



Minutes

Ordinary Meeting of Council

12 February 2019

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 12 FEBRUARY 2019

MINUTES

1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY AND EVACUATION MESSAGE	1
2. APOLOGIES	1
3. PUBLIC FORUM (AGENDA ITEMS ONLY)	1
4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA	1
6. MAYORAL REPORTS.....	2
MR19/001 Funding Announcement - \$30 Million Princes Highway South Batemans Bay Link Road.....	2
MR19/002 Proposed Reclassification for Sale of Lot 1110DP 236653	3
7. NOTICES OF MOTION	4
Nil	
8. QUESTIONS ON NOTICE FROM COUNCILLORS	5
QON19/001 Requirements for Food and Garden Organics Processing in Eurobodalla	5
9. PETITIONS	6
Nil	
10. GENERAL MANAGER'S REPORTS	7
GMR19/001 2019 Conferences	7
GMR19/002 Drought Relief Community Steering Committee	8
11. PLANNING AND SUSTAINABILITY REPORTS	9
PSR19/001 Power Purchase Agreement for electricity procurement	9
12. INFRASTRUCTURE REPORTS	10
IR19/001 Local Traffic Committee No 6 for 2018-19	10
13. CORPORATE AND COMMERCIAL SERVICES REPORTS	11
CCS19/001 New Model Code of Conduct for Local Councils in NSW and Procedures	11
CCS19/002 Investments made as at 30 November 2018.....	12
CCS19/003 Investments made as at 31 December 2018	13

CCS19/004 Presentation of Annual Financial Statements for year ended 30 June 201814

14. COMMUNITY, ARTS AND RECREATION REPORTS..... 15

CAR19/001 Public Art Advisory Committee Report.....15

15. DELEGATE REPORT 16

NIL 16

16. URGENT BUSINESS 16

NIL 16

17. DEALING WITH MATTERS IN CLOSED SESSION..... 16

NIL 16

18. CONFIDENTIAL MATTERS..... 16

NIL 16

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 12 FEBRUARY 2019
COMMENCING AT 10.06AM**

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 B Corven, Acting Director, Infrastructure Services
Mr A O'Reilly, Director, Finance and Business Development
Ms K Bush, Acting 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.)

PF19/01 CAR19/001 Public Art Advisory Committee Report

Mr David MacLachlan addressed Council in relation to item CAR19/001 Public Art Advisory Committee. A copy of Mr MacLachlan's submission is available on Council's website.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

19/1 MOTION Councillor Tait/Councillor Constable

THAT the minutes of the Ordinary Meeting held on 11 December 2018 be confirmed.

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

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Nil

6. MAYORAL REPORTS

**MR19/001 FUNDING ANNOUNCEMENT - \$30 MILLION PRINCES HIGHWAY SOUTH BATEMANS
BAY LINK ROAD**

File Ref: E13.7125

19/2 MOTION Councillor Innes

THAT:

1. Council write to the NSW Premier Hon Gladys Berejiklian MP and Minister for Transport and Infrastructure Hon Andrew Constance MP thanking the NSW Government for the allocation of the \$30 million of funding for the upgrade of the Princes Highway and completion of the South Batemans Bay Link Road project, inclusive of the Princes Highway/South Batemans Bay Link Road (Glenella Road) intersection.
2. Council write to the NSW Roads and Maritime Services seeking advice on the proposed delivery timelines.

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

MR19/002 PROPOSED RECLASSIFICATION FOR SALE OF LOT 1110DP 236653

File Ref: E18.1488

19/3 MOTION Councillor Innes

THAT Council receive a detailed briefing on the background to the proposed reclassification for sale of Lot 1110DP 236653 on the 5 March 2019 briefing.

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

7. NOTICES OF MOTION

Nil

8. QUESTIONS ON NOTICE FROM COUNCILLORS

**QON19/001 REQUIREMENTS FOR FOOD AND GARDEN ORGANICS PROCESSING IN
EUROBODALLA**

File Ref: E91.2036

19/4 MOTION Councillor Brown/Councillor Tait

THAT the response to the question regarding Food and Garden Organic's (FOGO) processing raised by Councillor Brown be received and noted.

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

9. PETITIONS

Nil

10. GENERAL MANAGER'S REPORTS

GMR19/001 2019 CONFERENCES

File Ref: E91.3255

19/5 MOTION Councillor Thomson/Councillor Nathan

THAT:

1. Council determines following Conferences be attended by:
 - a. LGNSW Tourism Conference on 17-19 March 2019 be attended by Councillors Liz Innes and Maureen Nathan.
 - b. Australia Local Government Women's Association NSW Conference on 4-6 April 2019 not be attended.
 - c. Floodplain Management Australia National Conference on 14-17 May 2019 be attended by Councillors James Thomson, Anthony Mayne and Jack Tait.
 - d. NSW Local Roads Congress on 3 June 2019 be attended by Councillors Anthony Mayne, Phil Constable and Maureen Nathan.
 - e. National General Assembly (NGA) on 16-19 June 2019 be attended by Councillors Pat McGinlay, Anthony Mayne and Phil Constable.
 - f. Australian Regional Development Conference on 16-17 September 2019 be attended by Councillors Phil Constable, Maureen Nathan and Rob Pollock OAM.
 - g. Local Government NSW Annual Conference on 14-16 October 2019 be attended by Councillor Anthony Mayne
 - h. National Local Roads and Transport Congress in November 2019 be attended by Councillors Phil Constable, Maureen Nathan and Anthony Mayne.
 - i. NSW Coastal Conference will be held in November 2019 be attended by Councillors Pat McGinlay, Maureen Nathan, Jack Tait and James Thomson.
2. Council representatives be reimbursed out of pocket expenses in accordance with the Councillors' Expenses and Facilities Policy.

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

GMR19/002 DROUGHT RELIEF COMMUNITY STEERING COMMITTEE

File Ref: E18.1662

19/6 MOTION Councillor Thomson/Councillor Tait

THAT Council:

1. Endorse the Terms of Reference for the Eurobodalla Drought Relief Community Steering Committee.
2. Commence an Expressions of Interest process to establish the Eurobodalla Drought Relief Community Steering Committee.

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

11. PLANNING AND SUSTAINABILITY REPORTS

PSR19/001 POWER PURCHASE AGREEMENT FOR ELECTRICITY PROCUREMENT

File Ref: E07.1077

19/7 MOTION Councillor Pollock/Councillor Brown

THAT Council commits to the Power Purchase Agreement process with Procurement Australia.

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

12. INFRASTRUCTURE REPORTS

IR19/001 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2018-19

File Ref: E16.0002

19/8 MOTION Councillor Mayne/Councillor Tait

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 6 for 2018-19 be received and noted.
2. Council Plan No. 5156 Set BP Sheet 03 detailing the signage and line marking associated with Accessible Parking and 'No Parking' around Woolworths, Moruya be approved.
3. Council Plan No. 5156 Set BP Sheet 04 detailing the line marking associated with an accessible parking space within the Malua Bay Surf Club Carpark be approved.
4. Council Plan No. 5178 Set A Sheet 22 detailing the modified line marking associated with upgrade of Beach Road from Orient Street to Mackay Park, Batemans Bay be approved.

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

13. CORPORATE AND COMMERCIAL SERVICES REPORTS

CCS19/001 NEW MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW AND PROCEDURES

File Ref: E13.7162

19/9 MOTION Councillor Tait/Councillor Nathan

THAT

1. Council endorses the 2018 *Model Code of Conduct for Local Councils in NSW* and *Procedures for the Model Code of Conduct for Local Councils in NSW* for public exhibition for a period of 28 days.
2. Following the expiration of this period, the 2018 *Model Code of Conduct for Local Councils in NSW* and *Procedures for the Model Code of Conduct for Local Councils in NSW* and any public submissions be presented back to Council for consideration.

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

CCS19/002 INVESTMENTS MADE AS AT 30 NOVEMBER 2018

File Ref: E99.3517

19/10 MOTION Councillor Tait/Councillor Constable

THAT the certification that the investments as at 30 November 2018, 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**)

CCS19/003 INVESTMENTS MADE AS AT 31 DECEMBER 2018

File Ref: E99.3517

19/11 MOTION Councillor McGinlay/Councillor Tait

THAT the certification that the investments as at 31 December 2018, 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**)

**CCS19/004 PRESENTATION OF ANNUAL FINANCIAL STATEMENTS FOR YEAR ENDED 30
JUNE 2018**

File Ref: E17.1016

At 11.25am a pre-recorded presentation by Ms Karen Taylor, Director, NSW Audit Office was played which outlined the audit process for local government and the auditor's assessment of Council's financial position for 2017-18.

The presentation was live-streamed and is available from Council's website.

19/12 MOTION Councillor Constable/Councillor Brown

THAT in accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, Council adopt the Annual Financial Statements for year ended 30 June 2018, including the Independent Auditor's Reports.

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

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR19/001 PUBLIC ART ADVISORY COMMITTEE REPORT

File Ref: E06.0162

MOTION Councillor Brown/Councillor Thomson

THAT Council

1. allocate site nine at 'Spinnaker's Reach' as the site for the winning acquired work from Sculpture on Clyde 2019 (as per attached map), pending the subsequent PAAC public art application process;
2. support the requirement for the Chamber to provide the required technical information for the 2019 winning sculpture with their Public Art application prior to installation approval; and
3. support the request that a member of the PAAC be part of the Sculpture on Clyde judging panel or provide a consultative role at the time of judging to support the site and installation requirements.

19/13 AMENDMENT Councillor Brown/Councillor Mayne

THAT Council defer this item to enable further discussions.

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

15. DELEGATE REPORT

NIL

16. URGENT BUSINESS

NIL

17. DEALING WITH MATTERS IN CLOSED SESSION

NIL

18. CONFIDENTIAL MATTERS

NIL

THE MEETING CLOSED AT 11.48am

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 26 February 2019 at which meeting the signature hereon was subscribed.