



Minutes

Ordinary Meeting of Council

25 November 2014

**ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 25 NOVEMBER 2014**

MINUTES

1. WELCOME AND EVACUATION MESSAGE.....	1
2. APOLOGIES	1
3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	1
4. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA	2
5. REPORTS OF COMMITTEE.....	2
Nil	
NOTICE OF MOTION	
Deferred for consideration in Public Forum at 6.00pm	
6. QUESTIONS ON NOTICE.....	3
Nil	
7. MAYORAL REPORTS	3
NIL	3
8. GENERAL MANAGER'S REPORTS	4
GMR14/034 Councillor Expenses and Facilities Policy.....	4
GMR14/035 Council Meetings - Live Streaming.....	5
9. PLANNING AND SUSTAINABILITY REPORTS.....	6
PSR14/063 Annual Report 2013-2014.....	7
PSR14/064 Minor Housekeeping Amendments to Eurobodalla Local Environmental Plan 2012	8
PSR14/065 Tender - Transport and reuse/recycling of biosolids.....	9
PSR14/066 Tender for Litter Bin Collection Contract	10
PSR14/067 Liquid Trade Waste Service Agreement	11
PSR14/068 Donation of Development Application Fees for Tilba District Chamber of Commerce Inc.....	12
10. INFRASTRUCTURE REPORTS.....	13
Nil	
11. FINANCE AND BUSINESS DEVELOPMENT REPORTS.....	14

FBD14/073 Licence for Footpath Trading - Moruya	14
12. COMMUNITY, ARTS AND RECREATION REPORTS	16
Nil	
13. DELEGATE REPORT	16
Nil	
14. QUESTIONS/URGENT BUSINESS.....	16
15. DEALING WITH MATTERS IN CLOSED SESSION.....	17
16. CONFIDENTIAL MATTERS.....	18
17. PRESENTATIONS.....	20
18. QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY)	21
19. NOTICES OF MOTION	25
NOM14/021 Sea Level Rise	25
PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework	26
FBD14/074 Investments made as at 31 October 2014.....	28
FBD14/075 Code of Conduct Complaints Report	29
FBD14/076 Huntfest - Variation to Licence Submissions	32
FBD14/077 Huntfest - Variation to Event Licence	33

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 25 NOVEMBER 2014
COMMENCING AT IN 4.02PM**

PRESENT: Councillor Lindsay Brown, Mayor (in the Chair)
Councillors Danielle Brice, Neil Burnside, Gabi Harding, Liz Innes, Milton
Leslight, Rob Pollock OAM and Peter Schwarz

Staff: Dr Catherine Dale, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr W Sharpe OAM, Director, Infrastructure Services
Mr A O'Reilly, Director, Finance and Business Development
Mrs K Arthur, Director, Community, Arts and Recreation
Mrs C Hodges, Minute Secretary
Mrs K Green, Minute Secretary

1. WELCOME AND EVACUATION MESSAGE

The Mayor welcomed everyone to the meeting, acknowledged the Traditional Owners and advised of the Evacuation Procedure.

2. APOLOGIES

APOLOGY

14/319 MOTION Councillor Brice/Councillor Harding

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

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

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

14/320 MOTION Councillor Burnside/Councillor Schwarz

THAT the minutes of the Ordinary Meeting held on 11 November 2014 be confirmed.

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

4. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

E87.6800; E12.6277

Councillor Lindsay Brown declared a significant non pecuniary interest in FBD14/076 Huntfest – Variation to Licence Submissions and FBD14/077 Huntfest – Variation to Event Licence and will vacate the Chair and the Chambers during discussion and voting on the matters.

Reason: A close family member is in the employ of an exhibitor at Huntfest.

E87.6800; E13.7268; E08.2166

Councillor Liz Innes declared a non-significant, non pecuniary interest in NOM14/021 Sea Level Rise and PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework and believes she should not be precluded from voting and discussion on the matter.

Reason: Her property is affected in a minor way by potential flooding.

E87.6800; E13.7268; E08.2166

Councillor Gabi Harding declared a non-significant, non pecuniary interest in NOM14/021 Sea Level Rise and PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework and believes she should not be precluded from discussions and voting on the matter.

Reason: Her property is affected in a minor way by potential flooding.

5. REPORTS OF COMMITTEE

Nil

NOTICE OF MOTION

Deferred for consideration in Public Forum at 6.00pm

6. QUESTIONS ON NOTICE

Nil

7. MAYORAL REPORTS

Nil

8. GENERAL MANAGER'S REPORTS

GMR14/034 COUNCILLOR EXPENSES AND FACILITIES POLICY

File Ref: E08.2108

14/321 MOTION Councillor Harding/Councillor Pollock

THAT:

1. The Councillor Expenses and Facilities Policy be adopted;
2. The Office of Local Government be provided with a copy of the policy in accordance with S.253(4) of the Local Government Act.

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

GMR14/035 COUNCIL MEETINGS - LIVE STREAMING

File Ref: E13.7095

14/322 MOTION Councillor Brice/Councillor Harding

THAT Council receive and note the outcomes to date of investigations into the feasibility and costs of live streaming Council meetings.

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

9. PLANNING AND SUSTAINABILITY REPORTS

**PSR14/062 SOUTH COAST REGIONAL SEA LEVEL RISE PLANNING AND POLICY RESPONSE
FRAMEWORK**

Deferred for consideration in Public Forum at 6.00pm

PSR14/063 ANNUAL REPORT 2013-2014

File Ref: E12.6254

14/323 MOTION Councillor Harding/Councillor Burnside

THAT:

1. The draft Annual Report for 2013/2014 be received.
2. In accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005, Council adopt the draft Annual Report for 2013/14.
3. A copy of the Annual Report 2013/14 be placed on Council's website and a copy of the Annual Report be forwarded to the Minister for Local Government.

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

**PSR14/064 MINOR HOUSEKEEPING AMENDMENTS TO EUROBODALLA LOCAL
ENVIRONMENTAL PLAN 2012**

File Ref: E14.8415

14/324 MOTION Councillor Pollock/Councillor Burnside

That Council:

1. Endorse the planning proposal attached to PSR14/064 to amend Eurobodalla Local Environmental Plan 2012, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, in order to address the housekeeping matters as outlined in Attachment (Planning Proposal – Housekeeping Amendments);
2. Forward the Planning Proposal to the Minister for Planning for Gateway determination pursuant to Section 56 of the Environmental Planning and Assessment Act 1979;
3. Advise the Director General of Planning that Council seeks to exercise delegations for undertaking Section 59(1) of the Environmental Planning and Assessment Act 1979;
4. If required, consult with the community and relevant government agencies as instructed by the Gateway determination;
5. Receive a report back on any planning proposal to which a written objection is received during consultation with the community as per the requirements of Section 57 of the Environmental Planning and Assessment Act 1979;
6. Note the plan will be made under delegation following the issue of a Gateway determination, if consultation is not required.

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

PSR14/065 TENDER - TRANSPORT AND REUSE/RECYCLING OF BIOSOLIDS

File Ref: E14.8391

14/325 MOTION Councillor Harding/Councillor Brice

THAT Council formally accept the following tenderers for the Transport and Reuse/Recycling of Biosolids as detailed in the Tender document 2015/PS010:

1. Australian Native Landscapes Pty Ltd tendered rate for transport and reuse/recycling of biosolids on an ongoing basis where stockpiling is causing operational issues and the material needs to be removed from site; and
2. Transpacific Cleanaway Group tendered rate for the transport and reuse/recycling of biosolids when sufficient volume and timing can be accommodated and the material can be applied to land.

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

PSR14/066 TENDER FOR LITTER BIN COLLECTION CONTRACT

File Ref: E14.8404

14/326 MOTION Councillor Schwarz/Councillor Burnside

THAT:

1. In accordance with the Local Government (General) Regulation 2005, Clause 178, Council decline to accept any of the tenders which Council has received for the litter bin collection contract tender;
2. Council delegate to the General Manager the authority to undertake negotiations with the tenderer ranked No 1 in the confidential attachment, with a view to entering into a contract in relation to the subject matter of the tender;
3. A further report be presented to Council following completion of negotiations.

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

PSR14/067 LIQUID TRADE WASTE SERVICE AGREEMENT

File Ref: E96.0158

14/327 MOTION Councillor Harding/Councillor Brice

THAT the authority be given to affix the Common Seal of Council to the Liquid Trade Waste Services Agreement with Poo Carters Pty Ltd.

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

**PSR14/068 DONATION OF DEVELOPMENT APPLICATION FEES FOR TILBA DISTRICT
CHAMBER OF COMMERCE INC**

File Ref: 88.1356.D

14/328 MOTION Councillor Harding/Councillor Pollock

THAT a donation be made to the Tilba District Chamber of Commerce Inc to the value of \$174.00 being the assessment fee for Development Application 12/15 in accordance with Council's Code of Practice – Reimbursement – DA fees.

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

10. INFRASTRUCTURE REPORTS

Nil

11. FINANCE AND BUSINESS DEVELOPMENT REPORTS

FBD14/073 LICENCE FOR FOOTPATH TRADING - MORUYA

File Ref: 86.3407.D

14/329 MOTION Councillor Harding/Councillor Pollock

THAT:

1. An exemption to Council's Footpath Trading Code be made to permit a trade zone of .85m adjacent to the property boundary of Lot 11 DP 702756 Queen Street, Moruya.
2. A licence be granted to the proprietors of The Reject Shop with terms and conditions including:
 - (a) A three-year term.
 - (b) Payment of a licence establishment fee in accordance with Council's fees and charges.
 - (c) Rent in accordance with Council's adopted fees and charges.
 - (d) Provision of evidence and maintenance of public liability insurance in the amount of \$20 million during the licence period.
 - (e) Compliance with the Operator's responsibilities set out in Council's Footpath Trading Code.

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

FBD14/074 Investments made as at 31 October 2014
FBD14/075 Code of Conduct Complaints Report
FBD14/076 Huntfest – Variation to Licence Submission
FBD14/077 Huntfest – Variation to Event Licence

The above Reports were deferred for consideration in Public Forum at 6.00pm.

12. COMMUNITY, ARTS AND RECREATION REPORTS

Nil

13. DELEGATE REPORT

Nil

14. QUESTIONS/URGENT BUSINESS

14/101 BATEMANS BAY SEASIDE CARNIVALE

E14.8041; E11.5192

Councillor Liz Innes asked the Mayor if he could send a letter of congratulations to the organisers of the Batemans Bay Seaside Carnivale for their very successful event.

The Mayor advised this would be done.

15. DEALING WITH MATTERS IN CLOSED SESSION

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

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

- (g) Contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege; and
- (i) Contains alleged contraventions of any code of conduct requirements applicable under section 440.

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

14/330 MOTION Councillor Brice/Councillor Harding

THAT pursuant to Section 10A of the Local Government Act, 1993 the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

CON14/013 Property Matter

Item CON14/013 is confidential in accordance with s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

CON14/014 Conduct Reviewer's Investigation Report

Item CON14/014 is confidential in accordance with s10(A)(2)(i) of the Local Government Act because it contains alleged contraventions of any code of conduct requirements applicable under section 440 and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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

At 4.17pm the Ordinary Meeting of Council moved into Closed Session.

At 5.08pm the Ordinary Meeting of Council resumed.

The General Manager advised the following recommendations were declared carried in Closed Session.

16. CONFIDENTIAL MATTERS

CON14/013 PROPERTY MATTER

FILE REF: 00.4856.PC: E14.8041

14/331 MOTION Councillor Leslight/Councillor Innes

THAT the response to the question regarding Property Matter raised by Councillor Milton Leslight be received and noted.

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

CON14/014 CONDUCT REVIEWERS INVESTIGATION REPORT

FILE REF: E13.7162

14/332 MOTION Councillor Harding/Councillor Brice

THAT Council adopt the recommendations from the Conduct Reviewer's report dated 20 October 2014.

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

17. PRESENTATIONS

Mr Carl Millington of Pitcher Partners, Council's Auditors, presented the Financial Statements for the previous financial year.

The Mayor thanked Mr Millington for his informative presentation to Council.

ADJOURNMENT

14/333 MOTION Councillor Brown

THAT the Ordinary Council Meeting be adjourned.

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

At 5.28pm the Mayor adjourned the Ordinary meeting of Council until 6.00pm.

At 6.04pm the Mayor reconvened the Ordinary meeting of Council.

18. QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

SUSPENSION OF STANDING ORDERS

14/334 MOTION Councillor Burnside/Councillor Pollock

That Council suspend Standing Orders in order to hear presentations in Public Forum on particular agenda items, with debate to immediately follow the presentations on individual items.

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

18. **QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY) contd**

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

PF14/033 PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework

E14.8042; E00.4623; E13.7268; E08.2166

Mrs Reina Hill, representing Coastwatchers, addressed Council in regard to PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework. A copy of the Coastwatchers' submission is available on Council's website.

PF14/034 NOM14/021 Sea Level Rise PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework

E14.8042; E00.4623; E13.7268; E08.2166

Dr Karin Geiselhart addressed Council in regard to NOM14/021 Sea Level Rise and PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework. A copy of Dr Geiselhart's submission is available on Council's website.

PF14/035 PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework

E14.8042; E00.4623; E13.7268; E08.2166

Mr Paul Bradstreet addressed Council in regard to PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework. A copy of Mr Bradstreet's submission is available on Council's website.

PF14/036 NOM14/021 Sea Level Rise

E14.8042; E00.4623; E13.7268; E08.2166

Mr David Lambert addressed Council in regard to NOM14/021 Sea Level Rise. A copy of Mr Lambert's submission is available on Council's website.

18. **QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY)** contd

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

PF14/037 NOM14/021 Sea Level Rise

PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework

E14.8042; E00.4623; E13.7268; E08.2166

Mr Nigel McAllister addressed Council in regard to NOM14/021 Sea Level Rise and PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework. A copy of Mr McAllister's submission is available on Council's website.

The Mayor requested Mr McAllister to forward any comments he may have regarding staff to the General Manager.

MOTION

14/335 MOTION Councillor Burnside/Councillor Leslight

THAT Council permit Mr David Lambert to read Professor John Rice's presentation as Mr Rice is not able to attend the meeting.

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

PF14/038 PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework

E14.8042; E00.4623; E13.7268; E08.2166

Mr David Lambert read Professor John Rice's presentation on PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework. A copy of Professor Rice's submission is available on Council's website.

18. **QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY) contd**

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

PF14/039 PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework

E14.8042; E00.4623; E13.7268; E08.2166

Mr Matthew Gill addressed Council in regard to PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework. A copy of Mr Gill's submission is available on Council's website.

PF14/040 PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework

E14.8042; E00.4623; E13.7268; E08.2166

Mr Peter Hickman addressed Council in regard to PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework. A copy of Mr Hickman's submission is available on Council's website.

**PF14/041 NOM14/021 Sea Level Rise
PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework
FBD14/074 Investments made as at 31 October 2014**

E14.8042; E00.4623; E13.7268; E08.2166

E14.8042; E99.3517; E10.4493

Mr Peter Bernard addressed Council in regard to NOM14/021 Sea Level Rise, PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework and FBD14/074 Investments made as at 31 October 2014. A copy of Mr Bernard's submission is available on Council's website.

**PF14/042 PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework
FBD14/075 Code of Conduct Complaints Report**

E14.8042; E00.4623; E13.7268; E08.2166

E13.7162

Ms Patricia Hellier addressed Council in regard to NOM14/021 Sea Level Rise and PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework. A copy of Ms Hellier's submission is available on Council's website.

Councillor Liz Innes declared a non-significant, non pecuniary interest in NOM14/021 Sea Level Rise and PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework and believes she should not be precluded from voting on the matter.

Reason: Her property is affected in a minor way by potential flooding.

Councillor Gabi Harding declared a non-significant, non pecuniary interest in NOM14/021 Sea Level Rise and PSR14/062 South Coast Regional Sea Level Rise Planning and Policy Response Framework and believes she should not be precluded from voting on the matter.

Reason: Her property is affected in a minor way by potential flooding.

19. NOTICES OF MOTION

NOM14/021 SEA LEVEL RISE

File Ref: E13.7268; E00.4623

MOTION Councillor Leslight/Councillor Innes

THAT:

1. Council develops a new Interim Sea Level Rise Adaptation Policy using the SMEC Coastal Hazards Scoping Study as modified to represent sea level rise benchmarks and planning directives as endorsed by Council.
2. The new Interim Sea Level Rise Adaptation Policy is not to use Investigation Zones and is not to promote planned retreat for any part of the coastline without an independent cost/benefit analysis supporting retreat.
3. Until that new Interim Sea Level Rise Adaptation Policy is endorsed, the current Interim Sea Level Rise Adaptation Policy is to be modified to use the current planning benchmark of 40cm by 2050 only as shown in the SMEC Coastal Hazards Scoping Study. This will bring the Eurobodalla into line with the Shoalhaven which also used a SMEC Coastal Hazards Scoping Study. The Investigation Zone methodology and Planned Retreat is to be removed.

(The Motion on being put was declared **LOST.**)

**PSR14/062 SOUTH COAST REGIONAL SEA LEVEL RISE PLANNING AND POLICY RESPONSE
FRAMEWORK**

File Ref: E13.7268, E08.2166

14/336 MOTION Councillor Pollock/Councillor Burnside

THAT Council:

1. Adopt the South Coast Regional Sea Level Rise Planning and Policy Response Framework endorsing the recommendations to adopt sea level rise associated with the following climate change scenario:
 - RCP6.0 from the *Intergovernmental Panel on Climate Change Assessment Report 5 (2012)*
 - Levels assessed as having a 15% chance of being exceeded.
2. Apply the adopted sea level rise projections and planning framework for the preparation and review of flood studies and coastal hazard studies for current and future planning conditions consistent with the planning periods determined by the *Guidelines for Preparing Coastal Zone Management Plans 2013*. (Note the 2100 projections are to be used for the purpose of determining future hazard lines to inform the preparation by Council of a Coastal Zone Management Plan as required by the NSW Government and confirmed by the Minister for the Environment, the Hon R Stokes MP, at a meeting held on 20 November 2014 and in an email from the Director Policy, Waters and Coast Policy Branch, Office of Environment and Heritage on the 23 November, 2014.)
3. Apply the adopted sea level rise projections to the planning response framework for the purpose of applying development and planning controls, consistent with the planning periods contained in the framework. (Note the 2100 sea level rise projection relates only to the possible Maximum Strategic Hazard for consideration of major infrastructure, new rezoning and related subdivision. It does not apply to the assessment of dwelling houses, alterations and additions, commercial or industrial development.)
4. Review and amend any relevant Council planning policies including the Interim SLR Adaptation policy to ensure provisions are consistent with the adopted South Coast Regional Sea Level Rise Planning and Policy Response Framework.
5. Receive a report of any proposed amendments to existing policies.
6. Write to the Premier of NSW, the Minister for Environment and our Local Member seeking that the NSW Government adopt a State wide guideline for sea level rise consistent with the South Coast Regional Sea Level Rise Planning and Policy Response Framework. This will include ongoing monitoring of future Intergovernmental Panel on Climate Change reports to update their planning advice to local councils. Further to this, request that the NSW Government take responsibility for preparing all Coastal Hazard Studies in NSW to ensure consistent methods in examining coastal hazards and deliver better returns on research investment by reducing duplication of studies.

7. In the absence of the State adopting new guidelines consistent with (6) above, review and amend the South Coast Regional Sea Level Rise Planning and Policy Response Framework with each update from the Intergovernmental Panel on Climate Change or the CSIRO; which generally occurs every five to seven years and water level behaviour at the Fort Denison Tidal gauge.
8. Continue to monitor Australian and NSW Government advice including Stage 2 Coastal Reforms.
9. Respond to all who made submissions thanking them for their submission and advising them of Council's decision.

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

Councillor Innes and Leslight voted against the Motion.)

At 8.14 PM Councillor Innes left the Chambers.

FBD14/074 INVESTMENTS MADE AS AT 31 OCTOBER 2014

File Ref: E99.3517

14/337 MOTION Councillor Harding/Councillor Burnside

THAT the certification that the investments as at 31 October 2014 have been made in accordance with the Act, the Regulations and Council's investment policies, in accordance with the provision of Clause 1 (Reg 212) of the Local Government (General) Regulation 2005, be received.

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

At 8.16 PM Councillor Innes returned to the Chambers.

18. **QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY)** contd

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

Note: Mr Damien Rogers had registered to speak on FBD14/075 Code of Conduct Complaints Report, however sought to address Council on matters of a confidential nature. The Mayor ruled that Mr Rogers could not address Council on these matters.

FBD14/075 CODE OF CONDUCT COMPLAINTS REPORT

File Ref: E13.7162

14/338 MOTION Councillor Burnside/Councillor Pollock

THAT Council receive and note the Code of Conduct Complaints Report.

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

PF14/042 FBD14/076 Huntfest – Variation to Licence Submissions E14.8042; E12.6277
FBD14/077 Huntfest – Variation to Event Licence E14.8042; E12.6277

Councillor Brown declared a significant, non-pecuniary conflict of interest in FBD14/076 Huntfest – Variation to Licence Submissions and FBD14/077 Huntfest – Variation to Event Licence and stated that he would vacate the Chair and Chambers and would not take part in discussion and voting on the matters.

Reason: A close family member is in the employ of an exhibitor at Huntfest.

At 8.19 PM Councillor Brown vacated the Chair and left the Chambers. Councillor Brown took no further part in proceedings.

Deputy Mayor, Councillor Rob Pollock assumed the Chair.

18. QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY) CONTD

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

PF14/043 FBD14/077 Huntfest – Variation to Event Licence E14.8042; E12.6277

Mr Jim Bright addressed Council in regard to FBD14/077 Huntfest – Variation to Event Licence. A copy of Mr Bright's submission is available on Council's website.

PF14/044 FBD14/077 Huntfest – Variation to Event Licence E14.8042; E12.6277

Mr Alan Baxter addressed Council in regard to FBD14/077 Huntfest – Variation to Event Licence. A copy of Mr Baxter's submission is available on Council's website.

PF14/042 FBD14/076 Huntfest – Variation to Licence Submissions E14.8042; E12.6277
FBD14/077 Huntfest – Variation to Event Licence E14.8042; E12.6277

Mr Peter Cormick addressed Council in regard to FBD14.076 Huntfest – Variation to Licence Submissions and FBD14/077 Huntfest – Variation to Event Licence. A copy of Mr Cormick's submission is available on Council's website.

PF14/042 FBD14/076 Huntfest – Variation to Licence Submissions
FBD14/077 Huntfest – Variation to Event Licence

E14.8042; E12.6277

E14.8042; E12.6277

Mr Dan Field addressed Council in regard to FBD14/076 Huntfest – Variation to Licence Submissions and FBD14/077 Huntfest – Variation to Event Licence. A copy of Mr Field's submission is available on Council's website.

FBD14/076 HUNTFEST - VARIATION TO LICENCE SUBMISSIONS

File Ref: E12.6277

14/339 MOTION Councillor Harding/Councillor Burnside

THAT Council note the information contained in the submissions from the public consultation process and send a full copy of the report to the Minister for Primary Industries Katrina Hodgkinson, the Minister for Regional Infrastructure Troy Grant, the Minister for Local Government Paul Toole, the Member for Bega Andrew Constance

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

FBD14/077 HUNTFEST - VARIATION TO EVENT LICENCE

File Ref: E12.6277

14/340 MOTION Councillor Burnside/Councillor Innes

THAT:

1. Council as Trust Manager for the Eurobodalla (South) Reserve Trust grant a variation to the five-year licence to conduct the Huntfest event within NATA Reserve issued to South Coast Hunters Club Inc. to provide for the following subject to consent of the Minister administering the Crown Lands Act.
 - (a) To extend the licence area to cover the whole of NATA reserve;
 - (b) To permit the operation of a mobile air rifle range; and
 - (c) To allow all legal activities covered under an Arms Fair Permit subject to the issue of an Arms Fair Permit by NSW Police.
2. All costs associated with the proposed variation to the licence including an administration fee of \$1,100 be borne by the Licensee.

(The Motion on being put was declared **CARRIED**
Councillors Harding and Brice voted against the Motion.)

THE MEETING CLOSED AT 9.21PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 9 December 2014 at which meeting the signature hereon was subscribed.