

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 8 September 2020
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.01pm

The following members were present:

Clr John Wells - Chairperson
Clr Joanna Gash
Clr Amanda Findley
Clr Patricia White
Clr Nina Digiglio
Clr Annette Alldrick
Clr John Levett – (remotely)
Clr Mitchell Pakes
Clr Greg Watson – (remotely)
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Stephen Dunshea - Chief Executive Officer

Apologies / Leave of Absence

Apologies were received from Clr Guile and Clr Gartner.

Confirmation of the Minutes

RESOLVED (Clr Findley / Clr Gash) MIN20.616

That the Minutes of the Strategy and Assets Committee held on Tuesday 11 August 2020 be confirmed.

CARRIED

Declarations of Interest

Clr Wells – SA20.161 - Update - Rent Relief - Occupiers of Council Owned or Management Properties – significant non pecuniary – Two of his grandchildren are casual waitpersons and kitchenhands at the café operating from the Council-owned property, and he wishes to avoid any perception of influence – will leave the room and will not take part in discussion or vote.

Call Over of the Business Paper

The following items were called up for debate:

SA20.158, SA20.159, SA20.161, SA20.166, SA20.168, SA20.172, SA20.174, SA20.175, SA20.176, CSA20.14.

The remaining items were resolved en bloc (Clr White/Clr Alldrick) at this time. They are marked with an asterisk (*) in these Minutes.

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

The following Deputations were made available on Council's website:

SA20.173 Consultation Results and Proposed Way Forward - Nature Adventure Park - Pepper Reserve, Shoalhaven Heads

Lynda Gordon Squire

Kerry Kells

Donna Brotherton

Clare Doherty

Jaqui Triccas

Astrid and Barry Edwards

Patricia Cairncross

REPORTS

SA20.158 Quarterly Progress Report - Councillors' Notices of Motion

**HPERM Ref:
D20/381472**

Recommendation

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

RESOLVED (Clr White / Clr Findley)

MIN20.617

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

CARRIED

SA20.159 Submission - Proposed Housing Diversity State Environmental Planning Policy (SEPP)

**HPERM Ref:
D20/374270**

Recommendation (Item to be determined under delegated authority)

That Council endorse the draft submission on the Housing Diversity SEPP (Attachment 1) to enable it to be formally submitted to the NSW Government.

RESOLVED (Clr Proudfoot / Clr White)

MIN20.618

That Council:

1. Endorse the draft submission on the Housing Diversity SEPP (Attachment 1) to enable it to be formally submitted to the NSW Government.
2. Convey its appreciation to Staff for the quality of the effort put in to the submission to the NSW Government.

CARRIED

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

SA20.160 Proposed Lease to Shoalhaven Trophy Centre & All Occasion Gifts - 2/3 Stewart Place, Nowra

**HPERM Ref:
D20/334923**

RECOMMENDATION* (Clr White / Clr Alldrick)

That Council:

1. Agree to a Deed of Surrender for Part Lot 1 DP 115782 and Part Lot 1 DP 434714 being that part of the auto consol 7853-13 known as 1/3 Stewart Place, Nowra with the Lessee Franco Fulginiti & Narelle Fulginiti trading as Shoalhaven Trophy Centre & All Occasional Gifts.
2. Enter into a three (3) year lease plus three (3) year option for Part Lot 1 DP 115782; known as 2/3 Stewart Place, Nowra with Franco & Narelle Fulginiti trading as Shoalhaven Trophy Centre & Engraving + All Occasion Gifts for the purpose of trophy, engraving and gift sales at a commencement rent of \$21,000 (excl GST) pa + outgoings with annual CPI increases.
3. Require each party to pay own legal costs relating to this matter.
4. Approve the Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed otherwise the Chief Executive Officer be authorised to sign any documentation necessary to give effect to this resolution.

CARRIED

Note: Clr Wells left the meeting at 5.13pm

Note: Clr Proudfoot assumed the chair

SA20.161 Update - Rent Relief - Occupiers of Council Owned or Management Properties

**HPERM Ref:
D20/353797**

Clr Wells – SA20.161 - Update - Rent Relief - Occupiers of Council Owned or Management Properties – significant non pecuniary – Two of his grandchildren are casual waitpersons and kitchenhands at the café operating from the Council-owned property, and he wishes to avoid any perception of influence – left the room and will did take part in discussion or vote.

Recommendation

That Council:

1. Acknowledge all tenancies that were provided 6 months' rent free (April to September 2020) will revert to rental invoicing pre rent relief amounts, except:
 - a. Berry Court House Conservation Committee
 - b. Milton Theatre Company
 - c. Nowra Players
 - d. Shoalhaven City Turf Club
 - e. Shoalhaven Greyhound Racing
 - f. Hello World Travel, Kinghorne Street
2. Resolve to extend the rent free period for those tenancies noted in 1(a) to (f) above until 31 January 2021.
3. Recognise the evolving directives from Federal and State Governments relating to coronavirus and delegate authority to the CEO (Director City Services) to review the status of any further tenants if representations are received making a case for continued impact.
4. Note that the CEO will bring back a report updating the situation if required no later than April 2021.

RECOMMENDATION (Clr Pakes / Clr Levett)

That Council continue the rent-free period for an additional 2 months and receive a report back to the October Ordinary Council meeting.

CARRIED

Note: Clr Wells returned to the meeting at 5.27pm and resumed the chair.

**SA20.162 Notification to Minister for Lands & Forestry of
Appointment of Native Title Managers****HPERM Ref:
D20/369074****RECOMMENDATION*** (Clr White / Clr Alldrick)

That Council:

1. Confirm the following staff as Shoalhaven City Council's Native Title Managers:
 - a. Property Services Manager – Trevor Cronk (current)
 - b. Property Officer – Michelle Deudney (backup); and
 - c. Property Officer – Amanda Walker (backup)
2. Advise the Minister for Lands and Forestry as required by Section 8.8 Crown Lands Management Act 2016.

CARRIED

SA20.163 Transport for NSW Compulsory Acquisition - Princes Highway Burrill Lake

HPERM Ref: D20/369730

RECOMMENDATION* (Clr White / Clr Alldrick)

That Council:

1. Agree to the Compulsory Acquisition by Transport for NSW of approximately 889.6m² of road reserve as shown in yellow on Attachment 1 (D20/370291) for nil compensation in accordance with Section 206 of the Roads Act 1993;
2. Authorise the Chief Executive Officer to sign any 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

SA20.164 Shoalhaven Affordable Housing Strategy - Property Purchase

HPERM Ref: D20/371558

RESOLVED* (Clr White / Clr Alldrick)

MIN20.619

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

SA20.165 Local Government Road Safety Program 2020/2021 - Approved Projects - Transport for NSW Funding Assistance

HPERM Ref: D20/352480

RESOLVED* (Clr White / Clr Alldrick)

MIN20.620

That Council:

1. Accepts and vote the grant funding offer of \$13,250 (Ex GST) from Transport for NSW (TfNSW) as follows:
 - a) \$2,600 for Motorcyclists – Be Roadsmart
 - b) \$300 for Holiday Time, Slow Down, Kids Around – Little Blue Dinosaur
 - c) \$5,000 for Share the Path – the path is ours to share
 - d) \$200 for On the Road 65+ older driver workshops
 - e) \$950 for Look out before you step out – pedestrian safety
 - f) \$700 for Helping learner drivers become safer drivers workshops
 - g) \$3,500 for Shoalhaven Cycling Safely
 - h) Speed monitoring on local roads – directly funded by TfNSW
 - i) Fatigue – War on Waste – joint project with funds managed by Eurobodalla RSO.
 - j) U Turn the Wheel youth program – directly funded by Rotary.
2. Writes to TfNSW and the local State Members, thanking them for the funding towards the 2020/21 Road Safety Program.

CARRIED

SA20.166 NSW Boating Now Funding Offers – Round 3

**HPERM Ref:
D20/345671**

Recommendation

That Council:

1. Accept the grant offers totalling \$1,462,212 from the NSW Boating Now - Round 3 funding Program for the following projects:

Project	Grant offer
<i>Woollamia Regional Boat Ramp - improvements to facilitate use by large vessel/trailers at low tides</i>	\$86,250
<i>Callala Bay - boat launching ramp improvements</i>	\$270,750
<i>Myola - new two-lane ramp and pontoon</i>	\$296,250
<i>Lake Conjola - Haviland Street – new boat launching ramp facility</i>	\$361,000
<i>Woollamia – Additional pontoons</i>	\$330,262
<i>Ulladulla Harbour - Visiting berths</i>	\$87,700
<i>Crookhaven Heads – Investigation and design</i>	\$30,000
Total	\$1,462,212

2. Endorse the funding strategy outlined in the report to provide for Council's contribution to the projects over the 2020/21 and 2021/22 financial years, being:
 - a. \$628,750 from budget allocations towards Council's matching contribution for 2020/21 (\$308,750 of Council contributions was already allocated in 2020/21 budget and an additional \$320,000 will be allocated from the general fund that will be freed up due to unsuccessful grant application and rephasing other Better Boating projects).
 - b. \$309,088 proposed in the 2021/22 budget for Council's matching contribution.
 - c. \$50,000 be considered in the 2021/22 budget for investigation, design, and community consultation to upgrade the boat launching ramp facility at Wharf Road Shoalhaven Heads to enable a "shovel ready" project in anticipation of Round 4 funding in 2022.

RECOMMENDATION (Clr Pakes / Clr Gash)

That Council:

1. Accept the grant offers totalling \$1,462,212 from the NSW Boating Now - Round 3 funding Program for the following projects:

Project	Grant offer
<i>Woollamia Regional Boat Ramp - improvements to facilitate use by large vessel/trailers at low tides</i>	\$86,250
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 - b. \$309,088 proposed in the 2021/22 budget for Council's matching contribution.
 - c. \$50,000 be considered in the 2021/22 budget for investigation, design, and community consultation to upgrade the boat launching ramp facility at Wharf Road Shoalhaven Heads to enable a "shovel ready" project in anticipation of Round 4 funding in 2022.
3. Engage with the Woollamia Marine Facilities Advisory Group in the community consultation to progress the improvements to the Woollamia Regional Boat Launching Ramp.

CARRIED

SA20.167 Grant Funding - Fast Tracked Roadside Public Spaces Program - Bicycle Lanes - Junction St - Nowra

HPERM Ref: D20/368761

RESOLVED* (Clr White / Clr Alldrick)

MIN20.621

That Council

1. Accepts the one off grant funding offer of \$172,000 (exclusive of GST) for the installation of bicycle lanes on Junction Street, Nowra connecting the existing north / south shared path between Moss and Plunkett Streets (behind Stockland) with Nowra CBD at O'Keefe Avenue.
2. Vote the grant funding amount of \$172,000 (exclusive of GST) into the 2020/2021 financial year to facilitate completion of this bicycle link shown in the attached plan (D20/332295) by end September 2020.
3. Write to The Honourable Robert Stokes MP, Minister for Planning and Public Spaces, The Honourable Shelley Hancock MP, Minister for Local Government and the Honourable Paul Toole MP, Minister for Regional Transport and Roads and Transport for NSW – Southern Region to thank them for the grant funding.

CARRIED

SA20.168 Collingwood Beach - Action Plan Progress Report

HPERM Ref: D20/355442

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the report on the progress of the Collingwood Beach Dune Vegetation Two-Year Trial Action Plan for information.
2. Allocate funds of \$15,000 at the September Quarterly Budget Review to complete the remaining actions in the Collingwood Beach Action Plan as outlined in the report.

RESOLVED (Clr Proudfoot / Clr Alldrick)

MIN20.622

That Council:

1. Receive the report on the progress of the Collingwood Beach Dune Vegetation Two-Year Trial Action Plan for information.
2. Commit to:
 - a. All access ways to be maintained and kept clear.
 - b. Removing sufficient dead vegetation and dead branches from the site to mitigate risks,

and the retained dead vegetation be managed discretely to support appropriate new growth in the dune, and if practical, trial mulching of small material for retention on site.

- c. Any signage regarding trees to be worded in a general sense such as “appropriate vegetation selected to restrict dune erosion”.
- d. The initial Huskisson video by Gary Druitt being linked to the Get Involved webpage tab for Collingwood Beach.
- e. Allowing the Collingwood Dunecare Group to trim vegetation, under Council’s supervision, to a height that will allow views along the cycleway and remove the banksias which have seeded.
- f. Inspecting the large trees along the whole pathway for safety.

3. Allocate funds of \$15,000 at the September Quarterly Budget Review to complete the remaining actions in the Collingwood Beach Action Plan as outlined in the report.

FOR: Cllr Wells, Cllr Gash, Cllr Findley, Cllr White, Cllr Digiglio, Cllr Alldrick, Cllr Levett, Cllr Pakes, Cllr Watson, Cllr Proudfoot and Stephen Dunshea

AGAINST: Cllr Kitchener

CARRIED

SA20.169 SA10.1 Notice of Motion - Protection of our towns from bushfire

HPERM Ref: D20/363295

RESOLVED* (Cllr White / Cllr Alldrick)

MIN20.623

That:

1. Council note for information the responses in regard to Council’s resolution.
2. Council note that at the time of writing this report, the findings of the Bush Fire Inquiry and Commission of Inquiry had only recently been released and time was not available to thoroughly review for referencing in this report.
3. Council receive a further report once the Bush Fire Inquiry and Royal Commission findings have been reviewed and any implications and/or requirements for Council are understood.
4. The further report to include estimated budget and resource requirements for any recommended actions in response to findings from the Inquiry and Royal Commission.

CARRIED

SA20.170 Boongaree Skate Park and Pump Track Design Update

HPERM Ref: D20/295941

RESOLVED* (Cllr White / Cllr Alldrick)

MIN20.624

That Council:

1. Accept this report as an update on the skate park extension investigations at Boongaree.
2. Endorse the Boongaree Skate Park Option 1, and Pump Track Concept and Detail Design.
3. Progress to the next stage in the delivery of the Boongaree Skate Park and Pump Track with:
 - a. the preparation and finalisation of tender documentation and
 - b. putting the Request for Tender to the market to seek submission for construction and delivery.

CARRIED

SA20.171 Shoalhaven Family Day Care - Fees and Charges

**HPERM Ref:
D20/329461**

RECOMMENDATION* (Clr White / Clr Alldrick)

That:

1. Council support the following changes to Shoalhaven Family Day Care fees and charges:
 - Educator Fee parameters \$8-\$20 per hour
 - Educator Levy of \$0.30 per hour
 - Educator Registration fee of \$50 per year
 - Educator Training Fee of \$400 one-off
 - Family enrolment fee \$25 1st child, \$20 2nd child, \$15 3rd child, 4th child free
 - Parent Administration levy \$1.35 per child per hour
2. Council exhibit the proposed changes to fees and charges for 28 days and report back to Council on the outcome following the public exhibition period.
3. Any new fees and charges that are adopted will come into effect from 1 January 2021, noting the current Government imposed fee freeze for childcare services which is currently imposed up to 27 September 2020.

CARRIED

SA20.172 Memorandum of Understanding (MOU) - Partnership - Shoalhaven City Council and NSW Department of Education

**HPERM Ref:
D20/358250**

Recommendation (Item to be determined under delegated authority)

That Council note the report on Memorandum of Understanding (MOU) - Partnership - Shoalhaven City Council and NSW Department of Education and receive it for information.

RESOLVED (Clr Proudfoot / Clr Findley)

MIN20.625

That Council note the report on Memorandum of Understanding (MOU) - Partnership - Shoalhaven City Council and NSW Department of Education and receive it for information.

CARRIED

SA20.173 Consultation Results and Proposed Way Forward - Nature Adventure Park - Pepper Reserve, Shoalhaven Heads

**HPERM Ref:
D20/353537**

RESOLVED* (Clr White / Clr Alldrick)

MIN20.626

That Council:

1. Support the delivery of a Nature Adventure Park in Pepper Reserve, Shoalhaven Heads as a community driven project, provided that:
 - a. The design of the Nature Adventure Park is aesthetically pleasing and complementary to the existing natural areas within Pepper Reserve; and
 - b. A suitable location within Pepper Reserve is chosen, which least impacts surrounding residents, the existing vegetation, and provides the highest degree of safety for all users.

2. Recognise that the appropriate assessments under Part 5 of the EP&A Act are required to be completed prior to final approval being given.

CARRIED

SA20.174 Summary of Public Exhibition and Proposed Adoption of Draft Plaques and Memorials Policy and Draft Amendment to Parks Management Policy

**HPERM Ref:
D20/353715**

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept this report for information.
2. Adopt the Draft Plaques and Memorials Policy as exhibited and with the following amendments:
 - a. Specify that the Policy does not apply to cemeteries in Section 2 Scope of the Policy.
3. Adopt the Draft Amendment to Parks Management Policy as exhibited.
4. Advise submitters of this resolution.

RESOLVED (Clr Pakes / Clr Gash)

MIN20.627

That Council defer the item to the October Ordinary Council meeting with a preceding Councillor Briefing.

CARRIED

SA20.175 Clifton Park Dog Off-leash Area - Immediate Improvements

**HPERM Ref:
D20/373410**

Recommendation (Item to be determined under delegated authority)

That Council accept this report as an update on the immediate improvements to be undertaken at Clifton Park Dog Off-leash Area.

RESOLVED (Clr Proudfoot / Clr White)

MIN20.628

That Council accept this report as an update on the immediate improvements to be undertaken at Clifton Park Dog Off-leash Area.

CARRIED

SA20.176 Fishermans Paradise VPA Report

**HPERM Ref:
D20/374293**

Recommendation (Item to be determined under delegated authority)

That the Strategy and Assets Committee endorse the Voluntary Planning Agreement (VPA) for the dedication of land at Fisherman's Paradise subject to the developer Grange Estates P/L meeting the following requirements:

1. Prior to issue of the subdivision construction certificate the Developer Grange Estates P/L:
 - a. submit to Council an Environmental Management Plan (EMP) prepared by a suitably qualified practising Ecologist, Environmental Scientist or Bushland restoration expert; for the rehabilitation and ongoing management of the land (including fencing), in accordance

with the NSW DPIE Guidelines for the management of waterfront lands. The EMP shall include a calculation of costs associated with implementation of management actions contained within the EMP over a 10-year period; and

- b. enter into a suitable arrangement with Council for the payment of the costs calculated in (a) to Council, as part of the VPA;

2. Prior to handover of the land to Council and issue of the subdivision certificate the developer Grange Estates P/L:

- a. Implement the approved EMP until the completion of the subdivision and provide a report to demonstrate the implementation and success of EMP actions, including installation of fencing, for the approval of Council; and
- b. Installation of fencing along the eastern perimeter of the road and foreshore access to within 20m of the waterway (to allow access to the foreshore reserve), extending the length of the parcel of land; and
- c. Pay a contribution to Council which will be negotiated as part of the VPA towards the ongoing maintenance of this land, as costed in the EMP, for the remaining period of the EMP commencing from the formal handover date.

RESOLVED (Clr Pakes / Clr White)

MIN20.629

That this item be deferred to allow for further negotiation with the Applicant and their consultant regarding the 10-year period.

CARRIED

SA20.177 Approve Easement for Access to be Granted as Negotiated - Yalwal

**HPERM Ref:
D20/300110**

RESOLVED* (Clr White / Clr Alldrick)

MIN20.630

That Council approve the creation of an Easement for Access over Council Land recently acquired from Mr McPartland being Lot 1 DP1256763.

CARRIED

SA20.178 Drought Affected Farmers - Assistance Measures

**HPERM Ref:
D20/376830**

RESOLVED* (Clr White / Clr Alldrick)

MIN20.631

That Council:

1. Note the content of the Report in terms of the relief provided to eligible farm/agricultural property owners from Council's Water Fund.
2. Resolve to apply the drought assistance rebate for eligible property owners, on Water Accounts issued from 1 October 2018 up to the water supply period ending 30 September 2020.

CARRIED

SA20.179 Acquisition of Easement - Sewer Purposes - Daley Cres North Nowra

**HPERM Ref:
D20/372429**

RECOMMENDATION* (Clr White / Clr Alldrick)

That:

1. Council acquire an Easement for sewerage purposes 3 metres wide over part of Lot 17 DP 22131, No. 20 Daley Crescent North Nowra shown highlighted on attached copy of DP 644296.
2. Council pay compensation of \$12,000, 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

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 Pakes / Clr Findley)

MIN20.632

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.

CSA20.14 Shoalhaven Affordable Housing Strategy - Property Purchase

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)

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 6.44pm.

The meeting moved into open session, the time being 6.47pm.

There being no further business, the meeting concluded, the time being 6.47pm.

Clr Wells
CHAIRPERSON