



Minutes

Ordinary Meeting of Council

12 March 2019

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 12 MARCH 2019

MINUTES

1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY AND EVACUATION MESSAGE	1
2. APOLOGIES	1
3. PUBLIC FORUM (AGENDA ITEMS ONLY)	1
4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA	2
6. MAYORAL REPORTS	2
7. NOTICES OF MOTION	2
Nil	
8. QUESTIONS ON NOTICE FROM COUNCILLORS	3
QON19/002 Carbon Audit	3
QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point	4
9. PETITIONS	5
Nil	
10. GENERAL MANAGER'S REPORTS	5
Nil	
11. PLANNING AND SUSTAINABILITY REPORTS	5
Nil	
12. INFRASTRUCTURE REPORTS	6
IR19/003 Outcome of Application for Funds from the Fixing Country Roads Grants Program - Garlandtown Bridge	6
IR19/004 Local Traffic Committee No 7 for 2018-19	7
13. CORPORATE AND COMMERCIAL SERVICES REPORTS	8
CCS19/007 Licence for Australian 4 Day Enduro - Moruya	8
CCS19/008 Land Acquisition for Road Widening - Ridge Road, Central Tilba	9
14. COMMUNITY, ARTS AND RECREATION REPORTS	10

CAR19/001 Public Art Advisory Committee Report.....	10
15. DELEGATE REPORT	11
16. URGENT BUSINESS	11
17. DEALING WITH MATTERS IN CLOSED SESSION.....	11
18. CONFIDENTIAL MATTERS.....	11

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 12 MARCH 2019
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, Corporate and Commercial Services
Mrs K Arthur, Director, Community, Arts and Recreation
Mrs K Green, Minute Secretary
Miss L Evans, 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

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.)

PF19/05 QON19/002 Carbon Audit

Ms Kathryn Maxwell addressed Council in relation to item QON19/002 Carbon Audit. A copy of Ms Maxwell's submission is available on Council's website.

PF19/06 QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point

Mrs Deborah Stevenson addressed Council in relation to item QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point. A copy of Mrs Stephenson's submission is available on Council's website.

EXTENSION OF TIME

19/25 MOTION Councillor McGinlay/Councillor Mayne

THAT Mrs Stevenson be granted an extension of three minutes to complete her presentation.

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

PF19/07 QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point

Mr David Grice addressed Council in relation to item QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point. A copy of Mr Grice's submission is available on Council's website.

EXTENSION OF TIME

19/26 MOTION Councillor McGinlay/Councillor Mayne

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

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

PF19/08 QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point

Mr Brett Stevenson addressed Council in relation to item QON19/003 DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point. A copy of Mr Stephenson's submission is available on Council's website.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

19/27 MOTION Councillor Tait/Councillor Brown

THAT the minutes of the Ordinary Meeting held on 26 February 2019 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

QON19/002 CARBON AUDIT

File Ref: E17.1041

19/28 MOTION Councillor McGinlay/Councillor Mayne

THAT the response to the question regarding Carbon Audit raised by Councillor Patrick McGinlay be received and noted.

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

**QON19/003 DA508/17 NEW DWELLING LOT 63 DP1194047 GEORGE BASS DRIVE, MOSSY
POINT**

File Ref: E17.1041

19/29 MOTION Councillor Mayne/Councillor McGinlay

THAT the response to the question regarding DA508/17 New Dwelling Lot 63 DP1194047 George Bass Drive, Mossy Point raised by Councillor Anthony Mayne be received and noted.

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

9. PETITIONS

Nil

10. GENERAL MANAGER'S REPORTS

Nil

11. PLANNING AND SUSTAINABILITY REPORTS

Nil

12. INFRASTRUCTURE REPORTS

**IR19/003 OUTCOME OF APPLICATION FOR FUNDS FROM THE FIXING COUNTRY ROADS
GRANTS PROGRAM - GARLANDTOWN BRIDGE**

File Ref: E19.1781

19/30 MOTION Councillor Tait/Councillor Pollock

THAT Council endorse the actions taken to accept the grant funding offer under the NSW Restart NSW Fund of \$691,708 for the upgrade of Garlandtown Bridge.

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

19/31 ADJOURNMENT Councillor McGinlay/Councillor Constable

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

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

At 11.31am the meeting adjourned.

At 11.42am the meeting reconvened.

At 11.42AM Councillor Brown left the Chambers.

IR19/004 LOCAL TRAFFIC COMMITTEE NO 7 FOR 2018-19

File Ref: E16.0002

19/32 MOTION Councillor Mayne/Councillor Tait

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 7 for 2018-19 be received and noted.
2. Council Plan No. 5156 Set T Sheet 01 detailing the signage and line marking associated with the new 'No Stopping' sign and Median Island and adjustment to the Stop Holding Line at the intersection of Beach Road and Graydon Avenue, Denhams Beach be approved.
3. Council Plan No. 4069 Set N Sheets 10 detailing the signage and line marking associated with the upgrade of Hanging Rock Place, Batehaven be approved.

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

13. CORPORATE AND COMMERCIAL SERVICES REPORTS

CCS19/007 LICENCE FOR AUSTRALIAN 4 DAY ENDURO - MORUYA

File Ref: E07.1162

19/33 MOTION Councillor Mayne/Councillor Tait

THAT:

1. Subject to no objections being received during the notification period Council as Crown Land Manager grant a 14 day licence in accordance with Section 2.20 of the *Crown Land Management Act 2016* to the Far South Coast Motorcycle Club to stage the 2019 Australian 4 Day Enduro Championship within Crown Reserve 580020 with terms and conditions including:
 - (a) The licence period be from 23 April to 6 May 2019 inclusive.
 - (b) The licence fee be \$2,000 inclusive of GST.
 - (c) Payment of an event related camping fee in accordance with Council's Fees and Charges.
 - (d) Payment of a bond in the amount of \$1,000 to be made 30 days prior to the event.
 - (e) The provision of an event management plan acceptable to Council for the event.
 - (f) To repair and make good any damage occasioned by the Licensee's use of the licensed area during the event.
2. If any objections are received during the notification period a further report be presented to Council for consideration.

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

At 11.43AM Councillor Brown returned to the Chambers.

CCS19/008 LAND ACQUISITION FOR ROAD WIDENING - RIDGE ROAD, CENTRAL TILBA

File Ref: E17.1158

19/34 MOTION Councillor Thomson/Councillor Constable

THAT

1. All actions necessary be taken for the acquisition of land required for road purposes of part Lot 3 DP 788728, part Lot 1 DP 1161464, part Lot 3 DP 786109 and part Lot 4 DP 786109 in accordance with Council's Land Acquisition and Disposal Policy.
2. If the acquisition of part Lot 3 DP 788728, part Lot 1 DP 1161464, part Lot 3 DP 786109 and part Lot 4 DP 786109 cannot be negotiated by agreement, Council make application to the Minister for Local Government and the Governor to acquire part Lot 3 DP 788728, part Lot 1 DP 1161464, part Lot 3 DP 786109 and part Lot 4 DP 786109 for public road purposes by compulsory process in accordance with Council's power under Section 177(1) of the *Roads Act 1993* and in accordance with Council's *Land Acquisition and Disposal Policy*.
3. All survey and legal costs associated with the land acquisitions be borne by Council.
4. Compensation for the land be determined following a valuation by a Registered Valuer.
5. Authority be given to affix the Common Seal of Council to the necessary documentation associated with the land acquisition.

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

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR19/001 PUBLIC ART ADVISORY COMMITTEE REPORT

File Ref: E06.0162

19/35 MOTION Councillor Brown/Councillor Nathan

THAT Council:

1. Allocate site nine at 'Spinnaker's Reach' as the site for the winning acquired work from Sculpture on Clyde 2019 (as per attached map), with an allocation of up to \$10,000 towards installation and lighting, pending the subsequent Public Art Advisory Committee (PAAC) public art application process.
2. Support the requirement for the Batemans Bay Business and Tourism Chamber to provide the required technical information for the 2019 winning sculpture with their Public Art application prior to installation approval.
3. Support the request that a member of the PAAC be part of the Sculpture on Clyde judging panel or provide a consultative role at the time of judging to support the site and installation requirements.
4. Welcome the Batemans Bay Business and Tourism Chamber and the broader community to have input into the development of a Public Art Strategy (Action 12 of the Creative Arts Strategy 2019).

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

15. DELEGATE REPORT

Nil

16. URGENT BUSINESS

Nil

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 12.07PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 26 March 2019 at which meeting the signature hereon was subscribed.