
MINUTES OF THE STRATEGY AND ASSETS COMMITTEE MEETING HELD ON TUESDAY, 19 JULY, 2016 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4.00 PM

The following members were present;

Clr Wells – Chairperson
Clr Tribe
Clr Robertson
Clr Kearney – arrived 4.25pm
Clr Anstiss
Clr White
Clr Gash
Clr Baptist
Clr Findley
Clr Guile – arrived 4.05pm
Clr Watson
Clr Kitchener
Russ Pigg – General Manager

1. Confirmation of the Minutes of the Strategy and Assets Committee meeting held on Tuesday 14 June 2016

MOTION: Moved: Baptist / Second: Robertson

(MIN16.535) RESOLVED That the Minutes of the Strategy and Assets Committee meeting held on Tuesday 14 June 2016 be confirmed.

CARRIED

2. Declarations of Interest

Conflict of Interest Declaration - Clr Anstiss Item 22, Page 58 Future of Human Waste Removal Services – less than significant non pecuniary interest – her husband, David owns property in Terara that uses this service, no financial loss or gain is foreseen – will remain in the room.

MAYORAL MINUTE

3. Emergency Services Wilderness Navigation Shield (NAVSHIELD) win File 50252E

MOTION: Moved: Gash / Second: Wells

(MIN16.536) RESOLVED that Council receive this report regarding the Emergency Services Wilderness Navigation Shield (NAVSHIELD) win for information.

CARRIED

4. **Congratulations to the Economic Development Department** **File 50252E**

MOTION: Moved: Gash / Second: Wells

(MIN16.537) RESOLVED that Council receive this report to congratulate the Economic Development Department for information.

CARRIED

5. **Congratulations to Andy Depree** **File 50252E**

MOTION: Moved: Gash / Second: Wells

(MIN16.538) RESOLVED that Council receive this report to Congratulate Andy Depree for information.

CARRIED

6. **Homelessness** **File 44336E, 50252E**

MOTION: Moved: Gash / Second: Findley

(MIN16.539) RESOLVED that Council

- a) **Hold a meeting with the Federal & State members, church leaders, stake holders and Community Housing to discuss vacant halls, premises etc that could be used for extreme emergency housing**
- b) **Consider any of its commercial facilities in and around Nowra that may be suitable.**

CARRIED

7. **Greyhound Racing** **File 50252E**

Note: Clr Guile arrived, the time being 4.05pm

MOTION: Moved: Watson / Second: Robertson

(MIN16.540) RESOLVED that Council:

- a) **Make representation to the State Government and request it reconsider its position and implement a trial period of stronger legislation and voluntary management of the Industry**
- b) **Hold a Councillor Briefing on the matter**
- c) **Request the Government to fully fund an independent regulatory authority for the industry.**

AMENDMENT:

Moved: Findley / Second: Tribe

That this matter be deferred to a Councillor briefing.

AMENDMENT LOST

FOR: Tribe, Anstiss, Findley, Guile

AGAINST: Robertson, Baptist, White, Gash, Watson, Kitchener, Wells, Russ Pigg

MOTION CARRIED

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

AGAINST: Findley, Tribe

8. Procedural Motion – Bring Items Forward

PROCEDURAL MOTION:

Moved: Wells / Second: Gash

That the matters of the following items be brought forward for consideration at the conclusion of the deputations:

- Item 8, Page 25 - Deferment of Access Areas for Dogs Policy Review and Finalisation of Dog Access Trial at Narrawallee Beach
- Item 10, Page 31 - Lady Denman Draft Strategic Business and Master Plan
- Item 29, Page 77 – Collingwood Beach

CARRIED

9. Deputations

Note: Cllr Kearney arrived, the time being 4.25pm

Leigh Maloney, Paul Mitchell, and Graham Sweet and Jan Gregory addressed the Committee in relation to Item 8, Page 25 - Deferment of Access Areas for Dogs Policy Review and Finalisation of Dog Access Trial at Narrawallee Beach

John Fergusson, President, Lady Denman Heritage Complex Huskisson Inc addressed the Committee in relation to Item 10, Page 31 - Lady Denman Draft Strategic Business and Master Plan

Annie Boutland and Tony Vukelic (Collingwood Beach Preservation Group) addressed the Committee in relation to Item 29, Page 77 – Collingwood Beach

CORPORATE AND COMMUNITY SERVICES

10. (Item 8) Deferment of Access Areas for Dogs Policy Review and Finalisation of Dog Access Trial at Narrawallee Beach File 3220e

Note: Jan Gregory, Paul Mitchell, Leigh Maloney and Graham Sweet addressed the Committee in relation to this item earlier in the meeting.

MOTION: Moved: Baptist / Second: White

(MIN16.541) RESOLVED, under delegated authority from Council, that Council:

- a) **Defer the Shoalhaven Wide Review of the Access Areas for Dogs Policy until such time as monies are identified in a budget**
- b) **Finalise the trial at Narrawallee Beach and adopt the arrangements of dogs off leash area restricted times 6pm – 8am 1 October – 30 April and 3pm – 10am 1 May – 30 September in the designated area until a review of the Access Areas for Dogs Policy has been reviewed.**
- c) **A public consultation be undertaken within 12 months to ascertain whether a fenced off leash dog exercise area be established in the reserve in Narrawallee**

AMENDMENT: Moved: Findley / Second: Guile

That Council:

- a) Defer the Shoalhaven Wide Review of the Access Areas for Dogs Policy until such time as monies are identified in a budget
- b) Finalise the trial at Narrawallee Beach and adopt the arrangements of dogs off leash area restricted times 6pm – 8am 1 October – 30 April and 3pm – 10am 1 May – 30 September in the designated area until a review of the Access Areas for Dogs Policy has been reviewed.
- c) A public consultation be undertaken within 12 months to ascertain whether a fenced off leash dog exercise area be established in the reserve in Narrawallee with the view to replace the use of the beach as an off leash area.

AMENDMENT LOST

FOR: Findley, Guile, Kitchener, Russ Pigg

AGAINST: Tribe, Robertson, Kearney, Anstiss, White, Wells, Baptist, Watson, Gash

MOTION CARRIED

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

AGAINST: Findley, Guile, Kitchener, Russ Pigg

11. (Item 10) Lady Denman Draft Strategic Business and Master Plan File 52288e

Note: John Fergusson, President, Lady Denman Heritage Complex Huskisson Inc addressed the Committee in relation to this item earlier in the meeting.

MOTION: Moved: Guile / Second: Findley

RECOMMENDED that Council:

- a) Adopt the Lady Denman Draft Strategic Business and Master Plan (LDDSBMP) with the amendments as attached in the report. (See # Attachment A & A1).
- b) Consider allocating \$50,000 in the 2017/2018 budget to commence costing of detail design and development/implementation of the LDDSBMP.
- c) Advise those who made a submission on the LDDSBMP of the above resolution.

CARRIED

NOTICE OF MOTION

12. (Item 29) Collingwood Beach File 9929E

Note: Annie Boutland and Tony Vukelic (Collingwood Beach Preservation Group) addressed the Committee in relation to this item earlier in the meeting.

MOTION: Moved: Findley / Second: Gash

(MIN16.542) RESOLVED that in accordance with the Committee's delegated authority from Council the General Manager accept the petition in respect to Collingwood Dune Management Plan, and given the level of concern

- a) **Defer commencement of the demonstration site in order to receive outstanding legal advice, and**
- b) **To consider the petition and preliminary comments that have been received from the community.**
- c) **Report back to Council on the issues at hand.**

CARRIED

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

AGAINST: Guile, Watson

Note: The Petition with 945 signatures says:

Stop Shoalhaven Council's support for vegetation vandals.

We the undersigned do not support Shoalhaven City Council's proposed Collingwood Beach Dune Vegetation Plan. We believe the proposed lopping of vegetation along a 1.5 km stretch of Collingwood Beach sends the wrong message to vegetation vandals and undermines the work of community volunteers who have managed the dune vegetation for the broader community benefit since the early 1980s. We also believe that lopping this dune vegetation will result in the death of many tall shrubs and weaken the dune. This will increase the susceptibility of Collingwood Beach including its foreshore properties and public assets, to extreme weather conditions; reduce the habitat values of the Reserve; and set a dreadful precedent for other parts of the coast where vegetation vandalism is rife.

REPORT OF GENERAL MANAGER

CORPORATE AND COMMUNITY SERVICES

13. Use of Council Resources and Electoral Matter - Local Government Elections - 2016 **File 18854E**

MOTION: Moved: Robertson / Second: Baptist

(MIN16.543) RESOLVED that in accordance with the Committee's delegated authority from Council, that the information in relation to use of council resources and electoral matter be noted.

CARRIED

14. The Local Government and Elections Legislation Amendment (Integrity) Act 2016 - **File 18854E**

MOTION: Moved: Baptist / Second: Tribe

(MIN16.544) RESOLVED that in accordance with the Committee's delegated authority from Council, that the information in relation to the Local Government and Elections Legislation Amendment (Integrity) Act 2016 be noted.

CARRIED

15. Council decision making prior to the September 2016 Local Government Elections - Caretaker Period **File 18854E**

MOTION: Moved: Baptist / Second: White

(MIN16.545) RESOLVED that in accordance with the Committee's delegated authority from Council, that the information in relation to Council decision making prior to the September 2016 Local Government Elections be noted.

CARRIED

16. Local Government Conference - 16th International Cities, Town Centres & Communities Conference **File 4688E**

MOTION:

Moved: White / Second: Baptist

(MIN16.546) RESOLVED that in accordance with its delegated authority from Council the Committee:

- a) Notes the details of the 16th International Cities, Town Centres & Communities Conference, scheduled for 9 to 11 November 2016, at Launceston, Tasmania.
- b) Authorises Councillors to attend the conference within the limits imposed under current policy and such attendance be deemed Council Business.
- c) Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
- d) Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

17. Local Government Conference – LGNSW Water Management Conference 28-30 August 2016 **File 4688E**

MOTION:

Moved: Baptist / Second: White

(MIN16.547) RESOLVED that in accordance with its delegated authority from Council the Committee:

- a) Notes the details of the LGNSW Water Management Conference, scheduled for 28 to 30 August 2016, at Broken Hill, NSW.
- b) Authorises Councillors to attend the conference within the limits imposed under current policy and such attendance be deemed Council Business.
- c) Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
- d) Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

18. **Waiving & Discounting of Fees for Open Space & Community Facilities
2015/2016** **File 19969e**

MOTION: Moved: Baptist / Second: White

(MIN16.548) RESOLVED that, in accordance with the Committee's delegated authority from Council, the report regarding the Waiving & Discounting of Fees from 1 July 2015 to 30 June 2016 for the use of Council's open space and community facilities be received for information.

CARRIED

19. **Tenders – Provision of the Management & Operations of the Ulladulla Civic Centre
2016/19** **File 52412e**

MOTION: Moved: Baptist / Second: White

(MIN16.549) RESOLVED that in accordance with the Committee's delegated authority from Council, that Council consider a separate confidential report on this matter in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993.

CARRIED

20. **Deferment of Access Areas for Dogs Policy Review and Finalisation of Dog Access Trial
at Narrawallee Beach** **File 3220e**

Note: this item was dealt with earlier in the meeting.

21. **Homelessness in the Shoalhaven** **File 44336E**

MOTION: Moved: Kearney / Second: Baptist

(MIN16.550) RESOLVED that in accordance with the Committee's delegated authority from Council the Committee receive the report for information.

CARRIED

22. **Lady Denman Draft Strategic Business and Master Plan** **File 52288e**

Note: This item was dealt with earlier in the meeting.

23. Release Agreement Lehman Brothers Special Financing Inc (LBSF) Lehman Brothers Holding Inc (LBHI), Lehman Brothers Australia Limited (LBA), ANZ and Shoalhaven City Council AND Deed of Release with ANZ and Shoalhaven City Council – Signing of Agreements **File 35194E**

MOTION:

Moved: White / Second: Baptist

(MIN16.551) RESOLVED that in accordance with Section 10A(2)(g) of the Local Government Act 1993, Council consider a separate confidential report on this matter, and any decision made in the confidential session be made public in accordance with Clause 253 of the Local Government Act (General) Regulation 2005.

CARRIED

ASSETS AND WORKS

24. Amendment to Section 88B Instrument - Drainage Easement over Lot 12 DP1022813 **File SF7858**

Note: Cllr Findley was absent from the meeting the time being 6.07pm.

MOTION:

Moved: White / Second: Baptist

RECOMMENDED that Council:

- a) Amend the S. 88B Instrument relating to the easement to drain water over Lot 12 DP1022813 to note Lot 11 DP1022813 as a benefitted Lot, with all costs associated with amendment, including legal fees and LPI registration costs to be paid by the owner of Lot 11 DP1022813; and
- b) Authorise the General Manager to affix the Seal of Council to the LPI Request form and any other documentation associated with the matter to enable this resolution to be enacted.

CARRIED

25. Reclassification of Land **File 50767E**

Note: Cllr Findley returned to the meeting, the time being 6.09pm.

MOTION:

Moved: White / Second: Baptist

RECOMMENDED that Council resolve to reclassify the land described in Schedule A as Community land:

Schedule A

Legal Description	Street	Locality	Reference
Lot 21 DP252581	50 Shoalhaven Heads Road	Shoalhaven Heads	50767E
Lot 12 DP617101	Bolong Road	Coolangatta	50767E
Lot 3 DP597223	Bolong Road	Coolangatta	50767E
Lot 4 DP550354	Island Point Road	St Georges Basin	50767E
Lot 2081 DP216860	Lively Street	Vincentia	50767E

CARRIED

26. Creation of Easement over Council Land Lot 12 DP1022913 File DA03/1477

MOTION: Moved: White / Second: Baptist

RECOMMENDED that Council:

- a) Approve the creation of the easement to drain water within Council's land known as Lot 12 DP1022913 to benefit Lot X DP164823 and Lot 1 DP514622, with all costs associated with the easement creation, including compensation for market value of the easement, legal fees and LPI registration costs to be paid by the registered proprietor of Lot X DP164823;
- b) Authorise the General Manager to affix the Seal of Council to all relevant documentation associated with the matter to enable this resolution to be enacted; and
- c) Authorise the General Manager to finalise any negotiations as required to enable this resolution to be effected.

CARRIED

27. Additional Grant Funding Variations – 2015/16 Black Spot Program File No 28099E, 5279E

MOTION: Moved: White / Second: Kearney

RECOMMENDED that Council accepts the approved variations under the Federal Nation Building Black Spot Program as follows:

- a) Springs Road project, increase the budget from \$220,000 to \$275,000 and revise the funding provision as \$30,000 in 2014/15; \$80,000 in 2015/16; and \$165,000 in 2016/17.
- b) for the Sussex Inlet Road project, increasing the budget from \$650,000 to \$1,055,000 and revising the funding provision as \$30,000 in 2014/15; \$170,000 in 2015/16; and \$855,000 in 2016/17.
- c) for the Lake Conjola Entrance Road project, increasing the budget from \$450,000 to \$675,000 and revising the funding provision as \$30,000 in 2014/15; \$40,000 in 2015/16; and \$605,000 in 2016/17.

-
- d) for the Illaroo Road project, increasing the budget from \$280,000 to \$380,000 and revising the funding provision as \$30,000 in 2014/15; and \$350,000 in 2015/16.

CARRIED

28. 2016/17 Federal Nation Building Black Spot Program File No 28099E, 5279E

MOTION: Moved: Robertson / Second: Kearney

RECOMMENDED that Council

- a) Accepts the grant funding offers under the Federal Nation Building Black Spot Program as follows:
- i) \$660,000 for the safety improvements along Bendalong Road, Conjola.
 - ii) \$285,000 for the roundabout at the Paradise Beach Road and Kerry Street intersection (Sanctuary Point).
 - iii) \$210,000 for the roundabout at the St Vincent Street and Church Street intersection (Ulladulla).
 - iv) \$140,000 for the roundabout at the Deering Street and Jubilee Street intersection (Ulladulla).
 - v) \$420,000 for the safety improvements along Bolong Road, Bolong.
 - vi) \$510,000 for the safety improvements along Woodburn Road, Morton.
 - vii) \$240,000 for the safety improvements at the Forest Road and Callala Beach Road intersection (Wollumboola).
- b) Council writes to the Local Members of Federal Parliament and the Federal Government thanking it for its funding assistance as part of the 2016/17 Black Spot program.

CARRIED

29. 2016/17 NSW Active Transport Program File No 5279E

MOTION: Moved: Findley / Second: White

RECOMMENDED that Council:

- a) accepts the grant funding offers under the NSW Active Transport Program as follows:
- i) \$10,500 for the installation of new bike racks
 - ii) \$65,000 for the extension of the shared path network along Mitchell Parade, Mollymook
 - iii) \$160,000 for the extension of the shared path network along Matron Porter Drive (Milton/Mollymook)

-
- iv) \$70,000 for the construction of a pedestrian refuge at the West Birriley Street / North Tarawal Street intersection (Bomaderry)
 - v) \$30,000 for the construction of a pedestrian crossing treatment on Tallwood Avenue, Mollymook Beach
- b) Council writes to the Local Members of New South Wales Parliament and the State Government thanking it for its funding assistance as part of the 2016/17 NSW Active Transport program.

CARRIED

30. Tender – Supply of Construction Materials - Concrete Supply Tender File 53054E

MOTION: Moved: Baptist / Second: Tribe

RECOMMENDED that in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, consider a separate confidential report on this matter.

CARRIED

PLANNING AND DEVELOPMENT

31. Broughton Creek Catchment – Updated Flood Information File 39480E

MOTION: Moved: Guile / Second: Wells

(MIN16.552) RESOLVED that in accordance with the Committee’s delegated authority from Council, that the Committee

- a) **Adopt the revised flood information and mapping for the Broughton Creek catchment;**
- b) **Section 149 certificates be updated to include the revised Broughton Creek catchment flood information and mapping;**
- c) **Flood planning area mapping in the Shoalhaven LEP 2014 be updated to include the flood extents from the revised Broughton Creek catchment flood information and mapping; and**
- d) **Write to the property owners in the newly mapped areas advising them of the information and mapping.**

CARRIED

32. Shoalhaven Council's Immunisation Clinic - Future **File 1869e**

MOTION: Moved: Tribe / Second: Robertson

(MIN16.553) RESOLVED that in accordance with the Committee's delegated authority from Council, that the General Manager:

- a) **Contact the Local State Members to request that they make representations to NSW Health seeking to overturn their decision regarding funding for immunisation services and that it be reinstated.**
- b) **Write to the Federal Member to ensure she is aware of this issue.**

CARRIED

33. Companion Animals Policy - Review **File 32667E**

MOTION: Moved: Findley / Second: White

(MIN16.554) RESOLVED that in accordance with the Committee's delegated authority that, the Committee:

- a) **Support the amended policy titled "Companion Animals – Management of Feral and Infant Cats and Dogs", being placed on exhibition for a period of 28 days.**
- b) **At the completion of the exhibition period and if nil submissions are received, the Policy be adopted**

CARRIED

SHOALHAVEN WATER

34. Future of Human Waste Removal Services **File 1084E**

MOTION: Moved: Baptist / Second: White

(MIN16.555) RESOLVED that in accordance with the Committee's delegated authority from Council, that the report for the Future of Human Waste Removal Services be considered for information.

CARRIED

35. 21 Lot Rural / Residential Subdivision of Lots 1 & 2 DP 1118306 Milbank Road, Worrigeer for Linkwood Nowra Pty Ltd. File SF10487

MOTION:

Moved: Wells / Second: Watson

(MIN16.556) RESOLVED that in accordance with the Committee's delegated authority from Council, that:

- a) Pending Planning Approval, the proposed subdivision of Lots 1 & 2 DP 1118306 into 21 lots be permitted to connect to the town sewerage system where a dwelling house is constructed within the R5 zone.
- b) Shoalhaven Water prepare a Notice of Requirements for the subdivision development in accordance with Section 306 of the Water Management Act 2000 to also include sewerage services.

CARRIED

36. Tender Process - REMS 1B Works File 52079E

MOTION:

Moved: White / Second: Baptist

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.

CARRIED

37. Extinguishment of Easements - 31 Vidler Road Falls Creek File 52908E

MOTION:

Moved: Wells / Second: Baptist

RECOMMENDED that:

- a) Council resolve to extinguish the Easements for Water Supply 3.05 wide over Lot 421 DP789734 at Falls Creek, as shown by hatching on copy of that deposited plan marked 'Attachment A'.
- b) Costs to extinguish the easements are to be met from Council's Water Fund.
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

38. Expressions of Interest Process - Minor Projects Survey and Design File 52348E

MOTION: Moved: Wells / Second: Baptist

RECOMMENDED that the Committee consider the separate confidential report.

CARRIED

NOTICES OF MOTION

39. Milton Showground Expansion File 3661E

MOTION: Moved: Watson / Second: Gash

(MIN16.557) RESOLVED That:

1. The General Manager investigate options for the expansion of the Milton Showground including negotiations with adjoining property owners.
2. Once investigations are completed a report on the findings be provided to an appropriate meeting of Council.

CARRIED

40. Old Fire Station – Hyams Beach File 47042E

MOTION: Moved: Robertson / Second: Kearney

(MIN16.558) RESOLVED that given the very strong community interest in gaining community use of the now abandoned fire station precinct at Hyams Beach - and, at all times acknowledging this very strong interest and commitment - the General Manager take the following preliminary actions:

- a) Make application to the DPI Crown Lands Aboriginal Land Claims Unit to have the assessment of Aboriginal claims upon this site expedited.
- b) At the same time apply to the Minister administering the Crown Lands Act seeking approval to amend the Reserve purpose to include the Communities use thereof.
- c) Provide available reports regarding structural soundness and risks involving asbestos to the HBCCB in order that they may seek private quotes from approved tradesmen to make the buildings useable and safe. Enter into discussions with the CCB regarding the practicalities of them fund raising and completing these works.
- d) Once these actions have progressed call a meeting of Councillors briefing them on:
 - i) an appropriate future zoning and the options available for any change to the LEP

-
- ii) the issues in implementing an Asset Protection Zone;
 - iii) what steps remain to enable the project to reach a conclusion; and
 - iv) a proposed budget that would enable the project to proceed any further.

CARRIED

41. Collingwood Beach File 9929E

Note: this item was dealt with earlier in the meeting.

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

MOTION: Moved: Watson / Second: Wells

That the matter of June 2016 East Coast Low Impacts be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency as it relates to urgent business of Council and allowed its introduction.

ADDENDUM REPORT 1 - PLANNING AND DEVELOPMENT / ASSETS AND WORKS / CORPORATE AND COMMUNITY SERVICES

43. June 2016 East Coast Low Impacts File 30596e & 53449e

MOTION: Moved: Watson / Second: Wells

(MIN16.559) RESOLVED that in accordance with the Committee's delegated authority from Council, that the Committee

- a) **Write to Roads & Maritime Services (RMS) to seek funding to upgrade the shoreline protection structures at Ulladulla Harbour and around boat launching ramps;**
- b) **Make further representations to Crown Lands to seek funding for priority works on the Crown Land foreshore managed by Council;**
- c) **Make a submission followed by representation to the State & Federal Government to support the submission under the *Natural Disaster Relief and Recovery Arrangements* for non-eligible costs; and**
- d) **Apply to the Minister for Planning, for a one year exemption from the requirement for a certified Coastal Management Program, thereby enabling access to grant funding for works under the NSW Coastal and Estuary Program 2016/17.**

- e) **Receive a report back from the General Manager in respect of the possibility of adopting sections of the draft Coastal Management Plan to facilitate an application for funding under the Coastal & Estuary Management Program.**

RECOMMENDED that as an interim measure, the Council

- a) Re-allocate \$500,000 in the 2016/17 budget as follows:
- \$100,000 from Parks & Reserves Operating Budget – Mollymook Access Playgrounds;
 - \$150,000 from Capital Expenditure - Tourist Parks Development; and
 - \$250,000 from Capital Expenditure – Yarramunmun Creek Bridge Renewal (Noting that bridge funds are available in 2017/18 to be allocated to this project.)
- b) Of the above \$500,000, \$350,000 be allocated for coastal management priority works that match the objectives & priorities of the NSW Coastal & Estuaries grants program and \$150,000 be allocated for restoration works in the immediate vicinity of adjoining Holiday Haven Tourist Parks.

CONFIDENTIAL REPORT OF THE GENERAL MANAGER

CORPORATE AND COMMUNITY SERVICES

Item	Reason
Tenders – Provision of Management & Operations of the Ulladulla Civic Centre 2016/19	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.
Release Agreement Lehman Brothers Special Financing Inc (LBSF) Lehman Brothers Holding Inc (LBHI), Lehman Brothers Australia Limited (LBA), ANZ and Shoalhaven City Council AND Deed of Release with ANZ and Shoalhaven City Council – Signing of Agreements	Section 10A(2)(g) - Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. It is not in the public interest to disclose this information as it may impact on the ability of Council to finalise legal proceedings.

ASSETS AND WORKS

Item	Reason
Tender – Supply of Construction Materials - Concrete Supply Tender	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.

SHOALHAVEN WATER

Item	Reason
Tender Process - REMS 1B Works	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.
Expressions of Interest Process - Minor Projects Survey and Design	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.

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

MOTION:

Moved: Anstiss / Second: Baptist

That the Committee 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)(i).

The public interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Council decision making, as it may impact on the ability of Council to attract competitive tenders in the future:

- Provision of Management & Operations of the Ulladulla Civic Centre 2016/19
- Tender – Supply of Construction Materials - Concrete Supply Tender
- Tender Process - REMS 1B Works
- Expressions of Interest Process - Minor Projects Survey and Design

The public interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Council decision making, as it may impact on the ability of Council to finalise legal proceedings

- Release Agreement Lehman Brothers Special Financing Inc (LBSF) Lehman Brothers Holding Inc (LBHI), Lehman Brothers Australia Limited (LBA), ANZ and Shoalhaven City Council AND Deed of Release with ANZ and Shoalhaven City Council – Signing of Agreements

CARRIED

The meeting moved into confidential the time being 6.47 pm.

The meeting moved into open session, the time being 7.09 pm.

There being no further business, the meeting concluded, the time being 7.09 pm.

Clr Wells
CHAIRPERSON