



# **Minutes**

**Ordinary Meeting of Council**

**26 March 2019**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 26 MARCH 2019**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 26 MARCH 2019  
COMMENCING AT 10.00AM**

**PRESENT:** Councillor Liz Innes, Mayor (in the Chair)  
Councillors Anthony Mayne, Jack Tait, James Thomson, Lindsay Brown,  
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  
Mr A O'Reilly, Director, Corporate and Commercial Services  
Mrs K Arthur, Director, Community, Arts and Recreation  
Mr J Phillips, Divisional Manager, Governance and Administration  
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**

**19/36 MOTION** Councillor Tait/Councillor Brown

THAT apologies be received from Councillor Maureen Nathan and leave of absence be granted.  
(The Motion on being put was declared **CARRIED**)

The Mayor, through Councillor Thomson, requested that Council observed a minute silence for the victims of the recent Christchurch massacre.

**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.)

**PF19/09 QON19/004 Batemans Bay Community Centre**

Dr Sue Mackenzie addressed Council in relation to item QON19/004 Batemans Bay Community Centre. A copy of Dr Mackenzie's submission is available on Council's website.

**EXTENSION OF TIME**

**19/37 MOTION** Councillor Constable/Councillor McGinlay

THAT Dr Mackenzie be granted an extension of three minutes to complete her presentation.

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

**PF19/10 GMR19/005 Draft Code of Meeting Practice**

Mr Owen Cartledge addressed Council in relation to item GMR19/005 Draft Code of Meeting Practice. A copy of Mr Cartledge's submission is available on Council's website.

**PF19/11 GMR19/005 Draft Code of Meeting Practice**

Mr Lei Parker addressed Council in relation to item GMR19/005 Draft Code of Meeting Practice. A copy of Mr Parker's submission is available on Council's website.

**EXTENSION OF TIME**

**19/38 MOTION** Councillor McGinlay/Councillor Constable

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

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

**PF19/12 GMR19/005 Draft Code of Meeting Practice**

Ms Trish Hellier addressed Council in relation to item GMR19/005 Draft Code of Meeting Practice. A copy of Ms Hellier's submission is available on Council's website.

**EXTENSION OF TIME**

**19/39 MOTION** Councillor Constable/Councillor McGinlay

THAT Ms Hellier be granted an extension of three minutes to complete her presentation.

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

**PF19/13 GMR19/005 Draft Code of Meeting Practice**

Mr Peter Bernard addressed Council in relation to item GMR19/005 Draft Code of Meeting Practice.

**EXTENSION OF TIME**

**MOTION** Councillor Mayne/Councillor Constable

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

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

**ADJOURNMENT**

**19/40 MOTION** Councillor Tait/Councillor Pollock

THAT the Ordinary Council Meeting be adjourned for a period of 10 minutes.

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

At **11.11am** the meeting adjourned.

At **11.22am** the meeting reconvened.

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

**19/41 MOTION** Councillor Thomson/Councillor Tait

THAT the minutes of the Ordinary Meeting held on 12 March 2019 be confirmed.

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

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

Nil

**6. MAYORAL REPORTS**

Nil

**7. NOTICES OF MOTION**

**NOM19/002 COAST SNAP MONITORING PROGRAM**

File Ref: E09.3154

**19/42 MOTION** Councillor Thomson/Councillor Brown

THAT Council:

1. Refer to 2019-20 budget, consideration of \$15,000 to establish the CoastSnap Beach Monitoring Program at Broulee and Melville Point inclusive of equipment, site setup, initial survey calibration and data processing for the first year of operation.
2. Note that this program requires an ongoing annual budget of \$8,000 for data collection and processing.

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



**8. QUESTIONS ON NOTICE FROM COUNCILLORS**

**QON19/004 BATEMANS BAY COMMUNITY CENTRE**

File Ref: E17.1041

**19/43 MOTION** Councillor Mayne/Councillor McGinlay

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

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

**9. PETITIONS**

Nil

**10. GENERAL MANAGER'S REPORTS**

**GMR19/005 DRAFT CODE OF MEETING PRACTICE**

File Ref: E06.0429

**MOTION** Councillor Tait/Councillor Thomson

THAT:

1. Council submit the draft Code of Meeting Practice to the public for exhibition for a period of not less than 42 days.
2. Public submissions be invited on the draft Code of Meeting Practice from 3 April 2019 to 15 May 2019.
3. A further report be presented to Council on 11 June 2019 to consider adoption of the draft Code of Meeting Practice.

**AMENDMENT** Councillor McGinlay/Councillor Mayne

THAT:

1. Council submit the draft Code of Meeting Practice to the public for exhibition for a period of not less than 42 days.
2. Public submissions be invited on the draft Code of Meeting Practice from 3 April 2019 to 15 May 2019.
3. A further report be presented to Council on 28 May 2019 to consider adoption of the draft Code of Meeting Practice.

(The Amendment on being put was declared **LOST**)

**19/44 MOTION** Councillor Tait/Councillor Thomson

THAT:

1. Council submit the draft Code of Meeting Practice to the public for exhibition for a period of not less than 42 days.
2. Public submissions be invited on the draft Code of Meeting Practice from 3 April 2019 to 15 May 2019.
3. A further report be presented to Council on 11 June 2019 to consider adoption of the draft Code of Meeting Practice.

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

**GMR19/006      MEMORANDUM OF UNDERSTANDING WITH BEGA VALLEY SHIRE COUNCIL**

File Ref: E10.4139; E12.6443

**19/45    MOTION** Councillor Brown/Councillor Thomson

THAT Council:

1. Formally dissolve the Memorandum of Understanding with Bega Valley Shire Council.
2. Write to the Mayor of Bega Valley Shire Council noting their resolution to formally dissolve the Memorandum of Understanding and acknowledging their contribution and support over the past four years.

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

**11. PLANNING AND SUSTAINABILITY REPORTS**

Nil

**12. INFRASTRUCTURE REPORTS**

**IR19/005 REQUEST FOR TENDER NO. 2019/ISD049 - TRANSPORT AND REUSE/RECYCLING OF BIOSOLIDS**

File Ref: E14.8391

**19/46 MOTION** Councillor Pollock/Councillor Tait

THAT

1. Council endorses the selection of the preferred tenderer listed for Request for Tender No. 2019/ISD049 Transport and reuse/recycling of Biosolids within the confidential attachment; and
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderer, 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**)

**IR19/007 LOCAL TRAFFIC COMMITTEE NO 8 FOR 2018-19**

File Ref: E16.0002

**19/47 MOTION** Councillor Mayne/Councillor Thomson

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 8 for 2018-19 be received and noted.
2. Council Plan No. 5156 Set BB Sheet 13 detailing the signage and line marking to designate the service road that runs parallel to Campbell Street (Princes Highway) at the intersection of Bowen Street, Narooma, be approved.

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

**13. CORPORATE AND COMMERCIAL SERVICES REPORTS**

**CCS19/009 INVESTMENTS MADE AS AT 28 FEBRUARY 2019**

File Ref: E99.3517

**19/48 MOTION** Councillor Brown/Councillor Constable

THAT the certification that the investments as at 28 February 2019, 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**)



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

**CAR19/004 MACKAY PARK DRAFT PLAN OF MANAGEMENT**

File Ref: E96.0041

**19/49 MOTION** Councillor Thomson/Councillor Brown

THAT:

1. In accordance with Section 38 of the *NSW Local Government Act 1993*, the Mackay Park draft Plan of Management (revised) be endorsed by Council for a 28 day period of public exhibition from 27 March 2019, with a public notice specifying a period of 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council;
2. Council responds to and thanks submission writers and other contributors to the first draft plan of management; and
3. A further report, detailing the results of the second public exhibition period and any submissions received, be presented to Council at the conclusion of the second exhibition period.

(The Motion 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 12.15PM**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 9 April 2019 at which meeting the signature hereon was subscribed.