



# **Minutes**

**Ordinary Meeting of Council**

**16 December 2025**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 16 DECEMBER 2025**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 16 DECEMBER 2025  
COMMENCING AT 12:30 PM**

**PRESENT:** Councillor Mathew Hatcher, Mayor (in the Chair)  
Councillors Phil Constable, Mick Johnson, Anthony Mayne, Rob Pollock  
OAM, Amber Schutz, Colleen Turner and Sharon Winslade

**Staff:** Mark Ferguson, General Manager  
Mr G Bruce, Director, Planning and Environment  
Mr G Attenborough, Director, Infrastructure Services  
Mrs K Arthur, Director, Community, Arts and Recreation  
Mrs S Speedy, Director, Finance and Corporate Services  
Mr S Westbury, Corporate Manager, Governance and Risk  
Miss H Johnson, Minute Secretary

**1. WELCOME**

The Mayor welcomed everyone to the meeting.

**2. ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the Traditional Custodians of the Land, Eurobodalla Shire Council recognises Aboriginal people as the original inhabitants and custodians of all land and water in the Eurobodalla and respects their enduring cultural and spiritual connection to it. Eurobodalla Shire Council acknowledges the Traditional Owners of the land in which we live. Council pays respect to Elders past, present and future. We are on Yuin Country.

The Mayor called for a minute silence, which was observed in recognition of the victims and those affected by the recent terrorist attack in Bondi.

### 3. APOLOGIES

#### **25/200 MOTION** Councillor Schutz/Councillor Constable

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

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

#### Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

### 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### **25/201 MOTION** Councillor Constable/Councillor Johnson

THAT the minutes of the Ordinary Meeting held on 26 November 2025 be confirmed.

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

#### Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

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

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in item IR25/020 Moruya Emergency Services Precinct & Sale Part Lot 10 DP 1293843, Princes Highway, Moruya, and stated that he doesn't believe he should be precluded from voting on the matter.

**Reason:** Councillor Mayne declared he is an active member of the Broulee Rural Fire Service however he does not hold an executive position or committee position.

### 6. 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.)

#### **PF25/056 QON25/007 UPDATE ON ADVOCACY FOR ONCOLOGY AND RADIOLOGY SERVICES AT THE NEW EUROBODALLA REGIONAL HOSPITAL**

Scott Westbury addressed Council on behalf of Kim Gillis OAM in relation to QON25/007.

A copy of Kim's presentation is available on Council's website.

**PF25/057      QON25/007    UPDATE ON ADVOCACY FOR ONCOLOGY AND RADIOLOGY  
SERVICES AT THE NEW EUROBODALLA REGIONAL HOSPITAL**

Fitzroy Boulting addressed Council in relation to QON25/007.

A copy of Fitzroy's presentation is available on Council's website.

**PF25/058      QON25/007    UPDATE ON ADVOCACY FOR ONCOLOGY AND RADIOLOGY  
SERVICES AT THE NEW EUROBODALLA REGIONAL HOSPITAL**

Peter Cormick addressed Council in relation to QON25/007.

A copy of Peter's presentation is available on Council's website.

**PF25/059      PER25/022 – ANIMAL SHELTER DESIGN & CONSTRUCTION; PER25/023 – POST  
EXHIBITION REVIEW AND ADOPTION OF DRAFT LOCAL ORDERS POLICY –  
KEEPING OF ANIMALS**

Scott Westbury addressed Council on behalf of Rachel Greenfield in relation to PER25/022 and PER25/023.

A copy of Rachel's presentation is available on Council's website.

**PF25/060      PER25/023 – POST EXHIBITION REVIEW AND ADOPTION OF DRAFT LOCAL  
ORDERS POLICY – KEEPING OF ANIMALS**

Linda Noyce addressed Council in relation to PER25/023.

Linda did not provide a copy of her presentation.

**PF25/061      PER25/023 – POST EXHIBITION REVIEW AND ADOPTION OF DRAFT LOCAL  
ORDERS POLICY – KEEPING OF ANIMALS; FCS25/072 – POLICY REVIEW - CODE  
OF MEETING PRACTICE**

Patricia Hellier addressed Council in relation to PER25/023 and FCS25/072.

A copy of Patricia's presentation is available on Council's website.

**PF25/062      PER25/026 – FORMATION OF THE HOUSING ADVISORY GROUP; FCS25/072 –  
POLICY REVIEW - CODE OF MEETING PRACTICE; CAR25/017 – BAY PAVILIONS  
SERVICE REVIEW OUTCOMES**

Cid Mateo addressed Council in relation to PER25/026, FCS25/072 and CAR25/017.

A copy of Cid's presentation is available on Council's website.

**PF25/063 FCS25/072 – POLICY REVIEW - CODE OF MEETING PRACTICE**

Jim Bright addressed Council in relation to FCS25/072.

A copy of Jim's presentation is available on Council's website.

**PF25/064 CAR25/017 – BAY PAVILIONS SERVICE REVIEW OUTCOMES**

Owen Cartledge addressed Council in relation to CAR25/017.

A copy of Owen's presentation is available on Council's website.

**25/202 MOTION** Councillor Hatcher/Councillor Johnson

THAT the Ordinary Council Meeting be adjourned for a ten minute recess.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

At **2:06 pm** the Mayor adjourned the Ordinary Meeting of Council.

**25/203 MOTION** Councillor Hatcher/Councillor Turner

THAT the Ordinary Council Meeting be reconvened following the 10 minute recess.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

At **2:16 pm** the Mayor reconvened the Ordinary Meeting of Council.



**7. MAYORAL REPORTS**

**MM25/008 TELSTRA LEASE, MYSTERY BAY**

**25/204 MOTION** Councillor Hatcher/Councillor Mayne

THAT Council:

1. As landowner, gives consent for a Telco tower to be located in road reserve at Mystery Bay;
2. approves the rent offered by Telstra.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

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**8. NOTICES OF MOTION**

Nil

**9. QUESTIONS ON NOTICE FROM COUNCILLORS**

**QON25/007 UPDATE ON ADVOCACY FOR ONCOLOGY AND RADIOLOGY SERVICES AT THE NEW EUROBODALLA REGIONAL HOSPITAL**

The following question on notice was received from Councillor Mayne:

**Question**

I would like to begin by acknowledging the wonderful progress being made on the new Eurobodalla Regional Hospital in Moruya. The ongoing development of this facility represents a significant step forward in improving healthcare infrastructure in our region, and it will greatly benefit the community in the years to come.

However, I seek an update on the advocacy efforts for the inclusion of an oncology unit and local radiology services at the new hospital, following the resolution passed at the Council Meeting on 24 August 2024.

Could the Council please provide an update on the actions taken to advance this resolution, specifically:

1. What steps have been taken since the motion was carried to advocate for the inclusion of both an oncology unit and radiology services at the new Hospital?
2. What responses, advice, or updates have we received from NSW and Commonwealth Governments or relevant health authorities regarding the inclusion of these services?
3. What additional steps are planned to ensure these critical services are prioritised, and how can the community expect further involvement in this advocacy?
4. Could all future representations include our two Federal Members (for Gilmore and Eden-Monaro) and actively seek their assistance in directly bringing this urgent issue to the attention of their Ministerial colleague, in order to secure increased funding support from the Department in collaboration with their State counterparts.

It is essential that we continue to press for these services to meet the healthcare needs of our community. I look forward to hearing about the progress made and the next steps in our ongoing efforts.

Thank you for your attention to this matter.

**Response**

Council wrote to the NSW Health Minister with a copy sent to the Federal Member for Gilmore and the Member for Bega advocating for radiation therapy services to be included in the Eurobodalla Regional Hospital at Moruya.

On 8 October 2024, the Minister for Health responded that the Access to Radiation Therapy Services for Residents of Eurobodalla / Bega Valley LGAs report supports the viability of a single linear accelerator radiation therapy service at the new Eurobodalla Regional Hospital. The letter attached outlined that the report informs ongoing planning and the NSW Government remains in negotiations with the Federal Government in relation to this project.

The Minister for Health has also visited the area regularly and Council intends to remain in dialogue with the Minister, Federal Member and Local Member for Bega.

**25/205 MOTION** Councillor Mayne/Councillor Pollock OAM

THAT Council:

1. continue to advocate to the State and Federal Governments on the current position with timeframes for the provision of a radiotherapy service within the Eurobodalla Shire; and
2. a relevant community update be provided.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**10. PETITIONS**

Nil

**11. GENERAL MANAGER'S REPORTS**

Nil

**12. PLANNING AND ENVIRONMENT REPORTS**

**PER25/022 ANIMAL SHELTER DESIGN & CONSTRUCTION**

File Ref: S010-T00003

**25/206 MOTION** Councillor Schutz/Councillor Winslade

THAT:

1. The report concerning the proposed animal shelter be received.
2. Council allocates an amount of \$2.5 million in the 2026-27 Operational Plan for the construction of the animal shelter project and any additional operational expenditure, noting that funding will be determined as part of the annual budget process.
3. 24 hour drop off boxes are included in the design as part of the development application.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**PER25/023 POST EXHIBITION REVIEW AND ADOPTION OF DRAFT LOCAL ORDERS POLICY -  
KEEPING OF ANIMALS**

File Ref: S004-T00060

**MOTION** Councillor Turner/Councillor Johnson

THAT Council adopts the Local Orders Policy – Keeping of Animals with the following amendments as highlighted in red below:

**1. Poultry, Domestic and Guinea Fowl**

*All poultry must be kept in accordance with the Local Government (General) Regulation 2021, Schedule 2, Part 5, Division 2.*

- (1) Poultry must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health*
- (2) Poultry yards must at all times be kept clean and free from offensive odours.*

**a. Fowl**

- i. Roosters are not permitted to be kept where crowing may cause offensive noise.*
  - ii. The maximum number of fowl shall be limited to ten (10) per premises for Zone R5 land*
  - iii. Must not be kept within 4.5m of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.*
- b. Poultry other than fowls including ducks, geese and turkeys:**
- i. must not be kept within 30m of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.*
  - ii. On any other land not more than 5 small fowl or poultry (where adults are less than 2kg e.g. chickens, pheasants, quail, call ducks and mallard ducks) and*
  - iii. no more than 2 large fowl or poultry (where adults are more than 2kg e.g. large ducks and geese).*
- c. Roosters should not be kept in residential areas due to noise. Other noisy fowl and poultry such as Peacocks, Guinea Fowls and Turkeys are also considered unsuitable to be kept in residential areas.**

**2. Swine, Goats & Sheep**

- a. Swine, goats or sheep must not be kept (and animal waste products must not be deposited) within 60m of a dwelling, shop, office, factory, church, or other place of public worship, school or public place.*
- b. The maximum number of swine, goats or sheep to be kept in urban areas shall be limited to two (2).*
- c. Swine must not be kept in such a place or manner as to pollute any surrounding waters.*

**3. Birds other than Pigeons, Poultry and Domestic and Guinea Fowls**

- a. Aviaries must not be located within 4.5m of a kitchen or food preparation area.
- b. Aviaries must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.
- c. Aviaries must at all times be kept clean and free from offensive odours.
- d. The maximum number of birds allowed to be kept in urban areas shall be as appropriate for the species, enclosure size, proximity to neighbours etc.

**4. Pigeons**

*To encourage satisfactory care and management of pigeons and the keeping of pigeons does not adversely impact on the community or the environment.*

- a. *Pigeons must not be kept within 15m from any kitchen or food preparation area*
- b. *Nuisance due to noise and also free flight of pigeons is to be minimised. Lofts must be constructed to Council approval on hard paving of a smooth surface, or with a suspended floor elevated 0.8m above the ground.*
- c. *Lofts are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly. To minimise odours owners must design and manage lofts to prevent manure becoming wet due to rain or cleaning.*
- d. *Pigeons must be fed within lofts after exercise. All feed must be kept in vermin-proof containers.*
- e. *Racing pigeon's lofts should have adequate visible landing platforms.*
- f. *Exercising of birds should not occur between 8.00 am and 3.30 pm.*
- g. *Birds shall not be allowed to roost on neighbouring buildings. 'Open' lofts are not permitted.*

*Please note:*

*Pigeon structures may require development approval. Please check first with Council.*

*Pigeon owners are encouraged to adhere to the NSW Code of Practice No:4 Keeping and Trading Birds.*

**5. Horses And Cattle**

1. *Only two (2) horses may be kept on any premises on urban land.*
2. *Horses and cattle must be kept no closer than 9m from a kitchen or food preparation area*
3. *The floors of any stables must be paved with concrete or mineral asphalt or equally impervious material and must be properly graded to drain.*
4. *Horse yards and cattle yards must be enclosed to prevent the escape of horses and cattle.*
5. *Yards must not be kept under such condition as to create a nuisance or to be dangerous or injurious to health.*
6. *Yards must at all times be kept clean and free from offensive odours.*
7. *As a general guide a minimum of 0.4ha of pastured land is required to keep horses (excludes offspring to 3 months of age)*



**6. Dogs**

- a. *The maximum number of dogs shall be limited to two (2) adults and one (1) litter of pups up to six (6) months old per premise in urban areas.*
- b. *The maximum number of dogs other than greyhounds shall be limited to four (4) adults and one (1) litter of pups up to six (6) months old per premise in rural areas.*
- c. *The maximum number of greyhounds shall be limited to four (4) adults and one (1) litter of pups up to thirteen (13) months old in rural areas.*
- d. *A premises used for the keeping of a dog or dogs must not be kept under such conditions so as to create a nuisance or to be dangerous or injurious to health.*
- e. *A premises used for the keeping of dog/s must at all times be kept clean and free from offensive odours.*
- f. *A premises used for the keeping of dog/s should be appropriately fenced to secure the dog/s within the premises in accordance with the requirements of the Companion Animal Act 1998*

*Please note:*

*Some dog kennel structures may require development approval. Please check first with Council.*

*Declared dangerous, or restricted dog enclosures require development approval.*

*Commercial dog breeding and/or boarding kennels are subject to Council approval.*

*Owners of dogs are encouraged to de-sex their dog and registration fees are cheaper for desexed animals.*

*Also refer to tenancy tribunal or rental property agreements for villas and townhouses in relation to the conditions about keeping dogs.*

*All provisions of the Companion Animals Act 1998 must be complied with, including:*

- *Registration requirements; and*
- *Micro-chipping requirements.*

**7. Cats**

- a. *The maximum number of cats shall be limited to four (4) per premise.*
- b. *A premises used for the keeping of a cat or cats must not be kept under such conditions so as to create a nuisance or to be dangerous or injurious to health.*
- c. *A premises used for the keeping of a cat or cats must at all times be kept clean and free from offensive odours.*

*Please note:*

*Owners of cats are encouraged to keep their cat(s) indoors overnight to limit hunting of native wildlife.*

*Cat owners are encouraged to keep their cat(s) contained on their property. This will keep their cat(s) safe and minimise the hunting of wildlife.*

- *There are four main ways you can keep your cat(s) contained at home:*
  - *Indoors only*
  - *Indoors with an outdoor space and escape-proof barrier. Outdoor spaces for your cat can include attached and freestanding enclosures, enclosed backyards or modified fences.*
  - *Indoors with supervised outdoor play: Walking your cat on a lead lets them explore outdoor sights, sounds, and smells safely, while protecting wildlife.*
  - *Owners of cats are encouraged to desex their cat(s); a desexed cat is more content and is less likely to roam.*

*Also refer to tenancy tribunal or rental property agreements for villas and townhouses in relation to the conditions about keeping cats.*

*All provisions of the Companion Animals Act 1998 must be complied with, including*

- *Registration requirements*
- *Micro-chipping requirements; and*
- *Annual permit (un-desexed cats over 4 months of age)*

## **8. Rabbits**

- a. *The maximum number of rabbits shall be limited to four (4) per premise. Should more than one rabbit be kept at a premise they must be:*
  - i. *kept inside at all times or escape proof outdoor areas*
  - ii. *desexed,*
  - iii. *vaccinated*
- b. *A premises used for the keeping of a rabbit must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.*
- c. *A premises used for the keeping of a rabbit must at all times be kept clean and free from offensive odours.*
- d. *Rabbits being kept in residential areas must not be kept closer than 10m to a kitchen or food preparation area.*
- e. *Rabbits kept must be a recognised domestic breed and be kept in a rabbit proof enclosure suitable for the breed.*

*Please note:*

*Rabbits should be desexed before 5 months of age.*

*Wild/feral rabbits are prohibited to be kept in captivity without the approval from the NSW Local Lands Service (LLS)*

## **9. Bees**

- a. *To keep one or more beehives in NSW, you are required to register as a beekeeper with the Department of Primary Industries.*

- b. *Under the Biosecurity Act 2015, you must be registered to keep bees, you must mark all hives with a hive identification number and may include the number of hives on the property.*
- c. *An adequate supply of water is to be provided within the premises where the bees are kept.*
- d. *Hives are to be located so that flight paths do not interfere with surrounding residents.*
- e. *All hives must be registered with the NSW Department of Primary Industries.*
- f. *Beehives must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.*
- g. *Beekeepers should familiarise themselves with [The Australian Honey Bee Industry Biosecurity Code of Practice](#).*

*Wild hives must be controlled. Any person having a wild hive on their property must consult NSW DPI for advice.*

#### **10. Ferrets**

- a. *The maximum number of ferrets shall be limited to two (2) per premise.*
- b. *Ferrets must not be kept within 4.5m of a kitchen or food preparation area.*
- c. *A premises used for the keeping of a ferret must at all times be kept clean and free from offensive odours.*
- d. *Ferrets must be caged and/or secured at all times and are not permitted to free range.*

*Please note:*

*Owners of ferrets are encouraged to have them desexed.*

*Ferrets should not be released into the environment.*

#### **11. Miscellaneous**

- a. *The maximum number of bird(s) or animal(s) permitted to be kept, where the type of bird or animal, or the maximum number has not been specifically noted above, is at the discretion of the investigating Officer, taking into consideration the number and type of bird(s) or animal(s) being kept, the conditions under which they are kept and the impact they are causing.*
- b. *Such animals would be required to be kept under such conditions as to prevent the creation of a nuisance or not to be dangerous or injurious to health.*
- c. *The area proposed for the keeping of such animals must, at all times, be kept clean and free from offensive odours.*
- d. *Where the keeping of birds or animals on premise is capable of being regulated by the NSW Environment Protection Authority, Council is excluded from making an Order No. 18.*

*Where the keeping of birds or animals on premise is capable of being regulated by the NSW Environment Protection Authority, Council is excluded from making an Order No. 18.*

**12. Criteria and/or matters that will not be considered:**

- a. *damage caused by wild or native birds or animals*
- b. *the trapping of any wild or native birds or animals*
- c. *the control of or treatment of termites on private or public land*
- d. *the control of or treatment of feral animals such as rabbits, foxes or other feral pests on private or public land.*

**25/207 AMENDMENT** Councillor Schutz/Councillor Mayne

THAT Council adopts the Local Orders Policy – Keeping of Animals with the following amendments as highlighted in red below:

**1. Poultry, Domestic and Guinea Fowl**

*All poultry must be kept in accordance with the Local Government (General) Regulation 2021, Schedule 2, Part 5, Division 2.*

- (1) *Poultry must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health*
- (2) *Poultry yards must at all times be kept clean and free from offensive odours.*

a. *Fowl*

- i. *Roosters are not permitted to be kept where crowing may cause offensive noise.*
- ii. *The maximum number of fowl shall be limited to ten (10) per premises for Zone R5 land*
- iii. *Must not be kept within 4.5m of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.*
- b. *Poultry other than fowls including ducks, geese and turkeys:*
  - i. *must not be kept within 30m of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.*
  - ii. *On any other land not more than 5 small fowl or poultry (where adults are less than 2kg e.g. chickens, pheasants, quail, call ducks and mallard ducks) and*
  - iii. *no more than 2 large fowl or poultry (where adults are more than 2kg e.g. large ducks and geese).*
- c. *Roosters should not be kept in residential areas due to noise. Other noisy fowl and poultry such as Peacocks, Guinea Fowls and Turkeys are also considered unsuitable to be kept in residential areas.*

**2. Swine, Goats & Sheep**

- a. *Swine, goats or sheep must not be kept (and animal waste products must not be deposited) within 60m of a dwelling, shop, office, factory, church, or other place of public worship, school or public place.*
- b. *The maximum number of swine, goats or sheep to be kept in urban areas shall be*

*limited to two (2).*

- c. Swine must not be kept in such a place or manner as to pollute any surrounding waters.*

**3. Birds other than Pigeons, Poultry and Domestic and Guinea Fowls**

- a. Aviaries must not be located within 4.5m of a kitchen or food preparation area.
- b. Aviaries must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.
- c. Aviaries must at all times be kept clean and free from offensive odours.
- d. The maximum number of birds allowed to be kept in urban areas shall be as appropriate for the species, enclosure size, proximity to neighbours etc.

**4. Pigeons**

*To encourage satisfactory care and management of pigeons and the keeping of pigeons does not adversely impact on the community or the environment.*

- a. Pigeons must not be kept within 15m from any kitchen or food preparation area*
- b. Nuisance due to noise and also free flight of pigeons is to be minimised. Lofts must be constructed to Council approval on hard paving of a smooth surface, or with a suspended floor elevated 0.8m above the ground.*
- c. Lofts are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly. To minimise odours owners must design and manage lofts to prevent manure becoming wet due to rain or cleaning.*
- d. Pigeons must be fed within lofts after exercise. All feed must be kept in vermin-proof containers.*
- e. Racing pigeon's lofts should have adequate visible landing platforms.*
- f. Exercising of birds should not occur between 8.00 am and 3.30 pm.*
- g. Birds shall not be allowed to roost on neighbouring buildings. 'Open' lofts are not permitted.*

*Please note:*

*Pigeon structures may require development approval. Please check first with Council.*

*Pigeon owners are encouraged to adhere to the NSW Code of Practice No:4 Keeping and Trading Birds.*

**5. Horses And Cattle**

- 1. Only two (2) horses may be kept on any premises on urban land.*
- 2. Horses and cattle must be kept no closer than 9m from a kitchen or food preparation area*
- 3. The floors of any stables must be paved with concrete or mineral asphalt or equally impervious material and must be properly graded to drain.*
- 4. Horse yards and cattle yards must be enclosed to prevent the escape of horses and cattle.*
- 5. Yards must not be kept under such condition as to create a nuisance or to be*

*dangerous or injurious to health.*

6. *Yards must at all times be kept clean and free from offensive odours.*
7. *As a general guide a minimum of 0.4ha of pastured land is required to keep horses (excludes offspring to 3 months of age)*

## **6. Dogs**

- a. *The maximum number of dogs shall be limited to two (2) adults and one (1) litter of pups up to six (6) months old per premise in urban areas.*
- b. *The maximum number of dogs other than greyhounds shall be limited to four (4) adults and one (1) litter of pups up to six (6) months old per premise in rural areas.*
- c. *The maximum number of greyhounds shall be limited to four (4) adults and one (1) litter of pups up to thirteen (13) months old in rural areas.*
- d. *A premises used for the keeping of a dog or dogs must not be kept under such conditions so as to create a nuisance or to be dangerous or injurious to health.*
- e. *A premises used for the keeping of dog/s must at all times be kept clean and free from offensive odours.*
- f. *A premises used for the keeping of dog/s should be appropriately fenced to secure the dog/s within the premises in accordance with the requirements of the Companion Animal Act 1998*

*Please note:*

*Some dog kennel structures may require development approval. Please check first with Council.*

*Declared dangerous, or restricted dog enclosures require development approval.*

*Commercial dog breeding and/or boarding kennels are subject to Council approval.*

*Owners of dogs are encouraged to de-sex their dog and registration fees are cheaper for desexed animals.*

*Also refer to tenancy tribunal or rental property agreements for villas and townhouses in relation to the conditions about keeping dogs.*

*All provisions of the Companion Animals Act 1998 must be complied with, including:*

- *Registration requirements; and*
- *Micro-chipping requirements.*

## **7. Cats**

- a. *The maximum number of cats shall be limited to four (4) per premise.*
- b. *A premises used for the keeping of a cat or cats must not be kept under such conditions so as to create a nuisance or to be dangerous or injurious to health.*
- c. *A premises used for the keeping of a cat or cats must at all times be kept clean and free from offensive odours.*

*Please note:*

*Owners of cats are encouraged to keep their cat(s) indoors overnight to limit hunting of*

*native wildlife.*

*Cat owners are encouraged to keep their cat(s) contained on their property. This will keep their cat(s) safe and minimise the hunting of wildlife.*

- *There are four main ways you can keep your cat(s) contained at home:*
  - *Indoors only*
  - *Indoors with an outdoor space and escape-proof barrier. Outdoor spaces for your cat can include attached and freestanding enclosures, enclosed backyards or modified fences.*
  - *Indoors with supervised outdoor play: Walking your cat on a lead lets them explore outdoor sights, sounds, and smells safely, while protecting wildlife.*
  - *Owners of cats are encouraged to desex their cat(s); a desexed cat is more content and is less likely to roam.*

*Also refer to tenancy tribunal or rental property agreements for villas and townhouses in relation to the conditions about keeping cats.*

*All provisions of the Companion Animals Act 1998 must be complied with, including*

- *Registration requirements*
- *Micro-chipping requirements; and*
- *Annual permit (un-desexed cats over 4 months of age)*

## **8. Rabbits**

- a. *The maximum number of rabbits shall be limited to four (4) per premise. Should more than one rabbit be kept at a premise they must be:*
  - i. *kept inside at all times or escape proof outdoor areas*
  - ii. *desexed,*
  - iii. *vaccinated*
- b. *A premises used for the keeping of a rabbit must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.*
- c. *A premises used for the keeping of a rabbit must at all times be kept clean and free from offensive odours.*
- d. *Rabbits being kept in residential areas must not be kept closer than 10m to a kitchen or food preparation area.*
- e. *Rabbits kept must be a recognised domestic breed and be kept in a rabbit proof enclosure suitable for the breed.*

*Please note:*

*Rabbits should be desexed before 5 months of age.*

*Wild/feral rabbits are prohibited to be kept in captivity without the approval from the NSW Local Lands Service (LLS)*



**9. Bees**

- a. *To keep one or more beehives in NSW, you are required to register as a beekeeper with the Department of Primary Industries.*
- b. *Under the Biosecurity Act 2015, you must be registered to keep bees, you must mark all hives with a hive identification number and may include the number of hives on the property.*
- c. *An adequate supply of water is to be provided within the premises where the bees are kept.*
- d. *Hives are to be located so that flight paths do not interfere with surrounding residents.*
- e. *All hives must be registered with the NSW Department of Primary Industries.*
- f. *Beehives must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.*
- g. *Beekeepers should familiarise themselves with [The Australian Honey Bee Industry Biosecurity Code of Practice](#).*

*Wild hives must be controlled. Any person having a wild hive on their property must consult NSW DPI for advice.*

**10. Ferrets**

- a. *The maximum number of ferrets shall be limited to two (2) per premise.*
- b. *Ferrets must not be kept within 4.5m of a kitchen or food preparation area.*
- c. *A premises used for the keeping of a ferret must at all times be kept clean and free from offensive odours.*
- d. *Ferrets must be caged and/or secured at all times and are not permitted to free range.*

*Please note:*

*Owners of ferrets are encouraged to have them desexed.*

*Ferrets should not be released into the environment.*

**11. Miscellaneous**

- a. *The maximum number of bird(s) or animal(s) permitted to be kept, where the type of bird or animal, or the maximum number has not been specifically noted above, is at the discretion of the investigating Officer, taking into consideration the number and type of bird(s) or animal(s) being kept, the conditions under which they are kept and the impact they are causing.*
- b. *Such animals would be required to be kept under such conditions as to prevent the creation of a nuisance or not to be dangerous or injurious to health.*
- c. *The area proposed for the keeping of such animals must, at all times, be kept clean and free from offensive odours.*
- d. *Where the keeping of birds or animals on premise is capable of being regulated by the NSW Environment Protection Authority, Council is excluded from making an Order No. 18.*



*Where the keeping of birds or animals on premise is capable of being regulated by the NSW Environment Protection Authority, Council is excluded from making an Order No. 18.*

**12. Criteria and/or matters that will not be considered:**

- a. *damage caused by wild or native birds or animals*
- b. *the trapping of any wild or native birds or animals*
- c. *the control of or treatment of termites on private or public land*
- d. *the control of or treatment of feral animals such as rabbits, foxes or other feral pests on private or public land.*

**13. That the Policy is reviewed within 12 months.**

(The Amendment on being put became the **MOTION**)

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**25/208 MOTION** Councillor Schutz/Councillor Mayne

THAT Council adopts the Local Orders Policy – Keeping of Animals with the following amendments as highlighted in red below:

**1. Poultry, Domestic and Guinea Fowl**

*All poultry must be kept in accordance with the Local Government (General) Regulation 2021, Schedule 2, Part 5, Division 2.*

*(1) Poultry must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health*

*(2) Poultry yards must at all times be kept clean and free from offensive odours.*

a. *Fowl*

i. *Roosters are not permitted to be kept where crowing may cause offensive noise.*

ii. *The maximum number of fowl shall be limited to ten (10) per premises for Zone R5 land*

iii. *Must not be kept within 4.5m of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.*

b. *Poultry other than fowls including ducks, geese and turkeys:*

i. *must not be kept within 30m of a dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.*

ii. *On any other land not more than 5 small fowl or poultry (where adults are less than 2kg e.g. chickens, pheasants, quail, call ducks and mallard ducks) and*

iii. *no more than 2 large fowl or poultry (where adults are more than 2kg e.g.*

*large ducks and geese).*

- c. Roosters should not be kept in residential areas due to noise. Other noisy fowl and poultry such as Peacocks, Guinea Fowls and Turkeys are also considered unsuitable to be kept in residential areas.*

**2. Swine, Goats & Sheep**

- a. Swine, goats or sheep must not be kept (and animal waste products must not be deposited) within 60m of a dwelling, shop, office, factory, church, or other place of public worship, school or public place.*
- b. The maximum number of swine, goats or sheep to be kept in urban areas shall be limited to two (2).*
- c. Swine must not be kept in such a place or manner as to pollute any surrounding waters.*

**3. Birds other than Pigeons, Poultry and Domestic and Guinea Fowls**

- a. Aviaries must not be located within 4.5m of a kitchen or food preparation area.*
- b. Aviaries must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.*
- c. Aviaries must at all times be kept clean and free from offensive odours.*
- d. The maximum number of birds allowed to be kept in urban areas shall be as appropriate for the species, enclosure size, proximity to neighbours etc.*

**4. Pigeons**

*To encourage satisfactory care and management of pigeons and the keeping of pigeons does not adversely impact on the community or the environment.*

- a. Pigeons must not be kept within 15m from any kitchen or food preparation area*
- b. Nuisance due to noise and also free flight of pigeons is to be minimised. Lofts must be constructed to Council approval on hard paving of a smooth surface, or with a suspended floor elevated 0.8m above the ground.*
- c. Lofts are to be kept clean at all times. Manure is to be cleaned up daily and disposed of correctly. To minimise odours owners must design and manage lofts to prevent manure becoming wet due to rain or cleaning.*
- d. Pigeons must be fed within lofts after exercise. All feed must be kept in vermin-proof containers.*
- e. Racing pigeon's lofts should have adequate visible landing platforms.*
- f. Exercising of birds should not occur between 8.00 am and 3.30 pm.*
- g. Birds shall not be allowed to roost on neighbouring buildings. 'Open' lofts are not permitted.*

*Please note:*

*Pigeon structures may require development approval. Please check first with Council.*

*Pigeon owners are encouraged to adhere to the NSW Code of Practice No:4 Keeping and Trading Birds.*

**5. Horses And Cattle**

1. Only two (2) horses may be kept on any premises on urban land.
2. *Horses and cattle must be kept no closer than 9m from a kitchen or food preparation area*
3. The floors of any stables must be paved with concrete or mineral asphalt or equally impervious material and must be properly graded to drain.
4. Horse yards and cattle yards must be enclosed to prevent the escape of horses and cattle.
5. Yards must not be kept under such condition as to create a nuisance or to be dangerous or injurious to health.
6. Yards must at all times be kept clean and free from offensive odours.
7. *As a general guide a minimum of 0.4ha of pastured land is required to keep horses (excludes offspring to 3 months of age)*

**6. Dogs**

- a. The maximum number of dogs shall be limited to two (2) adults and one (1) litter of pups up to six (6) months old per premise in urban areas.
- b. The maximum number of dogs other than greyhounds shall be limited to four (4) adults and one (1) litter of pups up to six (6) months old per premise in rural areas.
- c. The maximum number of greyhounds shall be limited to four (4) adults and one (1) litter of pups up to thirteen (13) months old in rural areas.
- d. A premises used for the keeping of a dog or dogs must not be kept under such conditions so as to create a nuisance or to be dangerous or injurious to health.
- e. A premises used for the keeping of dog/s must at all times be kept clean and free from offensive odours.
- f. A premises used for the keeping of dog/s should be appropriately fenced to secure the dog/s within the premises in accordance with the requirements of the Companion Animal Act 1998

*Please note:*

*Some dog kennel structures may require development approval. Please check first with Council.*

*Declared dangerous, or restricted dog enclosures require development approval.*

*Commercial dog breeding and/or boarding kennels are subject to Council approval.*

*Owners of dogs are encouraged to de-sex their dog and registration fees are cheaper for desexed animals.*

*Also refer to tenancy tribunal or rental property agreements for villas and townhouses in relation to the conditions about keeping dogs.*

*All provisions of the Companion Animals Act 1998 must be complied with, including:*

- *Registration requirements; and*
- *Micro-chipping requirements.*

## 7. Cats

- a. *The maximum number of cats shall be limited to four (4) per premise.*
- b. *A premises used for the keeping of a cat or cats must not be kept under such conditions so as to create a nuisance or to be dangerous or injurious to health.*
- c. *A premises used for the keeping of a cat or cats must at all times be kept clean and free from offensive odours.*

*Please note:*

*Owners of cats are encouraged to keep their cat(s) indoors overnight to limit hunting of native wildlife.*

*Cat owners are encouraged to keep their cat(s) contained on their property. This will keep their cat(s) safe and minimise the hunting of wildlife.*

- *There are four main ways you can keep your cat(s) contained at home:*
  - *Indoors only*
  - *Indoors with an outdoor space and escape-proof barrier. Outdoor spaces for your cat can include attached and freestanding enclosures, enclosed backyards or modified fences.*
  - *Indoors with supervised outdoor play: Walking your cat on a lead lets them explore outdoor sights, sounds, and smells safely, while protecting wildlife.*
  - *Owners of cats are encouraged to desex their cat(s); a desexed cat is more content and is less likely to roam.*

*Also refer to tenancy tribunal or rental property agreements for villas and townhouses in relation to the conditions about keeping cats.*

*All provisions of the Companion Animals Act 1998 must be complied with, including*

- *Registration requirements*
- *Micro-chipping requirements; and*
- *Annual permit (un-desexed cats over 4 months of age)*

## 8. Rabbits

- a. *The maximum number of rabbits shall be limited to four (4) per premise. Should more than one rabbit be kept at a premise they must be:*
  - i. *kept inside at all times or escape proof outdoor areas*
  - ii. *desexed,*
  - iii. *vaccinated*
- b. *A premises used for the keeping of a rabbit must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.*
- c. *A premises used for the keeping of a rabbit must at all times be kept clean and free from offensive odours.*
- d. *Rabbits being kept in residential areas must not be kept closer than 10m to a*

*kitchen or food preparation area.*

- e. Rabbits kept must be a recognised domestic breed and be kept in a rabbit proof enclosure suitable for the breed.*

*Please note:*

*Rabbits should be desexed before 5 months of age.*

*Wild/feral rabbits are prohibited to be kept in captivity without the approval from the NSW Local Lands Service (LLS)*

## **9. Bees**

- a. To keep one or more beehives in NSW, you are required to register as a beekeeper with the Department of Primary Industries.*
- b. Under the Biosecurity Act 2015, you must be registered to keep bees, you must mark all hives with a hive identification number and may include the number of hives on the property.*
- c. An adequate supply of water is to be provided within the premises where the bees are kept.*
- d. Hives are to be located so that flight paths do not interfere with surrounding residents.*
- e. All hives must be registered with the NSW Department of Primary Industries.*
- f. Beehives must not be kept under such conditions as to create a nuisance or to be dangerous or injurious to health.*
- g. Beekeepers should familiarise themselves with [The Australian Honey Bee Industry Biosecurity Code of Practice](#).*

*Wild hives must be controlled. Any person having a wild hive on their property must consult NSW DPI for advice.*

## **10. Ferrets**

- a. The maximum number of ferrets shall be limited to two (2) per premise.*
- b. Ferrets must not be kept within 4.5m of a kitchen or food preparation area.*
- c. A premises used for the keeping of a ferret must at all times be kept clean and free from offensive odours.*
- d. Ferrets must be caged and/or secured at all times and are not permitted to free range.*

*Please note:*

*Owners of ferrets are encouraged to have them desexed.*

*Ferrets should not be released into the environment.*

## **11. Miscellaneous**

- a. The maximum number of bird(s) or animal(s) permitted to be kept, where the type of bird or animal, or the maximum number has not been specifically noted above, is at the discretion of the investigating Officer, taking into consideration the*

*number and type of bird(s) or animal(s) being kept, the conditions under which they are kept and the impact they are causing.*

- b. Such animals would be required to be kept under such conditions as to prevent the creation of a nuisance or not to be dangerous or injurious to health.*
- c. The area proposed for the keeping of such animals must, at all times, be kept clean and free from offensive odours.*
- d. Where the keeping of birds or animals on premise is capable of being regulated by the NSW Environment Protection Authority, Council is excluded from making an Order No. 18.*

*Where the keeping of birds or animals on premise is capable of being regulated by the NSW Environment Protection Authority, Council is excluded from making an Order No. 18.*

**12. Criteria and/or matters that will not be considered:**

- a. damage caused by wild or native birds or animals*
- b. the trapping of any wild or native birds or animals*
- c. the control of or treatment of termites on private or public land*
- d. the control of or treatment of feral animals such as rabbits, foxes or other feral pests on private or public land.*

**13. That the Policy is reviewed within 12 months.**

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**25/209 MOTION** Councillor Hatcher/Councillor Schutz

THAT the Ordinary Council Meeting be adjourned for a 5 minute recess.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

At **3:28 pm** the Mayor adjourned the Ordinary Meeting of Council.

**25/210 MOTION** Councillor Hatcher/Councillor Constable

THAT the Ordinary Council Meeting be reconvened following the 5 minute recess.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, R Pollock OAM, A Schutz, C Turner  
and S Winslade.

Councillor Mayne was absent during the vote.

At **3:35 pm** the Mayor reconvened the Ordinary Meeting of Council.

At **3:37 pm** Councillor Mayne returned to the Chambers.

**25/211 MOTION** Councillor Hatcher/Councillor Winslade

THAT the Ordinary Council Meeting of Council be extended by one hour and extended to  
5:30pm.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A  
Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**PER25/024 DA0467/25 - DEMOLISH EXISTING MOTEL AND CONSTRUCTION OF A NEW  
MOTEL - 213 PRINCES HIGHWAY NAROOMA**

File Ref:

**25/212 MOTION** Councillor Constable/Councillor Schutz

That Council approve DA0467/25 to for the Demolition of the existing motel and construction of a new motel, subject to the conditions attached to this report.

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

Division

For the Motion: Crs P Constable, M Hatcher, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Crs M Johnson and A Mayne.



**PER25/025 CLIMATE CHANGE SCENARIOS FOR BATEMANS BAY AND MORUYA**

File Ref: S017-T00013

**25/213 MOTION** Councillor Winslade/Councillor Turner

THAT Council:

1. endorses Shared Socioeconomic Pathway 5 (0.9m) to be used for Sea Level Rise across the Moruya and Batemans Bay flood studies and plans.
2. endorses Shared Socioeconomic Pathway 3 to be used for Rainfall intensity across the Moruya and Batemans Bay flood studies and plans.
3. prepare a draft climate change policy to set a framework for how Shared Socioeconomic Pathways are used in other flood catchments within the shire. The draft policy could be exhibited at the same time as the Moruya and Batemans Bay flood risk management plans.

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

Division

For the Motion: Crs M Hatcher, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Crs P Constable and M Johnson.

**PER25/026 FORMATION OF THE HOUSING ADVISORY GROUP**

File Ref: S017-T00003; OP0076-S006

**MOTION** Councillor Turner/Councillor Johnson

THAT Council:

1. Change the name of the Committee to *“Housing Improvement Advisory Committee”*.
2. Amend the Terms of Reference to read as follows:
  - (a) Under the heading *“Membership of Committee”*, amend to:
    - *Community members have voting rights.*
    - *The Chairperson is an elected Councillor and has voting rights.*
  - (b) Under the heading *“Composition”* in the Terms of Reference, amend to read as follows:
    - *Skills-based representatives from housing providers (including Aboriginal Housing Providers), advocacy groups, and relevant industry sectors.*
    - *One Councillor as Chair, plus one designated alternate Councillor.*
3. Amend the Expression of Interest form under the heading *“Relevant Experience and Expertise”* by making *“lived experience”* bold.
4. Approve the establishment of a Housing Improvement Advisory Committee for the duration of this Council’s term.
5. Subject to the changes outlined above, endorse the Terms of Reference and the release of the Expression of Interest for the Housing Improvement Advisory Committee.
6. Appoint a Councillor to Chair the Housing Improvement Advisory Committee and appoint an alternate delegate Councillor.

**25/214 MOTION** Councillor Schutz/Councillor Mayne

THAT the Ordinary Council Meeting move into a Committee of a Whole to discuss this item freely around the table.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

At 3:55 pm the Ordinary Meeting of Council moved into a Committee of a Whole.

**25/215 MOTION** Councillor Mayne/Councillor Schutz

THAT the Ordinary Council Meeting reconvene.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

At 4:04 pm the Ordinary Meeting of Council reconvened.

**25/216 MOTION** Councillor Turner/Councillor Johnson

THAT Council:

1. Change the name of the Committee to *“Housing Improvement Advisory Committee”*.
2. Amend the Terms of Reference to read as follows:
  - (a) Under the heading *“Membership of Committee”*, amend to:
    - *Community members have voting rights.*
    - *The Chairperson is an elected Councillor and has voting rights.*
  - (b) Under the heading *“Composition”* in the Terms of Reference, amend to read as follows:
    - *Up to 8 skills-based representatives from housing providers (including Aboriginal Housing Providers), advocacy groups, and relevant industry sectors.*
    - *One Councillor as Chair, plus one designated alternate Councillor.*
3. Amend the Expression of Interest form under the heading “Relevant Experience and Expertise” by making “lived experience” bold.
4. Approve the establishment of a Housing Improvement Advisory Committee for the duration of this Council’s term.
5. Subject to the changes outlined above, endorse the Terms of Reference and the release of the Expression of Interest for the Housing Improvement Advisory Committee.
6. Appoint a Councillor to Chair the Housing Improvement Advisory Committee and appoint an alternate delegate Councillor.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

### **ELECTION OF CHAIR OF COMMITTEE**

The Mayor called for nominations for the position of Chair of the Housing Improvement Advisory Committee. A ballot by show of hands was conducted. Both Councillor Johnson and Councillor Turner nominated themselves for the position.

The results of the vote were as follows:

- Councillors Schutz, Johnson, Constable, and Hatcher voted for Councillor Johnson.
- Councillors Pollock, Turner, Mayne, and Winslade voted for Councillor Turner.

The vote resulted in a tie. The Mayor indicated he did not wish to exercise a casting vote and that the successful candidate would be determined by a random draw. The names of the two candidates were placed in a box, and Councillor Colleen Turner was drawn and declared elected as the Chair of the Housing Improvement Advisory Committee.

The Mayor then called for nominations for the position of Alternate Chair. The only nomination received was for Councillor Johnson, who was therefore declared elected as the Alternate Chair for the Committee.

**13. FINANCE AND CORPORATE SERVICES REPORTS**

**FCS25/070 LAND PURCHASE - NORTH MORUYA INDUSTRIAL ESTATE**

File Ref: S023-T00014

**25/217 MOTION** Councillor Constable/Councillor Schutz

THAT:

1. Council approve the purchase of land being Part Lot 82 DP 632752 and Part Lot 892 DP 1080716 to provide access to the potential expansion of the North Moruya Industrial Estate.
2. If the acquisition of Part Lot 82 DP 632752 and Part Lot 892 DP 1080716 cannot be negotiated by agreement, Council will make an application to the Minister for Local Government and Governor to acquire Part Lot 82 DP 632752 and Part Lot 892 DP 1080716 by compulsory process pursuant to the [Land Acquisition \(Just Terms Compensation\) Act 1991](#).
3. Council delegates the general manager to conclude negotiations in accordance with this report and the confidential attachment.
4. Public notice be given on Council's intention to resolve that the land becomes operational land when the purchase is complete and that:
  - (a) A period of 28 days is given for members of the public to make submissions in relation to the proposed operational land, and
  - (b) A further report be presented following the notification period.
5. The general manager be given delegated authority to execute all necessary documentation associated with the purchase.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**FCS25/071 CODE OF CONDUCT COMPLAINTS STATISTICS REPORT**

File Ref: S012-T00003

**25/218 MOTION** Councillor Mayne/Councillor Schutz

THAT Council receive and note the Code of Conduct Complaints Statistics Report 2024-25.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A  
Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**FCS25/072 POLICY REVIEW - CODE OF MEETING PRACTICE**

File Ref: S012-T00025

**MOTION** Councillor Hatcher/Councillor Johnson

THAT:

1. Council note that the draft Code of Meeting Practice was placed on public exhibition for 42 days from 29 October 2025 to 9 December 2025 and that two submissions were received.
2. Council adopt the updated Code of Meeting Practice as exhibited, with the following amendments:
  - (a) Public Forum will commence at 12.30pm and run for a maximum of one hour with a maximum of 10 speakers, determined by time of registration.
  - (b) Speakers will have a maximum of 7 minutes per presentation but this may be varied by the General Manager to accommodate the one hour limit for Public Forum.
  - (c) Council Meetings will commence at 2.00pm.
  - (d) The Code of Meeting Practice and appendices will be updated to reflect (a) to (c) above.
3. The arrangements in point 2 above, be reviewed in 6 months.

**25/219 MOTION** Councillor Schutz/Councillor Mayne

THAT the Ordinary Council Meeting move into a Committee of a Whole to discuss this item freely around the table.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

At 4:38 pm the Ordinary Meeting of Council moved into a Committee of a Whole.

**25/220 MOTION** Councillor Hatcher/Councillor Schutz

THAT the Ordinary Council Meeting reconvene.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

At 4:44 pm the Ordinary Meeting of Council reconvened.

**25/221 MOTION** Councillor Hatcher/Councillor Johnson

THAT:

1. Council note that the draft Code of Meeting Practice was placed on public exhibition for 42 days from 29 October 2025 to 9 December 2025 and that two submissions were received.
2. Council adopt the updated Code of Meeting Practice as exhibited, with the following amendments:
  - (a) Public Forum will commence at 12.30pm and run for a maximum of one hour with a maximum of 10 speakers, determined by time of registration.
  - (b) Speakers will have a maximum of 7 minutes per presentation but this may be varied by the General Manager to accommodate the one hour limit for Public Forum.
  - (c) Council Meetings will commence at 2.00pm.
  - (d) The Code of Meeting Practice and appendices will be updated to reflect (a) to (c) above.
3. The arrangements in point 2 above, be reviewed in 6 months.

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

Division

For the Motion: Crs M Hatcher, M Johnson, A Schutz, C Turner and S Winslade.

Against the Motion: Crs P Constable, A Mayne and R Pollock OAM.



**FCS25/080     AUDIT RISK AND IMPROVEMENT COMMITTEE - UPDATED INTERNAL AUDIT  
CHARTER**

File Ref: S004-T00048

**25/222 MOTION** Councillor Winslade/Councillor Johnson

THAT Council adopt the updated ARIC Internal Audit Charter, noting the only change is to establish an in-house internal audit function to conduct internal audits, replacing the outsourced external provider.

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

Division

For the Motion:     Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A  
                               Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**FCS25/081     AUDIT RISK AND IMPROVEMENT COMMITTEE 2024-25 ANNUAL REPORT**

File Ref: S004-T00048

**25/223 MOTION** Councillor Johnson/Councillor Winslade

THAT the ARIC 2024-25 Annual Report be received and noted.

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

Division

For the Motion:     Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A  
                               Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**FCS25/082     AUDIT RISK AND IMPROVEMENT COMMITTEE - MEETING MINUTES 22  
OCTOBER 2025**

File Ref: S004-T00048

**25/224 MOTION** Councillor Winslade/Councillor Turner

THAT Council receive and note the minutes of the ARIC meeting held on 22 October 2025.

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

Division

For the Motion:     Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A  
                               Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**FCS25/083 INVESTMENTS MADE AS AT 30 NOVEMBER 2025**

File Ref: S011-T00006, S012-T00025

**25/225 MOTION** Councillor Schutz/Councillor Winslade

THAT the certification of investments as of 30 November 2025, 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 2021*, be received.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**14. INFRASTRUCTURE REPORTS**

**IR25/019 UPDATE ON NAROOMA RECYCLED WATER FEASIBILITY STUDY**

File Ref: S029-T00004

**25/226 MOTION** Councillor Constable/Councillor Pollock OAM

THAT Council:

1. notes the information provided in response to the resolution of Council (Minute 24/171) to conduct a preliminary feasibility study into using recycled water from the Kianga sewage treatment plant for Narooma ovals and golf course; and
2. the complete feasibility study be disclosed to all Councillors and the cost of the exercise included.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**IR25/020 MORUYA EMERGENCY SERVICES PRECINCT & SALE PART LOT 10 DP1293843,  
PRINCES HIGHWAY MORUYA**

File Ref: S023-T00001

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in item IR25/020 Moruya Emergency Services Precinct & Sale Part Lot 10 DP 1293843, Princes Highway, Moruya, and stated that he doesn't believe he should be precluded from voting on the matter.

**Reason:** Councillor Mayne declared he is an active member of the Broulee Rural Fire Service however he does not hold an executive position or committee position.

**25/227 MOTION** Councillor Schutz/Councillor Johnson

THAT:

1. Council notes the agreement between Council, the State Emergency Services and the NSW Rural Fire Service and that the general manager will conclude negotiations and sign the agreement.
2. Council approves the subdivision and sale of part Lot 10 DP 1293843 to Fire and Rescue NSW.
3. The general manager be given delegated authority to finalise negotiations for this sale of Part Lot 10 DP 1293843, 2868 Princes Highway Moruya to NSW Fire and Rescue and undertake all actions necessary for the subdivision and sale of the land.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**IR25/021      REQUEST FOR TENDER (RFT) NO. 2009692 - MORUYA SEWER SERVICING  
WORKS**

File Ref: S029-T00004

**25/228 MOTION** Councillor Schutz/Councillor Mayne

THAT Council:

1. Approves the entering into a contractual arrangement with the preferred tenderer for the construction of works to provide water and sewerage services to Moruya, subject to the terms specified in Request for Tender No. 2009692 – Moruya Sewer Servicing Works unless otherwise varied in accordance with this report.
2. Approves the commitments associated with these contractual arrangements and specifically the contract values as noted in the Confidential Attachment to this report.
3. Approves bringing forward the required funds from the second year of the sewage capital program, as noted in the Confidential Attachment to this report.

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

Division

For the Motion:      Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A  
Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**IR25/022      REQUEST FOR TENDER (RFT) NO. 2425-182 - SEWER REHABILITATION AND  
MAINTENANCE PROGRAM 2025-2029**

File Ref: S029-T00011

**25/229 MOTION** Councillor Schutz/Councillor Mayne

THAT Council:

1. Approves the entering into contractual arrangements with the preferred tenderers for the sewer rehabilitation and maintenance program subject to the terms specified in Request for Tender No. 2425-182 for the Sewer Rehabilitation and Maintenance Program 2025-2029 unless otherwise varied in accordance with this report.
2. Approves the commitments associated with these contractual arrangements and specifically the tendered values as noted in the Confidential Attachment to this report.

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

Division

For the Motion:      Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A  
Schutz, C Turner and S Winslade.

Against the Motion: Nil.



**IR25/023      LOCAL TRANSPORT FORUM NO.4 FOR 2025-26**

File Ref: S030-T00018

**25/230 MOTION** Councillor Schutz/Councillor Winslade

THAT Council:

1. Approves the following acts for determination from Local Transport Forum No. 4 for 2025-26:

- **2026.RT.010 Peter Crescent, Batehaven, No Parking**

That Council plan 5490-A6-1 to install 'No Parking' signage at Peter Crescent, Batehaven, be approved.

- **2026.RT.011 Yowani Road, Rosedale, No Stopping**

That Council plan 2155-C-01 to install 'No Stopping' signage at Yowani Road, Rosedale, be approved.

- **2026.RT.012 Broulee Subdivision**

That plan 3647-5MD-33 to install signs and lines for the Broulee subdivision, Broulee, be approved.

- **2026.RT.013 Long Beach Subdivision**

That plan ISC0051-20-C220 to install signs and lines for the Long Beach subdivision, Long Beach, be approved.

2. Notes the following items which were endorsed for approval by the Local Transport Forum:

Nothing noted.

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

Division

For the Motion:      Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

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

**CAR25/017 BAY PAVILIONS SERVICE REVIEW OUTCOMES**

File Ref: S0026-T00023

**25/231 MOTION** Councillor Turner/Councillor Schutz

THAT:

1. Council endorse a one year extension of a modified version of the current contract with Aligned Leisure, from 1 July 2026 to 30 June 2027, for the management of the Bay Pavilions, Moruya and Narooma pools, with:
  - a) the theatre and meeting rooms removed from the contract;
  - b) responsibility for planned and minor maintenance added to the contract;
  - c) the management fee for 2026-2027 set at the 2025-2026 fee plus CPI;
  - d) the General Manager delegated to finalise the contract extension and associated documentation, including agreed performance indicators and profit share agreement for the 2026-2027 year.
2. Council endorse a Council /contractor management model for the Bay Pavilions, with theatre and meeting room components run in-house by Council from 1 July 2026, and aquatic, gym and café components tendered in 2026 for a 1 July 2027 contract commencement date.
3. Council endorse the development of tender and contract documents for contracts to commence from 1 July 2027, including:
  - a) Bay Pavilions aquatic and fitness (gym) facilities;
  - b) Moruya and Narooma swimming centres;
  - c) Food and beverage services at the Bay Pavilions, including the café;
  - d) That the contracts or agreements include responsibility for operational costs and revenues, with final configuration/inclusions determined during tender development. Council remains responsible for asset renewal and capital works.
4. Council endorse a solar panel installation plan for its aquatic facilities.

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

Division

For the Motion: Crs P Constable, M Hatcher, M Johnson, A Mayne, R Pollock OAM, A Schutz, C Turner and S Winslade.

Against the Motion: Nil.

**16. URGENT BUSINESS**

NIL

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

NIL

**18. CONFIDENTIAL MATTERS**

NIL

**Mayor's Christmas Message:**

As we close this meeting, I want to acknowledge what has been a big and demanding year. There have been challenges, but also real achievements, made possible by the commitment, professionalism, and care shown throughout our organisation.

Thank you to our staff for the work you do every day, to the councillors for the work you put in to better our community, and to our families for the support you provide that makes it all possible.

As we head into the holiday period please check in with your neighbour and those doing it tough in our community. Be thankful for how lucky we are. If you see a first responder in the queue at a café, let them go straight to the front and shout them a coffee. Say thanks to anyone you see in the military. Never take for granted that we live in a lucky country.

I hope you enjoy time with family and friends, take a well-earned break, and celebrate the season together. Get a game of beach cricket in. I'll be playing at Malua Bay on Boxing Day! Merry Christmas and I hope you have an amazing 2026!

**THE MEETING CLOSED AT 4:57 pm**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Thursday, 25 December 2025 at which meeting the signature hereon was subscribed.