



# **Minutes**

**Ordinary Meeting of Council**

**22 May 2018**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 22 MAY 2018**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 22 MAY 2018  
COMMENCING AT 10.00AM**

**PRESENT:** Councillor Liz Innes, Mayor (in the Chair)  
Councillors Anthony Mayne, Jack Tait, Maureen Nathan, Patrick McGinlay,  
Phil Constable and Rob Pollock OAM

**Staff:** Mr W Sharpe OAM, Acting General Manager  
Mr L Usher, Director, Planning and Sustainability 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 Information  
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**

**18/103 MOTION** Councillor Tait/Councillor Constable

THAT apologies be received from Councillor Lindsay Brown, Maureen Nathan and James Thomson and leave of absence be granted.

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

**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.)

**PF18/042 – IR18/024 Funding Offer – Active Transport Program – Shared Pathway, South Heads Road, Moruya**

Mr Bruce Roberts, Mrs Danielle Brice and Mr Jim Purss addressed Council in relation to item IR18/024 Funding Officer – Active Transport Program – Shared Pathway, South Heads Road, Moruya. A copy of their submission is available on Council's website.

**PF18/043 – CCS18/016 Investments as at 31 March 2018**

Mr Peter Bernard addressed Council in relation to item CCS18/016 Investments as at 31 March 2018. A copy of Mr Bernard's submission is available on Council's website.

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

**18/104 MOTION** Councillor Tait/Councillor Constable

THAT the minutes of the Ordinary Meeting held on 24 April 2018 be confirmed.

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

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

Nil

**6. MAYORAL REPORTS**

Nil

**7. NOTICES OF MOTION**

**NOM18/007 RECYCLING - CHINA'S NATIONAL SWORD POLICY**

File Ref: E91.2036

**18/105 MOTION** Councillor Constable/Councillor Mayne

THAT Council:

1. Write to all relevant parties in all levels of government to advocate to work with industry to find immediate and sustainable solutions to respond to China's National Sword initiative.
2. Write to the relevant persons in the NSW Government to advocate to utilise the millions of dollars collected in Waste Levies on recycling initiatives.

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

**NOM18/008      FIX IT NOW CAMPAIGN - PRINCES HIGHWAY**

File Ref: E17.1041

**MOTION**

**18/106 MOTION** Councillor Constable/Councillor Mayne

THAT Council move into Committee of the Whole to discuss item NOM18/008 Fix it Now Campaign – Princes Highway

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

At 10.30am the meeting moved into Committee of Whole.

**MOTION**

**18/107 MOTION** Councillor Constable/Councillor Pollock

THAT Council resume open session.

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

At 10.51 am the Council resumed open session.

At 10.51am Councillor Nathan arrived at the meeting.

**18/108 MOTION** Councillor Mayne/Councillor McGinlay

THAT:

- i) Council support the 'Fix It Now' campaign being advocated by the South East Australian Transport Strategy Inc (SEATS) to seek major upgrading of the Princes Highway south of Nowra to the Victorian border.
- ii) Write to the Member for Gilmore Ann Sudmalis MP and Member for Eden Monaro Dr Mike Kelly MP advocating to the Australian Government to provide a funding deal to match the NSW Government on an 80/20 basis to deliver major upgrading of the Princes Highway south of Nowra with a key focus on:
  - a. Provision of funding to undertake detailed route audit and planning for the Princes Highway and road corridor acquisition from south Nowra to Moruya, and subsequently from Moruya to the Victorian border.
- iii) At this point in time, and pending the outcome of the detailed route audit of the Princes Highway, Council's priority be confirmed to be as follows:
  - a. the section of the Princes Highway between Cullendulla Drive and Mogo township, inclusive of:
    - an appropriate intersection treatment to connect the Princes Highway and South Batemans Bay Link Road



- provision of four through lanes continuously through Batemans Bay
  - provision of additional capacity at the Princes Highway and Cranbrook Road intersection
  - provision of an off-road shared pathway from Surfside Primary School along the Princes Highway to the South Batemans Bay Link Road
- b. delivering a comprehensive bridge widening and strengthening program to enable safer road travel, a better working environment for transport operators and 26m HML B-double access from Nowra to Eurobodalla and then onto Bega with more immediate attention given to:
- i. Narooma bridge, Wagonga Inlet
  - ii. Mogo bridge, Mogo
  - iii. Alsops bridge, Brogo
- c. provision of appropriate traffic facilities along the Princes Highway to provide a more pedestrian friendly environment and intersection upgrades within in the townships of Batemans Bay, Mogo, Moruya, Bodalla and Narooma
- iv) Council write to the local State member, Andrew Constance MP, thanking him for his strong advocacy and support to secure funding and upgrading of the Princes Highway and for his ongoing efforts to secure funding to complete the intersection to connect the Princes Highway and South Batemans Bay Link Road.
- v) Council write to SEATS thanking them for their strong advocacy and support to secure funding and upgrading of the Princes Highway including through the Fix it Now campaign.

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

**NOM18/009      SUPPORT TO ADVOCATE FOR THE PRINCES HIGHWAY TO BE INCLUDED AS  
A ROAD OF NATIONAL IMPORTANCE**

File Ref: 00.4623

**18/109 MOTION** Councillor Constable/Councillor Mayne

THAT Council support, the motion recently endorsed by the Bega Valley Shire Council to be put to the 2018 National General Assembly for Local Government, to advocate to the Australian Government, through the Minister for Transport and Infrastructure and also the Minister for Regional Development, for appropriate funding for the Roads of National Importance, and that a review of significant corridors in all States be undertaken so that routes such as the Princes Highway between Sydney and Melbourne, would then attract Australian Government funding.

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

**8. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil

**9. PETITIONS**

Nil

**10. GENERAL MANAGER'S REPORTS**

Nil

**11. PLANNING AND SUSTAINABILITY REPORTS**

Nil

**12. INFRASTRUCTURE REPORTS**

**IR18/026 LOCAL TRAFFIC COMMITTEE NO. 7 FOR 2017-18**

File Ref: E16.0002

**18/110 MOTION** Councillor Mayne/Councillor Tait

THAT the minutes of the Eurobodalla Local Traffic Committee Meeting No 6 of 2017-18 held on 8 March 2018 be received and noted.

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

**IR18/024                      FUNDING OFFER - ACTIVE TRANSPORT PROGRAM - SHARED PATH, SOUTH  
HEAD ROAD, MORUYA**

File Ref: E01.5635

**18/111 MOTION** Councillor Nathan/Councillor Tait

THAT:

1. Council endorse the actions taken to accept the offer of funding of \$750,000 from the NSW Government under the Active Transport Program toward a shared pathway along South Head Road.
2. Council write to the local State Member for Bega, Andrew Constance MP, thanking him for the advocacy to secure the grant funding.
3. Council write to John Seltenrych, President, and Danielle Brice, Member, Moruya South Head Cycle/Pathway Committee, thanking them for their role in gaining the grant for a pathway along South Head Road.

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

**IR18/027                      REQUEST FOR TENDER NO. 2018/ISD030 - CLEANING OF PUBLIC TOILETS**

File Ref: E95.9163.T

**18/112 MOTION** Councillor Tait/Councillor Pollock

THAT

1. Council endorses the selection of the preferred tenderer listed for Request for Tender No. 2017/ISD030 Cleaning of Public Facilities (toilets) within 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.
3. Council allocate an additional \$23,400 in the 2018-19 Operational Plan for toilet cleaning to allow for the tendered prices submitted.

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

**13. CORPORATE AND COMMERCIAL SERVICES REPORTS**  
**CCS18/017 BUDGET REVIEW FOR THE PERIOD ENDED 31 MARCH 2018**

File Ref: E05.9535

Mr Peter Coggan interjected during debate on the topic. The Mayor asked Mr Coggan to refrain from interjecting.

**ADJOURNMENT**

**18/113 MOTION** Councillor Constable/Councillor McGinlay

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

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

At 11.35am the meeting adjourned.

At 11.45am the meeting resumed.

Mr Peter Coggan again interjected during debate on the topic.

**MOTION**

**18/114 MOTION** Councillor Pollock/Councillor Constable

THAT Mr Coggan be asked to leave the Chamber.

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

Mr Phillips asked Mr Coggan to leave the Chamber. Mr Coggan refused to leave the Chamber.

**MOTION**

**18/115 MOTION** Councillor Pollock/Councillor Constable

THAT, due to the failure of Mr Coggan to leave the Chamber, the Council meeting be moved to the Committee Room.

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

At 11.53 the Council meeting moved to the Committee Room.

**18/116 MOTION** Councillor Pollock/Councillor Tait

THAT

1. The budget review for the quarter ended 31 March 2018 be received and noted.
2. The unfavourable variation for the Income Statement after capital revenue of \$(0.73) million and favourable fund flow variations of \$4.70 million as per the Consolidated Fund Flow Statement for the quarter ended 31 March 2018 be adopted.
3. Loans of up to \$15.70 million (new loans of \$12.97 million and renewals of \$2.73 million) be raised in accordance with the Council's borrowing policy and the Council seal be affixed to the loan agreement documentation.

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



**CCS18/016 INVESTMENTS MADE AS AT 31 MARCH 2018**

File Ref: E99.3517

**18/117 MOTION** Councillor Tait/Councillor Pollock

THAT the certification that the investments as at 31 March 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**)

**CCS18/018 INVESTMENT POLICY AMENDMENT**

File Ref: E00.4623/E99.3517

**18/118 MOTION** Councillor Pollock/Councillor Tait

THAT Council's Investment Policy:

1. Be amended to reduce the level of investment in BBB+ rated institutions to a maximum of 30% and restrict the investment in BBB and lower rated institutions to nil after current investments have matured.
2. As amended, be advertised for 28 days from 23 May 2018 to 20 June 2018 and a further report be presented to Council at the conclusion of the exhibition period.

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

Council were made aware that Mr Coggan had vacated the Chamber.

**MOTION**

**18/119 MOTION** Councillor McGinlay/Councillor Mayne

THAT Council resume the Council meeting in the Council Chambers.

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

At 12.25pm the meeting resumed in the Council Chambers.

As a courtesy, the Mayor informed the live streaming of the outcomes of CCS18/017 Budget Review for the Period Ended 31 March 2018, CCS18/016 Investments made as at 31 March 2018 and CCS18/018 Investment Policy Amendment.

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

**CAR18/015 STATE LIBRARY PUBLIC INFRASTRUCTURE FUNDING FOR BATEMANS BAY  
LIBRARY**

File Ref: E99.3143

**18/120 MOTION** Councillor Mayne/Councillor Pollock

THAT Council accept the NSW State Library Infrastructure grant of \$66,000 for the refurbishment of Batemans Bay Library.

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

**15. DELEGATE REPORT**

**DR18/002 2018 AUSTRALIAN COASTAL COUNCILS CONFERENCE**

File Ref: E91.3255

**18/121 MOTION** Councillor Pollock/Councillor Tait

THAT the Delegates Report from Councillors James Thomson, Rob Pollock OAM and Jack Tait on the 2018 Australian Coastal Councils Conference be received and noted.

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

## 16. URGENT BUSINESS

**Councillor Anthony Mayne** requested that an extension of time be granted for the exhibition period of the Rural Lands Planning Proposal.

Due to the exhibition period ending prior to the next Council meeting, the Mayor ruled that this was an urgent item.

### ADJOURNMENT

**18/122 MOTION** Councillor Constable/Councillor Mayne

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

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

At 12.36pm the meeting adjourned.

At 12.42pm the meeting reconvened.

### RURAL LANDS STRATEGY EXHIBITION PERIOD

**18/123 MOTION** Councillor Mayne/Councillor Pollock

THAT the Rural Lands Planning Proposal Public Exhibition period be extended for a further two weeks so that submissions close on Friday 22 June 2018.

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

### Division

For the Motion: Clrs P Constable, A Mayne, P McGinlay and R Pollock.

Against the Motion: Clrs L Innes, M Nathan and J Tait.

## 17. CONFIDENTIAL MATTERS

Nil

**THE MEETING CLOSED AT 12.43PM**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 12 June 2018 at which meeting the signature hereon was subscribed.