



# **Minutes**

**Ordinary Meeting of Council**

**9 March 2021**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 9 MARCH 2021**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 9 MARCH 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 and Rob Pollock OAM

**Staff:** Dr Catherine Dale, General Manager  
Mr L Usher, Director, Planning and Sustainability Services  
Mr C Ginger, Acting Director, Infrastructure Services  
Mrs K Arthur, Director, Community, Arts and Recreation  
Mr J Phillips, Divisional Manager, Governance and Administration  
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**

**21/21 MOTION** Councillor McGinlay/Councillor Tait

THAT apologies be received from Councillor Constable and leave of absence be granted.

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

Division

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

Against the Motion: Nil.

**5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**21/22 MOTION** Councillor Pollock/Councillor Thomson

THAT the minutes of the Ordinary Meeting held on 23 February 2021 be confirmed.

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

Division

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

Against the Motion: Nil.

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

Councillor Brown declared a significant, non-pecuniary conflict of interest in IR21/007 Local Traffic Committee No 5 for 2020-21 and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Brown declared an interest as he is a Board Member of the Narooma Oyster Festival.

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in IR21/007 Local Traffic Committee No 5 for 2020-21 and stated that he did not believe his interest would preclude him from voting.

**Reason:** Councillor Mayne declared an interest as the company he works for sponsors an event within the report.

**7. MAYORAL REPORTS**

**MR21/002 MOGO PATHWAY**

File Ref: S008-T00015; S012-T00025

**21/23 MOTION** Councillor Innes

THAT Council allocate \$115,000 from residual funding from the Disaster Recovery Funding – Commonwealth Governments, Councils Affected by Bushfires grant to the construction of a pathway to link the Mogo Village along Church Street and Park Street to Boomerang Place, the Mogo oval, playground and residents.

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

Division

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

Against the Motion: Nil.

At **11.06am** the Mayor left the meeting to attend a funeral and took no further part in the meeting.

At **11.06am** the Deputy Mayor assumed the role of Chairperson.

**8. NOTICES OF MOTION**

Nil

**9. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil

**10. PETITIONS**

Nil

**11. GENERAL MANAGER'S REPORTS**

Nil



**12. PLANNING AND SUSTAINABILITY REPORTS**

**PSR21/003 ROAD OPENING, RIGHT OF WAY AMENDMENT AND CREATION OF LAND PARCELS- TRAFALGAR ROAD, TUROSS HEAD**

File Ref: S023-T00023 Land ID 33052/8764

**21/24 MOTION** Councillor Brown/Councillor Thomson

THAT

1. All actions necessary be taken to subdivide Lot L DP 362231 and:
  - (a) dedicate part Lot L DP 362231 as road reserve.
  - (b) create land parcels along the waterfront
2. The General Manager be given delegated authority to negotiate the sale of lots created currently being part Lot L DP 362231 in accordance with Council's *Land Acquisition and Disposal Policy*
3. All survey and legal fees associated with the Plan of Subdivision of Lot L DP 362231 be borne by Council.
4. The General Manager be given delegated authority to negotiate the purchase of part Lot 2 DP 1084399 for dedication as road reserve.
5. Agreement be entered into with the landowner of Lot 2 DP 1084399 providing for the transfer of part of their land for public road purposes subject to Council amending the Right of Way.
6. Consent be given for extinguishment of Right of Way and creation of amended Right of Way for access to Lots D - J DP 18055, Lot 1 DP 624709, Lots 1 - 7 DP 28921 and Lot 88 DP 1243745.
7. Consent be given to affix the Common Seal of Council, if required, to all necessary documents associated with the subdivision, transfer and sale of the subject properties.

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

Division

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

Against the Motion: Nil.

**PSR21/004 LEASING - MORUYA AIRPORT SUBDIVISION**

File Ref: S023-T00003

**21/25 MOTION** Councillor Thomson/Councillor Tait

THAT

1. Council endorses entering into leases over part Lot 5 DP1264836 in the new subdivision at Moruya Airport including the following conditions
  - (a) Payment of annual rent in-line with similar airport leases.
  - (b) Provision of evidence of public liability insurance cover in the amount of at least \$20 million; and
  - (c) Conditions generally in line with other airport leases
2. Consent be given to affix the Common Seal of Council to all necessary documents associated with the leases.

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

Division

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

Against the Motion: Nil.

**PSR21/005 HANGAR LEASE RENEWAL - MORUYA AIRPORT**

File Ref: S023-T00003

**21/26 MOTION** Councillor Tait/Councillor Brown

THAT

1. Council endorses a lease over Lot 131 DP 813595 including the following conditions:
  - (a) Terms and conditions and payment of annual rental in line with similar airport leases;
  - (b) A term of up to 25 years with a further 25 year option; and
  - (c) Provision of evidence of public liability insurance cover in the amount of at least \$20 million;
2. Consent be given to affix the Common Seal of Council to the lease over Lot 131 DP 813595

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

Division

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

Against the Motion: Nil.

**13. INFRASTRUCTURE REPORTS**

**IR21/007 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2020-21**

File Ref: S030-T00018

Councillor Brown declared a significant, non-pecuniary conflict of interest in IR21/007 Local Traffic Committee No 5 for 2020-21 and stated that he did believe his interest would preclude him from voting.

**Reason:** Councillor Brown declared an interest as he is an Executive Member on the Narooma Oyster Festival.

Councillor Mayne declared a non-significant, non-pecuniary conflict of interest in IR21/007 Local Traffic Committee No 5 for 2020-21 and stated that he did not believe his interest would preclude him from voting.

**Reason:** Councillor Mayne declared an interest as the company he works for sponsors an event within the report.

At **11:13 am** Councillor Brown left the Chambers.

**21/27 MOTION** Councillor Tait/Councillor Nathan

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 5 for 2020-21 be received and noted.
2. Council Plan No. 5156 Set BB Sheet 27 detailing the modification to 'Loading Zone' times and new 'No Stopping' signage on Corrigan's Crescent and Edward Road, Batehaven be approved.
3. Council Plan No. 5156 Set BP Sheet 11 detailing the accessible parking space at the Mossy Point boat ramp carpark, Mossy Point be approved.
4. Council Plan No. 5156 Set AH Sheet 07 detailing the 'Bus Zone' on Coronation Drive between Candlagan Drive and Iluka Street, Broulee be approved.
5. Council Plan No. 5156 Set BP Sheet 10 detailing the 'Parallel Parking' on Riverside Drive between Bettini Lane and Davison Street, Narooma be approved.

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

Division

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

Against the Motion: Nil.

At **11:18 am** Councillor Brown returned to the Chambers.

**IR21/008      FUNDING OFFER - ROAD SAFETY PROGRAM - BUS STOP RELOCATION HECTOR  
MCWILLIAM DRIVE TUROSS HEAD**

File Ref: S014-T00007

**21/28 MOTION** Councillor Mayne/Councillor Thomson

THAT:

1. Council endorses the actions taken to accept the grant funds offered by the Australian and NSW Governments' Road Safety Program, to relocate the Princes Highway bus stop to Hector McWilliam Drive, Tuross Head.
2. Write to the Tuross Head Progress Association thanking them for working with Council to advocate for the new bus facility.

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

Division

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

Against the Motion: Nil.

**IR21/009      REQUEST FOR TENDER 2019/ISD089 - AUGMENTATION OF SEWAGE PUMPING  
STATION BB03 AT EDWARD ROAD, BATEMANS BAY**

File Ref: S029-T00004

**21/29    MOTION** Councillor Thomson/Councillor Tait

THAT Council enters into a contract with the preferred tenderer listed for Tender 2019/ISD089 Augmentation of Sewage Pumping Station BB03 at Edward Road, Batemans Bay, subject to the terms specified in the Request for Tender.

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

Division

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

Against the Motion: Nil.

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

**CAR21/005 REQUEST FOR TENDER 2021/025 - UPGRADE OF HEATING SYSTEMS  
NAROOMA POOL**

File Ref: S004-T00001

**21/30 MOTION** Councillor Mayne/Councillor Brown

THAT:

1. Council endorses the selection of the preferred tenderer listed for RFT Tender No. 2021/025 to supply, install and commission the new heating system at Narooma Pool, as outlined in the confidential attachment; and
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderer, subject to the terms specified in the Request for Tender unless otherwise varied in accordance with this report.

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

Division

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

Against the Motion: Nil.

**CAR21/003 FUNDING OFFER - VOLUNTEERING FOR BUSHFIRE RECOVERY - FROM THE  
PRIMARY HEALTH NETWORK**

File Ref: S008-T00027

**21/31 MOTION** Councillor Mayne/Councillor Tait

THAT:

1. Council accept the sum of \$177,163 (ex GST) to administer the Bushfire Recovery Volunteer Program until 30 June 2022.
2. the General Manager be given delegated authority to sign the funding agreement for the Bushfire Recovery Volunteer Program with Coordinare Limited.

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

Division

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

Against the Motion: Nil.



**CAR21/004 COMMONWEALTH HOME SUPPORT PROGRAM - SECTOR SUPPORT  
DEVELOPMENT (SSD) - DEED OF VARIATION AND NSW SENIORS FESTIVAL  
GRANTS PROGRAM**

File Ref: S003-T00026

**21/32 MOTION** Councillor Brown/Councillor Tait

THAT:

1. Council approve the Deed of Variation in relation to the Home Support Program (CHSP) services to be delivered from 1 July 2021 - 30 June 2022 and that a copy of the document be signed by Council's authorised representatives, with the Seal of Council affixed.
2. Council accept a grant for \$1,000 from the Department of Communities and Justice to provide financial assistance for our 'Never too old Seniors Expo'.

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

Division

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

Against the Motion: Nil.

**14. DELEGATE REPORT**

Nil

**15. URGENT BUSINESS**

Nil

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

Nil

Prior to closing the meeting, the Deputy Mayor acknowledged that the Visitor Information Centre in Batemans Bay closed on the 28 February 2021. This decision was a result of the review of Council's Visitor Servicing structure and changes in the industry. Councillor Pollock took the opportunity to thank the staff for their commitment to welcoming and promoting Eurobodalla.

**THE MEETING CLOSED AT 11.30am**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 23 March 2021 at which meeting the signature hereon was subscribed.