



# **Minutes**

**Ordinary Meeting of Council**

**27 October 2020**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 27 OCTOBER 2020**

<b>MINUTES</b>
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<b>1. WELCOME .....</b>	<b>1</b>
<b>2. ACKNOWLEDGEMENT OF COUNTRY .....</b>	<b>1</b>
<b>3. APOLOGIES.....</b>	<b>1</b>
<b>NIL</b>	<b>1</b>
<b>4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....</b>	<b>1</b>
<b>5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA .....</b>	<b>2</b>
<b>AT 11:04 AM COUNCILLOR THOMSON LEFT THE CHAMBERS.....</b>	<b>2</b>
<b>4. MAYORAL REPORTS .....</b>	<b>3</b>
MR20/008 Raindance Money.....	3
<b>5. NOTICES OF MOTION .....</b>	<b>4</b>
Nil	
<b>6. QUESTIONS ON NOTICE FROM COUNCILLORS .....</b>	<b>5</b>
QON20/007 Batemans Bay Community Centre Lease .....	5
<b>7. PETITIONS .....</b>	<b>6</b>
Nil	
<b>8. GENERAL MANAGER'S REPORTS .....</b>	<b>7</b>
GMR20/029 2021 Council Meeting Dates .....	7
GMR20/030 Disclosure of Pecuniary Interest and other Matters Returns .....	9
<b>9. PLANNING AND SUSTAINABILITY REPORTS .....</b>	<b>10</b>
Nil	
<b>10. INFRASTRUCTURE REPORTS.....</b>	<b>11</b>
IR20/016 Local Traffic Committee No 2 for 2020-21 .....	11
<b>11. CORPORATE AND COMMERCIAL SERVICES REPORTS.....</b>	<b>12</b>
CCS20/037 Land Acquisition - Southern Water Storage Facility.....	12
CCS20/038 Easement for electricity within Council land, Sunshine Bay.....	13

CCS20/039 Investments made as at 30 September 2020 .....	14
<b>12. COMMUNITY, ARTS AND RECREATION REPORTS .....</b>	<b>15</b>
CAR20/016 NAIDOC Week Grants 2020.....	15
<b>13. DELEGATE REPORT .....</b>	<b>16</b>
<b>NIL</b>	<b>16</b>
<b>14. URGENT BUSINESS .....</b>	<b>16</b>
<b>15. DEALING WITH MATTERS IN CLOSED SESSION.....</b>	<b>16</b>
<b>16. CONFIDENTIAL MATTERS .....</b>	<b>16</b>

**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 27 OCTOBER 2020  
COMMENCING AT 11.00AM**

**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  
Ms A Jones, Acting Director, Corporate and Commercial Services  
Mr J Phillips, Divisional Manager, Governance and Administration  
Mrs K Green, Minute Secretary

**1. WELCOME**

The Mayor welcomed everyone to the meeting.

**2. ACKNOWLEDGEMENT OF COUNTRY**

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

**3. APOLOGIES**

Nil

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

**20/180 MOTION** Councillor Nathan/Councillor Thomson

THAT the minutes of the Ordinary Meeting held on 22 September 2020 be confirmed.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

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

Councillor Thomson declared a significant, pecuniary conflict of interest in MR20/008 Raindance Money and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Thomson declared an interest as he is a farmer who would be eligible for funding under this proposal.

**AT 11:04 AM** Councillor Thomson left the Chambers.

**3. MAYORAL REPORTS**

**MR20/008 RAINDANCE MONEY**

File Ref: S012-T00023

Councillor Thomson declared a significant, pecuniary conflict of interest in MR20/008 Raindance Money and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Thomson declared an interest as he is a farmer who would be eligible for funding under this proposal.

**20/181 MOTION** Councillor Innes

THAT:

1. Council allocate \$11,205 from the Raindance money to the Eurobodalla Disaster Relief Fund Committee for distribution to drought affected farmers.
2. Any resident that can demonstrate they undertake farming activities can apply for up to \$400 through the Eurobodalla Disaster Relief Fund for drought assistance.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock and J Tait.

Against the Motion: Nil.

At **11:08 am** Councillor Thomson returned to the Chambers.

**4. NOTICES OF MOTION**

Nil



**5. QUESTIONS ON NOTICE FROM COUNCILLORS**  
**QON20/007 BATEMANS BAY COMMUNITY CENTRE LEASE**

File Ref: S012-T00024

**20/182 MOTION** Councillor Mayne/Councillor McGinlay

THAT the response to the question regarding Batemans Bay Community Centre Lease raised by Councillor Anthony Mayne be received and noted.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

**6. PETITIONS**

Nil

## 7. GENERAL MANAGER'S REPORTS

### GMR20/029 2021 COUNCIL MEETING DATES

File Ref: S012-T00025

#### 20/183 MOTION Councillor Pollock/Councillor Tait

THAT Council:

1. Endorse the following 16 dates as the meeting schedule for Council meetings for the 2021 calendar year:
  - (a) 9 February 2021
  - (b) 23 February 2021
  - (c) 9 March 2021
  - (d) 23 March 2021
  - (e) 27 April 2021
  - (f) 11 May 2021
  - (g) 25 May 2021
  - (h) 8 June 2021
  - (i) 22 June 2021
  - (j) 13 July 2021
  - (k) 27 July 2021
  - (l) 12 October 2021
  - (m) 26 October 2021
  - (n) 9 November 2021
  - (o) 23 November 2021
  - (p) 14 December 2021
  
2. Endorse the following nine dates as the Public Access sessions for the 2021 calendar year:
  - (a) 2 February 2021
  - (b) 2 March 2021
  - (c) 20 April 2021
  - (d) 4 May 2021
  - (e) 1 June 2021
  - (f) 6 July 2021
  - (g) 5 October 2021
  - (h) 16 November 2021
  - (i) 7 December 2021

3. Note that the schedule of meeting dates may be amended at any time, as required.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R  
Pollock, J Tait and J Thomson.

Against the Motion: Nil.

**GMR20/030      DISCLOSURE OF PECUNIARY INTEREST AND OTHER MATTERS RETURNS**

File Ref: S012-T00031, S021-T00004

**20/184 MOTION** Councillor Tait/Councillor Thomson

THAT the report on the Disclosure of Pecuniary Interest and Other Matters returns be received and noted.

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

Division

For the Motion:      Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R  
                                 Pollock, J Tait and J Thomson.

Against the Motion: Nil.

**8. PLANNING AND SUSTAINABILITY REPORTS**

Nil

## 9. INFRASTRUCTURE REPORTS

### IR20/016 LOCAL TRAFFIC COMMITTEE NO 2 FOR 2020-21

File Ref: S030-T00018

**20/185 MOTION** Councillor Thomson/Councillor Mayne

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 1 for 2020-21 be received and noted.
2. The development of a traffic speed management and pedestrian activation plan for the Moruya CBD as identified in Council Plan 5156 BQ Sheet 03 be supported.
3. Council Plan 5156 Set BQ Sheet 05 detailing the marked Pedestrian (Zebra) Crossing and Accessible Parking on Ford Street, between Church Street and Queen Street, Moruya be approved.

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

#### Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

**10. CORPORATE AND COMMERCIAL SERVICES REPORTS**

**CCS20/037 LAND ACQUISITION - SOUTHERN WATER STORAGE FACILITY**

File Ref: S023-00027

**20/186 MOTION** Councillor Thomson/Councillor Pollock

THAT:

1. Application be made to the Minister for Local Government to acquire part of Bodalla State Forest No. 606, for water storage and supply purposes by compulsory process in accordance with Council's power under Section 187(2) of the *Local Government Act 1993* and in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.
  - i. If consent is granted all necessary action be taken to finalise the acquisition in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act*.
  - ii. All survey and legal costs associated with the land acquisitions be borne by Council.
  - iii. Public notice be given of Council's intention to resolve:
2. Part of Bodalla State Forest No. 606 is acquired as operational land.
  - i. A period of 28 days is given for members of the public to make submissions.
  - ii. A further report is presented following the advertising period to classify the land.
  - iii. Consent be given to affix the Common Seal of Council to the applicable documentation.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.



**CCS20/038 EASEMENT FOR ELECTRICITY WITHIN COUNCIL LAND, SUNSHINE BAY**

File Ref: S023-T00001

**20/187 MOTION** Councillor Pollock/Councillor Tait

THAT:

1. Consent be given for the creation of an easement for electricity purposes up to 3.5 metres wide within Lot 173 DP 262910 in favour of Lot 318 DP 1262532.
2. All costs including Council's reasonable legal and valuation costs associated with the creation of the easement be borne by the applicant.
3. Compensation for the easement be paid by the landowner of Lot 318 DP 1262532 to Council.
4. Authority be given to affix the Common Seal of Council, if required, to the necessary documentation associated with the easement.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

**CCS20/039 INVESTMENTS MADE AS AT 30 SEPTEMBER 2020**

File Ref: S011-T00006, S012-T00025

**20/188 MOTION** Councillor Tait/Councillor Constable

THAT the certification that the investments as at 30 September 2020, 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: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

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

**CAR20/016 NAIDOC WEEK GRANTS 2020**

File Ref: S003-T00040

**20/189 MOTION** Councillor McGinlay/Councillor Tait

THAT Council approve the recommendations detailed in the confidential attachment, awarding NAIDOC Week grants to 10 local groups/organisations for the 2020-21 financial year.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

**12. DELEGATE REPORT**

Nil

**13. URGENT BUSINESS**

Nil

**14. DEALING WITH MATTERS IN CLOSED SESSION**

Nil

**15. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 11.45am**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 10 November 2020 at which meeting the signature hereon was subscribed.