



Minutes

Ordinary Meeting of Council

25 October 2016

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 25 OCTOBER 2016

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 25 OCTOBER 2016
COMMENCING AT 10.03AM**

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

Staff: Dr Catherine Dale, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Ms Lindsay Stewart, Divisional Manager, Technical Services
Mr A O'Reilly, Director, Finance and Business Development
Mrs K Arthur, Director, Community, Arts and Recreation
Mrs C Hodges, Minute Secretary

1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY AND EVACUATION MESSAGE

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

2. APOLOGIES

APOLOGY

16/300 MOTION Councillor Thomson/Councillor Constable

THAT apologies be received from Councillors Tait and Pollock and leave of absence be granted.

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

3. PUBLIC FORUM (AGENDA ITEMS ONLY)

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

E16.0016; E16.0042

PF16/072 FBD16/059 Draft Financial Statements for the Year Ended 30 June 2016 – Referral to Audit

Mr Owen Cartledge addressed Council in relation to FBD16/059 Draft Financial Statements for the Year Ended 30 June 2016 – Referral to Audit.

A copy of Mr Cartledge's submission is available on Council's website.

EXTENSION OF TIME

16/301 MOTION Councillor Nathan/Councillor Constable

THAT Mr Cartledge be granted an extension of three minutes to complete his presentation.

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

E16.0016; E16.0042

PF16/073 FBD16/059 Draft Financial Statements for the Year Ended 30 June 2016 – Referral to Audit

Mr Peter Bernard addressed Council in relation to FBD16/059 Draft Financial Statements for the Year Ended 30 June 2016 – Referral to Audit.

A copy of Mr Bernard's submission is available on Council's website.

EXTENSION OF TIME

16/302 MOTION Councillor Constable/Councillor Nathan

THAT Mr Bernard be granted an extension of three minutes to complete his presentation.

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

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

16/303 MOTION Councillor Thomson/Councillor McGinlay

THAT the minutes of the Ordinary Meeting held on 11 October 2016 be confirmed.

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

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

E82.5282.E; E07.1531.E; E87.6800

Councillor Constable declared a significant, non-pecuniary conflict of interest in FBD16/056 Land Acquisition for Road Widening and Easement to Drain Water – Glasshouse Rocks Road/Princes Highway, Narooma and stated that he would leave the Council Chambers during discussion and voting on the matter.

Reason: Councillor Constable declared an interest as the work directly benefits a competitor of his business.

6. MAYORAL REPORTS

Nil

7. NOTICES OF MOTION

Nil

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. GENERAL MANAGER'S REPORTS

**GMR16/031 2016 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS - TOOWOOMBA -
9-11 NOVEMBER 2016**

File Ref: E91.3255

16/304 MOTION Councillor Mayne/Councillor Nathan

THAT Council be represented at the 2016 Local Roads and Transport Congress to be held on 9 – 11 November 2016 in Toowoomba and:

1. Council nominate Councillor Anthony Mayne to attend the Conference;
2. Council's representative be reimbursed out of pocket expenses in accordance with the Councillors' Expenses and Facilities Policy.

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

GMR16/032 2017 COUNCIL MEETING SCHEDULE

File Ref: E06.0429

16/305 MOTION Councillor Thomson/Councillor McGinlay

THAT Council:

1. Endorse the following 18 dates as the meeting schedule for Council meetings for the 2017 calendar year:
 - a. 14 February 2017
 - b. 28 February 2017
 - c. 14 March 2017
 - d. 28 March 2017
 - e. 10 April 2017
 - f. 9 May 2017
 - g. 23 May 2017
 - h. 13 June 2017
 - i. 27 June 2017
 - j. 25 July 2017
 - k. 8 August 2017
 - l. 12 September 2017
 - m. 26 September 2017
 - n. 9 October 2017
 - o. 23 October 2017
 - p. 14 November 2017
 - q. 28 November 2017
 - r. 12 December 2017.
2. Note that the schedule may be amended at any time, as required.

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

10. PLANNING AND SUSTAINABILITY REPORTS

PSR16/037 FLYING FOX DISPERSAL SERVICES TENDER

File Ref: E15.9191

16/306 MOTION Councillor Thomson/Councillor Nathan

THAT Council not accept any of the tenders for Request for Tender No. 2017/PLS020 and invite fresh tenders using the open tendering method in order to satisfy that value for money has been secured.

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

11. INFRASTRUCTURE REPORTS

Nil

12. FINANCE AND BUSINESS DEVELOPMENT REPORTS

E82.5282.E; E07.1531.E; E87.6800

Councillor Constable declared a significant, non-pecuniary conflict of interest in FBD16/056 Land Acquisition for Road Widening and Easement to Drain Water – Glasshouse Rocks Road/Princes Highway, Narooma and left the Council Chambers during discussion and voting on the matter.

Reason: Councillor Constable declared an interest as the work directly benefits a competitor of his business.

At 10.44am Councillor Constable left the Chambers.

FBD16/056 LAND ACQUISITION FOR ROAD WIDENING AND EASEMENT TO DRAIN WATER - GLASSHOUSE ROCKS ROAD/PRINCES HIGHWAY, NAROOMA

File Ref: E82.5282.E, E07.1531.E

16/307 MOTION Councillor Thomson/Councillor McGinlay

THAT:

1. All actions necessary be taken for the acquisition of land required for road widening within Lot 1 DP 125169 in accordance with Council's Code of Practice for Acquiring Land for Public Purposes.
2. All actions necessary be taken for the acquisition of an easement to drain water, 3 wide, within Lot 2 DP 25090 in accordance with Council's Code of Practice for Acquiring Land for Public Purposes.
3. All survey and legal costs associated with the land and easement acquisitions be borne by Council.

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

At 10.48am Councillor Constable returned to the Chambers.

FBD16/057 LICENCE FOR KAYAKING ACTIVITIES

File Ref: E07.1579; E07.1580

16/308 MOTION Councillor Mayne/Councillor McGinlay

THAT:

1. Subject to the consent of the Minister administering the Crown Lands Act, 1989, Council as Trust Manager of the Eurobodalla (North) Reserve Trust grant a five year licence to the Burley Griffin Canoe Club Inc. over part Crown Reserve R85999 at Batemans Bay for kayaking activities commencing on 1 October 2016 and expiring 30 September 2021, with conditions in line with the previous licence.
2. In accordance with Section 47A of the Local Government Act 1993 public notice be given of Council's intention to grant a licence to Burley Griffin Canoe Club Inc. to undertake kayaking activities from community land being Lot 1 DP 125594 Nelligen, Lot 112 DP 211965 Tomakin and Lot 4 DP 1090948 Moruya commencing 1 October 2016 and expiring on 30 September 2021.
3. If no objections are received, a five year licence over Lot 1 DP 125594 Nelligen, Lot 112 DP 211965 Tomakin and Lot 4 DP 1090948 Moruya be granted to Burley Griffin Canoe Club Inc. to conduct kayaking activities.
4. If any objections are received, a report be presented to Council for further consideration.
5. The licence fee be in accordance with the Crown Statutory minimum currently \$472 plus GST and be indexed annually in line with CPI.
6. A donation in the amount of the licence fees be made to Burley Griffin Canoe Club Inc in accordance with Council's 'Financial Assistance (Donations and Grants)' Policy.

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

FBD16/058 INVESTMENTS MADE AS AT 30 SEPTEMBER 2016

File Ref: E99.3517

16/309 MOTION Councillor Nathan/Councillor Thomson

THAT the certification that the investments as at 30 September 2016 made in accordance with the Act, Council's Investment Policy and the provision of Clause 1 (Reg 212) of the Local Government (General) Regulation 2005, be received.

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

**FBD16/059 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016 -
REFERRAL TO AUDIT**

File Ref: E16.0016

16/310 MOTION Councillor Thomson/Councillor Constable

THAT:

1. The Draft Financial Statements for the year ended 30 June 2016 be referred to audit.
2. The Statement by Councillors and Management to be made pursuant to Section 413(2) (c) of the Local Government Act 1993 (as amended) be signed by the Mayor, Deputy Mayor (or Councillor), General Manager and Responsible Accounting Officer at the Council Meeting on 25 October 2016.

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

13. COMMUNITY, ARTS AND RECREATION REPORTS

Nil

14. DELEGATE REPORT

Nil

15. URGENT BUSINESS

Nil

THE MEETING CLOSED AT 10.56AM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 8 November 2016 at which meeting the signature hereon was subscribed.