



Minutes

Ordinary Meeting of Council

26 September 2017

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 26 SEPTEMBER 2017

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 26 SEPTEMBER 2017
COMMENCING AT 10.00AM**

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

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 K Green, 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.

The Mayor acknowledged the presence of former Councillor and long standing Mayor Mr Chris Vardon OAM. For the benefit of the Council and the gallery, Councillor Rob Pollock OAM provided a brief speech highlighting Chris' dedication to Eurobodalla over the many years he was serving on Council.

2. APOLOGIES

Nil

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.)

Nil

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

17/314 MOTION Councillor Thomson/Councillor Pollock

THAT the minutes of the Ordinary Meeting held on 12 September 2017 be confirmed.

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

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Nil

6. MAYORAL REPORTS

Nil

7. NOTICES OF MOTION

Nil

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. GENERAL MANAGER'S REPORTS

GMR17/035 POSITION OF DEPUTY MAYOR

File Ref: E80.1404

17/315 MOTION Councillor Pollock/Councillor Tait

THAT in accordance with section 231 of the *Local Government Act 1993*:

1. Council create the position of Deputy Mayor;
2. The term of appointment for the position of Deputy Mayor be for 12 months;
3. The method of voting for election to the position of Deputy Mayor be by open show of hands.

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

17/316 MOTION Councillor Thomson/Councillor Pollock

THAT

1. Nominations be called for the position of Deputy Mayor and the election be conducted as determined in (3) above;
2. The result of the election be provided to the Chief Executive of the Office of Local Government and the Chief Executive of Local Government NSW, along with the local media and other councils in New South Wales.

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

ELECTION OF DEPUTY MAYOR

The General Manager, as returning officer, called for nominations for the position of Deputy Mayor and declared one valid nomination had been received for the position, being Councillor Anthony Mayne.

As there were no other nominations, the General Manager, as returning officer, declared Councillor Anthony Mayne elected as Deputy Mayor for the following 12 month period.

GMR17/036 ADOPTION OF POLICIES

File Ref: E16.0297

17/317 MOTION Councillor Thomson/Councillor Tait

THAT Council adopt the following policies:

1. Town Signs Policy
2. Bus Stops and Bus Zones Policy
3. Pressure Sewer Systems Policy
4. Rural School Bus Routes and Bus Stops Policy
5. Water Supply and Sewerage Headworks Charges Policy.

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

10. PLANNING AND SUSTAINABILITY REPORTS

Nil

11. INFRASTRUCTURE REPORTS

**IR17/056 FUNDING OFFER - NSW GOVERNMENT COUNTRY PASSENGER TRANSPORT
INFRASTRUCTURE GRANTS SCHEME 2015-17**

File Ref: E02.6655

17/318 MOTION Councillor Nathan/Councillor Tait

THAT Council endorse the actions taken to accept the grant funding offer of \$62,000 under the Country Passenger Transport Infrastructure Grants Scheme towards the renewal of six bus shelters, and upgrade to signage and access improvements at one other bus stop.

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

IR17/058 FUNDING OFFER - AUSTRALIAN GOVERNMENT BLACK SPOT PROGRAM 2017-18 AND NSW GOVERNMENT ACTIVE TRANSPORT PROGRAM 2017-18

File Ref: E90.0713/E01.5635

17/319 MOTION Councillor Mayne/Councillor Constable

THAT:

1. Council endorse the actions taken to accept the grant funding offer of \$634,500 under the Australian Government's Black Spot funding for safety improvements to Eurobodalla Road, Bodalla and Yarragee Road, Moruya.
2. Council endorse the actions taken to accept \$185,500 in grant funding under the NSW Government's Active Transport funding for construction of shared pathways along Bergalia Street, Moruya and McMillan Road, Narooma.
3. The matching grant funding for the McMillan Road shared pathway be provided by deferring the Evans Street, Moruya and Princes Highway, Narooma footpath projects to 2018-19 and reducing the scope of works on the Mirrabooka Avenue, Moruya footpath.

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

12. CORPORATE AND COMMERCIAL SERVICES REPORTS

CCS17/072 INVESTMENTS MADE AS AT 31 AUGUST 2017

File Ref: E99.3517

17/320 MOTION Councillor Tait/Councillor Constable

THAT the certification that the investments as at 31 August 2017 made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg 212) of the *Local Government (General) Regulation 2005*, be received.

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

CCS17/073 PROPERTY MATTER - LOT 277 TUROSS BOULEVARDE, TUROSS HEAD

File Ref: 15.9272.E

17/321 MOTION Councillor Pollock/Councillor Nathan

THAT:

1. Consent be given for the sale of part Lots 1 and 2 DP 1233537 to the registered proprietor of Lot 15 DP 242511 for an amount set out in the Confidential Attachment to report FBD17/072 subject to the land being consolidated with Lot 15 DP 242511.
2. Consent be given to affix the Common Seal of Council to the plan of subdivision of Lots 1 and 2 DP 1233537 and Lot 15 DP 242511.
3. The registered proprietor of Lot 15 DP 242511 pay their own legal costs associated with the sale of part Lots 1 and 2 DP 1233537.

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

CCS17/074 LAND ACQUISITION FOR CARPARK, WHARF STREET, NELLIGEN

File Ref: 90.0265.D

17/322 MOTION Councillor Pollock/Councillor Nathan

THAT:

1. All actions necessary be taken for the acquisition of Lots 6 and 7 Section 6 DP 758762 for road purposes for carpark in accordance with Council's Code of Practice for Acquiring Land for Public Purposes.
2. All survey and legal costs associated with the land acquisition be borne by Council.

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

CCS17/075 LICENCE FOR CHARITY MARKETS - MALUA BAY BEACH RESERVE

File Ref: 93.5154.D

17/323 MOTION Councillor Mayne/Councillor Brown

THAT Council grant a five-year licence to Quota International of Batemans Bay to hold markets within Lot 608 DP 31881, being the Malua Bay Beach Reserve with terms and conditions in line with its previous licence including:

1. A maximum of 50 stalls
2. Held on the first Saturday of each second month between 8am and 2pm
3. Commencing 1 December 2017 and expiring 30 November 2022
4. With an annual fee in accordance with Council's adopted fees and charges for markets within the Shire.

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

CCS17/076 LICENCE FOR MORUYA RODEO - MORUYA SHOWGROUND

File Ref: E07.1568

17/324 MOTION Councillor Thomson/Councillor Brown

THAT subject to the consent of the Minister administering the *Crown Lands Act 1989*, in accordance with Sections 102 and 103 of the *Crown Lands Act 1989* Council as Trust Manager for the Eurobodalla (Central) Reserve Trust grant a five-year licence to the Rodeo Association of Moruya Inc to conduct the Moruya Rodeo annually on New Year's Day within Crown Reserve D580020 being the Moruya Showground commencing 1 December 2017 and expiring 30 November 2022 with terms and conditions including:

1. Payment of an annual fee in accordance with Council's adopted fees and charges;
2. Provision of evidence of public liability insurance cover in the amount of at least \$20 million; and
3. Conditions generally in line with the previous licence.

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

CCS17/077 LICENCE FOR EUROBODALLA DISTRICT SHOW - MORUYA SHOWGROUND

File Ref: E07.1308

17/325 MOTION Councillor Thomson/Councillor Mayne

THAT subject to the consent of the Minister administering the *Crown Lands Act 1989*, in accordance with Sections 102 and 103 of the *Crown Lands Act 1989* Council as Trust Manager for the Eurobodalla (Central) Reserve Trust grant a five-year licence to Eurobodalla District Show Society to conduct the Eurobodalla District Show within Crown Reserve D580020 being the Moruya Showground for one week in January each year commencing 1 January 2018 and expiring 31 December 2022 with terms and conditions including:

1. Payment of an annual fee in accordance with Council's adopted fees and charges;
2. Provision of evidence of public liability insurance cover in the amount of at least \$20 million; and
3. Conditions generally in line with the previous licence.

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

13. COMMUNITY, ARTS AND RECREATION REPORTS

CAR17/028 DRAFT RECREATION AND OPEN SPACE STRATEGY

File Ref: E15.9342

17/326 MOTION Councillor Brown/Councillor Thomson

THAT:

1. The draft Recreation and Open Space Strategy 2017 be endorsed for the purpose of public exhibition for 28 days.
2. A further report, detailing any submissions received, be presented to Council following the conclusion of the exhibition period.

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

14. DELEGATE REPORT

DR17/006 2017 NSW LOCAL ROADS CONGRESS

File Ref: E04.8291

17/327 MOTION Councillor Constable/Councillor Nathan

THAT:

1. The Delegate Report on the 2017 NSW Local Roads Congress be received and noted.
2. Eurobodalla Shire Council formally endorse the Congress Communique.
3. Council write to the following members highlighting the issues raised at the 2017 NSW Local Roads Congress and seeking their support:
 - a. The Hon Andrew Constance MP, Minister for Transport and Infrastructure and Member for Bega
 - b. The Hon Melinda Pavey MP, Minister for Roads, Maritime and Freight
 - c. The Hon Gladys Berejiklian MP, Premier of NSW
 - d. The Hon John Barilaro MP, Deputy Premier
 - e. The Hon Gabrielle Upton MP, Minister for Local Government
 - f. The Hon Ann Sudmalis MP, Member for Gilmore
 - g. The Hon Mike Kelly MP, Member for Eden-Monaro
 - h. The Hon Darren Chester MP, Minister for Infrastructure and Transport
 - i. The Hon Fiona Nash MP, Minister for Regional Development.
4. The key findings of the 2017 NSW Local Roads Congress be referred to the next South East Australian Transport Strategy Inc meeting.

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

15. URGENT BUSINESS

Nil

16. DEALING WITH MATTERS IN CLOSED SESSION

Nil

17. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 10.43am

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 10 October 2017 at which meeting the signature hereon was subscribed.