

MINUTES OF THE EXTRA ORDINARY MEETING

Meeting Date: Tuesday, 16 October 2018
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 7.07pm

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

The Chairperson read a statement advising those present that the proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice.

Apologies / Leave of Absence

Nil

Declarations of Interest

Clr Guile – CL18.280 – Notice of Motion – Abandoned Anglican Church - Huskisson – less than significant non pecuniary interest declaration – he is a member of the Anglican Church and there may be a public perception of a conflict of interest – will remain in the room and will take part in discussion and vote.

DEPUTATIONS AND PRESENTATIONS

CL18.280 – Notice of Motion – Abandoned Anglican Church – Huskisson

Steve Bartlett addressed the meeting and spoke in favour of the recommendation.

Maureen Webb addressed the meeting and spoke against the recommendation.

Shirley Fitzgerald representing Save Huskisson Church Group addressed the meeting and spoke against the recommendation.

Procedural Motion – Introduction of Item of Urgency - Bring Item Forward – Further Deputation

PROCEDURAL MOTION 1 (Clr Watson / Clr Guile)

That the following item be introduced as a item of urgency and brought forward for consideration:

- CL18.280 - Notice of Motion - Abandoned Anglican Church – Huskisson.

Note: Clr Gartner informed the meeting that a request to make a Deputation relating to CL18.277 - Rescission Motion - Community Consultation & Committee System had been received from Deb Shapira.

The Chairperson requested a Procedural Motion be moved to allow the deputation to proceed.

Clr Guile raised a Point of Order against the Chair for not putting the Procedural Motion 1 relating to Item CL18.280 to the vote prior to requesting a second procedural motion.

MOTION OF DISSENT (Clr Watson)

That dissent be moved against the Chairperson’s ruling not putting the Procedural Motion 1 to the vote.

The Chairperson ruled that the Deputation will be heard and then Item CL18.280 will be dealt with.

The meeting voted in favour of this ruling.

Clr Findley invited Ms Deb Shapira to make a Deputation.

DEPUTATIONS AND PRESENTATIONS

CL18.277 - Rescission Motion - Community Consultation & Committee System

Deb Shapira addressed the meeting to speak for the recommendation.

ADDENDUM REPORTS

CL18.280 Notice of Motion - Abandoned Anglican Church - Huskisson

HPERM Ref: D18/351787

Recommendation

That

1. Council reaffirm its strong opposition to the Heritage listing of the abandoned Anglican Church at Huskisson and notify the NSW Heritage Office of the decision.
2. Include with the letter a copy of its earlier submission opposing the listing of the item as an item of local significance.

MOTION (RESOLVED) (Clr Watson / Clr Guile)

MIN18.826

That Council:

1. Reaffirm its strong opposition to the Heritage listing of the abandoned Anglican Church at Huskisson and notify the NSW Heritage Office of the decision, as in Council’s opinion nothing

has changed.

2. Include with the letter a copy of its earlier submission opposing the listing of the item as an item of local significance.
3. Call in the determination of the DA relating to the demolition of the Church to the full Council for the reason of public interest.

Clr Gartner raised a Point of Order against Clr Watson regarding his comment “we don’t care about the cost” – Clr Findley asked that the debate be continued.

Clr Findley raised a Point of Order against Clr Levett regarding his comments about Clr Guile’s failure to make a declaration of interest in the matter. Clr Levett accepted the Mayors ruling.

Clr Levett raised a Point of Order against Clr Watson regarding his comment about faith.

Clr Findley asked Clr Watson to continue with the debate.

MOTION CARRIED

FOR: Clr Gash, Clr Wells, Clr White, Clr Guile, Clr Pakes, Clr Watson and Clr Kitchener

AGAINST: Clr Findley, Clr Gartner, Clr Cheyne, Clr Alldrick, Clr Levett and Clr Proudfoot

NOTICES OF MOTION / QUESTIONS ON NOTICE

CL18.277 Rescission Motion - Community Consultation & Committee System

**HPERM Ref:
D18/339888**

Recommendation

That Council rescind the following resolutions of the Council Meeting held on Tuesday 25 September 2018 with respect to the Item CL18.229 Community Consultation System:

1. Part 2 of MIN18.755 relating to the disbanding of the Children’s Services Reference Group; Shoalhaven Natural Resources and Floodplain Management Committee and the Sustainable Futures Committee.
2. MIN18.768 relating to the disbanding of the Shoalhaven Heads Estuary Taskforce

MOTION (Clr Gartner / Clr Alldrick)

That Council rescind the following resolutions of the Council Meeting held on Tuesday 25 September 2018 with respect to the Item CL18.229 Community Consultation System:

1. Part 2 of MIN18.755 relating to the disbanding of the Children’s Services Reference Group; Shoalhaven Natural Resources and Floodplain Management Committee and the Sustainable Futures Committee.
2. MIN18.768 relating to the disbanding of the Shoalhaven Heads Estuary Taskforce

AMENDMENT (Clr Guile / Clr Wells)

That Council rescind the following resolutions of the Council Meeting held on Tuesday 25 September 2018 with respect to the Item CL18.229 Community Consultation System:

1. Part 2 of MIN18.755 relating to the disbanding of the Shoalhaven Natural Resources and Floodplain Management Committee and
2. MIN18.768 relating to the disbanding of the Shoalhaven Heads Estuary Taskforce.

Clr Findley raised a Point of Order against Clr Pakes regarding the statement he made about Clr Gartner

Clr Findley asked Clr Pakes to withdraw his comments

Clr Pakes stated that he would not withdraw his comments

MOTION OF DISSENT (Clr Guile / Clr Watson)

That a motion of dissent be moved against the ruling of the Chair to note the failure of Clr Pakes to withdraw his comments regarding Clr Gartner in the Minutes.

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

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

CARRIED

Clr Gartner raised a Point of Order against Clr Pakes for being disrespectful to colleagues. Clr Findley asked Clr Pakes to withdraw his comments. Clr Pakes withdrew his comments.

Clr Gartner raised a Point of Order against Clr Pakes as a point of clarification on his comments relating to reports from the Sustainable Future Committee to Council.

Clr Cheyne raised a Point of Order against Clr Pakes' being disrespectful with his 'silly Greens Council' comment.

Clr Findley ruled in favour of the Point of Order and asked Clr Pakes to withdraw comment. Clr Pakes withdrew his comments.

Clr Watson raised a Point of Order against Clr Levett's 'Co-Dependants' comment.

Clr Findley ruled in favour of the Point of Order and asked Clr Levett to withdraw comments. Clr Levett withdrew his comments.

Clr Proudfoot raised a Point of Order against Clr Findley regarding her statement about an alleged comment in the media by Clr Proudfoot regarding the Mayor resigning. Clr Findley withdrew her comment.

Clr Findley asked Clr Gartner to withdraw her comment regarding a staff members view on a matter as it was deemed as putting words in staff's mouth. Clr Gartner withdrew her comment.

AMENDMENT (RESOLVED) (Clr Guile / Clr Wells)

MIN18.827

That Council rescind the following resolutions of the Council Meeting held on Tuesday 25 September 2018 with respect to the Item CL18.229 Community Consultation System:

1. Part 2 of MIN18.755 relating to the disbanding of the Shoalhaven Natural Resources and Floodplain Management Committee and
2. MIN18.768 relating to the disbanding of the Shoalhaven Heads Estuary Taskforce.

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

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

CARRIED

The AMENDMENT became the MOTION and was CARRIED unanimously.

CL18.278 Notice of Motion - Community Consultation & Committee System

**HPERM Ref:
D18/340102**

Recommendation

That Council reinstate the following committees pursuant to Section 355 – Local Government Act and pursuant to Section 377 with purpose, delegation (if applicable), membership and quorum as outlined in the report:

1. Children’s Services Reference Group
2. Shoalhaven Natural Resources & Floodplain Management Committee
3. Sustainable Futures Committee
4. Shoalhaven Heads Estuary Taskforce

RESOLVED (Clr Guile / Clr White)

MIN18.828

That Council reinstate the following committees pursuant to Section 355 & Section 377 of the Local Government Act:

1. Southern Natural Resources & Floodplain Management Committee with the following membership:
 - a. Chairperson - Clr White
 - b. All Councillors
 - c. 4 Community representatives
2. Central Natural Resources & Floodplain Management Committee with the following membership:
 - a. Chairperson - Clr Proudfoot
 - b. All Councillors
 - c. 4 Community representatives
3. Northern Natural Resources & Floodplain Management Committee with the following membership:
 - a. Chairperson – Clr Wells
 - b. All Councillors
 - c. 4 Community representatives
4. Shoalhaven Heads Estuary Taskforce with the purpose and quorum as outlined in the report and the following membership:
 - a. Chairperson – Clr Pakes
 - b. All Councillors
 - c. Community and organisational members as outlined in the report.

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

AGAINST: Clr Gartner, Clr Levett

CARRIED

REPORTS

CL18.279 Draft End of Year Financial Statements

**HPERM Ref:
D18/343080**

Recommendation

That:

1. The Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer sign statements on the preparation of the Financial Statements for the year ended 30 June 2018 in accordance with Section 413(2)(c) of the Local Government Act 1993 and requirements under the Local Government Code of Accounting Practice and Financial Reporting Update No. 26.
2. The draft Financial Statements for the year ended 30 June 2018 be referred to Council's external auditor, Audit Office of New South Wales, in accordance with Section 413 of the Local Government Act 1993
3. Council present its audited Financial Statements and Audit Report to the public at the Ordinary Meeting of Council to be held on Tuesday (**insert date**) November 2018 and, in accordance with section 418 of the Local Government Act 1993, public notice of this date be placed in local newspapers on Wednesday 31 October 2018.

RESOLVED (Clr Wells / Clr White)

MIN18.829

That:

1. The Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer sign statements on the preparation of the Financial Statements for the year ended 30 June 2018 in accordance with Section 413(2)(c) of the Local Government Act 1993 and requirements under the Local Government Code of Accounting Practice and Financial Reporting Update No. 26.
2. The draft Financial Statements for the year ended 30 June 2018 be referred to Council's external auditor, Audit Office of New South Wales, in accordance with Section 413 of the Local Government Act 1993
3. Council present its audited Financial Statements and Audit Report to the public at the Ordinary Meeting of Council to be held on Tuesday 20 November 2018 and, in accordance with section 418 of the Local Government Act 1993, public notice of this date be placed in local newspapers on Wednesday 31 October 2018.

CARRIED

There being no further business, the meeting concluded, the time being 10.25pm.

Clr Findley
CHAIRPERSON