

## MINUTES OF THE ORDINARY MEETING

**Meeting Date:** Monday, 11 March 2024  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 5.30pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr Gillian Boyd  
Clr Matthew Norris  
Clr John Kotlash  
Clr Serena Copley  
Clr Paul Ell – left meeting 9:40pm  
Clr Evan Christen  
Clr Patricia White  
Clr John Wells  
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 granted for Clr D'Ath for this meeting at the meeting of Monday 26 February 2024.

**RESOLVED** (Clr Findley / Clr Kotlash) MIN24.101

That the request from Clr Watson for a leave of absence for this meeting, and the request from Clr Ell for a leave of absence for the meeting of 25 March 2024, be granted.

CARRIED

### Confirmation of the Minutes

**RESOLVED** (Clr White / Clr Gray) MIN24.102

That the Minutes of the Ordinary Meeting held on Monday 26 February 2024 be confirmed.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Minutes Confirmed Monday 25 March 2024 – Chairperson .....

**Declaration of Interests**

Clr Copley – CL24.68 - Financial Sustainability Monthly Report– less than significant non pecuniary interest declaration – knows the depute Mr John Lamont in a professional business capacity – will remain in the room and will take part in the discussion and vote.

Clr Copley – CL24.68 - Financial Sustainability Monthly Report– less than significant non pecuniary interest declaration – knows the depute Ms Jemma Tribe personally and via political affiliation– will remain in the room and will take part in the discussion and vote.

Clr Copley – CL24.66 - Notice of Motion - Cat Containment in the Shoalhaven – less than significant non pecuniary interest declaration – knows the depute Ms Glenys Day personally and via political affiliation – will remain in the room and will take part in the discussion and vote.

Clr Eil – CL24.68 - Financial Sustainability Monthly Report – less than significant non pecuniary interest declaration – knows the deputies Ms Jemma Tribe and Mr John Lamont personally and via political affiliation – will remain in the room and will take part in the discussion and vote.

Clr Eil – CL24.66 - Notice of Motion - Cat Containment in the Shoalhaven – less than significant non pecuniary interest declaration – knows the depute Ms Glenys Day personally and via political affiliation – will remain in the room and will take part in the discussion and vote.

Clr Eil - CL24.59 & CCL24.6 - Industrial Land - to Repurchase - significant pecuniary interest declaration – employed by RMB Lawyers who are providing legal services to Council on this matter - will not remain in the room and will not take part in the discussion or vote.

**MAYORAL MINUTE**

<b>MM24.6 Mayoral Minute - Condolence Motion - Mrs Shelley Grant</b>	<b>HPERM Ref: D24/88582</b>
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**RESOLVED** (Clr Findley / Clr Norris) MIN24.103

That Council notes the passing of Shelley Grant and acknowledges her significant contribution to education in our community and extend condolences to her family.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**DEPUTATIONS AND PRESENTATIONS**

**CL24.68 - Financial Sustainability Monthly Report**

Ms Jemma Tribe addressed the meeting on behalf of the Shoalhaven Business Chamber to speak AGAINST the recommendation.

Mr John Lamont addressed the meeting on behalf of The Shoalhaven Economic Growth & Advocacy Group Community & Business Representatives to speak AGAINST the recommendation.

**CL24.57 - Proposed Submission - NSW Planning Reforms: Low and Mid-Rise Housing**

Ms Penny Davidson addressed the meeting to speak FOR the recommendation.

**CL24.58 - Proposed Heritage Listing of the Former Huskisson Anglican Church and Site: Public Exhibition Outcomes and Next Steps**

Ms Shirley Fitzgerald addressed the meeting on behalf of Huskisson Heritage Association to speak FOR the recommendation.

**Procedural Motion – Additional Deputation**

**RESOLVED** (Clr Kotlash / Clr Gray) MIN24.104

That Council hear a further deputation from Mr Noel Wellington in relation to CL24.58 - Proposed Heritage Listing of the Former Huskisson Anglican Church and Site: Public Exhibition Outcomes and Next Steps.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Mr Noel Wellington addressed the meeting to speak FOR the recommendation.

**CL24.59 - Industrial Land - to Repurchase**

Note: Clr Ell left the meeting, the time being 6:28pm

Mr Lee Carmichael, Mr Craig Wilson and Mr Adrian Salter addressed the meeting to speak AGAINST the recommendation.

Note: Clr Ell returned to the meeting, the time being 6:42pm

**CL24.66 - Notice of Motion - Cat Containment in the Shoalhaven**

Ms Glenys Day addressed the meeting to speak FOR the recommendation.

**CL24.67 - Notice of Motion - Proposal to Erect & Install Seating 'The Gannet Beach Headland South End', Bawley Point by Local Community**

Mr Des Nicholls addressed the meeting to speak FOR the recommendation.

**CALL OVER OF THE BUSINESS PAPER**

**Call Over of Business Paper - En block**

**RESOLVED** (Clr Wells / Clr Christen) MIN24.105

That the following items from City Performance Directorate be resolved en block:

- CL24.56 - Shoalhaven City Council Flag Policy

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

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

### Call Over of Business Paper - En block

**RESOLVED** (Clr Kotlash / Clr Christen) MIN24.106

That the following items from City Futures Directorate be resolved en block:

- CL24.59 - Industrial Land - to Repurchase
- CL24.60 - Proposed Voluntary Planning Agreement - Nowra Bioenergy - 54 Terara Road, Terara

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

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

### Call Over of Business Paper - En block

**RESOLVED** (Clr Christen / Clr Boyd) MIN24.107

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

- CL24.62 - Exemption to Tender - Coomee Nulunga Boardwalk - Warden Head Ulladulla

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

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

### Call Over of Business Paper - En block

**RESOLVED** (Clr White / Clr Norris) MIN24.108

That the following items from Councillor Conference Reports be resolved en block:

- CL24.65 - South East Australian Transport Strategy (SEATS) Meeting - February 2024

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

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

### Introduction of Items as Matters of Urgency

**RESOLVED** (Clr Norris / Clr White) MIN24.109

That the following addendum reports be introduced as matters of urgency:

1. CL24.68 Financial Sustainability Monthly Report

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

The Chairperson ruled the matters as ones of urgency as they relate to urgent business of Council and allowed their introduction.

## REPORTS

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

<b>CL24.56 Shoalhaven City Council Flag Policy</b>	<b>HPERM Ref: D24/54624</b>
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**RESOLVED\*** (Clr Wells / Clr Christen) MIN24.110

That Council

1. Adopt the Shoalhaven City Council Flag Policy (previously the Australian and other Flags Policy) and rescind the Flag Protocol - Australian Aboriginal Flag Policy (POL22/53).
2. Rescind the Flag Protocol - Australian Aboriginal Flag Policy (POL22/53) as per MIN22.908

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

<b>CL24.57 Proposed Submission - NSW Planning Reforms: Low and Mid-Rise Housing</b>	<b>HPERM Ref: D24/57113</b>
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Note: A deputation was received on this item.

### Recommendation

That Council:

1. Endorse and finalise the draft submission on the Explanation of Intended Effect (EIE) for Low and Mid - Rise Housing at **Attachment 1** and submit it to the NSW Department of Planning Housing and Infrastructure.
2. Receive a further report at the appropriate point on the progression or outcome of the proposed reforms.

**RESOLVED** (Clr White / Clr Christen) MIN24.111

That Council:

1. Endorse and finalise the draft submission on the Explanation of Intended Effect (EIE) for Low and Mid - Rise Housing at **Attachment 1** and submit it to the NSW Department of Planning Housing and Infrastructure, with the following additions:
  - a. Concerns that this approach will impede genuine community input,
  - b. Concerns that this may result in unfettered tourism developments or other similar developments that are out of character with the locality.
2. Receive a further report at the appropriate point on the progression or outcome of the proposed reforms.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.58 Proposed Heritage Listing of the Former Huskisson Anglican Church and Site: Public Exhibition Outcomes and Next Steps**

**HPERM Ref:  
D24/60309**

Note: Deputations were received on this item.

**Recommendation**

That Council:

1. Acknowledge the submissions received on the public exhibition of Planning Proposal PP068 - Heritage Listing: Former Huskisson Anglican Church and Site (comprising the land identified as Lots 7-9 Section 3 DP 758530) and give due consideration to the submissions.
2. Support the Planning Proposal as exhibited.
3. Finalise the Planning Proposal as exhibited in accordance with the Local Environmental Plan Making Guidelines including liaising with the Parliamentary Counsel's Office and NSW Department of Planning, Housing and Infrastructure.

**RESOLVED** (Clr Christen / Clr Kotlash)

MIN24.112

That Council:

1. Acknowledge the submissions received on the public exhibition of Planning Proposal PP068 - Heritage Listing: Former Huskisson Anglican Church and Site (comprising the land identified as Lots 7-9 Section 3 DP 758530) and give due consideration to the submissions.
2. Support the Planning Proposal as exhibited.
3. Finalise the Planning Proposal as exhibited in accordance with the Local Environmental Plan Making Guidelines including liaising with the Parliamentary Counsel's Office and NSW Department of Planning, Housing and Infrastructure.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Christen and Clr Gray

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

CARRIED

**CL24.59 Industrial Land - to Repurchase**

**HPERM Ref:  
D24/61128**

Note: A deputation was received on this item.

Clr Ell - significant pecuniary interest declaration – employed by RMB Lawyers who are providing legal services to Council on this matter - remained in the room and took part in the discussion or vote.

**RESOLVED\*** (Clr Kotlash / Clr Christen)

MIN24.113

That Council considers a separate confidential report on this matter.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.60 Proposed Voluntary Planning Agreement - Nowra  
Bioenergy - 54 Terara Road, Terara**

**HPERM Ref:  
D24/76204**

**RESOLVED\*** (Clr Kotlash / Clr Christen)

MIN24.114

That Council:

1. Provide 'in-principle' support to commence the process of entering into a Voluntary Planning Agreement (VPA) with the developer of the proposed Nowra Bioenergy facility at 54 Terara Road, Terara; for an ongoing monetary contribution for the rehabilitation and maintenance of the local road network, consistent with the following terms:
  - a. The Developer will pay a monetary contribution of 64.3 cents per tonne of raw waste (solid dairy manure) entering the site and liquid/solid waste (digestate) exiting the site, with the rate to be indexed quarterly in accordance with CPI.
  - b. The Developer will provide a detailed quarterly report to Council, with payment of the monetary contribution made to Council within 21 days of Council's acceptance of the quarterly contribution amount, noting that the specific terms will be subject to advice from Council's legal counsel and the terms of the VPA.
2. Delegate authority to Council's Chief Executive Officer, or her delegate, to:
  - a. Prepare the draft VPA and associated Explanatory Note, noting considerations outlined in Part 1(b) above.
  - b. Publicly exhibit the draft VPA and associated Explanatory Note for a minimum of 28 days as required by legislation.
  - c. Where no feedback warranting consideration is received, enter into the VPA consistent with the general terms outlined in this report, except where issues raised as a result of public notification result in substantial changes to the proposal, in which case Council will receive a further report prior to proceeding.
3. Notify the developer and the NSW Department of Planning, Housing and Infrastructure of this resolution.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.61 Progress Update - Infrastructure Recovery Works -  
Natural Disasters**

**HPERM Ref:  
D24/64221**

**Recommendation**

That Council receives the March 2024 update on the progress of public infrastructure reconstruction works following the February 2022, June 2022, September 2022, and November 2023 severe weather Natural Disaster events.

**RESOLVED** (Clr Findley / Clr White)

MIN24.115

That Council receives the March 2024 update on the progress of public infrastructure reconstruction works following the February 2022, June 2022, September 2022, and November 2023 severe weather Natural Disaster events.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.62 Exemption to Tender - Coomee Nulunga Boardwalk -  
Warden Head Ulladulla**

**HPERM Ref:  
D24/77465**

**RESOLVED\*** (Clr Christen / Clr Boyd)

MIN24.116

That Council:

1. Approves an exemption from tender in accordance with Section 55(3)(i) & (k) of the Local Government Act 1993, for the supply of boardwalk materials for the Coomee Nulunga Boardwalk located at Warden Headland Ulladulla, noting that a satisfactory result would not be achieved by inviting tenders due to:
  - a. Extenuating circumstances existing due to:
    - i. The current supplier, Sustainable Infrastructure Systems (SIS), are unable to perform the requirements of the contract and the contract is to be terminated.
    - ii. There is insufficient time to Tender the project again due to time constraints on the grant funding and community expectations.
    - iii. Sustainabyt Pty Ltd who are currently contracted to construct (only) the boardwalk has sourced alternative suppliers who have stock available immediately. Their proposed supplier also fabricates the majority of the material in the Australian market so additional supplies, should they be required, can be provided within a short timeframe and would not incur further increase in delays to the project.
    - iv. Ulladulla Local Aboriginal Land Council (ULALC) have committed staff to assist in the construction as part of their training program and this opportunity may be lost if there are further time delays.
2. Authorises the CEO (Director of City Services) to negotiate and vary the contract with Sustainabyt Pty Ltd to include the supply of boardwalk materials for the Coomee Nulunga Boardwalk.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.63 Quarterly Review for Compliance Matters**

**HPERM Ref:  
D24/19358**

**Recommendation**

That Council receive the 1 October 2023 to 31 December 2023 quarterly report (Q2) on compliance matters for information.

**RESOLVED** (Clr White / Clr Wells)

MIN24.117

That Council receive the 1 October 2023 to 31 December 2023 quarterly report (Q2) on compliance matters for information.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED



**CL24.64 IPART Submission - Draft Terms of Reference for NSW Council's Financial Model Review.**

**HPERM Ref: D24/66567**

**Recommendation**

That Council:

1. Note and receive this report; and,
2. Make a formal submission to IPART on the NSW Government's "Draft Terms of Reference for NSW Councils Financial Model Review" at attachment 1.

**RESOLVED** (Clr Christen / Clr Gray)

MIN24.118

That Council:

1. Receive and note this report; and,
2. Note the amendments approved at the ordinary meeting of the 11 March 2024 and make a formal submission to IPART with the following amendments to the submission at attachment 1:
  - a. Consider the financial impost of tourism related activities on Councils assets and services that are not directly recoverable via rates and fees & charges.
  - b. The suitability, and advisability, of rate pegging methodology given its deficiencies, and long-term impacts on local government sustainability and infrastructure backlogs.
  - c. Impacts of disasters, disaster funding management and infrastructure impacts on local government financial performance outside of standard IP&R scheduled works.
  - d. The mechanisms and suitability of Financial Assistance Grant funding, and the diminishing revenue yielded by the current model versus originally proposed model in the context of operating sustainability.
  - e. The significant and ongoing impacts of State and Federal government cost shifting on Council's operating and asset performance, as well as the inability to recoup costs from the NSW Government across a range of areas.
  - f. Barriers to use of Developer Contributions in addressing existing infrastructure provision and maintenance requirements.
  - g. Review of full cost recovery mechanisms for statutory and legislated services, such as development applications, where statutory set fees do not achieve full cost recovery.
  - h. Ongoing and additional requirements in standard service delivery to meet the needs of evolving practices, technology and governance risks (such as cyber security and digitisation for example), impacting operating costs and performance.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.65 South East Australian Transport Strategy (SEATS) Meeting - February 2024**

**HPERM Ref: D24/75532**

**RESOLVED\*** (Clr White / Clr Norris)

MIN24.119

That Council:

1. Receive the report from Clr Patricia White on the South East Australian Transport Strategy (SEATS) Meeting – February 2024 for information.
2. Approve the attendance of Clr Patricia White to Transport for NSW Vehicle Strike Emerging Technologies Symposium in May 2024 in Sydney.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

## NOTICES OF MOTION / QUESTIONS ON NOTICE

**CL24.66 Notice of Motion - Cat Containment in the Shoalhaven**

**HPERM Ref:  
D24/87093**

Note: A deputation was received on this item.

Clr Copley – less than significant non pecuniary interest declaration – knows the depute Ms Glenys Day personally and via political affiliation– remained in the room and took part in the discussion and vote.

Clr Eil – less than significant non pecuniary interest declaration – knows the depute Ms Glenys Day personally and via political affiliation – remained in the room and took part in the discussion and vote.

### Recommendation

That Council:

1. Acknowledges the significant impact on native wildlife and the amenity of neighbours caused by roaming domestic cats which aren't adequately contained.
2. Directs the CEO (City Development) to provide a briefing to Councillors about Council's policy and approach to cat containment including thorough planning controls.
3. Directs the CEO (City Development) to prepare a report detailing: options for controls Council can put in place to address the issue of roaming cats, information about what other councils are doing to achieve responsible onsite containment of cats and whether advocacy to the NSW Government is required to increase the powers of Councils in this area

**RESOLVED** (Clr Eil / Clr White)

MIN24.120

That Council:

1. Receive this Notice of Motion with the CEO note for information.
2. Provide a submission and deputation to the NSW Cat Management Inquiry at the appropriate time.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

**CL24.67 Notice of Motion - Proposal to Erect & Install Seating  
'The Gannet Beach Headland South End', Bawley Point  
by Local Community.**

**HPERM Ref:  
D24/89154**

Note: A deputation was received on this item.

**Recommendation**

That Council approve the following:

1. That the residents of Bawley Point, with the approval of the Bawley Point/Kioloa/Termeil Community Association, build and install up to nine bench seats (depending on final design) on the Gannet Beach Headland, hereinafter referred to as the Point, overlooking Gannet Beach to the North and with Murramarang Beach to the South.
2. The proposed seats will be built with a sandstone block base with composite timber secured on top within specifications negotiated with and provided by Council staff, at no cost to Council.
3. The seats will be installed under direction of Council and together with the surrounding cleared area, maintained by residents, in a similar manner in which the north end is maintained by a formalised and Council approved group of dedicated community members.

**RESOLVED** (Clr Boyd / Clr Wells)

MIN24.121

That:

1. This matter be deferred to for a Councillor briefing, explaining the issues involved and proposing a process to progress community managed projects into the future.
2. The briefing be presented to Council by June 2024.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

Note: The meeting adjourned, the time being 8:07pm

Note: The meeting reconvened, the time being 8:13pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr Gillian Boyd  
Clr Matthew Norris  
Clr John Kotlash  
Clr Serena Copley  
Clr Paul Eil  
Clr Evan Christen  
Clr Patricia White  
Clr John Wells  
Clr Mark Kitchener  
Clr Tonia Gray

### Procedural Motion - Move into Committee of the Whole

**RESOLVED** (Clr Eil / Clr Copley) MIN24.122

That Council move into the Committee of the Whole to discuss item CL24.68 - Financial Sustainability Monthly Report, the time being 8:15pm.

FOR: Clr Findley, Clr Boyd, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Kitchener and Clr Gray

AGAINST: Clr Norris and Clr Wells

CARRIED

Note: Refer to minutes of Committee of the Whole for record of proceedings of the Committee.

### Procedural Motion - Resumption of Meeting

**RESOLVED** (Clr Wells / Clr Norris) MIN24.123

That Council move out of the Committee of the whole and resume standing orders, the time being 9:32pm.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

### Procedural Motion – Extension of Meeting Time

**RESOLVED** (Clr Eil / Clr Christen) MIN24.124

That the meeting be extended to 10:00pm.

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

## ADDENDUM REPORTS

### CL24.68 Financial Sustainability Monthly Report

**HPERM Ref:  
D24/90674**

Note: Deputations were received on this item.

Note: This item was discussed in the Committee of the Whole.

Clr Copley – less than significant non pecuniary interest declaration – knows the depute Mr John Lamont in a professional business capacity – remained in the room and took part in the discussion and vote.

Clr Copley – less than significant non pecuniary interest declaration – knows the depute Ms Jemma Tribe personally and via political affiliation– remained in the room and took part in the discussion and vote.

Clr Eil – less than significant non pecuniary interest declaration – knows the deputies Ms Jemma Tribe and Mr John Lamont personally and via political affiliation– remained in the room and took part in the discussion and vote.

## Recommendation

That Council

1. Endorse placing the following projects on pause until Council's financial position improves:
  - a. Bay and Basin Leisure Centre refurbishment planning and design works
  - b. Bob Proudfoot Pavilion construction
  - c. Bomaderry Basketball Stadium redevelopment
  - d. Sanctuary Point District Library construction
  - e. Boongaree stages 5 – 7 construction
  - f. Skate parks and pump tracks investigation, planning and design works (Sussex Inlet, Sanctuary Point, Bomaderry and Worrigege)
  - g. Berry Spinners and Weavers building construction
  - h. Berry Showground animal nursery construction
  - i. Kangaroo Valley playground investigation, planning and design works
2. Endorse the Community Donations program in the 2024/25 Financial Year to be \$0.
3. Endorse the reinstatement of the outdoor dining public footpath annual fee.

## Recommendation from Committee of the Whole

That Council defer this report for consideration at the Financial Sustainability Workshops.

**RESOLVED** (Clr White / Clr Wells)

MIN24.125

That Council defer this report for consideration at the Financial Sustainability Workshops, as well as a discussion about the composition of reports and the timetable for decisions of Council regarding the same.

FOR: Clr Norris, Clr Kotlash, Clr Copley, Clr Eil, Clr White, Clr Wells and Clr Kitchener

AGAINST: Clr Findley, Clr Boyd, Clr Christen and Clr Gray

CARRIED

Note: Clr Eil left the meeting, the time being 9:40pm.

## 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 Gray / Clr Kotlash)

MIN24.126

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.

CCL24.6 Industrial Land - to Repurchase

*Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 10(A)(2)(c)*

*There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence*

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*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.*

FOR: Clr Findley, Clr Boyd, Clr Norris, Clr Kotlash, Clr Copley, Clr Christen, Clr White, Clr Wells, Clr Kitchener and Clr Gray

AGAINST: Nil

CARRIED

The meeting moved into confidential the time being 9:40pm.

The meeting moved into open session, the time being 10:00pm.

## REPORT FROM CONFIDENTIAL SESSION

The following resolutions of the meeting, whilst closed to the public, were made public.

**CCL24.6 Industrial Land - to Repurchase**

**HPERM Ref:  
D24/56691**

**RESOLVED**

**MIN24.127C**

That the confidential item be deferred to a future Council meeting, following an urgent Councillor Briefing.

CARRIED

There being no further business, the meeting concluded, the time being 10:01pm.

Clr Findley  
CHAIRPERSON

# MINUTES OF THE COMMITTEE OF THE WHOLE OF THE ORDINARY MEETING

**Meeting Date:** Monday, 11 March 2024  
**Location:** Council Chambers, City Administrative Building, Bridge Road, Nowra  
**Time:** 8.15pm

The following members were present:

Clr Amanda Findley - Chairperson  
Clr Gillian Boyd  
Clr Matthew Norris  
Clr John Kotlash  
Clr Serena Copley  
Clr Paul Ell  
Clr Evan Christen  
Clr Patricia White  
Clr John Wells  
Clr Mark Kitchener  
Clr Tonia Gray

## CL24.68 Financial Sustainability Monthly Report

HPERM Ref:  
D24/90674

### Recommendation

That Council

1. Endorse placing the following projects on pause until Council's financial position improves:
  - a. Bay and Basin Leisure Centre refurbishment planning and design works
  - b. Bob Proudfoot Pavilion construction
  - c. Bomaderry Basketball Stadium redevelopment
  - d. Sanctuary Point District Library construction
  - e. Boongaree stages 5 – 7 construction
  - f. Skate parks and pump tracks investigation, planning and design works (Sussex Inlet, Sanctuary Point, Bomaderry and Worrigege)
  - g. Berry Spinners and Weavers building construction
  - h. Berry Showground animal nursery construction
  - i. Kangaroo Valley playground investigation, planning and design works
2. Endorse the Community Donations program in the 2024/25 Financial Year to be \$0.
3. Endorse the reinstatement of the outdoor dining public footpath annual fee.

### RECOMMENDATION FROM COMMITTEE OF THE WHOLE (Clr White / Clr Wells)

That Council defer this report for consideration at the Financial Sustainability Workshops.

FOR: Clr Norris, Clr Kotlash, Clr Copley, Clr Ell, Clr White, Clr Wells and Clr Kitchener

AGAINST: Clr Findley, Clr Boyd, Clr Christen and Clr Gray

CARRIED

Minutes Confirmed Monday 25 March 2024 – Chairperson .....