

MINUTES OF THE EXTRA ORDINARY MEETING

Meeting Date: Monday, 9 October 2017
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.01pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr Joanna Gash
Clr John Wells
Clr Patricia White
Clr Kaye Gartner
Clr Nina Cheyne
Clr Annette Alldrick
Clr John Levett
Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

Apologies / Leave of Absence

Nil

Declarations of Interest

Nil

Procedural Motion -

Clr Watson challenged the motion on the business paper.

MOTION (Clr Watson)

That the minutes of the Ordinary meeting, Tuesday 26 September 2017 – Item CL17.227 Development of a Motor Sports Complex at Yerrilyong; be amended to reflect that Amendment 1 was accepted by the mover and seconder and that Clr Watson voted for the motion

The Mayor ruled the motion out of order as the voting on the end motion was clear and that was the motion Council accepted.

Note: Clr Watson gave notice that he will move to amend the minutes of the Ordinary Meeting, Tuesday 26 September 2017 at the next Ordinary Meeting, Tuesday 24 October 2017..

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL17.274 Rescission Motion - CL17.227 - Development of a Motor Sports Complex at Yerriyong

**HPERM Ref:
D17/326884**

Recommendation

That Council rescind the Motion relating to Item CL17.227 of the Council Meeting held on 26 September 2017.

MOTION (Clr Cheyne / Clr Pakes)

That an extension of time be granted for Clr Levett.

CARRIED

FOR: Clr Findley, Clr Gash, Clr White, Clr Gartner, Clr Cheyne, Clr Alldrick, Clr Levett, Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Wells

RESOLVED (Clr Guile / Clr Alldrick)

MIN17.888

That Council rescind the Motion relating to Item CL17.227 of the Council Meeting held on 26 September 2017.

FOR: Clr Findley, Clr Gartner, Clr Cheyne, Clr Alldrick, Clr Levett, Clr Guile and Clr Proudfoot

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

CARRIED

CL17.277 Additional Item - Question on Notice - General Managers Note - CL17.227 - Notice of Motion - Development of a Motor Sports Complex at Yerriyong

RESOLVED (Clr Wells)

MIN17.889

That the General Manager submit a report to Council in relation to the General Manager's note on item CL17.227 - Notice of Motion - Development of a Motor Sports Complex at Yerriyong outlining the basis on which the costs were investigated.

CARRIED

CL17.275 Notice of Motion - Development of a Motor Sports Complex at Yerriyong

**HPERM Ref:
D17/326926**

Recommendation

That Council consider a proposal to support a Development Application for the Yerriyong Motorsport Park from the South Coast Motor Sports Club Inc.

MOTION (Clr Guile / Clr Alldrick)

That:

1. Shoalhaven City Council acknowledges the economic, social and recreational benefits that could flow to the region as a result of the development of a Motorsports complex.
2. Prior to any commitment of on behalf of Shoalhaven ratepayers, the General Manager is to

provide a 'desktop' audit to Council outlining the pathway for a Development Application approval through the Joint Regional Planning Panel.

3. The General Manager provide an assessment of the resources available to Council to support the lodgment of a new Development Application and provide documentary evidence that such resources exist and that Council has rights to use them were Council to be the proponent.
4. The General Manager report to Council the status of the crown land acquisition and any changes to costs, including whether the land owner is required to provide further support for any new Development Application of the land and whether the commercial leasing of the site or sale of the site is permissible.
5. The General Manager provide Council with an independent review of the Business Plan, selectively tabled, at the last meeting, assessing any gaps that have emerged since the plan was current.
6. Based on the results of the abovementioned reports, the General Manager provide to Council a cost estimate in stages for Council to become the proponent for a new DA to the point of offering for sale or commercial least subject to section 4.
7. The General Manager be authorized to negotiate and draft appropriate documentation for Council to review concerning co-operative agreements between Council, Shoalhaven Motor Sport Inc, and any other entity whereby cooperative funding arrangements might be considered according to the current community sporting grants funding policy.
8. The General Manager report on other options for locations, should any exist, where environmental and loss of amenity challenges are reduced. Given the proposed commercial viability of such a facility, the purchase of privately owned land might be considered in such a report.

PROCEDURAL MOTION - MOVE INTO COMMITTEE OF THE WHOLE (Clr Guile / Clr Cheyne)

That Council move into the Committee of the Whole, the time being 6.59pm.

FOR: Clr Findley, Clr White, Clr Gartner, Clr Cheyne, Clr Alldrick, Clr Levett, Clr Guile, Clr Pakes, Clr Watson and Clr Kitchener

AGAINST: Clr Gash, Clr Wells and Clr Proudfoot

CARRIED

Note: Clr White left the meeting, the time being 6.59pm.

Note: During Committee of the Whole, amendments were made to the motion and accepted by the mover and seconder of the motion.

Procedural Motion - Adjournment of Meeting

MOTION (Clr Guile / Clr Cheyne)

That the meeting be adjourned until 7.18pm.

Note: The meeting adjourned, the time being 7.08pm.

Note: The meeting reconvened, the time being 7.18pm

When the following members were present:

Clr Amanda Findley - Chairperson

Clr Joanna Gash

Clr John Wells

Clr Kaye Gartner

Clr Nina Cheyne

Clr Annette Alldrick

Clr John Levett

Clr Andrew Guile
Clr Mitchell Pakes
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot

CL17.275 Notice of Motion - Development of a Motor Sports Complex at Yerriyong

**HPERM Ref:
D17/326926**

PROCEDURAL MOTION - MOVE OUT OF COMMITTEE OF THE WHOLE (Clr Guile / Clr Alldrick)

That Council move out of Committee of the Whole, the time being 7.40pm.

CARRIED

RESOLVED (Clr Guile / Clr Alldrick)

MIN17.890

That:

1. Shoalhaven City Council acknowledges the economic, social and recreational benefits that could flow to the region as a result of the development of a Motorsports complex.
2. Prior to any commitment of on behalf of Shoalhaven ratepayers, the General Manager is to provide a 'desktop' audit - including EPBC and state biodiversity legislation, to Council outlining the pathway for a Development Application approval through the Joint Regional Planning Panel.
3. The General Manager provide an assessment of the resources available to Council to support the lodgment of a new Development Application and provide documentary evidence that such resources exist and that Council has rights to use them were Council to be the proponent.
4. The General Manager report to Council the status of the crown land acquisition and any changes to costs, including whether the land owner is required to provide further support for any new Development Application of the land and whether the commercial leasing of the site or sale of the site is permissible.
5. The General Manager provide Council with an independent review of the Business Plan, selectively tabled, at the last meeting, assessing any gaps that have emerged since the plan was current.
6. Based on the results of the abovementioned reports, the General Manager provide to Council a cost estimate in stages for Council to become the proponent for a new DA to the point of offering for sale or commercial least subject to section 4.
7. The General Manager be authorized to negotiate and draft appropriate documentation for Council to review concerning co-operative agreements between Council, Shoalhaven Motor Sport Inc, and any other entity whereby cooperative funding arrangements might be considered according to the current community sporting grants funding policy.
8. The General Manager report on other options for locations, should any exist, where environmental and loss of amenity challenges are reduced. Given the proposed commercial viability of such a facility, the purchase of privately owned land might be considered in such a report.
9. Recoupment of all costs be factored into negotiation of any future lease arrangements

FOR: Clr Findley, Clr Gartner, Clr Cheyne, Clr Alldrick, Clr Levett and Clr Guile

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

CARRIED ON THE CASTING VOTE OF CHAIR

CL17.276 Rescission Motion - CL17.272 - Pathways to financial sustainability

**HPERM Ref:
D17/326938**

Recommendation

That Council rescind the Motion relating to Item CL17.272 of the Council meeting held on 3 October 2017.

MOTION (Clr Pakes / Clr Proudfoot)

MIN17.891

That Council rescind the Motion relating to Item CL17.272 of the Council meeting held on 3 October 2017.

FOR: Clr Guile, Clr Pakes, Clr Watson, Clr Kitchener and Clr Proudfoot

AGAINST: Clr Findley, Clr Gash, Clr Wells, Clr Gartner, Clr Cheyne, Clr Alldrick and Clr Levett

LOST

Note: A Rescission Motion was received for item CL17.275 Notice of Motion - Development of a Motor Sports Complex at Yerrilyong.

There being no further business, the meeting concluded, the time being 8.39pm.

Clr Findley
CHAIRPERSON