



AGENDA

Ordinary Meeting of Council

25 February 2020

**ORDINARY MEETING OF COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS, MORUYA**

ON TUESDAY 25 FEBRUARY 2020

COMMENCING AT 11.00AM

AGENDA

(Proceedings of this meeting will be recorded as per Eurobodalla Shire Council's Code of Meeting Practice)

- 1. WELCOME**
 - 2. ACKNOWLEDGEMENT OF COUNTRY**
 - 3. APOLOGIES**
Nil
 - 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
2.1 Ordinary Meeting held on 11 February 2020
 - 3. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**
(Declarations also to be made prior to discussions on each item)
- Page No.**
- 4. MAYORAL REPORTS**
 - 5. NOTICES OF MOTION**
Nil
 - 6. QUESTIONS ON NOTICE FROM COUNCILLORS**
Nil
 - 7. PETITIONS**
Nil
 - 8. GENERAL MANAGER'S REPORTS**
GMR20/003 Delivery Program 2017-21 Six Monthly Performance Update July -
December 20193

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**DR CATHERINE DALE
GENERAL MANAGER**

GMR20/003 DELIVERY PROGRAM 2017-21 SIX MONTHLY PERFORMANCE UPDATE JULY - DECEMBER 2019 E19.1854

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - Six Monthly Performance Update July - December 2019

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.1 Undertake sound, best practice long term community and corporate planning

Operational Plan Link: 9.1.1.2 Report on the progress of implementing community vision

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on Council's progress in implementing the community's vision as articulated in the Integrated Planning and Reporting suite of documents, the Community Strategic Plan 2017 – One Community, the Delivery Program 2017-21 and Operational Plan 2019-20.

Local councils in NSW are required to undertake its planning and reporting activities in accordance with the local government Integrated Planning and Reporting (IPR) framework.

In accordance with Section 404 of the *Local Government Act 1993* and the Integrated Planning and Reporting guidelines for Local Government, Council is required to provide progress reports with respect to the activities detailed in the Delivery Program every six months.

The Delivery Plan 2017-21 and Operational Plan 2019-20 consists of 79 activities and 184 operational actions. As of 31 December 2019, 98.4% of the actions are on track and 1.6% on hold.

RECOMMENDATION

THAT the Six Monthly Performance Update Report July – December 2019 be received and noted.

BACKGROUND

Local councils in NSW are required to undertake its planning and reporting activities in accordance with the local government Integrated Planning and Reporting (IPR) framework.

The Community Strategic Plan is the highest-level plan that Council prepares as part of the IPR framework. This plan identifies and articulates the community's long-term aspirations, priorities and vision of *friendly, responsible, thriving and proud*. Council endorsed the Community Strategic Plan 2017 – One Community in June 2017.

The Delivery Program and Operational Plan outlines the four-year activities and annual actions Council will undertake to contribute to achieving our community's vision. Council adopted the Delivery Program 2017-21 and Operational Plan 2019-20 in June 2019. This document focus' on

GMR20/003 DELIVERY PROGRAM 2017-21 SIX MONTHLY PERFORMANCE E19.1854
UPDATE JULY - DECEMBER 2019

building a sustainable future for Eurobodalla and delivering key services, key projects, capital works and infrastructure maintenance to support the community in its daily activities, economic development and employment growth.

CONSIDERATIONS

Our community vision is to be friendly, responsible, thriving and proud. To achieve this the Community Strategic Plan 2017 – One Community, identifies nine outcome areas with 34 supporting strategies, all linked to the community vision.

The Delivery Plan 2017-21 and Operational Plan 2019-20 consists of 79 activities and 184 operational actions. As of 31 December 2019, 98.4% of the actions are on track and 1.6% on hold. The table below summaries the number of actions on track, on hold and needs attention per outcome.

Outcome	On Track	On Hold
Strong Communities, Desirable Lifestyle	26	
Celebrated Creativity, Culture and Learning	16	1
Protected and Valued Natural Environment	22	1
Sustainable Living	17	
Vibrant and Diverse Economy	20	
Responsible and Balanced Development	13	1
Connected and Accessible Places	17	
Collaborative and Engaged Community	11	
Innovative and Proactive Leadership	39	
Total	181	3

GMR20/003 DELIVERY PROGRAM 2017-21 SIX MONTHLY PERFORMANCE UPDATE JULY - DECEMBER 2019 E19.1854

The actions and explanations for items currently on hold include:

- 2.3.2.4 Coordinate the Fergus Thomson OAM Heritage Award has been placed on hold due to other work commitments and priorities.
- 3.2.3.2 Coordinate the Coastal and Environmental Management and Advisory Committee (CEMAC) and associated projects remains on hold until the Coastal Management Program reconvenes.
- 6.1.2.3 Review Infrastructure Contributions Plans has been placed on hold as they are awaiting updated work schedules.

Further details can be found in the attachment – Delivery Program 2017-21, Operational Plan 2019-20, Six Monthly Performance Update July – December 2019.

Legal

In accordance with Section 404 of the *Local Government Act 1993* and the Integrated Planning and Reporting guidelines for Local Government, Council is required to provide progress reports with respect to the activities detailed in the Delivery Program every six months.

Policy

The Delivery Program and Operational Plan draws on and implements actions contained in related Council policy documents.

Asset

The 2019-20 Capital Program included in the Operational Plan 2019-20 focused on sustaining community infrastructure through the renewal of assets and a provision for new infrastructure to meet demand from growth and progressively address network deficiencies. Council is currently on track in delivering the adopted capital program. In addition, Council continues to work with peak bodies to advocate to the NSW and Australian governments for enhanced asset funding models to better support regional communities across NSW.

Financial

Council is required to report financial performance on a quarterly basis. The December Quarterly Review Statements are prepared in accordance to the *Local Government Act 1993* and the Quarterly Budget Review Statement Guidelines. They will be presented to Council in a separate report.

Community and Stakeholder Engagement

The Six-Monthly Performance Update Report is an informing document for the community and will be published on Council's website.

CONCLUSION

This Delivery Program 2017-21 Six Monthly Performance Update July - December 2019 report provides an update of Council's progress to achieving our community's vision as articulated in the Community Strategic Plan 2017 – One Community.

IR20/001 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2019-20

E16.0002

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services
Attachments: Nil
Outcome: Connected and Accessible Places
Focus Area: 7.1 Work in partnership to provide an integrated transport network
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network
Operational Plan Link: 7.1.2.5 Coordinate the Local Traffic Committee

EXECUTIVE SUMMARY

The Local Traffic Committee is primarily a technical review committee. It advises Council on traffic control matters that relate to prescribed traffic control devices or traffic control facilities for which Council has delegated authority.

The minutes of the two Eurobodalla Local Traffic Committee meetings are included in this report for Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meetings, held 28 November and 12 December 2019, are as follows:

- Signage – 'No Stopping' Sunshine Bay Road, Sunshine Bay
- Signage and Line marking – Mosquito Bay Boat Ramp car park
- Signage – 'Bus Zone' George Bass Drive Malua
- Local Traffic Committee Meeting Dates for 2020
- Road Safety Plan
- Changed Parking Arrangements at Narooma Wharf.

RECOMMENDATION

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 4 for 2019-20 be received and noted.
2. Council Plan No. 5208 Set A Sheet 2 detailing the shared path signage and line marking and associated 'No Stopping' signage between house numbers 8 to 10 and 9 to 15 Sunshine Bay Road be approved.
3. Council Plan No. 5156 Set BP Sheet 07 detailing the 'NO PARKING Stand Maximum 2 minutes' signage and line marking associated with the Mosquito Bay Boat Ramp Carpark Lilli Pilli be approved.
4. Council Plan No. 4738 Set C Sheet 15 detailing 'BUS ZONE' and 'NO STOPPING' signage on George Bass Drive south of Sylvan Street, Malua Bay be approved.
5. The following meeting dates be adopted for the Local Traffic Committee in 2019/2020:

<u>Meeting No.</u>	<u>Date</u>
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IR20/001 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2019-20

E16.0002

6-19/20	Thursday 6 February 2020
7-19/20	Thursday 5 March 2020
8-19/20	Thursday 2 April 2020
9-19/20	Thursday 7 May 2020
10-19/20	Thursday 4 June 2020
1-20/21	Thursday 2 July 2020
2-20/21	Thursday 6 August 2020
3-20/21	Thursday 3 September 2020
4-20/21	Thursday 1 October 2020
5-20/21	Thursday 5 November 2020
6. 6-20/21	Thursday 3 December 2020

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 5 for 2019-20 was held on 12 December 2019. The meeting was attended by Jesse Fogg (Transport for NSW, RMS) via phone, Senior Constable Scott Britt (NSW Police), Warren Sharpe (Director Infrastructure Services), Kate McDougall (Acting Traffic Coordinator), and Matt Cormick (minute taker).

Additionally, on 28 November a special meeting was held to review changed parking arrangements at Narooma Wharf. The meeting was attended by Jayd Marsh (Transport for NSW, RMS) via phone, Sergeant Angus Duncombe (NSW Police) via phone, Warren Sharpe (Director Infrastructure Services), Andrew Greenway (Divisional Manager Property and Commercial Services), Kate McDougall (Acting Traffic Coordinator), and Matt Cormick (minute taker). Danielle Brice (representative for the Hon Andrew Constance MP) was not contacted.

APOLOGIES

Associated with the 28 November 2019, apologies were received from Danielle Brice (representative for the Hon Andrew Constance MP) and Councillor Anthony Mayne (Chair). The meeting was chaired by the Acting Traffic Coordinator in the Chairs absence.

Associated with the 12 December 2019, an apology was received from Councillor Anthony Mayne (Chair). Danielle Brice (representative for the Hon Andrew Constance MP) was not contacted. The meeting was chaired by the Acting Traffic Coordinator in the Chairs absence.

DEPUTATIONS

Nil

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 4 for 2018-19 held on 7 November 2019 were confirmed and accepted.

IR20/001 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2019-20

E16.0002

OUTSTANDING ITEMS FROM PREVIOUS MEETING

There were no outstanding items requiring additional attention.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2020.RT.012 Signage - Installation of 'No Stopping' Signage, Sunshine Bay Road, Sunshine Bay.

A shared pathway has been installed along Sunshine Bay Road on the northern side to join the pathways from outside number 12 Sunshine Bay Road to the corner of Lisa Place Sunshine Bay. To allow room for the pathway the road was realigned and the kerb and gutter rebuilt. As the new traffic lanes are about 4.5m, 'No Stopping' signage from outside No. 10 to the corner of Lisa Place and Sunshine Bay Road is installed so there is no obstruction of traffic movement through this area.

Council Plan No. No. 5208 Set A Sheet 2 detailing the signage and line marking associated with the Sunshine Bay Road shared path and associated 'No Stopping' signage was reviewed by the Committee.

Recommendation:

That Council Plan No. 5208 Set A Sheet 2 detailing the shared path signage and line marking and associated 'No Stopping' signage between house numbers 8 to 10 and 9 to 15 Sunshine Bay Road be approved.

2020.RT.013 Signage and line marking - Mosquito Bay Boat Ramp Carpark, Lilli Pilli

Over a number of years the line marking at Mosquito Bay boat ramp carpark has been adjusted and partially removed due to infrastructure changes including the removal of trees. Additional parking bay line marking and a designated entry and exit point has been added. The boat trailer parking area has not been modified. A new area designed to cater for a drop off and pick up zone has been added, designated with 'NO PARKING' signage. The line marking has been reconfigured to create additional parking spaces and this will offset the loss of general parking at the new drop off and pick up zone.

Council Plan No. No. 5156 Set BP Sheet 07 detailing the signage and line marking associated with the Mosquito Bay Boat Ramp upgrade was reviewed by the Committee.

Recommendation:

That Council Plan No. 5156 Set BP Sheet 07 detailing the 'NO PARKING Stand Maximum 2 minutes' signage and line marking associated with the Mosquito Bay Boat Ramp Carpark Lilli Pilli be approved.

2020.RT.014 Signage and line marking - Installation of 'Bus Zone' George Bass Drive, Malua Bay

George Bass Drive south of Sylvan Street Malua Bay has been reconstructed with joint funding by NSW Government Regional Roads Program and by Council's pavement rehabilitation program.

The informal bus stop is proposed to become a designated bus zone. Kerb and gutter and pavement widening to 6.5 metres has been constructed.

IR20/001 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2019-20

E16.0002

Council Plan No. No 4738 Set C Sheet 15 detailing 'BUS ZONE' and 'NO STOPPING' signage on George Bass Drive south of Sylvan Street, Malua Bay was reviewed by the Committee.

Recommendation:

That Council Plan No. 4738 Set C Sheet 15 detailing 'BUS ZONE' and 'NO STOPPING' signage on George Bass Drive south of Sylvan Street, Malua Bay be approved.

INFORMAL ITEMS FOR DISCUSSION

2020.IN.001 Local Traffic Committee Meeting Dates for 2020

Dates need to be determined for the monthly meetings of the Local Traffic Committee for 2019/2020.

This year for the convenience of Committee members, it is proposed to conduct the meetings of the Eurobodalla Local Traffic Committee on the first Thursday of each month.

Recommendation:

That the following meeting dates be adopted for the Local Traffic Committee in 2019/2020:

<u>Meeting No.</u>	<u>Date</u>
6-19/20	Thursday 6 February 2020
7-19/20	Thursday 5 March 2020
8-19/20	Thursday 2 April 2020
9-19/20	Thursday 7 May 2020
10-19/20	Thursday 4 June 2020
1-20/21	Thursday 2 July 2020
2-20/21	Thursday 6 August 2020
3-20/21	Thursday 3 September 2020
4-20/21	Thursday 1 October 2020
5-20/21	Thursday 5 November 2020
6-20/21	Thursday 3 December 2020.

2020.IN.002 Road Safety Plan

Council's Road Safety Plan is currently being renewed to cover 2019 to 2021. Titled 'Eurobodalla Road Safety Plan 2019-21' this plan takes over from the current adopted 'Road Safety Strategic Plan 2013-17'. A power point presentation of the plan was presented by Council's Director Warren Sharpe.

The Plan provides the framework and direction to improve road safety outcomes across Eurobodalla using the safe system approach of safe roads, safe speeds, safe vehicles and safe people. It outlines the significant role played through the Road Safety Officer Program through education and partnering with others, acknowledges that implementation of proposed actions dependent on funding and support from other levels of Government and aims to improve

IR20/001 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2019-20

E16.0002

safety outcomes for all road users including people using motor vehicles, pedestrians and cyclists as well as our workers who build and look after our transport infrastructure.

Warren explained the Plan works with Council's adopted Development and Operation Plan to assist in long term planning including utilising grant funding. Crash history statistics have improved gradually within the Eurobodalla that can be attributed in part to the road infrastructure improvements via the associated Asset Management Plan.

Major projects were discussed including advocacy plans that are underway and future issues associated with subdivisions and other developments.

The Committee discussed various aspects of the Plan, particularly driver behavior and the importance of good education and assistance to young drivers. Warren and the Road Safety Officer Kate were thanked for the great work in compiling the latest Eurobodalla Road Safety Plan

Recommendation:

That Council's 'Eurobodalla Road Safety Plan 2019-21' be endorsed.

2020.IN.003 Changed Parking Arrangements at Narooma Wharf

At the Ordinary Meeting of Council on 26 November 2019 item CCS19/063 'Licence to park vehicles for business operations within Narooma Flat' was adopted.

In point 4, within Motion 19/237 Council determined that:

The Traffic Committee's consideration be sought in regard to appropriate signage for the licenced areas.

An extraordinary meeting was subsequently held on 28 November 2019 to comment on associated signage regarding this proposal by Council to install designated parking on Bluewater Drive adjoining Narooma Wharf.

Currently there is a combination of parallel and 90-degree parking designated by line marking. This road related area can be regulated under the Roads Act if vehicles park across these lines. There is no signage present that could be regulated under the Roads Act.

Council's Divisional Manager Property and Commercial Services Andrew Greenway explained that for a fee, charter operators have been offered use of some of the parallel parking spaces to operate their businesses. 8 spaces will be taken up so that operators and their patrons can access car trailers that will be parked within the spaces. The towing vehicles will be parked elsewhere.

Signage will be installed that allows exclusive parking of the trailers for timed periods. This signage cannot be enforced under the Roads Act. Council will enforce the signage under the Local Government Act.

The Committee reviewed the plan with comments that: patrons will need to be made aware of the proximity of the shared path between the parking bays and wharf and the operators should ensure this path is not blocked and that any additional or modified line marking should be white.

IR20/001 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2019-20

E16.0002

The Committee has no objection to the proposal, noting that this section of road related area will no longer be enforceable under the Roads Act.

Council's Traffic Coordinator will liaise with the Divisional Manager to advise on appropriate signage for the licenced areas.

Recommendation:

That the proposed parking bay locations with associated signage that allows exclusive parking of the trailers for timed periods adjoining Narooma Wharf, enforceable under the Local Government Act, is noted.

GENERAL BUSINESS

Nil

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 6 February 2020 in Council's Committee Room commencing at 9am.

CCS20/003 ROAD DEDICATION - CONGO ROAD, CONGO

**S023-
T00023**

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services
Attachments: Nil
Outcome: Innovative and Proactive Leadership
Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program Link: 9.2.2 Manage land under Council control to achieve a return for the community
Operational Plan Link: 9.2.2.2 Facilitate property sales and development

EXECUTIVE SUMMARY

Council is proposing to upgrade part of Congo Road that lies within Eurobodalla National Park being Lot 22 DP 196036.

When Lot 22 was gazetted as Eurobodalla National Park in 1995 it excluded the strip 20 metres wide embracing the existing road formation however this 'road' is in the ownership of the Minister Administering the National Parks and Wildlife Act 1974 (the Minister).

To enable the ongoing maintenance of the road by Council, concurrence has been sought from National Parks and Wildlife Service for the road to be dedicated to Council.

In accordance with Part 11 Section 149 National Parks and Wildlife Act 1974 the Minister has agreed to dedicate the road formation to Council and gazette as public road.

A Plan of Land to be Dedicated for Public Road Purposes was registered at NSW Land Registry Services on 21 June 2019 as DP 1251948 to enable dedication and gazettal of the road being Lot 1 in that plan.

RECOMMENDATION

THAT

1. The dedication of Lot 1 DP 1251948 to Council for road purposes be accepted.
2. All survey and legal costs to be borne by Council.
3. Consent be given to affix the Common Seal of Council, if required, to all relevant documentation.

BACKGROUND

To enable the ongoing maintenance of the road by Council, concurrence has been sought from National Parks and Wildlife Service for the road to be dedicated to Council.

Council is proposing to undertake road works on Congo Road to widen and realign the existing road to the south of Congo village that lies within Eurobodalla National Park.

CCS20/003 ROAD DEDICATION - CONGO ROAD, CONGO

**S023-
T00023**

The land that forms that part of Congo road is owned by the Minister Administering the National Parks and Wildlife Act 1974.

The Minister has agreed to dedicate the land to Council for public road purposes and to gazette as public road.

CONSIDERATIONS

The road is shown in the sketch below.

Congo Road – Eurobodalla National Park



Legal

In accordance with Part 11 Section 149 National Parks and Wildlife Act 1974 The Minister will dedicate the land to Council for public road purposes.

<https://www.legislation.nsw.gov.au/#/view/act/1974/80/part11/sec149>

A Plan of Land to be Dedicated for Public Road Purposes was registered at NSW Land Registry Services on 21 June 2019 as DP 1251948 and the road will be gazetted as public road.

CCS20/003 ROAD DEDICATION - CONGO ROAD, CONGO

**S023-
T00023**

Policy

The dedication of land for road purposes will proceed in accordance with the Council's *Land Acquisition and Disposal Policy*.

www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Land-Acquisition-and-Disposal-Policy.pdf

Asset

The proposed upgrade to Congo Road south is part of Council's Capital Works Program 2019-20 to improve and maintain the road network as part of Council's asset management strategy. Council has maintained Congo Road south for many years. The dedication of Lot 1 DP 1251948 as a Council road is appropriate.

Social Impact

The upgrade to Congo Road south will improve road safety for drivers, pedestrians and cyclists.

Financial

The NSW Treasurer has consented in writing to nil compensation for the road. All survey and legal costs to be borne by Council.

Community and Stakeholder Engagement

The Minister has agreed to dedicate the road to Council.

CONCLUSION

This report recommends that the part of Congo Road south within Eurobodalla National Park be dedicated to Council and gazetted as public road.

CCS20/004 LEASE ACQUISITION - BATEMANS BAY MINI GOLF

E96.0041

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

Attachments: Nil

Outcome: Innovative and Proactive Leadership

Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations

Delivery Program Link: 9.2.2 Manage land under Council control to achieve a return for the community

Operational Plan Link: 9.2.2.1 Manage leases and licences

EXECUTIVE SUMMARY

The Batemans Bay Mini Golf (Mini Golf) is in the footprint of the proposed Regional Aquatic, Arts and Leisure Centre.

Following negotiations with the operator, this report seeks approval for the acquisition of the lease of the Mini Golf.

RECOMMENDATION

THAT Council:

1. Delegates to the General Manager to acquire the lease in accordance with the Confidential Attachment.
2. Takes all other required actions to acquire the lease including applying the Council Seal to any documents if required.

BACKGROUND

Council is planning the new Regional Aquatic, Arts and Leisure Centre 'the Centre' on the southern end of the Mackay Park precinct in Batemans Bay.

Mini Golf has a lease from Council as Crown Land manager that commenced on 1 July 2012 and is due to expire on 30 June 2022. The current site of the Mini Golf is in the footprint of the proposed Centre and so acquisition of the lease allows the Centre development to proceed in the most efficient manner to deliver optimal community outcomes.

At the Council meeting on 11 December 2018, Council approved the acquisition of the Mini Golf in accordance with details contained in that report, a valuation that had been obtained and negotiations with the operator.

Those negotiations have now reached a mutually acceptable position but with a change to the acquisition date and discussions between the respective valuers, it is appropriate that Council re-endorse the acquisition.

The operators of the Mini Golf have demonstrated a positive attitude throughout the negotiations.

CCS20/004 LEASE ACQUISITION - BATEMANS BAY MINI GOLF

E96.0041

Considerations

Legal

Council has power under section 186 of the *Local Government Act 1993* to acquire land (or an interest in land) for public purposes.

Under section 187 of the *Local Government Act 1993*, the acquisition of the land must proceed in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.

Policy

The acquisition of the Mini Golf lease will proceed in accordance with Council's Land Acquisition and Disposal Policy www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Land-Acquisition-and-Disposal-Policy.pdf

Asset

The new Regional Aquatic, Arts and Leisure Centre will be one of Council's largest assets and a flagship facility for the entire region.

Social Impact

Batemans Bay Mini Golf is a family run business involving a number of family members and has been a part of the local community for many years.

Economic Development Employment Potential

The Regional Aquatic, Arts and Leisure Centre will become a key part of the local economy providing an all-weather option for visitors.

Financial

In accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, Council will be responsible for all reasonable costs associated with the acquisition including valuation fees for valuations conducted for both Council and the operator's, as well as survey and legal fees.

The acquisition cost has been determined in conjunction with valuations by the two registered valuers. This cost will form part of the Regional Aquatic, Arts and Leisure Centre project budget.

Community and Stakeholder Engagement

The Regional Aquatic, Arts and Leisure Centre project includes extensive community Consultation.

Council has been maintaining regular contact with the operators of the Mini Golf during these negotiations.

CONCLUSION

The new Regional Aquatic, Arts and Leisure Centre is a major project for Batemans Bay and the region.

To allow the project to proceed in the most efficient manner, it is necessary to acquire the Batemans Bay Mini Golf lease.

CCS20/004 LEASE ACQUISITION - BATEMANS BAY MINI GOLF

E96.0041

This report seeks Council authorisation of the acquisition of the lease.

CCS20/005 MUSEUM LICENCE - BATEMANS BAY HISTORICAL SOCIETY

**S023-
T00017/29439**

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services
Attachments: Nil
Outcome: Innovative and Proactive Leadership
Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program Link: 9.2.2 Manage land under Council control to achieve a return for the community
Operational Plan Link: 9.2.2.1 Manage leases and licences

EXECUTIVE SUMMARY

The Batemans Bay Historical Society (the Historical Society) has requested a renewal of their licence for twenty (20) years for the purposes of operating Batemans Bay Courthouse Museum (the Museum). Their request includes an application for the use of an additional (approx.) 23 metre x 15 metre area of land, adjacent to their existing licence area in Museum Place, Batemans Bay.

It is considered reasonable and appropriate that a further Licence be granted to the Historical Society with provisions for the use of the additional land requested.

RECOMMENDATION

THAT Council grant a 20 year licence to Batemans Bay Historical Society for the purpose of operating a Museum within Lot 101 DP1001026, Batemans Bay commencing on 1 December 2020 and terminating on 30 November 2040 subject to conditions including:

- a. Payment of annual licence fees in accordance with Council's adopted fees and charges;
- b. Provision of evidence of public liability insurance cover in the amount of at least \$20 million; and
- c. Conditions generally in line with the previous licence.

BACKGROUND

The Historical Society currently hold a licence for the purposes of operating the Batemans Bay Courthouse Museum (the Museum). The Historical Society have held the licence since 1 January 2000 and it expires on 30 November 2020.

The Historical Society have requested a renewal of their licence including provisions for the use of an additional area of land, adjacent to their existing licence area in Museum Place, Batemans Bay. The additional area requested was previously unavailable and only cleared as part of Flying Fox control measures.

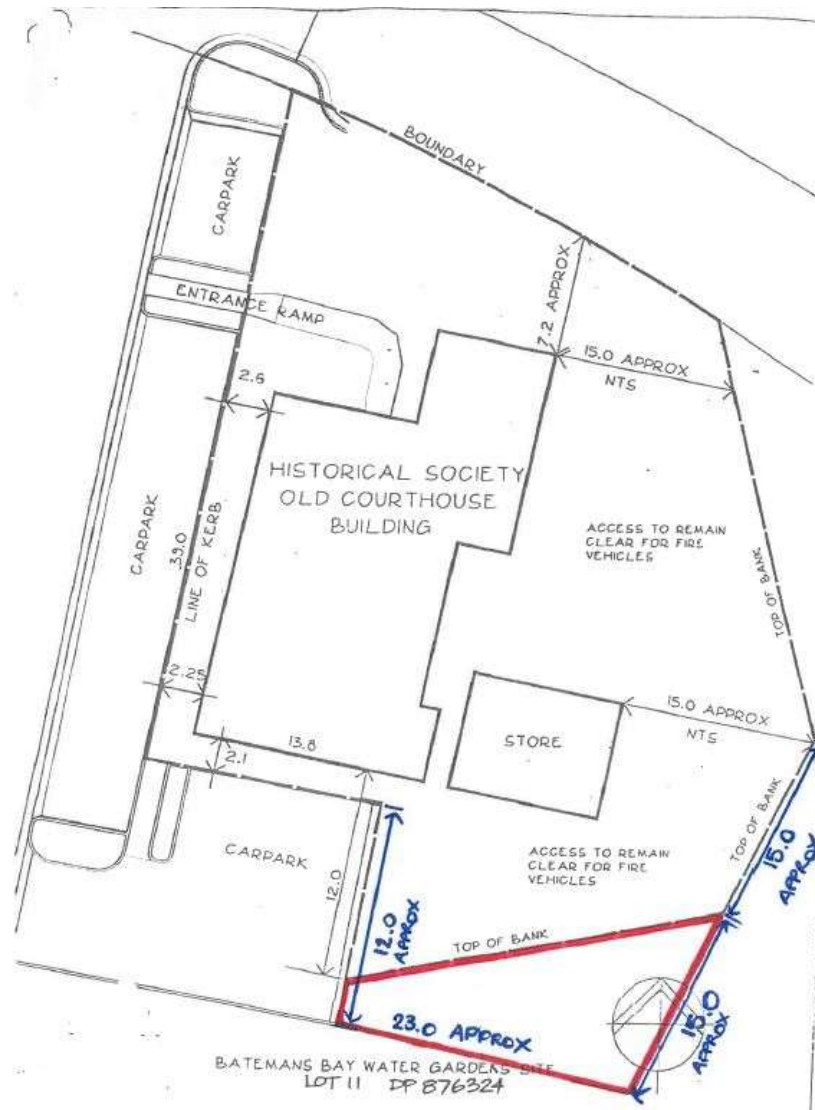
CCS20/005 MUSEUM LICENCE - BATEMANS BAY HISTORICAL SOCIETY

**S023-
T00017/29439**

The Museum consists of relocated historic buildings and has been operated by the Historic Society since 1994. The Museum has historical significance to the Eurobodalla Shire and the Museum sits within Lot 101 DP 1001026, Council owned Operational Land.

Councillors were briefed on this proposal on 3 December 2019. It is considered reasonable and appropriate that their Licence be renewed allowing for the use of the additional land requested.

CONSIDERATIONS



Legal

Lot 101 DP 1001026 Museum Place, Batemans Bay is operational land and therefore there is no legal impediment to granting a licence for this facility.

CCS20/005 MUSEUM LICENCE - BATEMANS BAY HISTORICAL SOCIETY

**S023-
T00017/29439**

Policy

Granting of a licence to Batemans Bay Historical Society is in accordance with Council's policy 'Property Use by Community Organisations'. www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Property-Use-by-Community-Organisations-Policy.pdf

Environmental

The Batemans Bay Historical Society would not have any undue environmental impact as a result of its licenced operations.

Asset

It is a condition of the licence that the licenced area be maintained and kept clean and tidy.

Financial

Given that Historical Society is providing an important service to the community by operating the Museum, a licence fee in line with Council's adopted fees and charges and the Crown statutory minimum is considered appropriate.

Community and Stakeholder Engagement

There are no legal requirements to advise the community through public notice, or to or seek feedback through public exhibition for land dealings within operational land. Given this is the renewal of an existing licence, and no complaints have been received, the engagement method will be to 'inform'.

CONCLUSION

The existing licence to Batemans Bay Historical Society Batemans Bay for the operation of the Courthouse Museum at Lot 101 DP 1001026 expires on 30 November 2020. The Historical Society is seeking renewal of their licence for (20) years.

It is considered reasonable and appropriate for Council to support the Historical Society in operating the Museum by granting a renewal of the 20 year licence including a further adjoining area of approximately 180 square metres.

**CCS20/006 BUDGET REVIEW FOR THE PERIOD ENDING
31 DECEMBER 2019**

**S011-
T00006**

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

Attachments: 1. Under Separate Cover - Financial reports
2. Under Separate Cover - Consultancy, Legals and Contractors Report
3. Under Separate Cover - Key Financial Indicators
4. Under Separate Cover - Mayoral and Councillor Expenses

Outcome: Innovative and Proactive Leadership

Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations

Delivery Program Link: 9.2.4 Responsibly manage Council's finances and maintain Fit for the Future status

Operational Plan Link: 9.2.4.2 Monitor and report on key financial results

EXECUTIVE SUMMARY

This Budget Review reports on Council's performance against the current Operational Plan budget for the quarter ending 31 December 2019. Major variations are highlighted.

The original Operational Plan budget, on a consolidated basis (which includes all of Council's funds), for 2019-20 forecasts were:

- Income Statement surplus, before capital revenue, of \$4.03 million
- Income Statement surplus, after capital revenue, of \$34.22 million
- Use of \$1.45 million of unrestricted funds.

The proposed revised budgets after the quarter ending 31 December 2019 are:

- Income Statement deficit, before capital revenue, of \$3.16 million
- Income Statement surplus, after capital revenue, of \$15.61 million
- An increase of \$5.66 million in unrestricted funds.

The December Review adjustments result in a favourable variation for the income statement, before capital revenues, of \$0.86 million and an increase in the amount of unrestricted funds of \$6.77 million as per the Consolidated Fund Flow Statement.

RECOMMENDATION

THAT

1. The budget review report for the quarter ended 31 December 2019 be received and noted.
2. The unfavourable variations for the Income Statement after capital revenue of \$6.19 million and favourable variations of \$ 6.77 million as per the Consolidated Fund Flow Statement be adopted.

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BACKGROUND

Council reviews its performance and financial results against the adopted Operational Plan quarterly, authorises adjustments to budget items, and highlights variations from its original budget strategy.

It should be noted that the results referred to in this report are unaudited.

The attachments to this report are as follows:

Financial reports (Attachment 1)

These reports provide information on Council's performance against its financial objectives contained in the Operational Plan, presented for the consolidated entity.

Financial reports include:

- a) Consolidated Fund Flow Statement – This report shows the impact of operating, financing and investing activities on Council's unrestricted working capital.
- b) Consolidated Income Statement – Provides sources of income and expenditure, including depreciation, per Council service areas.
- c) Consolidated Capital Program Statement – Provides capital expenditure information for each program area and associated services.
- d) Projected Funds Balance Statement – Provides information on the movements in both unrestricted and restricted fund accounts.
- e) Budget Amendment Report – Provides details of proposed significant adjustments to budgets.
- f) SRV capital program – Provides capital expenditure information for each of the projects in the SRV program of works for 2019-20.

Consultancy, Legals and Contractors Report (Attachment 2)

This attachment provides information on major contracts entered into, legal fees incurred and consultancy costs for the quarter ended 31 December 2019.

Key Financial Indicators (Attachment 3)

This attachment provides information about key financial indicators designed to assist in monitoring Council's financial sustainability. The indicators are for the consolidated entity.

Mayoral and Councillor Expenses (Attachment 4)

Provides information about Mayoral and Councillor expenditure for the quarter ended 31 December 2019.

CONSIDERATIONS

Consolidated Fund flow Statement (Attachment 1(a)):

Council requires sufficient funds to pay for its debts as and when they fall due. The Fund Flow Statement shows the change in Council's freely available funds or working capital.

It includes all transactions having an impact on Council's funds i.e. income and expenses from its operating activities, capital programs and borrowing activities. It also includes the transfer

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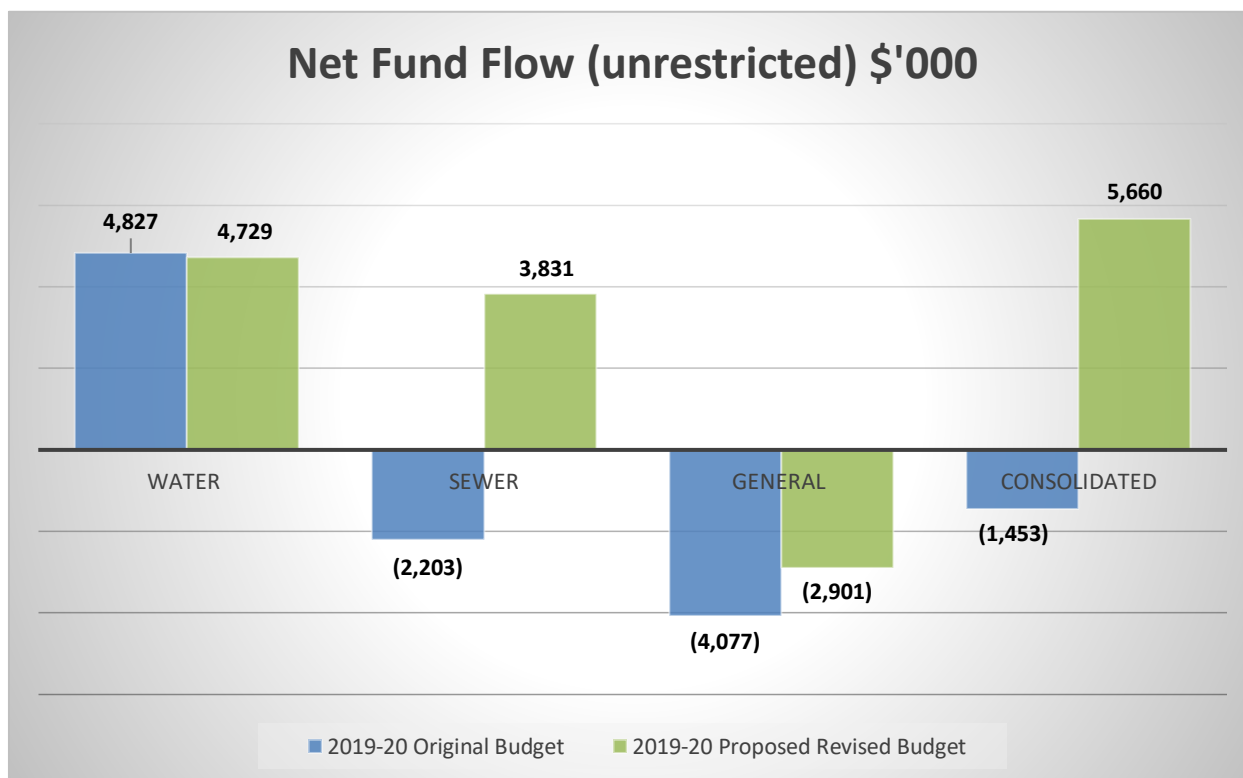
into, or use of restricted funds for capital or non-recurrent projects. Depreciation is not included as it does not represent a cash flow.

The net fund flow shows the amount of unrestricted funds that will be used to deliver the agreed Operational Plan outcomes for 2019-20. The consolidated original budget forecast a \$1.45 million use of unrestricted funds. The impact of proposed carry forward items from last financial year and the September review amendments projected a use of unrestricted funds of \$1.11 million for 2019-20. The December review amendments project an increase of unrestricted funds to \$5.66 million for 2019-20. See table 1.1 and graph 1.1 below.

Table 1.1 Net Increase (decrease) in unrestricted funds, per fund, \$'000

	2019-20 Original Budget	Previous Review	December Review	2019-20 Proposed Revised Budget
Water	4,827	(348)	250	4,729
Sewer	(2,203)	15	6,019	3,831
General	(4,077)	673	503	(2,901)
Consolidated	(1,453)	340	6,772	5,660

Graph 1.1 Net fund flow (unrestricted)



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Consolidated Income Statement (Attachment 1(b)):

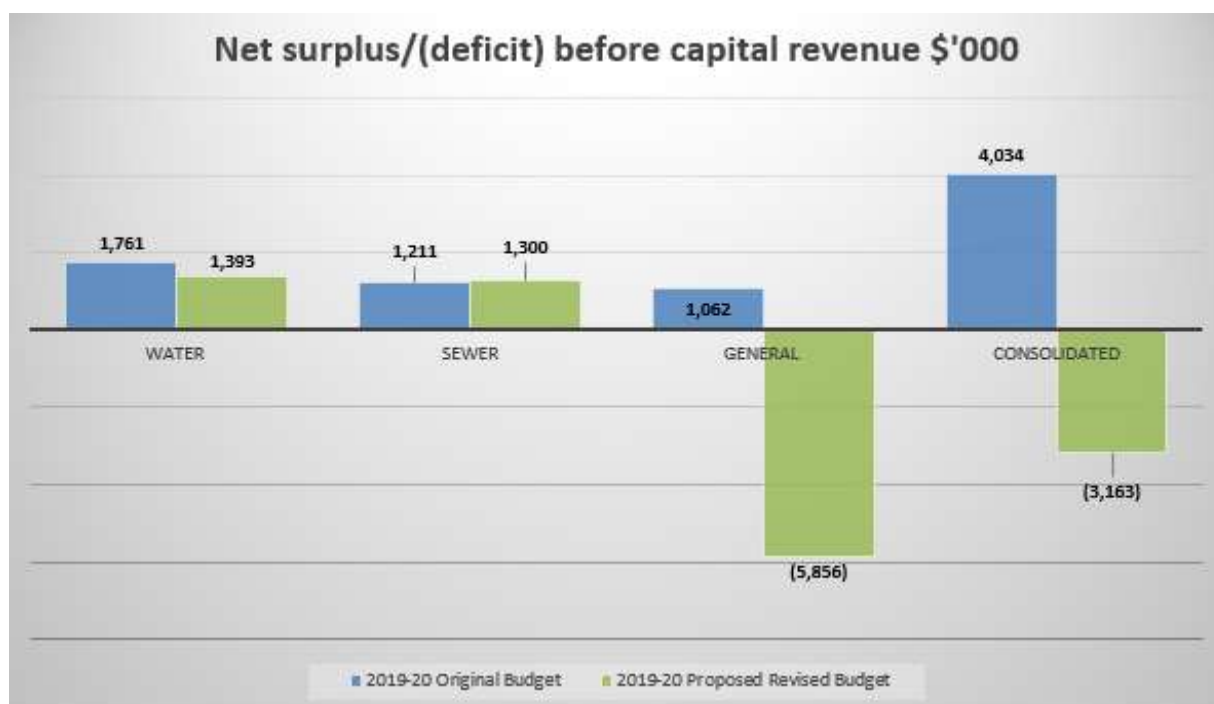
The Consolidated Income Statement shows the types of income, and expenditure per council service areas. This result can indicate whether Council is able to raise sufficient revenue to cover the operational cost (including depreciation which measures the wear and tear of Council assets) of delivering services to the community before considering its capital revenue.

The proposed revised budget, incorporating the carry forward items from 2018-19, and September and December review adjustments is a deficit of \$3.16 million before capital revenues (per table 1.2 and graph 1.2 below).

Table 1.2 Net Surplus/ (deficit) before capital revenue, \$'000

Fund	2019-20 Original Budget	Previous Review	December Review	2019-20 Proposed Revised Budget
Water	1,761	(368)	0	1,393
Sewer	1,211	69	20	1,300
General	1,062	(7,756)	838	(5,856)
Consolidated	4,034	(8,055)	858	(3,163)

Graph 1.2 Net surplus/ (deficit) before capital revenue



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December Review adjustments (operational)

The proposed December Review adjustments result in a favourable variation of \$0.86 million.

Significant adjustments to operational revenue items include:

- User fees and charges

Unfavourable variance as a result of reduced lease income at the Moruya Airport (\$0.13 million), as lease income not yet realised due to delayed timings at airport; reduced parking infringement revenue across the Shire (\$0.06 million), recognition of lease revenue received in advance (\$0.07 million) and reduced revenue income at the Eurobodalla Regional Botanic Gardens and campgrounds due to road closures prior to Christmas (\$0.04 million)

- Investment Revenues

Favourable variance due to sale of Southern Phone Company to AGL Energy (\$0.95 million).

- Operating Grants and Contributions

Favourable variance due to grant funding received for 2019-20 Local Infrastructure Renewal Scheme claims, Regional Jobs & Training Projects, South Coast NSW Zone E-Resources and various environmental programs (offset by costs associated with those programs).

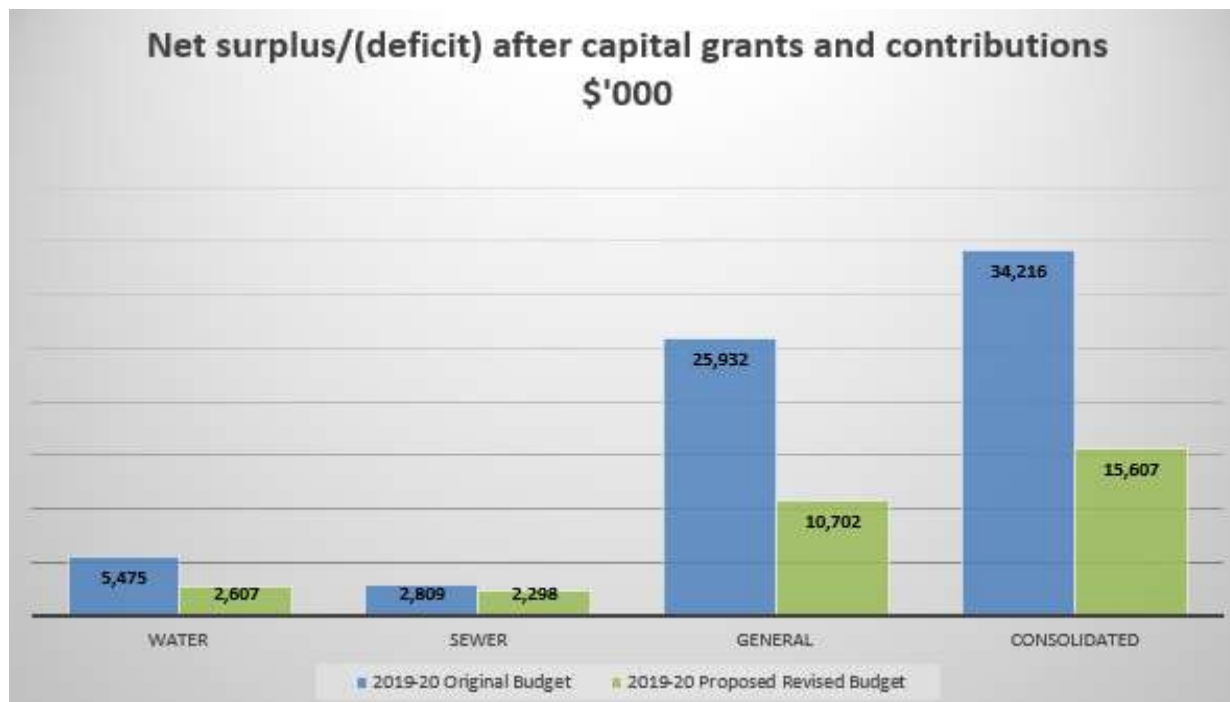
Table 1.3 Net Surplus/ (deficit) after capital revenue, \$'000

Fund	2019-20 Original Budget	Previous Review	December Review	2019-20 Proposed Revised Budget
Water	5,475	(368)	(2,500)	2,607
Sewer	2,809	11	(521)	2,298
General	25,932	(12,066)	(3,164)	10,702
Consolidated	34,216	(12,423)	(6,185)	15,607

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Graph 1.3 Net surplus/(deficit) after capital revenue



Consolidated Capital Program Statement (Attachment 1(c)):

Capital Program

The original capital expenditure budget for 2019-20 was \$75.42 million. The proposed revised budget, incorporating carry forward items, September and December variations is \$47.12 million (per table 1.4 and graph 1.4 below).

Table 1.4 Capital Program per fund, \$'000

Fund	2019-20 Original Budget	Previous Review	December Review	2019-20 Proposed Revised Budget
Water	8,295	(20)	(4,000)	4,275
Sewer	16,070	158	(9,041)	7,187
General	51,053	(9,861)	(5,532)	35,660
Consolidated	75,418	(9,723)	(18,572)	47,122

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Graph 1.4 Capital Program per fund, \$'000



December Review Adjustments (capital)

The capital works program as a result of the September previous review was estimated to be \$65.69 million. Capital budget adjustments totalling \$18.57 million have been made during the December quarter and affect the current year's capital program. Significant variations proposed in the December quarter include:

- \$9.1 million Sewer Treatment Plants capital works deferred including works at Tuross, Batemans Bay and Potato Point
- \$4.5 million relating to revised timing of Southern Water Storage Facility works offset by Nelligen works (\$0.50 million) brought forward
- \$1.65 million for Shellfish Hatchery works deferred due to approval granted to extend completion date to 31 December 2020 due to bushfire events
- \$1.3 million in various Recreation works including reserve upgrades at Gundry Oval, Captain Oldrey Park and Bill Smyth Oval deferred to 2020-21
- \$0.83 million Observation Point, Batehaven deferred to 2020-21
- \$0.80 million bridge works deferred for Garlandtown Bridge due to revised priorities as a result of bushfire damage to bridges across the Shire
- \$0.30 million Moruya Shared Facility works deferred to 2020-21
- \$0.26 million reduction in general fund plant and fleet capital expenditure

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The December budget variations include over \$7.00 million of capital grant variations originally anticipated to be received during 2019-20, associated with the deferral of capital works.

Special Rate Variation (SRV) – progress update (Attachment 1 (f)):

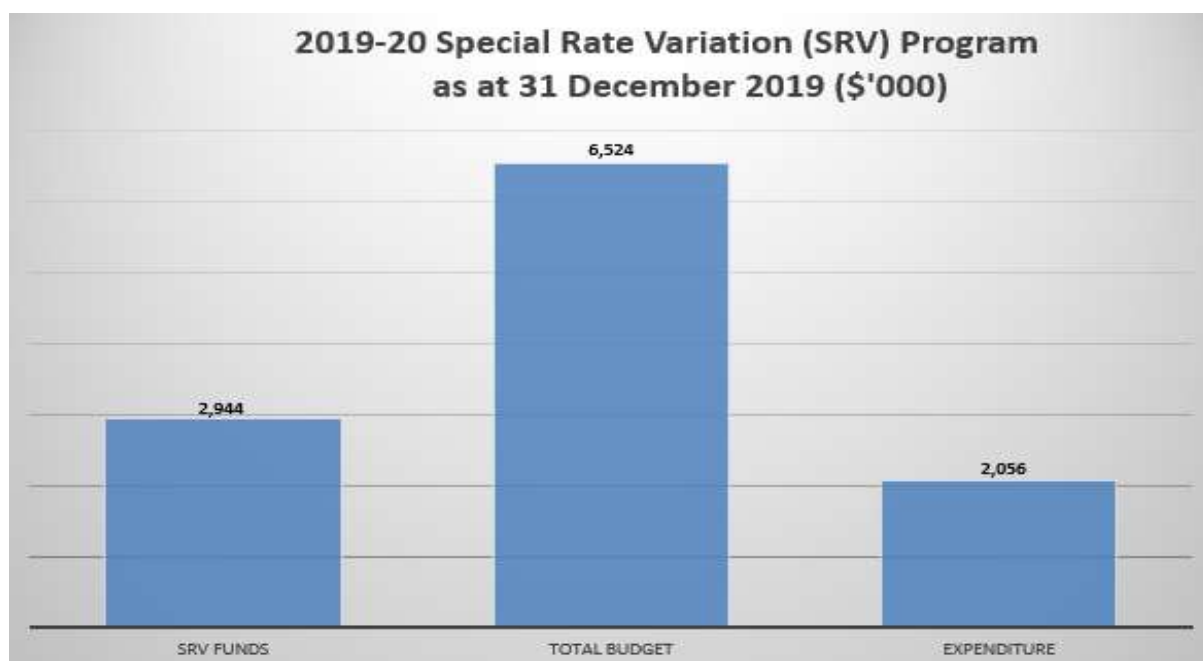
2019-20 is the fourth year of the SRV program and over \$6.52 million of works for the year are underway. \$2.94 million of SRV designated funds are being utilised on these works. The majority of the projects have commenced with a due date for completion by the end of the fourth quarter. At 31 December, approximately 31.51% of the programmed SRV works for this year have been expensed.

Attachment 1 (f) reports the detailed progress of the capital program showing individual project budgets and expenses with updates as at 31 December 2019. Total expenditure on the SRV designated projects as at 31 December 2019 is \$2.06 million (per Table 1.5 below).

Table 1.5 2019-20 Special Rate Variation Capital Program

2019-20 SPECIAL RATE VARIATION (SRV) CAPITAL PROGRAM	\$
SRV FUNDS	2,943,870
TOTAL BUDGET	6,523,732
EXPENDITURE TO 31 DECEMBER 2019	2,055,895
PERCENTAGE SPENT	31.51%

Graph 1.5 2019-20 Special Rate Variation Capital Program



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CONSIDERATIONS

Legal

This review is based on the Quarterly Budget Review Statement Guidelines issued December 2010, pursuant to the provisions of the *Local Government Act 1993* relating to integrated planning.

Policy

The accounting policies being used are based on those detailed in the financial statements for the year ended 30 June 2019.

“Variations” in the Fund Flow Statement are changes in the funding requirements where “funds” are net current assets (working capital) excluding both internal and externally restricted funds.

CONCLUSION

There are no material concerns at this quarterly review about meeting budget targets for 2019-20.

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulation 2005:

As the Responsible Accounting Officer, it is my opinion that the December Quarterly Budget Review for Eurobodalla Shire Council indicates that Council’s projected financial position as at 30 June 2020 will be satisfactory, having regard to the projected estimates of income and expenditure for the 2019-20 financial year.

CCS20/007 BATEMANS BAY REGIONAL AQUATIC, ARTS AND LEISURE CENTRE

**S023-
T00024**

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

Attachments: 1. Confidential - Attachment - Batemans Bay Regional Aquatic, Arts and Leisure Centre

Outcome: Vibrant and Diverse Economy

Focus Area: 5.1 Diversify the region's economy, attract investment and target new and emerging employment sectors

Delivery Program Link: 5.1.3 Plan for the development of the Batemans Bay Mackay Park Precinct

Operational Plan Link: 5.1.3.1 Prepare a design for the Regional Aquatic, Arts and Leisure Centre Batemans Bay

EXECUTIVE SUMMARY

The purpose of this report is to note the estimated total funding for the Batemans Bay Regional Aquatic, Arts and Leisure Centre (BBRAALC) and its funding sources. In late October 2019, Quantity Surveyors, Wilde & Woollard provided Council with a confidential report which indicated an estimated total cost of the project, including build, contingencies, locality allowance, car parking and roads.

The quantum of funds outlined in the confidential attachment needs to be identified for the tender process to proceed as under *Section 211 Authorisation of Expenditure of the Local Government (General) Regulations 2005*, Council must not incur a liability for the expenditure of money unless there is an approval of that expenditure at an ordinary Council meeting.

Depending on the outcome of the tender process, the sources of funds as identified in the confidential attachment may be utilised unless alternate funds, such as additional grants, are secured.

RECOMMENDATION

THAT Council proceed to tender for the development of the Batemans Bay Regional Aquatic, Arts and Leisure Centre based on the financial information outlined in the confidential attachment to Report CCS20/007 Batemans Bay Regional Aquatic, Arts and Leisure Centre.

BACKGROUND

On 29 August 2017 Council endorsed the concept plan for BBRAALC. This followed a decade of community engagement on the need for aquatic and arts facilities in Batemans Bay. Since that time Council has adopted a number of resolutions in order to progress the project including submitting the DA and progressing an EOI for potential builders.

In recent months, Eurobodalla has experienced disastrous bush fires which have significantly impacted our community. It is considered that the BBRAALC is a landmark project that will provide a broad range of essential community services and will greatly assist in the recovery of our community. It will be an important message and symbol that will rebuild pride and

**CCS20/007 BATEMANS BAY REGIONAL AQUATIC, ARTS AND LEISURE
CENTRE**

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confidence, while also providing a much-needed economic stimulus and growth in employment.

In also recognising that our community needs a safe and resilient space for people in the Batemans Bay area and surrounds to access during an emergency, the design of the centre has been slightly modified so that it can also fulfil the role of an evacuation centre should the need arise. This is also an important factor in seeking further grant funding.

Council has a strong business case for the concept plan developed by Otium Planning Group, industry leaders in the planning and development of aquatic facilities. The business case is also supported by expert advice in the provision and operation of arts facilities. It demonstrates how the concept plan meets a broad range of community needs as expressed by the community, in accordance with best practice trends and based on the population characteristics of our community.

Significant efforts have been made through the design process to reduce the capital cost, however, there remains a need to continue to critically assess and identify further saving opportunities through the detailed design stage of the project.

Until Council goes to tender, it is not known what the actual cost of the project will be. Should the tender responses exceed budget expectations then Council will have to reconsider delivery of the project overall, including possible significant changes to scope and design, noting that any major changes will come at a cost in itself. Further negotiations with the preferred tenderer can also be undertaken.

CONSIDERATIONS

Legal

Under *Section 211 Authorisation of Expenditure of the Local Government (General) Regulations 2005* Council must not incur a liability for the expenditure of money unless there is an approval of that expenditure at an ordinary Council meeting. Therefore, the identification of the quantum of funds outlined in the confidential attachment must be adopted for the tender process to proceed.

It is acknowledged that there may be other funding sources, such as additional grants, which could be utilised in preference to the funding sources in the confidential attachment.

Asset

The design process considers asset life and costs along with operational costs. Ultimately the new asset will have a depreciation cost that will impact on Council's financial position, notwithstanding that the development is partly replacing existing assets (such as the Batemans Bay pool).

The project will, prior to completion, require a detailed asset replacement program. This schedule will detail the estimated useful life of all key assets and the estimated cost and timeframe for asset replacement. This schedule must be underpinned by a strong monitoring regime to continually assess asset condition and performance.

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Economic Development Employment Potential

A cost benefit analysis, based on the original concept and business case, was undertaken on behalf of Council by SGS Economics and Planning. This assessment found that the proposed BBRAALC will have a positive impact on the local economy. This includes the expected economic benefits that will accrue during construction as well as ongoing operations (includes both direct and indirect benefits). The recommended design concept has retained the key functionality as outlined in the original business case.

Financial

Council has currently secured funding for the project including:

- \$26.0m in grant funds from the NSW Government - \$18.0m from the Regional Communities Development Fund (NSW Department of Premier and Cabinet) and \$8.0m from the Regional Cultural Fund (NSW Planning and Environment)
- \$25.0m in grant funds from the Australian Government's Regional Growth Fund (Department of Infrastructure, Regional Development and Cities)
- \$4.0m loan funding that Council has also secured

Other funds identified in the confidential attachment are sufficient to meet the estimated capital outlay requirements of the BBRAALC.

CONCLUSION

The recommended concept design responds positively to the original concept and business case adopted by Council, the design principles, community and stakeholder feedback delivering an iconic building of which the community can be proud.

Whilst every effort is being made to deliver the full scope of the project, Council will not know the likely cost with any certainty, until tenders are received. Therefore, Council will need to consider all options as they are known. It is clear however, that Council can meet the capital outlay of the centre based upon current anticipated costs.

This report recommends that Council identifies the quantum of the allocation of funds outlined in the confidential attachment to the Council report Batemans Bay Regional Aquatic, Arts and Leisure Centre so Council can commence the tender process.

15. DEALING WITH MATTERS IN CLOSED SESSION

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

Nil

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

CONFLICT OF INTEREST

A conflict of interest is a clash between private interest and public duty. There are two types of conflict: Pecuniary – regulated by the *Local Government Act* and Department of Local Government; and Non-Pecuniary – regulated by Codes of Conduct and policy, ICAC, Ombudsman, Department of Local Government (advice only).

THE TEST FOR CONFLICT OF INTEREST

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

IDENTIFYING PROBLEMS

1st Do I have private interests affected by a matter I am officially involved in?

2nd Is my official role one of influence or perceived influence over the matter?

3rd Do my private interests conflict with my official role?

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

AGENCY ADVICE

Officers of the following agencies are available during office hours to discuss the obligations placed on Councillors, Officers and Community Committee members by various pieces of legislation, regulation and Codes.

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@eurocoast.nsw.gov.au	www.esc.nsw.gov.au
ICAC	8281 5999	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Local Government Department	4428 4100	dlg@dlg.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	8286 1000 Toll Free 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

Reports to Committee are presented generally by 'exception' - that is, only those items that do not comply with legislation or policy, or are the subject of objection, are discussed in a report.

Reports address areas of business risk to assist decision making. Those areas include legal, policy, environment, asset, economic, strategic and financial.

Reports may also include key planning or assessment phrases such as:

Setback Council's planning controls establish preferred standards of setback (eg 7.5m front; 1m side and rear);

Envelope taking into account the slope of a lot, defines the width and height of a building with preferred standard of 8.5m high;

Footprint the percentage of a lot taken up by a building on a site plan.

Acronym	Meaning	Description
ACR	Australian Capital Region	The political and strategic grouping of the ACT government and 17 adjacent councils.
AEP	Annual Exceedance Probability	For floods expressed as a % eg 1% = 1:100 year event. The NSW Flood Guidelines nominate types of development and controls.
AHD	Australian Height Datum	Floor levels for buildings set to remain at or above flood level (expressed as 'freeboard').
APZ	Asset Protection Zone	Area to be cleared and maintained around habitable buildings in bushfire prone areas.
AS	Australian Standard	Standards set by national body as minimum construction, service, system, planning or design requirements.

Acronym	Meaning	Description
BCA	Building Code of Australia	Prescribes minimum standards or performance base for building construction.
CAMP	Companion Animal Management Plan	Required by state law, plan nominating management of dogs and cats and areas for access for the exercise of dogs (eg beaches and reserves).
CC	Construction Certificate	Floor plans approved by council or private certifier in compliance with development conditions and BCA.
COPW	Condition of Public Works Report	Required by state law to define the condition of infrastructure assets, the cost to upgrade to defined standards, the current costs of maintenance and desired levels of maintenance.
CP	Cultural Plan	A cultural plan enables identification of cultural assets, identity and needs as well as providing a framework to develop cultural initiatives to increase opportunities for residents.
CSR	Complaint and Service Request	Requests received from public by phone, letter, email or Councillor to attend to certain works (eg pothole) or complain of certain service or offence (eg dogs barking).
DA	Development Application	Required by state law to assess suitability and impacts of a proposed development.
DAP	Disability Action Plan	Council plan outlining proposed works and services to upgrade facilities to progressively meet Disability Discrimination Act.
DCP	Development Control Plan	Local planning policy defining the characteristics sought in residential, commercial land.
DECCW	Department of Environment, Climate Change and Water (formerly EPA, NPWS, DEC)	State agencies (former Environment Protection and National Parks), DNR managing state lands and natural resources and regulating council activity or advising on development applications.
DWE	Department of Water and Energy	State agency managing funding and approvals for town and country water and sewer services and State energy requirements.
DoP	Department of Planning	State agency managing state lands and regulating council activity or advising on development applications or strategic planning.
DLG	Department of Local Government	State agency responsible for regulating local government.
DoL	Department of Lands	State agency managing state lands and advising on development applications or crown land management.
DoC	Department of Commerce	State agency (formerly Public Works) managing state public water, sewer and buildings infrastructure and advising/supervising on council infrastructure construction.

Acronym	Meaning	Description
DoH	Department of Health	State agency responsible for oversight of health care (community and hospital) programs. Also responsible for public warning of reportable health risks.
DOTAR	Department of Infrastructure, Transport and Regional Development and Local Government	Federal agency incorporating infrastructure, transport system, and assisting regions and local government.
EBP	Eurobodalla Bike Plan	Strategic Plan identifying priorities and localities for cycleways in the Shire.
EIS	Environmental Impact Statement	Required for designated and state developments researching and recommending solutions to social, economic and environmental impacts.
EMP	Estuary Management Plan	Community based plan, following scientific research of hydrology and hydraulics, recommending actions to preserve or enhance social, economic and environmental attributes of estuary
EMS	Environmental Management System	Plans prepared by council (such as waste management and strategic planning) around AS14000.
EOI	Expressions of Interest	Often called in advance of selecting tenders to ascertain capacity and cost of private sector performing tasks or projects on behalf of council.
EP&A	Environment Planning & Assessment Act	State law defining types of development on private and public lands, the assessment criteria and consent authorities.
ESC	Eurobodalla Shire Council	
ESD	Ecologically Sustainable Development	Global initiative recommending balance of social, economic and environmental values in accord with 7 ESD principles.
ESS	Eurobodalla Settlement Strategy	Council strategy prepared with assistance of government to identify best uses and re-uses of urban lands, the appropriate siting of private and public investment (eg institutions, employment areas or high density residential) based on current and planned infrastructure and land capacity.
ET	Equivalent Tenement	Basis of calculation of demand or impact of a single dwelling on water and sewer system.
FAG	Financial Assistance Grant	Federal general purpose grant direct to local government based on population and other 'disability' factors.

Acronym	Meaning	Description
FSR	Floor Space Ratio	A measure of bulk and scale, it is a calculation of the extent a building floor area takes up of an allotment.
GIS	Geographic Information System	Computer generated spatial mapping of land and attributes such as infrastructure, slope, zoning.
IPART	Independent Pricing & Regulatory Tribunal	State body that reviews statutory or government business regulatory frameworks and pricing levels.
IPWEA	Institute Public Works Engineers Australia	Professional association.
IWCMS	Integrated Water Cycle Management Strategy (or Plan)	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation to water, sewer and stormwater systems.
IWMS	Integrated Waste Management (Minimisation) Strategy	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation of waste (solids, effluent, contaminated, liquid trade waste).
LEP	Local Environment Plan	The statutory planning instrument defining the zones and objectives of urban and rural areas.
LGAct	Local Government Act	State law defining the role of Mayor, Councillors, staff, financing, approvals etc.
LGMA	Local Government Managers Australia	Professional association.
LGNSW	Local Government NSW	Representative advisory and advocacy group for councils in NSW.
MOU	Memorandum of Understanding	Agreement in principle between parties (eg council and agency) to achieve defined outcomes.
NPWS	National Parks & Wildlife Service	Now merged into DECCW.
NRM	Natural Resource Management	
NVC	Native Vegetation Act 2003	State law defining means of protection of threatened legislation and approval processes to clear land.
OC	Occupation Certificate	Issued by council or private certifier that building is safe to occupy and in compliance with development conditions and BCA.
OSMS	On site sewage management system	Includes septic tanks, aerated systems, biocycles etc.
PCA	Principal Certifying Authority	The person or organisation appointed by applicant to inspect and certify structures.

Acronym	Meaning	Description
PIA	Planning Institute of Australia	Professional association.
POEO	Protection of the Environment Operations Act	State law outlining standards for emissions and discharges and penalties for pollution.
PoM	Plan of Management (usually for community land)	Council plan nominating type of uses for community land and range of facilities progressively to be provided on land.
PPP	Public Private Partnerships	
PTS	Public Transport Strategy	Council strategy to initiate mechanisms to promote and facilitate public transport (bus, taxi, community transport, cycles) in design of subdivisions, developments and council works.
REF	Review of Environmental Factors	Council examination of risk and social, economic and environmental benefit of proposed works, assessed against state planning, environment and safety laws.
REP	Regional Environment Planning Policy	Outlines compulsory state planning objectives to be observed in development assessment and strategic planning.
RFS	Rural Fire Service	State agency responsible for providing equipment and training for volunteer firefighter brigades, and the assessment and approval of developments in bushfire prone lands.
RLF	Regional Leaders Forum	The group of mayors and general managers representing the councils in the ACR.
RMS	Roads & Maritime Service	State agency responsible for funding, construction and maintenance of state roads, the approval of council works on arterial roads and development applications.
S64	S64 Contributions Plan	Developer contributions plan to enable, with council and state funds, the augmentation of water, sewer and stormwater infrastructure.
S94 S94A	S94 Contributions Plan S94A Contributions Plan Levy Plan	Developer contributions to enable construction of public infrastructure and facilities such as roads, reserves, carparks, amenities etc.
SCG	Southern Councils Group	Political and strategic grouping of councils along the NSW south coast from Wollongong to the border, lobbying government for assistance (eg highways) and resourcing sharing initiatives.
SCRS	South Coast Regional Strategy	Regional Strategy prepared by DoP for ESC, BVSC and part SCC to guide new LEPs.

Acronym	Meaning	Description
SEA	Strategic Environment Assessment	Spatial assessment of environmental constraints of land considered in design and assessment of subdivision and infrastructure. Scientific research behind assessment of capacity of land and waterways in rural residential and urban expansion lands to sustain human settlement.
SEPP	State Environmental Planning Policy	Outlines compulsory state planning objectives.
SNSWLHD	Southern NSW Local Health Districts	State board commissioned with oversight of health care in Highlands, Monaro and Far South Coast.
SoER	State of the Environment Report	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social, economic and environmental features of the Shire and appropriate responses to address or preserve those issues.
SP	Social Plan	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social framework of the community, their services and facilities and economic interactions.
.....SP	Structure Plan	Plan promoting landuses and siting of infrastructure and facilities in towns (eg, BBSP – Batemans Bay Structure Plan).
SRCMA	Southern Rivers Catchment Management Authority	State agency commissioned with assessment and monitoring of health and qualities of catchments from Wollongong to the border, and determine directions and priorities for public and private investment or assistance with grants.
STP	Sewer Treatment Plant	Primary, secondary and part tertiary treatment of sewage collected from sewers before discharge into EPA approved water ways or irrigation onto land.
TAMS	Total Asset Management System	Computer aided system recording condition and maintenance profiles of infrastructure and building assets.
TBL	Triple Bottom Line	Commercial term coined to encourage business to consider and disclose social and environmental risk, benefit and costs in the conduct of business to guide investors as to the long term sustainability and ethics of a business. Taken up by Council to record the basis of prioritisation, the review of condition, the monitor of progress and the financial disclosure of preventative or maintenance investment in council based social and environmental activities.
ToR	Terms of Reference	
TSC	Threatened Species Conservation Act 1995	State law governing the protection of nominated species and relevant assessment and development controls.

Acronym	Meaning	Description
WCF	Water Cycle Fund	Combination of water, sewer and stormwater activities and their financing arrangements.
WSUD	Water Sensitive Urban Design	Principle behind the IWCMS and council development codes requiring new developments to reduce demand and waste on water resources through contemporary subdivision and building design.