



Minutes

Ordinary Meeting of Council

11 September 2018

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 11 SEPTEMBER 2018

MINUTES

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 11 SEPTEMBER 2018
COMMENCING AT 10.00AM**

PRESENT: Councillor Liz Innes, Mayor (in the Chair)
Councillors Anthony Mayne, Jack Tait, James Thomson, Lindsay Brown,
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
Miss L Evans, Minute Secretary
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

18/236 MOTION Councillor Brown/Councillor Constable

THAT apologies be received from Councillor Maureen Nathan and leave of absence be granted.
(The Motion on being put was declared **CARRIED**)

SUSPENSION OF STANDING ORDERS

18/237 MOTION Councillor Brown/Councillor Constable

That Standing Orders be suspended in order to consider the agenda items in the following order:

1. Confirmation of minutes of previous meeting
2. Declarations of interest of matters on the agenda
3. MR18/006 Notification oversight
4. Public Forum
5. NOM18/012 Logging in Corunna State Forest

6. PSR18/079 – Exemption Request Swimming Pools Act – 76 Burri Point Road, Guerilla Bay
7. CAR18/031 – Captain Oldrey District Sports Park Landscape Masterplan.

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

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

18/238 MOTION Councillor Pollock/Councillor Tait

THAT the minutes of the Ordinary Meeting held on 28 August 2018 be confirmed.

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

4. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Nil

5. MAYORAL REPORTS

MR18/006 NOTIFICATION OVERSIGHT

File Ref: 05.9178

18/239 MOTION Councillor Innes

THAT community members who made a submission to the Rural Lands Strategy Planning Proposal and did not receive a notification letter indicating that the matter was being considered by Council on 28 August 2018, have not already addressed Council and have now received an invitation, be provided with the opportunity to address Council during Public Forum on 11 September 2018, in accordance with the intention provided.

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

6. 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.)

PF18/082 – MR18/006 NOTIFICATION OVERSIGHT

Dr Karin Geiselhart addressed Council in relation to item MR18/006 Notification Oversight. A copy of Dr Geiselhart's submission is available on Council's website.

EXTENSION OF TIME Councillor McGinlay/Councillor Mayne

THAT Dr Geiselhart be granted an extension of three minutes to complete her presentation.

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

PF18/083 – MR18/006 NOTIFICATION OVERSIGHT

Ms Jane Coates addressed Council in relation to item MR18/006 Notification Oversight. A copy of Ms Coates's submission is available on Council's website.

EXTENSION OF TIME Councillor Mayne/Councillor McGinlay

THAT Ms Coates be granted an extension of three minutes to complete her presentation.

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

PF18/084 – MR18/006 NOTIFICATION OVERSIGHT

Mr Robbie Gibson addressed Council in relation to item MR18/006 Notification Oversight. A copy of Mr Gibson's submission is available on Council's website.

PF18/085 – NOM18/012 LOGGING IN CORUNNA STATE FOREST

Mr John Ramsey addressed Council in relation to item NOM18/012 Logging in Corunna State Forest. A copy of Mr Ramsey's submission is available on Council's website.

EXTENSION OF TIME Councillor McGinlay/Councillor Mayne

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

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

PF18/086 – PSR18/079 EXEMPTION REQUEST - SWIMMING POOLS ACT - 76 BURRI POINT ROAD GUERILLA BAY

Mr Steve Andrea addressed Council in relation to item PSR18/079 Exemption Request - Swimming Pools Act - 76 Burri Point Road Guerilla Bay. A copy of Mr Andrea's submission is available on Council's website.

PF18/087 – CAR18/031 CAPTAIN OLDREY DISTRICT SPORTS PARK LANDSCAPE MASTERPLAN

Mr Owen Cartledge addressed Council in relation to item CAR18/031 Captain Oldrey District Sports Park Landscape Masterplan. A copy of Mr Cartledge's submission is available on Council's website.

PF18/088 – CAR18/031 CAPTAIN OLDREY DISTRICT SPORTS PARK LANDSCAPE MASTERPLAN

Mr Ross Hayward addressed Council in relation to item CAR18/031 Captain Oldrey District Sports Park Landscape Masterplan. A copy of Mr Hayward's submission is available on Council's website.

RESUMPTION OF STANDING ORDERS

18/240 MOTION Councillor Pollock/Councillor Tait

That Standing Orders be resumed.

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

7. NOTICES OF MOTION

NOM18/012 LOGGING IN CORUNNA STATE FOREST

File Ref: E00.4163

MOTION

THAT Council write to Forestry Corporation NSW requesting that they consider increasing the exclusion zone to 50 metres along both sides of the Princes Highway within Corunna State Forest compartment 3058 to minimise the potential adverse impact on the visual amenity and associated tourism values of the area.

ADJOURNMENT

18/241 MOTION Councillor Constable/Councillor McGinlay

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

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

At 11.36am the meeting adjourned.

At 11.53am the meeting reconvened.

AMENDMENT

18/242 MOTION Councillor Pollock/Councillor Constable

THAT the matter be deferred until Council has had a briefing from Forestry Corporation NSW as a matter of urgency, preferably next Tuesday at the scheduled briefing.

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

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. PETITIONS

Nil

PSR18/079 EXEMPTION REQUEST - SWIMMING POOLS ACT - 76 BURRI POINT ROAD GUERILLA BAY

File Ref: 92.8038.B

18/243 MOTION Councillor Tait/Councillor Pollock

THAT Council grant an exemption pursuant to Section 22 of the Swimming Pools Act 1992 for a swimming pool barrier on the northern elevation of the pool being constructed at 76 Burri Point Road, Guerilla Bay.

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

Division

For the Motion: Councillors L Brown, P Constable, L Innes, A Mayne, P McGinlay, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

CAR18/031 CAPTAIN OLDREY DISTRICT SPORTS PARK LANDSCAPE MASTERPLAN

File Ref: E03.7729

18/244 MOTION Councillor Pollock/Councillor Thomson

THAT

1. The draft Captain Oldrey District Sports Park Landscape Masterplan 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**)

**GMR18/019 FUNDING OFFER - EUROBODALLA FORESHORE MASTERPLANNING AND
ADVENTURE TRAILS STRATEGY**

File Ref: E18.1636

18/245 MOTION Councillor Brown/Councillor Thomson

THAT Council endorses the action taken to accept the offer of funding.

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

GMR18/020 TENDER - WORK HEALTH AND SAFETY MANAGEMENT SYSTEM

File Ref: E18.1581

18/246 MOTION Councillor Brown/Councillor Thomson

THAT Council

1. Endorses the selection of Jardine Lloyd Thompson Pty Ltd as preferred tenderer.
2. Accordingly approves the entering into of a contractual arrangement with Jardine Lloyd Thompson Pty Ltd, after a negotiation period to confirm the terms and conditions of contract. If this is not successful, negotiations will be held with the next highest bidder until the terms and conditions of contract are agreed.

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

PSR18/074 FOOD INSPECTION STATUS REPORT 2017-18

File Ref: E80.1313

18/247 MOTION Councillor Tait/Councillor Mayne

THAT the Food Inspection Report 2017-18 be received and noted.

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

PSR18/075 REGULATORY ACTION STATUS REPORT 2017-18

File Ref: 02.6718

18/248 MOTION Councillor Brown/Councillor Pollock

THAT the Regulatory Action Status Report 2017-18 be received and noted.

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

PSR18/076 ONSITE SEWAGE MANAGEMENT SYSTEM STATUS REPORT 2017-18

File Ref: 98.2467

18/249 MOTION Councillor Mayne/Councillor Tait

THAT the Onsite Sewage Management Status Report 2017-18 be received and noted.

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

PSR18/077 ONSITE SEWAGE MANAGEMENT CODE OF PRACTICE

File Ref: 98.2467

18/250 MOTION Councillor Tait/Councillor Thomson

THAT:

1. The draft Onsite Sewage Management Code of Practice be placed on public exhibition for a period of 28 days.
2. A further report be presented to Council to consider any submissions that may be received during the exhibition period.

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

PSR18/078 ALCOHOL RESTRICTED ZONES AND RESERVES

File Ref: E95.8171

18/251 MOTION Councillor Tait/Councillor Thomson

THAT:

1. In accordance with Section 644 of the Local Government Act 1993, Council endorse consultation with the community, Local Aboriginal Lands Councils, liquor licensees/secretaries of registered clubs in the immediate area of the zone and the Police in regard to the implementation and renewal of alcohol restricted zones and reserves within Eurobodalla Shire.
2. Following receipt of submissions, a report be prepared for Council seeking determination for the implementation and renewal of alcohol restricted zones and reserves within Eurobodalla Shire.

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

**PSR18/080 TENDER - PRINCIPAL DESIGN CONSULTANT AND SUB-CONSULTANT SERVICES AND
BUDGET ALLOCATION - MACKAY PARK PROJECT**

File Ref: E18.1480

18/252 MOTION Councillor Pollock/Councillor Tait

THAT Council:

1. Endorse the selection of NBRS & Partners Pty Ltd as preferred tenderer.
2. Accordingly approves the entering into of a contractual arrangement with NBRS & Partners Pty Ltd, subject to the terms specified in the Request for Tender, including the funding and budget arrangements specified in the confidential attachment, unless otherwise varied in accordance with this report.

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

11. DELEGATE REPORT

Nil

12. URGENT BUSINESS

Councillor Lindsay Brown raised an issue from the Disability Inclusion Advisory Committee regarding the intersection of Hector McWilliam Drive, Tuross Head.

MOTION

18/253 MOTION Councillor Brown/Councillor Thomson

THAT Council:

1. Request that RMS consider removal of the bus stops north and south, from the Princes Highway at Tuross and provide a bus stop within the proposed carpark, including a bus shelter, to address safety and access needs,
2. Seek urgent meeting with RMS to discuss these issues
3. Seek urgent representation to the Local Member and relevant Ministers to advocate for funding for these works.

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

13. DEALING WITH MATTERS IN CLOSED SESSION

Nil

14. CONFIDENTIAL MATTERS

Nil.

THE MEETING CLOSED AT 12.35PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 11 September 2018 at which meeting the signature hereon was subscribed.