



Minutes

Ordinary Meeting of Council

14 November 2017

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 14 NOVEMBER 2017

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 14 NOVEMBER 2017
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

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.)

PF17/044 – NOM17/011 Albert Ryan Park, Batemans Bay

Mrs Leah Burke addressed Council in relation to NOM17/011 Albert Ryan Park, Batemans Bay.

A copy of Mrs Burke's submission is available on Council's website.

PF17/045 – NOM17/011 Albert Ryan Park, Batemans Bay

Ms Trish Hellier addressed Council in relation to NOM17/011 Albert Ryan Park, Batemans Bay.

A copy of Ms Hellier's submission is available on Council's website.

EXTENSION OF TIME

17/355 MOTION Councillor Constable/Councillor McGinlay

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

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

PF17/046 – NOM17/012 Companion Animal Management Plan - Exercising Dogs at Long Beach and PSR17/059 Dog Recreation – Proposed Dog Exercise Areas

Mr Rodger Middelbrook addressed Council in relation to NOM17/012 Companion Animal Management Plan - Exercising Dogs at Long Beach and PSR17/059 Dog Recreation – Proposed Dog Exercise Areas.

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

EXTENSION OF TIME

17/356 MOTION Councillor Nathan/Councillor Constable

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

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

PF17/047 – NOM17/012 Companion Animal Management Plan - Exercising Dogs at Long Beach and PSR17/059 Dog Recreation – Proposed Dog Exercise Areas

Ms Dianne Brooks addressed Council in relation to NOM17/012 Companion Animal Management Plan - Exercising Dogs at Long Beach and PSR17/059 Dog Recreation – Proposed Dog Exercise Areas.

A copy of Ms Brook's submission is available on Council's website.

EXTENSION OF TIME

17/357 MOTION Councillor McGinlay/Councillor Nathan

THAT Ms Brook's be granted an extension of three minutes to complete her presentation.

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

PF17/048 – PSR17/059 Dog Recreation – Proposed Dog Exercise Areas

Mr Joe Mangion addressed Council in relation to PSR17/059 Dog Recreation – Proposed Dog Exercise Areas.

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

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

17/358 MOTION Councillor Thomson/Councillor Constable

THAT the minutes of the Ordinary Meeting held on 24 October 2017 be confirmed.

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

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Councillor Mayne declared a significant, non-pecuniary conflict of interest in CAR17/030 Healthy Communities and Seniors Week Grants 2017-18 and stated that he believed his interest would preclude him from voting.

Reason: Councillor Mayne declared an interest as a family members participated in the grant application process.

6. MAYORAL REPORTS

Nil

7. NOTICES OF MOTION

NOM17/010 INVESTIGATE CRITERIA TO NOMINATE FOR UNESCO GEOPARK

File Ref: 1

17/359 MOTION Councillor Nathan/Councillor Constable

THAT Council:

1. Investigate the criteria to nominate areas within Eurobodalla as UNESCO Global Geopark(s)
2. Research and collate Eurobodalla Shire's areas of unique marine and coastal geology with the view to informing nomination for inclusion as UNESCO Geopark(s).

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

NOM17/011 ALBERT RYAN PARK, BATEMANS BAY

File Ref: E00.4635; E16.0196

17/360 MOTION Councillor Thomson/Councillor Mayne

THAT Council move into Committee of the Whole to discuss item NOM17/011 Albert Ryan Park, Batemans Bay.

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

At 11.08am the Council moved into Committee of the Whole.

17/361 MOTION Councillor Brown/Councillor Nathan

THAT Council resume open session.

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

At 11.15am the Council resumed open session.

17/362 MOTION Councillor Brown/Councillor Mayne

THAT Council:

1. Write to the NSW Roads and Maritime Service (RMS) acknowledging that Lots 9, 10 and 11, identified as the public reserve Albert Ryan Park, are under Council's care, control and management, and seek clarification on the ownership of all assets therein, including the toilets.
2. Retain and maintain Albert Ryan Park and its assets, pending advice from RMS and remove reference to the removal and decommissioning of the public toilets from the Public Toilet Review (2015) and Recreation and Open Space Strategy (2010).
3. Return the incorrect Certificate of Title for Lot 11 DP236342 to the Land & Property Information Office for reissue in the name of RMS, noting that Lots 9, 10 and 11 known as Albert Ryan Park will continue to be under Council's care, control and management as a public reserve, in line with the NSW Government Gazette (31.5.1974 Folio 2062) of 1974.

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

NOM17/012 COMPANION ANIMALS MANAGEMENT PLAN - EXERCISING DOGS AT LONG BEACH

File Ref: E17.1258

MOTION Councillor Nathan/Councillor Thomson

THAT Council resolve that:

1. Long Beach beach area to the west of the toilet block be off leash for the purpose of exercising dogs except for 1 December 2017 to 30 January 2018 when dogs must be on leash between 9am and 5pm.
2. Long Beach beach area to the east of the toilet block be prohibited to dogs.
3. These changes be effective immediately after the installation of the signage for a trial period until the completion of the Companion Animal Management Plan review.
4. Write to the Long Beach Community Association to advise of these changes and request that they inform their members as well as a Council media release advising the broader community of the changes.

17/363 AMENDMENT Councillor Nathan/Councillor Thomson

THAT Council resolve that:

5. Long Beach beach area to the west of the toilet block be off leash for the purpose of exercising dogs except for 1 December 2017 to 30 January 2018 when dogs must be on leash between 9am and 5pm.
6. Long Beach beach area to the east of the toilet block be prohibited to dogs.
7. This proposal, of a trial period, be exhibited for 28 days in line with current protocols and a further report be considered by Council.
8. Write to the Long Beach Community Association to advise of this proposal and request that they inform their members as well as a Council media release advising the broader community of the changes.

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

(The Amendment then became the motion and on being put was declared was **CARRIED**)

ADJOURNMENT

17/364 MOTION Councillor Innes

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

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

At 11.49am the meeting adjourned.

At 12.02pm the meeting resumed.

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. PETITIONS

PET17/003 OFF-LEASH DOG PARK AT EVANS POINT, DALMENY

File Ref: E17.1258.PS

17/365 MOTION Councillor McGinlay/Councillor Nathan

THAT Council consider this petition in the review of the Companion Animal Management Plan 2017-18.

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

10. GENERAL MANAGER'S REPORTS

Nil

11. PLANNING AND SUSTAINABILITY REPORTS

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

File Ref: E17.1258

MOTION Councillor Thomson/Councillor Nathan

THAT Council:

1. amend the Companion Animal Management Plan 2015-19 on a trial basis by:
 - a) allowing off-leash dog access to Lot 145 DP726765 at Nelligen
 - b) removing the prohibition on dogs at Corrigans Reserve, enabling dogs on-leash, with such arrangements to be reviewed as part of the comprehensive review of the Companion Animal Management Plan
2. not proceed with the proposed on-leash dog recreation park at Mundarra Way, Surfside
3. not allocate the budget of \$8,000 proposed under resolution 17/180 and 17/181 and that any infrastructure and budget requirements be considered as part of the review of the Companion Animal Management Plan
4. submissions received be considered in the comprehensive review of the Companion Animal Management Plan
5. that people who made a submission be thanked and advised of Council's decision.

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

17/366 MOTION Councillor Nathan/Councillor Brown

THAT Council:

1. amend the Companion Animal Management Plan 2015-19 on a trial basis by removing the prohibition on dogs at Corrigans Reserve, enabling dogs on-leash, with such arrangements to be reviewed as part of the comprehensive review of the Companion Animal Management Plan
2. not proceed with the proposed on-leash dog recreation park at Mundarra Way, Surfside and off-leash dog access to Lot 145 DP726765 at Nelligen
3. not allocate the budget of \$8,000 proposed under resolution 17/180 and 17/181 and that any infrastructure and budget requirements be considered as part of the review of the Companion Animal Management Plan
4. submissions received be considered in the comprehensive review of the Companion Animal Management Plan
5. that people who made a submission be thanked and advised of Council's decision.

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

12. INFRASTRUCTURE REPORTS

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

File Ref: E16.0002

17/367 MOTION Councillor Mayne/Councillor Tait

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 1 of 2017-18 held on 20 July 2017 and Meeting No 2 of 2017-18 held on 15 September 2017 be received and noted.
2. The 'No Stopping 8am – 10am and 3pm – 5pm MON-FRI' signs currently in place on south-western side of Beach Road, between the Batemans Bay CBD and George Bass Drive have the time reference removed from the signs.
3. Council endorse the actions taken to accept the \$17,630 in grant funding for road safety projects under the Local Government Road Safety Program.

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

13. CORPORATE AND COMMERCIAL SERVICES REPORTS

CCS17/087 MORUYA AIRPORT CAFE

File Ref: E81.2168

17/368 MOTION Councillor Pollock/Councillor Tait

THAT:

1. Council grant a licence to the operator set out in the Confidential Attachment to this report for a café within the Moruya Airport terminal with terms and conditions including:
 - (a) A fifteen month term with a two year option.
 - (b) Licence fee of \$100 plus GST per week for the initial period.
 - (c) Area is to be maintained in a clean and tidy and condition.
 - (d) Provision of \$20 million public liability insurance.

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

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR17/030 HEALTHY COMMUNITIES AND SENIORS WEEK GRANTS 2017-18

File Ref: E17.1006

Councillor Mayne declared a significant, non-pecuniary conflict of interest in CAR17/030 Healthy Communities and Seniors Week Grants 2017-18 and stated that he believed his interest would preclude him from voting.

Reason: Councillor Mayne declared an interest as a family members participated in the grant application process.

Councillor Mayne left the meeting at 12.27pm

17/369 MOTION Councillor Tait/Councillor Brown

THAT Council approve the recommendations detailed in the confidential attachment, awarding Healthy Communities and Seniors Week Grants to the value of \$12,641 to 27 local groups and organisations for the 2017-18 financial year.

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

Councillor Mayne returned to the meeting at 12.30pm

15. DELEGATE REPORT

Nil

16. URGENT BUSINESS

Nil

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 12.33pm

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 28 November 2017 at which meeting the signature hereon was subscribed.