



Minutes

Ordinary Meeting of Council

24 October 2017

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 24 OCTOBER 2017

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 24 OCTOBER 2017
COMMENCING AT 10.02AM**

PRESENT: Councillor Liz Innes, Mayor (in the Chair)
Councillors Anthony Mayne, Jack Tait, 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
Mr W Sharpe OAM, Director, Infrastructure Services
Mr A O'Reilly, Director, Corporate and Commercial Services
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.

2. APOLOGIES

17/343 MOTION Councillor Brown/Councillor Constable

THAT apologies be received from Councillor Rob Pollock OAM 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.)

Nil

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

17/344 MOTION Councillor Tait/Councillor Nathan

THAT the minutes of the Ordinary Meeting held on 10 October 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. PETITIONS

Nil

10. GENERAL MANAGER'S REPORTS

Nil

11. PLANNING AND SUSTAINABILITY REPORTS

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

File Ref: e16.0041

17/345 MOTION Councillor Brown/Councillor Mayne

THAT Council defer the matter until its meeting on 14 November 2017.

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

12. INFRASTRUCTURE REPORTS

IR17/062 PARKING IN CLYDE STREET, BATEMANS BAY

File Ref: E00.4623

MOTION Councillor Tait/Councillor Brown

THAT:

1. The update report on the options for additional parking in the Clyde Street precinct at Batemans Bay be received and noted.
2. Council further consider options for additional parking in the Clyde Street precinct following the community engagement being undertaken by Roads and Maritime Services in conjunction with the proposed new Batemans Bay bridge over Clyde Street.

17/346 AMENDMENT Councillor Nathan/Councillor McGinlay

THAT:

1. The update report on the options for additional parking in the Clyde Street precinct at Batemans Bay be received and noted.
2. Council further consider options for additional parking in the Clyde Street precinct following the community engagement being undertaken by Roads and Maritime Services in conjunction with the proposed new Batemans Bay bridge over Clyde Street.
3. Council note that the advice from the Roads and Maritime Services is that the existing Batemans Bay Bridge and its approaches would be removed when the new bridge is built.

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

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

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13. CORPORATE AND COMMERCIAL SERVICES REPORTS
CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

File Ref: E06.0278

17/347 MOTION Councillor Nathan/Councillor Tait

THAT subject to the Licensee providing the relevant approvals from the Australian Maritime Safety Authority and the Marine Parks Authority, Council, as Trust Manager for the Eurobodalla (North) Reserve Trust, grant a twelve-month licence in accordance with Section 108 of the *Crown Lands Act 1989*, to The Kite Bus to operate a water sports adventure school within Crown Reserves 85399 Durras Lake Drive, South Durras and 66122 Hanging Rock and Council grant a twelve-month licence to operate on community and, being Lot 55, DP849895 Long Beach with terms and conditions in line with similar licences including:

1. Payment of a licence fee of \$1100 pa plus GST; and
2. Provision of evidence of public liability insurance cover in the amount of at least \$20million.

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

CCS17/082 LICENCE FOR KAYAK HIRE BUSINESS - NELLIGEN

File Ref: E07.1579

17/348 MOTION Councillor Mayne/Councillor Tait

THAT Council grant a five-year licence to Nelligen Kayak Hire to operate a kayak/canoe hire business from within Lot 1 DP 125594 Clyde River Foreshore Reserve, Wharf Street, Nelligen commencing 17 December 2017 and expiring 16 December 2022 under the same terms and conditions as the existing licence with terms and conditions including:

1. Payment of a licence fee of \$1100 pa plus GST; and
2. Provision of evidence of public liability insurance cover in the amount of at least \$20million.

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

CCS17/083 LICENCE FOR MARKETS - NATA OVAL, NAROOMA

File Ref: 80.0926.D

17/349 MOTION Councillor Constable/Councillor Mayne

THAT

1. 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 (South) Reserve Trust grant a five-year licence to Rotary Club of Narooma Inc to conduct charity markets on the fourth Sunday of each month within Crown Reserve R63051 at NATA Oval, Narooma commencing on 12 November 2018 and expiring on 11 November 2023 with conditions generally in line with existing market licences.
2. Additional market days be permissible subject to consent of the Licensor.
3. The General Manager be given delegated authority to consent to additional market days.

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

CCS17/084 LICENCE FOR COMMUNITY GARDEN - TUROSS HEAD

File Ref: E11.5460

17/350 MOTION Councillor Mayne/Councillor Thomson

THAT

1. Council grant a licence to Tuross Community Gardens Inc over part Lot 77 DP 260321 Hector McWilliam Drive, Tuross Head for horticultural activities for a term of five years commencing on 1 September 2017 and expiring on 31 August 2022 with conditions in line with the previous licence and an annual fee in accordance with Council's adopted fees and charges.
2. Consent be granted to Tuross Community Gardens Inc to utilise one bay in the storage shed located within Lot 77 DP 260321 and this be incorporated into the licence agreement and licence fee.

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

CCS17/085 LICENCE WITHIN MARA MIA WALKWAY, BATEMANS BAY

File Ref: 85.2226.D

17/351 MOTION Councillor Tait/Councillor Nathan

THAT:

1. Council grant a one-year licence to the development company set out in the Confidential Attachment to this report for a temporary site office within part Reserve 96919 Mara Mia Walkway, Batemans Bay commencing on 18 September 2017 and expiring on 17 September 2018 and including the following conditions:
 - (a) A one year term.
 - (b) Licence fee of \$1,890 plus GST for one year.
 - (c) Area is to be maintained in a clean and tidy and condition and any damage caused by the development is rectified.
 - (d) Provision of \$20 million public liability insurance.

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

**CCS17/086 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017 -
REFERRAL TO AUDIT**

File Ref: E17.1016

17/352 MOTION Councillor Brown/Councillor Thomson

THAT

1. The Draft Annual Financial Statements for the year ended 30 June 2017 be referred to audit.
2. The Statement by Councillors and Management be made pursuant to Section 413(2)(c) of the *Local Government Act 1993* (as amended) and signed by the Mayor, Deputy Mayor (or Councillor), General Manager and Responsible Accounting Officer at the Council meeting on 24 October 2017.
3. The audited Financial Statements, together with the Auditor's report and Financial Commentary be presented to the public at the Council meeting of 28 November 2017.

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

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR17/029 BATEMANS BAY TENNIS COURT HIRE PROPOSAL

File Ref: E16.0386

17/353 MOTION Councillor Mayne/Councillor Tait

THAT:

1. Batemans Bay Tennis Club enter into an annual court hire agreement with Council.
2. Batemans Bay Tennis Club pay to Council an annual court hire fee of \$15,360 for the non-exclusive hire of 6 courts for a 12 month period. This fee would be paid in advance and be reviewed annually, taking into account membership numbers and usage patterns.
3. Batemans Bay Tennis Club to have permanent bookings for up to 6 courts for set periods of time each week. The courts will be available for casual hire outside of club use.

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

15. DELEGATE REPORT

Nil

16. URGENT BUSINESS

17/033 RECREATION AND OPEN SPACE STRATEGY 2017

Councillor Phil Constable raised concerns with the draft Recreation and Open Space Strategy 2017 which is currently on exhibition until 24 October 2017. Councillor Constable's concerns related to some inaccuracies in the document and felt that an extension of the exhibition period would enable community members to provide further submissions.

17/354 MOTION Councillor Constable/Councillor Mayne

THAT the draft Recreation and Open Space Strategy 2017 exhibition period be extended for a further 21 days until 14 November 2017 and that this extension be widely publicised.

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

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 11.04am

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 14 November 2017 at which meeting the signature hereon was subscribed.