



Minutes

Ordinary Meeting of Council

12 June 2018

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 12 JUNE 2018

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 12 JUNE 2018
COMMENCING AT 10.10AM**

PRESENT: Councillor Liz Innes, Mayor (in the Chair)
Councillors Anthony Mayne, Jack Tait, James Thomson, Lindsay Brown,
Maureen Nathan, Patrick McGinlay 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, Finance and Business Development
Mrs K Arthur, Director, Community, Arts and Recreation
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

18/124 MOTION Councillor Tait/Councillor Pollock

THAT apologies be received from Councillor Constable and leave of absence be granted.

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

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.)

Nil

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

18/125 MOTION Councillor Pollock/Councillor Tait

THAT the minutes of the Ordinary Meeting held on 22 May 2018 be confirmed.

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

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Councillor Brown declared a non-significant, non-pecuniary conflict of interest in CAR18/021 Eurobodalla NAIDOC Week Grant and stated that he did believe his interest would preclude him from voting.

Reason: Councillor Brown declared an interest as he is an Executive Board member of South East Arts who have applied for a Grant .

6. MAYORAL REPORTS

Nil

7. NOTICES OF MOTION

Nil

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. PETITIONS

Nil

10. GENERAL MANAGER'S REPORTS

Nil

11. PLANNING AND SUSTAINABILITY REPORTS

Nil

12. INFRASTRUCTURE REPORTS

IR18/028 FUNDING OFFER - RESTART NSW - CULLENDULLA DRIVE, LONG BEACH

File Ref: E08.2547

18/126 MOTION Councillor Pollock/Councillor Tait

THAT:

1. Council endorse the actions taken to accept the funding offer of \$668,204 under the NSW Government's Restart NSW Fixing Country Roads Round Three Program for the upgrade of Cullendulla Drive, Long Beach.
2. Council write to the Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP thanking the NSW Government for the funding of \$668,204 provided under the NSW Government's Restart NSW Fixing Country Roads Round Three Program for the upgrade of Cullendulla Drive, Long Beach.

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

IR18/029 LOCAL TRAFFIC COMMITTEE NO. 8 FOR 2017-18

File Ref: E16.0002

18/127 MOTION Councillor Mayne/Councillor Tait

THAT

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 7 of 2017-18 held on 5 April 2018 be received and noted.
2. Council Plan No. 2755 Set D Sheets 11 and 18 detailing the signage and line-marking associated with raised pedestrian crossing and accessible parking spaces within the carpark at Moruya Showground be approved.
3. Council Plan No 5006 Set C Sheet 12 depicting the signage and line-marking on Crown Street, Guy Street and Bent Street, Batemans Bay, including regulating Crown Street 'One Way' be approved.

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

13. CORPORATE AND COMMERCIAL SERVICES REPORTS

CCS18/019 TENDER - WATER TANKER SUPPORT

File Ref: E13.7092

18/128 MOTION Councillor Thomson/Councillor Mayne

THAT

1. Council endorses the selection of the preferred tenderer listed for Request for Tender No. 2018/FBD048 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**)

CCS18/020 TENDER - PLANT HIRE PANEL

File Ref: E18.1450

18/129 MOTION Councillor Thomson/Councillor Tait

THAT

1. Council endorses the 73 submissions listed for the Request for Tender No. 2018/FBD040 Plant Hire Panel within the Confidential Attachment; and
2. Accordingly approves the entering into of Deeds of Standing Offers with all 73 bidders as listed in the Confidential Attachment.

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

CCS18/021 EASEMENT FOR SUPPORT - BAY VIEW STREET, SURF BEACH

File Ref: 92.8078.B

18/130 MOTION Councillor Tait/Councillor Brown

THAT:

1. Consent be given for the creation of an Easement for Support over part road reserve adjoining Lot 62 DP 622011 and benefitting Lot 62.
2. All costs including Council's reasonable legal costs associated with the creation of the Easement for Support be borne by the applicant.
3. Compensation for the Easement for Support to be agreed as set out in the Confidential Attachment to this report.
4. Authority be given to affix the Common Seal of Council to the necessary documentation associated with the Easement for Support.

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

CCS18/022 FORMER BATEMANS BAY BOWLING CLUB SITE - LEASE TO RMS

File Ref: E12.6442

18/131 MOTION Councillor Brown/Councillor Nathan

THAT

1. Council grant a lease to Roads and Maritime Services for a secure compound for the Batemans Bay Bridge Replacement Project within Lots 282, 283 and 299 DP 755902 and Lot 304 DP 257116, Vesper Street, Batemans Bay subject to key terms including:
 - (a) A term of three years commencing on 1 July 2018 and terminating on 30 June 2021 with a one year option.
 - (b) Payment of rental as set out in the Confidential Attachment to the Report.
 - (c) Provision of evidence of public liability insurance cover in the amount of at least \$20 million.
 - (d) Demolition of the former Batemans Bay Bowling Club building by RMS or its contractors.
2. Consent be given to affix the Common Seal of Council to all documents associated with the granting of a lease over Lots 282, 283 and 299 DP 755902 and Lot 304 DP 257116.
3. Council to re-use or undertake the public sale of all useable non-fixed assets within the building.
4. The demolition of the building be undertaken in a manner that makes all reasonable attempts to reuse and recycle materials.

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

CCS18/023 NAROOMA SURF BEACH HOLIDAY PARK LEASE

File Ref: E83.7806

18/132 MOTION Councillor Pollock/Councillor Brown

THAT

1. Subject to consent from the Minister administering the *Crown Lands Act 1989*, Council as Trust Manager of the Eurobodalla (South) Reserve Trust grant a lease over Lot 921 DP 878393 being part Crown Reserve R91375 Narooma to the current Lessee named in the Confidential Attachment to this report with the following key terms:
 - (a) A term of 25 years commencing on 1 July 2018 and terminating on 30 June 2043.
 - (b) Payment of rental as set out in the Confidential Attachment to this report.
 - (c) Provision of evidence of public liability insurance cover in the amount of at least \$20 million.
2. Consent be given to affix the Common Seal of Council to all documents associated with the granting of a lease over Lot 921 DP 878393.

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

CCS18/024 INVESTMENTS MADE AS AT 30 APRIL 2018

File Ref: E99.3517

18/133 MOTION Councillor Pollock/Councillor Tait

THAT the certification that the investments as at 30 April 2018, 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**)

CCS18/025 DIVIDENDS FROM WATER AND SEWER FUNDS

File Ref: E05.9535

18/134 MOTION Councillor Nathan/Councillor Tait

THAT Council resolve to transfer dividends from the Water and Sewer Funds of \$602,402 and \$547,890 respectively based upon 2016-17 audited results in the Water and Sewer Funds, and subject to achievement of substantial compliance with Best Practice Guidelines and approval from the Department of Primary Industries, Water.

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

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR18/016 FUNDING EXTENSION - COMMUNITY TRANSPORT

File Ref: E11.5375/E09.3339

18/135 MOTION Councillor Mayne/Councillor Pollock

THAT Council accepts the extension of the Community Transport Service Contract to 30 June 2020 by signing the Major Change document and initialing each page of the associated Funding Tables.

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

CAR18/017 FUNDING AGREEMENT - COMMONWEALTH HOME SUPPORT PROGRAM

File Ref: E11.5375

18/136 MOTION Councillor Tait/Councillor Pollock

THAT Council accepts the funding agreement from the Commonwealth Department of Health to provide continuing Commonwealth Home Support Program (CHSP) services to 30 June 2020 by signing two copies of the agreement.

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

CAR18/018 FUNDING ACCEPTANCE - YOUTH SERVICES GRANT

File Ref: E00.4938

18/137 MOTION Councillor Thomson/Councillor Brown

THAT Council note the funding allocation under the NSW Government's Department of Justice's Community Safety Funds program to support the Y Drive Program and endorse action taken to accept this funding.

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

CAR18/019 FUNDING ACCEPTANCE - CHILDREN'S SERVICES 2019-21

File Ref: E10.4249

18/138 MOTION Councillor McGinlay/Councillor Brown

THAT Council accept the Department of Education and Training Community Child Care Funding offer of \$894,469 to support Council's child care services until 2021.

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

CAR18/020 YOUTH GRANTS PROGRAM

File Ref: E00.4938

18/139 MOTION Councillor Thomson/Councillor Tait

THAT Council approve the recommendations detailed in the confidential attachment, awarding Youth grants to 10 organisations nominated for the 2017-18 financial year.

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

CAR18/021 EUROBODALLA NAIDOC WEEK GRANTS

File Ref: E15.9174

Councillor Brown declared a non-significant, non-pecuniary conflict of interest in CAR18/021 Eurobodalla NAIDOC Week Grants and stated that he believed his interest would preclude him from voting.

Reason: Councillor Brown declared an interest as he is an Executive Board Member of South East Arts who have applied for a Grant.

At 10:37 AM Councillor Brown left the Chambers.

18/140 MOTION Councillor McGinlay/Councillor Thomson

THAT Council approve the recommendations detailed in the confidential attachment, awarding NAIDOC Week grants to nine organisations nominated for the 2017-18 financial year.

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

At 10:38 AM Councillor Brown returned to the Chambers.

15. DELEGATE REPORT

Nil

16. URGENT BUSINESS

Nil

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 10.40am

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 26 June 2018 at which meeting the signature hereon was subscribed.