

Minutes

Ordinary Meeting of Council

13 July 2021

ORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS, MORUYA

ON TUESDAY 13 JULY 2021

MINUTES

1.	WELCOME						
2.	ACKNOWLEDGEMENT OF COUNTRY1						
3.	EVACUATION MESSAGE1						
4.	APOLOGIES1						
5.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING1						
6.	DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA						
7.	MAYORAL REPORTS						
8.	8. NOTICES OF MOTION						
NOM	21/004	Policy Development - Public gates and Cattle grids					
9.	QUESTIC	INS ON NOTICE FROM COUNCILLORS					
QON	21/003	Bushfire response4					
QON	21/004	Broulee Land Clearing5					
10. PETITIONS							
11.	GENER	AL MANAGER'S REPORTS9					
PSR21/028 Proposed Sale of Operational Land - Tatiara Street, Dalmeny							
GMR21/033		Fire Impacted Tree Removal9					
GMR	21/035	Submission to draft Model Councillor and Staff Interaction Policy					
GMR21/036 Policy Adoption - Councillor's Expenses, Facilities and Professional Development Policy							
GMR	21/037	Rebuilding State Emergency Services (SES) Building - Batemans Bay 12					
12.	PLANN	NG AND SUSTAINABILITY REPORTS13					
PSR21/026 Various Land Acquisitions by Compulsory Process – Lot Identification							
PSR21/027 Araluen Road - Land Acquisition for Road Realignment15							
FJNZ		PSR21/029 Event Licence - Crank It Up17					
		ent Licence - Crank It Up 17					
	1/029 Eve	ent Licence - Crank It Up					

MINUTES OF THE ORDINARY COUNCIL MEETING OF EUROBODALLA SHIRE COUNCIL HELD ON TUESDAY 13 JULY 2021

IR21/	021	Local Traffic Committee No 9 for 2020-211	.9
14.	CON	MUNITY, ARTS AND RECREATION REPORTS 2	20
CAR2	1/010	Acceptance of Disability Support for Older Austrailans (DSOA) 3 month interim grant funding2	20
CAR2	1/011	Employment Projects funding2	21
CAR2	1/012	Request for Tender No. 2021-046 - Management and Operations of BBRAALC and Shire Pools	22
3.	DELE	GATE REPORT2	23
4.	URGE	ENT BUSINESS	23
5.	DEAL	ING WITH MATTERS IN CLOSED SESSION 2	23
6.	CONF	FIDENTIAL MATTERS 2	23

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, MORUYA ON TUESDAY, 13 JULY 2021 COMMENCING AT 11.00AM

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
	Mrs K Arthur, Director, Community, Arts and Recreation
	Mrs K Green, 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

Nil

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

21/103 MOTION Councillor Thomson/Councillor Tait

THAT the minutes of the Ordinary Meeting held on 22 June 2021 be confirmed.

(The Motion on being put was declared CARRIED)

<u>Division</u>

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

6. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Councillor Brown declared a significant, non-pecuniary conflict of interest in GMR21/037 Rebuilding State Emergency Services (SES) building – Batemans Bay and stated that he did believe his interest would preclude him from voting.

Reason: Councillor Brown declared an interest as a close family friend is an employee within the department of the State Emergency Services negotiating the rebuilding of the facility.

Councillor McGinlay declared a non-significant, non-pecuniary conflict of interest in PSR21/028 Proposed Sale of Operational Land – Tatiara Street, Dalmeny and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor McGinlay declared an interest as he owns a property in the Dalmeny area.

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in GMR21/037 Rebuilding State Emergency Services (SES) building – Batemans Bay and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Mayne declared an interest as he is a former volunteer of the Moruya SES unit.

7. MAYORAL REPORTS

Nil

8. NOTICES OF MOTION

NOM21/004 POLICY DEVELOPMENT - PUBLIC GATES AND CATTLE GRIDS

File Ref: S012-TO0020

21/104 MOTION Councillor Constable/Councillor McGinlay

THAT:

- 1. Council undertake appropriate research and develop a new policy and code of practise for public gates and cattle grids on public roads covering the advertising, consideration, approval and on-going upkeep of any public gates and cattle grids by landowners.
- 2. The draft policy be submitted to the new Council for consideration and thereafter be advertised to the community for public comment in the normal manner before final consideration by Council.

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

<u>Division</u>

For the Motion: Clrs L Brown, P Constable, L Innes, A Mayne, P McGinlay, M Nathan, R Pollock and J Tait.

Against the Motion: Cr J Thomson.

9. QUESTIONS ON NOTICE FROM COUNCILLORS

QON21/003 BUSHFIRE RESPONSE

File Ref: S012-T00020

21/105 MOTION Councillor Mayne/Councillor Constable

THAT the response to the question regarding Bushfire Response raised by Councillor Anthony Mayne be received and noted.

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

Division

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

QON21/004 BROULEE LAND CLEARING

File Ref: S006-T00003

21/106 MOTION Councillor Mayne/Councillor McGinlay

THAT the response to the question regarding Broulee Land Clearing raised by Councillor Mayne be received and noted.

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

Division

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

10. PETITIONS

Nil

SUSPENSION OF STANDING ORDERS

21/107 MOTION Councillor McGinlay/Councillor Nathan

That Standing Orders be suspended in order to PSR21/028 Proposed Sale of Operational Land, Tatiara Street Dalmeny.

(The Motion on being put was declared CARRIED)

Division

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

PSR21/028 PROPOSED SALE OF OPERATIONAL LAND - TATIARA STREET, DALMENY

File Ref: S023-T00014

Councillor McGinlay declared a non-significant, non-pecuniary conflict of interest in PSR21/028 Proposed Sale of Operational Land – Tatiara Street, Dalmeny and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor McGinlay declared an interest as he resides in the Dalmeny area.

RECOMMENDATION

THAT

- 1. The General Manager be given delegated authority to negotiate the sale of part Lot 2 DP 1151341 in accordance with Council's Land Acquisition and Disposal Policy.
- 2. All actions necessary to be taken to enact the sale of part Lot 2 DP 115134.
- 3. Council consent be given to affix the Common Seal of Council, if required, to all necessary documents associated with the transfer and sale of the property.

AMENDMENT Councillor McGinlay/Councillor Mayne

THAT:

- 1. This matter be deferred until, no earlier than the first meeting of the newly elected Council body later this year.
- 2. Staff plan for a period of formal community consultation in relation to this matter to be completed prior to any decision being made.

(The Amendment on being put was declared LOST)

<u>Division</u>

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

MOTION Councillor Brown/Councillor Tait

THAT

- 1. The General Manager be given delegated authority to negotiate the sale of part Lot 2 DP 1151341 in accordance with Council's Land Acquisition and Disposal Policy.
- 2. All actions necessary to be taken to enact the sale of part Lot 2 DP 115134.
- 3. Council consent be given to affix the Common Seal of Council, if required, to all necessary documents associated with the transfer and sale of the property.

21/108 MOTION Councillor Constable/Councillor Mayne

THAT Council move into Committee of the Whole to discuss PSR21/028 Proposed Sale of Operational Land – Tatiara Street, Dalmeny.

(The Motion on being put was declared CARRIED)

<u>Division</u>

For the Motion: Clrs L Brown, P Constable, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Clr L Innes.

At 11.47am the meeting moved into Committee of the Whole.

21/109 MOTION Councillor Pollock/Councillor Thomson

THAT Council resume open session.

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

<u>Division</u>

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

Against the Motion: Nil.

At 12.29pm Council resumed open session.

21/110 MOTION Councillor Brown/Councillor Tait

THAT

- 1. The General Manager be given delegated authority to negotiate the sale of part Lot 2 DP 1151341 in accordance with Council's Land Acquisition and Disposal Policy.
- 2. All actions necessary to be taken to enact the sale of part Lot 2 DP 115134.
- 3. Council consent be given to affix the Common Seal of Council, if required, to all necessary documents associated with the transfer and sale of the property.

(The Motion on being put was declared CARRIED)

Division

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

21/111 RESUMPTION OF STANDING ORDERS Councillor Brown/Councillor Thomson

That Standing Orders be resumed.

(The Motion on being put was declared CARRIED)

<u>Division</u>

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

Against the Motion: Nil.

This is Page No 8 of 23 of the Minutes of the Ordinary Council Meeting of Eurobodalla Shire Council held on Tuesday 13 July 2021

11. GENERAL MANAGER'S REPORTS

GMR21/033 FIRE IMPACTED TREE REMOVAL

File Ref: S020-T00016

21/112 MOTION Councillor Thomson/Councillor Tait

THAT:

- 1. Council resolves that because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders for the bushfire effected tree and Kings Highway Resilience works requirements.
- 2. The reasons for Council's decision that a satisfactory result would not be achieved by inviting tenders for bushfire tree and Kings Highway Resilience works requirements are that:
 - Large amount of tree work required.
 - The limited timeframe to perform the work within the expiring funding agreement.
 - The uncertainty of the funding being extended.
 - The risk to road users and the road
 - High-risk working environment that requires specific plant and highly skilled operators.
 - Previous experience working on and managing burnt trees on the Kings Highway, Clyde Mountain, or very similar situation elsewhere on the State Road Network.
- 3. Council delegate authority to the General Manager to enter into direct negotiations with the preferred contractors mentioned in the confidential attachment in relations to the bushfire tree and Kings Highway Resilience work and execute any agreement arising from those direct negotiations.

(The Motion on being put was declared **CARRIED**) <u>Division</u> For the Motion: Clrs L Brown. P Constable. L Innes.

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

GMR21/035 SUBMISSION TO DRAFT MODEL COUNCILLOR AND STAFF INTERACTION POLICY

File Ref: S004-T00014

PAGE 10

21/113 MOTION Councillor Thomson/Councillor Tait

THAT Council endorse the attached submission on the Model Councillor and Staff Interaction Policy to the NSW Office of Local Government.

(The Motion on being put was declared CARRIED)

<u>Division</u>

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

PAGE 11

GMR21/036 POLICY ADOPTION - COUNCILLOR'S EXPENSES, FACILITIES AND PROFESSIONAL DEVELOPMENT POLICY

File Ref: S004-T00014

21/114 MOTION Councillor Nathan/Councillor Tait

THAT Council adopt the Councillor's Expenses, Facilities and Professional Development policy attached to this report.

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

<u>Division</u>

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

GMR21/037 REBUILDING STATE EMERGENCY SERVICES (SES) BUILDING - BATEMANS BAY File Ref: S008-T00025; S008-T00012

Councillor Brown declared a significant, non-pecuniary conflict of interest in GMR21/037 Rebuilding State Emergency Services (SES) building – Batemans Bay and stated that he did believe his interest would preclude him from voting.

Reason: Councillor Brown declared an interest as a close family friend is an employee within the department of the State Emergency Services negotiating the rebuilding of the facility.

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in GMR21/037 Rebuilding State Emergency Services (SES) building – Batemans Bay and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Mayne declared an interest as he is a former volunteer of the Moruya SES unit.

AT 12:42 PM Councillor Brown left the Chambers.

AT 12:43 PM Councillor Constable left the Chambers.

21/115 MOTION Councillor Thomson/Councillor Nathan

THAT:

- 1. Council apply for grants to fund the shortfall of \$500,000 to relocate the SES Headquarters to 311 George Bass Drive, Surf Beach.
- 2. By November 2021, should Council be unsuccessful in its grant efforts of \$500,000, the SES Headquarters be re-established at the Batemans Bay Depot.

(The Motion on being put was declared CARRIED)

Division

For the Motion: Clrs L Innes, A Mayne, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

AT 12:45 PM Councillor Brown returned to the Chambers.

AT 12:45 PM Councillor Constable returned to the Chambers.

12. PLANNING AND SUSTAINABILITY REPORTS

PSR21/026 VARIOUS LAND ACQUISITIONS BY COMPULSORY PROCESS – LOT IDENTIFICATION

File Ref: S023-T00027 - STS500050; 13340; 25906; 19438; 27859; 23702

21/116 MOTION Councillor Thomson/Councillor Constable

THAT:

- 1. Application be made to the Minister for Local Government and the Governor to acquire part of Lot 1 DP 1151734 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 the *Land Acquisition (Just Terms Compensation) Act 1991*.
- Application be made to the Minister for Local Government and the Governor to acquire proposed Lot 1 DP 1273643, being part Bodalla State Forest No. 606 and part Lot 3 DP 438839 for water storage and supply purposes by compulsory processs, in accordance with Council's power under Section 187(2) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
- 3. Application be made to the Minister for Local Government and the Governor to acquire an interest in part of Bodalla State Forest No. 606, and part Lot 131 DP 752131 and part Lot 15 837516 and part Lot 12 DP 193519, for easement purposes, by compulsory process in accordance with Council's power under Section 187(2) of the *Local Government Act 1993* and in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 4. Application be made to the Minister for Local Government and the Governor to acquire Lot 1 DP 1264985 and easement for right of access stated in DP 1264985 Nelligen by compulsory process under the *Land Acquisition Land Acquisition (Just Terms Compensation) Act 1991*, and by authority contained in the *Local Government Act 1993* for the purpose of the Nelligen Water Reservoir site.
- 5. If consent is granted, all necessary action be taken to finalise the acquisitions in 1 to 4 above for public purposes in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 6. Part Lot 1 DP 1151734 be dedicated as public road in accordance with the provisions of the *Roads Act 1993*.
- 7. Public notice be given of Council's intention to resolve:
 - a) lot 1 DP 1264985 Nelligen, and proposed Lot 1 DP 1273643, being part Bodalla State Forest No. 606, and part Lot 3 DP 438839 is acquired as operational land
 - b) a period of 28 days be given for members of the public to make submissions
 - c) a further report is presented following the advertising period to classify the land.
- 8. All survey and legal costs associated with the land acquisitions and easements be borne by Council.

9. Consent be given to affix the Common Seal of Council to the applicable documentation.

(The Motion on being put was declared CARRIED)

Division

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

PSR21/027 ARALUEN ROAD - LAND ACQUISITION FOR ROAD REALIGNMENT

File Ref: S023-T00001 - LAND IDs 21801, 21803, 21814, 21819

21/117 MOTION Councillor Thomson/Councillor Constable

THAT

- 1. Application be made to the Minister for Local Government and Governor to acquire by compulsory process part of Lot 40 DP 755917 for public road purposes together with part Lot 40 DP 755917 to be exchanged for part 101 DP 1088489.
- 2. Public notification to take place where required to enable transactions to take place in accordance with Council's power under Section 177(1) of the *Roads Act 1993* and in accordance with the *Land Acquisition (Just Terms Compensation) Act* and *s34 Local Government Act 1993*.
- 3. All actions necessary be taken for the acquisition part Lot 101 DP 1088489, part Lot 45 DP 755917 and part Lot 24 DP 755917 for road purposes of in accordance with Council's Land Acquisition and Disposal Policy.
- 4. If the acquisition of part Lot 101 DP 1088489, part Lot 45 DP 755917 and part Lot 24 DP 755917 cannot be negotiated by agreement, Council make application to the Minister for Local Government and Governor to acquire those parts 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 Local Acquisition and Disposal Policy.
- 5. Once acquired, the land be dedicated as public road in accordance with the provisions of the *Roads Act 1993*.
- 6. A proposal to close Council road reserve adjacent to Lot 101 DP 1088489 and Lot 40 DP 755917 be publicly notified in accordance with the provisions of the *Roads Act 1993* for a period of 28 days.
- Subject to no objections being received, the closure of Council road reserve noted in 6. above proceed. When closed the land, together with Part Lot 40 DP 755917, be transferred to the landowner of adjoining Lot 101 DP 1088489 and consolidated with their property.
- 8. When consent is granted by the Minister and Governor for the above transactions, all necessary action be taken to finalise the acquisitions and disposal of the lands including for public road purposes in accordance with the provisions of the *Roads Act 1993, Land Acquisition (Just Terms Compensation) Act 1991* and *Local Government Act 1993*.
- 9. All costs associated with the proposed land acquisitions and road opening and closing including the landowners reasonable costs be borne by Council.
- 10. Authority be given to affix the Common Seal of Council, if required, to the necessary documentation.

(The Motion on being put was declared CARRIED)

Division

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

PSR21/029 EVENT LICENCE - CRANK IT UP

File Ref: S023 T00017

21/118 MOTION Councillor Thomson/Councillor Constable

THAT:

- Council, as landowner and Crown Land Manager, grant a licence to Batemans Bay Rock n Rollers for the use of Clyde Street and the Crown Reserve, Batemans Bay Foreshore Reserve 89579 within part Lot 7030 DP 1054995, Lot 365 DP 755902, Lot 7050 DP 1101634 and Lot 7051 DP 1101634, Batemans Bay for the Crank it Up event, including the following conditions:
 - a. The licence fee be in accordance with Council's fees and charges.
 - b. An event bond in line with similar event bonds be paid in full prior to the event.
 - c. The licence area is to be left clean and tidy after use, and any damage caused is to be rectified by the licence holder.
 - d. The provision of \$20 million public liability insurance.
 - e. The provision of an Event Management Plan acceptable to Council for the event.
 - f. The provision of a Traffic Management Plan acceptable to Council for the event.
 - g. Conditions generally in line with similar licences.

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

<u>Division</u>

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

13. INFRASTRUCTURE REPORTS

IR21/020 ROAD SAFETY PROGRAM - SCHOOL ZONE INFRASTRUCTURE - ACCEPTANCE OF FUNDING

File Ref: S014-T00007; S030-T00027

21/119 MOTION Councillor Mayne/Councillor Thomson

THAT Council endorses the acceptance of the \$360,000 grant funding offered under the Federal Stimulus NSW Road Safety Program, School Zone Infrastructure Sub-program for installation of pedestrian crossings at six locations.

(The Motion on being put was declared CARRIED)

Division

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

IR21/021 LOCAL TRAFFIC COMMITTEE NO 9 FOR 2020-21

File Ref: S030-T00018

21/120 MOTION Councillor Mayne/Councillor Thomson

THAT:

- 1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 9 for 2020-21 be received and noted.
- 2. Council Plan No. 5156 Set BB Sheet 31 detailing the 'No Parking' signage on Old Princes Highway at the intersection of South Street, Batemans Bay be approved.
- 3. Council Plan No. 5167 Set C Sheet 07 and TTW Plan No. 181571/C17 Rev G detailing the signage and line marking associated with the Batemans Bay Regional Aquatic, Arts and Leisure Centre, Batemans Bay be approved
- 4. Taylor Thompson Whitting Plan No. 181571/C17 Rev G detailing the signage and line marking associated with the Batemans Bay Regional Aquatic, Arts and Leisure Centre, Batemans Bay be approved (with the exception of the 30 AREA high pedestrian activity speed zone which will be referred directly to Transport for NSW for consideration).
- 5. Council Plan No. 5156 Set BB Sheet 34 detailing a widened (white) BB1 offset centre, 'No Stopping' signage and (yellow) No Stopping line along Cranbrook Road Batemans Bay, between 500 metres and 700 metres from Princes Highway on the inside of the curve be approved.
- Council Plan No. 4600 Set D Sheet 05 detailing the signage and line marking associated with the roundabout at the intersection Heron Road and Albatross Road, Catalina be approved.
- 7. That Council Plans No. 5156 Set BB Sheet 32 and 4392 Set I Sheet 01 detailing the signage and line marking on Clyde Street and North Street, Batemans Bay associated with street reconstruction works be approved.

(The Motion on being put was declared CARRIED)

Division

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

PAGE 20

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR21/010 ACCEPTANCE OF DISABILITY SUPPORT FOR OLDER AUSTRAILANS (DSOA) 3 MONTH INTERIM GRANT FUNDING

File Ref: S003 T00026

21/121 MOTION Councillor Tait/Councillor Thomson

THAT Council endorse the actions taken to accept grant funding of \$67,064 from the Commonwealth Department of Health for Disability Support for Older Australians.

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

Division

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

PAGE 21

CAR21/011 EMPLOYMENT PROJECTS FUNDING

File Ref: S003-T00044

21/122 MOTION Councillor Thomson/Councillor Tait

THAT Council endorse the use of the General Manager's delegated authority to approve acceptance of \$300,000 funding for the Youth Employment Strategy Project from the NSW Department of Education.

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

<u>Division</u>

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

CAR21/012 REQUEST FOR TENDER NO. 2021-046 - MANAGEMENT AND OPERATIONS OF BAY PAVILIONS AND SHIRE POOLS

File Ref: OP006S001

PAGE 22

21/123 MOTION Councillor Brown/Councillor Tait

THAT:

- Council endorse the selection of the preferred tenderer listed for Request for Tender No. 2021-046 – Management and Operation of the Batemans Bay Regional Aquatic, Arts and Leisure Centre (BBRAALC) and Shire Pools (incorporating Moruya War Memorial Pool and Narooma Swimming Centre) within the confidential attachment.
- 2. Council accordingly approve entering into a contractual arrangement with the preferred tenderer, subject to the terms specified in the Request for Tender unless otherwise varied in accordance with the confidential attachment
- 3. The General Manager be given delegated authority to negotiate the terms of the contract, including:
 - a) Incorporation of Moruya and Narooma pools
 - Appropriate pro rata rate for the transition period and initial opening period up to 30 June 2022
 - c) A three year contact from 1 July 2022 with the option for a further two years, upon review and at an agreed price
 - d) Conclusion of negotiations, and if appropriate, the entering into a contract with the preferred tenderer identified in the confidential attachment to the Council report for Tender No. 2021-046 *Management and Operation of the Batemans Bay Regional Aquatic, Arts and Leisure Centre (BBRAALC) and Shire Pools* (incorporating Moruya War Memorial Pool and Narooma Swimming Centre).
- 4. Council allocate a total project budget in accordance with the confidential attachment.

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

Division

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

15. DELEGATE REPORT

Nil

16. URGENT BUSINESS

21/002 2021 LOCAL GOVERNMENT ELECTIONS

21/124 MOTION Councillor Constable/Councillor Pollock

THAT Council write to the NSW Premier, Minister for Local Government, Minister for Health and Member for Bega requesting that due to the current Covid-19 restrictions in New South Wales, and the extreme difficulty of the elections being conducted in a safe manner, the 2021 local government elections be conducted by postal voting or online voting only.

(The Motion on being put was declared CARRIED)

<u>Division</u>

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

Against the Motion: Nil.

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 12.55PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 27 July 2021 at which meeting the signature hereon was subscribed.