



# **Minutes**

**Ordinary Meeting of Council**

**25 August 2020**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 25 AUGUST 2020**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 25 AUGUST 2020  
COMMENCING AT 11.00AM**

**PRESENT:** Councillor Liz Innes, Mayor (in the Chair)  
Councillors Anthony Mayne, Jack Tait, James Thomson, Lindsay Brown,  
Maureen Nathan, 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  
Ms A Jones, Acting 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**

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. APOLOGIES**

Nil

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

**20/144 MOTION** Councillor Pollock/Councillor Thomson

THAT the minutes of the Ordinary Meeting held on 11 August 2020 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, M Nathan, R  
Pollock, J Tait and J Thomson.

Against the Motion: Nil.

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

Councillor Brown declared a significant, non-pecuniary conflict of interest in GMR20/023 Funding Offer – Australian Government and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Brown declared an interest as he is a Board Member of one of the groups that is a recipient of the grant funding received.

Councillor Brown declared a significant, non-pecuniary conflict of interest in PSR20/020 Eurobodalla Local Strategic Planning Statement and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Brown declared an interest as an organisation that he is involved with made a submission to this document.

**6. MAYORAL REPORTS**

Nil

**7. NOTICES OF MOTION**

Nil

**8. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil

**9. PETITIONS**

Nil

**10. GENERAL MANAGER'S REPORTS**

**GMR20/022 2020 SPECIAL LOCAL ROADS AND TRANSPORT CONGRESS - ROADS, REGIONS  
AND RESILIENCE**

File Ref: S004-T00019

**20/145 MOTION** Councillor Pollock/Councillor Nathan

THAT Council be represented at the 2020 Special Local Roads and Transport Congress to be held in Wagga Wagga, NSW from 16-18 November 2020 as follows:

1. Council nominate Councillors Phil Constable, Anthony Mayne and Rob Pollock OAM to attend the Conference;
2. Council representative be reimbursed out of pocket expenses in accordance with the Councillors' Expenses and Facilities Policy.

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

Division

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

Against the Motion: Nil.

**GMR20/023 FUNDING OFFER - AUSTRALIAN GOVERNMENT FUNDING**

File Ref: S014-T00006

Councillor Brown declared a significant, non-pecuniary conflict of interest in GMR20/023 Funding Offer – Australian Government and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Brown declared an interest as he is a Board Member of one of the groups that is a recipient of the grant funding received.

**AT 11:05 AM** Councillor Brown left the Chambers.

**20/146 MOTION** Councillor Mayne/Councillor Tait

THAT:

1. Council endorse the actions taken to accept the grant funds offered under the Australian Government Regional Tourism Bushfire Recovery Program totalling \$310,000 as follows:
  - (a) \$80,000 for Narooma Oyster Festival
  - (b) \$30,000 for Tilba Festival
  - (c) \$100,000 for Eurobodalla Food Trail
  - (d) \$100,000 for Observation Point Coastal Walk.
2. Council endorse the actions taken to accept the grant funds offered under the Australian Government Building Better Regions Fund Community Investment Stream totalling \$30,000 for Development of the Biodiveristy Strategy.
3. Letter of appreciation be sent to the local federal members for support in securing these grants for the Eurobodalla community.

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

Division

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

Against the Motion: Nil.

**AT 11:07 AM** Councillor Brown returned to the Chambers.



**11. PLANNING AND SUSTAINABILITY REPORTS**

**PSR20/019 2019-2020 EMISSIONS REDUCTION PLAN AND SUSTAINABILITY PROGRESS REPORT**

File Ref: S010-T00037

**20/147 MOTION** Councillor McGinlay/Councillor Thomson

THAT Council receive and note the 2019-2020 Emissions Reduction Plan and Sustainability Progress Report.

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

Division

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

Against the Motion: Nil.

**PSR20/020 EUROBODALLA LOCAL STRATEGIC PLANNING STATEMENT - POST  
EXHIBITION**

File Ref: S017-T00002, OP0049-S004

Councillor Brown declared a significant, non-pecuniary conflict of interest in PSR20/020 Eurobodalla Local Strategic Planning Statement and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Brown declared an interest as an organisation that he is involved with made a submission to this document.

**At 11:09 AM** Councillor Brown left the Chambers.

**20/148 MOTION** Councillor Tait/Councillor Nathan

THAT Council:

1. Having considered all the submissions received during the public exhibition period, adopt the amended draft Local Strategic Planning Statement.
2. Upload the draft Local Strategic Planning Statement to NSW Department of Planning, Industry and Environment's planning portal.

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

Division

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

Against the Motion: Nil.

**At 11:18 AM** Councillor Brown returned to the Chambers.

**PSR20/021      REQUESTS TO WAIVE TIPPING FEES**

File Ref: S031-T00028

**20/149 MOTION** Councillor Innes/Councillor Pollock

THAT Council:

1. waives waste disposal charges for construction and demolition waste coming from the Narooma Community Men's Shed site at Barker Parade, Narooma up to the amount of \$10,000 (ex GST).
2. waives waste disposal charges for construction and demolition waste coming from the Narooma Woodies site at Old Bodalla School on Eurobodalla Road, Bodalla up to the amount of \$10,000 (ex GST).

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

Division

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

Against the Motion: Nil.

**3. INFRASTRUCTURE REPORTS**

**IR20/013 DEVELOPMENT SERVICING PLAN FOR WATER SUPPLY AND SEWERAGE**

File Ref: S032-T00032

**20/150 MOTION** Councillor Pollock/Councillor Tait

THAT:

1. Council adopts the Development Servicing Plans for Water Supply and Sewerage prepared by Hydrosphere Consulting and publicly exhibited during June/July 2020.
2. Council registers the adopted Development Servicing Plans for Water Supply and Sewerage with the NSW Department of Planning, Industry and the Environment.
3. Council amends the 2020-21 Fees and Charges to reflect the charges as determined in the adopted Development Servicing Plans for Water Supply and Sewerage, which for the 2020-21 Financial year are:

DSP Area	Service Area	Developer Charge (per ET)
Water DSP	All water supply area	\$6,688
Sewer DSP 1	Tomakin, Rosedale/Guerilla Bay, Bodalla	\$11,065
Sewer DSP 2	Moruya, Batemans Bay	\$8,445
Sewer DSP 3	Narooma, Tuross	\$4,283

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

Division

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

Against the Motion: Nil.

**IR20/015 REQUEST FOR TENDER NO. 10025481  
TUROSS HEAD SEWAGE TREATMENT PLANT AUGMENTATION**

File Ref: S029-T0004

**20/151 MOTION** Councillor Pollock/Councillor Nathan

THAT Council:

1. Endorses the selection of the preferred tenderer listed for Tender No. 10025481 Tuross Head Sewage Treatment Plant Augmentation at Kelly Road, Bingie; 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.

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

Division

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

Against the Motion: Nil.

**4. CORPORATE AND COMMERCIAL SERVICES REPORTS**

**CCS20/029 SURF CLUB TENURES - BROULEE SURF CLUB**

File Ref: LAND ID: 10788

**20/152 MOTION** Councillor Mayne/Councillor Brown

THAT subject to the consent of the Minister administering the *Crown Land Management Act 2016*;

1. Council as Crown Land Manager for Reserve 87860 grant a five-year lease; and
2. Once a Plan of Management is in place, grant a 20-year lease to Broulee Surfers Surf Life Saving Club for Surf Club related activities within Crown Reserve R87860 in Broulee, subject to conditions including:
  - I. Payment of annual Crown Land minimum rental (currently \$507 plus GST per annum) increased annually in line with the CPI
  - II. Provision of evidence of public liability insurance cover in the amount of at least \$20 million
  - III. Conditions generally in line with similar leases including:
    - a. to keep the building in good repair and enter into a building maintenance agreement
    - b. to accommodate the operation of commercial lifesavers.

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

Division

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

Against the Motion: Nil.

**CCS20/030 INVESTMENTS MADE AS AT 31 JULY 2020**

File Ref: S011-T00006, S012-T00025

**20/153 MOTION** Councillor Pollock/Councillor Constable

THAT the certification that the investments as at 31 July 2020, 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, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

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

Nil

**6. DELEGATE REPORT**

Nil

**7. URGENT BUSINESS**

**20/005 INTERSECTION OF PRINCES HIGHWAY AND CENTENARY DRIVE, NAROOMA**

Councillor Phil Constable raised concerns regarding the changes to the intersection of the Princes Highway and Centenary Drive, Narooma.

Councillor Constable acknowledged the advocacy by the Mayor and the Director Infrastructure Services to NSW Government on this matter to date.

**20/154 MOTION** Councillor Constable

THAT Council continues to advocate for the urgent allocation of funding by the NSW Government to enable restoration of the right turn in the short term, including appropriate interim safety measures and a full right turn intersection treatment.

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

**8. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 11.38am**

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**CHAIRPERSON**

Chairperson of the Ordinary Council Meeting held on Tuesday, 8 September 2020 at which meeting the signature hereon was subscribed.