



Minutes

Ordinary Meeting of Council

28 February 2023

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 28 FEBRUARY 2023

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 28 FEBRUARY 2023
COMMENCING AT 12.30PM**

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: Warwick Winn, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr T Swallow, Director, Infrastructure Services
Mrs K Arthur, Director, Community, Arts and Recreation
Mr J Phillips, Corporate 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. APOLOGIES

Nil

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

23/4 MOTION Councillor Harrison/Councillor Diskon

THAT the minutes of the Ordinary Meeting held on 14 February 2023 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

Councillor Schutz declared a non-significant, non-pecuniary interest in PSR23/008 Sculpture for Clyde – Hallmark Event Funding and stated that she did not believe her interest would preclude her from voting.

Reason: Councillor Schutz declared an interest as she was a committee member of the Batemans Bay Business and Tourism Chamber of Commerce Executive and she also declared that a donation was received from the event organiser for her team in the 2021 local government election.

Councillor Hatcher declared a non-significant, non-pecuniary interest in PSR23/008 Sculpture for Clyde – Hallmark Event Funding and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Hatcher declared an interest as he is a business colleague of the event organiser, Councillor Hatcher's business has supported charity work undertaken by the event, Councillor Hatcher was the vice president of the Batemans Bay Business and Tourism Chamber of Commerce when the Sculpture for Clyde event was initiated, and the event organiser supported Councillor Hatcher during the 2021 local government election.

6. MAYORAL REPORTS

Nil

7. NOTICES OF MOTION

Nil

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. PETITIONS

Nil

10. GENERAL MANAGER'S REPORTS

**GMR23/010 DELIVERY PROGRAM 2022-26 OPERATIONAL PLAN 2022-23 SIX-MONTHLY
PERFORMANCE UPDATE JULY - DECEMBER 2022**

File Ref: S004-T00028

23/5 MOTION Councillor Worthington/Councillor Grace

THAT the Six-Monthly Performance Update Report July – December 2022 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.

GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER 2022

File Ref: S011-T00003

23/6 MOTION Councillor Dannock/Councillor Grace

THAT:

1. The budget review report for the quarter ended 31 December 2022 be received and noted.
2. The favourable variation to the Income Statement before capital revenue of \$1.25 million and unfavourable variation to the Consolidated Fund Flow Statement of \$13.26 million be adopted.

(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.

GMR23/012 INVESTMENTS MADE AS AT 31 JANUARY 2023

File Ref: S011-T00006, S012-T00025

23/7 MOTION Councillor Harrison/Councillor Grace

THAT the certification of investments as at 31 January 2023, 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.

GMR23/013 REVIEW OF CODE OF MEETING PRACTICE

File Ref: S012-T00025

23/8 MOTION Councillor Worthington/Councillor Schutz

THAT:

1. The amended Draft Code of Meeting Practice be placed on public exhibition for a period of not less than 42 days from 1 March 2023 to 11 April 2023.
2. The community will be informed about the proposed changes to meeting frequency, Public Access, Public Forum and other minor amendments and submissions invited via Council's communication platforms.
3. A further report be presented to Council to consider submissions, adoption of the amended draft Code of Meeting Practice and a proposed meeting schedule.

(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. PLANNING AND SUSTAINABILITY REPORTS

PSR23/008 SCULPTURE FOR CLYDE - HALLMARK EVENT FUNDING

File Ref: S026-T00001

Councillor Grace declared a non-significant, non-pecuniary interest in PSR23/008 Sculpture for Clyde – Hallmark Event Funding and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Grace declared an interest as a donation was received from the event organiser for his team in the 2021 local government election.

Councillor Schutz declared a non-significant, non-pecuniary interest in PSR23/008 Sculpture for Clyde – Hallmark Event Funding and stated that she did not believe her interest would preclude her from voting.

Reason: Councillor Schutz declared an interest as she was a committee member of the Batemans Bay Business and Tourism Chamber of Commerce Executive and she also declared that a donation was received from the event organiser for her team in the 2021 local government election.

Councillor Hatcher declared a non-significant, non-pecuniary interest in PSR23/008 Sculpture for Clyde – Hallmark Event Funding and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Hatcher declared an interest as he is a business colleague of the event organiser, Councillor Hatcher's business has supported charity work undertaken by the event, Councillor Hatcher was the vice president of the Batemans Bay Business and Tourism Chamber of Commerce when the Sculpture for Clyde event was initiated, and the event organiser supported Councillor Hatcher during the 2021 local government election.

Councillor Dannock declared a non-significant, non-pecuniary interest in PSR23/008 Sculpture for Clyde – Hallmark Event Funding and stated that she did not believe her interest would preclude her from voting.

Reason: Councillor Dannock declared an interest as she was a committee member of the Batemans Bay Business and Tourism Chamber of Commerce and she also declared that a donation was received from the event organiser for her team in the 2021 local government election.

MOTION

THAT Council provide Sculpture for Clyde with the agreed \$8,000 Tourism Destination Event funding and contribute an additional \$12,000.

AMENDMENT Councillor Worthington/Councillor Pollock OAM

THAT the report be deferred pending a further report to Council identifying how the \$12,000 can be accessed.

(The Amendment on being put was declared **LOST**)

Division

For the Motion: Crs R Pollock OAM and A Worthington.

Against the Motion: Crs T Dannock, P Diskon, D Grace, T Harrison, M Hatcher, A Mayne and A Schutz.

23/9 MOTION Councillor Schutz/Councillor Worthington

THAT Council provide Sculpture for Clyde with the agreed \$8,000 Tourism Destination Event funding and contribute an additional \$12,000.

(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 and A Schutz.

Against the Motion: Crs R Pollock OAM and A Worthington.

12. INFRASTRUCTURE REPORTS

IR23/002 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2022-23

File Ref: S030-T00018

Councillor Mayne declared a non-significant, non-pecuniary interest in IRR23/002 Local Traffic Committee No 6 for 2022-23 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/Producer of the Moruya Red Door Theatre group who contribute to the Moruya Mardi Gras Street Parade.

23/10 MOTION Councillor Harrison/Councillor Worthington

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 6 for 2022-23 be received and noted.
2. No Parking signage at the cul-de-sac on Barbara Crescent, Denhams Beach be installed.
3. That double barrier linemarking be installed on Nelson Parade from the intersection of Trafalgar Road and Nelson Parade to Jellicoe Road Tuross Head.
4. That 'Give Way' signage and BB centrelines at the intersection of Blackfellows Creek Road and Riverview Street, Potato Point be installed.
5. That Council Plan 5029, Set B, Sheet 1 detailing 'No Stopping' signage on Sunpatch Parade, Tomakin be approved.
6. That the Moruya Mardi Gras Street Parade, to be conducted in Moruya on Saturday 11 March 2023, on River Street, Shore Street west, Church Street west, Church Street east and Ford Street north based on the submitted Traffic Management and Control Plans be approved.
7. That the Traffic Management and Control Plans for the Batemans Bay Triathlon, to be conducted along George Bass Drive and North Head Drive and within Tomakin Village on Saturday 25 March 2023 be approved.
8. Traffic movements for the Oaks Ranch development to be reviewed as part of the current development assessment process.
9. That Council Plan 5172 Set A Sheet 9 be amended to detail the proposed extension of a traffic median island on Field Street and be advertised for community consultation associated with the intersection of Field Street, Lynch Street and Riverside Drive Narooma.
10. That the Traffic Management and Control Plans for the Batemans Bay Beach to Bridge event along the Batemans Bay foreshore with turn points on Wharf Road and Beach Road on Sunday 26 March 2023 be approved.

(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.

**IR23/003 REQUEST FOR TENDER NO. 10053411 TUROSS HEAD SEWAGE PUMPING STATION
TU01 AUGMENTATION**

File Ref: S029-T00004

23/11 MOTION Councillor Grace/Councillor Diskon

THAT:

1. Council does not accept any tender for Request for Tender No. 10053411 - Tuross Head Sewage Pumping Station TU01 Augmentation.
2. Council invites fresh tenders under clause 167 of the Local Government (General) Regulation 2005.

(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.

**IR23/004 REQUEST FOR TENDER NO. 2223-091 - SUPPLY OF POWER AND LIGHT MORUYA
REGIONAL AIRPORT**

File Ref: S023-T00025

23/12 MOTION Councillor Grace/Councillor Diskon

THAT:

1. Council endorses the selection of the preferred tenderer listed for Request for Tender No. 2223-091 Supply of Power and Light, Moruya Regional Airport, 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.

(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. COMMUNITY, ARTS AND RECREATION REPORTS

Nil

14. DELEGATE REPORT

DR23/007 2022 NATIONAL GENERAL ASSEMBLY DELEGATE REPORT

File Ref: S004-T00019

23/13 MOTION Councillor Dannock/Councillor Mayne

THAT the delegates report from Councillor Worthington 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.

15. URGENT BUSINESS

Nil.

16. DEALING WITH MATTERS IN CLOSED SESSION

Nil.

17. CONFIDENTIAL MATTERS

Nil.

THE MEETING CLOSED AT 1.30PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 14 March 2023 at which meeting the signature hereon was subscribed.