



# **Minutes**

**Ordinary Meeting of Council**

**10 April 2018**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 10 APRIL 2018**

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Nil

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Nil

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Nil

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Nil

**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 10 APRIL 2018  
COMMENCING AT 10.17AM**

**PRESENT:** Councillor Liz Innes, Mayor (in the Chair)  
Councillors Anthony Mayne, Jack Tait, James Thomson, Lindsay Brown,  
Patrick McGinlay and Phil Constable

**Staff:** Dr Catherine Dale, General Manager  
Mr L Usher, Director, Planning and Sustainability Services  
Mr W Sharpe OAM, Director, Infrastructure Services  
Mr J Phillips, Acting Director, Corporate and Commercial Services  
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 and advised of the Evacuation Procedure.

The Mayor acknowledged the Traditional Owners and of Elders past and present, on whose land we gather here today.

**2. APOLOGIES**

**18/70 MOTION** Councillor Constable/Councillor Thomson

THAT apologies be received from Councillor Maureen Nathan and Councillor Rob Pollock OAM 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.)

**PF18/032 – Confirmation of Minutes**

Mrs Trish Hellier addressed Council in relation to Confirmation of Minutes of Previous Meeting.

**PF18/033 - NOM18/004 Cat Curfew**

Mr Steve Coleman addressed Council in relation to item NOM18/004 Cat Curfew. A copy of Mr Coleman's submission is available on Council's website.

**PF18/034 - NOM18/004 Cat Curfew**

Ms Shane O'Keefe addressed Council in relation to item NOM18/004 Cat Curfew. A copy of Ms O'Keefe's submission is available on Council's website.

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

**18/71 MOTION** Councillor Constable/Councillor Thomson

THAT the minutes of the Ordinary Meeting held on 27 March 2018 be confirmed.

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

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

Nil

**6. MAYORAL REPORTS**

Nil

**7. NOTICES OF MOTION**

**NOM18/004 CAT CURFEW**

File Ref: E00.4623

**18/72 MOTION** Councillor Mayne/Councillor Thomson

THAT:

1. Council advocate to the NSW Government to introduce a dusk to dawn cat curfew and/or stricter requirements for cat containment.
2. This motion be submitted to the NSW Local Government Conference and Canberra Region Joint Organisation.

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

Division

For the Motion: Clrs L Brown, P Constable, A Mayne, P McGinlay, J Tait and J Thomson.

Against the Motion: Clrs L Innes.

**SUSPENSION OF STANDING ORDERS**

**18/73 MOTION** Councillor Brown/Councillor Thomson

That Standing Orders be suspended in order to deal with item CCS18/015 - Lease Moruya Airport.

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

**88. CORPORATE AND COMMERCIAL SERVICES**

**CCS18/015 LEASE MORUYA AIRPORT**

File Ref: E89.2941

The discussions around the lease are classified confidential under Section 10(A)(2) (d) (i) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

(d) commercial information of a confidential nature that would, if disclosed:

(i) confer a commercial position of the person who supplied it.

In accordance with Section 10A(4) of the Local Government Act 1993, the General Manager invited members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential reports.

It was noted that there were no public verbal representations on whether the meeting should be closed to consider the matter.

Therefore pursuant to Section 10A of the Local Government Act, 1993 the Council will move into Closed Session to discuss CCS18/015 Lease Moruya Airport.

**MOTION**

**18/74 MOTION** Councillor McGinlay/Councillor Mayne

THAT Council go into Closed session to discuss CCS18/015 Lease Moruya Airport.

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

At 11.17am the Ordinary Meeting of Council moved into Closed Session.

**MOTION**

**18/75 MOTION** Councillor Thomson/Councillor Tait

THAT Council resume Open Session.

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

At 11.30am the Ordinary Meeting of Council resumed.

**ADJOURNMENT**

**18/76 MOTION** Councillor Constable/Councillor Mayne

THAT the Ordinary Council Meeting be adjourned for a period of five minutes.

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

At 11.32am the meeting adjourned.

At 11.41am the meeting reconvened.



**CCS18/015 LEASE MORUYA AIRPORT**

File Ref: E89.2941

**18/77 MOTION** Councillor Brown/Councillor Thomson

THAT

1. Council take all necessary actions to grant a lease over part Lot 11 DP1229406 for a term of 50 years to the lessee named in the confidential attachments to report CCS18/015 Lease Moruya Airport subject to conditions as outlined in the attached draft lease and rent as outlined in the confidential attachment.
2. Consent be given to affix the Council Seal to the lease documentation and plan of subdivision.
3. Costs associated solely with this lease be borne by the lessee.

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

**RESUMPTION OF STANDING ORDERS**

**18/78 MOTION** Councillor Tait/Councillor Brown

That Standing Orders be resumed.

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

**9. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil

**10. PETITIONS**

Nil

**11. GENERAL MANAGER'S REPORTS**

Nil

**12. PLANNING AND SUSTAINABILITY REPORTS**

**PSR18/061 EXPRESSIONS OF INTEREST FOR DESIGN OF REGIONAL AQUATIC, ARTS AND  
LEISURE CENTRE AT MACKAY PARK BATEMANS BAY**

File Ref: E18.1480

**18/79 MOTION** Councillor Tait/Councillor Constable

THAT Council:

1. Endorses a selective tendering activity in accordance with the recommendations of the attached Confidential Mackay Park Expression of Interest No. 2018/PLS034 Evaluation Report.
2. Receives a further report following the selective tender process in order to make a determination on the tender.

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

**PSR18/062 ABORIGINAL CULTURAL HERITAGE REFORMS - DRAFT SUBMISSION**

File Ref: E13.7352

**18/80 MOTION** Councillor Brown/Councillor Thomson

THAT Council:

1. Endorse the draft submission attached to this report.
2. Forward the submission to the Office of Environment and Heritage for consideration in finalisation of the Aboriginal Cultural Heritage Bill 2018.

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

**13. INFRASTRUCTURE REPORTS**

**IR18/020 FUNDING OFFER - BOATING NOW PROGRAM ROUND 2 - SOUTH DURRAS AND  
NELLIGEN BOAT RAMP CAR PARKS**

File Ref: E80.0448

**18/81 MOTION** Councillor Tait/Councillor Brown

THAT:

1. Council endorse the actions taken to accept the offer of grant funding under the NSW Government's Boating Now Program including:
  - i) the construction of a new boating car park to service the Nelligen boat ramp (\$160,000)
  - ii) the construction of a new boating car park and accessible toilet facility at the South Durras boat ramp (\$225,000).

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

**IR18/021                    FUNDING OFFER - AUSTRALIAN GOVERNMENT FEDERAL ELECTION  
   COMMITMENTS PROGRAM 2017-18**

File Ref: E08.2547

**18/82    MOTION** Councillor Mayne/Councillor Brown

THAT:

1. Council endorse the actions taken to accept the offer of grant funding under the Australian Government Federal Election Commitment Program including:
  - i) the Beach Road upgrade between Orient Street and the Princes Highway (\$3,000,000)
  - ii) the construction of a new roundabout at the Tomakin Road and George Bass Drive intersection, Tomakin (\$3,500,000)
2. Council write to the local Federal Member for Gilmore, Ann Sudmalis MP, thanking her for the advocacy to secure the grant funding.

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

**IR18/022 LOCAL TRAFFIC COMMITTEE NO. 6 FOR 2017-18**

File Ref: E16.0002

**18/83 MOTION** Councillor Mayne/Councillor Tait

THAT

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 4 of 2017-18 held on 17 November 2017 and Meeting No 5 of 2017-18 held on 15 December 2017 be received and noted.
2. Council Plan No. 3474 Set K Sheets 01 and 06 detailing the signage and line marking associated with a raised pedestrian crossing and accessible parking spaces on the carpark within Corrigans Reserve, Batehaven be approved.
3. Council Plan No. 4036 Set E Sheets 02 and 03 detailing the signage and line marking associated with the shared path, located on Bergalia Street Moruya, be approved.
4. The 'No Stopping' signs along Bate Street to the south of the intersection replacing the 'No Parking' signs, be approved.

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

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

Nil

**15. DELEGATE REPORT**

Nil

**16. URGENT BUSINESS**

Nil

**17. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 12.08pm**

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**CHAIRPERSON**

Chairperson of the Ordinary Council Meeting held on Tuesday, 24 April 2018 at which meeting the signature hereon was subscribed.