



Minutes

Ordinary Meeting of Council

14 February 2017

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 14 FEBRUARY 2017

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 14 FEBRUARY 2017
COMMENCING AT 10.00AM**

PRESENT: Councillor Liz Innes, Mayor (in the Chair)
Councillors Anthony Mayne, Jack Tait, James Thomson, Lindsay Brown,
Maureen Nathan, Patrick McGinlay, Phil Constable and Rob Pollock OAM

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, Director, Finance and Business Development
Mrs K Arthur, Director, Community, Arts and Recreation
Mrs K Green, Minute Secretary

1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY AND EVACUATION MESSAGE

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

2. APOLOGIES

Nil

3. PUBLIC FORUM (AGENDA ITEMS ONLY)

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

PF17/001 NOM17/003 Divestment of Council Investment in Fossil Fuel supporting Financial Institutions

Mr Owen Cartledge addressed Council in relation to NOM17/003 Divestment of Council Investment in Fossil Fuel supporting Financial Institutions.

A copy of Mr Cartledge's submission is available on Council's website.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

17/1 MOTION Councillor Thomson/Councillor Nathan

THAT the minutes of the Ordinary Meeting held on 13 December 2016 be confirmed.

(The Motion on being put was declared **CARRIED**)

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Nil

6. MAYORAL REPORTS

MR17/001 COUNCIL SUPPORT FOR 'NO BALLOON RELEASE'

File Ref: E02.6718

17/2 MOTION Councillor Innes

THAT:

1. The release of balloons be banned at Council events and in Council managed reserves.
2. The inclusion of a 'no balloon release' and sustainability provisions in Council's Events Guidelines be effected.
3. Council collaborate with neighbouring council areas and Canberra Regional Joint Organisation to support banning the release of balloons.
4. Council advocate for a State and National education program on the issues associated with balloon release in relation to littering and helium usage, and encourage the banning of balloon release.

(The Motion on being put was declared **CARRIED**)

7. NOTICES OF MOTION

NOM17/001 MOBILITY PARKING SCHEME

File Ref: E00.4623

17/3 MOTION Councillor Nathan/Councillor Constable

THAT:

1. Information relating to the Mobility Parking Scheme (MPS), and associated parking permits, be distributed to the community via the next Council quarterly newsletter to residents.
2. Council write to the Roads and Maritime Services (RMS) identifying the short fall in the MPS and seek its action to expand the scheme to enable permits to people who are able to walk 100m on their own, but due to their age, physical or medical condition are not able to do so in a timely manner.
3. A report be presented to Council on 28 March 2017 regarding the establishment of a local scheme aimed at providing the ability for permit holders to park double the sign posted limit for those areas sign posted with a limit of 1 hour or less. That the report address, as a minimum, how the scheme would be operated and administered, any legal and budget considerations.

(The Motion on being put was declared **CARRIED**)

NOM17/002 PRINCES HIGHWAY CORRIDOR STRATEGY

File Ref: E00.4263

17/4 MOTION Councillor Constable/Councillor Mayne

Council invite the Hon. Melinda Pavey MP in her capacity as NSW Minister for Roads, Maritime and Freight, and the Hon. Andrew Constance MP in his dual capacity as the Local Member and NSW Minister for Transport & Infrastructure, the Hon. John Barilaro MP, in his capacity as Deputy Premier, Minister for Regional NSW and Member for Monaro and the Hon. Bronwyn Taylor MLC, in her capacity as Parliamentary Secretary for Deputy Premier and Southern NSW, together with the RMS Southern Region Manager Ms Renae Elrington to a meeting with Councillors and the necessary Council staff, as soon as it can be arranged, to engage in a discussion about the vital importance of:

- i) advancing the upgrading the Princes Highway and Kings Highway, noting the critical role these highways have in servicing Eurobodalla Shire's residents, businesses and transport needs, the greater South Coast and Canberra regions and the international market place via Canberra airport.
- ii) developing longer term plans for the future redevelopment of the Princes Highway and Kings Highway to meet the medium and long term needs.

(The Motion on being put was declared **CARRIED**)

**NOM17/003 DIVESTMENT OF COUNCIL INVESTMENTS IN FOSSIL FUEL SUPPORTING
FINANCIAL INSTITUTIONS**

File Ref: E00.4623

MOTION Councillor McGinlay/Councillor Thomson

THAT Council give preference to investing with financial institutions that do not invest in, or finance, the fossil fuel industry where:

- a) Council's investment is compliant with its 'Investment Policy'.
- b) The investment rate of interest is equivalent to other similar investments that may be on offer to Council at the time of investment.
- c) A briefing be provided to Councillors, at the end of financial year 2016/17, to assess the results of this moderate divestment strategy.

AMENDMENT

17/5 MOTION Councillor Nathan/Councillor Tait

THAT in light of the current international volatility (USA, Germany, France, Japan, China) Council (through the auspices of Director Finance and Business Development) monitors the effect of the proposed divestment strategy quarterly, and consider the results next financial year, with the view of reconsidering NOM17/003 Divestment of Council Investments in Fossil Fuel supporting Financial Institutions at that time.

(The Motion on being put was declared **LOST**)

The Amendment was **LOST** and Councillors voted on the Motion.

17/6 MOTION Councillor McGinlay/Councillor Thomson

THAT Council give preference to investing with financial institutions that do not invest in, or finance, the fossil fuel industry where:

- a) Council's investment is compliant with its 'Investment Policy'.
- b) The investment rate of interest is equivalent to other similar investments that may be on offer to Council at the time of investment.
- c) A briefing be provided to Councillors, at the end of financial year 2016/17, to assess the results of this moderate divestment strategy.

(The Motion on being put was declared **CARRIED**)

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. GENERAL MANAGER'S REPORTS

GMR17/001 2017 CONFERENCES

File Ref: E91.3255

17/7 MOTION Councillor Thomson/Councillor McGinlay

THAT:

1. Council determine that Councillors Innes, Thomson, Nathan and Pollock attend the Local Government NSW Tourism Conference on 12 -14 March 2017.
2. Council representatives be reimbursed out of pocket expenses in accordance with the Councillors' Expenses and Facilities Policy.
3. Council defer the decision to attend the following conferences until 28 February 2017:
 - a. Australia Local Government Women's Association NSW Conference on 11-13 April 2017.
 - b. Australian Coastal Councils Conference on 3-5 May 2017.
 - c. 57th Floodplain Management Australia Conference on 16-19 May 2017.
 - d. 2017 NSW Local Roads Congress on 5 June 2017.
 - e. National General Assembly (NGA) on 18-22 June 2017.
 - f. Australian Regional Development Conference on 11-12 September 2017.
 - g. National Local Roads and Transport Congress on 7-9 November 2017.
 - h. NSW Coastal Conference will be held in November 2017.

(The Motion on being put was declared **CARRIED**)

GMR17/002 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT

File Ref: E05.9354

The Mayor invited Mr Mark Barraclough, Chair of Council's Audit, Risk and Improvement Committee to address Council in relation to the Audit, Risk and Improvement Committee's Annual Report to Council.

Mr Barraclough addressed his report which outlined the functions of the Audit, Risk and Improvement Committee and various reviews that had been undertaken over the past year. He thanked his fellow Committee members and former Councillors for their contribution to the committee.

17/8 MOTION Councillor Mayne/Councillor Constable

THAT

1. The Audit, Risk and Improvement Committee annual report be received and noted.
2. Council, through the independent member of the Audit, Risk and Improvement Committee, thank the previous Chair, Mr Ken Mitchell, the previous Council representatives, Mr Neil Burnside and Mr Peter Schwarz, and the independent members.

(The Motion on being put was declared **CARRIED**)

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY ENGAGEMENT
FRAMEWORK**

File Ref: E15.9270

17/9 MOTION Councillor Nathan/Councillor Mayne

THAT Council:

1. Receive and note the feedback provided by community members during the public exhibition of the draft Community Engagement Charter, draft Community Engagement Framework and Community Engagement Planning Tool.
2. Adopt the Community Engagement Charter and Community Engagement Framework.
3. Implement actions to achieve the aims of the framework.
4. Review the Community Engagement Framework after 12 months in operation.

(The Motion on being put was declared **CARRIED**)

10. PLANNING AND SUSTAINABILITY REPORTS

PSR17/001 DONATION OF DEVELOPMENT FEE

File Ref: 81.2292.D

17/10 MOTION Councillor Brown/Councillor Pollock

THAT a donation be made to Community Life Batemans Bay Inc. to the value of \$179.00, being the assessment fee for Development Application 302/17, in accordance with Council's Code of Practice – Reimbursement – DA Fees.

(The Motion on being put was declared **CARRIED**)

PSR17/002 POLICY REVIEW - COMPLIANCE POLICY

File Ref: E16.0297

17/11 MOTION Councillor Pollock/Councillor Mayne

THAT:

1. Council endorse the draft Compliance Policy for public consultation.
2. The draft Compliance Policy be placed on public exhibition for a period of 28 days and following the expiration of this period, the draft policy and any public submissions be presented to Council for adoption.

(The Motion on being put was declared **CARRIED**)

11. INFRASTRUCTURE REPORTS

IR16/044 ROAD NAMING PROPOSAL - GLENELLA ROAD, BATEMANS BAY

File Ref: E05.9211

17/12 MOTION Councillor Thomson/Councillor Tait

THAT:

1. Council names the unnamed road that commences outside the western boundary of Lot 12 DP 116593 and heads in a westerly direction to the intersection of The Ridge Road -Glenella Road.
2. The naming proposal of Glenella Road for the unnamed section of road that commences outside the western boundary of Lot 12 DP 116593 and heads in a westerly direction to the intersection of The Ridge Road be gazetted.
3. Council rename the section of The Ridge Road from its intersection with the current unnamed road to the intersection with the Princes Highway – Glenella Road.
4. The renaming of the section of The Ridge Road from its intersection with the current unnamed road to the intersection with the Princes Highway to Glenella Road be gazetted.

(The Motion on being put was declared **CARRIED**)

IR17/002 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2016-17

File Ref: E16.0002

17/13 MOTION Councillor Mayne/Councillor Nathan

THAT:

1. The Minutes of the Eurobodalla Local Traffic Committee Meeting No 4 of 2016-17 held on 15 December 2016 be received and noted.
2. The Clyde Street and Perry Street off-street parking areas in Batemans Bay be time restricted to a maximum three (3) hours, to operate between the hours of 8.30am to 6.00pm Monday-Friday and 8.30am to 12.30pm Saturday.

(The Motion on being put was declared **CARRIED**)

IR17/003 RINGLANDS JETTY NAROOMA

File Ref: E80.1214

17/14 MOTION Councillor Constable/Councillor Brown

THAT Council program preliminary design works to meet NSW Marine Parks' specifications to secure an 'in principle' agreement in preparation for a potential grant application for funding under the Recreational Fishing Trust program for the construction of a new jetty at Ringlands Point Narooma.

(The Motion on being put was declared **CARRIED**)

IR17/004 POLICY REVIEW - COPPER CHROME ARSENATE (CCA) MANAGEMENT

File Ref: E06.0375

17/15 MOTION Councillor Thomson/Councillor Mayne

THAT:

1. Council endorses the draft Copper Chrome Arsenate (CCA) Management policy.
2. The draft Copper Chrome Arsenate (CCA) Management policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

(The Motion on being put was declared **CARRIED**)

IR17/005 POLICY REVIEW - ENGINEERING DESIGN STANDARDS

File Ref: E06.0375

17/16 MOTION Councillor Pollock/Councillor Nathan

THAT:

1. Council endorses the draft Engineering Design Standards policy.
- 2 The draft Engineering Design Standards policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

(The Motion on being put was declared **CARRIED**)

IR17/006 POLICY REVIEW - PESTICIDES/HERBICIDES USE NOTIFICATION POLICY

File Ref: E06.0375

17/17 MOTION Councillor Thomson/Councillor Tait

THAT:

1. Council endorses the draft Pesticides/Herbicides Use Notification Policy.
2. The draft Pesticides/Herbicides Use Notification Policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt

(The Motion on being put was declared **CARRIED**)

IR17/007 **POLICY REVIEW - WATER SAVING INCENTIVES FOR RETICULATED WATER CUSTOMERS**

File Ref: E16.0297

17/18 **MOTION** Councillor Brown/Councillor Constable

THAT:

1. Council endorse the draft Water Saving Incentives for Reticulated Water Customers policy.
2. The draft Water Saving Incentives for Reticulated Water Customers policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

(The Motion on being put was declared **CARRIED**)

12. FINANCE AND BUSINESS DEVELOPMENT REPORTS

FBD17/001 POLICY REVIEW - GATHERING INFORMATION FOR RISK MANAGEMENT

File Ref: E16.0297

17/19 MOTION Councillor Pollock/Councillor Mayne

THAT

1. Council endorses the draft Gathering Information for Risk Management Policy for public consultation.
2. The draft Gathering Information for Risk Management Policy be placed on public exhibition for 28 days and, following the expiration of this period, the draft policy and any public submissions be presented back to Council for adoption.

(The Motion on being put was declared **CARRIED**)

FBD17/002 INVESTMENTS MADE AS AT 30 NOVEMBER 2016

File Ref: E99.3517

17/20 MOTION Councillor McGinlay/Councillor Tait

THAT the certification that the investments as at 30 November 2016 made in accordance with the Local Government Act 1993, Council's Investment Policy and the provision of Clause 1 (Reg 212) of the Local Government (General) Regulation 2005, be received.

(The Motion on being put was declared **CARRIED**)

FBD17/003 INVESTMENTS MADE AS AT 31 DECEMBER 2016

File Ref: E99.3517

17/21 MOTION Councillor McGinlay/Councillor Constable

THAT the certification that the investments as at 31 December 2016 made in accordance with the Local Government Act 1993, Council's Investment Policy and the provision of Clause 1 (Reg 212) of the Local Government (General) Regulation 2005, be received.

(The Motion on being put was declared **CARRIED**)

13. COMMUNITY, ARTS AND RECREATION REPORTS

CAR17/001 CHILDREN'S SERVICES FEES AND CHARGES

File Ref: E08.2560

17/22 MOTION Councillor Brown/Councillor Mayne

THAT Council:

1. adopt the new fees of \$3.30 per week for *Harmony Web* software users;
2. adopt the new fee of \$7.00 per week for manual processing of attendance records;
3. add the fees to Council's schedule of fees and charges for 2016-17.

(The Motion on being put was declared **CARRIED**)

14. DELEGATE REPORT

Nil

15. URGENT BUSINESS

17/001 NAMING OF CORRIGANS INCLUSIVE PLAYGROUND (E02.6823)

Councillor Rob Pollock raised the following urgent business:

The Corrigan Inclusive Playground community project stage 1 has been completed. This has been a joint partnership between not-for-profit organisation, The Bay Push and Eurobodalla Shire Council. The playground was established to respond to the need for improvement of disability services in Batemans Bay after extensive public consultation with user groups and disability advocates and with funding contributions from NSW Department of Justice and the Variety Club of Australia.

Acknowledgement of the significant contribution from the Variety Club of Australia is appropriate by way of naming the playground Variety Inclusive Playground.

17/23 MOTION Councillor Pollock/Councillor Thomson

THAT:

1. Council support in principle naming Corrigan Playground the Variety Inclusive Playground subject to approval of the Geographical Names Board, and
2. The naming of Variety Inclusive Playground be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council for consideration to adopt.

(The Motion on being put was declared **CARRIED**)

16. DEALING WITH MATTERS IN CLOSED SESSION

Nil

17. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 11.56am

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 28 February 2017 at which meeting the signature hereon was subscribed.

*This is Page No 25 of 24 of the Minutes of the Ordinary Council Meeting
of Eurobodalla Shire Council held on Tuesday 14 February 2017*

CHAIRPERSON