



# **Minutes**

**Ordinary Meeting of Council**

**19 March 2024**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 19 MARCH 2024**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 19 MARCH 2024  
COMMENCING AT 12.30PM**

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

**PRESENT (Via Audio  
Visual Link):** Councillor Tanya Dannock

**Staff:** Warwick Winn, General Manager  
Mr G Bruce, Acting Director, Planning and Sustainability Services  
Mr G Attenborough, Director, Infrastructure Services  
Mrs K Arthur, Director, Community, Arts and Recreation  
Mrs S Speedy, Director, Finance and Corporate Services  
Ms K Pisanos, Executive Manager Coordination and Communications  
Ms L Jeremy, Interim Governance Manager  
Miss L Evans, Minute Secretary

**1. WELCOME**

The Mayor welcomed everyone to the meeting.

**2. ACKNOWLEDGEMENT OF COUNTRY**

Eurobodalla Shire Council recognises Aboriginal people as the original inhabitants and custodians of all land and water in the Eurobodalla and respects their enduring cultural and spiritual connection to it. Eurobodalla Shire Council acknowledges the Traditional Owners of the land in which we live. Council pays respect to Elders past, present and future. We are on Yuin Country.

**3. APOLOGIES**

Nil

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

**24/15 MOTION** Councillor Diskon/Councillor Schutz

THAT the minutes of the Ordinary Meeting held on 20 February 2024 be confirmed.

(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.

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

Nil

**6. 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.)

**PF24/010 PET24/001 VEHICULAR ACCESS TO MALONEYS BEACH**

Michael Stavroulakis addressed Council in relation to PET24/001 Vehicular Access to Maloneys Beach. He spoke in support of the petition.

A copy of Michael's presentation is available on Council's website.

**7. MAYORAL REPORTS**

Nil

**8. NOTICES OF MOTION**

**NOM24/001 VIRTUAL FENCE PROGRAM**

File Ref: S028-T00001; S010-T00015

**24/16 MOTION** Councillor Mayne/Councillor Schutz

THAT Council:

1. Thank Council staff, Eurobodalla Coastwatchers and WIRES for the virtual fence trial at Long Beach. The success of this trial over an 8-month period resulted in a reduction of road kill by 90%.
2. Submit a motion to the Australian Local Government Association's National General Assembly in Canberra on 2-4 July 2024 as follows: The National General Assembly calls on the Federal Government to research virtual fences and to provide grants to local councils to undertake trials to enhance road safety.
3. That Councillor Anthony Mayne attend the Transport for NSW 'Vehicle Strike Emerging Technologies' symposium in May 2024 in Sydney, where the virtual fence project will be presented.

(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**

**PET24/001 VEHICULAR ACCESS TO MALONEYS BEACH**

File Ref: S020-T00020; S012-T00029

**24/17 MOTION** Councillor Schutz/Councillor Grace

THAT Council receive and note the petition.

(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.

**11. GENERAL MANAGER'S REPORTS**

Nil

**12. PLANNING AND SUSTAINABILITY REPORTS**

Nil

**13. FINANCE AND CORPORATE SERVICES REPORTS**

**FCS24/005 INVESTMENTS MADE AS AT 29 FEBRUARY 2024**

File Ref: S011-T00006,S012-T00025

**24/18 MOTION** Councillor Worthington/Councillor Grace

THAT the certification of investments as at 29 February 2024, 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.

**14. INFRASTRUCTURE REPORTS**

**IR24/002 UPDATE - COLLOCATED EMERGENCY SERVICES PRECINCTS - MORUYA AND SURF BEACH**

File Ref: S008-T00023

**24/19 MOTION** Councillor Grace/Councillor Harrison

THAT:

1. Council **notes** the status of the development of the two emergency services precincts
2. Council **notes** the work that Council has already undertaken to progress the establishment of the precincts, within the constraints
3. Council **notes** the current approach to minimise the risks in terms of time, cost and scope associated with the delivery of the two precincts, including risks to Council
4. Council **approves** that the General Manager is delegated authority to negotiate tenure arrangements with the various parties; that this could include long term lease or sale and would be subject to a further Council resolution to confirm when details are known.

(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.

**IR24/003 REQUEST FOR TENDER NO. 10063561 - TUROSS HEAD SEWER AUGMENTATION  
WORKS PUMPING STATION TU04, TU06 AND TU07**

File Ref: S029-T00004

**24/20 MOTION** Councillor Harrison/Councillor Diskon

THAT Council:

1. Enters into a contractual arrangement with the preferred tenderer for the construction of upgrade works to sewage pumping stations and gravity sewer mains, subject to the terms specified in Request for Tender No. 10063561– Tuross Head Sewer Augmentation Works Pumping Station TU04, TU06 and TU07 unless otherwise varied in accordance with this report.
2. Agrees that variations may be made in accordance with the relevant provisions of the contract, provided that the total value of variations does not exceed 10% of the approved tender price.

(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.

**IR24/004 REQUEST FOR TENDER NO. 10062991 - BATEMANS BAY COASTAL EROSION  
PROTECTION WORKS – DESIGN SERVICES**

File Ref: S017-T000013

**24/21 MOTION** Councillor Grace/Councillor Worthington

THAT Council:

1. Enters into a contractual arrangement with the preferred tenderer for the provision of design services for Long Beach Coastal Erosion Protection Works, Surfside Coastal Inundation Levee and Wharf Road Erosion and Inundation Protection, subject to the terms specified in Request for Tender No. 10062991 - Batemans Bay Coastal Erosion Protection Works – Design Services unless otherwise varied in accordance with this report.
2. Agrees that variations may be made in accordance with the relevant provisions of the contract, provided that the total value of variations does not exceed 10% of the approved tender price.

(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.

**IR24/006 LOCAL TRAFFIC COMMITTEE NO. 7 FOR 2023-24**

File Ref: S030-T00018

**24/22 MOTION** Councillor Schutz/Councillor Mayne

THAT Council approves:

1. The following acts for determination from Local Traffic Committee No. 7:
  - **2024.RT.016 Linemarking – Country Club Drive, Catalina** that Council Plan 5490-G-1 detailing directional arrow converging BB linemarking and keep left signage in Penguin Place and Country Club Drive Catalina, be approved.
  - **2024.RT.017 Signs – Train Street No Stopping, Broulee** that Bayner Pty Ltd Plan 834-7A Sheet A1 for DA0613/22 outlining roundabout and No Stopping signs and linemarking on Heath Street, Broulee, be approved.
  - **2024.RT.018 Signs – Hill Street, No Parking, Long vehicles exempt, Batemans Bay** that Council Plan 5490-H-01 for signage at Hill Street Batemans Bay for No Parking, Vehicles over 12T or 7.5m Exempt, be approved
  - **2024.RT.019 Signs – No Stopping, Queen Street Moruya** that Council Plan 5156 Set BQ Sheet 20 for No Stopping and timed 2P parking signage on Queen Street, Moruya, be approved.
  - **2024.RT.020 Signs and lines – Heath Street and Bangalay Way Broulee No Stopping, Give Way, Broulee** that Conway Burrows and Hancock plan 3647-5C for Give Way signage and linemarking Imogen Way and No Stopping and Keep Left signage on Heath Street, Broulee, be approved.
  - **2024.RT.001 Signs and linemarking - Long Beach Road, Long Beach** that Group Development Services Pty Ltd Plan P00511-CI-SWC-1351 Revision 6 outlining No Stopping, chicanes, No Through Road and chevrons, for Vantage Developments No.1 Pty Ltd project 12 Long Beach Road, Long Beach, be approved.
2. The following Special Events and Informal Items:
  - **2024.SE.009 Rural Fire Service - Corunna State Forest** that the submitted traffic management and control plans TGS-102-07, TGS-102-06, TGS-102-08 for Corunna State Forest Hazard Reduction be approved.
  - **2024.SE.010 ANZAC Day, Batemans Bay, Moruya, Nelligen, Narooma** that the submitted traffic management and control plans for the ANZAC Day marches for Batemans Bay, Moruya, Nelligen and Narooma on 25 April 2024, subject to approval by the NSW Police and lodgement of a Road Occupancy License (ROL) to Roads and Maritime Services for the Moruya and Narooma events, be approved.
  - **6.3 2024.SE.011 Fox Super Flow – Narooma** that Fox Super Flow, to be conducted in the Bodalla State Forest Narooma Mountain Bike Park on Saturday 9 and Sunday 10 March 2024 under Traffic Guidance Scheme, TGS-FSF-2024, be endorsed, subject to following all requirements and conditions of the Transport for NSW ROL.

- **6.4 2024.SE.012 RYDA 2024** That the submitted traffic management and control plan for the 2024 Rotary Youth Driver Awareness Program to be conducted using Donnelly Drive, Moruya on 10 and 11 April 2024 be approved.
- **6.5 2024.SE.013 Special Event Application – Sprint Series Adventure Race** that the submitted Traffic Guidance Scheme Ref. NH102 to be conducted at Jack Buckley Park, Tomakin and Mogo State Forest on March 3 2024, be approved.

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

Division

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

Against the Motion: Cr T Harrison.



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

**CAR24/001 DISSOLUTION OF THE BROULEE TENNIS S355 MANAGEMENT COMMITTEE**

File Ref: S012-T00018

**24/23 MOTION** Councillor Grace/Councillor Harrison

THAT:

1. Council dissolves the Broulee Tennis S355 Management Committee, effective immediately.
2. Existing funds held by Council under the Broulee Tennis Club Management Committee be retained by Council for the purpose of maintenance and renewal activities at the Broulee tennis courts.
3. Council thanks the outgoing management committee for their contribution to the management and operation of the courts.

(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.

**CAR24/002      DOMESTIC VIOLENCE ACTIVISM UPDATE**

File Ref: S003-T00025

**24/24    MOTION** Councillor Worthington/Councillor Diskon

THAT Council receive and note the Domestic Violence Activism Update.

(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.

**16. URGENT BUSINESS**

Nil

**17. DEALING WITH MATTERS IN CLOSED SESSION**

Nil

**18. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 1.17PM**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 16 April 2024 at which meeting the signature hereon was subscribed.