

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 19 January 2021
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr John Wells - Chairperson
Clr Amanda Findley
Clr Joanna Gash
Clr Patricia White
Clr Nina Digiglio
Clr John Levett
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Stephen Dunshea - Chief Executive Officer

Apologies / Leave of Absence

Apologies were received from Clr Guile, Clr Pakes, Clr Gartner and Clr Alldrick.

Confirmation of the Minutes

RESOLVED (Clr Digiglio / Clr White) MIN21.10

That the Minutes of the Strategy and Assets Committee held on Tuesday 08 December 2020 be confirmed.

CARRIED

Declarations of Interest

Clr Levett – SA21.3 Notice of Motion - Traffic Safety Measures - Wool Road Area, Old Erowal Bay – Less than significant non pecuniary interest declaration – Will remain in the room and will take part in discussion and vote – He is a resident of Old Erowal Bay.

Clr Findley – SA21.13 Acquisition of Easement - Sewer Purposes - 1 Dolphin Street Ulladulla - Less than significant non pecuniary interest declaration – Will leave the room and will not take part in discussion or vote – The community member occupying the property is known to her.

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

SA21.3 - Notice of Motion - Traffic Safety Measures - Wool Road Area, Old Erowal Bay FOR

Toby Bateman

SA21.9 - Concept Design - Bay and Basin Skate Park FOR

Leonard Parsons

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA21.1	Notice of Motion - Site Investigations - South Nowra/Worrigea Aquatic Centre	HPERM Ref: D21/3633
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Recommendation (Item to be determined under delegated authority)

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) in the Worrigea/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.

MOTION (Clr Watson / Clr Proudfoot)

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) in the Worrigea/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.
3. Council give consideration to the possibility of a private-public partnership in respect of the development of the facility.

Clr Watson raised a Point of Order against Clr Findley for incorrectly stating that he is leader of a political party. The Chairperson requested Clr Findley avoid name-calling, but did not rule on the Point of Order.

Clr Proudfoot raised a Point of Order against Clr Gash for stating that he is against community consultation. The Chairperson ruled it as a Point of Order, as Clr Proudfoot stated he had intended there be subsequent community consultation, and asked Clr Gash to continue the debate.

Clr Findley raised a Point of Order against Clr Watson under Section 15.3, for using the phrase

“sneaky amendments” which casts aspersions on the character of the Councillors who sponsored the amendment, and asked that it be withdrawn and that there be an apology. Clr Watson immediately apologised and withdrew the comment. The Chairperson ruled it as a Point of Order and asked Clr Watson to delete and not use again the word “sneaky” in relation to the amendment. Clr Watson reiterated his apology and clarified he was not referring to Clr Findley’s and Clr Digiglio’s amendment.

Clr Digiglio and Clr Gash raised Point of Order, requesting they be able to speak as they had not heard the Chairperson call for the right of reply. The Chairperson confirmed that Clr Watson had stated he was taking the right of reply, and as this had been accepted by the Chairperson he ruled against the Point of Order.

AMENDMENT (Clr Digiglio / Clr Findley)

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) in the Worrigeer/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.
3. Council give consideration to the possibility of a public-private partnership in the development of the facility.
4. Council conduct community consultation to establish the infrastructure that the residents of Worrigeer/South Nowra would prefer in their region.

FOR: Clr Findley, Clr Gash, Clr Digiglio, Clr Levett and Stephen Dunshea

AGAINST: Clr Wells, Clr White, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST on the CASTING VOTE of the chair

Clr Watson raised a Point of Order under Section 15.11 against Clr Findley for making comments about the Shoalhaven Independents that are not part of the debate. Clr Findley clarified it had been part of the earlier debate, and she had raised this as part of her apology to Clr Proudfoot to check whether he had been offended by it. The Chairperson did not rule on the Point of Order.

FURTHER AMENDMENT (Clr Gash / Clr Findley)

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) and potentially other recreational facilities in the Worrigeer/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.
3. Council give consideration to the possibility of a public-private partnership in the development of the facility.

FOR: Clr Findley, Clr Gash, Clr Digiglio, Clr Levett and Stephen Dunshea

AGAINST: Clr Wells, Clr White, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST on the CASTING VOTE of the chair

MOTION (RESOLVED) (Clr Watson / Clr Proudfoot)

MIN21.11

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) in the Worrigeer/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.
3. Council give consideration to the possibility of a private-public partnership in respect of the development of the facility.

FOR: Clr Wells, Clr Findley, Clr Gash, Clr White, Clr Digiglio, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Levett

CARRIED

Procedural Motion - Matters of Urgency

MOTION (Clr Watson)

That an additional item requesting Council to undertake a survey of the South Nowra, Worrigeer and East Nowra areas to identify needed facilities be introduced as a matter of urgency.

The Chairperson ruled the matter as urgent as it is in the public interest.

SA21.15 Survey - South Nowra, Worrigeer and East Nowra - Facilities

RESOLVED (Clr Watson / Clr Findley)

MIN21.12

That Council undertake a survey of the South Nowra, Worrigeer & East Nowra areas to identify needed facilities.

CARRIED

SA21.2 Notice of Motion - Investigations Regarding the Urgent Provision of Overflow Carparking - Basin View Boat Ramp

HPERM Ref: D21/10021

Recommendation (Item to be determined under delegated authority)

That the CEO undertake urgent investigations regarding the provision of additional carparking at the Basin View Boat Ramp and report back to Council.

RESOLVED (Clr Watson / Clr Proudfoot)

MIN21.13

That the CEO undertake urgent investigations regarding the provision of additional carparking at the Basin View Boat Ramp and report back to Council.

CARRIED

Clr Watson raised a Point of Order against Clr Findley under Section 15.11, requesting that she withdraw the comment that he is "willing to cut down trees to park cars", and apologise. Clr Findley immediately apologised and withdrew the comment. The Chairperson did not rule on the Point of Order.

SA21.3 Notice of Motion - Traffic Safety Measures - Wool Road Area, Old Erowal Bay

HPERM Ref: D21/11030

Clr Levett – Less than significant non pecuniary interest declaration – Remained in the room and took part in discussion and voted – He is a resident of Old Erowal Bay.

Recommendation (Item to be determined under delegated authority)

That Council investigate costing and funding for the following traffic safety measures in the Wool Road area at Old Erowal Bay and provide a report back to a future Strategy & Assets Committee Meeting:

1. Construction of a roundabout at the intersection of Macgibbon Parade and the Wool Road.
2. Construction of a dedicated right turn lane for traffic heading north on the Wool Road to turn into Mernie Street.
3. Stop signs at both Tibbles and Christiansen Avenues where they intersect Mernie Street for traffic travelling south.
4. Reduction of the speed limit on the Wool Road between Naval College Road roundabout and the Larmer Avenue roundabout from 70 to 60km per hour.
5. The installation of a pedestrian crossing where the shared pathway on the west side of the Wool Road ends at the shoulder of that road about 50 metres south of Naval College Road. This would allow pedestrians and mobility scooter drivers safe access across the Wool Road to the continuation of the shared pathway on the east side.

RESOLVED (Clr Levett / Clr Proudfoot)

MIN21.14

That Council investigate costing and funding for the following traffic safety measures in the Wool Road area at Old Erowal Bay and provide a report back to a future Strategy & Assets Committee Meeting:

1. Construction of a roundabout at the intersection of Macgibbon Parade and the Wool Road.
2. Construction of a dedicated right turn lane for traffic heading north on the Wool Road to turn into Mernie Street.
3. Stop signs at both Tibbles and Christiansen Avenues where they intersect Mernie Street for traffic travelling south.
4. Reduction of the speed limit on the Wool Road between Naval College Road roundabout and the Larmer Avenue roundabout from 70 to 60km per hour.
5. The installation of a pedestrian crossing where the shared pathway on the west side of the Wool Road ends at the shoulder of that road about 50 metres south of Naval College Road. This would allow pedestrians and mobility scooter drivers safe access across the Wool Road to the continuation of the shared pathway on the east side.

CARRIED

SA21.4 Notice of Motion - Call in Development Applications DA20/2322 and DA20/2190

HPERM Ref: D21/11192

Recommendation (Item to be determined under delegated authority)

That the following Development Applications be called in to Council for determination in response to considerable public concern:

1. DA20/2322 – 12, 14 & 16 The Wool Road and 5 Burton Street, Vincentia – Demolition of Existing Structures and Construction of Hotel Accommodation with Ancilliary bar/bistro and function centre
2. DA20/2190 – 268 Parma Road, Parma – Construction of Shed for use as Rural Industry (Handling, Treating, Processing, Storing and Packing Honey)

RESOLVED (Clr Levett / Clr Proudfoot)

MIN21.15

That the following Development Applications be called in to Council for determination in response to considerable public concern:

1. DA20/2322 – 12, 14 & 16 The Wool Road and 5 Burton Street, Vincentia – Demolition of Existing Structures and Construction of Hotel Accommodation with Ancilliary bar/bistro and function centre
2. DA20/2190 – 268 Parma Road, Parma – Construction of Shed for use as Rural Industry (Handling, Treating, Processing, Storing and Packing Honey)

CARRIED

REPORTS

SA21.5 Application for Community Consultative Body Council Accreditation - Sassafras and Districts Progress Association

HPERM Ref: D20/553591

Recommendation (Item to be determined under delegated authority)

That Council support the application from Sassafras and Districts Progress Association to become a Council accredited Community Consultative Body.

RESOLVED (Clr Findley / Clr Wells)

MIN21.16

That Council support the application from Sassafras and Districts Progress Association to become a Council accredited Community Consultative Body.

CARRIED

SA21.6 Extension of the Interest-Free Period on Rates & Charges until 30 June 2021

HPERM Ref: D21/5186

Recommendation

That Council:

1. Amend the interest rate on overdue rates and charges to 0% for the period 1 January 2021 to 30 June 2021.
2. Endorses further suspension of debt recovery action until 30 June 2021 with the exception of outstanding recoveries for damage caused to Council property and motor vehicles.
3. Endorses commencement of debt recovery action of the outstanding recovery claims – noting that these balances relate to the recovery of costs incurred by Council as the result of third parties damaging Council property and motor vehicles.

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council:

1. Amend the interest rate on overdue rates and charges to 0% for the period 1 January 2021 to 30 June 2021.
2. Endorses further suspension of debt recovery action until 30 June 2021 with the exception of outstanding recoveries for damage caused to Council property and motor vehicles.
3. Endorses commencement of debt recovery action of the outstanding recovery claims – noting that these balances relate to the recovery of costs incurred by Council as the result of third parties damaging Council property and motor vehicles.

CARRIED

SA21.7 Ordinary Council Meeting Date - January 2021

HPERM Ref: D21/9706

Recommendation (Item to be determined under delegated authority)

That Council reschedule the January 2021 Ordinary Meeting of Council to Wednesday 27 January 2021 commencing at 5.00pm in the Council Chambers, Nowra Administrative Centre, Bridge Road, Nowra.

MOTION (Clr Findley / Clr Digiglio)

MIN21.17

That Council reschedule the January 2021 Ordinary Meeting of Council to Wednesday 27 January 2021 commencing at 5.00pm in the Council Chambers, Nowra Administrative Centre, Bridge Road, Nowra.

FOR: Clr Findley, Clr Digiglio, Clr Levett and Stephen Dunshea

AGAINST: Clr Wells, Clr Gash, Clr White, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST

SA21.8 Chinamans Island - Lake Conjola - Update - Cottage Management Options

HPERM Ref: D20/399879

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the report providing an update on the occupancies on Chinamans Island in accordance with MIN19.872 Part 2; noting the following are presented as the management options in regard to the cottages and occupancies:
 - a. Continued Department Primary Industries & Environment – Crown Lands (DPIE) management, however recognising DPIE’s intention to demolish the cottages, remediate and make good, and return the island to open public space.
 - b. Council assume management of the land comprising the cottages (destroyed and current) by way of the following, and noting either could be restricted by Native Title legislation and/or Aboriginal Land Claims:
 - i. Management function; or
 - ii. Appointment as Crown land manager
 - c. DPIE (Crown Lands) appoint another entity or person to manage other than Council noting it is not an option being considered by DPIE.
2. Take no further action at this time.

RESOLVED (Clr White / Clr Proudfoot)

MIN21.18

That Council:

1. Receive the report providing an update on the occupancies on Chinamans Island in accordance with MIN19.872 Part 2; noting the following are presented as the management options in regard to the cottages and occupancies:
 - a. Continued Department Primary Industries & Environment – Crown Lands (DPIE) management, however recognising DPIE’s intention to demolish the cottages, remediate and make good, and return the island to open public space.
 - b. Council assume management of the land comprising the cottages (destroyed and current) by way of the following, and noting either could be restricted by Native Title legislation and/or Aboriginal Land Claims:
 - i. Management function; or
 - ii. Appointment as Crown land manager
 - c. DPIE (Crown Lands) appoint another entity or person to manage other than Council noting it is not an option being considered by DPIE.
2. Take no further action at this time.

CARRIED

SA21.9 Concept Design - Bay and Basin Skate Park

**HPERM Ref:
D20/546127**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the Final Concept Design Report for the Bay and Basin Skate Park.
2. Progress the project to Detailed Design stage.

RESOLVED (Clr White / Clr Digiglio)

MIN21.19

That Council:

1. Adopt the Final Concept Design Report for the Bay and Basin Skate Park.
2. Progress the project to Detailed Design stage.

CARRIED

SA21.10 Outcomes of Site Investigation and Proposed Next Steps - Berry Spinners and Weavers

**HPERM Ref:
D20/554984**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse Lot 3 DP 840080 Station Road, Berry as the location for a new multipurpose community facility to house the Berry Spinners and Weavers.
2. Utilise a budget of \$15,000 to prepare designs and other required documentation to submit a Development Application from an existing Community and Recreation Budget.
3. Proceed to lodgement of a Development Application for a new community facility on the subject site.

4. Include these plans in the Master Planning process for Berry Showground.

RESOLVED (Clr Watson / Clr White)

MIN21.20

That Council:

1. Endorse Lot 3 DP 840080 Station Road, Berry as the location for a new multipurpose community facility to house the Berry Spinners and Weavers.
2. Give serious consideration to utilising a modified mobile home for the community facility.
3. Utilise a budget of \$15,000 to prepare designs and other required documentation to submit a Development Application from an existing Community and Recreation Budget.
4. Proceed to lodgement of a Development Application for a new community facility on the subject site.
5. Include these plans in the Master Planning process for Berry Showground.

CARRIED

**SA21.11 Part 2: Moss Vale Road Urban Release Area -
Wastewater Infrastructure - Review of Environmental
Factors**

**HPERM Ref:
D20/562063**

Recommendation (Item to be determined under delegated authority)

That Council, after consideration of the Review of Environmental Factors (REF) for the Proposed Moss Vale Road URAs Part 2: Moss Vale Road Wastewater Infrastructure project at Cambewarra, dated December 2020:

1. Determine that it is unlikely that there will be any significant environmental impact as a result of the proposed works and an Environmental Impact Statement is therefore not required for the proposed activity.
2. Adopt and implement the proposed mitigation measures and controls outlined in the REF.

RESOLVED (Clr Proudfoot / Clr White)

MIN21.21

That Council, after consideration of the Review of Environmental Factors (REF) for the Proposed Moss Vale Road URAs Part 2: Moss Vale Road Wastewater Infrastructure project at Cambewarra, dated December 2020:

1. Determine that it is unlikely that there will be any significant environmental impact as a result of the proposed works and an Environmental Impact Statement is therefore not required for the proposed activity.
2. Adopt and implement the proposed mitigation measures and controls outlined in the REF.

CARRIED

Procedural Motion

MOTION (Clr Watson / Clr Digiglio)

That Items SA21.12 to SA21.14 be resolved en bloc.

CARRIED

Note: Clr Findley left the meeting at 6.49pm

Items marked with an * were resolved 'en bloc'.

SA21.12 Acquisition of Easement - Sewer Purposes - 45 Bannister Head Road Mollymook Beach - Lot 724 DP 231243 **HPERM Ref: D20/533966**

RECOMMENDATION* (Clr Watson / Clr Digiglio)

That:

1. Council acquire an Easement for sewerage purposes 2 metres wide over part of Lot 724 DP 231243, No. 45 Bannister Head Road Mollymook Beach shown highlighted on Attachment 1.
2. Council pay compensation of \$31,000 plus GST if applicable and reasonable legal costs associated with the acquisition to the owner 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

SA21.13 Acquisition of Easement - Sewer Purposes - 1 Dolphin Street Ulladulla - Lot 19 DP 24534 **HPERM Ref: D20/537374**

Clr Findley – Less than significant non pecuniary interest declaration – Left the room and did not take part in discussion or vote – The community member occupying the property is known to her.

RECOMMENDATION* (Clr Watson / Clr Digiglio)

That:

1. Council acquire an Easement for sewerage purposes 2.4 metre wide over part of Lot 19 DP 24534, No.1 Dolphin Street Ulladulla shown highlighted on attached copy of the sketch.
2. Council pay compensation of \$25,000, plus GST if applicable and reasonable legal costs associated with the acquisition to the owner 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

SA21.14 Acquisition of Easement - Sewer Purposes - 30 Hollywood Avenue Ulladulla - Lot 52 DP 261132 **HPERM Ref: D21/1509**

RECOMMENDATION* (Clr Watson / Clr Digiglio)

That:

1. Council acquire an Easement for sewerage purposes 2.4 metres wide over part of Lot 52 DP 261132, No. 30 Hollywood Avenue, Ulladulla shown on Attachment 1.
2. Council pay compensation of \$22,000 plus GST if applicable and reasonable legal costs associated with the acquisition to the owner 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

There being no further business, the meeting concluded, the time being 6.49pm.

Clr Wells
CHAIRPERSON