



# **Minutes**

**Ordinary Meeting of Council**

**9 August 2022**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 9 AUGUST 2022**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 9 AUGUST 2022  
COMMENCING AT 11.00AM**

**PRESENT:** Councillor Mathew Hatcher, Mayor (in the Chair)  
Councillors Tanya Dannock, Peter Diskon, David Grace, Tubby Harrison,  
Amber Schutz, Rob Pollock OAM and Alison Worthington

**Staff:** Dr Catherine Dale, General Manager  
Mr L Usher, Director, Planning and Sustainability Services  
Mr W Sharpe OAM, Director, Infrastructure Services  
Mrs K Arthur, Director, Community, Arts and Recreation  
Mr J Phillips, Corporate Manager, Governance and Administration  
Ms A Pollard, 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. EVACUATION MESSAGE**

The Mayor advised of the Evacuation Procedures.

**4. APOLOGIES**

**22/178 MOTION** Councillor Diskon/Councillor Harrison

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

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

Division

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

Against the Motion: Nil.

**5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**22/179 MOTION** Councillor Schutz/Councillor Worthington

THAT the minutes of the Ordinary Meeting held on 26 July 2022 be confirmed.

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

Division

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

Against the Motion: Nil.

**6. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**

Nil

**7. MAYORAL REPORTS**

**MR22/012 COMMUNITY ENGAGEMENT FRAMEWORK AND PARTICIPATION PLAN -  
AMENDMENT**

File Ref: S006-T00004

**MOTION** Councillor Hatcher

THAT Council:

1. Notify in writing, adjoining owners of land the subject of a development application that does not apply the acceptable solution for setbacks in the relevant Development Control Plan and provide a period of 14 days for a submission to be made to Council.
2. Note that this will increase the work of staff and have an adverse impact on the determination time of development applications.
3. Reconsider this matter as part of a review by Council of the Community Engagement Framework and Participation Plan.

**AMENDMENT** Councillor Worthington/Councillor Harrison

THAT Council:

1. From 1 September 2022 notify in writing, adjoining owners of land the subject of a development application that does not apply the acceptable solution for setbacks in the relevant Development Control Plan and provide a period of 14 days for a submission to be made to Council.
2. Note that this will increase the work of staff and have an adverse impact on the determination time of development applications.
3. Reconsider the triggers for advertising development applications as part of a review by Council of the Community Engagement Framework and Participation Plan.

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

Division

For the Motion: Crs D Grace, T Harrison and A Worthington.

Against the Motion: Crs T Dannock, P Diskon, M Hatcher, R Pollock OAM and A Schutz.

**22/180 MOTION** Councillor Hatcher

THAT Council:

1. From 1 September 2022 notify in writing, adjoining owners of land the subject of a development application that does not apply the acceptable solution for setbacks in the relevant Development Control Plan and provide a period of 14 days for a submission to be made to Council.
2. Note that this will increase the work of staff and have an adverse impact on the determination time of development applications.

3. Reconsider this matter as part of a comprehensive review by Council of the Community Engagement Framework and Participation Plan.

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

Division

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

Against the Motion: Nil.



**8. NOTICES OF MOTION**

**NOM22/011 EUROBODALLA SHIRE COUNCIL SUPPORTS AN END TO NATIVE FOREST LOGGING IN EUROBODALLA SHIRE**

File Ref: S012-T00025

**22/181 MOTION** Councillor Worthington/Councillor Grace

THAT Council considers recommendations 1, 2, 3, 6, and 7 contained in the Notice of Motion from Councillor Alison Worthington titled "NOM22/005 Eurobodalla Shire Council supports an end to native forest logging in Eurobodalla Shire" previously considered by Council on 12 April 2022, as provided below:

1. Notes the growing evidence that native forest logging by Forestry Corporation of NSW (FCNSW) in our State Forests is both economically and environmentally unsustainable.
2. Notes that logging in our State Forests is incompatible with our shire's and our region's investments in nature-based tourism enterprises, climate change mitigation and the protection of biodiversity.
3. Advocates to the NSW State government for the urgent development of a plan for the just transition of the native forest industry to ecologically sustainable plantations.
6. Advocate that the NSW State government enact plans to manage our State Forests, in partnership with south coast communities and local councils, for their nature-based tourism assets, recreational opportunities, biodiversity values and for carbon sequestration.
7. Write to the NSW Premier Dominic Perrotet, the Minister for Agriculture Dugald Saunders, and the shareholder Ministers for FCNSW the Treasurer and Minister for Energy Matt Kean, and the Minister for Finance and Employee Relations Damien Tudehope, along with the relevant Shadow Ministers.

**22/182 MOTION** Councillor Worthington/Councillor Dannock

THAT Council move into Committee of the Whole to discuss NOM22/011 Eurobodalla Shire Council supports an end to native forest logging in Eurobodalla Shire.

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

Division

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

Against the Motion: Cr R Pollock OAM.

At 11.35am the meeting moved into Committee of the Whole.

**22/183 MOTION** Councillor Grace/Councillor Schutz

THAT Council resume open session.

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

Division

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

Against the Motion: Nil.

At 11.53am Council resumed open session.

**MOTION**

THAT Council notes the growing evidence that native forest logging by Forestry Corporation of NSW (FCNSW) in our State Forests is both economically and environmentally unsustainable.

**AMENDMENT** Councillor Worthington/Councillor Grace

1. THAT Council notes the growing evidence that native forest logging by Forestry Corporation of NSW (FCNSW) in our State Forests is both economically and environmentally unsustainable. Also noting that the NSW Environmental Protection Agency has issued FCNSW over \$600,000 in fines this year alone for non-compliance in native forest logging operations in our publicly-owned state forests. These fines include penalties for breaches in forests in Eurobodalla shire both pre and post-bushfires and compromise the stated financial viability and environmental sustainability of FCNSW operations in native forest logging.

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

Division

For the Motion: Crs D Grace and A Worthington.

Against the Motion: Crs T Dannock, P Diskon, T Harrison, M Hatcher, R Pollock OAM and A Schutz.

**22/184 AMENDMENT** Councillor Schutz/Councillor Dannock

1. THAT Council notes the growing concern of members of our community that the current native forest logging practice within the Eurobodalla by Forestry Corporation in our State Forests and that practices should be revised against current best practice within Australia and globally.

(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, R Pollock OAM and A Schutz.

Against the Motion: Cr A Worthington.

**22/185 MOTION** Councillor Worthington/Councillor Grace

2. THAT Council notes that logging in our State Forests is incompatible with our shire's and our region's investments in nature-based tourism enterprises, climate change mitigation

and the protection of biodiversity.

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

Division

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

Against the Motion: Crs T Harrison, R Pollock OAM and A Schutz.

**22/186 ADJOURNMENT** Councillor Worthington/Councillor Dannock

THAT the Ordinary Council Meeting be adjourned for a period of 10 minutes.

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

Division

For the Motion: Crs T Dannock, P Diskon, D Grace, M Hatcher, R Pollock OAM, A Schutz and A Worthington.

Against the Motion: Cr T Harrison.

At 12.13pm the meeting adjourned.

At 12.25pm the meeting reconvened

**22/187 MOTION** Councillor Grace/Councillor Worthington

3. THAT Council advocates to the NSW Government for the urgent development of a plan for the just transition of the Forestry Corporation NSW native forest sector to ecologically sustainable plantations and farm forestry and that such plans ensure the protection of existing jobs in this sector and ensure a reliable supply of high value native hardwood timber products into the future.

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

Division

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

Against the Motion: Crs T Harrison and R Pollock OAM.

**MOTION** Councillor Worthington

6. THAT Council advocate that the NSW State government enact plans to manage our State Forests, in partnership with south coast communities and local councils, for their nature-based tourism assets, recreational opportunities, biodiversity values and for carbon sequestration.

(As there was no seconder, the Motion on being put was not debated)

**22/188 MOTION** Councillor Worthington/Councillor Dannock

7. THAT Council in such advocacy, write to the NSW Premier Dominic Perrottet, the Minister for Agriculture Dugald Saunders, and the Shadow Ministers for FCNSW the

Treasurer and Minister for Energy Matt Kean, and the Minister for Finance and Employee Relations Damien Tudehope, along with the relevant Shadow Ministers. Council also notes the positive relationship that currently exists between Forestry Corporation NSW and Council.

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

Division

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

Against the Motion: Nil.

**9. QUESTIONS ON NOTICE FROM COUNCILLORS**

**QON22/003 RULES FOR FLYING DRONES**

File Ref: S023-T00004

**22/189 MOTION** Councillor Grace/Councillor Harrison

THAT the response to the question regarding the rules for flying drones raised by Councillor Anthony Mayne be received and noted.

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

Division

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

Against the Motion: Nil.

**10. PETITIONS**

Nil

**11. GENERAL MANAGER'S REPORTS**

**GMR22/080 POLICY ADOPTION - MAY REVIEW**

File Ref: S004-T00060

**22/190 MOTION** Councillor Pollock OAM/Councillor Schutz

THAT the following policies be adopted:

- Graffiti Removal from Non-Council Owned Property/Assets
- Grazing Of Stock on Public Roads
- Interest Free Advances to Sporting and Cultural Organisations
- Investment
- Kerb And Gutter Construction - Contribution by Property Owners
- Library Services
- Liquid Trade Waste Regulation
- Local And Regional Roads Risk Management
- Local Orders (LOP).

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

Division

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

Against the Motion: Nil.

**GMR22/081 POLICY ADOPTION - JUNE REVIEW**

File Ref: S004-T00060

**22/191 MOTION** Councillor Pollock OAM/Councillor Diskon

THAT the following policies be adopted:

- Complaints
- Customer Service
- Naming Of Parks, Reserves, Sports Fields, Public Pathways
- National Clean Up Day Campaign
- Pathway Construction – Contributions by Property Owners
- Pathways Risk Management
- Pesticides/ Herbicides
- Planning Agreements
- Pricing
- Procurement
- Water And Sewer Connections.

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

Division

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

Against the Motion: Nil.



**12. PLANNING AND SUSTAINABILITY REPORTS**

**PSR22/023 LAND CLASSIFICATION - SOUTHERN WATER STORAGE FACILITY**

File Ref: S023-T00027/S023-T00001

**22/192 MOTION** Councillor Harrison/Councillor Schutz

THAT lot 1 DP 1273643 and Lot 20 DP 1273642 be classified as operational land.

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

Division

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

Against the Motion: Nil.

**PSR22/025 LICENCE RENEWAL - TUROSS COMMUNITY GARDENS**

File Ref: S023-T00017/LI: 19760

**22/193 MOTION** Councillor Schutz/Councillor Grace

THAT:

1. Council grant a five-year licence renewal to Tuross Head Community Garden Inc to operate a community garden within Council community land being part Lot 77 DP 260321 together with one bay in a storage shed within the adjoining Lot 91 DP 604795 Kyla Park, Tuross Head, including the following conditions:
  - a. The licence fee be in accordance with Council's adopted fees and charges
  - b. Provision of evidence of \$20 million public liability insurance
  - c. Licence conditions generally in line with the current licence.
2. The General Manager be given delegated authority to negotiate further licences to Tuross Head Community Gardens Inc to operate a community garden.

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

Division

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

Against the Motion: Nil.

**PSR22/026 ON-SITE SEWAGE MANAGEMENT SYSTEM STATUS REPORT 2021-22**

File Ref: S029-T00012

**22/194 MOTION** Councillor Schutz/Councillor Harrison

THAT the On-site Sewage Management Status Report 2021-22 be received and noted.

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

Division

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

Against the Motion: Nil.

**PSR22/027 FOOD INSPECTION PROGRAM STATUS REPORT 2021-22**

File Ref: S024-T00003

**22/195 MOTION** Councillor Grace/Councillor Schutz

THAT the Food Inspection Program Status Report 2021-2022 be received and noted.

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

Division

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

Against the Motion: Nil.

**PSR22/028 REGULATORY ACTION STATUS REPORT 2021-22**

File Ref: S018-T00016

**22/196 MOTION** Councillor Grace/Councillor Worthington

THAT the Regulatory Action Status Report 2021-22 be received and noted.

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

Division

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

Against the Motion: Nil.

**13. INFRASTRUCTURE REPORTS**

**IR22/018 TRANSPORT AND STORMWATER PROGRAM 2022-23**

File Ref: S028-T00009

**22/197 MOTION** Councillor Worthington/Councillor Grace

THAT the program of works for transport and stormwater for 2022-23 outlined in this report be confirmed.

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

Division

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

Against the Motion: Nil.

**IR22/019 LOCAL TRAFFIC COMMITTEE NO 1 FOR 2022-23**

File Ref: S030-T00018

**22/198 MOTION** Councillor Schutz/Councillor Harrison

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 1 for 2022-23 be received and noted.
2. Plan CB&H 15256-1 Sheet 21 Rev F with red amendments rev 7/7/22 detailing the signage and line marking associated with the roundabout on George Bass Drive at the intersection with Rosedale Parade, Rosedale be approved.
3. Plan 213826 CC706 issue G sheet 50 with red amendments rev 7/7/22 detailing the signage and line marking associated with Rosedale Farm subdivision number 4007/22, Rosedale be approved.
4. Council Plan No. 5156 Set BB Sheets 39 detailing the signage associated with 2 Loading Zones and a Taxi Zone in Vulcan Street at Church Street signalised intersection, Moruya be approved.

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

Division

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

Against the Motion: Nil.

**14. COMMUNITY, ARTS AND RECREATION REPORTS**

**CAR22/012 POLICY REVIEW - PUBLIC LAND USE BY COMMUNITY ORGANISATIONS**

File Ref: S004 T00060

**22/199 MOTION** Councillor Worthington/Councillor Dannock

THAT:

1. Council endorses the draft retitled *Public Land Use by Community Organisations* policy for public consultation.
2. The draft Public Land Use by Community Organisations policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, the draft policy and any public submissions be presented back to Council for consideration.

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

Division

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

Against the Motion: Nil.



**CAR22/011 CHILDREN'S SERVICES FEES AND CHARGES**

File Ref: S003-T00030

**22/200 MOTION** Councillor Grace/Councillor Diskon

THAT:

1. Council amend the current electronic administration fee charged to Council every week for each Family Day Care Educator which is included in Council's published fees and charges for 2022-23. Council recoups the cost from the Educators as a full fee recovery activity.
2. The proposed revised electronic administration fee be placed on public exhibition for a period of 28 days for comment before being presented to Council to consider adoption of the altered fee at a future meeting.

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

Division

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

Against the Motion: Nil.

**15. DELEGATE REPORT**

**DR22/002 NSW COASTAL CONFERENCE 2022**

File Ref: S017-T00013

**22/201 MOTION** Councillor Grace/Councillor Schutz

THAT:

1. The Delegate's Report from Councillor David Grace on the 2022 NSW Coastal Conference be received and noted.
2. A councillor briefing be held on the environmental education and management programs that Council conducts, and particularly the areas where citizen science is utilised or could be further enhanced.

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

Division

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

Against the Motion: Nil.

**16. URGENT BUSINESS**

Nil

**17. DEALING WITH MATTERS IN CLOSED SESSION**

Nil

**18. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 1.13PM**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 23 August 2022 at which meeting the signature hereon was subscribed.