as legitimate claimable expenses to facilitate timely response and repairs;
- e) Seek a further report on a priority list of "unfunded" works to be submitted to Council for consideration;
- f) Council seek urgent agreement from the State Government for funding for protection works for Warrain Beach Currarong, which will include funding for short and long term action.

AMENDMENT:

Moved: Findley / Second: White

(MIN16.453) RESOLVED, in accordance with the Committee's delegated authority from Council, that the Committee:

- a) Receive the report for information;
- b) Thank all staff involved in the response and recovery operations relating to the flooding event for their efforts and support;
- c) Thank the Federal & State Governments for a speedy declaration as a Natural Disaster;
- d) Make further representations to seek government funding for restoration works in natural areas and recreation areas, and to have Council "ordinary" hours costs recognised as legitimate claimable expenses to facilitate timely response and repairs, and make requests to the Federal and State Government to secure an ongoing funding source such as National Levy for environmental damage sustained during natural disasters
- e) Seek a further report on a priority list of "unfunded" works to be submitted to Council for consideration;
- f) Council seek urgent agreement from the State Government for funding for protection works for Warrain Beach Currarong, which will include funding for short and long term action.

AMENDMENT CARRIED

FOR: Tribe, Kearney, Anstiss, White, Gash, Baptist, Findley, Wells

AGAINST: Robertson, Guile, Watson, Kitchener and Russ Pigg

GENERAL MANAGER

5. Joint Organisation (JO) File 50403E

MOTION: Moved: Wells / Second: Baptist

(MIN16.454) RESOLVED that in accordance with the Committee's delegated authority from Council, the Committee note the report and endorse the decisions of the Illawarra Pilot Joint Organisation being:

- Change "representation" to specify and add that the delegates of each council may include an Administrator or their nominee; and
- Under "Finance" delete the levy formula being "*equal amounts*" and replace with "*amounts determined and agreed by the organisation*". This change recognises that the formula will be changed in the event that the Wollongong/ Shellharbour merger proceeds which will create a very significant difference in size & scale of member councils. The formula change will not be effective until the 2017/18 year.

CARRIED

CORPORATE AND COMMUNITY SERVICES

6. Request for Donation File 4771E

MOTION: Moved: White / Second: Findley

RECOMMENDED that the General Manager (Corporate and Community Services) meet with representatives of the Milton Theatre Management Committee and the Milton Follies to discuss the affordability of fees charged to the Milton Follies and report back to Council should a donation still be required.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Gash, Baptist, Findley, Wells and Russ Pigg

AGAINST: Guile, Watson, Kitchener

ASSETS AND WORKS

7. Lease of former VIC to NSW Electoral Commission File 50512E

MOTION: Moved: Gash / Second: Wells

(MIN16.455) RESOLVED, in accordance with the Committee's delegated authority from Council that the Committee enter into a lease with the NSW Electoral Commission for a period of 13 weeks commencing 1 July 2016 for a rental amount of \$8,250 inclusive of rent, outgoings and GST. The General Manager be authorised to sign any documentation necessary to give effect to the resolution.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Gash, Baptist, Wells and Russ Pigg

AGAINST: Findley, Guile, Watson, Kitchener

8. 2015/16 Grant Funding Variations – Blackspot – Active Transport
File 28099E; 5279E; 49683E; 49451E

MOTION: Moved: Findley / Second: Guile

RECOMMENDED that Council:

- a) Accepts the approved variations including time extensions and revised grant funding offers under the Federal Nation Building Blackspot Program as follows:
 - i) Naval College Road project, increasing the budget from \$1.5 Million to \$2 Million, and revising the funding provision (breakdown over each consecutive financial year period) as; \$30,000 in 2014/15, \$140,000 in 2015/16, and \$1,830,000 in 2016/17; votes funds and authorises adjustments to the budget
 - ii) Yalwal Road project, increasing the budget from \$60,000 to \$75,000; votes funds and authorises adjustments to the budget
 - iii) for the Flinders Road projects, revising the funding provision (breakdown over each consecutive financial year period) as; \$30,000 in 2014/15, \$200,000 in 2015/16, and \$570,000 in 2016/17 (no change to the approved total \$800,000); votes funds and authorises adjustments to the budget
 - iv) Turpentine Road project (from CH8.565 to CH10.020) revising the funding provision (breakdown over each consecutive financial year period) as; \$6,000 in 2014/15, \$320,000 in 2015/16, and \$434,000 in 2016/17 (no change to the approved total \$760,000); votes funds and authorises adjustments to the budget
- b) Accepts variations to Council's budget consistent with the remaining variations to be approved under the Federal Nation Building Blackspot Program as follows:
 - i) The Springs Road project, revising the funding provision (breakdown over each consecutive financial year period) as; \$30,000 in 2014/15, \$80,000 in

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- 2015/16, and \$110,000 in 2016/17; votes funds and authorises adjustments to the budget
- ii) Sussex Inlet Road project, revising the funding provision (breakdown over each consecutive financial year period) as; \$30,000 in 2014/15, \$170,000 in 2015/16, and \$450,000 in 2016/17; votes funds and authorises adjustments to the budget
 - iii) Lake Conjola Entrance Road project, revising the funding provision (breakdown over each consecutive financial year period) as; \$30,000 in 2014/15, \$40,000 in 2015/16, and \$380,000 in 2016/17; votes funds and authorises adjustments to the budget; and if unsuccessful in entering into a contract undertakes works in-house
- c) Accepts the change to the funding source for the Flinders Road project from the NSW Government, and accepts the variation approved under the NSW Rural and Regional Road Fund (RRRF) including the revised funding provision (breakdown over each consecutive financial year period) as \$100,000 in 2015/16, and \$3 Million in 2016/17 (no change to the total grant originally approved under the NSW Fixing Country Roads program of \$3,100,000) and authorises adjustments to the budget
 - d) Accepts the variation approved under the Federal Government's Heavy Vehicle Safety and Productivity (HVSPP) Program including the revised funding provision, being all \$2,950,000 funds originally approved in 2015/16 now approved to be provided in 2016/17, and authorises adjustments to the budget
 - e) Accepts the grant funding offer by NSW Roads and Maritime Services of \$22,372.50 under the TRACKS modelling program, being 50% of the cost of an independent peer review of the recently developed TRACKS (traffic and transportation) models, and authorises expenditure
 - f) Accepts the grant funding offer by NSW Government under the NSW Government's Active Transport Program of \$15,000 (being 49% of the cost of kerb ramp improvements at five locations, approved for 2016/17, brought forward to 2015/16, and authorises expenditure
 - g) Accepts the variation approved under the NSW Government's Active Transport Program for the 2015/16 stage of the Matron Porter Drive shared user path project (formerly approved from Garrads Lane to Sungrove Lane), to accept the completed works to the Frogs Holla Sports Fields access, the grant funding provided in 2015/16 be increased to \$245,000, and authorises adjustments to the budget
 - h) Accepts the funding offer under the NSW Government's Active Transport Program for the 2016/17 stage of the Matron Porter Drive shared user path project (formerly approved from Sungrove Lane to Garside Road), to now also include the section from Frogs Holla Sports Fields access to Sungrove Lane, the grant funding approved in 2016/17 be increased to \$200,000, and authorises adjustments to the budget

CARRIED

9. Acquisition of Land for Matron Porter Drive Shared Pathway File 51477E, 48363e

MOTION: Moved: Findley / Second: Baptist

RECOMMENDED that:

- a) Council resolve to acquire part of Lot 21 DP1174684, known as 8 The Heights Narrawallee, as shown by hatching on copy of sketch plan marked Attachment 'A';
- b) Council pay compensation of \$70,000 plus GST (based on the area of 3,961m²), legal and valuation costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991;
- c) The compensation be adjusted in accordance with the area of the land determined by final survey;
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed, otherwise the General Manger is authorised to sign any documentation necessary to give effect to the resolution; and
- e) Following acquisition, the land be dedicated as Public Road pursuant to Section 10 of the Roads Act 1993.

CARRIED

10. Greenwell Point Wharf Management Committee – Timber Jetty File 5219E, 9818E

MOTION: Moved: Watson / Second: Guile

RECOMMENDED that:

- a) The Greenwell Point Wharf Committee be dissolved;
- b) Council write to the Committee and thank them;
- c) Council prepare options for the replacement of the timber jetty with a multi-purpose facility (public and commercial) at an estimated cost of \$200,000. To be located approximately where the existing Council owned timber wharf is located, with preferred option being a floating pontoon with a sewage pump out facility and the community be consulted after the draft options have been adopted by Council;
- d) The Council Waterways Infrastructure Plan to be amended to include this pontoon facility as a priority at this location and an application for funding be made to the State Government at the appropriate time.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Gash, Baptist, Guile, Watson, Wells

AGAINST: Findley, Kitchener and Russ Pigg

PLANNING AND DEVELOPMENT

11. Heritage Estates - Proposed Gates/Barriers, Stage 2: Birriga Avenue (west) and Naval College Road File 1446E/4

MOTION: Moved: White / Second: Gash

(MIN16.456) RESOLVED in accordance with the Committee's delegated authority from Council, that Council:

- a) Grant consent to install the proposed gates and barriers in accordance with Section 118 of the *Roads Act 1993* and the Shoalhaven Traffic Committee's recommendation;
- b) In relation to the gate / barrier on Birriga Avenue:
 - i) undertake a risk assessment and determine if it is appropriate to allow vehicles into the area given the current condition of the tracks;
 - ii) Investigate whether appropriate control measures can be put in place to mitigate risk;
 - iii) Subject to the outcomes of i) and ii), develop a protocol for providing vehicular access to landowners and the general public which minimises Council's exposure to public liability claims, provides keys to the land owners at no cost to the land owners and Council write to the land owners to advise the results of the risk assessment so that they are aware of the risk of accessing the land by vehicle.

CARRIED

12. James Crescent, Kings Point - Saltmarsh Protection File 9228E

Clr Tribe left the meeting.

MOTION: Moved: White / Second: Kitchener

(MIN16.457) RESOLVED, in accordance with the Committee's delegated authority from Council, that this matter and any further actions be deferred pending further discussions with the Hon Shelley Hancock MP Member for South Coast and Department of Fisheries and Council.

CARRIED

FOR: Robertson, Kearney, Anstiss, White, Gash, Baptist, Guile, Watson, Kitchener, Wells and Russ Pigg

AGAINST: Findley

SHOALHAVEN WATER

13. Ozwater Conference 2016 File 3989E

Clr Tribe was absent from the meeting.

Clr Gash left the meeting.

MOTION: Moved: Robertson / Second: Kearney

(MIN16.458) RESOLVED, in accordance with the Committee's delegated authority from Council, that the report regarding the Ozwater 2016 Conference held in Melbourne from 10-12 May be received for information.

CARRIED

14. Submission to the NSW Parliament Legislative Council Inquiry Into Water Augmentation File 5185E

Clr Tribe returned to the meeting.

Clr Gash was absent from the meeting.

MOTION: Moved: Watson/ Second: White

(MIN16.459) RESOLVED, in accordance with the Committee's delegated authority from Council, that Council provide the attached submission to the upper House Inquiry.

CARRIED

15. Customer Survey - Shoalhaven Water File 1851E

Clr Gash was absent from the meeting.

MOTION: Moved: Guile / Second: Baptist

(MIN16.460) RESOLVED, in accordance with the Committee's delegated authority from Council, that the information in this report be noted.

CARRIED

16. Australian Government Bureau of Meteorology (BOM) - National Performance Report 2014-2015 Urban Water Utilities File 35982E

Clr Gash was absent from the meeting.

Clr Anstiss left the meeting.

MOTION: Moved: Robertson / Second: Kearney

(MIN16.461) RESOLVED, in accordance with the Committee's delegated authority from Council, that the report be received for information.

CARRIED

17. Triple Bottom Line (TBL) Performance Reporting 2014-2015 File 28864E

Clrs Gash and Anstiss were absent from the meeting.

MOTION: Moved: Wells / Second: Tribe

(MIN16.462) RESOLVED, in accordance with the Committee's delegated authority from Council, that the information in this report be noted.

CARRIED

18. Acquisition of Crown Land and Easement over Crown Land at Ulladulla File 21687E

Clr Gash returned to the meeting.

Clr Anstiss was absent from the meeting.

MOTION: Moved: Wells / Second: Baptist

RECOMMENDED that:

- a) Council resolve to compulsorily acquire from the Crown:
 - Lot 1 DP1109186, being part of Lot 7304 DP1166765, at Kings Point Drive Ulladulla, as shown on the attached copy of DP1109186 marked Attachment 'A'.
 - A Sewerage Easement 10 wide and variable over Lot 7305 DP1166765 and Lot 5 DP256334 at Kings Point Drive Ulladulla, as shown by hatching on the attached copies of DP1109186 marked Attachment 'A' & 'B'.
- b) Council pay compensation and costs associated with the acquisition, in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer fund.
- c) The necessary application be made to the Minister for Local Government and the Governor. The acquisition is to be carried out under the Local Government Act 1993.

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- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

19. Acquisition of land - Sunset Strip and The Bulwark, Manyana File 27440E

Clr Anstiss returned to the meeting.

MOTION: Moved: Baptist / Second: Tribe

RECOMMENDED that:

- a) Council resolve to acquire proposed Lot 100 in plan of subdivision, being part of Lot 682 DP568678 and part of Lot 705 DP613881, at Manyana as shown by hatching on plan marked 'Attachment A', under the Local Government Act 1993.
- b) Council to pay compensation of \$36,000 plus GST, and legal, valuation and survey costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.
- d) Council resolve to classify the land as Operational in accordance with section 31 (2) of the Local Government Act, 1993.

CARRIED

NOTICES OF MOTION

20. Mollymook Beach - Sand Dune Vegetation and Amenity Issues File 30596E

MOTION: Moved: White / Second: Baptist

(MIN16.463) RESOLVED, in accordance with the Committee's delegated authority from Council, that the Committee support:-

1. Council staff positive engage with all residents from 2 – 28 Mitchell Parade Mollymook and meet to consult on:
 - a. the new coastal dune
 - b. Plant varieties for vegetation in the new sand dunes behind their dwellings. Species planted should minimise impacts on beach views and tracks.
 - c. Continued ongoing access to the beach from the existing 6 tracks at the rear of the properties located 2-28 Mitchell Parade, Mollymook.
 - d. Available Councillors be invited to attend meetings between staff and residents

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2. That Council remove the prohibit entry signs on the beach tracks behind the residents after 6 months (1st December 2016)
 3. That Council invite residents to assist with Bush Care in the dune management.
 4. That Council review the 6 tracks at the rear of the residents, in December 2016, to ascertain whether there is a need to create a ramp effect allowing ease of access to and from the beach along the tracks.
 5. Effectuated Residents provide to Council current photographic records of beach/ocean views from their properties. Council to monitor with residents as required the effects of vegetation growth on the dunes with the photographic records and undertake necessary steps to work with residents and agencies regarding vegetation management.
 6. That Council advise the residents of the current review the restrictive coastal hazard lines over properties 2-28 Mitchell Parade on council coastal plans and engage the residents/ratepayers in this review.

CARRIED

ADDENDUM REPORT 1 – PLANNING AND DEVELOPMENT

21. Biodiversity Legislative Review File 47552e

MOTION: Moved: Wells / Second: Baptist

(MIN16.464) RESOLVED, in accordance with the Committee's delegated authority from Council, the Committee send the submission attached to this report to the NSW Government Biodiversity legislation review.

CARRIED

FOR: Tribe, Robertson, Kearney, Anstiss, White, Gash, Baptist, Findley, Watson, Kitchener, Wells and Russ Pigg

AGAINST: Guile

ADDENDUM REPORT 2 – CONSIDERED EARLIER IN THE MEETING

GENERAL BUSINESS

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

MOTION: Moved: Findley / Second: Robertson

That the matter of Additional Item – Queens Birthday Honours be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency for reasons of currency and allowed its introduction.

23. Additional Item – Queens Birthday Honours File 8592E

Clr Kearney left the meeting.

MOTION: Moved: Findley / Second: Robertson

(MIN16.465) RESOLVED, that in accordance with the Committee's delegated authority from Council, that Council congratulate and recognise the Queen's Birthday Honours recipients with a Civic Reception.

CARRIED

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

MOTION: Moved: Findley

That the matter of Additional Item – Conflict of Interest Collingwood Beach Demonstration Sites be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency as Council is about to commence work and allowed its introduction.

25. Additional Item – Conflict of Interest Collingwood Beach Demonstration Sites

Clr Kearney was absent from the meeting.

MOTION: Moved: Findley

That rather than spend money clearing the Collingwood Beach demonstration site at Susan Street, Council undertake and mark out the demonstration site along the path not just in one area.

MOTION LAPSED for want of a seconder.

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

MOTION: Moved: White / Second: Baptist

That the matter of Additional Item – Dredging Works – Lake Conjola be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency as the Dredging works are underway and allowed its introduction.

27. Additional Item – Dredging Works – Lake Conjola File 2235E

Clr Kearney was absent from the meeting.

MOTION: Moved: White / Second: Baptist

(MIN16.466) RESOLVED that in accordance with the Committee’s delegated authority from Council, that Council:

- a) Request The Hon Niall Blair MLC, Minister for Primary Industries and Minister for Lands and Water to consider a variation of Scope of the Lake Conjola Dredging works and funding agreement to facilitate the undertaking of additional Entrance works whilst dredging at Lake Conjola is presently underway;
- b) Staff liaise with The Hon Shelley Hancock MP to facilitate options available to consider the variation.

CARRIED

FOR: Tribe, Robertson, Anstiss, White, Gash, Baptist, Guile, Watson, Kitchener, Wells and Russ Pigg

AGAINST: Findley

There being no further business, the meeting concluded, the time being 6.25pm.

Clr Wells
CHAIRPERSON