



# **Minutes**

**Ordinary Meeting of Council**

**22 September 2015**

**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 22 SEPTEMBER 2015**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 22 SEPTEMBER 2015  
COMMENCING AT 10.03AM**

**PRESENT:** Councillor Lindsay Brown, Mayor (in the Chair)  
Councillors Danielle Brice, Neil Burnside, Gabi Harding  
Councillor Liz Innes arrived at 10.15am.

**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 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.

The Mayor advised that at the present time Council did not have a quorum. Councillors Pollock and Schwarz had tendered their apologies as they were taking recreational leave, Councillor Leslight had advised this morning that he could not attend due to work issues, and Councillor Innes was not expected until after 10.00am. As a result the Mayor advised that the meeting would be adjourned until 10.30am or until Councillor Innes arrived.

At 10.08am the Mayor adjourned the Ordinary meeting of Council.

At 10.15am Councillor Innes arrived and the Mayor reconvened the Ordinary meeting of Council.

**2. APOLOGIES**

**APOLOGY**

**15/158 MOTION** Councillor Burnside/Councillor Innes

THAT apologies be received from Councillors Pollock, Schwarz and Leslight and leave of absence be granted.

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

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

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

**PF15/018 FBD15/070 Road Closure – Miller Street, Batemans Bay**

File Ref: E15.9042; 04.8630.E

Mr Owen Quinn, Operations Manager of the Catalina Country Club addressed Council in relation to FBD15/070 Road Closure – Miller Street, Batemans Bay. A copy of Mr Quinn's submission is available on Council's website.

**4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Confirmation of the minutes of the Ordinary Meeting held on 8 September 2015 was deferred until the next Council meeting.

**5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**

Nil

**6. MAYORAL REPORTS**

**MR15/002 SOUTH EAST REGIONAL ACADEMY OF SPORT (SERAS) RESTRUCTURE**

File Ref: E01.5300

**15/159 MOTION** Councillor Brown

THAT Council:

1. Note its support for the South East Regional Academy of Sport (SERAS).
2. Advise the NSW Department of Sport and Recreation of Council's support for SERAS.
3. Supports the board of SERAS in:
  - a) amending the SERAS constitution to reflect the corporate governance model that addresses the Department's concerns;
  - b) addressing the Department's concerns by remodelling the constitution to more clearly define objectives, membership (including local government areas and other members from time to time who meet membership criteria);
  - c) defining the composition of the directors of the board and their eligibility requirements;
  - d) making provisions for the ability of the organisation to co-opt board members from member councils, via community delegates or staff with desired skills from time to time to assist the board in governance, risk, accounting and legal issues.
  - e) ensuring the remodelled constitution is submitted to the Department by December 2015 and to be in operation for 1 January 2016.

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

**7. NOTICES OF MOTION**

Nil

**8. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil

**9. PETITIONS**

Nil

**10. GENERAL MANAGER'S REPORTS**

**GMR15/030 MEMORANDUM OF UNDERSTANDING WITH BEGA VALLEY SHIRE COUNCIL**

File Ref: E12.6443

**15/160 MOTION** Councillor Harding/Councillor Brice

THAT the report be deferred for further consideration by Council.

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



**GMR15/031 ORGANISATION SERVICE REVIEW - PUBLIC AND ENVIRONMENTAL HEALTH  
AND SAFETY**

File Ref: E13.7262

**15/161 MOTION** Councillor Innes/Councillor Harding

THAT Council endorse the recommendations as per the public and environmental health and safety service review report.

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

**11. PLANNING AND SUSTAINABILITY REPORTS**

**PSR15/036 TENDERS FOR EARTHWORKS AT BROU LANDFILL AND MORUYA TRANSFER STATION**

File Ref: 99.3391

**15/162 MOTION** Councillor Burnside/Councillor Brice

THAT Council:

1. Endorse the selection of the tender from RD Miller Pty Ltd for earthworks at Brou landfill and Moruya transfer station.
2. Accordingly approves the entering into of a contractual arrangement with RD Miller Pty Ltd, subject to the terms specified in the Request for Tender unless otherwise varied in accordance with this report.

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

**12. INFRASTRUCTURE REPORTS**

**IR15/039 LOCAL TRAFFIC COMMITTEE MEETING NO 2 FOR 2015-16**

File Ref: e15.9002

**15/163 MOTION** Councillor Brice/Councillor Harding

THAT:

1. That Symons Bus and Coach Service be asked to discontinue using the school bus stop at the intersection of Raymond Street and the Princes Highway, Narooma and ask students to use the alternative sites on Riverview Road or on the Princes Highway 400 metres north of the Raymond Street bus stop.
2. Plan No 5156 Set AB Sheet 01 detailing the alterations to the 'No Stopping' signage on the Princes Highway, Batemans Bay be approved.
3. Plan Numbers 5156 Set X Sheet 01 and 4261 Set F 08 detailing the signage and linemarking on the Princes Highway, Narooma be approved.
4. Council contact households in Hillcrest Avenue, Narooma and the local schools to advise of the pending closure of the school bus stop at the intersection of Raymond Street and the Princes Highway.

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

**IR15/040      TENDER NO 2015/ISD 064 - SEWAGE PUMP STATION AND RETICULATION  
MO18 MORUYA**

File Ref: E91.2605

**15/164 MOTION** Councillor Burnside/Councillor Harding

THAT Council accept the tender from Ted Wilson & Sons Pty Ltd for the construction of a sewage pumping station and associated sewer mains at West Moruya.

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

**IR15/041      ROSEDALE AND GUERILLA BAY SEWERAGE SCHEME**

File Ref: E06.0086

**15/165 MOTION** Councillor Burnside/Councillor Brice

THAT:

1. Council accepts the offer of financial assistance under the Country Towns Water Supply and Sewerage Program of up to \$1,287,754 for stage one of the Rosedale/Guerilla Bay Sewerage Scheme.
2. The Common Seal of Council be affixed to the grant documents.

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

**13. FINANCE AND BUSINESS DEVELOPMENT REPORTS**

**FBD15/068 ROAD WIDENING, BERGALIA STREET, MORUYA**

File Ref: E15.9315

**15/166 MOTION** Councillor Burnside/Councillor Harding

THAT:

1. All actions necessary be taken for the dedication of part Lots 15, 16, 17 and 18 Section 1 Deposited Plan 983687 as road in accordance with the provisions of the Roads Act 1993.
2. Consent be given to affix the Common Seal of Council to the plan of survey dedicating part of Lots 15, 16, 17 and 18 Section 1 Deposited Plan 983687 as public road.

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

**FBD15/069 LICENCE FOR JETSKI HIRE AND WATER SPORTS BUSINESS - CORRIGANS BEACH**

File Ref: E80.1320

**15/167 MOTION** Councillor Harding/Councillor Brice

THAT Council as Trust Manager for the Eurobodalla (North) Reserve Trust, in accordance with Section 108 of the Crown Lands Act 1989, grant a licence to the owners of the business trading as Southern Watersports Jet Ski Hire and Batemans Bay Watersports to operate a jet ski hire and water sport activity business within Crown Reserve R66122 at Corrigans Beach, Batehaven for a term of twelve months commencing on 23 October 2015 subject to:

- 1) Provision of the relevant approvals from the Australian Maritime Safety Authority and the Marine Parks Authority.
- 2) Provision of public liability insurance for \$20 million in accordance with Council's policy.
- 3) Payment of a licence fee of \$1,700 inclusive of GST per annum.
- 4) Other conditions of the existing licence.

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

**FBD15/070 ROAD CLOSURE - MILLER STREET, BATEMANS BAY**

File Ref: 04.8630.E

**15/168 MOTION** Councillor Innes/Councillor Harding

THAT the report be deferred for further consideration by Council.

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



**FBD15/071 INVESTMENTS MADE AS AT 31 AUGUST 2015**

File Ref: E99.3517

**15/169 MOTION** Councillor Innes/Councillor Harding

THAT the certification that the investments as at 31 August 2015 made in accordance with the Act, 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**)

**14. COMMUNITY, ARTS AND RECREATION REPORTS**

Nil

**15. DELEGATE REPORT**

Nil

**16. QUESTIONS/URGENT BUSINESS**

Nil

## **17. DEALING WITH MATTERS IN CLOSED SESSION**

In accordance with Section 10A(4) of the Local Government Act 1993, the General Manager invited members of the public to make verbal representations to the Council on whether the meeting should be closed to consider a confidential report.

The report is classified confidential under Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors).

It was noted that there were no public verbal representations on whether the meeting should be closed to consider the matter.

File Ref: I.0332

### **15/170 MOTION** Councillor Harding/Councillor Innes

THAT pursuant to Section 10A of the Local Government Act, 1993 the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

#### **CON15/014 Fees and Charges**

Item CON15/014 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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

At 10.48am the Ordinary Meeting of Council moved into Closed Session.

At 11.08am the Ordinary Meeting of Council resumed.

The General Manager advised the following recommendations were declared carried in Closed Session.

**18. CONFIDENTIAL MATTERS**

**CON15/014 FEES AND CHARGES**

File Ref: I.0332

**15/171 MOTION** Councillor Harding/Councillor Innes

THAT Council adopt the following changes to Supported Accommodation fees:

1. Supported Accommodation fees to be abolished include:

|  |         |
|--|---------|
| Client contribution – pest control, garden maintenance, depreciation furniture | \$30.00 |
| Craft contribution   | \$10.00 |
| Travel per kilometre   | \$ 0.50 |
  
2. Replacement Supported Accommodation fees include:

|   |                       |
|---|-----------------------|
| Moruya accommodation facility                           | 50% of residents DSP  |
| Moruya accommodation facility - Travel                  | \$0.50 per kilometre  |
| Batemans Bay accommodation facility                     | 75% of residents DSP  |
| Batemans Bay accommodation facility – additional travel | \$0.50 per kilometre. |

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

**THE MEETING CLOSED AT 11.09AM**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday 27 October 2015 at which meeting the signature hereon was subscribed.