



Minutes

Ordinary Meeting of Council

24 August 2021

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 24 AUGUST 2021

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 24 AUGUST 2021
COMMENCING AT 11.00AM**

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

Staff: Dr Catherine Dale, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr W Sharpe OAM, Director, Infrastructure Services
Mrs K Arthur, Director, Community, Arts and Recreation
Mr J Phillips, Divisional Manager, Governance and Administration
Mrs K Green, Minute Secretary

1. WELCOME

The Deputy Mayor welcomed everyone to the meeting.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. EVACUATION MESSAGE

The Deputy Mayor advised of the Evacuation Procedures.

4. APOLOGIES

21/145 MOTION Councillor Constable/Councillor Nathan

THAT apologies be received from Councillor Liz Innes and leave of absence be granted.

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

Division

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

Against the Motion: Nil.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

21/146 MOTION Councillor Thomson/Councillor Constable

THAT the minutes of the Ordinary Meeting held on 27 July 2021 be confirmed.

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

Division

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

Against the Motion: Nil.

6. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in CAR21/016 Fees and Charges – Operating the Bay Pavilions and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Mayne declared an interest as he is the President and Producer at the Red Door Theatre company.

7. MAYORAL REPORTS

MR21/004 USE OF MAYORAL EXECUTIVE INSTRUMENT AND PROCEDURES FOR AUDIO-VISUAL LINK TO COUNCIL MEETINGS

File Ref: S012-T00025

21/147 MOTION Councillor Pollock/Councillor Brown

THAT Council:

1. Note the use of the policy-making functions under Section 226(d) of the *Local Government Act 1993* by the Mayor to undertake the Council meeting via audio-visual link on 24 August 2021.
2. Approve the attached procedures to enable Council meetings via audio-visual link when the community is at risk due to the COVID-19 virus and Council is not subject to 'stay at home orders'.

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

Division

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

Against the Motion: Nil.

8. NOTICES OF MOTION

Nil

9. QUESTIONS ON NOTICE FROM COUNCILLORS

QON21/006 PROPOSED DEVELOPMENT OF LAND BEHIND DALMENY

File Ref: S023-T00014

21/148 MOTION Councillor McGinlay/Councillor Mayne

THAT the response to the question regarding the proposed development of land in Dalmeny raised by Councillor McGinlay be received and noted.

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

Division

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

Against the Motion: Nil.

10. PETITIONS

Nil

11. GENERAL MANAGER'S REPORTS

GMR21/042 INVESTMENTS MADE AS AT 31 JULY 2021

File Ref: S011-T00006, S012-T00025

21/149 MOTION Councillor Tait/Councillor Brown

THAT the certification of investments as at 31 July 2021, 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, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

12. PLANNING AND SUSTAINABILITY REPORTS

PSR21/033 ONSITE SEWAGE MANAGEMENT SYSTEM STATUS REPORT 2020-21

File Ref: S029-T00012

21/150 MOTION Councillor Tait/Councillor Thomson

THAT the Onsite Sewage Management Status Report 2021-21 be received and noted.

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

Division

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

Against the Motion: Nil.

PSR21/034

FOOD INSPECTION PROGRAM - STATUS 2020-21

File Ref: S024-T00003

21/151 MOTION Councillor Tait/Councillor Thomson

THAT the Food Inspection Program Status Report 2020-2021 be received and noted.

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

Division

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

Against the Motion: Nil.

PSR21/035

REGULATORY ACTION STATUS REPORT 2020-21

File Ref: S018-T00016

21/152 MOTION Councillor Tait/Councillor Brown

THAT the Regulatory Action Status Report 2020-2021 be received and noted.

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

Division

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

Against the Motion: Nil.

PSR21/036

DONATION OF DEVELOPMENT FEE - NAROOMA MEN'S SHED

File Ref: S006-T00001

21/153 MOTION Councillor Brown/Councillor Thomson

THAT a donation be made to Narooma Men's Shed to the value of \$1,857.00, being the assessment fee for Development Application 0004/20, in accordance with *Council's Code of Practice – Reimbursement – DA Fees*.

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

Division

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

Against the Motion: Nil.

PSR21/037

DONATION OF DEVELOPMENT FEE - NAROOMA SCHOOL OF ARTS

File Ref: S006-T00001

21/154 MOTION Councillor Constable/Councillor Brown

THAT a donation be made to Narooma School of Arts to the value of \$3,575.00, being the assessment fee for Development Application 0152/20, in accordance with *Council's Code of Practice – Reimbursement – DA Fees*.

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

Division

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

Against the Motion: Nil.

13. INFRASTRUCTURE REPORTS

IR21/027 LOCAL TRAFFIC COMMITTEE NO 1 FOR 2021-22

File Ref: S030-T00018

21/155 MOTION Councillor Mayne/Councillor Thomson

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 9 for 2020-21 be received and noted.
2. A proposal to install 'No Right Turn' signage on traffic signal posts at the intersection of Beach Road and Flora Crescent, Batemans Bay so that west bound vehicles on Beach Road are banned from turning right, be approved.
3. A proposal to move a 'No Stopping' sign located 9 metres from the kerb apex on Corrigans Crescent on the south west side of the intersection of Beach Road, Batehaven so that it is 16 metres from the intersection be approved.
4. The action taken to extend the Transport for NSW Local Government Road Safety Program Funding Agreement 1 July 2021 to 30 June 2025 including acceptance of contribution towards Council's cost of employing a salaried Road Safety Officer, with up to 50% of the cost of salary, capped at \$64,600 per year until June 2025 including up to a maximum of 35% for on-cost be endorsed.

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

Division

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

Against the Motion: Nil.

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR21/016 FEES AND CHARGES - OPERATING THE BAY PAVILIONS

File Ref: S026-T00023

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in CAR21/016 Fees and Charges – Operating the Bay Pavilions and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Mayne declared an interest as he is the President and Producer of the Red Door Theatre company.

21/156 MOTION Councillor Pollock/Councillor Brown

THAT:

1. The draft Fees and Charges for the operation of the Bay Pavilions be placed on public exhibition for a period not less than 28 days with the following changes:
 - a) Additional concession rate Aquarobics at \$12
 - b) Additional concession rate Waterslide Ticket (2 hours) at \$9
 - c) Additional concession rate Waterslide Ticket All Day Pass at \$16
 - d) Amend fees and charges for Platinum Membership from \$86 to \$98/month and Platinum Membership (concession) from \$78.70 to \$90/month
 - e) Amend fees and charges for Gold Membership from \$71 to \$84/month and Gold Membership (concession) from \$61.00 to \$77/month.
2. Council note that the number of seats in the theatre is 350 not 500 as published in the report.
3. Following public exhibition, a further report be submitted to Council for the consideration of submissions and adoption of the Fees and Charges for the operation of the Bay Pavilions.

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

Division

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

Against the Motion: Nil.

15. DELEGATE REPORT

Nil

16. URGENT BUSINESS

Nil

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 11.43pm

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 28 September 2021 at which meeting the signature hereon was subscribed.