



Minutes

Ordinary Meeting of Council

26 April 2022

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 26 APRIL 2022

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 26 APRIL 2022
COMMENCING AT 11.00AM**

PRESENT: Councillor Mathew Hatcher, Mayor (in the Chair)
Councillors Tanya Dannock, Peter Diskon, David Grace, Tubby Harrison,
Anthony Mayne, Amber Schutz, Rob Pollock OAM and Alison Worthington

Staff: Dr Catherine Dale, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr T Swallow, Acting Director, Infrastructure Services
Ms K Bush, Acting Director, Community, Arts and Recreation
Mr J Phillips, Divisional Manager, Governance and Administration
Miss Lauren Evans, 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

Nil

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

22/88 MOTION Councillor Dannock/Councillor Schutz

THAT the minutes of the Ordinary Meeting held on 12 April 2022 be confirmed with a change to note that Councillor Tanya Dannock voted against resolution 22/75 in NOM22/005 Eurobodalla Shire Council supports an end to Native Forest Logging in Eurobodalla Shire.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

6. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Councillor Worthington declared a non-significant, non-pecuniary conflict of interest in NOM22/09 Support Southcoast Health and Sustainability Alliance (SHASA) to undertake a Eurobodalla Solar Farm and Community Battery Feasibility Study and stated that she did not believe her interest would preclude her from voting.

Reason: Councillor Worthington declared an interest as she is a member of Southcoast Health and Sustainability Alliance (SHASA).

7. MAYORAL REPORTS

Nil

8. NOTICES OF MOTION

NOM22/009 SUPPORT SOUTHCOAST HEALTH AND SUSTAINABILITY ALLIANCE TO UNDERTAKE A EUROBODALLA SOLAR FARM AND COMMUNITY BATTERY FEASIBILITY STUDY

File Ref: S012-T00026

Councillor Worthington declared a non-significant, non-pecuniary conflict of interest in NOM22/09 Support Southcoast Health and Sustainability Alliance (SHASA) to undertake a Eurobodalla Solar Farm and Community Battery Feasibility Study and stated that she did not believe her interest would preclude her from voting.

Reason: Councillor Worthington declared an interest as she is a member of Southcoast Health and Sustainability Alliance (SHASA).

22/89 MOTION Councillor Worthington/Councillor Schutz

THAT Council:

1. Acknowledge the efforts by Southcoast Health and Sustainability Alliance (SHASA) to increase the renewable energy sector within the Eurobodalla.
2. Provide in principle support to Southcoast Health and Sustainability Alliance to undertake a Eurobodalla Solar Farm and Community Battery Feasibility Study.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

9. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

10. PETITIONS

Nil

11. GENERAL MANAGER'S REPORTS

**GMR22/045 EXHIBITION OF THE DRAFT 2022-26 DELIVERY PROGRAM, 2022-23
OPERATIONAL PLAN AND 2022-32 LONG TERM FINANCIAL PLAN**

File Ref: S004-T00028, S004-T00029

22/90 MOTION Councillor Harrison/Councillor Grace

THAT:

1. The draft 2022-26 Delivery Program and 2022-23 Operational Plan 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. The draft 2022-32 Long-Term Financial Plan be placed on public exhibition for a period of not less than 28 days.
3. Following public exhibition, a further report be submitted to Council for the consideration of submissions and adoption of the 2022-26 Delivery Program, 2022-23 Operational Plan and 2022-32 Long Term Financial Plan.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

GMR22/046 POLICY ADOPTION - FEBRUARY REVIEW

File Ref: E16.0297

22/91 MOTION Councillor Grace/Councillor Dannock

THAT the following policies be adopted.

- Accounting For Divisions and Subsidiaries of Council
- Aged Care Services
- Asset Disposals
- Asset Management
- Borrowing Management
- Bus Stops and Bus Zones
- Bush Fire Risk Management
- Cemeteries Management
- Children's Services
- Clean Air
- Signs As Remote Supervision

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R
Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

GMR22/047 POLICY REVIEW FOR EXHIBITION - APRIL 2022

File Ref: S004-T00060

22/92 MOTION Councillor Harrison/Councillor Grace

THAT:

1. Council places the following draft policies for the purposes of public consultation for a period of 28 days:
 - (a) Development Contributions – Requests For Refunds
 - (b) Disability Services
 - (c) Drinking Water Quality
 - (d) Engineering Design Standards
 - (e) Fingerboard Signs – Local Directional
 - (f) Fiscal Responsibility
 - (g) Food Inspection
 - (h) Fraud Control
2. Following the expiration of this period, the draft policy and any public submissions be presented back to Council for consideration.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

GMR22/048 ADVISORY COMMITTEE - COMMUNITY APPOINTMENTS

File Ref: S003-T00034

22/93 MOTION Councillor Mayne/Councillor Grace

THAT Council:

1. Amend the Disability Inclusion Advisory Committee Terms of Reference as follows:
 - (a) Composition – delete the words “up to eight (8) community members” and add “up to nine (9) community members”;
 - (b) Appoint nine (9) persons to the Disability Inclusion Advisory Committee as recommended in the confidential attachment.
2. Amend the Aboriginal Advisory Committee Terms of Reference as follows:
 - (a) Composition – delete the words “up to 7 community members” and add “up to nine (9) community members”;
 - (b) Appoint nine (9) persons to the Aboriginal Advisory Committee as recommended in the confidential attachment.
3. Amend the Heritage Advisory Committee Terms of Reference as follows:
 - (a) Composition – delete the words “three community members” and add “four community members”;
 - (b) Appoint the four (4) persons to the Heritage Advisory Committee as recommended in the confidential attachment.
4. Amend the Coastal and Environment Management Advisory Committee terms of reference as follows:
 - (a) Appendix 1, voting committee members:
 - (i) Natural Resource Management: change from 1 to 2
 - (ii) North Central: change from 1 to 2
 - (iii) South (Dalmeny to Akolele): change from 1 to 2
 - (b) Appoint eleven (11) persons to the Coastal and Environment Management Advisory Committee as recommended in the confidential attachment.
 - (c) Recruit for the vacant positions on this committee later in the year.
5. Appoint four (4) persons to the Public Art Advisory Committee as recommended in the confidential attachment.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

GMR22/049 INVESTMENTS MADE AS AT 31 MARCH 2022

File Ref: S011-T00006, S012-T00025

22/94 MOTION Councillor Harrison/Councillor Schutz

THAT the certification of investments as at 31 March 2022, 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: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

12. PLANNING AND SUSTAINABILITY REPORTS

PSR22/009 VARIATION OF LEASE - HEAVY VEHICLE INSPECTION STATION

File Ref: S023-T00015

22/95 MOTION Councillor Schutz/Councillor Diskon

THAT

1. Council vary the current lease to Transport for NSW for the Heavy Vehicle Inspection Station at 210 Araluen Road, Moruya, Part Lot 11 DP 879432 by extending the term by five years, subject to the following conditions:
 - a. payment of annual rental calculated in line with the previous lease
 - b. provision of evidence of public liability insurance cover in the amount of at least \$20 million, and
 - c. conditions generally in line with the previous lease.
2. The General Manager be given delegated authority to negotiate further leases.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

PSR22/010 LICENCE FOR MARKETS - RIVERSIDE PARK, MORUYA

File Ref: S023-T00017

22/96 MOTION Councillor Pollock OAM/Councillor Dannock

THAT

1. Council grant five-year licences to Moruya Country Markets and SAGE Farmers' Markets to operate markets within part Lots 304/752151, 303/752151, 221/752151, 1/722793, 7301/1132695 and 738/1081043, Riverside Park Moruya, commencing on 1 July 2021 and expiring on 30 June 2026, including the following conditions:
 - a. The licence fee be in accordance with Council's adopted Fees and Charges for markets within the Eurobodalla.
 - 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. Provision of evidence of public liability insurance cover to the amount of at least \$20 million.
 - d. Conditions generally be in line with similar licences.
2. The General Manager be given delegated authority to negotiate further licences.
3. A 40% discount for stall fees for not-for-profit mid-week SAGE Farmers' Markets be included in Council's Fees and Charges commencing 1 July 2022.
4. For the period until 31 December 2022, the Sage Farmers Market licence not be charged stall fees in order to support the markets' operational costs. All other licence conditions are to remain unchanged.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

13. INFRASTRUCTURE REPORTS

**IR22/011 REQUEST FOR TENDER NO.10048321 - TUROSS HEAD SEWERAGE AUGMENTATION
DESIGN AND DOCUMENTATION**

File Ref: S029-T00004

22/97 MOTION Councillor Pollock OAM/Councillor Schutz

THAT Council accepts the tender identified as the preferred tenderer listed for Request for Tender No. 10048321 Tuross Head Sewerage Augmentation Design and Documentation.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Nil.

14. COMMUNITY, ARTS AND RECREATION REPORTS

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 11.33 AM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 10 May 2022 at which meeting the signature hereon was subscribed.