



Minutes

Ordinary Meeting of Council

27 June 2017

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 27 JUNE 2017

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	3
5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA	3
GMR17/018 Adoption of Delivery Program 2017-21 and Operational Plan 2017-18.....	4
6. MAYORAL REPORTS.....	8
MR17/004 Parking in Batemans Bay.....	8
MR17/005 Dog Recreation Facilities.....	6
7. NOTICES OF MOTION	10
Nil	
8. QUESTIONS ON NOTICE FROM COUNCILLORS	10
Nil	
9. GENERAL MANAGER'S REPORTS	11
GMR17/019 2017/18 Determination of the Local Government Remuneration Tribunal.....	11
GMR17/020 Application for Leave of Absence	5
GMR17/021 Adoption of Policies	12
GMR17/022 Policy Review - Media Policy.....	13
10. PLANNING AND SUSTAINABILITY REPORTS	14
PSR17/037 Submission to draft regulations for the Biodiversity Conservation Act 2016 and the Local Land Services Amendment Act 2016	14
PSR17/038 Planning for Bushfire Protection 2017 - submission	15
PSR17/039 Policy Adoption - Recreational Horse-Riding on Beaches	16
PSR17/040 Policy Review - Town Signs	17
11. INFRASTRUCTURE REPORTS.....	18
IR17/038 Eurobodalla Pathways Strategy 2017	6

IR17/041	Local Traffic Committee No 8 for 2016-17	18
IR17/042	Policy Review- Pressure Sewer Systems.....	19
IR17/043	Policy Review - Water Supply and Sewerage Headworks Charges	20
IR17/044	Policy Review - Bus Stops and Bus Zones	21
IR17/045	Policy Review - Rural School Bus Routes and Bus Stops	22
12.	FINANCE AND BUSINESS DEVELOPMENT REPORTS.....	23
FBD17/046	Investments made as at 31 May 2017.....	23
FBD17/047	Policy Repeal - Customer Service Charter Policy.....	24
FBD17/050	Policy Review - Competitive Provision of Services	25
FBD17/048	Policy Review - Interest Free Advances to Sporting and Cultural Organisations	26
FBD17/049	Policy Review - Rates and Debtors Hardship Policy	27
13.	COMMUNITY, ARTS AND RECREATION REPORTS	28
CAR17/023	Disability Inclusion Action Plan 2017-21	28
14.	DELEGATE REPORT	29
15.	URGENT BUSINESS	29
16.	DEALING WITH MATTERS IN CLOSED SESSION.....	29
17.	CONFIDENTIAL MATTERS.....	29

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 27 JUNE 2017
COMMENCING AT 10.00AM**

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

Staff: Dr Catherine Dale, General Manager
Ms D Lenson, Acting Director, Planning and Sustainability Services
Mr W Sharpe OAM, Director, Infrastructure Services
Mrs K Asbury, Acting Director, Finance and Business Development
Mrs K Arthur, 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

17/202 MOTION Councillor Pollock/Councillor Constable

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

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

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.)

PF17/026– GMR17/018 Delivery Program 2017-21 and Operational Plan 2017-18

Mr Robert Bradley addressed Council in relation to GMR17/018 Delivery Program 2017-21 and Operational Plan 2017-18.

A copy of Mr Bradley's submission is available on Council's website.

EXTENSION OF TIME

17/203 MOTION Councillor Pollock/Councillor Constable

THAT Mr Bradley be granted an extension of three minutes to complete his presentation.

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

Councillor Nathan declared a significant, non-pecuniary conflict of interest in GMR17/020 Application of Leave of Absence and stated that she would leave the Chamber when discussion occurred during public forum on the matter.

Reason: Councillor Nathan declared an interest as it is in relation to her leave of absence.

PF17/027– GMR17/020 Application for Leave of Absence

Mr Jim Bright addressed Council in relation to GMR17/020 Application for Leave of Absence.

A copy of Mr Bright's submission is available on Council's website.

PF17/028 – IR17/038 Eurobodalla Pathways Strategy 2017

Mrs Danielle Brice addressed Council in relation to IR17/038 Eurobodalla Pathways Strategy.

A copy of Mrs Brice's submission is available on Council's website.

EXTENSION OF TIME

17/204 MOTION Councillor Mayne/Councillor Nathan

THAT Mrs Brice be granted an extension of three minutes to complete her presentation.

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

PF17/029 – IR17/038 Eurobodalla Pathways Strategy 2017

Mr Phillip Elton addressed Council in relation to IR17/038 Eurobodalla Pathways Strategy.

A copy of Mr Elton's submission is available on Council's website.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

17/205 MOTION Councillor Pollock/Councillor Tait

THAT the minutes of the Ordinary Meeting held on 13 June 2017 be confirmed.

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

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Councillor Nathan declared a significant, non-pecuniary conflict of interest in GMR17/020 Application of Leave of Absence and stated that she would leave the Chamber when voting on the matter.

Reason: Councillor Nathan declared an interest as it is in relation to her leave of absence.

SUSPENSION OF STANDING ORDERS

17/206 MOTION Councillor Brown/Councillor Constable

That Standing Orders be suspended in order to deal with the following matters:

GMR17/018 Adoption of Delivery Program 2017-21 and Operational Plan 2017-18

GMR17/020 Application of Leave of Absence

IR17/038 Eurobodalla Pathways Strategy 2017.

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

GMR17/018 ADOPTION OF DELIVERY PROGRAM 2017-21 AND OPERATIONAL PLAN 2017-18

File Ref: E16.0029

17/207 MOTION Councillor Brown/Councillor Pollock

THAT:

1. Council makes the annual Ordinary Rates for 2017-18 in accordance with the special rate variation limit set by IPART which is 6.37%, being a 6.5% increase in ordinary rates and 2.4% increase in the Environmental Levy, as contained in the table in the report.
2. Council make each annual charge for water, sewer, waste, stormwater and liquid trade waste for 2017-18 in accordance with the Revenue Policy and Fees and Charges as contained in the tables in the report.
3. Council make each fee and charge for 2017-18 in accordance with the amended Revenue Policy and Fees and Charges as attached to the report, with the following amendments to tennis fees:
 - i) commercial fee per hour per court to be set at \$7.50
 - ii) commercial fee (with lights) per hour per court set at \$10.00.
4. Council adopt the Delivery Program 2017-21 and Operational Plan 2017-18 attached to the report as per the statutory requirements with implementation to commence 1 July 2017.
5. Council thank the community members who made a submission and provide them with a response.

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

GMR17/020 APPLICATION FOR LEAVE OF ASENCE

File Ref: E80.1383

Councillor Nathan declared a significant, non-pecuniary conflict of interest in GMR17/020 Application of Leave of Absence and stated that she would leave the Chamber when voting on the matter.

Reason: Councillor Nathan declared an interest as it is in relation to her leave of absence.

17/208 MOTION Councillor Pollock/Councillor Tait

THAT a leave of absence be granted for Councillor Maureen Nathan for the following meetings:

25 July 2017

8 August 2017

12 September 2017

26 September 2017.

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

IR17/038 EUROBODALLA PATHWAYS STRATEGY 2017

File Ref: E07.1434

17/209 MOTION Councillor Nathan/Councillor Thomson

THAT:

1. Council adopt the Eurobodalla Pathways Strategy June 2017 attached to this report, subject to the following amendments:
 - i. In Appendix A1-24 the wording be changed to read as follows:
'The Moruya to South Head off-road pathway linkage will be reconsidered when the pathways strategy is next reviewed in five years, unless the project is fully funded through grants (outside of the Active Transport Program) and/or community funding'.
 - ii. The inclusion of an explanatory paragraph under section '4.6 Point score System' be provided to outline how community funding and/or input, and grants impact the point score by reducing the cost per meter of construction.
2. Council write to members of Pathways Strategy Sunset Advisory Committee thanking them for their contribution to the Eurobodalla Pathways Strategy June 2017.
3. Write to all respondents thanking them for their submission to the draft Eurobodalla Pathway Strategy 2017, including providing a response to individual submissions.

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

ADJOURNMENT

17/210 MOTION Councillor Mayne/Councillor Thomson

THAT the Ordinary Council Meeting be adjourned for a period of five minutes.

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

At 11.31am the meeting adjourned.

At 11.45am the meeting reconvened.

6. MAYORAL REPORTS

MR17/004 PARKING IN BATEMANS BAY

File Ref: E17.1226

17/211 MOTION Councillor Innes

THAT options for additional parking in Clyde Street precinct, Batemans Bay be prepared and a report brought back for Council's consideration in October 2017.

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

MR17/005 DOG RECREATION FACILITIES

File Ref: E16.0127; E17.1258

17/212 MOTION Councillor Innes

THAT:

1. Council remove the dog prohibition on Corrigans Reserve, enabling dogs on-leash.
2. Publicly exhibit for twenty eight (28) days a draft amendment to the Companion Animal Management Plan 2015-2019 to remove the prohibition of dogs on Corrigans Reserve, enabling dogs on-leash.
3. A further report be provided to Council containing a revised Companion Animal Management Plan 2015-19, inclusive of the submissions received during the exhibition period.
4. Include an Action in the Operational Plan to commence the review Council's Companion Animal Action Plan (CAMP) in 2017-18.

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

7. NOTICES OF MOTION

Nil

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. GENERAL MANAGER'S REPORTS

**GMR17/019 2017/18 DETERMINATION OF THE LOCAL GOVERNMENT REMUNERATION
TRIBUNAL**

File Ref: E95.8749

17/213 MOTION Councillor Tait/Councillor Thomson

THAT Council:

1. Make a determination in regard to the Remuneration Tribunal's determination of a 2.5% increase in fees for Councillors and the additional Mayoral allowance.
2. Note that the maximum fees for Regional Rural councils for 2017-18, including the full Tribunal determination, are set at \$19,310 for Councillors and \$42,120 for the additional Mayoral allowance.
3. Note that Councillors can donate all or part of their fee to a project or organisation of their choice, if they so wish.

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

GMR17/021 ADOPTION OF POLICIES

File Ref: E16.0297

17/214 MOTION Councillor Pollock/Councillor Nathan

THAT Council adopt the following policies

1. Conservations of the Yellow-Bellied Glider in the Broulee Area
2. Customer Service
3. Dedication of Land to Council
4. Fraud Control
5. Naming of Parks, Reserves, Sports Fields and Public Pathways
6. Planning Agreements
7. Pricing
8. Privacy and Information Protection
9. Public Art
10. Street Activities
11. Stormwater Disposal – Urban Land
12. Tree Risk Management on Council Controlled Land.

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

GMR17/022 POLICY REVIEW - MEDIA POLICY

File Ref: E16.0297

17/215 MOTION Councillor Pollock/Councillor Mayne

THAT:

1. Council endorses the draft Media Policy.
2. The draft Media Policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

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

10. PLANNING AND SUSTAINABILITY REPORTS

**PSR17/037 SUBMISSION TO DRAFT REGULATIONS FOR THE BIODIVERSITY
CONSERVATION ACT 2016 AND THE LOCAL LAND SERVICES AMENDMENT
ACT 2016**

File Ref: E08.2564

17/216 MOTION Councillor Thomson/Councillor Pollock

THAT Council endorse the submission attached to this report and forward the submission to the NSW Government and the Member for Bega.

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

PSR17/038 PLANNING FOR BUSHFIRE PROTECTION 2017 - SUBMISSION

File Ref: E91.2613

17/217 MOTION Councillor Pollock/Councillor Brown

THAT:

1. Council endorse the submission for the *Planning for Bushfire Protection 2017* and submit it to the NSW Rural Fire Service.
2. A copy of the submission for the *Planning for Bushfire Protection 2017* be forwarded to the Local Member, Minister for Transport and Infrastructure, the Honourable Andrew Constance MP, for his information.

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

PSR17/039 POLICY ADOPTION - RECREATIONAL HORSE-RIDING ON BEACHES

File Ref: E16.0297

17/218 MOTION Councillor Pollock/Councillor Tait

THAT

1. Council adopt the Recreational Horse-Riding on Beaches policy.
2. The provision of horse-riding on beaches be included in the 2019 review of the Companion Animals Management Plan and upon adoption of the revised Companion Animals Management Plan, the Recreational Horse-Riding on Beaches policy will be repealed.

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

PSR17/040 POLICY REVIEW - TOWN SIGNS

File Ref: E16.0297

17/219 MOTION Councillor Thomson/Councillor Pollock

THAT:

1. Council endorses the draft Town Signs policy.
2. The draft Town Signs policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

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

11. INFRASTRUCTURE REPORTS

IR17/041 LOCAL TRAFFIC COMMITTEE NO 8 FOR 2016-17

File Ref: E16.0002

17/220 MOTION Councillor Mayne/Councillor Thomson

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 7 of 2016-17 held on 20 April 2017 be received and noted.
2. That Council Plan No.5156 Set BB Sheet 04 detailing the proposed Stop Sign and associated line-marking at the intersection of Cook Avenue and Pacific Road, Surf Beach be approved.
3. That as shown on Council Plan No.5156 Set AH Sheet 03 approval be given to:
 - a. A bus zone be installed on the south bound side of Beach Road, Sunshine Bay
 - b. The bus zone on Sunshine Bay Road be removed and replaced with a mix of 5 minute and 2 hour parking on school days.
4. That Council Plan No. 5156 Set AH Sheet 04 detailing the proposed bus stop and associated bus zone on Beach Road near the Bavarde Avenue intersection, Batemans Bay be approved.

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

IR17/042 POLICY REVIEW- PRESSURE SEWER SYSTEMS

File Ref: E16.0297

17/221 MOTION Councillor Thomson/Councillor Tait

THAT

1. Council endorses the draft Pressure Sewer Systems policy
2. The draft Pressure Sewer Systems policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

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

IR17/043 POLICY REVIEW - WATER SUPPLY AND SEWERAGE HEADWORKS CHARGES

File Ref: E16.0297

17/222 MOTION Councillor Nathan/Councillor Mayne

THAT:

1. Council endorse the draft Water Supply and Sewerage Headworks Charges policy.
2. The draft Water Supply and Sewerage Headworks Charges policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

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

IR17/044 POLICY REVIEW - BUS STOPS AND BUS ZONES

File Ref: E16.0297

17/223 MOTION Councillor Mayne/Councillor Thomson

THAT

1. Council endorses the draft Bus Stops and Bus Zones policy.
2. The draft Bus Stops and Bus Zones policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

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

IR17/045 POLICY REVIEW - RURAL SCHOOL BUS ROUTES AND BUS STOPS

File Ref: E16.0297

17/224 MOTION Councillor Thomson/Councillor Tait

THAT

1. Council endorses the draft Rural School Bus Routes and Bus Stops policy.
2. The draft Rural School Bus Routes and Bus Stops policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

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

12. FINANCE AND BUSINESS DEVELOPMENT REPORTS

FBD17/046 INVESTMENTS MADE AS AT 31 MAY 2017

File Ref: E99.3517

17/225 MOTION Councillor Tait/Councillor Thomson

THAT the certification that the investments as at 31 May 2017 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**)

FBD17/047 POLICY REPEAL - CUSTOMER SERVICE CHARTER POLICY

File Ref: E16.0297

17/226 MOTION Councillor Thomson/Councillor Nathan
THAT the Customer Service Charter Policy be repealed.

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

FBD17/050 POLICY REVIEW - COMPETITIVE PROVISION OF SERVICES

File Ref: E16.0297

17/227 MOTION Councillor Pollock/Councillor Constable

THAT

1. Council endorses the draft Competitive Provision of Services Policy.
2. The draft Competitive Provision of Services Policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, the draft policy and any public submissions be presented back to Council for adoption.

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

FBD17/048 POLICY REVIEW - INTEREST FREE ADVANCES TO SPORTING AND CULTURAL ORGANISATIONS

File Ref: E16.0297

17/228 MOTION Councillor Tait/Councillor Pollock

THAT

1. Council endorses the draft Interest Free Advances to Sporting and Cultural Organisations Policy for public consultation.
2. The draft Interest Free Advances to Sporting and Cultural Organisations Policy be placed on public exhibition for a period for 28 days and, following the expiration of this period, the draft policy and any public submissions be presented back to Council for adoption.

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

FBD17/049 POLICY REVIEW - RATES AND DEBTORS HARDSHIP POLICY

File Ref: E16.0297

17/229 MOTION Councillor Thomson/Councillor Nathan

THAT

1. Council endorses the draft Rates and Debtors Hardship Policy for public consultation.
2. The draft Rates and Debtors Hardship Policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, the draft policy and any public submissions be presented back to Council for adoption.

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

13. COMMUNITY, ARTS AND RECREATION REPORTS

CAR17/023 DISABILITY INCLUSION ACTION PLAN 2017-21

File Ref: e96.0091

17/230 MOTION Councillor Thomson/Councillor Nathan

THAT Council adopt the Disability Inclusion Action Plan 2017-21, as per legislative requirements, with implementation to commence 1 July 2017.

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

14. DELEGATE REPORT

Nil.

15. URGENT BUSINESS

Nil.

16. DEALING WITH MATTERS IN CLOSED SESSION

Nil.

17. CONFIDENTIAL MATTERS

Nil.

THE MEETING CLOSED AT 12.24pm

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 25 July 2017 at which meeting the signature hereon was subscribed.