



# **Minutes**

**Ordinary Meeting of Council**

**13 February 2018**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 13 FEBRUARY 2018**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 13 FEBRUARY 2018  
COMMENCING AT 10.09AM**

**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, Finance and Business Development  
Mrs K Arthur, Director, Community, Arts and Recreation  
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. The Mayor also took the opportunity to acknowledge the 10 year anniversary from the Australian Government to the traditional owners of our lands, and in particular, the stole generation. The Mayor's speech:

*'Today, February 13th, marks 10 years since the Prime Minister of the day gave an official apology from the Australian Government to the traditional owners of our lands and, in particular, the stolen generations. Council recognises the significance of this anniversary to our local Aboriginal people.'*

*It is important for all of us to acknowledge this prominent day on not only the Aboriginal and Torres Strait Islanders calendar but on the Australian calendar, and to encourage action where we all play our part in building better relationships between all Australians. I urge you to take a moment to reflect and place yourselves in the shoes of others on this significant day in Australia's history and reflect on this anniversary together.'*

**ADJOURNMENT**

**18/1 MOTION** Councillor Nathan/Councillor Constable

THAT the Ordinary Council Meeting be adjourned to hear speakers in public access session.

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

At 10.12am the meeting adjourned.

At 10.23am the meeting reconvened.

**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.)

**PF18/001 – CCS18/004 Investments made as at 30 November 2017 and CCS1/005 Investments made as at 31 December 2017**

Mr Peter Bernard addressed Council in relation to CCS18/004 Investments made as at 30 November 2017 and CCS1/005 Investments made as at 31 December 2017

A copy of Mr Bernard's submission is available on Council's website.

**EXTENSION OF TIME**

**MOTION** Councillor Constable/Councillor Mayne

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

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

**4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**18/2 MOTION** Councillor Thomson/Councillor Tait

THAT the minutes of the Ordinary Meeting held on 12 December 2017 be confirmed.

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

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

Councillor Constable declared a significant, pecuniary conflict of interest in CCS18/006 Narooma Surf Beach Holiday Park – Lease Negotiations and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Constable declared an interest as he has business dealings with the lessees.

**6. MAYORAL REPORTS**

Nil

**7. NOTICES OF MOTION**

Nil

**8. QUESTIONS ON NOTICE FROM COUNCILLORS**

**QON18/001 IMPACT OF DOMESTIC CATS ON NATIVE WILDLIFE**

File Ref: E17.1041

**18/3 MOTION** Councillor Mayne/Councillor Thomson

THAT the response to the question regarding the impact of domestic cats on wildlife raised by Councillor Mayne, be received and noted.

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

**9. PETITIONS**

Nil



**10. GENERAL MANAGER'S REPORTS**

**GMR18/002 JOINT ORGANISATION MEMBERSHIP**

File Ref: E10.4139

**18/4 MOTION** Councillor Brown/Councillor Mayne

THAT in accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (*Act*) the Eurobodalla Shire Council resolves:

1. The Council inform the Minister of Local Government (*Minister*) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (*Joint Organisation*) in accordance with this resolution.
2. To approve the inclusion of Eurobodalla in the Joint Organisation's area.
3. The Joint Organisation be established to cover Eurobodalla's area and the following council areas:
  - a) Bega Valley
  - b) Goulburn Mulwaree
  - c) Hilltops
  - d) Queanbeyan Palerang
  - e) Snowy Monaro
  - f) Upper Lachlan
  - g) Wingecarribee
  - h) Yass Valley.
4. Before 28 February 2018, the General Manager provide the Minister with a copy of this resolution including the date on which Council made this resolution.
5. On expiry of a period of 28 days from the making of this resolution, the General Manager inform the Minister that this resolution has not been rescinded.

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

Division

For the Motion: Councillors Lindsay Brown, Liz Innes, Anthony Mayne, Maureen Nathan, Rob Pollock, Jack Tait and James Thomson.

Against the Motion: Councillors Phil Constable and Pat McGinlay.

**GMR18/003 2018 CONFERENCES**

File Ref: E91.3255

**18/5 MOTION** Councillor Constable/Councillor Nathan

THAT:

1. Council determine not to attend the following Conferences being held in 2018:
  - a. LGNSW Tourism Conference on 12-14 March 2018.
  - b. Australia Local Government Women's Association NSW Conference on 15-17 March 2018.
2. Council be represented at the 2018 Conferences as follows:
  - a. Floodplain Management Australia National Conference on 29 May – 1 June 2018 by Councillor Thomson and Councillor Tait.
  - b. NSW Local Roads Congress on 4 June 2018 by Councillor Constable and Councillor Mayne.
  - c. National General Assembly (NGA) on 17-20 June 2018 by Councillor Mayne, Councillor Constable, Councillor Tait and Councillor McGinlay.
  - d. Australian Regional Development Conference in September 2018 by Councillor Nathan, Councillor Thomson, Councillor Pollock and Councillor Constable.
  - e. National Local Roads and Transport Congress in November 2018 by Councillor Mayne and Councillor Tait.
  - f. NSW Coastal Conference will be held in November 2018 by Councillor Tait, Councillor Nathan and Councillor Constable.
3. Council representatives be reimbursed out of pocket expenses in accordance with the Councillors' Expenses and Facilities Policy.

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

**11. PLANNING AND SUSTAINABILITY REPORTS**

**PSR18/002 POLICY ADOPTION - FOOD INSPECTION PROGRAM**

File Ref: E80.1313

**18/6 MOTION** Councillor Pollock/Councillor Nathan

THAT Council:

1. Adopt the draft Food Inspection Policy for implementation from 1 July 2018.
2. Write to all food businesses advising of the policy and the process to reduce the inspection frequency.

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

**12. INFRASTRUCTURE REPORTS**

**IR18/017 LOCAL TRAFFIC COMMITTEE NO. 5 FOR 2017-18**

File Ref: E16.0002

**18/7 MOTION** Councillor Mayne/Councillor Thomson

THAT

1. Council Plan No.5156 Set BB Sheet 07, detailing the 'No Stopping' signs at the intersection of Sunpatch Parade and Kingston Place (adjoining the general store) and along Melville Point Reserve Road (to the headland) be approved.
2. Council Plan No.5156 Set BB Sheet 09, detailing the 'No Stopping' signs on Coronation Drive and Annetts Parade encompassing the Candlagan Creek Bridge at Broulee and Mossy Point, be approved.

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

**13. CORPORATE AND COMMERCIAL SERVICES REPORTS**

**CCS18/004 INVESTMENTS MADE AS AT 30 NOVEMBER 2017**

File Ref: E99.3517

**18/8 MOTION** Councillor Tait/Councillor Thomson

THAT the certification that the investments as at 30 November 2017, 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**)

**CCS18/005 INVESTMENTS MADE AS AT 31 DECEMBER 2017**

File Ref: E99.35

**18/9 MOTION** Councillor McGinlay/Councillor Constable

THAT the certification that the investments as at 31 December 2017, 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**)

**CCS18/006 NAROOMA SURF BEACH HOLIDAY PARK - LEASE NEGOTIATIONS**

File Ref: E83.7806

Councillor Constable declared a significant, pecuniary conflict of interest in CCS18/006 Narooma Surf Beach Holiday Park – Lease Negotiations and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Constable declared an interest as he has business dealings with the lessees.

At 11:23am Councillor Constable left the Chambers.

**18/10 MOTION** Councillor Pollock/Councillor Brown

THAT

1. The General Manger be given delegated authority to negotiate a new lease with the current Lessees of Narooma Surf Beach Holiday Park.
2. A further report be presented to Council following those negotiations to approve the new lease.

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

At 11:32am Councillor Constable returned to the Chambers.

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

Nil

**15. DELEGATE REPORT**

Nil

**16. URGENT BUSINESS**

Nil

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

Nil

**18. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 11.32am**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 27 February 2018 at which meeting the signature hereon was subscribed.