



Minutes

Ordinary Meeting of Council

27 April 2021

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 27 APRIL 2021

MINUTES

1. WELCOME	1
2. ACKNOWLEDGEMENT OF COUNTRY	1
3. EVACUATION MESSAGE	1
4. APOLOGIES.....	1
5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	2
3. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA	2
4. MAYORAL REPORTS	2
5. NOTICES OF MOTION	2
6. QUESTIONS ON NOTICE FROM COUNCILLORS	3
QON21/001 Outcome of NSW Bushfire Inquiry Recommendations	3
QON21/002 Clarification of the role of the Audit, Risk and Improvement Committee.....	4
7. PETITIONS	5
8. GENERAL MANAGER'S REPORTS	6
GMR21/014 Exhibition of the Delivery Program 2017-22 and Operational Plan 2021-22	6
GMR21/015 Investments made as at 31 March 2021.....	7
GMR21/016 Aboriginal Geographical Names	8
GMR21/017 Remote Attendance by Councillors at Council Meetings	9
GMR21/018 Disaster Recovery Update	10
9. PLANNING AND SUSTAINABILITY REPORTS	11
PSR21/007 Rotary Markets - Renewal of Licence - Corrigans Beach Reserve.....	11
PSR21/008 Licence for Rally for Recovery	12
PSR21/009 Bell's Amusements - Renewal of Licence - Corrigans Beach Reserve	13
10. INFRASTRUCTURE REPORTS.....	14
IR21/011 Local Traffic Committee No 6 for 2020-21	14
11. COMMUNITY, ARTS AND RECREATION REPORTS.....	15
CAR21/007 Libraries Funding	15

CAR21/008 Council Grants for NAIDOC Week and Youth.....	16
12. DELEGATE REPORT	17
13. URGENT BUSINESS	17
14. DEALING WITH MATTERS IN CLOSED SESSION	17
15. CONFIDENTIAL MATTERS	17

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 27 APRIL 2021
COMMENCING AT 11.00AM**

PRESENT: Councillor Liz Innes, Mayor (in the Chair)
Councillors Anthony Mayne, Jack Tait, James Thomson, Lindsay Brown,
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
Ms K Bush, Acting Director, Community, Arts and Recreation
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. EVACUATION MESSAGE

The Mayor advised of the Evacuation Procedures.

4. APOLOGIES

21/43 MOTION Councillor Thomson/Councillor Tait

THAT apologies be received from Councillor Rob Pollock OAM and Maureen Nathan and leave of absence be granted.

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

Division

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

Against the Motion: Nil.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

21/44 MOTION Councillor Thomson/Councillor Tait

THAT the minutes of the Ordinary Meeting held on 23 March 2021 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, J Tait and J Thomson.

Against the Motion: Nil.

6. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Councillor Tait declared a significant, pecuniary conflict of interest in PSR21/007 Rotary Markets – Renewal Licence – Corrigan's Beach Reserve and stated that he did believe his interest would preclude him from voting.

Reason: Councillor Tait declared an interest as he is a stall holder at this market.

7. MAYORAL REPORTS

Nil

8. NOTICES OF MOTION

Nil

9. QUESTIONS ON NOTICE FROM COUNCILLORS

QON21/001 OUTCOME OF NSW BUSHFIRE INQUIRY RECOMMENDATIONS

File Ref: S008-T00025

21/45 MOTION Councillor Brown/Councillor Thomson

THAT the response to the question regarding the outcome of the NSW Bushfire Inquiry Recommendations raised by Councillor Maureen Nathan 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, J Tait and J Thomson.

Against the Motion: Nil.

**QON21/002 CLARIFICATION OF THE ROLE OF THE AUDIT, RISK AND IMPROVEMENT
COMMITTEE**

File Ref: S012-T00024

21/46 MOTION Councillor Mayne/Councillor McGinlay

THAT the response to the question regarding clarification of the role of the Audit, Risk and Improvement Committee 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, J Tait and J
 Thomson.

Against the Motion: Nil.

10. PETITIONS

Nil

11. GENERAL MANAGER'S REPORTS

**GMR21/014 EXHIBITION OF THE DELIVERY PROGRAM 2017-22 AND OPERATIONAL PLAN
2021-22**

File Ref: S004-T00028, S004-T00029

21/47 MOTION Councillor Brown/Councillor Tait

THAT:

1. The revised draft Delivery Program 2017-22 and Operational Plan 2021-22 incorporating the Budget, Capital Works Program, Statement of Revenue Policy and Fees and Charges be placed on public exhibition for a period of not less than 28 days.
2. Following public exhibition, a further report be submitted to Council for the consideration of submissions and adoption of the Delivery Program 2017-22 and Operational Plan 2021-22.

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

Division

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

Against the Motion: Nil.

GMR21/015 INVESTMENTS MADE AS AT 31 MARCH 2021

File Ref: S011-T00006, S012-T00025

21/48 MOTION Councillor Tait/Councillor Thomson

THAT the certification that the investments as at 31 March 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, L Innes, A Mayne, P McGinlay, J Tait and J Thomson.

Against the Motion: Nil.

GMR21/016 ABORIGINAL GEOGRAPHICAL NAMES

File Ref: S017-T00018

21/49 MOTION Councillor Thomson/Councillor McGinlay

THAT Council endorse dual naming of the three geographical sites, as outlined in Table 1 and provide a letter of support for the proposal to the National Parks and Wildlife Services.

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

Division

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

Against the Motion: Nil.

GMR21/017 REMOTE ATTENDANCE BY COUNCILLORS AT COUNCIL MEETINGS

File Ref: S012-T00025

21/50 MOTION Councillor Brown/Councillor Tait

THAT Council:

1. Endorse the draft submission attached to this report.
2. Forward the submission to the Office of Local Government for consideration.

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

Division

For the Motion: Crs L Brown, P Constable, L Innes, A Mayne, P McGinlay, J Tait and J
 Thomson.

Against the Motion: Nil.

GMR21/018 DISASTER RECOVERY UPDATE

File Ref: S012-T000025

21/51 MOTION Councillor Tait/Councillor Thomson

THAT Council:

1. receive and note this report;
2. acknowledge the ongoing support from the NSW and Australian governments, and the many community, private and not-for-profit groups.

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

Division

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

Against the Motion: Nil.

12. PLANNING AND SUSTAINABILITY REPORTS

PSR21/007 ROTARY MARKETS - RENEWAL OF LICENCE - CORRIGANS BEACH RESERVE

File Ref: S023-T00017 LAND ID: 13742

Councillor Tait declared a significant, pecuniary conflict of interest in PSR21/007 Rotary Markets – Renewal of Licence – Corrigans Beach Reserve and stated that he did believe his interest would preclude him from voting.

Reason: Councillor Tait declared an interest as he is a stall holder at this market.

At 11:17 am Councillor Tait left the Chambers.

21/52 MOTION Councillor Thomson/Councillor Brown

THAT:

1. Council grant a five-year licence to Rotary Batemans Bay to operate fundraising markets within Lot 7 DP 1041103, Corrigans Beach Reserve commencing on 14 March 2021 and expiring on 13 March 2026, including the following conditions:
 - a. the licence fee in accordance with Council’s adopted fees and charges for not for profit markets within Eurobodalla Shire will apply
 - b. the licence area is to be left clean and tidy after use, and any damage caused is to be rectified by the licence holder
 - c. the provision of \$20 million public liability insurance
 - d. conditions generally in line with similar licences.
2. The General Manager be given delegated authority to negotiate further licences.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay and J Thomson.

Against the Motion: Nil.

At 11:18 am Councillor Tait returned to the Chambers.

PSR21/008 LICENCE FOR RALLY FOR RECOVERY

File Ref: S023-T00017 Land ID 4684

21/53 MOTION Councillor Mayne/Councillor McGinlay

THAT:

1. Council grant a five year licence to Rally for Recovery for fundraising activities within part Lot 33 DP 207386 with conditions including the following:
 - a. The licence fee be in line with similar licences
 - b. The licenced premises to be maintained by the licensee and left clean and tidy after use, and any damage caused is to be rectified by the licence holder
 - c. The provision of \$20 million public liability insurance
 - d. Conditions generally in line with similar licences
 - e. Rally for Recover is not permitted to use the site prior to 8:45 am on school days.
2. The General Manager be given delegated authority to negotiate further licences.

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

Division

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

Against the Motion: Nil.

PSR21/009 BELL'S AMUSEMENTS - RENEWAL OF LICENCE - CORRIGANS BEACH RESERVE

File Ref: SO23-T00017 LAND ID:13742

21/54 MOTION Councillor Thomson/Councillor Tait

THAT:

1. Council grant a five-year licence to Bell's Amusements to conduct an annual amusement carnival within Lot 7 DP 1041103, Corrigans Beach Reserve commencing on 1 February 2021 and expiring on 31 January 2026, including the following conditions:
 - a. the licence fee in line with the daily rate for circus set up and dismantle days will apply
 - b. an annual sewer pump maintenance fee will apply, currently \$2,950.00 plus GST, with annual increases, the greater of CPI or 3%
 - c. the licence area is to be left clean and tidy after use, and any damage caused is to be rectified by the licence holder
 - d. the provision of \$20 million public liability insurance
 - e. conditions generally in line with similar licences.
2. The General Manager be given delegated authority to negotiate further licences.

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

Division

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

Against the Motion: Nil.

13. INFRASTRUCTURE REPORTS

IR21/011 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2020-21

File Ref: S030-T00018

21/55 MOTION Councillor Mayne/Councillor Brown

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 6 for 2020-21 be received and noted.
2. Council Plan No. Set BP Sheet 12 detailing the 'No Parking' signage around the boat ramp and fish cleaning table at Mill Bay, North Narooma be approved.
3. Council Plan No. 5156 Set BB Sheet 26 detailing the 'No Parking' and 'No Stopping' signage adjoining NSW Fire and Rescue building at the intersection of Herarde Street and Heradale Street, Batemans Bay be approved.
4. Council Plan No. 4409 Set C Sheet 03 detailing the signage and line marking associated with the proposed roundabout at the intersection of Ford Street and Ford Lane, 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, J Tait and J Thomson.

Against the Motion: Nil.

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR21/007 LIBRARIES FUNDING

File Ref: S003-T00026

21/56 MOTION Councillor Brown/Councillor Thomson

THAT Council notes the acceptance of funding grants totaling \$3,765.00 plus GST:

1. \$2,500.00 from Good Things Foundation Australia for the delivery of 'Be Connected, Building Digital Skills' 2020/21 training; and
2. \$1265.00 from Telstra via the NSW State Library for the continuation of the existing 'Tech Savvy Seniors' training programs.

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

Division

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

Against the Motion: Nil.

CAR21/008 COUNCIL GRANTS FOR NAIDOC WEEK AND YOUTH

File Ref: S003-T00045; S003-T00040

21/57 MOTION Councillor McGinlay/Councillor Brown

THAT Council approve the recommendations detailed in the confidential attachment awarding NAIDOC grants to nine (9) local groups/organisations and youth grants to nine (9) local groups/organisations.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, 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 11.29am

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 11 May 2021 at which meeting the signature hereon was subscribed.