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

The following members were present;

Clr Wells – Chairperson
Clr Gash
Clr Robertson
Clr Kearney – left 5.16pm
Clr Anstiss
Clr White
Clr Baptist
Clr Findley
Clr Guile – left 5.42pm
Clr Watson
Clr Kitchener
Russ Pigg – General Manager

Apologies:

Apologies were received from Clr Tribe

1. Confirmation of the Minutes of the Strategy and Assets Committee meeting held on Tuesday 10 November 2015
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MOTION:

Moved: White / Second: Baptist

RESOLVED that the Minutes of the Strategy and Assets Committee meeting held on Tuesday 10 November 2015 be confirmed.

CARRIED

2. Declarations of Interest
-

Conflict of Interest Declaration - Clr Anstiss – non pecuniary significant interest – Slice Of Life Australia have auspiced funding through a solicitor to the Culburra Beach Youth Skate Park – will leave the room.

3. Deputations
-

Ms Dawn Thompson – CBPG Executive addressed the Committee in relation to Item 12, Page 32, Draft Collingwood Beach Dune Vegetation Management Plan

Mr Alex McNeilly – Vice Chair - Project Manager Culburra Beach Youth Projects Committee and Culburra Beach Progress Association Inc. Member, addressed the Committee in relation to Item 4, Page 15 - Confirmation of Local Skate Park Site Location in Culburra Beach - Curleys Bay Reserve, Prince Edward Avenue

Note: after the deputation from Mr McNeilly, Clr Antiss made the following declaration:

Conflict of Interest Declaration - Clr Anstiss – non pecuniary significant interest – Slice Of Life Australia have auspiced funding through a solicitor to the Culburra Beach Youth Skate Park - remained in the room during deputation but will leave the room for discussion.

4. Procedural Motion – Bring Items Forward

Note: Clr Anstiss left the meeting

MOTION:

Moved: Watson / Second: Robertson

That the following items be brought forward:

- Item 4, Page 15 - Confirmation of Local Skate Park Site Location in Culburra Beach - Curleys Bay Reserve, Prince Edward Avenue
- Item 12, Page 32 - Draft Collingwood Beach Dune Vegetation Management Plan
- Item 6, Page 19 – Nowra CBD Parking Study Files
- Item 30, Page 83 – Lake Conjola Boardwalk Reconstruction Funding
- Item 31, Page 85 – Shoalhaven Heads – Aged Care Retirement Lifestyle Facility

CARRIED

CORPORATE AND COMMUNITY SERVICES

5. Item 4 - Confirmation of Local Skate Park Site Location in Culburra Beach - Curleys Bay Reserve, Prince Edward Avenue File 29129e

Conflict of Interest Declaration - Clr Anstiss – non pecuniary significant interest – Slice Of Life Australia have auspiced funding through a solicitor to the Culburra Beach Youth Skate Park – was absent from the meeting.

MOTION:

Moved: Gash / Second: Kearney

RESOLVED that, in accordance with the Committee’s delegated authority from Council, that:

- a) Curley Bay Reserve, Prince Edward Avenue, Culburra Beach is the Council approved site for the construction of a local skate park.
- b) Council gives in principal support to the Culburra Beach Youth Projects Committee to further seek and secure funding through fundraising and grants to provide the Culburra Beach Community Skate Park Project with additional facilities to support the community’s use of the site.
- c) That the Culburra Beach Youth Projects Committee, community members and Council Staff involved be congratulated on the success of the community consultation process for this facility .

CARRIED

PLANNING AND DEVELOPMENT

6. Item 12 - Draft Collingwood Beach Dune Vegetation Management Plan File 9929E

Note: Cllr Anstiss returned to the meeting.

MOTION: Moved: Watson / Second: Guile

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

- a) That the Draft Collingwood Beach Dune Vegetation Management Plan be deferred
- b) A Committee of all Councillors be formed to liaise with the consultant on the finalisation of the Draft Collingwood Beach Vegetation Management Plan.

CARRIED

ASSETS AND WORKS

7. Item 6 - Nowra CBD Car Parking Study Files 2537E, 2186E, 39962E

MOTION: Moved: Findley / Second: Kearney

RESOLVED that, in accordance with the Committee's delegated authority from Council, that

- a) The Nowra CBD Car Parking Study be made publicly available
- b) Consultation and the planning process be commenced for all short-term parking options
- c) A consideration of an allocation for the planning, design and consultation of short term works be included in the 2016/17 Operational Plan budget
- d) The Contributions Plan projects related to car parking be considered for review

CARRIED

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

AGAINST: Kitchener, Watson

ASSETS AND WORKS / PLANNING AND DEVELOPMENT

8. Item 30 - Lake Conjola Boardwalk Reconstruction Funding File 48353E

MOTION: Moved: Findley / Second: White

RECOMMENDED that Council allocate from the Holiday Haven Capital Works budget in 2015/2016 of \$100,000 and vote \$540,000 from the Strategic Projects Reserve 2016/17 to give a total budget of \$840,000 and enable a tender to proceed for a 1.8m width boardwalk.

CARRIED

NOTICE OF MOTION

9. Item 31 - Shoalhaven Heads – Aged Care Retirement Lifestyle Facility File 50159E

MOTION: Moved: White / Second: Kearney

RESOLVED that, in accordance with the Committee’s delegated authority from Council, that the Committee request the General Manager:

- a) To commence discussions with the Minister for Crown Lands with a view to secure control of the 10h Crown land site situated north of Scott Street, Shoalhaven Heads for the use of an Aged Care Retirement Lifestyle Facility.
- b) Along with the Mayor and Deputy Mayor meet with the Member for Kiama Gareth Ward to discuss the future proposal of an Aged Care Retirement Lifestyle Facility at Shoalhaven Heads on Crown Land. Following this meeting a Councillor Briefing be held.

CARRIED

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

AGAINST: Findley

GENERAL MANAGER

10. 2015-2016 Allocations - NSW Rural Fire Fighting Fund File 2371E

MOTION: Moved: Gash / Second: White

RECOMMENDED that Council adopt Option 1, 2 & 3 being:

- 1. That Council make the strongest representation to the Minister for Emergency Services, Hon David Elliott and local members Shelley Hancock, Member for South Coast and Gareth Ward, Member for Kiama and Parliamentary Secretary for the

Illawarra & South Coast protesting at the apparent disregard to Council's request for funding restraint and ask for an explanation and comment;

2. That Council write to Minister for Local Government Paul Toole and NSW Premier Mike Baird highlighting the impact of the Government agency budget allocation on Council's Fit for the Future KPI's which is out of Council's control and request their views on this matter; and
3. That Council make payments equivalent to \$821,000 for 2015/16 until the Ministers and Premier provide a response to Council's representations.

AMENDMENT

MOTION:

Moved: Findley /

1. That Council make the strongest representation to the Minister for Emergency Services, Hon David Elliott and local members Shelley Hancock, Member for South Coast and Gareth Ward, Member for Kiama and Parliamentary Secretary for the Illawarra & South Coast protesting at the apparent disregard to Council's request for funding restraint and ask for an explanation and comment;
2. That Council write to Minister for Local Government Paul Toole and NSW Premier Mike Baird highlighting the impact of the Government agency budget allocation on Council's Fit for the Future KPI's which is out of Council's control and request their views on this matter; and
3. That Council make payments equivalent to \$821,000 for 2015/16 until the Ministers & Premier provide a response to Council's representations.
4. Council also make representation to the Federal Government to seek the introduction of a Federal Assistance Grant for Fire and Emergency Services considering our increased risk for climate change

AMENDMENT LAPSED DUE TO LACK OF A SECONDER

MOTION CARRIED

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

AGAINST: Guile, Findley

11. Risk and Audit Committee Charter File 39763E

MOTION:

Moved: Baptist / Second: White

RECOMMENDED that Council adopt the revised Risk and Audit Committee Charter.

CARRIED

12. UOW Shoalhaven Campus - Annual Graduation

File 50147E

MOTION:

Moved: Gash / Second:

RECOMMENDED that:

- a) Council provide sponsorship of 50% of costs to hire the SEC including catering, up to a maximum of \$6,000 to support the Shoalhaven Campus graduation ceremony, funded from the Economic Development Reserve (i.e. Southern Phone dividend received by Council).
- b) That The Vice Chancellor of the University of Wollongong, Professor Paul Wellings be invited to address Council in relation to the future of the Shoalhaven Campus of the University.

CARRIED

CORPORATE AND COMMUNITY SERVICES

13. Confirmation of Local Skate Park Site Location in Culburra Beach - Curleys Bay Reserve, Prince Edward Avenue

File 29129e

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

ASSETS AND WORKS

14. Management of Mobile Food Vending Vehicles on Council owned or Managed Land 33417E

MOTION:

Moved: Baptist / Second: White

RECOMMENDED that:

- a) Council place on public exhibition and seek submissions on the draft Local Approvals Policy "Management of Mobile Food Vending Vehicles on Council Owned or Managed Land (including roads)"
- b) Council approve and advertise a new fee of \$1000 plus GST for the Category 2 Mobile Vans.
- c) Should Council receive no submissions or submissions that would mean minor alteration to the Policy and Fee then the policy and fee be deemed adopted at the conclusion of the submissions period.
- d) Should Council receive submission(s) that are considered to have a significant effect on the policy and fees then a further report be presented to Council.

CARRIED

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

AGAINST: Guile

15. Nowra CBD Car Parking Study Files 2537E, 2186E, 39962E

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

16. Sale of Land – Chisholm St Callala Bay File 48045E, 48516E, SF10418

Note: Clr Watson was absent from the meeting.

MOTION: Moved: White / Second: Gash

RECOMMENDED that:

- a) Council authorise the sale of five (5) lots in the proposed plan of subdivision of Lots 23 & 24 Sec 5A DP9063 (SF10418), Chisholm St Callala Bay.
- b) Council authorise the General Manager to determine the most appropriate method of sale, to set the sale price (based on valuation advice), and to finalise the terms of the sale within 10% of either the reserve in the case of the auction or the list price in the case of a private treaty sale;
- c) All costs associated with these sales be funded from Job Number 88796 and the net income be placed in the Property Acquisition Reserve to fund future property projects; and
- d) Authority be granted to affix the Common Seal of the Council to any documents require to be sealed.

CARRIED

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

AGAINST: Findley

17. Expungement of Drainage Easement – 12 Vigilant Street, Ulladulla File 52306E

Note: Clr Watson was absent from the meeting.

Note: Clr Kearney left the meeting – the time being 5.16pm

MOTION: Moved: Findley / Second: Baptist

RECOMMENDED that Council:

- a) Resolve to expunge the drainage easement measuring 2 metres wide on the northern side of Lot 18 DP712855, known as 12 Vigilant Street, Ulladulla, NSW;

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- b) Resolve that the owner of Lot 18 DP712855 be responsible for payment of Council's legal costs in this matter; and
 - c) Authorise the Common Seal of the Council of the City of Shoalhaven be applied to documents where necessary.

CARRIED

18. Licence - Part of 21 Meriton Street, St. Georges Basin. File 51697E

MOTION: Moved: Robertson / Second: White

RECOMMENDED that Council:

- a) Resolve to enter into a licence agreement with the Illawarra Retirement Trust (IRT) for a period of five (5) years with a five (5) year option period at a commencement rent of \$5,871 plus GST if applicable, for the occupation of part of Lot 1 DP629175 at 21 Meriton Street, St. Georges Basin (as shown on Attachment A) in accordance with the terms and conditions outlined in the following report; and
- b) Resolve that the General Manager be authorised to finalise the licence terms that may not yet be determined.

Note: Clr Watson returned to the meeting

CARRIED

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

MOTION: Moved: White / Second: Baptist

RESOLVED that, in accordance with the Committee's delegated authority from Council, the Committee receive the Report of the General Manager (Assets & Works) concerning the most recent action taken against the Listing of Resolutions/Actions – Projects to be completed from the Council Property Steering Committee for Information.

CARRIED

20. Proposed Lease – 81 Osborne Street Nowra File 51771E

MOTION: Moved: Baptist / Second: White

RESOLVED that, in accordance with the Committee's delegated authority from Council, that the Committee

- a) Enter into a lease agreement with the Illawarra Shoalhaven Local Health District for the premises at 81 Osborne Street Nowra for a period of 5 years with two 5 year options, at an initial annual rental of \$24,225.00 excl GST; and
- b) Authorise the General Manager to finalise the lease terms that may not yet be determined.

CARRIED

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

AGAINST: Robertson

PLANNING AND DEVELOPMENT

21. Draft Collingwood Beach Dune Vegetation Management Plan File 9929E

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

22. Public Exhibition Floodplain Risk Management Studies and Plans File 37537E & 47572E

Note: Clr Gash was absent from the meeting.

MOTION: Moved: White / Second: Robertson

RESOLVED that, in accordance with the Committee's delegated authority from Council the Committee place the draft Currumbene and Moona Moona Creeks Floodplain Risk Management Study and Plan, and the draft Tabourie Lake Floodplain Risk Management Study and Plan on public exhibition.

CARRIED

23. Lake Conjola Estuary Management Plan Review 2015 File 1438E

Note: Gash was absent from the meeting.

MOTION: Moved: Guile / Second: Findley

RESOLVED that, in accordance with the Committee's delegated authority from Council, the Committee adopt the Lake Conjola Estuary Management Plan (2015) with amendments identified in the report.

CARRIED

SHOALHAVEN WATER

24. REF Determination - Bewong to Radar Hill Water Trunk Main File 50858E/2

Note: Cllr Gash was absent from the meeting.

MOTION: Moved: Watson / Second: Baptist

RESOLVED that in accordance with Council's delegated authority, Council determine that Easement Works on the Bewong to Radar Hill Water Main can proceed in accordance with the Review of Environmental Factors and the mitigation measures recommended therein.

CARRIED

25. Shoalhaven Water Reclamation - Annual Report 2014/15 File 13887E, 1499E

Note: Cllr Gash was absent from the meeting.

MOTION: Moved: Wells / Second: Guile

RESOLVED that, in accordance with the Committee's delegated authority from Council, that the Shoalhaven Water Reclamation Annual Report 2014/15 be accepted and noted.

CARRIED

26. Customer Survey – Shoalhaven Water File 1851e

Note: Cllr Gash returned to the meeting.

Note: Cllr Guile left the meeting the time being 5.42pm

MOTION: Moved: Watson / Second: White

RESOLVED that in accordance with the Committee's delegated authority, the information in the Customer Survey – Shoalhaven Water Report be noted.

CARRIED

27. Adoption of Items

MOTION: Moved: Watson / Second: White

RESOLVED that Items 28 to 38 of the Strategy and Assets Committee be adopted.

CARRIED

28. Connection to Kangaroo Valley Sewerage Scheme - Three Lot Residential Subdivision File SF10464SW

RESOLVED that, in accordance with Council's delegated authority, Council approve the connection of the two additional lots (under SF10464) to the Kangaroo Valley Sewerage Scheme subject to development consent being granted.

29. Tender process - The Supply of a Trailer Mounted 400 Kva Generator File 51437E

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

30. Request by Sussex Inlet CCB – Installation of RV Dump Point File 50260E,4977E,49688E

RESOLVED that in accordance with Council's delegated authority, approve in principle the installation of an RV dump point at the Lions Park Sussex Inlet, subject to a final design being acceptable to the community.

31. Infiltration Report File 48397E

RESOLVED that, Council in accordance with its delegated authority, determine that the Infiltration & Inflow Investigation project works can proceed after appropriate community consultation.

32. Acquisition of land at Pointer Mountain File 52047E

RECOMMENDED that:

- a) Council resolve to acquire part of Lot 26 DP755942 at Pointer Mountain, as shown by hatching on plan marked Attachment 'A'.
- b) Council to pay compensation of \$12,738 and reasonable legal costs in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Porters Creek Dam Remediation Fund.
- c) If necessary, the purchase price for the land is to be adjusted in accordance with the area 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.
- e) The land to be acquired as Public Road pursuant to the Roads Act.

33. Acquisition of Easement for Sewer Pipeline at Brundee File 50647E

RECOMMENDED that:

- a) Council resolve to acquire the Easement for Sewer Pipeline 6 wide over Lot 1 DP725979, Lot 1 DP725980, Lot 1 DP725983 and Lot 2 DP596844 at Brundee, as shown on plan marked Attachment 'A'.

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- b) Council pay compensation of \$18,200 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's REMS Sewer Scheme Fund.
 - c) If necessary, the compensation 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.

34. Acquisition of Easement for Drainage of Sewage at Milton File 49812E

RECOMMENDED that:

- a) Council resolve to acquire an Easement for Drainage of Sewage 6 wide over Lot 1 DP780801 at Milton, as shown by hatching on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.
- b) Council pay compensation of \$10,500, plus GST if applicable, and reasonable legal costs associated with the acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.
- c) Should agreement not be reached with the landowner, Council to acquire the easement by the compulsory process, in accordance with the Land Acquisition (Just Terms Compensation) Act, with compensation being determined by the Valuer General. The necessary application is to be made to the Minister for Local Government and the Governor.
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

35. Acquisition of Easement for Drainage of Sewage at Milton File 49826E

RECOMMENDED that:

- a) Council resolve to acquire an Easement for Drainage of Sewage 6 wide over Lot 6 DP775941 at Milton, as shown by hatching on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.
- b) Council pay compensation of \$3,500 plus GST and reasonable costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's Sewer Fund.
- c) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

36. Acquisition of Easement for Sewer Pipeline at Terara File 50644E

RECOMMENDED that:

- a) Council resolve to acquire the Easement for Sewer Pipeline 6 wide over Lot 14 DP828209, Lot 22 DP803581, Lot 2 DP1087811 and Crookhaven Creek at Terara, as shown on plan marked Attachment 'A'.

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- b) Council pay compensation of \$42,200 plus GST and reasonable legal costs associated with the acquisition, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, from Council's REMS Sewer Scheme Fund.
 - c) If necessary, the compensation 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.

37. Acquisition of Easement for Water Supply at Kangaroo Valley File 50125E

RECOMMENDED that:

- a) Council resolve to acquire an Easement for Water Supply 2 metres wide over Lot 3 DP576156 at Kangaroo Valley, as shown on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.
- b) Council pay compensation of \$10,000, 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) Should agreement not be reached with the landowner, Council to acquire the easement by the compulsory process, in accordance with the Land Acquisition (Just Terms Compensation) Act, with compensation being determined by the Valuer General. The necessary application is to be made to the Minister for Local Government and the Governor.
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

38. Acquisition of Easement for Water Supply at Kangaroo Valley File 50125E

RECOMMENDED that:

- a) Council resolve to acquire an Easement for Water Supply 2 metres wide over Lot 13 DP829169 at Kangaroo Valley, as shown on copy of sketch plan marked Attachment 'A', under the Local Government Act 1993.
- b) Council pay compensation of \$1,000, 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) Should agreement not be reached with the landowner, Council to acquire the easement by the compulsory process, in accordance with the Land Acquisition (Just Terms Compensation) Act, with compensation being determined by the Valuer General. The necessary application is to be made to the Minister for Local Government and the Governor.
- d) The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

39. Project Proposal - Rapid Re-Opening of Oyster Growing Areas File 48397E

MOTION: Moved: Wells / Second: Baptist

RECOMMENDED that Council:

- a) Agree to partner with other Councils, The Oyster Industry, South Australian Research & Development Institute and NSW Food Authority in the proposed collaborative project for rapid re-opening of oyster growing areas after sewer spills using bacteriophage.
- b) Provide \$50,000 budget to the project from existing allocations.

CARRIED

ASSETS AND WORKS / PLANNING AND DEVELOPMENT

40. Lake Conjola Boardwalk Reconstruction Funding File 48353E

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

NOTICES OF MOTION

41. Shoalhaven Heads – Aged Care Retirement Lifestyle Facility File 50159E

Note: This item was dealt with earlier in the meeting

42. Holiday Time - Slow Down - Kids Around Signs - Vincentia File 40260E

MOTION: Moved: White / Second: Wells

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

- a) Support a program over holiday periods at Vincentia with the children's safety signage from Little Blue Dinosaur.
- b) Allocate a budget of \$2,000 (if required) for the purchase of signs and assistance of installation of signs from unallocated donations.
- c) Request the Council's Road Safety Officer consider other towns and villages where the safety signs could be installed.
- d) Request the Council's Road Safety Officer to consider applying for grants to purchase signs for other towns and villages.
- e) Inform CCB's of the availability of the new signs for holiday periods which they may wish to fundraise to purchase for their village/town.

CARRIED

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

MOTION: Moved: Findley / Second: Wells

That the matter of the relocation of the power pole of Ulladulla Sports Park be introduced as a matter of urgency.

CARRIED

The Chairperson ruled the matter as one of urgency as it related to safety and allowed its introduction.

44. Additional Item – Relocation Power Pole Ulladulla Sports Park

MOTION: Moved: Findley / Second: Wells

RESOLVED that, in accordance with the Committee’s delegated authority from Council, that Council investigate the removal and relocation of the power pole adjacent to the entrance road of the Ulladulla Sports Park.

CARRIED

CONFIDENTIAL REPORT OF THE GENERAL MANAGER

CORPORATE AND COMMUNITY SERVICES

Item	Reason
Lehman Brothers Australia Ltd - Class Action - Settlement Proposal	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.
Tender Process - The Supply of a Trailer Mounted 400Kva Generator	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.

Pursuant to section 10A(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: Robertson / Second: Baptist

That the Strategy and Assets 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)(d)(i) and 10A(2)(g).

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:

- Tender Process - The Supply of a Trailer Mounted 400Kva Generator Tender

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.

- Lehman Brothers Australia Ltd - Class Action - Settlement Proposal

CARRIED

The meeting moved into confidential the time being 5.56 pm.

The meeting moved into open session, the time being 6.00 pm.

The following resolutions of the Strategy and Assets Committee were made public

45. Lehman Brothers Australia Ltd - Class Action - Settlement Proposal File 35194E

RESOLVED that, in accordance with the Committee's delegated authority from Council, that Council support the settlement of the Class Action on the basis of the offer of 45.4284% of the Claim outstanding (as per Attachment 1) and delegate the General Manager to sign the Settlement Form on behalf of Council prior to 11 December 2015.

There being no further business, the meeting concluded, the time being 6.00 pm.

Clr Wells
CHAIRPERSON