

MINUTES OF THE ORDINARY MEETING

Meeting Date: Monday, 28 August 2023
Location: Council Chambers, City Administrative Building, Bridge Road, Nowra
Time: 5.31pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr John Kotlash
Clr Gillian Boyd
Clr Moo D'Ath
Clr Serena Copley
Clr Paul Ell
Clr Evan Christen
Clr Patricia White
Clr John Wells
Clr Greg Watson (Remotely)
Clr Mark Kitchener
Clr Tonia Gray

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.

The meeting was opened by an Acknowledgement of Country by the Chairperson, followed with a Moment of Silence & Reflection and the playing of the Australian National Anthem.

Apologies / Leave of Absence

A leave of Absence was approved for Clr Norris for this meeting at the meeting held 31 July 2023.

Confirmation of the Minutes

RESOLVED (Clr White / Clr Gray) MIN23.446

That the Minutes of the Ordinary Meeting held on Monday 14 August 2023 be confirmed.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Declaration of Interests

Minutes Confirmed Monday 11 September 2023 – Chairperson.....

Nil

MAYORAL MINUTE

MM23.22 Mayoral Minute - Condolence Motion Uncle Brian Lonesborough**HPERM Ref:
D23/314890****Recommendation**

That Shoalhaven City Council notes the passing of Uncle Brian Lonesborough. We acknowledge his significant contribution to sporting community and extend our condolences to his wife Annette and family.

RESOLVED (Clr Findley / Clr Wells)

MIN23.447

That Shoalhaven City Council notes the passing of Uncle Brian Lonesborough. We acknowledge his significant contribution to sporting community and extend our condolences to his wife Annette and family.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

DEPUTATIONS AND PRESENTATIONS

CL23.279 - Proposed approach - New Shoalhaven Land Use Planning Scheme

Ms Catherine Barlow addressed the meeting to speak FOR the recommendation.

CL23.291 - Notice of Motion - Nowra Carols by Candlelight

Mr Bob Mortyn addressed the meeting to speak FOR the recommendation.

CL23.290 - Notice of Motion - The Uluru Statement from the Heart and the Voice to Parliament

Mr John Hughes addressed the meeting to speak AGAINST the recommendation.

Ms Cleone Wellington addressed the meeting to speak FOR the recommendation.

Procedural Motion - Bring Item Forward**RESOLVED** (Clr Ell / Clr Wells)

MIN23.448

That the items which received a deputation be brought forward for consideration in the following order:

- CL23.291 - Notice of Motion - Nowra Carols by Candlelight
- CL23.290 - Notice of Motion - The Uluru Statement from the Heart and the Voice to Parliament
- CL23.279 - Proposed Approach - New Shoalhaven Land Use Planning Scheme

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.291 Notice of Motion - Nowra Carols by Candlelight**HPERM Ref:
D23/331704**

Note: A deputation was received on this item.

Recommendation

That the CEO report back to the September meeting of Council on the Nowra Carols including

1. The history of the event.
2. An update on 2023 event planning including the funding ask from the Bomaderry Nowra Lions Club and options for additional Council resources in 2023.
3. Detail on the future sustainability of the event and potential impacts on Council for consideration.

RESOLVED (Clr Ell / Clr Copley)

MIN23.449

That the CEO report back to the September meeting of Council on the Nowra Carols including

1. The history of the event.
2. An update on 2023 event planning including the funding ask from the Bomaderry Nowra Lions Club and options for additional Council resources in 2023.
3. Detail on the future sustainability of the event and potential impacts on Council for consideration.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.290 Notice of Motion - The Uluru Statement from the Heart and the Voice to Parliament**HPERM Ref:
D23/340062**

Note: A deputation was received on this item.

Recommendation

That Council

1. Reaffirms its support for the Uluru Statement from the Heart in full (Truth, Treaty and Voice) as adopted on 28 June 2018.
2. In reaffirming support for the Uluru Statement, actively participate in support for the Voice to Parliament (the YES Vote).
3. Set aside a small budget to support the raising of YES flags in Nowra town centre poles during the month of the referendum.
4. Amplify the activities of other local organisations who are also supporting the YES campaign through Councils communication channels.
5. Inform the Prime Minister and Leader of the Opposition of the passage of this motion.

RESOLVED (Clr Findley / Clr Gray)

MIN23.450

That Council

1. Reaffirms its support for the Uluru Statement from the Heart in full (Truth, Treaty and Voice) as adopted on 28 June 2018.
2. In reaffirming support for the Uluru Statement, actively participate in support for the Voice to Parliament (the YES Vote).
3. Set aside a small budget to support the raising of YES flags in Nowra town centre poles during the month of the referendum.
4. Amplify the activities of other local organisations who are also supporting the YES campaign through Councils communication channels.
5. Inform the Prime Minister and Leader of the Opposition of the passage of this motion.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Christen and Clr Gray

AGAINST: Clr Copley, Clr Ell, Clr White, Clr Wells, Clr Watson and Clr Kitchener

CARRIED on the CASTING VOTE of the Chair

Note: A rescission motion was received on this item.

Note: The meeting adjourned, the time being 7:03pm

Note: The meeting reconvened, the time being 7:15pm

The following members were present:

Clr Amanda Findley - Chairperson
Clr John Kotlash
Clr Gillian Boyd
Clr Moo D'Ath
Clr Serena Copley
Clr Paul Ell
Clr Evan Christen
Clr Patricia White
Clr John Wells
Clr Greg Watson (Remotely)
Clr Mark Kitchener
Clr Tonia Gray

CL23.279 Proposed Approach - New Shoalhaven Land Use Planning Scheme

**HPERM Ref:
D23/237044**

Note: A deputation was received on this item.

Recommendation

That Council:

1. Endorse the Project Plan and staging of work for the new Citywide Land Use Planning Scheme and updates of local planning documents as detailed in Attachments 1 and 2.
2. Commence Stage 1 of the new Citywide Land Use Planning Scheme as detailed in Attachment 1.
3. Adopt the "Existing Character Statements" and "Future Desired Local Character Statements" identified in the *Shoalhaven Character Assessment Report (February 2020)* as 'interim' character statements to support the proposed planning controls for managing local character

([link to document](#)).

4. Incorporate the current review of the Milton-Ulladulla Structure Plan into the new Citywide Land Use Planning Scheme.

RESOLVED (Clr Christen / Clr Gray)

MIN23.451

That Council:

1. Endorse the Project Plan and staging of work for the new Citywide Land Use Planning Scheme and updates of local planning documents as detailed in **Attachments 1 and 2**.
2. Commence Stage 1 of the new Citywide Land Use Planning Scheme as detailed in **Attachment 1**, with the inclusion of the investigation and possible progression of a Princess Street heritage conservation area in Berry.
3. Endorse the following guiding principles for the preparation of the new planning scheme:
 - a. Preference for urban consolidation and increased/higher densities in existing centres wherever possible,
 - b. any outward expansion to be focused on cleared/unvegetated land; and
 - c. ability to adequately and economically deliver the development and service the needs of the community in preparing new planning schemes,
 - d. ecologically sustainable development for resilient and climate-friendly design.
4. Adopt the “Existing Character Statements” and “Future Desired Local Character Statements” identified in the *Shoalhaven Character Assessment Report (February 2020)* as ‘interim’ character statements to support the proposed planning controls for managing local character ([link to document](#)).
5. Incorporate the current review of the Milton-Ulladulla Structure Plan into the new Citywide Land Use Planning Scheme.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CALL OVER OF THE BUSINESS PAPER

Call Over of Business Paper - En bloc

RESOLVED (Clr Wells / Clr White)

MIN23.452

That the following items from CEO reports, City Performance and City Futures Directorates be resolved en bloc:

- CL23.274 - Appointment of Audit Risk and Improvement Committee (ARIC) Chair
- CL23.275 - Ongoing Register of Pecuniary Interest Returns - July 2023
- CL23.276 - Investment Report - July 2023
- CL23.277 - Proposed Amendment - Shoalhaven Development Control Plan - Medium Density Housing Review
- CL23.278 - Update Report - Delivery of Local Infrastructure Projects under Low Cost Loan Initiative (LCLI)
- CL23.280 - Proposed Infrastructure Agreements - Construction of Road and Drainage Infrastructure - Stages 3a and 3b, Moss Vale Road South Urban Release Area

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

Note – the items will be marked with an asterisk (*) in these Minutes.

CARRIED

Call Over of Business Paper - En bloc

RESOLVED (Clr Wells / Clr Ell)

MIN23.453

That the following items from City Services Directorate be resolved en bloc:

- CL23.282 - Local Government Road Safety Program 2023/2024 - Approved Projects - TfNSW Funding Assistance
- CL23.284 - Larmer Avenue - The Park Drive Roundabout - Blackspot Program
- CL23.286 - Progress Update - Community Consultation - Loralyn Avenue Sanctuary Point

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

Note – the items will be marked with an asterisk (*) in these Minutes.

CARRIED

Note: It was acknowledged that this was the last Ordinary Meeting that Mr Colin Wood – Manager Certification & Compliance, would attend before his retirement. Council therefore proceeded to acknowledge Mr Wood's contribution to Council and to thank him for all his years of service.

REPORTS

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

CL23.274 Appointment of Audit Risk and Improvement Committee (ARIC) Chair

HPERM Ref:
D23/339140

RESOLVED* (Clr Wells / Clr White)

MIN23.454

That Council endorse the reappointment of Mr Peter McLean as Chair of Council Audit Risk and Improvement Committee.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.275 Ongoing Register of Pecuniary Interest Returns - July 2023

HPERM Ref:
D23/315890

RESOLVED* (Clr Wells / Clr White)

MIN23.455

That the report of the Chief Executive Officer regarding the Ongoing Register of Pecuniary Interest Returns lodged for the period of 1 July to 31 July 2023 be received for information.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.276 Investment Report - July 2023

**HPERM Ref:
D23/320431**

RESOLVED* (Clr Wells / Clr White)

MIN23.456

That Council:

1. Receive the Record of Investments for the period to 31 July 2023.
2. Note that Council's total Investment Portfolio (excluding the Long-Term Growth Fund) returned 4.27% per annum for the month of July 2023, underperforming the benchmark AusBond Bank Bill Index (4.48% pa) by -21 basis points (-0.21%).
3. Note the performance of the Long-Term Growth Fund as presented in the report.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.277 Proposed Amendment - Shoalhaven Development Control Plan - Medium Density Housing Review

**HPERM Ref:
D23/203799**

RESOLVED* (Clr Wells / Clr White)

MIN23.457

That Council:

1. Support the exhibition of the draft Medium Density Amendment to Shoalhaven Development Control Plan 2014, consisting of the following chapters, for a period of 28 days as per legislative requirements:
 - a. Draft Chapter G1: Site Analysis, Site Design and Building Materials.
 - b. Draft Chapter G12: Dwelling Houses and Other Low Density Residential Development.
 - c. Draft Chapter G13: Medium Density and Other Residential Development.
 - d. Draft Chapter G21: Car Parking and Traffic.
 - e. Draft Dictionary.
2. Receive a further report on the draft Medium Density Amendment following the conclusion of the public exhibition period.
3. Advise key stakeholders, including relevant industry representatives and CCBs, of this decision and exhibition arrangements.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.278 Update Report - Delivery of Local Infrastructure Projects under Low Cost Loan Initiative (LCLI)

**HPERM Ref:
D23/295230**

RESOLVED* (Clr Wells / Clr White)

MIN23.458

That Council:

1. Support the proposed extensions of time and changes of scope to LCLI projects outlined in **Table 1** and include them in a formal change request to the LCLI Administrator (NSW Department of Planning and Environment).

2. Receive a further report on the outcome of the change request.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL23.279 PROPOSED APPROACH - NEW SHOALHAVEN LAND
USE PLANNING SCHEME**

**HPERM REF:
D23/237044**

Item dealt with earlier in the meeting see MIN23.451

**CL23.280 Proposed Infrastructure Agreements - Construction of
Road and Drainage Infrastructure - Stages 3a and 3b,
Moss Vale Road South Urban Release Area.**

**HPERM Ref:
D23/311215**

RESOLVED* (Clr Wells / Clr White)

MIN23.459

That Council:

1. Provide 'in-principle' support to finalise negotiations and enter into a single Infrastructure Agreement (Planning Agreement, Works in Kind Agreement or hybrid, as required) with the owner/developers of the Stage 3a and 3b subdivisions (SF10633 and SF10656), for the following, except where further negotiations result in substantial changes to the proposal, in which case Council will receive a further report prior to proceeding:
 - a. The Developer constructs the:
 - i. Shared user pathway.
 - ii. Roundabout at Taylors Lane.
 - iii. Two wetlands and associated swales.
 - b. Council:
 - i. Accepts the developer's offer to voluntarily pay monetary contributions for the 01DRAI5006, 01OREC6015, 01ROAD5154 Shoalhaven Contributions Plan 2019 projects that were not levied as part of the SF10656 approval, as well as the additional CWMGMT3001 contributions that will also be required as a result.
 - ii. Only in conjunction with Part 1(b)(i), undertake a review of the other s.7.11 contributions levied for SF10656, and endorse removal or amendment of any that have not been accurately applied.
 - c. Surplus value and contributions offsets are managed as follows, noting that all values are subject to final negotiations:
 - i. Council pays a surplus value amount for the two wetland devices, being the difference between the monetary contributions payable for 01DRAI5006 (for both SF10633 and SF10656 (as per Part 1(b)(i))) and the negotiated value for the devices.
 - ii. Council accepts the negotiated value for the shared user pathway and roundabout as a partial offset to the 01ROAD5154 project contributions for SF10633. The developer pays the balance as monetary contributions, or otherwise settles up the balance via

the agreement.

- iii. Payment of the surplus value amount for 01DRAI5006 will be funded by available funds in the 01DRAI5006 account or the deleted funds reserve, if available, not general funds.
- d. Council pays land value for the two wetland areas proposed to be dedicated by the developer, based on a land value of:
 - i. \$65/m2 for the residentially zoned part of the land.
 - ii. \$17.50m/2 for the rurally zoned part of the land.
2. Delegate authority to Council's Chief Executive Officer, or his delegate, to:
 - a. Finalise negotiations, including costings.
 - b. Prepare the agreement.
3. If required, publicly notify the agreement for a minimum period of 28 days as required by legislation.
4. Enter into the agreement, consistent with the detailed key terms in Part 1 above, except where objections or substantial issues are raised as a result of any public notification (if undertaken), in which case the agreement is to be reported to Council before it is entered into.
5. Endorse the approach that no surplus value payments will be considered for future infrastructure agreements presented to Council, until a review of Council's infrastructure contributions plan and framework is completed, and a new contributions plan is in place.
6. Notify the owner/developer of this resolution.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.281 Tomerong Traffic Plan & Pathway Network

HPERM Ref:
D23/312994

Recommendation

That Council notes the following actions have been completed in relation to Notice of Motion MIN23.141 Tomerong Traffic Plan & Pathway Network:

1. The Traffic Plan Report and Pathways Network Plans have been reviewed by staff and has been taken into consideration as part of the current Pedestrian Access & Mobility Plan Review.
2. TfNSW has been contacted by Shoalhaven City Council and requested to engage with the community regarding their concerns.
3. Funding opportunities for works in Tomerong and citywide through grant initiatives are monitored by staff.
4. Traffic counts on Hawken Road (Island Point Road & Pine Forest Road) and Pine Forest Road were undertaken in February 2023.
5. A meeting with the Tomerong Forum to discuss the Reports/Plans was attended by staff on the 10 of May 2023.
6. A letter has been sent to the chair of SEATS requesting support for the reports and plans presented by the Tomerong community.

RESOLVED (Clr Christen / Clr White)

MIN23.460

That Council notes the following actions have been completed in relation to Notice of Motion

MIN23.141 Tomerong Traffic Plan & Pathway Network:

1. The Traffic Plan Report and Pathways Network Plans have been reviewed by staff and has been taken into consideration as part of the current Pedestrian Access & Mobility Plan Review.
2. TfNSW has been contacted by Shoalhaven City Council and requested to engage with the community regarding their concerns.
3. Funding opportunities for works in Tomerong and citywide through grant initiatives are monitored by staff.
4. Traffic counts on Hawken Road (Island Point Road & Pine Forest Road) and Pine Forest Road were undertaken in February 2023.
5. A meeting with the Tomerong Forum to discuss the Reports/Plans was attended by staff on the 10 of May 2023.
6. A letter has been sent to the chair of SEATS requesting support for the reports and plans presented by the Tomerong community.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.282 Local Government Road Safety Program 2023/2024 - Approved Projects - TfNSW Funding Assistance

HPERM Ref: D23/320057

RESOLVED* (Clr Wells / Clr Ell)

MIN23.461

That Council:

1. Accepts the grant funding offer of \$83,456.26 (excluding GST) from Transport for NSW (TfNSW) as follows:

Road Safety Officer Employment Costs (50% of estimated costs)	\$63,507.26
Road Safety Community Awareness	\$930.00
Safety Around Schools	\$299.00
Child Restraint Checking Days	\$2,400.00
Speed Monitoring on Local Roads	\$8,750.00
On the Road 65+ Older Road User Workshops	\$500.00
Helping Learner Drivers Become Safer Drivers Workshops	\$300.00
Plan B – Win a Swag/Liquor Accord	\$1,300.00
Look Out Before You Step Out – Pedestrian Safety	\$2,000.00
Slow Down Kids Around – Little Blue Dinosaur	\$2,500.00
South Coast Survive the Ride Workshops	\$970.00

2. Writes to TfNSW and the Local State Members, thanking them for the funding towards the 2023/24 Road Safety Program.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.283 Harry Sawkins Park Nowra – Park Audit – Lighting / Maintenance / Garbage Bins / Water Quality

HPERM Ref: D23/25690

Recommendation

It is recommended that Council:

1. Note that the lighting in Harry Sawkins Park is adequate for the current use but not compliant with AS1158.3.1. The lighting in the underpass under Princes Highway should be improved with brighter luminaires. This work can be funded from Operational Budgets and undertaken in the 23/24 financial year.
2. Note that a review of the current open space maintenance schedules including the rubbish receptacles has found the frequency of servicing and physical assets to be adequate and fit for purpose.
3. Note that water quality monitoring has been completed for the pond in Harry Sawkins Park in accordance with the WSUD Audit Report prepared for Harry Sawkins Park. From an analysis of the monitoring a report was provided recommending five actions to be taken to improve the water quality of the pond.
4. Implement the five actions from the WSUD report being:
 - a. Regular rubbish removal from the water and environs
 - b. Regular maintenance of gross pollutant traps
 - c. Removal of sediment build-up
 - d. Removal of the dilapidated floating gardens
 - e. Pond aeration and circulation

The implementation of recommendations a), b), d) and e) can be accommodated from existing 23/24 financial year budgets.
5. Consider an allocation of \$750,000 per year, for four years, from 2024/25 to remove the sediment build up in the pond in Harry Sawkins Park.

RESOLVED (Clr Copley / Clr Kotlash)

MIN23.462

It is recommended that Council:

1. Note that the lighting in Harry Sawkins Park is adequate for the current use but not compliant with AS1158.3.1. The lighting in the underpass under Princes Highway should be improved with brighter luminaires, and cleaning/pressure washing of the underpass be undertaken regularly. This work can be funded from Operational Budgets and undertaken in the 23/24 financial year
2. Note that a review of the current open space maintenance schedules including the rubbish receptacles has found the frequency of servicing and physical assets to be adequate and fit for purpose.
3. Note that water quality monitoring has been completed for the pond in Harry Sawkins Park in accordance with the WSUD Audit Report prepared for Harry Sawkins Park. From an analysis of the monitoring a report was provided recommending five actions to be taken to improve the water quality of the pond.
4. Implement the five actions from the WSUD report being:
 - a. Regular rubbish removal from the water and environs
 - b. Regular maintenance of gross pollutant traps
 - c. Removal of sediment build-up
 - d. Removal of the dilapidated floating gardens

e. Pond aeration and circulation

The implementation of recommendations a), b), d) and e) can be accommodated from existing 23/24 financial year budgets.

5. Receive a briefing and report back in relation to the potential removal of the sediment build up in the pond and dilapidated floating gardens removal.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.284 Larmer Avenue - The Park Drive Roundabout - Blackspot Program

**HPERM Ref:
D23/74560**

RESOLVED* (Clr Wells / Clr Ell)

MIN23.463

That Council abandon project FN105265 - Larmer Avenue/The Park Drive Roundabout – Blackspot Program – P1843 in the Sanctuary Point locality, in its current form, in the 10-year DPOP plan and:

1. Send a letter to the grant body (Transport for NSW) requesting a mutual termination of the Funding Deed.
2. Request reimbursement of costs spent to date on investigations and detailed design from the grant body.
3. Note that a fully costed shovel ready project is ready for future grant opportunities.
4. Include this project at a cost of \$1,500,000 in the 10-Year Capital list as at least 50% grant funded and resubmit the project for suitable grant programs in future years.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.285 Progress Update - Basin View BMX Track

**HPERM Ref:
D23/73460**

Recommendation

Councillors note that:

1. A site meeting occurred at the Malcolm Moore Reserve, Basin View on 29 March 2023 between Operational staff and Councillors and the following items were discussed on site:
 - a. Maintenance - the current maintenance routine is sufficient for the pump track and reserve.
 - b. Requirements for a community upgrade project.
 - c. Volunteer ParkCare provisions for the BMX Track.
2. In accordance with MIN22.371 the following community land has been shortlisted as sites for a proposed pump track in Sanctuary Point:
 - a. Sanctuary Point Public Reserve
 - b. Sanctuary Point Road Reserve
 - c. Yellow Bellied Glider Reserve

The Basin View locality, Malcolm Moore Reserve and existing pump track was not shortlisted for future investigations.

3. An application to undertake a community driven project can be made through Council's Community Infrastructure Planning Team and a roadmap be provided to BMX representative group to assist with the application process.

RESOLVED (Clr Ell / Clr White)

MIN23.464

Councillors note that:

1. A site meeting occurred at the Malcolm Moore Reserve, Basin View on 29 March 2023 between Operational staff and Councillors and the following items were discussed on site:
 - a. Maintenance - the current maintenance routine is sufficient for the pump track and reserve.
 - b. Requirements for a community upgrade project.
 - c. Volunteer ParkCare provisions for the BMX Track.
2. In accordance with MIN22.371 the following community land has been shortlisted as sites for a proposed pump track in Sanctuary Point:
 - a. Sanctuary Point Public Reserve
 - b. Sanctuary Point Road Reserve
 - c. Yellow Bellied Glider Reserve

The Basin View locality, Malcolm Moore Reserve and existing pump track was not shortlisted for future investigations.

3. That Council's Community Infrastructure Planning Team organise a further on site meeting with the BMX representative group, the Basin View Pump Track Committee and available Councillors at the Basin View BMX Track to discuss the process for a community driven project.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.286 Progress Update - Community Consultation - Loralyn Avenue Sanctuary Point

HPERM Ref: D23/251170

RESOLVED* (Clr Wells / Clr Ell)

MIN23.465

That Council proceed to re-tender the Shared User Path at Loralyn Avenue in Sanctuary Point, as the results of the community consultation show support for Stages 5 and 6 of the Shared User Path.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.287 Quarterly Review for Compliance Matters

HPERM Ref: D23/226306

Recommendation

That Council receive the 1 April 2023 to 30 June 2023 quarterly report on compliance matters for

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information.

RESOLVED (Clr White / Clr Wells)

MIN23.466

That Council

1. Receive the 1 April 2023 to 30 June 2023 quarterly report on compliance matters for information.
2. Receive a report back on options regarding swimming pool compliance.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.288 Construction opportunity for a FORTIS House designed building within the Shoalhaven

**HPERM Ref:
D23/134550**

Recommendation

That:

1. Council actively supports the location and dedication of land to construct a "FORTIS House" designed building within the Shoalhaven.
2. Staff identify likely Council owned site options and report back to Council for consideration and final approval.
3. A design brief and final plan details be completed for the chosen site in consultation with the Resilient Building Council and Council.
4. The final design be presented back to Council for approval.
5. A Development Application and Construction Certificate application be submitted to Council for determination.

RESOLVED (Clr Findley / Clr Gray)

MIN23.467

That:

1. Council actively supports the location and dedication of land to construct a "FORTIS House" designed building within the Shoalhaven.
2. Staff identify likely Council owned site options and report back to Council for consideration and final approval.
3. A design brief and final plan details be completed for the chosen site in consultation with the Resilient Building Council and Council.
4. The final design be presented back to Council for approval.
5. A Development Application and Construction Certificate application be submitted to Council for determination.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

CL23.289 Shoalhaven City Council Submission - NSW Arts, Culture and Creative Industries Policy

**HPERM Ref:
D23/317600**

Recommendation

That Council endorse the submission to Create NSW, ensuring Shoalhaven City Council have input into the new NSW Arts, Culture and Creative Industries Policy.

RESOLVED (Clr Wells / Clr Kotlash)

MIN23.468

That Council endorse the submission to Create NSW, ensuring Shoalhaven City Council have input into the new NSW Arts, Culture and Creative Industries Policy.

FOR: Clr Findley, Clr Kotlash, Clr Boyd, Clr D'Ath, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Watson, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL23.290 NOTICE OF MOTION - THE ULURU STATEMENT FROM
THE HEART AND THE VOICE TO PARLIAMENT**

**HPERM REF:
D23/340062**

Item dealt with earlier in the meeting see MIN23.450

**CL23.291 NOTICE OF MOTION - NOWRA CAROLS BY
CANDLELIGHT**

**HPERM REF:
D23/331704**

Item dealt with earlier in the meeting see MIN23.449

Note: A Rescission Motion was received in relation to CL23.290 - Notice of Motion - The Uluru Statement from the Heart and the Voice to Parliament - signed by Clr Ell, Clr Kitchener and Clr Copley. This will be considered at an Extra Ordinary Meeting on Monday 4 September 2023 at 5.30pm in the Council Chambers

There being no further business, the meeting concluded, the time being 8.11pm.

Clr Findley
CHAIRPERSON