

## EUROBODALLA SHIRE COUNCIL

### PUBLIC FORUM

All members of the community who have registered have been advised that they have a **maximum of five minutes** to put their case.

Ordinary Meeting of Council on 23 February 2016

Name	Subject/Comments
<b>Agenda Items – 10.00am</b>	
Peter Bernard	NOM16/002 Traffic Flow throughout Eurobodalla During Holiday Season; and PSR16/001 Adoption of RLS
Ian Peters	GMR16/003 Fit for the Future – re possible boundary changes – Araluen.
Ron Snape	Submission 14 – PSR16/001 Adoption of RLS
Huon Hassall	Submission 22 - PSR16/001 Adoption of RLS
David Montgomery	Submission 72 – PSR16/001 Adoption of RLS
Alan Burdon	Submission 120 – PSR16/001 Adoption of RLS
Paul Bradstreet	Submission 99 – PSR16/001 Adoption of RLS
Damien Rogers	Submission 111 – PSR16/001 Adoption of RLS
Ian Hitchcock	PSR16/001 Adoption of RLS
Leonie & Peter Fluke	Submission 5 – PSR16/001 Adoption of RLS
Andy Franz	Submission 12 – PSR16/001 Adoption of RLS – no presentation received
Noel Dolton	Submission 55 – PSR16/001 Adoption of RLS
Brian Kennedy	Submission 10 – PRS16/001 Adoption of RLS
Keith Dance	PSR16/001 Adoption of RLS
Mark Roberts	Submission 25 – PSR16/001 Adoption of RLS – presentation received but did not address Council
Lynne Oldfield	PSR16/001 Adoption of RLS – presentation received but did not address Council
John Holgate, President, Nature Coast Dragon Boat Club	FBD15/004 Markets in Moruya Riverside Park

Council Meeting. Traffic Flow through the Eurobodalla 22 Feb  
2016 Pollock Motion

Mr. Mayor .The motion from Councilor Pollock is very commendable. It should not , however, be restricted to holiday periods and solely concern those visiting the area. It is a compounding problem with little emphasis on the immediate needs for permanent residents. Forward planning by former and existing councilors , engineering staff, Federal and State members has been very disappointing .Bridge construction early in the last century along the Princes highway to service all commercial and residential areas is now hopelessly inadequate . In most cases down right dangerous and in many cases designed was for horses and cart ,carriages and Bullock trains .

Approaches were made personally to two former Federal members, Kelly and Nairn. Both said it was a State responsibility and go "bite your but ". Our local member , Andrew Constance is too busy playing conductor and ticket collector with Sydney trains, trams, rapid transit systems and abandoned." Woollies " trolleys to discuss a new Narooma bridge , Anzac Memorial Drive issues ,proposed second bridge at Bateman's Bay and now a toll way some where , both somewhere to the" West " of the Shire . To appease the people of Narooma the best Andrew and his mate, the Mayor, can do is an underpass under the 1931 vintage Narooma Bridge which will be severely compromised by ESC sea Level Rise projections. Underpasses of this nature are usually frequented by the disadvantaged and preyed on by 'Snorkel and Goggle wearing "rapists " . The bridge is so old one should vaguely remember screaming down the Mill bay hill in a " veggie " box Billy cart and attempting to do right angle turn to the entrance of the bridge and ending up " arse over tit " . That situation still exists some 85 year later. Current road and bridge works and planning

construction is virtually non-existent in the Eurobodalla with no firm constructive proposals released for future works.

It is noted that the council has recently given approval for a two-story building on the banks of Wagonga Inlet Marine Park which may be compromised by any future bridge and highway construction. Discussion with forward planning officials of Roads and Maritime authorities indicates previous planning approval and building of welfare housing may have jeopardized Highway construction. The Highway corridor appears with diversion near Kianga Creek, across Kianga Drive and above the Board Walk with an oblique new path marked for diversion of the Princes Highway across Wagonga Inlet into land earmarked on Planning maps for reclamation. In discussion with other planning officials I mention I was prepared to address ESC councilors and the chief planner and was promptly told that they "Would not know what was going on" even though they are the planning Authority. Not a good recommendation.

Mr. Mayor as you and Councilor Burnside live in close proximity to the corridor and the future of the "flat" is at stake the Government and council must reveal their real intentions, if any, with respect to the immediate and forward planning in that area and elsewhere in the Eurobodalla.

As an interested citizen it is requested that the meeting be open to the public and they have the right to participate in all discussion. I am sure that councilor Pollock will have no objections and that it will certainly assist if he decides to run for Mayor. I personally think he should be given a go. The meeting should be much more than the usual traffic meeting.

Peter Bernard

Good morning everyone.

I am Ian Peters of 4723 Araluen Road, Neringla.

Thank you for this opportunity to speak about amalgamating Araluen and Neringla with the Eurobodalla Shire LGA.

I also bring apologies from the many people who have now signed the petition, to be attached to the submission which was presented to this Council two weeks ago, as they could not attend this meeting to support our case.

A week ago we launched this submission and petition electronically on change.org, where we received further support via signatures. Several people have made some highly supportive comments via the website including:

- *“I own properties on either side of the Deua River and suffer from a lack of upstream weed management by the Palerang Council. I agree with the concern expressed in the petition that the proposal to split the community of the valley is simply odd - it has any number of inefficient outcomes.”*
- *“The Araluen Rd links Moruya to these areas. It is only sensible to have the Araluen Rd taken care of by one Council”*
- *“Any other council amalgamation doesn't make financial or logistical sense”*
- *“It is simply logical for Araluen to join us. Mr Constance has come up with no alternatives and seems happy to see the Araluen community split. Mayor Brown doesn't seem to give a damn either. Disgraceful attitudes by those in power”*
- *“Some of my extended family are land owners down there and deserve a better deal - not the rough end of the pineapple”*

Since I last addressed this council, I have attended the two Delegates meetings. I attended the meeting in Goulburn for the Goulburn Mulwaree Council and Part Palerang merger, and the meeting in Braidwood for the Queanbeyan City Council and Part Palerang merger. A common theme at these meetings is the overall dissatisfaction of residents with Palerang Council, and a willingness to merge. In fact, the only supporters for Palerang to “Stand Alone” have been from Palerang Councillors themselves. It looks likely that the Palerang LGA will be merged, and Araluen and Neringla will indeed cop “the rough end of the pineapple”.

Please accept my sincere gratitude for your attention to our amalgamation proposal. This council could have simply hung up the phone, so to speak, when we first started contacting you about the possibility of boundary changes, but you didn't. You have given the idea some good consideration and due diligence. To that end, the report that the GM has created seems a well written account, despite the lack of solid figures from Palerang Council. Many in Araluen and Neringla would like to keep this conversation open if possible.

My main concern is with the recommendations included in this report, namely:

1. *Note the NSW Government's decision on 18 December 2015 that Eurobodalla Shire Council remains as a stand-alone Council and that it not merge with any neighbouring council or alter its boundaries.*

2. *Note and support Palerang Council's position in regards to the Minister of Local Government's merger proposals and Council's subsequent motion of 14 January 2016 Extraordinary Meeting.*
3. *Write to the Delegates of Queanbeyan and Goulburn Mulwaree and the residents who have written to Council regarding the proposed boundary change to the Palerang Council that splits the townships of Araluen and Neringla, expressing its concern with this proposed boundary.*

I accept the position stated in Recommendation 1. It would appear the timing for this boundary change to occur would be bad for ESC, given the NSW State politics of the day.

I agree with Recommendation 3, and feel this council should write to the Ministers Delegates and residents who have written to ESC, expressing council's concern with splitting the community of Araluen and Neringla.

I, along with many others struggle with Recommendation 2. Palerang Council's motion passed on the 14<sup>th</sup> of January proposes a full merger with Queanbeyan City Council. Whilst that might suit the electorally strong areas of Bywong and Wamboin, in close proximity to Queanbeyan, it does not reflect the wishes of the majority of Araluen and Neringla residents, nor does it align at all with the wishes of those living in Braidwood and the old Tallaganda area, who have strong views about a merger with Goulburn Mulwaree Council.

I strongly urge this council to please reconsider Recommendation 2.

## Verbal Submission to Council on the Rural Strategy

I've lived in the area for some 45 years and the consultative process to date on the Strategy was the best I've seen from Council on any issue. The only negative in the process was the lack of engagement the communities' representatives had with the community. My regions representative I believe was Mr Harry Bate all he appeared to be intent on was E3. When I asked him about my place and RU4, He said "I believe there is some out there around you". Maybe his brief didn't specify personal contact with large land owners.

The zoning on our place remains uncharged from the current LEP and we are happy with that.

At a contractive level I'm concerned with any wildlife corridors Council is advocating. I understand the wildlife aspect but I've experienced the wildfire reality in bushfire prone areas. Corridors should be somewhat confined to the wetter valleys (rainforest- wet sclerophyl)

Secondly in the past Council required a developer to put the power onto rural blocks. I don't know if this is still the case. I believe this should be dropped in the current global warming environment. If the financial burden was on the buyer than they may be encouraged to look at alternate renewable energy thus lowering emissions. In future Council may well be able to claim carbon credits if they come to pass with such an initiative.

I have made no political contribution in the past. I'm a land owner and our place is our superannuation and reluctantly at some stage I will subdivide a couple of blocks.

Respectfully

Ron Snape

22/02/2016

## SUBMISSION TO PUBLIC FORUM

EUROBODALLA SHIRE COUNCIL 23/2/2016

I trust our Councillors will reject a 'vegetation overlay' be included in the Local Environment Plan (LEP) for the following reasons:

1. On the 22/7/2014 on a motion by Councillors Innes and Brown the Shire acknowledged the RLSSC recommendation that overlays NOT be included in the LEP. The Rural Committee has been addressing this question continuously over the last 3 years and at their meeting on the 7/12/2015 passed a motion recommending that the 'vegetation overlay' NOT be placed in the LEP.
2. The rural community through hundreds of submissions, 5 Workshops and numerous meetings has consistently rejected the concept of a 'vegetation overlay' in the LEP. They are outraged that after the "E3" Zone was rejected by Council and the Rural Committee (as a result of the opposition by the rural community) the Consultant is now recommending a "vegetation overlay" to replace it. The use of "vegetation overlays" is NOT a legislative requirement for the LEP. The State Government has consistently stated that Councils are neither compelled nor required to use vegetation overlays. Further, 40% of 19 shires surveyed by the consultant and in a larger survey of 83 shires DID NOT have any terrestrial overlays. The protection of native vegetation is already covered by primary State legislation under the Native Vegetation Act. Why introduce additional unnecessary restrictions and bureaucratic interventions?
3. A major reason for rejecting a 'vegetation overlay' is that the current mapping of the "vegetation" in the Shire by the Office of Environment and Heritage (OEH) has consistently shown serious errors and the need for extensive additional ground truthing. In 1991 when we purchased the block was completely cleared and since then we have planted 6 ha woodlot and allowed 5 ha to regrow monoculture Casuarina. The four (4) vegetation maps of our property of just 24 ha were all in error as follows.
  - **Terrestrial Biodiversity Map:** The bio-corridors in this map are shown to be on cleared, pasture improved land. They do not join vegetation areas as corridors. The woodlot corridor which we established on our northern boundary to join Coila Lake foreshore to the Eurobodalla National Park is not shown or recognized. The native vegetation is incorrectly shown on planted woodlands.
  - **Endangered Ecological Communities Map:** The area shown as validated EEC is incorrectly shown on regrowth Casuarina monoculture. The area shown as 'slopes' are shown in two isolated patches away from the steep slopes of the drainage lines. The area shown as 'potential EEC' incorrectly covers a portion of planted woodland.
  - **High Conservation Value Vegetated Land Map:** We challenge whether it is possible to score 10 different classes of conservation value on vegetated land from aerial maps. On our property the area shown with a score of 0 – 10 covers planted woodlots. Those areas with a score of 41 – 50 covers regrowth Casuarina in the west and planted woodland in the east.
  - **Vegetated Land Map:** This map does not distinguish between regrowth monoculture Casuarina in the west and planted woodlots in the north and east.

This is NOT the sort of mapping which should be foisted on landholders in this Shire in a regulatory tool like the LEP. For these reasons I consider the Vegetation overlay should NOT be placed in the LEP.

Huon Hassall 23/2/2016

## RURAL LANDS STRATEGY

Presentation to Eurobodalla Shire Council 22 February 2016

Mayor Brown and Councilors – the opportunity to address Council is appreciated.

My wife and I have been Eurobodalla Shire Ratepayers since 1988 and permanent residents since 2013.

For some 15 years we have attended public forums and made numerous submissions relevant to Local Government planning.

My presentation is directed to the Community representatives on the Rural Lands Strategy Committee:

Harry Bate, Stephen Beashel, Mark Bice, Keith Dance, Huon Hassall, Paul Kearey and Robert McCuaig

Every one of them has given freely of their time and also their professional and practical knowledge over the last four years. They have attended public forums; consulted with the community and importantly have led rather than being directed. Their contribution has been without any financial compensation – thank you.

Acknowledgement is also due to Councillor Liz Innes. Liz Innes has been a dedicated advocate for rural industry, economic development and tourism. Over and above her Councillor responsibilities Liz Innes has given freely of her time as a member of the Rural Lands Strategy Committee.

The Rural Lands Strategy outcomes will allow the Shire to move forward, to progress development and expansion and to make this a more desirable location in which to live, work and retire.

Finally, thanks to Mark Hitchenson, of Council Staff, for his regular and timely email communication – much appreciated



*David & Gillian Montgomery*



Alan Burdon: Submission to Council 23<sup>rd</sup> February 2016

I wish to acknowledge the huge amount of work done by the panel in working up and drafting the Rural Development Plan. Many egregious issues in the original LEP have been addressed and many have been resolved.

I particularly welcome that the 'sealed roads' provision is recommended for deletion from the LEP. This single measure was the greatest road block (no pun intended) to imaginative development in the original proposal. I do however feel concern that the sealing of roads is viewed in such a negative light in this shire. Coming as I do from a land where almost every tiny lane in even the most remote and uninhabited places is sealed, I see the benefits, particularly to the tourism that is so important to our area, of sealing more of the forest roads that are in the Council's hands and even more so the roads that give access to our many farms and homesteads away from the urban centres. There is undoubtedly a cost to be considered, but this must be set against the benefits to be accrued.

Whilst there are moves towards opening up more marginal areas for development I still perceive an apparent lack of vision with regard to where the future may take us and the opportunities inherent therein.

This applies particularly to the varied strictures regarding rural residential development. An insistence that any new development should require sewers and piped water is to immediately stifle the possibility of creating the sort of home in which I already live.

My water comes from the roof, my power comes from the sun and my waste is processed through composting toilets and grey water recycling such that nothing is lost. Nevertheless, despite receiving not a single on-site service from this Council I challenge anyone to come to our home to try to point out how we do not enjoy all the benefits of a 21<sup>st</sup> century lifestyle.

I trust that it will be made clear that this requirement should only apply to any high density residential development.

The proposal that internet should also be available is absurd. This is not a service provided by the council and it should be a home owner's choice as to whether they wish to subscribe at all to this modern day Tower of Babel. Many may think it a blessing to be away from its siren lure. Yet it is the rapid development and change in this communication medium that opens up so many possibilities for the rural dweller.

Our own residence in Dignams Creek would not have been possible before the advent of satellite and then wireless internet services. Even with the current very limited service we are able to maintain much of our business and domestic activity without the need for travel to town. If the NBN lives up to its promise (IF) then the possibilities become enhanced considerably, bringing niche market activity even further into the orbit of the remote dweller.

It is simply not necessary to be tied to a town to be able to live and work in this era, yet every thrust of these proposals seems still to be dragging us back to a settlement mode that should be consigned to history.

Our towns and cities grew up largely where there was the best agricultural land. In times of limited transportation and communications it was necessary for activities to be centralised. Much of this fine land has, in the intervening couple of centuries been buried under bricks and concrete, yet here we are in Moruya, surrounded by the best growing land in the shire, with a host of development rules designed to force residents into just such expanding urban centres.

Meanwhile, marginal land that may have just provided a family a living a hundred years ago, is still being classified as top quality agricultural land with restrictions on development that should be being applied to the land closest to our towns.

Our own farm is a classic case in point. 150 hectares of steep, rocky and wooded land from which it has been impossible to make a living for many decades without the need for off-farm income. To seek to augment the income from our small cattle herd we planted the single hectare suitable for the cultivation of truffles. If they succeed they could provide more income than all the cattle with a huge reduction in labour and heartache.

Such niche activity on small lots is just what should be encouraged, yet we are still forced to maintain the entirety of our land to keep it from turning to weed-choked scrub. Given sensible subdivision sizes and development requirements it could be possible for others to live on, maintain and utilise our land for their own niche business activities when the opportunity arose, yet our regulations are curtailing any such possibilities that the future may bring.

I welcome the reduction of subdivision minimums in Dignams Creek from 100 hectares to 40. It was a logical nonsense to have a limit that not a single property there was big enough to comply with. Nevertheless, 40 hectares is still too big for the sort of potential outlined above. 20 is better but 10 would enable enterprising people, in time, to live a clean, green, independent modern lifestyle as we do, without working themselves to death maintaining land now useless for traditional agriculture. Furthermore, they would impose NO service impost on the Council other than the already operational road grading.

For those opposed to such rural development on the basis of concerns for wildlife I would point out that our observations have shown that the interface area around our home has a vastly greater diversity of bird and animal species than can be found anywhere in the forests by which we are surrounded.

All that is required from this Council for this shire to again thrive is vision and imagination.

ADDRESS TO EUROBODALLA SHIRE COUNCIL MEETING 23FEB2016  
AGENDA ITEM PSR16/001 ADOPTION OF RURAL LAND STRATEGY  
BY P J BRADSTREET EUROBODALLA RATEPAYERS ASSOCIATION

Good morning Mayor and Councillors. I'm Paul Bradstreet from Surf Beach. I'm here this morning to speak to some aspects of the Eurobodalla Ratepayers Association's submission in response to the final rural land strategy. (Agenda item PSR16/001). This submission has had no99 assigned to it. Some of you may have read it, perhaps?

Over three years ago the community's campaign for the rejection of the draft rural LEP led to council's appointment of the Rural Land Strategy Committee with the task of developing modern planning regulation for rural land. This committee has worked hard to reach realistic and workable solutions to the contentious issues - E3 zoning, extensive and inaccurate environmental overlays and unnecessary restrictions on farm sub-division and building entitlements.

ERA congratulate the committee on the outcomes, in particular the recommended non-use of the E3 zone, the deletion of the sunset clause, the removal of the requirement to have a tar sealed council maintained road to be eligible for a building entitlement. These improvements should benefit many in the shire's rural communities.

We note that the council's consultant estimates that the committee's proposals agreed to date will allow approval of an additional 100 new rural blocks and 300 extra building entitlements.

However, a new vegetation overlay is recommended in today's report. The ERA opposes the use of overlays in the Local Environment Plan and is surprised that this matter is addressed at all. We note that at its meeting on 22 July 2014 council resolved, on the motion of Councillors Brown and Innes, that "1. The Rural Land Strategy recommends that overlays not be included in the LEP....." Apparently, the council's consultant failed to get the memo advising him of this important client requirement!

In any event, ERA rejects the consultant's argument that dropping the earlier proposed use of an E3 zone strengthens the need for a vegetation overlay as a helpful pointer to other legislated environmental restrictions. It is ironic that one reason given for this substitution is that it reduces the necessity for a higher level of map accuracy required for an environmental zone.

Given the extensive legislated controls on farming operations these days, farmers and buyers of rural land (and their advisers) need to exercise ordinary due diligence in discovering all the restrictions applying to rural land. This is best done by reference to the evolving primary legislation rather than by relying on inaccurate overlays forming part of prescriptive and rigid land use planning regulations.

Moreover, guidelines and "helpful suggestions" from bureaucrats have a habit of being turned into black letter law over time. Overlays are not legally required and not used by many NSW rural councils.

I don't propose to say anything further about the issues but, given our extensive engagement with this process, and ERA's long standing interest in governance and management improvements at council, I would like to make some general comments on our experience.

Firstly, it has been apparent for some time that the task of revising a complex piece of government regulation is beyond the capabilities of council's planning department. Andrew Constance has drawn attention to the long time, relative to other rural councils, that ESC has taken to complete the task of incorporating local requirements into the previous labor government's standard LEP template. And, notwithstanding today's significant milestone, the community still lacks a finalised LEP. Given community expectations that this would all be fixed shortly after Xmas I suggest that the mayor makes a clear statement on when he thinks the planning minister will approve the LEP.

Secondly, the community consultation has been excessive, repetitive and inefficient. Land owners and others resent being asked the same questions repeatedly, particularly when their answers are ignored. Last year we drew our concerns about the inconsistency between issues of the public consultation processes used by council to your public relations consultants, KJA Engaging Solutions, but we have yet to be given the opportunity to view their report and no recommendations have been made to council. Hopefully, no one will be defending the LEP consultation process and our experience of the last three years will simply be added to the list of what the general manager calls "legacy issues".

Thirdly, it is apparent that some staff planners, planning consultants and councillors have a bias against recognising the foundations of productive, efficient and socially responsible farming – viz private property rights, minimum government interference in markets and incentives for private land owners to protect the environment. And council staff's failure to recognise the impact of uncertainty in legislative frameworks on the operations of rural land markets was particularly noticeable. It was greatly disappointing that councillors with nominal liberal political values did not stand up for individual land owners against the insatiable, yet rarely properly specified, demands of the state to interfere with their private property. Some more training in this area is clearly required.

In view of these observations, you are requested to convene and chair a public post mortem on this project to consider what went wrong and what you should do about it. These days, post mortems on major public projects are an essential part of project management in competent government organisations.

Such a meeting would allow those people closely involved to express frank opinions on what went wrong and what was done well. It would enable you to clear the air, draw a line under the project and, hopefully, rebuild some of the public confidence you lost along the way. At the same time, you could present the community with the total costs of the project, including consultants' fees, staff costs and RLS committee members' costs. We would expect that final costs would also include an estimate of those considerable costs, including lost production by farmers, that community members have borne in interacting with council.

Thank you.

## Rural lands Lep

- \* 7 years no
- \* petition no
- \* public & producers meetings no
- \* Rural lands Committee no
- \* Council resolution no
- \* Planning minister no means no.
- \* Berondal case disproves Mayors public claims.
- \* Public ignored & bypassed time & again.

Council Meeting - 23<sup>rd</sup> February 2016

Agenda Item PSR16/001 –Adoption of Rural Lands Strategy

Presentation prepared and delivered by Ian Hitchcock on behalf of the Eurobodalla Business and Community Forum

**PRESENTATION**

**I AM SPEAKING TODAY, ON BEHALF OF THE EUROBODALLA BUSINESS AND COMMUNITY FORUM.**

**I REMIND COUNCILLORS, THAT SINCE ITS FORMATION, THE EBCF HAS SOUGHT THE ADOPTION OF ALL OF THE RECOMMENDATIONS OF THE RURAL LANDS STRATEGY STEERING COMMITTEE.**

**IN RESPONSE TO THE DEMANDS OF THE RURAL COMMUNITY, WE HAVE ARGUED FOR THE EXCLUSION OF RESTRICTIVE ENVIRONMENTAL ZONING AND OVERLAYS, FROM THE LOCAL ENVIRONMENTAL PLAN.**

**IT WOULD APPEAR THAT E3 ZONING IS NO LONGER AN ISSUE, BUT COUNCIL STAFF CONTINUE TO PUSH FOR THE INCLUSION OF NATIVE VEGETATION MAPPING.**

**FOUR YEARS AGO, THIS COUNCIL INCURRED THE WRATH OF THE RURAL COMMUNITY WITH THE PLANNED INCLUSION OF HIGHLY RESTRICTIVE ZONING AND OVERLAYS IN THE LEP. HEATED MEETINGS ENSUED, AND COMMUNITY DISCONTENT REACHED AN UNPRECEDENTED LEVEL FOR THE EUROBODALLA. IT WAS BECAUSE OF THIS COMMUNITY REACTION THAT THE RURAL LANDS COMMITTEE WAS FORMED.**

**FROM THE OUTSET, COUNCILLORS AND THE LOCAL MEMBER DECLARED THAT THE COMMITTEE WOULD HAVE FULL CONTROL OF THE PROCESS.**

**THEN, IN JULY 2014, THIS COUNCIL VOTED NOT TO INCLUDE ENVIRONMENTAL OVERLAYS IN A REVISED LEP.**

**MORE RECENTLY, A MAJORITY OF THE RURAL COMMUNITY ATTENDING RURAL LANDS CONSULTATION MEETINGS, VOICED THEIR CLEAR OPPOSITION TO THE INCLUSION OF NATIVE VEGETATION OVERLAYS. AN OVERWHELMING MAJORITY OF THE RURAL LANDS COMMITTEE, ECHOED THIS SENTIMENT.**

**GIVEN THIS BACKGROUND, AND THE CLEAR DIRECTION GIVEN BY COUNCIL IN 2014, THE EBCF AND OTHER COMMUNITY GROUPS, FIND IT DISTURBING THAT COUNCIL STAFF CONTINUE TO PROMOTE THEIR OWN AGENDA, TO HAVE THE NATIVE VEGETATION OVERLAYS INCLUDED IN THE LEP.**

WHETHER THEY ARE SUPPORTED BY THE APPOINTED CONSULTANT OR NOT, OR SUPPORTED BY ENVIRONMENT AND HERITAGE STAFF, IT HAS BEEN MADE ABUNDANTLY CLEAR THAT THERE IS NO LEGISLATIVE REQUIREMENT TO INCLUDE THE OVERLAYS IN AN LEP. IN OUR OPINION THE ARGUMENTS PRESENTED BY STAFF ARE NOT CONVINCING.

ONCE AN LEP IS CERTIFIED BY THE MINISTER, IT BECOMES STATUTE. CORRECTIONS OR MODIFICATIONS BECOME VERY DIFFICULT. THE PROTECTION OF VEGETATION IS ADEQUATELY COVERED IN THE NATIVE VEGETATION ACT, AND RURAL LANDHOLDERS ARE PARTICULARLY CONCERNED BY THE POSSIBLE INTRODUCTION OF FURTHER LAYERS OF LEGALLY ENFORCABLE LAND USE RESTRICTIONS.

WITH THE WAY THIS COUNCIL HAS IDENTIFIED RECLAIMED SWAMP LAND AS "SALTMARSH", AND CASUARINA REGROWTH AS "SWAMP OAK COMMUNITY", FARMERS HAVE A RIGHT TO BE CONCERNED ABOUT THE CORRECT IDENTIFICATION OF NATIVE VEGETATION ON THEIR LAND.

SO THE EBCF IS ASKING COUNCILLORS TODAY, NOT TO RENEGE ON THEIR 2014 RESOLUTION, TO EXCLUDE ENVIRONMENTAL OVERLAYS FROM THE LEP.

ON A MORE POSITIVE NOTE, THE EBCF CONGRATULATES THE RURAL LANDS COMMITTEE, AND COUNCIL STAFF, WHO HAVE DEVELOPED AN OUTSTANDING "BLUEPRINT" FOR RURAL DEVELOPMENT IN THE SHIRE. PROVIDED IT IS USED AS A DOCUMENT THAT ENCOURAGES AND FACILITATES THE DEVELOPMENT OF RURAL TOURISM AND TOURIST FACILITIES, AND PROMOTES OTHER RURAL GROWTH OPPORTUNITIES, IT COULD BE A MAJOR CONTRIBUTOR TO OUR ECONOMIC GROWTH.

THE STRATEGY DOCUMENT CAN BE USED AS A REGULATORY TOOL, OR AS A TOOL TO FACILITATE ECONOMIC GROWTH IN OUR RURAL SECTOR. THE EBCF WOULD LIKE TO SEE THIS COUNCIL ADOPT THE LATTER APPROACH, AND ENGAGE WITH THE RURAL COMMUNITY IN A POSITIVE WAY.

WHEN THE RURAL LANDS STRATEGY IS ADOPTED, COUNCIL SHOULD HOLD COMMUNITY MEETINGS, EXPLAIN THE OPPORTUNITES TO LANDHOLDERS, AND ENCOURAGE DEVELOPMENT THAT IS MOST SUITED TO INDIVIDUAL AREAS.

THANK YOU.

P & LM Fluke  
PO Box 361  
Moruya NSW 2537  
2<sup>nd</sup> November 2105

The General Manager  
PO Box 99  
Moruya NSW 2537

We are writing in support of the Eurobodalla Rural Land Strategy in converting our small holding of RU1 land to RU4 and allowing each Lot to have a dwelling entitlement with consent. We are very much in favour of this strategy for the following reasons:

- We have owned two parcels of land, now known as DP752137 Lot 222 and DP1051211 Lot 2242, at Bingie since 1987. Since this time we have attempted to earn a living on this land with beef cattle, alpacas and for a short time by growing flowers. At no time have any of these interests produced enough income for us to survive on.
- We have been defeated in our attempts due to a number of factors: droughts, a greatly increasing kangaroo population, inadequate water to irrigate our paddocks and poor pasture.
- In the early years, we attempted to improve our pasture with slashing, seeding and applications of superphosphate. We found this had no lasting effect and did not want to continue as it was not cost-effective and we did not wish to contaminate Coila Lake with the run-off in heavy rain.
- Due to increasing ill-health, the high cost of slashing and buying feed for cattle and limited resources, we are unable to continue.
- Allowing a building entitlement on Lot 2242 is a sensible option as the land has already been cleared. This is better than removing a large number of mature trees on a bush block and is also safer from bush fires.

With regards,

Leonie Michele Fluke

Peter Fluke



**SUBMISSION BY NOEL DOLTON ON COUNCIL'S  
EUROBODALLA DRAFT RURAL LAND STRATEGY**

AS I RAISED AT THE PUBLIC CONSULTATION MEETING HELD AT MORUYA ON 11<sup>th</sup> NOVEMBER 2015 IT IS COMPLETELY ILLOGICAL AND UNREASONABLE THAT MY JOINTLY OWNED LAND; LOT 2, H.No. 22 NORTH HEADS DRIVE MORUYA HAS BEEN INCLUDED IN COUNCIL'S RURAL LAND STRATEGY, (NOTWITHSTANDING IT IS CURRENTLY ZONED RU1 UNDER THE 2012 LEP) FOR THE FOLLOWING REASONS.

- (1) BEING VACANT LAND WITH A TOTAL AREA OF 0.5 ACRES, (0.2 Ha) IT IS CURRENTLY ASSESSED FOR RATING PURPOSES AS "BUSINESS INACTIVE" AND WAS ORIGINALLY CREATED IN THE "TOOSE" SUBDIVISION IN THE EARLY 1900's, AS SUCH IT HAS BEEN AN URBAN BLOCK FOR WELL OVER 100 YEARS.
- (2) IT IS LOCATED APPROX. 200 METRES EAST OF THE MORUYA RIVER BRIDGE ON A BITUMEN SEALED ROAD FRONTING THE MORUYA RIVER AND HAS ALL SERVICES AVAILABLE INCLUDING; TOWN WATER, SEWERAGE (CONNECTED BY COUNCIL IN THE EARLY 1970's), ELECTRICITY ETC.
- (3) IT IS SURROUNDED BY NUMEROUS DWELLINGS, MOST OF WHICH ARE OVER SIXTY (60) YEARS OLD WHICH PRESENTS THE AREA AS A TYPICAL "VILLAGE" ATMOSPHERE, BUT IN THIS CASE ADJACENT TO THE MORUYA CBD,
- (4) OBVIOUSLY THE LANDS CURRENT ZONING OF RU1 UNDER THE 2012 LEP WAS AN INADVERTENT ERROR, (MISTAKE) BECAUSE OF 1-3 ABOVE AND NEEDS CORRECTION.

I FIND IT DIFFICULT NOT TO CONCLUDE, THE LANDS INCLUSION IN THE COUNCIL'S DRAFT RURAL LAND STRATEGY IS, DARE I SAY IT, COUNCIL'S RETRIBUTION, (A "PAY BACK" IF YOU LIKE) FOR MY LONG STANDING PERSISTENT EFFORTS TO CHALLENGE COUNCIL'S 1992 MORUYA RIVER FLOOD STUDY MRFS AND SUBSEQUENT FLOOD PLAN, BEING IN MASSIVE ERROR, BOUGHT ABOUT PRIMARILY, BY COUNCIL STAFF'S UNETHICAL CONDUCT AND WRONGDOINGS FOR OVER TWENTY (20) YEARS ALL OF WHICH CAN BE VERIFIED, "BACKED-UP" BY DOCUMENTATION WHICH HAS PREVIOUSLY BEEN SUBMITTED TO COUNCIL.

BEING REVEALED AT THE PUBLIC CONSULTATION MEETING (OF 11<sup>th</sup> NOVEMBER 2015) I COMMENT AND QUESTION: - WHY COUNCIL WASTED A CONSIDERABLE AMOUNT OF FUNDS (BELIEVED TO BE WELL IN EXCESS OF \$100K) ON A RURAL LAND STRATEGY WHEN IT WAS TOTALLY UNNECESSARY?

FURTHER, AS IT BECAME EVIDENT FROM THE PUBLIC MEETING, SURELY IT IS THE SOLE RESPONSIBILITY AND DUTY OF THE STEERING COMMITTEE TO REPORT DIRECT TO COUNCIL (AFTER RECEIVING THE CONSULTANTS/CONSULTANCIES ADVICE AND RECOMMENDATIONS) AND NOT; - AS THE CONSULTANT AT THE MEETING STATED; - "HE WOULD BE SUPPLYING HIS RECOMMENDATIONS DIRECT TO COUNCIL" AND THUS BY-PASSING, (USURPING) THE STEERING COMMITTEE.

THIS NATURALLY WAS OF CONCERN TO THE MAJORITY OF RATE PAYERS WHO ATTENDED THE PUBLIC MEETING.

I BELIEVE IT IS PRUDENT TO HIGHLIGHT A SIMILAR EVENT; - WHEN COUNCIL STAFF USURPED THE MORUYA RIVER FLOODPLAIN MANAGEMENT COMMITTEE BY CLANDESTINELY REPORTING DIRECT TO "**THE COUNCIL**" (UNKNOWN TO THE COMMUNITY REPRESENTATIVES ON THE COMMITTEE) TWO (2) SECRET REPORTS IN AUGUST 2004 AND NOVEMBER 2004 WITH "**THE COUNCIL**" SUBSEQUENTLY ADOPTING THE MASSIVELY FLAWED MORUYA RIVER FLOOD PLAN.

FROM THIS IT IS OBVIOUS NOTHING HAS CHANGED IN OVER TEN (10) YEARS, JUST MORE OF THE SAME.

FINALLY, I MAKE MYSELF AVAILABLE TO ADDRESS THE STEERING COMMITTEE TO ELABORATE ON ANY OF THE ABOVE POINTS IF THE COMMITTEE SO DECIDES.



NOEL DOLTON

EUROBODAKA RURAL LAND STRATEGY  
FEBRUARY 23, 2016.

POTATO POINT ROAD CROSSER BORONG-  
CREEK. SOUTH SIDE IS RUI ZONE  
NORTH SIDE IS E2 ZONE

MY SIDE IS E2.

IT IS THE WATER. HOW HAVE YOU ~~COME TO~~ <sup>COME TO</sup> THIS CONCLUSION  
SAME

EUROBODAKA SHARE COUNCIL  
PURCHASED PROPERTY AND FINALISED IT  
IN 2013. AND DID NOT DO A  
ENVIRONMENTAL ASSESSMENT  
ON MY PROPERTY E2 ZONE UNTIL

3. MARCH — 2014. WHY WASN'T IT DONE  
PRIOR TO ~~THE~~ THE PURCHASE OF THE  
STP.

E2 ZONE REDUCES THE VALUE  
OF MY PROPERTY.

OTHER CREEKS AND RIVERS ALSO  
RUN INTO LAKES WHY ARE  
THEY NOT ALL

E2 ZONE  
BRIAN KENNEDY

BAY

Morning Councillors/staff thank you for this opportunity to speak on this matter today.

We are at the end of a long process which in effect began with the drafting of the 2012 LEP. What has followed has been 3 years of public consultations multiple reports and meetings which has culminated in this final draft of the Rural Lands Strategy. If the strategy is approved this will be the basis to move forward and finalise the Rural LEP sooner we hope than later.

One of the exciting innovations is the work done on the landscape lot sizing. The work done here I hope will allow many in the rural lands to not only now apply for a dwelling entitlement but also encourage an increasing diversity of productive agricultural ventures without in effect causing further fragmentation of rural lands. Council staff now has a system that has been able to look at each area of the Shire, be able to explore the hectare sizing, ownership status and then able to determine what lots are available to subdivide and the number of lots that are now allowed to apply for a dwelling entitlement at various lot size options.

I think this will be the catalyst for increased economic expansion within the rural areas and hopefully the catalyst for increasing rural productivity and diversity. More importantly council now have the capacity to both argue and justify to State Government departments that this process will not lead to significant fragmentation of rural lands and in fact will simply allow better utilization of rural blocks in the lot sizes that are already in place.

It would have been foolhardy to propose a lot sizing that cannot be both sustainable and contrary to current planning legislation. To have done so would only have been refused by government, create conflict within neighbouring communities as well as altering the rural landscape that most of us want preserved.

There is a recommendation within the report discussing the “right to farm.” This concept for years has been refused by government planners however they have finally conceded that such a “right” needs to be investigated. I strongly urge this council to be at the forefront of such discussions. Council needs to be the driver of such legislation. Such legislation will benefit not only continued farming production but give communities and planning staff strong guidelines

to prevent conflict. A classic example of such conflicts were the challenge to a dairy operation at Cowra and recently the Victorian Wague farming enterprise that went out of production costing the community a \$million enterprise. We need to avoid such losses due to inappropriate planning.

The most contentious issues from this report have arisen over environmental legislation which has created the need for environmental overlays and mapping to identify such areas. Unfortunately many within the community think council can ignore such legislation and not include this information within the LEP or anywhere for that matter.

My view is that such information needs to be as up front as possible and should be included at the most appropriate place possible. I do not wish to rehash such discussions here today and concede that the maps and vegetation overlays are to be placed within the DCP as this report and the Rural Lands Advisory committee recommends. That decision is for councillors today.

It needs to be emphasized that the overlays and maps do not create legislation but are the result of legislation namely the Threatened Species Acts, Native Vegetation Acts. These restrictions are reflected within the State Planning Acts which council must unfortunately administer. Do not think that when and if the State government re-write the Bio-Diversity Acts that all such environmental restrictions will disappear. Read the recommendations and you will see the emphasis and funds to be given to increased mapping, bio-banking and the like. It is for the State parliament to oversee such changes not council.

This Rural Lands Strategy is exhaustive and well researched. It is what the previous council should have done before we reviewed the rural LEP. If passed today the information contained within this Strategy will certainly assist council to finalise the Rural LEP and hopefully continue and foster the productive agricultural output for this Shire for years to come.

Thank you

19th February 2016

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### **Submission of Mark Roberts at Public Forum**

At a council information night we were led to believe that Minimal Averaging would be included in the Rural Lands Strategy to cover the RU1 zone. Now Council says this will be put under review. This matter needs to be decided on now - not in twenty years time.

Open pasture land cannot be classed the same as Wooded Ridges and Gullies in the same RU1 zone as it is at present. Therefore a separate zone should be allocated to these areas, or, Minimal Averaging on subdivision should be at the council's discretion depending on the topography of the land.

According to the State Government Guidelines, the lot size of 40ha has always been allowed, but Council has not allowed this in RU1 until now. It appears the Council is now giving RU1 a 40ha subdivision that it always should have had in the past.

We request that the 40ha subdivision be reduced to 20ha. This would encourage younger people to be able to afford the purchase of a property for the production of agricultural produce. Something the Council is trying to encourage - more people into the rural sector.

Through environmental eco-living this would alleviate the infrastructive demand on the Council in this zone and the Council would gain extra revenue from the rates on these 20ha subdivision properties.

Monday 22 February 2016

Eurobodalla Council

Tel: 02 4474 1358

Lynne Oldfield

205 Oaks Rd

Thirlmere, NSW 2572

Tel: 0409 044 922

**Attention: General Manager**

**Re: Lot 128 Horse Island Rd, Bodalla, NSW**

I, Lynne Oldfield, owner of the abovementioned property hereby submit my request to change the rezoning of my property from R1A to E4 (Environmental Living).

I was advised by council that the rezoning of this area was due for review which prompted my purchase of this land late 2015.

My intention is to live on the property by building a dwelling that fits in with the natural environment causing minimal impact to the surrounding native land and environment.

Thank you for the opportunity to submit such a request.

Yours sincerely

Lynne Oldfield

M: 0409 044 922

PUBLIC ACCESS STATEMENT RE Item 13 FBD16/004 (MARKET OWNERSHIP ON BEHALF OF NATURE  
COAST DRAGON BOAT CLUB

JOHN HOLGATE  
PRESIDENT 0411 354 277

Thank you for the opportunity to provide our club's thoughts regarding the ownership of the Moruya Markets.

Nature Coast Dragon Boat Club would like to be assured that the Moruya Markets retains its strong connection with the local community.

Our club paddles each Saturday morning on the Moruya River in front of the market and we have a close connection with the Market. We feel that we are part of the atmosphere of the market and receive a great deal of positive feedback from people who attend the Market.

At present the Moruya Markets supports local organisations such as ourselves and we in turn publicise the market wherever we go around the countryside to regattas.

Our hope is that this strong connection with the local community continues.