



Minutes

Ordinary Meeting of Council

25 July 2023

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 25 JULY 2023

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 25 JULY 2023
COMMENCING AT 12.30PM**

PRESENT: Councillor Mathew Hatcher, Mayor (in the Chair)
Councillors Peter Diskon, David Grace, Tubby Harrison, Anthony Mayne and Amber Schutz.

PRESENT (Via Audio Visual Link): Councillors Alison Worthington and Tanya Dannock.

Staff: Warwick Winn, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr T Swallow, Acting Director, Infrastructure Services
Mr C Ginger, Acting Director, Community, Arts and Recreation
Mrs S Speedy, Director, Finance and Corporate Services
Mr J Phillips, Corporate Manager, Governance and Administration
Miss L Evans, Minute Secretary

1. WELCOME

The Mayor welcomed everyone to the meeting.

2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the Traditional Custodians of the Land, of Elders past and present, whose land we are gathered here today.

3. APOLOGIES

23/83 MOTION Councillor Harrison/Councillor Diskon

THAT apologies be received from Councillor Rob Pollock OAM and leave of absence be granted.

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

Division

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

Against the Motion: Nil.

23/84 MOTION Councillor Hatcher/Councillor Harrison

THAT Councillors Alison Worthington and Tanya Dannock be approved to attend the Ordinary Meeting of Council on 25 July 2023 via audio-visual link.

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

Division

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

Against the Motion: Nil.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

23/85 MOTION Councillor Schutz/Councillor Grace

THAT the minutes of the Ordinary Meeting held on 27 June 2023 be confirmed with an amendment to note that there was an error in the minutes where it states that the Deputy Mayor acknowledged country. The Deputy Mayor was not in the Chair on 27 June and did not conduct the Acknowledgement of Country.

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

Division

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

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 NOM23/002 Upgrades to Evacuation Centres and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Mayne declared that he is a voluntary member at Broulee RFS.

6. MAYORAL REPORTS

MR23/003 CODE OF MEETING PRACTICE

File Ref:S002-T00025

MOTION Councillor Hatcher/Councillor Schutz

THAT Council confirm their amendment 23/60:

'Approved speakers at the Public Forum and Public Access must provide a written summary of their address to Council by 12.00noon the business day prior to the meeting via email to council.meetings@esc.nsw.gov.au or hard copy at Council's main office in Moruya or Batemans Bay or Narooma libraries. Speakers are encouraged to provide a written copy of their presentation in full.'

23/86 AMENDMENT Councillor Harrison/Councillor Grace

THAT Council amend points 3.4 in the Code of Meeting Practice to read:

Approved speakers at the public forum and public access are encouraged to provide a written copy of their address to the Council by 12.00noon the business day prior to the meeting via email to council.meetings@esc.nsw.gov.au or hard copy at Council's main office in Moruya or Batemans Bay or Narooma libraries.

(The Amendment on being put became the motion on being put was declared **CARRIED**)

Division

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

Against the Motion: Nil.

7. NOTICES OF MOTION

NOM23/002 UPGRADES TO EVACUATION CENTRES

File Ref: S012-T00026, S008-T00017

Councillor Mayne declared a non-pecuniary, non-significant conflict of interest in NOM23/002 Upgrades to Evacuation Centres and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Mayne declared that he is a voluntary RFS member with the Broulee RFS unit.

23/87 MOTION Councillor Mayne/Councillor Schutz

THAT:

1. Council continues to advocate with relevant State Agencies for ensuring emergency preparedness.
2. Council writes to the NSW Government requesting upgrading of the Council facilities used for evacuation centres in the 3 major towns, to ensure that they have appropriate infrastructure (air conditioning etc.) and generators to service the facilities in the case of an emergency.
3. Council work with local communities and the responsible State Agencies to ensure all relevant emergency signage is clear and appropriate and prepare a council communications strategy for times of crisis in natural disaster.

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

Division

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

Against the Motion: Nil.

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. PETITIONS

Nil

10. GENERAL MANAGER'S REPORTS

Nil

11. PLANNING AND SUSTAINABILITY REPORTS

PSR23/025 MOGO ARTISANS COMMUNITY FACILITY

File Ref: Land ID 16304

23/88 MOTION Councillor Grace/Councillor Schutz

THAT:

1. Council as Crown land manager approve leases over part Lot 7300 DP 1134456 at Mogo for 20 years to community groups including Eurobodalla Woodcraft Guild, Moruya Antique Tractor and Machinery Association, Batemans Bay Lapidary Club and Classic and Vintage Motor Club of Eurobodalla including the following conditions:
 - (a) the provision of \$20 million public liability insurance
 - (b) Rental to be Crown Land Minimum for any community groups, currently \$574.00 per annum.
2. The General Manager be delegated to carry out all necessary actions to enter into leases within Lot 7300 DP 1134456.

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

Division

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

Against the Motion: Nil.

PSR23/026 LAND ACQUISITION FOR ROAD WIDENING, HAWKINS ROAD, TUROSS HEAD

File Ref: LI 3299, 3300

23/89 MOTION Councillor Harrison/Councillor Diskon

THAT:

1. Council approves the purchase of the land required for road purposes, being part Lot 22 and 23 DP 15425
2. All actions necessary be taken for the acquisition of part Lot 22 and 23 DP 15425 for road purposes in accordance with *Council's Land Management – Acquisition, Disposal and Leasing/Licensing Policy*.
3. If the acquisition of part Lot 22 and 23 DP 15425 cannot be negotiated by agreement, Council make application to the Minister for Local Government and Governor to acquire part Lot 22 and 23 DP 15425 by compulsory process for road widening pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991*.
4. Once acquired, the land be dedicated as public road in accordance with the provisions of the *Roads Act 1993*.
5. All costs associated with the proposed land acquisitions including landowners' reasonable costs, be borne by Council.
6. The General Manager be given delegated authority to execute all necessary documentation.

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

Division

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

Against the Motion: Nil.

12. FINANCE AND CORPORATE SERVICES REPORTS

FCS23/017 INVESTMENTS MADE AS AT 30 JUNE 2023

File Ref: S011-T00006,S012-T00025

23/90 MOTION Councillor Harrison/Councillor Schutz

THAT the certification of investments as at 30 June 2023, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2021*, be received.

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

Division

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

Against the Motion: Nil.

13. INFRASTRUCTURE REPORTS

Nil

14. COMMUNITY, ARTS AND RECREATION REPORTS

Nil

15. DELEGATE REPORT

Nil

16. URGENT BUSINESS

Nil

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 1.30PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 15 August 2023 at which meeting the signature hereon was subscribed.