



# **Minutes**

**Ordinary Meeting of Council**

**24 March 2020**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 24 MARCH 2020**

<b>MINUTES</b>
----------------

<b>1. WELCOME .....</b>	<b>1</b>
<b>2. ACKNOWLEDGEMENT OF COUNTRY .....</b>	<b>1</b>
<b>3. EVACUATION MESSAGE .....</b>	<b>1</b>
<b>THE MAYOR ADVISED OF THE EVACUATION PROCEDURES. ....</b>	<b>1</b>
<b>4. APOLOGIES.....</b>	<b>1</b>
<b>5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....</b>	<b>2</b>
<b>3. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA.....</b>	<b>2</b>
<b>4. MAYORAL REPORTS .....</b>	<b>3</b>
MR20/004 Changes to 2020 Council Meeting dates .....	3
MR20/005 Clean up of fire damaged properties.....	4
<b>5. NOTICES OF MOTION .....</b>	<b>5</b>
Nil	
<b>6. QUESTIONS ON NOTICE FROM COUNCILLORS .....</b>	<b>6</b>
CCS20/010 Audit, Risk and Improvement Committee Annual Report.....	5
QON20/001 Reclassification of land.....	6
<b>7. PETITIONS .....</b>	<b>7</b>
Nil	
<b>8. GENERAL MANAGER'S REPORTS .....</b>	<b>8</b>
GMR20/006 Disaster Recovery Update .....	8
GMR20/007 Submission to the NSW Government Inquiry into 2019-20 Bushfires .....	9
<b>9. PLANNING AND SUSTAINABILITY REPORTS.....</b>	<b>10</b>
PSR20/002 Donation of Development Fee .....	10
<b>10. INFRASTRUCTURE REPORTS .....</b>	<b>11</b>
IR20/002 Local Traffic Committee No 6 for 2019-20 .....	11
<b>11. CORPORATE AND COMMERCIAL SERVICES REPORTS .....</b>	<b>12</b>

CCS20/009 Investments made as at 29 February 2020.....	12
<b>12. COMMUNITY, ARTS AND RECREATION REPORTS.....</b>	<b>13</b>
CAR20/001 Youth Grants.....	13
<b>13. DELEGATE REPORT .....</b>	<b>14</b>
<b>14. URGENT BUSINESS .....</b>	<b>14</b>
<b>15. DEALING WITH MATTERS IN CLOSED SESSION.....</b>	<b>14</b>
<b>16. CONFIDENTIAL MATTERS .....</b>	<b>14</b>

**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 24 MARCH 2020  
COMMENCING AT 11.04AM**

**PRESENT:** Councillor Liz Innes, Mayor (in the Chair)  
Councillors Anthony Mayne, Jack Tait, Lindsay Brown, 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. EVACUATION MESSAGE**

The Mayor advised of the Evacuation Procedures.

**4. APOLOGIES**

**APOLOGY**

**20/28 MOTION COUNCILLOR TAIT/COUNCILLOR CONSTABLE**

THAT APOLOGIES BE RECEIVED FROM COUNCILLOR JAMES THOMSON AND COUNCILLOR MAUREEN NATHAN AND LEAVE OF ABSENCE BE GRANTED.

(THE MOTION ON BEING PUT WAS DECLARED **CARRIED**)

DIVISION

FOR THE MOTION: CLRS L BROWN, P CONSTABLE, L INNES, A MAYNE, P MCGINLAY, R POLLOCK AND J TAIT.

AGAINST THE MOTION: NIL.

**5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**20/29 MOTION** Councillor Tait/Councillor Pollock

THAT the minutes of the Ordinary Meeting held on 10 March 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, R Pollock and J  
Tait.

Against the Motion: Nil.

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

Nil

#### 4. MAYORAL REPORTS

##### MR20/004 CHANGES TO 2020 COUNCIL MEETING DATES

File Ref: S012-T00025

##### 20/30 MOTION Councillor Innes

THAT Council:

1. Changes the remaining Council Meeting dates before caretaker provisions commence, to the following dates only:
  - (a) 7 April 2020
  - (b) 26 May 2020
  - (c) 23 June 2020
  - (d) 28 July 2020
2. Note that as briefing sessions will not be physically held, Council not hold public access session until otherwise resolved.
3. Remind members of the public that they can contact Councillors with issues that can be raised with staff during briefing sessions.

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

##### Division

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

Against the Motion: Nil.

**MR20/005 CLEAN UP OF FIRE DAMAGED PROPERTIES**

File Ref: S008-T00025

**20/31 MOTION** Councillor Innes

THAT

1. Due to extenuating circumstances of the time frame set by the NSW Government to clean-up the large volume of waste from fire damaged residential and commercial properties and the time to run a competitive tender process, Council delegates authority for Eurobodalla Shire Council's General Manager to enter into direct negotiations with Suez Australia.
2. Council delegates authority for Eurobodalla Shire Council's General Manager to execute any resulting contractual arrangement with Suez Australia.

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

Division

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

Against the Motion: Nil.



## 5. NOTICES OF MOTION

Nil

### SUSPENSION OF STANDING ORDERS

#### 20/32 MOTION Councillor Brown/Councillor Mayne

That Standing Orders be suspended in order to consider CCS20/010 Audit, Risk and Improvement Committee Annual Report.

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

#### Division

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

Against the Motion: Nil.

### CCS20/010 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT

File Ref: S004-T00048

The Audit, Risk and Improvement Committee Independent Chairperson, Mr Mark Barraclough, presented the Audit, Risk and Improvement Committee Annual Report to the Council.

#### 20/33 MOTION Councillor Pollock/Councillor Constable

THAT the Audit, Risk and Improvement Committee annual report be received and noted.

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

#### Division

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

Against the Motion: Nil.

### RESUMPTION OF STANDING ORDERS

#### 20/34 MOTION Councillor Pollock/Councillor Mayne

That Standing Orders be resumed.

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

#### Division

For the Motion: Crs L Brown, P Constable, L Innes, A Mayne, P McGinlay, R Pollock and J Tait.

Against the Motion: Nil.

**6. QUESTIONS ON NOTICE FROM COUNCILLORS**

**QON20/001 RECLASSIFICATION OF LAND**

File Ref: S017-T00008

**20/35 MOTION** Councillor Mayne/Councillor Brown

THAT the response to the question regarding reclassification of land raised by Councillor Anthony Mayne be received and noted.

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

Division

For the Motion: CIs L Brown, P Constable, L Innes, A Mayne, P McGinlay, R Pollock and J Tait.

Against the Motion: Nil.

**7. PETITIONS**

Nil

**8. GENERAL MANAGER'S REPORTS**

**GMR20/006 DISASTER RECOVERY UPDATE**

File Ref: SO08-T00007, SO12-T00025

**20/36 MOTION** Councillor Tait/Councillor Pollock

THAT:

1. This report be received and noted.
2. The ongoing support of the NSW and Australian Governments, and the many community, private and not-for-profit groups be acknowledged.

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

Division

For the Motion: Ctrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, R Pollock and J Tait.

Against the Motion: Nil.

**GMR20/007 SUBMISSION TO THE NSW GOVERNMENT INQUIRY INTO 2019-20 BUSHFIRES**

File Ref:

**20/37 MOTION** Councillor Pollock/Councillor Tait

THAT Council endorse the submission to the NSW Government Inquiry into the 2019-20 bushfires with the following amendment:

- (a) include the motion passed at its meeting on 10 December 2019 regarding hazard reduction.

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

Division

For the Motion: Clrs L Brown, P Constable, L Innes, R Pollock and J Tait.

Against the Motion: Clrs A Mayne and P McGinlay.

**9. PLANNING AND SUSTAINABILITY REPORTS**

**PSR20/002 DONATION OF DEVELOPMENT FEE**

File Ref: 81.2292.D

**20/38 MOTION** Councillor Brown/Councillor Tait

THAT a donation be made to Eurobodalla Education and Therapy Services Limited to the value of \$2,126.00, being the assessment fee for Development Application 363/17, in accordance with Council's Code of Practice – Reimbursement – DA Fees.

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

Division

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

Against the Motion: Nil.

**10. INFRASTRUCTURE REPORTS**

**IR20/002 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2019-20**

File Ref: E16.0002

**20/39 MOTION** Councillor Mayne/Councillor Tait

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 5 for 2019-20 be received and noted.
2. That Council Plan No. 5147 Set A Sheet 7 detailing line marking including for Accessible Parking associated with South Durras lake boat ramp carpark upgrade be approved.

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

Division

For the Motion: Ctrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, R Pollock and J Tait.

Against the Motion: Nil.

**11. CORPORATE AND COMMERCIAL SERVICES REPORTS**

**CCS20/009 INVESTMENTS MADE AS AT 29 FEBRUARY 2020**

File Ref: S011-T00006, S012-T00025

**20/40 MOTION** Councillor Constable/Councillor Pollock

THAT the certification that the investments as at 29 February 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, R Pollock and J Tait.

Against the Motion: Nil.



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

**CAR20/001 YOUTH GRANTS**

File Ref: S003-T00047

**20/41 MOTION** Councillor Pollock/Councillor Tait

THAT:

1. Council approve the recommendations detailed in the confidential attachment, awarding Youth grants to five local groups/organisations for the 2019-20 financial year.
2. Council approve the re-allocation of residual funds in the amount of \$2750 to projects that were identified in the Youth in Recovery forums.

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

Division

For the Motion: Ctrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, R Pollock and J Tait.

Against the Motion: Nil.

**13. DELEGATE REPORT**

Nil

**14. URGENT BUSINESS**

**20/002 FINANCIAL ASSISTANCE - BUSHFIRE AND COVID-19 IMPACTS**

**Councillor Lindsay Brown** raised the issue regarding the financial impacts affecting local businesses due to the bushfires and now COVID-19.

**20/42 MOTION** Councillor Brown/Councillor Constable

THAT Council write immediately to the Australian and NSW governments seeking urgent and immediate development and delivery of financial support for Eurobodalla and other fire affected LGA businesses due to a second catastrophe in short time in 2020, i.e. COVID-19, which has and will increasingly have a devastating financial impact following immediately after the recent bushfires which removed our profitable holiday season.

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

Division

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

Against the Motion: Nil.

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

Nil

**16. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 12.24PM**

---

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 7 April 2020 at which meeting the signature hereon was subscribed.