



Minutes

Ordinary Meeting of Council

15 August 2023

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 15 AUGUST 2023

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 15 AUGUST 2023
COMMENCING AT 12.30PM**

PRESENT: Councillor Mathew Hatcher, Mayor (in the Chair)
Councillors Tanya Dannock, Peter Diskon, David Grace, Tubby Harrison,
Anthony Mayne, Amber Schutz, Rob Pollock OAM and Alison Worthington

Staff: Warwick Winn, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr G Attenborough, Director, Infrastructure Services
Mrs K Arthur, Director, Community, Arts and Recreation
Mrs S Speedy, Director, Finance and Corporate Services
Mr J Phillips, Corporate Manager, Governance and Administration
Miss L Evans, Minute Secretary

1. WELCOME

The Mayor welcomed everyone to the meeting.

2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the Traditional Custodians of the Land, their Elders past and present, on whose land we are gathered here today.

3. APOLOGIES

Nil

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

23/91 MOTION Councillor Worthington/Councillor Grace

THAT the minutes of the Ordinary Meeting held on 25 July 2023 be confirmed.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Nil

6. 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.)

PF23/001 NOM23/003 HEAT HAVEN

Michelle Hamrosi addressed Council in relation to NOM23/003 Heat Havens. A copy of Michelle's presentation is available on Council's website.

PF23/002 NOM23/003 HEAT HAVEN

Kathryn Maxwell addressed Council in relation to NOM23/003 Heat Havens. A copy of Kathryn's presentation is available on Council's website.

PF23/003 NOM23/003 HEAT HAVEN

Linda Leung addressed Council in relation to NOM23/003 Heat Havens. A copy of Linda's presentation is available on Council's website.

PF23/004 PET23/001 PETITION TO REOPEN THE PEDESTRIAN TRACK ON THE CLIFFSIDE WHICH CONNECTS LONG BEACH TO NORTHCOVE

Stephen Ranck addressed Council in relation to PET23/001 Petition to reopen the pedestrian track on the cliffside which connects Long Beach to Northcove. A copy of Stephen's presentation is available on Council's website.

PF23/005 GMR23/031 REVIEW OF BAY PAVILIONS AND CAR23/012 ABORIGINAL ADVISORY COMMITTEE RECOMMENDATION

Mike Thompson addressed Council in relation to GMR23/031 Review of Bay Pavilions and CAR23/012 Aboriginal Advisory Committee Recommendation. A copy of Mike's presentation is available on Council's website.

PF23/006 GMR23/031 REVIEW OF BAY PAVILIONS

Brett Stephenson, as co-convener of A Better Eurobodalla, addressed Council in relation to GMR23/031 Review of Bay Pavilions. A copy of Brett's presentation is available on Council's website.

PF23/007 GMR23/031 REVIEW OF BAY PAVILIONS

Jeff de Jagger addressed Council in relation to GMR23/031 Review of Bay Pavilions. A copy of Jeff's presentation is available on Council's website.

PF23/008 GMR23/031 REVIEW OF BAY PAVILIONS

Lei Parker addressed Council in relation to GMR23/031 Review of Bay Pavilions. A copy of Lei's presentation is available on Council's website.

PF23/009 CAR23/012 ABORIGINAL ADVISORY COMMITTEE RECOMMENDATION

Bernie O'Neil addressed Council as co-convener of A Better Eurobodalla, in relation to CAR23/012 Aboriginal Advisory Committee Recommendation. A copy of Bernie's presentation is available on Council's website.

PF23/010 CAR23/012 ABORIGINAL ADVISORY COMMITTEE RECOMMENDATION

Paul Spooner provided a presentation to Council in relation to CAR23/012 Aboriginal Advisory Committee Recommendation. A copy of Paul's presentation is available on Council's website.

PF23/011 CAR23/012 ABORIGINAL ADVISORY COMMITTEE RECOMMENDATION

Julie Janson addressed Council in relation to CAR23/012 Aboriginal Advisory Committee Recommendation. Julie did not provide a copy of her presentation.

PF23/012 CAR23/012 ABORIGINAL ADVISORY COMMITTEE RECOMMENDATION

Sandy Wilder addressed Council in relation to CAR23/012 Aboriginal Advisory Committee Recommendation. A copy of Sandy's presentation is available on Council's website.

PF23/013 CAR23/012 ABORIGINAL ADVISORY COMMITTEE RECOMMENDATION

Patricia Hellier addressed Council in relation to CAR23/012 Aboriginal Advisory Committee Recommendation. A copy of Patricia's presentation is available on Council's website.

ADJOURNMENT

23/92 MOTION Councillor Mayne/Councillor Pollock OAM

THAT the Ordinary Council Meeting be adjourned for a five minute break.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

At **2.30pm** the Mayor adjourned the Ordinary meeting of Council.

23/93 MOTION Councillor Hatcher/Councillor Mayne

THAT the Ordinary Council Meeting be reconvened.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

At **2.40PM** the Mayor reconvened the Ordinary meeting of Council.

SUSPENSION OF STANDING ORDERS

23/94 MOTION Councillor Hatcher/Councillor Harrison

That Standing Orders be suspended in order to bring forward CAR23/012 Aboriginal Advisory Committee Recommendation.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

At **2.42PM** the meeting suspended standing orders to deal with the item listed above.

CAR23/012 ABORIGINAL ADVISORY COMMITTEE RECOMMENDATION

File Ref: S003-T00035

MOTION Councillor Worthington/Councillor Mayne

THAT Council consider the following recommendation:

1. We the members of the Aboriginal Advisory Committee recommend that the Eurobodalla Shire Council supports a 'yes' vote in the referendum for an Aboriginal and Torres Strait Islander Voice to Parliament. Also, that the Council advises all residents of Eurobodalla Shire about this decision and advertises this decision in signs on the council's properties".

23/95 AMENDMENT Councillor Schutz/Councillor Harrison

THAT Council notes the recommendation from the Aboriginal Advisory Committee and thanks them for bringing this forward. That Council encourages the community to refer to the information in the Council report and the Council website at:

<https://www.esc.nsw.gov.au/yuin>

(The Amendment on being put became the motion on being put was declared **CARRIED**)

At **3.48PM** Councillor Worthington left the Chambers.

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, R Pollock OAM and A Schutz.

Against the Motion: Crs A Mayne and A Worthington.

RESUMPTION OF STANDING ORDERS

23/96 MOTION Councillor Hatcher/Councillor Diskon

That Standing Orders be resumed.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM and A Schutz.

Against the Motion: Cr A Worthington.

At **3.50PM** Council meeting resumed standing orders

At **3.51PM** Councillor Worthington returned to the Chambers

7. MAYORAL REPORTS

Nil

8. NOTICES OF MOTION

NOM23/003 HEAT HAVENS

File Ref: S003-T00022

23/97 MOTION Councillor Grace/Councillor Mayne

THAT a report be prepared for consideration by Council at its 21 November 2023 meeting on the need and suitability of council public facilities, including public halls, to be used as heat havens. The report is to provide discussion on options, costs, possible funding sources, and what facilities could be reasonably made available as heat havens for the future.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

9. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

10. PETITIONS

**PET23/001 PETITION TO REOPEN THE PEDESTRIAN TRACK ON THE CLIFFSIDE WHICH
CONNECTS LONG BEACH TO NORTHCOVE**

File Ref: S012-T00029

23/98 MOTION Councillor Pollock OAM/Councillor Mayne

THAT Council receive and note the petition.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R
Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

11. GENERAL MANAGER'S REPORTS

GMR23/031 REVIEW OF BAY PAVILIONS

File Ref: S004-T00008

23/99 MOTION Councillor Harrison/Councillor Dannock

THAT Council receive and note the *Bay Pavilions Financial Performance Review, Final Report, 27 June 2023*.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, A Schutz and A Worthington.

Against the Motion: Cr R Pollock OAM.

12. PLANNING AND SUSTAINABILITY REPORTS

PSR23/027 EXEMPTION TO ALCOHOL RESTRICTION - BATEMANS BAY WATERFRONT RESERVE

File Ref: S024-T00014

23/100 MOTION Councillor Harrison/Councillor Diskon

THAT Council endorse an exemption from the alcohol prohibition areas imposed on the Batemans Bay Waterfront reserve, in order for Rotary to conduct night markets on 30 September 2023 and on 6 or 13 January 2024 to be held from 6pm until 10pm.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

PSR23/028 FOOD INSPECTION PROGRAM STATUS REPORT 2022-23

File Ref: S024-T000033

23/101 MOTION Councillor Worthington/Councillor Grace

THAT the Food Inspection Program Status Report 2022-23 be received and noted

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R
 Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

PSR23/029 ON-SITE SEWAGE MANAGEMENT SYSTEM STATUS REPORT 2022-23

File Ref: S029-T00012

23/102 MOTION Councillor Harrison/Councillor Grace

THAT the On-site Sewage Management Status Report 2022-23 be received and noted.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

PSR23/030 REGULATORY ACTION STATUS REPORT 2022-23

File Ref: S018-T00016

23/103 MOTION Councillor Schutz/Councillor Grace

THAT the Regulatory Action Status Report 2022-23 be received and noted.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

13. FINANCE AND CORPORATE SERVICES REPORTS

FCS23/018 INVESTMENTS MADE AS AT 31 JULY 2023

File Ref: S011-T00006,S012-T00025

23/104 MOTION Councillor Harrison/Councillor Grace

THAT the certification of investments as at 31 July 2023, 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**)

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

14. INFRASTRUCTURE REPORTS

**IR23/014 REQUEST FOR TENDER NO. 2223-176 - CONSTRUCTION OF SHARED PATHWAY,
GEORGE BASS DRIVE, LILLI PILLI**

File Ref: S030-T00019

23/105 MOTION Councillor Worthington/Councillor Diskon

THAT:

1. Council endorses the selection of the preferred tenderer listed for Request for Tender No. 2223-176 Construction of Shared Pathway George Bass Drive, Lilli Pilli, within the confidential attachment; and
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderer, subject to the terms specified in the Request for Tender.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

IR23/015 LOCAL TRAFFIC COMMITTEE NO 1 FOR 2023-24

File Ref: S030-T00018

23/106 MOTION Councillor Schutz/Councillor Grace

THAT:

1. That Council Plan 5388 Set D, Sheet 12 detailing Give Way signage and line marking on Baringa Crescent, Lilli Pilli be approved.
2. That Council Plan 5172 Set A, Sheet 9 detailing Keep Left and Left Turn signage and extension of concrete island across Lynch Street intersection with Field Street, Narooma, be approved.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

IR23/016 AFGHAN VETERANS MARCH - 2 SEPTEMBER 2023

File Ref: S030-T00018

23/107 MOTION Councillor Mayne/Councillor Harrison

THAT Council approve the submitted traffic management and control plans for the Afghan Veterans March for 2 September 2023.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

15. COMMUNITY, ARTS AND RECREATION REPORTS

CAR23/011 ARTS EXCHANGE VISIT TO MICHIGAN USA

File Ref: S026-T00022

23/108 MOTION Councillor Pollock OAM/Councillor Diskon

THAT Council receive and note the report on the Arts Exchange visit to Michigan USA.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

16. URGENT BUSINESS

Nil

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

Mayor Hatcher mentioned tomorrow night the Matildas are playing at 8pm. Council is hosting a free event at the Bay Pavilions. Tickets are available on the Bay Pavilions website. The Mayor will be hosting the event. Tickets are free. 8pm start, doors open at 7.30pm. The Mayor looks forward to seeing everyone there.

THE MEETING CLOSED AT 4.19PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 19 September 2023 at which meeting the signature hereon was subscribed.