



# **Minutes**

**Ordinary Meeting of Council**

**28 August 2018**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 28 AUGUST 2018**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 28 AUGUST 2018  
COMMENCING AT 10.08AM**

**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  
Councillor Maureen Nathan arrived at 2.17pm.

**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  
Mr J Phillips, Divisional Manager, Governance and Administration  
Ms D Lenson, Divisional Manager, Environmental Services  
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**

**18/211 MOTION** Councillor Brown/Councillor Mayne

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**

**18/212 MOTION** Councillor Brown/Councillor Tait

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

1. Confirmation of minutes of the previous meeting.
2. Declarations of interest of matters on the agenda

3. Mayoral Reports
4. NOM18/011 Tuross Grazing Lands
5. Questions on Notice from Councillors
6. PET019/033 Protect our Heritage Grazing Lands
7. GMR18/017 Audit Risk and Improvement Committee Annual Report and that speakers be invited to present on this item
8. PSR18/071 Renewable Energy Options Analysis and that speakers be invited to present on this item
9. PSR18/069 Rural Lands Planning Proposal and that the speaker be invited to present on this item.

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

At **10.16am** Councillor Brown left the Chambers.

### **3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**18/213 MOTION** Councillor Thomson/Councillor Constable

THAT the minutes of the Ordinary Meeting held on 14 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**

Nil

**6. NOTICES OF MOTION**

**NOM18/011 TUROSS GRAZING LANDS**

File Ref: E12.6191

**18/214 MOTION** Councillor Thomson/Councillor Pollock

THAT a meeting be held between the Mayor, relevant staff and representatives of the Tuross Head Progress Association to discuss the communities concerns and to explore opportunities to further clarify, strengthen and confirm the Council's commitment to the management of the Kyla Park grazing lands.

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

At **10.21am** Councillor Brown returned to the Chambers.

**7. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil



**8. PETITIONS**

**PET18/003 PROTECT OUR HERITAGE GRAZING LANDS**

File Ref: E16.0182

**18/215 MOTION** Councillor Mayne/Councillor Pollock

THAT Council consider the petition during debate on the Rural Lands Strategy Planning proposal.

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

**GMR18/017      AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT**

File Ref: E05.9354

**PF18/059 – GMR18/017 Audit, Risk and Improvement Committee Annual Report**

Mr Peter Bernard addressed Council in relation to item GMR18/017 Audit, Risk and Improvement Committee Annual Report and Investments made as at 31 July 2018. A copy of Mr Bernard's submission is available on Council's website.

**EXTENSION OF TIME**

**MOTION** Councillor McGinlay/Councillor Mayne

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

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

Council's Chair of the Audit, Risk and Improvement Committee, Mr Mark Baraclough presented the Annual Report to the Chamber.

**18/216 MOTION** Councillor Brown/Councillor Thomson

THAT:

1. The Audit, Risk and Improvement Committee annual report be received and noted.
2. Council write to the three independent members of the Audit, Risk and Improvement Committee thanking them for their contribution.

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

**PSR18/071 RENEWABLE ENERGY OPTIONS ANALYSIS**

File Ref: E96.0171

**PF18/060 – PSR18/071 Renewable Energy Options Analysis**

Mr Frank Eden, on behalf of South Coast Health and Sustainability Alliance, addressed Council in relation to item PSR18/071 Renewable Energy Options Analysis. A copy of Mr Eden's submission is available on Council's website.

**18/217 MOTION** Councillor Brown/Councillor Tait

THAT Council:

1. Investigate a renewable energy Power Purchase Agreement and opportunities to partner with other councils to increase the size of the electricity load to be contracted
2. Continue to monitor and review developments and opportunities in the renewable energy sector.

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

**PSR18/069 RURAL LANDS PLANNING PROPOSAL**

File Ref: E16.0182

**PF18/061 – PSR18/069 Rural Lands Strategy**

Ms Julie Mills addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Ms Mill's submission is available on Council's website.

**EXTENSION OF TIME** Councillor McGinlay/Councillor Mayne

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

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

**PF18/062 – PSR18/069 Rural Lands Strategy**

Ms Suzanne Gray addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Ms Gray's submission is available on Council's website.

**EXTENSION OF TIME** Councillor McGinlay/Councillor Mayne

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

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

**PF18/063 – PSR18/069 Rural Lands Strategy**

Ms Jenny Sheppard addressed Council in relation to item PSR18/069 Rural Lands Strategy.

**PF18/064 – PSR18/069 Rural Lands Strategy**

Ms Fiona Kotvois addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Ms Kotvois' submission is available on Council's website.

**PF18/065 – PSR18/069 Rural Lands Strategy**

Mr William Brianes addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Mr Brianes' submission is available on Council's website.

**PF18/066 – PSR18/069 Rural Lands Strategy**

Mr Geoff Berry addressed Council in relation to item PSR18/069 Rural Lands Strategy.

**PF18/067 – PSR18/069 Rural Lands Strategy**

Mr Mark Bice addressed Council in relation to item PSR18/069 Rural Lands Strategy.

**PF18/068 – PSR18/069 Rural Lands Strategy**

Mr Brian Kennedy addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Mr Kennedy's submission is available on Council's website.

**PF18/069 – PSR18/069 Rural Lands Strategy**

Mr Noel Dolton addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Mr Dolton's submission is available on Council's website.

**18/218 EXTENSION OF TIME** Councillor Mayne/Councillor Constable

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

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

**18/219 ADJOURNMENT** Councillor Brown/Councillor Constable

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

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

At **12.30pm** the meeting adjourned.

At **12.47pm** the meeting reconvened.

**PF18/070 – PSR18/069 Rural Lands Strategy**

Mr Alan Reeves addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Mr Reeves' submission is available on Council's website.

**EXTENSION OF TIME** Councillor Mayne/Councillor McGinlay

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

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

**PF18/071 – PSR18/069 Rural Lands Strategy**

Ms Mary Rose Whale addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Ms Whale's submission is available on Council's website.

**PF18/072 – PSR18/069 Rural Lands Strategy**

Ms Kathryn Maxwell addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Ms Maxwell's submission is available on Council's website.

**PF18/073 – PSR18/069 Rural Lands Strategy**

Mr Chris Jones addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Mr Jones' submission is available on Council's website.

**PF18/074 – PSR18/069 Rural Lands Strategy**

Mr David Grice addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Mr Grice's submission is available on Council's website.

**EXTENSION OF TIME** Councillor McGinlay/Councillor Mayne

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

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

**PF18/075 – PSR18/069 Rural Lands Strategy**

Mr Kevin McAsh addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Mr McAsh's submission is available on Council's website.

**PF18/076 – PSR18/069 Rural Lands Strategy**

Mr Damien Rogers addressed Council in relation to item PSR18/069 Rural Lands Strategy.

**PF18/077 – PSR18/069 Rural Lands Strategy**

Mr Keith Dance addressed Council in relation to item PSR18/069 Rural Lands Strategy.

**PF18/078 – PSR18/069 Rural Lands Strategy**

Ms Cheryl Blessington addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Ms Blessington's submission is available on Council's website.

**PF18/079 – PSR18/069 Rural Lands Strategy**

Mr Noel Plumb addressed Council in relation to item PSR18/069 Rural Lands Strategy.

**EXTENSION OF TIME** Councillor McGinlay/Councillor Mayne

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

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

**18/220 EXTENSION OF TIME** Councillor Brown/Councillor Mayne

THAT the Council meeting be extended until 3.00pm.

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

**PF18/080 – PSR18/069 Rural Lands Strategy**

Ms Joanna Evans addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Ms Evans' submission is available on Council's website.

**PF18/081 – PSR18/069 Rural Lands Strategy**

Ms Amanda Thompson addressed Council in relation to item PSR18/069 Rural Lands Strategy. A copy of Ms Thompson's submission is available on Council's website.

At **2.17 pm** Councillor Nathan arrived at the meeting.

**18/221 MOTION** Councillor Mayne/Councillor Constable

THAT Council move into Committee of the Whole to discuss item PSR18/069 Rural Lands Strategy

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

At **2.19pm** the meeting moved into Committee of the Whole.

**18/222 ADJOURNMENT** Councillor Brown/Councillor Tait

THAT Council adjourn the Ordinary Council meeting of the 28 August 2018 until 3.01pm on 28 August 2018.

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

At **3.00pm** the meeting adjourned.

At **3.01pm** the meeting reconvened.

**18/223 MOTION** Councillor Pollock/Councillor Brown

THAT Council resume open session.

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

At **3.02pm** Council resumed open session.

**18/224 MOTION** Councillor Innes/Councillor Brown

THAT Council:

1. Endorse the amended planning proposal included as an attachment to this report.
2. Endorse the preparation of revised mapping for *Eurobodalla Local Environmental Plan 2012* as recommended in this report.
3. Forward the amended planning proposal and revised mapping to the NSW Minister for Planning with a request for the amendments to *Eurobodalla Local Environmental Plan 2012* to be made.
4. Write to all persons who made a submission to the planning proposal to advise them of the outcome and how the issues raised in their submission has been considered by Council.

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

**18/225 ADJOURNMENT** Councillor Brown/Councillor Constable

THAT the Ordinary Council Meeting be adjourned until 3.45pm.

At **3.15pm** the meeting adjourned.

At **3.45pm** the meeting reconvened.

At **3.45pm** Councillor Nathan left and took no further part in the meeting.

**18/226 RESUMPTION OF STANDING ORDERS** Councillor Tait/Councillor Mayne

That Standing Orders be resumed.



**GMR18/018 2018-19 SECTOR MEMBERSHIP**

File Ref: E10.4139

Councillor Brown declared a significant, non-pecuniary conflict of interest in GMR18/018 Sector Membership and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Brown declared an interest as he is in dispute with Local Government NSW.

At **3.47pm** Councillor Brown left the Chambers.

**18/227 MOTION** Councillor Pollock/Councillor Tait

THAT Council:

1. remain financial members of the following sector organisations:
  - a) Australian Coastal Councils
  - b) Australian Local Government Womens Association
  - c) Floodplain Management Association
  - d) Country Mayors Association
  - e) South East Arts
  - f) South East Australian Transport Strategy
  - g) South East Sports Academy.
  
2. note that it has previously resolved to be a member of the Canberra Region Joint Organisation.

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

At **4.01pm** Councillor Brown returned to the Chambers.

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**PSR18/070      BIOSECURITY ACT 2015 WEED CONTROL PROGRAMS**

File Ref: E80.2982

**18/228    MOTION** Councillor Thomson/Councillor Tait

THAT Council receive and note the Weed Control Programs under Section 371 (1) (b) of the *Biosecurity Act 2015*.

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

**PSR18/072      2017-18 INVASIVE SPECIES - STATUS REPORT**

File Ref: E80.2982

**18/229 MOTION** Councillor Tait/Councillor Pollock

THAT Council receive and note the 2017-18 Invasive Species Status Report.

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

**PSR18/073      2017-18 EMISSIONS REDUCTION PLAN PROGRESS REPORT**

File Ref: E07.1073

**18/230 MOTION** Councillor Pollock/Councillor McGinlay

THAT Council receive and note the 2017-18 Emissions Reduction Plan Status Report.

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

**IR18/037                    OUTCOME OF APPLICATIONS FOR FUNDS FROM THE RECREATIONAL  
FISHING TRUSTS 2018-19**

File Ref: E08.2116

**18/231 MOTION** Councillor Tait/Councillor Pollock

THAT Council endorse the actions taken to accept the two grant funding offers under the NSW Recreational Fishing Trusts of \$7,500 each for:

- i)        improvements to Mosquito Bay fishing cleaning table and lighting
- ii)       improvements to the Tuross Head fish cleaning table.

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

**IR18/032 LOCAL TRAFFIC COMMITTEE NO 2 FOR 2018-19**

File Ref: E16.0002

Councillor Brown declared a non-significant, non-pecuniary conflict of interest in IR18/032 Local Traffic Committee No 2 for 2018-19 and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Brown declared an interest as he lives in the vicinity of Riverside Drive.

At **4.08pm** Councillor Brown left the Chambers.

**18/232 MOTION** Councillor Tait/Councillor Pollock

THAT

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 1 of 2018-19 held on 2 August 2018 be received and noted.
2. Council Plan No. 5156 Set AH Sheets 05 detailing the timed 'Bus Zone' signage on Percy Davis Drive at the intersection of Princes Highway, Moruya be approved.
3. Council Plan No. 5156 Set BB Sheets 12 detailing:
  - a. Signage 'Trucks Prohibited 3 Tonne and Over' regulating traffic on Riverside Drive between McMillan Road and Davison Street and the entire length of Davison Street
  - b. Signage '3 Tonne Load limit on side road' on Princes Highway at the intersection of Davison Street and the intersection of Riverside Drive
  - c. Signage 'No Stopping' on Davison Street at the intersection of Riverside Drive be approved.

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

At **4.11pm** Councillor Brown returned to the Chambers.

**CCS18/038 INVESTMENTS MADE AS AT 31 JULY 2018**

File Ref: E99.3517

**18/233 MOTION** Councillor Brown/Councillor McGinlay

THAT the certification that the investments as at 31 July 2018, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, be received.

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

**CCS18/039      PROPERTY TRANSACTION - BATEMANS BAY**

File Ref: E14.8329; 80.2497.d

**18/234 MOTION** Councillor Brown/Councillor Pollock

THAT Council enter into the property transaction as outlined in the confidential attachment to this report.

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



**CAR18/030 YOUTH EMPLOYMENT STRATEGY (YES) PROJECT FUNDING**

File Ref: E15.9174

**18/235 MOTION** Councillor Thomson/Councillor McGinlay

THAT Council accept the \$300,000 offered by the NSW Department of Industry to support the Youth Employment Strategy over two years.

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

**9. DELEGATE REPORT**

Nil

**10. URGENT BUSINESS**

Nil

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

Nil

**12. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 4.26pm**

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CHAIRPERSON

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