
MINUTES OF THE STRATEGY AND ASSETS COMMITTEE MEETING HELD ON TUESDAY, 8 MARCH 2016, 2015 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4.00PM

The following members were present;

Clr Baptist – Acting Chairperson
Clr Gash
Clr Tribe
Clr Robertson
Clr Kearney
Clr White
Clr Findley
Clr Guile
Clr Watson
Clr McCrudden
Russ Pigg – General Manager

Apologies:

Apologies were received from Clr Anstiss, Clr Wells, Clr Kitchener

1. Election of Acting Chairperson

MOTION: Moved: Kearney / Second: Gash

(MIN16.136) RESOLVED that Clr Baptist be appointed as the Acting Chairperson for the meeting of Strategy and Assets Committee, held on Tuesday 8 March 2015.

CARRIED

2. Confirmation of the Minutes of the Strategy and Assets Committee meeting held on Tuesday 9 February 2016

MOTION: Moved: Robertson / Second: White

(MIN16.137) RESOLVED that the Minutes of the Strategy and Assets Committee meeting held on Tuesday 9 February 2016 be confirmed.

CARRIED

3. Declarations of Interest

Conflict of Interest Declaration - Clr Tribe - pecuniary interest – Item 11, Page 30 – Park Care Plan – Bayswood – She owns a property within the Estate it could be perceived that she will obtain a benefit from this – will leave the room.

REPORT OF THE GENERAL MANAGER

4. Local Government NSW (LGNSW) - Submission on the NSW Budget for 2016/17 File 13726E

MOTION:

Moved: Tribe / Second: Gash

(MIN16.138) RESOLVED that, in accordance with the Committee's delegated authority from Council:

- a) Council support the LGNSW submission to the State Government; and
- b) Council write to the Hon Paul Green MLC, Hon Don Harwin MLC, Member for Kiama, Mr Gareth Ward, and Member for South Coast, Mrs Shelley Hancock, requesting their support and to make representations to the relevant Ministers and Treasurer to support the matters and requests made by LGNSW;
- c) That Shoalhaven Council add to the list of budget priorities the adoption of the recommendations in the 2015 report into the regulation of brothels in NSW and that advocacy services be funded for sex workers looking to exit the industry.

CARRIED

CORPORATE AND COMMUNITY SERVICES

5. Submission - Towards New Local Government Legislation - Explanatory Paper –Proposed Phase 1 amendments File 1747E

MOTION:

Moved: Guile / Second: Robertson

(MIN16.139) RESOLVED that, in accordance with the Committee's delegated authority from Council, that

- a) The report by the General Manager be received for information
- b) That Council's responses to the report (as provided in the attachments) be submitted on behalf of Council, subject to the following changes;
 - i) Change the response to recommendation 3.7 related to professional development to agreement without comment.
 - ii) Provide additional comment under Recommendation 4.1 – Election to suggest amendment to legislation to support the use of a count-back to fill a vacancy which occurs within the first 12 months of a council term, rather than a bi-election.

CARRIED

6. Local Government Conference - Australian Local Government Women's Association 2016
NSW Conference 2016 File 3884E, 4688E

MOTION: Moved: White / Second: Gash

(MIN16.140) RESOLVED that in accordance with its delegated authority from Council the Committee:

- a) Notes the details of the Australian Local Government Women's Association 2016 NSW Conference, scheduled for 10-12 March 2016, at Gunnedah
- 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

7. Local Government Conference – 2016 Australian Coastal Councils Conference – 56th Floodplain Management Australia Conference 2016 – 2016 Future of Local Government National Summit – Change of Meeting Date – Ordinary Meeting May 2016
File 4688E, 4355E, 3910E

MOTION: Moved: Findley / Second: White

(MIN16.141) RESOLVED that in accordance with its delegated authority from Council the Committee:

- a) Notes the details of the 2016 Australian Coastal Councils Conference scheduled for 4-6 May 2016, in Rockingham, WA.
- b) Notes the details of the 56th Floodplain Management Australia Conference, scheduled for 17-20 May 2016, in the Shoalhaven Entertainment Centre
- c) Notes the details of the 2016 Future of Local Government National Summit scheduled for 17-18 May 2016, in Melbourne.
- d) Authorises Councillors to attend the conferences within the limits imposed under current policy and such attendance be deemed Council Business.
- e) Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
- f) Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.
- g) Change the date of the Ordinary Meeting from 17 May 2016 to 24 May 2016;

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- h) Invites members of the Natural Resource & Floodplain Management Committees, Shoalhaven Heads Estuary Taskforce and/or Council Bushcare Representative Group to attend the Floodplain Management Australia conference to be held in Nowra, at Council's expense, limited to 4 members and day passes only.

CARRIED

8. Membership Review Determination - Business and Employment Development Committee
File 38821E

MOTION: Moved: Kearney / Second: White

(MIN16.142) RESOLVED, in accordance with the Committee's delegated authority from Council, that Council:

- a) Approve the revised membership structure of the Business and Employment Development Committee as outlined in the attachment to this report.
- b) Appoint the following as Community members of the Business & Employment Development Committee:
 - i) James Coburn – Sussex Inlet District Chamber of Commerce
 - ii) Peter Dryer – Shoalhaven Community (Red Car Driving School)
 - iii) Lexie Meyer – Shoalhaven Community
- c) That Council appoint those persons who made application for membership from the organisations and industry groups listed in the attachment; and directly seek representatives for those positions for which an application has not been received.

CARRIED

9. Nowra Skate Park - Half Pipe Repair Works
File 2254E

MOTION: Moved: Findley / Second: Robertson

RECOMMENDED that Council allocate \$75,000 in its 2016/17 budget to remove the existing Nowra Skate Park half pipe and construct a concrete half pipe of similar dimensions

CARRIED

ASSETS AND WORKS

10. Public Amenity – Callala Beach Community Centre – Budget Savings File 7677E; 26160E

MOTION: Moved: Findley / Second: Gash

(MIN16.143) RESOLVED, in accordance with the Committee's delegated authority from Council that savings of about \$33,000 from replacement of public amenities near the Callala Beach Community Centre be used to provide a toilet for persons with disabilities at the Nowra Culburra Beach Surf Lifesaving Club.

CARRIED

11. Road Safety Concerns - Princes Highway Falls Creek and Tomerong File 2013E, 7597E

MOTION: Moved: Guile / Second: White

(MIN16.144) RESOLVED, in accordance with the Committee's delegated authority from Council, that:

- a) The report on accidents on the Princes Highway be received for information;
- b) Council approach RMS to request they develop a medium to longer term project plan to address issues of safety and efficiency of the Princes Highway south of Jervis Bay Road;
- c) Council request the RMS to brief Council on current planning and associated matters relating to the Princes Highway South of the Nowra.
- d) The Minister for Roads, Maritime and Freight, the Hon. Duncan Gay and the Member for South Coast, the Hon. Shelley Hancock, be requested to expedite road safety improvements on the Princes Highway between Falls Creek and Tomerong;

CARRIED

12. Tender Evaluation Process File 5701E

MOTION: Moved: Watson / Second: Guile

(MIN16.145) RESOLVED, in accordance with the Committee's delegated authority from Council, that the report on tender practices be received for information.

CARRIED

13. Resolutions/Actions – Projects to be Completed File 30977E

MOTION: Moved: Watson / Second: Guile

(MIN16.146) RESOLVED that, in accordance with the Committee's delegated authority from Council:

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- a) The report of the General Manager (Assets & Works) concerning Property Steering Committee Resolutions/Actions be received for information.
 - b) A formal report on the Property Steering Committee resolutions and actions no longer needs to be submitted as the Committee was dissolved in 2015.

CARRIED

14. Parkcare Plan - Bayswood File 35254e

Conflict of Interest Declaration - Clr Tribe - pecuniary interest – She owns a property within the Estate it could be perceived that she will obtain a benefit from this – left the room, did not take part in discussion or vote.

MOTION: Moved: Watson / Second: Guile

RECOMMENDED, that Council:

- a) Adopts the Bayswood Parkcare Action Plan, and
- b) Increases the Parkcare budget in FY 2015/2016 and subsequent years by \$400 to provide ongoing support for the new Parkcare Group.

CARRIED

15. Acceptance of Funding – Duck Creek – Naval College Rd Worroing Heights - Bridges Renewal Program File 4347E, 3957E

Note: Clr Tribe returned to the meeting.

MOTION: Moved: Robertson / Second: White

RECOMMENDED that:

- a) Council accepts the grant offer of \$750,000 under the Australian Government's Bridges Renewal program, to replace the Duck Creek bridge;
- b) Matching funds of \$750,000 be voted in the 2016/17 Operational Plan budget from the Roads to Recovery Program allocation.

CARRIED

16. Proposed Closure of Part Wattamolla Road, Wattamolla for Sale to Clarissa Watson and Consolidation with Lot 10 DP 1022301 File 43688E

MOTION: Moved: Guile / Second: Kearney

RECOMMENDED that Council resolve to:

- a) Make an application to the Minister administering the Roads Act 1993, for the part of Wattamolla Road, Wattamolla shown by hatching on Attachment "A" to be closed

and sold to the adjoining owner Ms Clarissa Watson for consolidation with her land comprised in Lot 10 DP1022301;

- b) Sell the closed road to Ms Watson for \$2,500.00 plus GST; and
- c) Affix the Common Seal of the Council of the City of Shoalhaven to any documentation requiring the Seal to be affixed, otherwise the General Manager is authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

17. Acquisition of land for Matron Porter Drive Shared Pathway File 51683E, 48363E

MOTION: Moved: Findley / Second: White

RECOMMENDED that:

- a) Council resolve to acquire part of Lot 2 DP1009573 known as 275A Matron Porter Drive Narrawallee, as shown in Attachment A;
- b) Council pay compensation of \$9,500 plus GST (if applicable) and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from job number 85583/39903;
- c) If necessary, the compensation be adjusted in accordance with the area of the land determined by final survey; and
- 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.

CARRIED

PLANNING AND DEVELOPMENT

18. Bherwerre Wetland (Larmer Ave) – Moving forward File 47552e

MOTION: Moved: Robertson / Second: Findley

(MIN16.147) RESOLVED, in accordance with the Committee's delegated authority from Council, that

- a) Council endorse the draft management action plan and suggested site name, at Attachment A in the report, for wider community consultation; and
- b) Council endorse the potential Sea Change Festival event (as described in report) as one of the opportunistic consultation activities; and
- c) Council endorse temporary art installations on the site to be erected by Bay and Basin Community Resources at their cost to encourage community engagement and consultation; and

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- d) Council investigate the practicality of securing the front fence along Larmer Ave; and
 - e) List the available biobanking credits on the public credit register.

CARRIED

19. Scores on Doors Food Safety Program File 7467e

MOTION: Moved: Tribe / Second: Gash

(MIN16.148) RESOLVED, in accordance with the Committee's delegated authority from Council, that Council continue to implement the Scores on Doors Food Safety Program.

CARRIED

20. Generic Community Lands Plan of Management - Natural Areas No 7 - Proposed Amendment - Stormwater Discharge File 20861E, 51952E

MOTION: Moved: Watson / Second: White

(MIN16.149) RESOLVED, in accordance with the Committee's delegated authority from Council, that:

- a) Section 3.2.6 'Erosion, Drainage & Maintenance of Water Quality' of the *Generic Community Lands Plan of Management – Natural Areas No 7* be amended as recommended in this report and Council give public notice of the proposed amendments to the plan of management for 28 days in accordance with the Local Government Act (1993);
- b) Section 3.11 'Stormwater' of the *Foreshore Reserves Policy (POL12/304)* be amended to give effect to the amendment described in a) and Council exhibit the amendment to the Foreshore Reserves Policy concurrently with the plan of management;
- c) A report on the outcome of the public exhibition be presented to Council.

CARRIED

SHOALHAVEN WATER

21. REF Determination - Sewer Rising Main 23 Augmentation & Extension, Cambewarra Road and Lyndhurst Drive, Bomaderry File 47937E/2

MOTION: Moved: Watson / Second: White

(MIN16.150) RESOLVED in accordance with the Committee's Delegated Authority from Council, that:

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- a) After consideration of the REF for the extension and augmentation of sewer rising main No. 23 along Cambewarra Road and Lyndhurst Drive, including gravity sewer line interconnection at Ettrick Close, Bomaderry, Council determine that it is unlikely that there will be any significant environmental impacts as a result of the proposed works;
 - b) Council adopt the proposed mitigation measures and control measures identified in the REF:
 - c) Council determine that an Environmental Impact Statement is not required for the proposed works.
 - d) Council proceed with the tender process for the construction works.

CARRIED

22. Tenders - Minor Mains Replacement Panel - Construction Package 4A File 52673E

MOTION: Moved: Watson / Second: White

(MIN16.151) RESOLVED in accordance with the Committee's Delegated Authority from Council that in accordance with Section 10A(2)(d)(i) of the Local Government Act (1993), consider a separate confidential report on this matter.

CARRIED

23. Acquisition of Easement for Water Supply at Yatte Yattah File 52283E

MOTION: Moved: Robertson / Second: White

RECOMMENDED that:

- a) Council resolve to acquire an Easement for Water Supply 3 wide over Lot 1 DP725956 and Lot 1 DP725957 at Yatte Yattah, as shown by hatching on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.
- b) Council pay compensation of \$5,000, plus GST if applicable, and reasonable legal costs associated with the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.
- c) If necessary, the compensation to be adjusted in accordance with the area of the easement 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.

CARRIED

24. Acquisition of Easement for Water Supply at Yatte Yattah File 51721E

MOTION: Moved: Robertson / Second: White

RECOMMENDED that:

- a) Council resolve to acquire an Easement for Water Supply 3 wide over Lot 20 DP334366 at Yatte Yattah, as shown by hatching on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.
- b) Council pay compensation of \$5,000 and reasonable legal costs associated with the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Water Fund.
- c) If necessary, the compensation to be adjusted in accordance with the area of the easement 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.

CARRIED

25. Request for Connection to Town Sewerage System - Lot 287 DP 751273 (No. 3) Rock Hill Road, North Nowra File DA15/2244SW

MOTION: Moved: Gash / Second: Kearney

RECOMMENDED that Council approve the connection of Lot 287 DP 751273 Rock Hill Rd, North Nowra to its sewerage system, by pressure sewer, on the proviso that the applicant complies with all conditions specified on a Shoalhaven Water Development Application Notice.

CARRIED

NOTICES OF MOTION

26. Shoalhaven & Kiama Merger Proposal File 52579E

MOTION: Moved: Guile / Second: McCrudden

(MIN16.152) RESOLVED in accordance with the Committee's delegated authority from Council that:

1. That Council notes the overwhelming rate of submissions to OLG Delegate for the merger proposal between Shoalhaven and Kiama that were in opposition.
2. That Council further notes the submission from the Member for Kiama and Parliamentary Secretary for the Illawarra and South Coast, Mr Gareth Ward MP that also opposes the merger proposal but Council does not agree with transferring any part of the Shoalhaven local government area to Kiama Municipal Council;

3. That Council further notes the Parliamentary statement by the Member for Gilmore Ann Sudmalis in opposition to the merger proposal;
4. Now that submissions have ceased and no further new information has been forthcoming since release of the merger proposal, that Council therefore resolves to confirm its position as being unequivocally opposed to the current merger proposal without any qualifications.

CARRIED

27. Kidgeeridge Music Festival 2016 - Milton File 14500E

MOTION: Moved: White / Second: Findley

(MIN16.153) RESOLVED in accordance with the Committee's delegated authority from Council, that the Committee:

- a) Reduce the Fees charged for the Milton Showground for the Kidgeeridge Music Festival 2016 to \$2,500 by a waiver of fees.
- b) Write to the Kidgeeridge Event organisers advising the reduction in fees for 2016 is a once off.

CARRIED

CONFIDENTIAL REPORT

SHOALHAVEN WATER

CONSIDERATION OF ITEMS OF A CONFIDENTIAL NATURE

Item	Reason
Tenders - Minor Mains Replacement Panel - Construction Package 4A	<p>Commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it. 10(A)(2)(d)(i)</p> <p>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.</p>

Pursuant to Section 10(A)(4), the public were invited to make representations to the Strategy and Assets 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: White / Second: Tribe

That the Strategy and Assets Committee Meeting exclude the press and public from the Meeting pursuant to Section 10(A)(1)(a) of the Local Government Act, 1993 as it was to consider items of a confidential nature in relation to matters pursuant to Section 10(A)(2)(d)(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:

- Tenders - Minor Mains Replacement Panel - Construction Package 4A

CARRIED.

The meeting moved into confidential the time being 5.23pm.

The meeting moved into open session, the time being 5.28pm.

There being no further business, the meeting concluded, the time being 5.28pm.

Clr Baptist
ACTING CHAIRPERSON