



Minutes

Ordinary Meeting of Council

27 February 2018

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 27 FEBRUARY 2018

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Nil

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Nil

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY, 27 FEBRUARY 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

Staff: Dr Catherine Dale, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr W Sharpe OAM, Director, Infrastructure Services
Mr A Greenway, Acting 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.

ADJOURNMENT

18/11 MOTION Councillor Pollock/Councillor Mayne

THAT the Ordinary Council Meeting be adjourned for a period of 10 minutes.

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

At 10.09am the meeting adjourned.

At 10.23am the meeting resumed.

2. APOLOGIES

18/12 MOTION Councillor Constable/Councillor Pollock

THAT apologies be received from Councillor Nathan 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.)

PF18/002 – PSR18/003 Companion Animal Management Plan – Exercising of dogs on Long Beach

Ms Dianne Brooks addressed Council in relation to PSR18/003 Companion Animal Management Plan – Exercising of dogs on Long Beach.

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

EXTENSION OF TIME

18/13 MOTION Councillor Constable/Councillor Mayne

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

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

PF18/003 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Mr Wal Sheehan addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/14 MOTION Councillor McGinlay/Councillor Constable

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

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

PF18/004 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Mr Rick Fisher addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/15 MOTION Councillor Mayne/Councillor Constable

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

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

PF18/005 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Mr Ross Hayward addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

PF18/006 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Ms Dale Inabinet addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/16 MOTION Councillor Mayne/Councillor McGinlay

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

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

PF18/007 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Mr Andrew Bain addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

PF18/008 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Mr John Lowe addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/17 MOTION Councillor Constable/Councillor Mayne

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

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

PF18/009 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Ms Kath Robinson addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/18 MOTION Councillor McGinlay/Councillor Mayne

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

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

PF18/010 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Mr Owen Cartledge (on behalf of Trish Hellier) addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/19 MOTION Councillor Constable/Councillor McGinlay

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

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

PF18/011 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Ms Klugman addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

PF18/012 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Mr Lei Parker addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/20 MOTION Councillor Mayne/Councillor Constable

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

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

PF18/013 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Ms Mirabel Fitzgerald addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/21 MOTION Councillor McGinlay/Councillor Mayne

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

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

PF18/014 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Ms Shirley Noy addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

PF18/015 – CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018

Ms Shane O'Keefe addressed Council in relation to CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

EXTENSION OF TIME

18/22 MOTION Councillor McGinlay/Councillor Mayne

THAT Ms O'Keefe be granted an extension of three minutes to complete her presentation.

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

18/23 ADJOURNMENT Councillor Mayne/Councillor McGinlay

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

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

At 11.52am the meeting adjourned.

At 12.06pm the meeting resumed.

SUSPENSION OF STANDING ORDERS

18/24 MOTION Councillor Pollock/Councillor Constable

THAT Standing Orders be suspended in order to deal with PSR18/003 Companion Animals Management Plan - Exercising of dogs on Long Beach and CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

4. PLANNING AND SUSTAINABILITY REPORTS

**PSR18/003 COMPANION ANIMALS MANAGEMENT PLAN - EXERCISING OF DOGS ON
LONG BEACH**

File Ref: E17.1258

18/25 MOTION Councillor McGinlay/Councillor Pollock

THAT:

1. Council immediately commence a trial at Long Beach, of dogs being prohibited on beach east of the western end of the Bay Road and permitted off leash west of the western end of Bay Road.
2. The trial be conducted until Council completes the review of the Companion Animal Management plan.
3. Thank and advise people who made a submission of Council's decision.

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

18/26 MOTION Councillor McGinlay/Councillor Mayne

THAT Council move into Committee of the Whole to discuss item CAR18/010 Eurobodalla Recreation and Open Space Strategy 2018.

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

At 12.55pm the meeting moved into Committee of the Whole.

18/27 MOTION Councillor Brown/Councillor Pollock

THAT Council resume open session.

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

At 1.30pm the Council resumed open session.

5. COMMUNITY, ARTS AND RECREATION REPORTS

CAR18/010 EUROBODALLA RECREATION AND OPEN SPACE STRATEGY 2018

File Ref: E15.9342

18/28 MOTION Councillor Pollock/Councillor Brown

THAT:

1. Council adopt the Recreation and Open Space Strategy 2018 and endorse the Action Plan contained in the Strategy.
2. Council:
 - (a) commence a planning proposal process to reclassify Lot 84 DP 259212 (49 Banyandah Street, South Durras) from community to operational to enable sale of the land
 - (b) commence a planning proposal process to rezone Lot 1110 DP 236653 located at (35-37 Illabunda Drive, Malua Bay) from E2 Environmental Conservation to R2 Low Density residential and reclassify the subject land from community to operational to enable the sale of the land
 - (c) commence a planning proposal process to reclassify part of Lot 74 DP 776541 (9 Moir Place, Broulee) from community to operational for the purpose of subdivision and offering for sale those lots to the adjoining landowners with the retention of the public pathway
 - (d) subject to Council resolution take all actions necessary to enable sale of the above properties, including lodgement of development applications for subdivision of land, where appropriate.
3. Every recommendation that involves further community consultation or engagement involve the relevant Community/Resident Association or group.
4. Each person or group who made a submission during the exhibition period, and those who wrote to Council outside of the exhibition period, be notified of the outcomes of the final adopted Strategy and thanked for their contribution.
5. Council note the technical errors that will be addressed.

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

RESUMPTION OF STANDING ORDERS

18/29 MOTION Councillor Thomson/Councillor Mayne

That Standing Orders be resumed.

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

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

18/30 MOTION Councillor Tait/Councillor Brown

THAT the minutes of the Ordinary Meeting held on 13 February 2018 be confirmed.

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

7. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

Nil

8. MAYORAL REPORTS

Nil

9. NOTICES OF MOTION

Nil

10. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

11. PETITIONS

Nil

12. GENERAL MANAGER'S REPORTS

**GMR18/004 DELIVERY PROGRAM 2017-21 SIX MONTHLY PERFORMANCE UPDATE JULY -
DECEMBER 2017**

File Ref: E16.0029

18/31 MOTION Councillor Pollock/Councillor Thomson

THAT the Six Monthly Performance Update Report July – December 2017 be received and noted.

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

13. INFRASTRUCTURE REPORTS

Nil

14. CORPORATE AND COMMERCIAL SERVICES REPORTS

CCS18/007 EXTENSION OF RIGHT OF CARRIAGEWAY - CRANBROOK ROAD, BATEMANS BAY

File Ref: 88.1180.D

18/32 MOTION Councillor Pollock/Councillor Tait

THAT

1. All actions necessary be taken to extend the Right of Carriageway within Lot 102 DP 1170964 in accordance with Council's *Land Acquisition and Disposal Policy*.
2. All costs associated with the acquisition of the Right of Carriageway, Council's reasonable legal and valuation costs, be borne by the applicant.
3. Compensation for the Right of Carriageway be determined in accordance with a valuation by a registered valuer.
4. Authority be given to affix the Common Seal of Council to the necessary documentation associated with the Right of Carriageway.

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

CCS18/008 DECEMBER QUARTERLY BUDGET REVIEW

File Ref: e05.9535

18/33 MOTION Councillor Pollock/Councillor Tait

THAT:

1. The budget review report for the quarter ended 31 December 2017 be received and noted.
2. The unfavourable variations for the Income Statement after capital revenue of \$(0.41) million and favourable fund flow variations of \$0.28 million as per the Consolidated Fund Flow Statement be adopted.

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

15. DELEGATE REPORT

DR18/001 NSW LOCAL GOVERNMENT CONFERENCE

File Ref: E97.1325

18/34 MOTION Councillor Thomson/Councillor Pollock

THAT the Delegates Report from Councillors Maureen Nathan, James Thomson, Rob Pollock and Lindsay Brown on the 2017 NSW Local Government Conference be received and noted.

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

16. URGENT BUSINESS

Nil

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

Upon closing the meeting, Councillor Lindsay Brown offered condolences to the family of the late Leonie Baer , who passed away in the early hours of 27 February 2018.

THE MEETING CLOSED AT 1.46pm

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 13 March 2018 at which meeting the signature hereon was subscribed.