



Minutes

Ordinary Meeting of Council

22 March 2022

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 22 MARCH 2022

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 22 MARCH 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 W Sharpe OAM, Director, Infrastructure Services
Mrs K Arthur, Director, Community, Arts and Recreation
Mr J Phillips, Divisional Manager, Governance and Administration
Miss L 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

22/59 MOTION Councillor Grace/Councillor Harrison

THAT the minutes of the Ordinary Meeting held on 8 March 2022 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.

6. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in GMR22/026 Policy Review for Exhibition and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Mayne declared an interest as he is the President of the Moruya Red Door Theatre Company who is involved in the Creative Arts scene.

Councillor Hatcher declared a significant, pecuniary conflict of interest in PSR22/005 Reimbursement of Waste Disposal Fees - South Coast Donations Logistics and stated that he did believe his interest would preclude him from voting.

Reason: Councillor Hatcher declared an interest as he is the founder of South Coast Donations Logistics.

7. MAYORAL REPORTS

MR22/005 PROCUREMENT OF CONTRACTOR FOR URGENT WORKS ON ARALUEN ROAD

File Ref: S028-T00007

22/60 MOTION Councillor Hatcher

THAT:

1. Council approve an exemption from tender in accordance with section 55 (3)(i) of the *Local Government Act 1993* to extend the term of the NDR21-019 Araluen Road – Cantilever Wall and Soil Nail Construction contract by reason of extenuating circumstances noting that a satisfactory result for the community would not be achieved by inviting separate tenders at this time;
2. Council note the reason that a satisfactory result would not be achieved by inviting tenders at this time is because timeframes to effectively manage the risk to the community do not allow to complete the appropriate tender processes which consequently will not result in in value for money;
3. Council approve variations to the contracts for NDR21-019 Araluen Road – Cantilever Wall and Soil Nail Construction to extend the terms of the contract as required; and
4. Authority be delegated to the General Manager to negotiate, administer and enter into any necessary documentation to give effect to the clauses above.

(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.

8. NOTICES OF MOTION

NOM22/002 UNIVERSAL ACCESS TO EARLY LEARNING (THRIVE BY FIVE CAMPAIGN)

File Ref: S012-T00026

22/61 MOTION Councillor Worthington/Councillor Dannock

THAT Council:

1. Endorse the Thrive by Five campaign to support high-quality, universally accessible and affordable early learning and childcare.
2. Formally advise Local Government NSW and the Australian Local Government Association, that Council has endorsed the Thrive by Five campaign and supports the Associations in their involvement in the campaign.
3. Write to Prime Minister Scott Morrison, the Leader of the Opposition Anthony Albanese, the Minister for Education and Youth, the Shadow Minister for Early Childhood Education and Youth Amanda Rishworth, and to our local Federal Members of Parliament Kristy McBain and Fiona Phillips seeking bipartisan support for the campaign's objectives.
4. Endorse the distribution and display of the Thrive by Five information on Council premises related to children's services, as well as involvement in any relevant actions arising from the initiative.

(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.

NOM22/003 RECOGNITION OF MAJOR JOHN TILBROOK

File Ref: S012-T00025

22/62 MOTION Councillor Dannock/Councillor Mayne

THAT:

1. Council recognise Regimental Sargent (Rtd) John Tilbrook for his tireless work on behalf of and for the residents of Tuross Head over many years (as a senior officeholder and Secretary of the Tuross Head Progress Association) by way of incorporating John's outstanding contribution on the plaque that commemorates the opening of the Bus Shelter.
2. The plaque be designed and preferably crafted within the community.
3. The plaque would be affixed to the Tuross Head Intersection Bus Shelter.

(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

QON22/002 GANG GANG COCKATOO - ENDANGERED LISTING

File Ref: S010-T00003

22/63 MOTION Councillor Mayne/Councillor Schutz

THAT the response to the question regarding the endangered listing of the Gang-gang Cockatoo raised by Councillor Mayne be received and noted.

(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.

10. PETITIONS

Nil

11. GENERAL MANAGER'S REPORTS

GMR22/024 DISCLOSURE OF PECUNIARY INTEREST AND OTHER MATTERS RETURNS

File Ref: S012-T00031, S021-T00004

22/64 MOTION Councillor Grace/Councillor Diskon

THAT the report on the Disclosure of Pecuniary Interest and Other Matters returns be received and noted.

(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.

GMR22/025 INVESTMENTS MADE AS AT 28 FEBRUARY 2022

File Ref: S011-T00006, S012-T00025

22/65 MOTION Councillor Schutz/Councillor Worthington

THAT the certification of investments as at 28 February 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.

GMR22/026 POLICY REVIEW FOR EXHIBITION - MARCH 2022

File Ref: S004-T00060

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in GMR22/026 Policy Review for Exhibition and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Mayne declared an interest as he is the President of the Moruya Red Door Theatre Company who is involved in the Creative Arts scene.

22/66 MOTION Councillor Grace/Councillor Diskon

THAT:

1. Council places the following draft policies for the purposes of public consultation for a period of 28 days:
 - (a) Collection Domestic Waste Bins
 - (b) Collection Litter Bins
 - (c) Community Gardens
 - (d) Competitive Provision of Services
 - (e) Compliance
 - (f) Conservation of the Yellow-Bellied Glider in the Broulee Area
 - (g) Copper Chrome Arsenate (CCA) Management
 - (h) Councillor Professional Development, Expenses and Facilities Policy
 - (i) Creative Arts Services Policy
2. Any relevant strategies or plans linked to the policy be included as an attachment or directly referenced when on exhibition
3. 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.

GMR22/027 NOMINATION TO GULAGA NATIONAL PARK BOARD OF MANAGEMENT

File Ref: S012-T00025

22/67 MOTION Councillor Hatcher/Councillor Mayne

THAT:

1. Council nominate Councillor Anthony Mayne as delegate and Mayor Mathew Hatcher as alternate delegate for appointment to the Gulaga National Park Board of Management.
2. The term of appointment be for this term of Council.

(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

PSR22/003 DRAFT DEVELOPMENT CONTRIBUTIONS PLANS 2022

File Ref: OP0050

22/68 MOTION Councillor Harrison/Councillor Dannock

THAT:

1. Council endorse the public exhibition of the draft Eurobodalla Local Infrastructure Contributions Plan 2022 and the draft Eurobodalla s7.12 Contributions Plan 2022, for a minimum period of 28 days.
2. Following public exhibition, a further report be submitted to Council for the consideration of submissions and adoption of the draft Eurobodalla Local Infrastructure Contributions Plan 2022 and the draft Eurobodalla s7.12 Contributions Plan 2022.

(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.

PSR22/005 REIMBURSEMENT OF WASTE DISPOSAL FEES - SOUTH COAST DONATIONS LOGISTICS

File Ref: S006-T00001

Councillor Hatcher declared a significant, pecuniary conflict of interest in PSR22/005 Reimbursement of Waste Disposal Fees - South Coast Donations Logistics and stated that he did believe his interest would preclude him from voting.

Reason: Councillor Hatcher declared an interest as he is the founder of South Coast Donations Logistics.

At **12:42 pm** Councillor Hatcher left the Chamber.

Deputy Mayor, Councillor Worthington took the Chair.

22/70 MOTION Councillor Mayne/Councillor Schutz

THAT:

1. the reimbursement of waste disposal fees be made to South Coast Donations Logistics to the value of \$1,381.00, being for the disposal of excess household items, mattresses and mixed waste donated during the bushfire recovery efforts.
2. Council commend the South Coast Donations Logistics for the assistance they provided to the community during the 2019-20 bushfires.

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

Division

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

Against the Motion: Nil.

At **12:50 pm** Councillor Hatcher returned to the Chambers and resumed his role as Chair.

PSR22/006 TEMPORARY ACCOMMODATION - BUSHFIRE AFFECTED PROPERTIES

File Ref: S008-T00025

22/71 MOTION Councillor Schutz/Councillor Dannock

THAT

1. Council acknowledge that many members of our community are still living in temporary accommodation after the 2019/2020 bushfires.
2. Council acknowledge that there is a shortage of accommodation types available to house our community.
3. Council note that there is a current exemption within the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation that allows natural disaster affected landowners to reside in temporary accommodation (moveable dwellings) for a period of two years and for many this period will end sometime this year.
4. Council note that the NSW Government has amended the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation to allow Councils to develop a Local Approvals Policy that includes provisions for extending the exemption to house natural disaster affected landowners in moveable dwellings on their property.
5. Council resolves to allow those members of our community who lost or had their homes severely damaged by the 2019/2020 bushfires to continue to live in temporary accommodation (moveable dwellings) on their property while Council develops a policy position.

(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

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 1.06PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 12 April 2022 at which meeting the signature hereon was subscribed.