

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 14 May 2019
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.01pm

The following members were present:

Clr John Wells - Chairperson
Clr Amanda Findley
Clr Patricia White
Clr Kaye Gartner
Clr Nina Digiglio
Clr Annette Alldrick
Clr Mitchell Pakes
Clr Bob Proudfoot
Stephen Dunshea – Acting General Manager

Apologies / Leave of Absence

Apologies were received from Clr Gash, Clr Kitchener, Clr Levett, Clr Guile, and Clr Watson.

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr White) MIN19.300

That the Minutes of the Strategy and Assets Committee held on Tuesday 09 April 2019 be confirmed.

CARRIED

Declarations of Interest

Nil

Call Over of the Business Paper

RESOLVED (Clr Findley / Clr Proudfoot)

That the items be dealt with in the order in which they are listed on the Agenda.

CARRIED

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

SA19.54 - Jervis Bay Maritime Museum - Long Term Management Agreement

Mr John Fergusson, President of the Jervis Bay Maritime Museum, addressed the meeting and spoke in favour of the recommendation.

Procedural Motion - Bring Item Forward

RESOLVED (Clr Digiglio / Clr Alldrick)

MIN19.301

That the matter of item SA19.54 - Jervis Bay Maritime Museum - Long Term Management Agreement be brought forward for consideration.

CARRIED

SA19.54 Jervis Bay Maritime Museum - Long Term Management Agreement

HPERM Ref:
D18/223744

Recommendation

That Council

1. Revoke the Section 355 Management Committee status of the Lady Denman Heritage Museum Management Committee;
2. Enter into a management agreement with the Lady Denman Heritage Complex Huskisson Incorporated ABN 84 292 148 464 for a term of 20 years plus extensions with a commencing annual management fee of \$268,000 with annual 2% or CPI increases, whichever is the greater;
3. Note the inclusion of additional funding in the draft 2019/20 budget;
4. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

RECOMMENDATION (Clr Pakes / Clr White)

That Council

1. Revoke the Section 355 Management Committee status of the Lady Denman Heritage Museum Management Committee;
2. Enter into a management agreement with the Lady Denman Heritage Complex Huskisson Incorporated ABN 84 292 148 464 for a term of 20 years plus extensions with a commencing annual management fee of \$268,000 with annual 2% or CPI increases, whichever is the greater;
3. Note the inclusion of additional funding in the draft 2019/20 budget;
4. Authorise the General Manager to sign all documentation required to give effect to this resolution and to affix the Common Seal of the Council of the City of Shoalhaven to all documentation required to be sealed.

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA19.50 Notice of Motion - Ulladulla Sea Pool

**HPERM Ref:
D19/145844**

Recommendation (Item to be determined under delegated authority)

That Council trial an extended opening of the Ulladulla Sea Pool including winter this year (2019).

RESOLVED (Clr White / Clr Gartner)

MIN19.302

That Council trial an extended opening of the Ulladulla Sea Pool including winter this year (2019).

CARRIED

REPORTS

SA19.51 Quarterly Progress Report - Councillors' Notices of Motion

**HPERM Ref:
D19/148303**

Recommendation (Item to be determined under delegated authority)

That the Progress report on Councillors' Notices of Motion be received for information.

RESOLVED (Clr Digiglio / Clr Findley)

MIN19.303

That the Progress report on Councillors' Notices of Motion be received for information.

CARRIED

SA19.52 Revitalising Town & City Centres Conference

**HPERM Ref:
D19/126087**

Recommendation (Item to be determined under delegated authority)

That Council

1. Notes the details of the Revitalising Town & City Centres Conference scheduled for 25-27 June 2019 in Parramatta.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.
3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

RESOLVED (Clr Pakes / Clr White)

MIN19.304

That Council

1. Notes the details of the Revitalising Town & City Centres Conference scheduled for 25-27 June 2019 in Parramatta.
2. Authorises available Councillors to attend the conference and such attendance be deemed Council Business.

3. Travel, registration fees, accommodation and all reasonable out-of-pocket expenses be met in accordance with its adopted policy.
4. Request Councillors attending the conference to provide a written report within 30 days of returning from the conference.

CARRIED

SA19.53 March 2019 Quarterly Budget Review

**HPERM Ref:
D19/135573**

Recommendation

That Council

1. Receive the March Quarterly Budget Review for information
2. Adopt the adjustments, as outlined in the March Quarterly Budget Review document
3. Adopt the projects that are being reforecast to the 2019/20 Draft Budget and accept them as a submission to the 2019/20 Draft Budget.

RECOMMENDATION (Clr Findley / Clr Gartner)

That Council

1. Receive the March Quarterly Budget Review for information
2. Adopt the adjustments, as outlined in the March Quarterly Budget Review document
3. Adopt the projects that are being reforecast to the 2019/20 Draft Budget and accept them as a submission to the 2019/20 Draft Budget.

CARRIED

SA19.54 Jervis Bay Maritime Museum - Long Term Management Agreement

**HPERM REF:
D18/223744**

Item dealt with earlier/later in the meeting.

SA19.55 One-off Crown land vesting application - Formalisation of main access to Integrated Emergency Management Centre (IEMC) and Nowra Racing Complex

**HPERM Ref:
D19/107320**

Recommendation

That Council submit a one-off vesting application to the NSW Department of Industry – Lands, seeking proposed Lot 5 in subdivision SF 10607 be vested to Council.

RECOMMENDATION (Clr Pakes / Clr White)

That Council submit a one-off vesting application to the NSW Department of Industry – Lands, seeking proposed Lot 5 in subdivision SF 10607 be vested to Council.

CARRIED

SA19.56 Acquisition of Lot 86 DP 29970, Unnamed Road Nowra Hill for the Western Bypass Corridor

**HPERM Ref:
D19/66301**

Recommendation

That Council:

1. Purchase by agreement, Lot 86 Unnamed Road Nowra Hill being Lot 86 DP 29970 from Joseph Charles Holmes, Shirley May Holmes & Darren Charles Holmes, for thirty thousand dollars (\$30,000) excluding GST;
2. Delegate authority to the General Manager to adjust the purchase price, if necessary, in accordance with settlement figures determined by Council’s solicitor;
3. Fund all costs associated with the purchase including reasonable conveyancing costs for the Vendor, from the Property Reserve;
4. Grant authority to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution; and
5. Classify the property purchased as ‘Operational’ Land in accordance with Section 31(2) of the Local Government Act 1993.

RECOMMENDATION (Clr Findley / Clr Gartner)

That Council:

1. Purchase by agreement, Lot 86 Unnamed Road Nowra Hill being Lot 86 DP 29970 from Joseph Charles Holmes, Shirley May Holmes & Darren Charles Holmes, for thirty thousand dollars (\$30,000) excluding GST;
2. Delegate authority to the General Manager to adjust the purchase price, if necessary, in accordance with settlement figures determined by Council’s solicitor;
3. Fund all costs associated with the purchase including reasonable conveyancing costs for the Vendor, from the Property Reserve;
4. Grant authority to affix the Common Seal of the Council to any documents required to be sealed and that the General Manager be authorised to sign any documents necessary to give effect to this resolution; and
5. Classify the property purchased as ‘Operational’ Land in accordance with Section 31(2) of the Local Government Act 1993.

CARRIED

Note: Clr Pakes left the meeting at 5.45pm

SA19.57 Proposed Acquisition of Land – Moss Vale Road South Urban Release Area

**HPERM Ref:
D19/122687**

Recommendation (Item to be determined under delegated authority)

That Council, in accordance with Section 10A(2)© of the Local Government Act 1993 consider a separate confidential report in relation to property acquisition matters associated with Moss Vale Road South Urban Release Area.

RESOLVED (Clr Findley / Clr Digiglio)

MIN19.305

That Council, in accordance with Section 10A(2)© of the Local Government Act 1993 consider a

separate confidential report in relation to property acquisition matters associated with Moss Vale Road South Urban Release Area.

CARRIED

SA19.58 Proposed Disposal of Vacant Land, St Georges Basin

**HPERM Ref:
D19/124286**

Recommendation (Item to be determined under delegated authority)

That Council in accordance with Section 10(a)(2)(c) of the Local Government Act 1993 consider a separate confidential report on the proposed disposals of vacant land in St Georges Basin.

RESOLVED (Clr Proudfoot / Clr Gartner)

MIN19.306

That Council in accordance with Section 10(a)(2)(c) of the Local Government Act 1993 consider a separate confidential report on the proposed disposals of vacant land in St Georges Basin.

CARRIED

**SA19.59 Notification to Minister for Lands & Forestry of
appointed Council Native Title Manager**

**HPERM Ref:
D19/130925**

Recommendation

That Council confirm the engagement of the Manager, Property Unit as Shoalhaven City Council's Native Title Manager and advise the Minister for Lands and Forestry as required by Section 8.8 Crown Lands Management Act 2016.

RECOMMENDATION (Clr White / Clr Gartner)

That Council confirm the engagement of the Manager, Property Unit as Shoalhaven City Council's Native Title Manager and advise the Minister for Lands and Forestry as required by Section 8.8 Crown Lands Management Act 2016.

CARRIED

SA19.60 Former Landfill - Lake Conjola

**HPERM Ref:
D19/114602**

Recommendation (Item to be determined under delegated authority)

That in response to MIN19.143 (Part 6) Council undertake the following at a total cost of \$16,500 and report back to council with the results of this sampling and future options;

1. Write to local residents advising on the investigations being undertaken and seeking any local knowledge or understanding of materials that were placed at the Lake Conjola Landfill site prior to it being decommissioned.
2. Sample the soil in the creek line both upstream and downstream of the former landfill.
3. Drill and install two monitoring boreholes plus collect surface samples.

RESOLVED (Clr White / Clr Gartner)

MIN19.307

That in response to MIN19.143 (Part 6) Council undertake the following at a total cost of \$16,500 and report back to Council with the results of this sampling and future options;

1. Write to local residents advising on the investigations being undertaken and seeking any local knowledge or understanding of materials that were placed at the Lake Conjola Landfill site prior to it being decommissioned.
2. Sample the soil in the creek line both upstream and downstream of the former landfill.
3. Drill and install two monitoring boreholes plus collect surface samples.

CARRIED

**SA19.61 Shoalhaven Affordable Housing Strategy -
Property Acquisition Matters**

**HPERM Ref:
D19/140309**

Recommendation (Item to be determined under delegated authority)

That Council in accordance with Section 10A(2)(C) of The Local Government Act 1993, consider a separate confidential report on the acquisition of an additional property to facilitate the proposed Shoalhaven Affordable Housing Strategy.

RESOLVED (Clr Findley / Clr Gartner)

MIN19.308

That Council in accordance with Section 10A(2)(C) of The Local Government Act 1993, consider a separate confidential report on the acquisition of an additional property to facilitate the proposed Shoalhaven Affordable Housing Strategy.

CARRIED

**SA19.62 Refund Request - Fee Waiver - Shoalhaven
Neighbourhood Services Inc - DA17/1741 and CD18/1535**

**HPERM Ref:
D19/114241**

Recommendation

That Council:

1. Reimburse Shoalhaven Neighbourhood Services Inc \$2,555.95 (GST Incl.) being Development Application (DA) fees and Complying Development (CD) fees in relation to DA17/1741 and CD18/1535.
2. Fund the reimbursement from the Unallocated Donations budget.

RECOMMENDATION (Clr White / Clr Wells)

That Council:

1. Reimburse Shoalhaven Neighbourhood Services Inc \$2,555.95 (GST Incl.) being Development Application (DA) fees and Complying Development (CD) fees in relation to DA17/1741 and CD18/1535.
2. Fund the reimbursement from the Unallocated Donations budget.

CARRIED

Note: Clr Pakes returned to the meeting at 5.47pm

SA19.63 Information Requests - Conjola Community Association

**HPERM Ref:
D19/113757**

Recommendation (Item to be determined under delegated authority)

That the report on documentation requests from the Conjola Community Association be received for information.

RESOLVED (Clr Gartner / Clr White)

MIN19.309

That the report on documentation requests from the Conjola Community Association be received for information.

CARRIED

SA19.64 Lake Conjola - MIN19.143 - Monthly Progress Update Report

**HPERM Ref:
D19/145365**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive and note the progress report (May 2019) on the implementation of Council resolutions (MIN19.143 and 19.4) relating to issues concerning Lake Conjola.
2. Note that a detailed funding strategy will be developed for consideration by Council to support the on-going management of Lake Conjola following the completion of the strategic review and community consultation referenced in Item 4 in Table 2 of the report.

RESOLVED (Clr Proudfoot / Clr White)

MIN19.310

That Council:

1. Receive and note the progress report (May 2019) on the implementation of Council resolutions (MIN19.143 and 19.4) relating to issues concerning Lake Conjola.
2. Note that a detailed funding strategy will be developed for consideration by Council to support the on-going management of Lake Conjola following the completion of the strategic review and community consultation referenced in Item 4 in Table 2 of the report.
3. In preparing the Coastal Management Plan for Lake Conjola include, among the range of options, a piped permanent solution to the opening.

CARRIED

SA19.65 Acquisition of Easement - Sewer Purposes - South Nowra

**HPERM Ref:
D19/98505**

Recommendation

That Council:

1. Acquire an Easement to Drain Sewage variable width over part of Lot 1 DP 553175 Old Southern Road South Nowra marked (E) on the attached draft survey plan.
2. Pay compensation of thirty-six thousand dollars (\$36,000) and reasonable legal costs associated with the acquisition in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

RECOMMENDATION (Clr Pakes / Clr White)

That Council:

1. Acquire an Easement to Drain Sewage variable width over part of Lot 1 DP 553175 Old Southern Road South Nowra marked (E) on the attached draft survey plan.
2. Pay compensation of thirty-six thousand dollars (\$36,000) and reasonable legal costs associated with the acquisition in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

**SA19.66 Australian Government Bureau of Meteorology -
National Performance Report 2017-18 Urban Water
Utilities**

**HPERM Ref:
D19/123515**

Recommendation (item to be dealt with under delegated authority)

That the report be received for information in accordance with the Committee's delegated authority from Council.

RESOLVED (Clr Gartner / Clr White)

MIN19.311

That the report be received for information in accordance with the Committee's delegated authority from Council.

CARRIED

CONFIDENTIAL REPORTS

Pursuant to Section 10A(4) the public were invited to make representation to the meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No members of the public made representations.

RESOLVED (Clr White / Clr Digiglio)

MIN19.312

That the press and public be excluded from the Meeting, pursuant to section 10A(1)(a) of the Local Government Act, 1993, to consider the following items of a confidential nature.

CSA19.3 Proposed Disposal of Vacant Land - St Georges Basin.

Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 10(A)(2)(c)

There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.

- CSA19.4 Proposed Acquisition of Open Space Land identified in the Moss Vale Road South Urban Release Area
- Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.10(A)(2)(c)*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*
- CSA19.5 Shoalhaven Affordable Housing Strategy - Property Acquisition Matters
- Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.10(A)(2)(c)*
- There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.*

CARRIED

The meeting moved into confidential the time being 6.09pm.

The meeting moved into open session, the time being 6.11pm.

There being no further business, the meeting concluded, the time being 6.12pm.

Clr Wells
CHAIRPERSON