Minutes

Ordinary Meeting of Council

18 March 2014
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 18 MARCH 2014

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PRESENT: Councillor Lindsay Brown, Mayor (in the Chair)
Councillors Danielle Brice, Neil Burnside, Gabi Harding, Liz Innes, Milton Leslight, Rob Pollock OAM and Peter Schwarz

Staff: Dr Catherine Dale, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr W Sharpe OAM, Director, Infrastructure Services
Mr A O'Reilly, Chief Financial Officer, Business Development
Mrs K Arthur, Divisional Manager Community, Arts and Recreation
Mrs C Hodges, Minute Secretary

1. WELCOME AND EVACUATION MESSAGE

The Mayor welcomed everyone to the meeting, acknowledged the Traditional Owners and advised of the Evacuation Procedure.

2. APOLOGIES

14/49 MOTION Councillor Harding/Councillor Brice
THAT apologies be received from Councillor Thomson and leave of absence be granted.
(The Motion on being put was declared CARRIED)

3. QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY)
Nil

4. DEPUTATIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY)
Nil

5. PRESENTATIONS
Nil
6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

14/50 MOTION Councillor Harding/Councillor Brice

THAT the minutes of the Ordinary Meeting held on 11 March 2014 be confirmed.

(The Motion on being put was declared CARRIED)

7. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Nil

8. REPORTS OF COMMITTEE

Nil
9. NOTICES OF MOTION

NOM14/008  SEA LEVEL RISE

MOTION Councillor Innes/Councillor Leslight

THAT
1. Council convene an open community workshop to allow those experts who have offered, as well as others, to present their views on sea level data. The workshop should, where possible, be held prior to the middle of May 2014;

2. Council decide the final list of presenters and the format of the workshop;

3. Council write to all property owners whose land is affected by the Interim Sea Level Rise Policy to advise them of the policy, to update residents on the process of developing Sea Level Rise planning benchmarks, the preparation of Coastal Hazard Studies and Management Plans and to advise them of the proposed forum.

14/51 AMENDMENT Councillor Harding/Councillor Brice

THAT
1. Council convene an open community workshop to allow those experts who have offered, as well as others, to present their views on sea level data. The workshop should, where possible, be held prior to the middle of May 2014;

2. Council decide the final list of presenters and the format of the workshop.

(The Amendment on being put was declared CARRIED.
The Amendment then became the Motion and on being put was declared CARRIED)
10. QUESTIONS ON NOTICE

QON14/005 ROAD GRADING - ARALUEN ROAD

14/52 MOTION Councillor Harding/Councillor Brice

THAT the response to the question regarding Road Grading – Araluen Road raised by Councillor Harding be received and noted.

(The Motion on being put was declared CARRIED)
QON14/006  TUROSS HEAD MEMORIAL GARDENS S355 COMMITTEE

14/53  MOTION Councillor Harding/Councillor Brice

THAT the response to the question regarding the Tuross Head Memorial Gardens Management Committee raised by Councillor Harding be received and noted.

(The Motion on being put was declared CARRIED)
11. MAYORAL REPORTS

Nil

12. GENERAL MANAGER'S REPORTS

Nil
13. PLANNING AND SUSTAINABILITY REPORTS

PSR14/018 DRAFT SUBMISSION TO THE PROPOSAL TO REFORM THE ABORIGINAL CULTURAL HERITAGE SYSTEM IN NSW

File Ref: E13.7352

14/54 MOTION Councillor Harding/Councillor Brice

THAT Council endorse the submission to the proposal by the NSW State Government to reform the Aboriginal cultural heritage system and forward the submission to the NSW Office of Environment and Heritage.

(The Motion on being put was declared CARRIED)
MOTION Councillor Harding/Councillor Brice

THAT


2. Council’s submissions be forwarded to the NSW Government for consideration and a copy be forwarded to the Member for Bega.

(The Motion on being put was declared CARRIED)
PSR14/020 ORGANISATION SERVICE REVIEW - LIBRARY SERVICE

14/56 MOTION Councillor Harding/Councillor Brice

THAT Council endorse the recommendations of the Libraries Service Review contained in report PSR14/020 (March 2014).

(The Motion on being put was declared CARRIED)
14. INFRASTRUCTURE REPORTS

IR14/009 FUNDING OFFER - PEDESTRIAN SAFETY FACILITIES, MORUYA AND NAROOMA

File Ref: E89.2125

14/57 MOTION Councillor Brice/Councillor Harding

THAT:

1. Council endorse the action in accepting the funding offers from the Roads and Maritime Services for Council to construct:
   (a) A kerb extension on the Princes Highway, Moruya south of the Albert Street intersection in front of the Caltex Service Station.
   (b) A pedestrian refuge outside 74 Princes Highway, in front of the Narooma Visitor Information Centre.

2. Council write to the Principal of Moruya High School to inform parents and encourage students to use the new kerb extension on Princes Highway, Moruya, south of the Albert Street intersection in front of the Caltex Service Station.

(The Motion on being put was declared CARRIED)
IR14/010   FUNDING OFFER - BATEMANS BAY TRANSPORT INTERCHANGE WORKS

14/58  MOTION Councillor Harding/Councillor Brice

THAT Council endorse the action in accepting the funding offer from Transport for NSW in the amount of $29,000 for Council to undertake improvement works at the Batemans Bay Transport Interchange in Clyde Street, Batemans Bay including the installation of glass panels for weather protection, additional seating and new signage.

(The Motion on being put was declared CARRIED)
15. FINANCE AND BUSINESS DEVELOPMENT REPORTS

FBD14/023 SURRENDER OF LEASE - MORUYA AIRPORT

14/59 MOTION Councillor Pollock/Councillor Burnside

THAT:

1. Subject to the payment of the outstanding rent Council accept the proposed surrender of lease 8885948P.

2. Upon surrender of the lease the General Manager be given delegated authority to negotiate a short-term lease for an amount not less than the current lease rental or a lease for a term up to 25 years with rent not less than market value determined by a registered valuer.

3. Consent be given to affix the Common Seal of Council to:
   
      (a) The Surrender of lease 8885948P
      
      (b) The proposed long-term lease over Lot 133 DP 813595.

(The Motion on being put was declared CARRIED)
FBD14/024  LICENCE FOR KAYAKING ACTIVITIES

14/60  MOTION Councillor Pollock/Councillor Harding

THAT:

1. Council, as Trust Manager for the Eurobodalla (North) Reserve Trust, consent to the granting of a temporary licence to Burley Griffin Canoe Club Inc., in accordance with Section 108 of the Crown Lands Act 1989, for kayaking activities from Crown Reserve R61866 Nellige and Crown Reserve R85999 Batemans Bay, with the exact location to be subject to negotiation with the General Manager or delegate, with a fee of $499.40 including GST per annum commencing 1 May 2014 and expiring on 30 April 2015.

2. In accordance with Section 47A of the Local Government Act 1993 public notice be given of Council’s intention to grant a twelve month licence (with four twelve-month options) to Burley Griffin Canoe Club Inc. to undertake kayaking activities from Lot 112 DP 211965 Tomakin and Lot 4 DP 1090958 Moruya.

3. If any submissions are received a report be presented to Council for further consideration.

4. If no submissions are received a twelve-month licence (with four twelve-month options) be granted to Burley Griffin Canoe Club Inc. to undertake kayaking activities from Lot 112 DP 211965 Tomakin and Lot 4 DP 1090958 Moruya with a fee of $499.40 including GST commencing on 1 May 2014 and expiring on 30 April 2015.

5. A donation in the amount of the Licence fees be made to Burley Griffin Canoe Club Inc. in accordance with the Council’s “Finance Assistance (Donations and Grants)” Policy.

(The Motion on being put was declared CARRIED)
FBD14/025 LICENCE FOR TAI CHI EXERCISE PROGRAMS

14/61 MOTION Councillor Harding/Councillor Brice

THAT:

1. Council as Trust Manager for Eurobodalla (North) Reserve Trust consent to the granting of a temporary licence, in accordance with Section 108 of the Crown Lands Act 1989, to conduct exercise programs on Crown Reserve R66122 at Corrigans Beach, Batehaven to Southern NSW Local Health District with a fee of $499.40 including GST commencing on 1 May 2014 and expiring on 30 April 2015 with terms and conditions including:
   (a) Provision of a certificate of currency for public liability insurance in the amount of $20 million.
   (b) Required sessions being booked through Council’s Facilities Booking Officer.
   (c) The area occupied being left clean and tidy.

2. A twelve-month licence be granted to Southern NSW Local Health District to conduct exercise classes within Lot 204 DP 752162 at Dalmeny and 245 DP 569875 at Maloney’s Beach with a fee of $499.40 including GST commencing 1 May 2014 and expiring on 30 April 2015 with terms and conditions including:
   (a) Provision of a certificate of currency for public liability insurance in the amount of $20 million.
   (b) Required sessions being booked through Council’s Facilities Booking Officer.
   (c) The area occupied being left clean and tidy.

3. A donation in the amount of the licence fees be made to Southern NSW Local Health District.

(The Motion on being put was declared CARRIED)
16. COMMUNITY, ARTS AND RECREATION REPORTS

Nil

17. DELEGATE REPORT

Nil

18. QUESTIONS/URGENT BUSINESS

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

QN14/025 RENEW EUROBODALLA

E14.8041; E14.8152

Councillor Danielle Brice said she understood the Renew Eurobodalla campaign was designed to encourage new businesses to the area. The photo in the Bay Post showed two women with flowers and she understood there were already three florists in the area.

The Mayor advised that the Renew Eurobodalla campaign was designed to help start up new businesses or help existing businesses move onwards. He understood the new business that was shown organises functions such as weddings and that the flowers were part of that.
18. QUESTIONS/URGENT BUSINESS (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

QN14/026 HUNTFEST

E14.8041; E12.6277

Councillor Danielle Brice requested an update on the Huntfest application for an arms permit from the NSW Police. She asked that Council be advised when the licence is granted.

Chief Financial Officer advised that the application has gone to the Firearms Registry. He will advise Council when further information is available.
18. QUESTIONS/URGENT BUSINESS (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

QN14/027 COUNTRY MAYORS' ASSOCIATION

Councillor Peter Schwarz asked the Mayor if the Country Mayors' Association meeting had been held and if so, what subjects were discussed and were there any items specific to Eurobodalla.

Mayor advised that no issues specific to Eurobodalla were raised at the meeting, with the Country Mayors’ Association being made up of about 100 Mayors from across NSW. The meeting was addressed by the Minister for Local Government, the Hon Don Page MP, with the following issues being discussed.

- What is happening with the Review into Local Government.
- The joint organisation process – Minister supports this and is encouraging all regional organisations of councils to be involved.
- A financing agency for local government to allow councils to borrow at the same rate as the State. This would be an agency set up by the State Government and has broad support across NSW local government.
- Review of the Financial Assistance Grants process. Minister is concerned that rural councils are not getting a fair share.
- Other issues discussed included the Model Code of Conduct and the Early Intervention legislation.

The meeting looked at the Country Mayors Association constitution, how it works and whether it is relevant today.

The Mayor advised he chairs a group that is looking at resourcing and infrastructure issues. The group will be bringing a discussion paper back to the Country Mayors’ Association and circulating it to councils.

The Mayor questioned the Minister on a possible postal vote process for local government elections. The Minister supports postal voting and internet voting and will be seeking support from councils to lobby the Premier.

Councillors held a general discussion on postal voting in local government elections. Councillor Pollock pointed out that this is only an option that is being floated; there have been no formal discussions and nothing has been put forward so far by the Department of Local Government.

The Mayor agreed that Council does not have a position on this and he raising it as a matter that has come back from the Country Mayors’ Association meeting.
THE MEETING CLOSED AT 4.44PM

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 8 April 2014 at which meeting the signature hereon was subscribed.