



AGENDA

Ordinary Meeting of Council

7 April 2020

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

ON TUESDAY 7 APRIL 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 24 March 2020 | |
| 3. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA | |
| (Declarations also to be made prior to discussions on each item) | |
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| 5. NOTICES OF MOTION | |
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| 7. PETITIONS | |
| Nil | |
| 8. GENERAL MANAGER'S REPORTS | |
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2020-21 | 8 |

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**DR CATHERINE DALE
GENERAL MANAGER**

QON20/002 RECLASSIFICATION AND SALE OF COUNCIL LAND

S012-T00024, S017-T00008

Responsible Officer: Patrick McGinlay - Councillor

Attachments: Nil

The following question on notice was received from Councillor Patrick McGinlay:

Question

INTRODUCTION

At the Council meeting of 24 March 2020, Clr Mayne asked a Question on Notice (QoN 20/001) in regard to the Reclassification of Land.

During debate in regard to this item I gave verbal notice of intent to submit further related Questions on Notice at the Council meeting of 7 April.

INTENT

Please note that the intent of the following questions is to make it as clear as possible to councillors and the community, as to which blocks of council land have been sold since 2012, are currently approved for sale, or have been identified as having the potential to be sold in the future following due process.

QUESTION

Can the answers to QoN 20/001, be expanded to provide the following information:

- a) In the table provided, distinguish between those blocks of land already sold, and those currently approved for sale.
- b) Details of any other blocks of land that have been identified via any Ross report or by any other means, that have the potential to be sold.
- c) Provision of standard street addresses for all blocks discussed, to enable easier identification and recognition of location of the same for the benefit of members of the community and councillors.

Response

The table provided in answer to QoN 20/001 has been amended to:

- Add an extra column to differentiate between land already sold and that for sale in answer to part a) above
- To add in street numbers for all properties in answer to part c) above

	Lot and DP	Address	Suburb	Proposed for sale now	Sold
3	Lot 56 DP 708346	42 Edward Road	Batehaven		
4	Lot 23 DP 787496	3a Merriman Place	Bodalla		
5	Lot 58 DP 739830	34a Iluka Street	Broulee		Yes
6	Lot 38 DP 718667	53a Train Street	Broulee		Yes
8	Lot 693 DP	Penguin Place –	Catalina		

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	249461	adjacent to 121 Country Club Drive			
10	Lot 66 DP 261646	54 Mummaga Lake Drive	Dalmeny		Yes
11	Lot 13 DP 785266	Cnr White Sands Place & Edgewood Place	Denhams Beach	Yes	
12	Lot 88 DP 803087	Lewana Close – adjacent to 27 Lewana Close	Lilli Pilli		
13	Lot 41 DP 1061842	Cnr Bunderra Circuit & Carramar Drive	Lilli Pilli		
14	Lot 246 DP 569875	93 Maloneys Drive	Maloneys Beach	Yes	
15	Lot 14 DP 701609	129 Maloneys Drive	Maloneys Beach		Yes
16	Lot 1156 DP 529665	587 George Bass Drive	Malua Bay		
17	Lot 17 DP 264212	Cnr Pollwombra & Shelley Road	Moruya	Yes	
18	Lot 11 DP 771497	75 Evans Street	Moruya		Yes
19	Lot 11 DP 809702	1a Panorama Parade	Moruya		Yes
21	Lot 51 DP 771497	9-7 Pioneer Avenue	Moruya	Yes	Yes – 1 of 2 lots sold
22	Lot 91 DP 631493	North Head Drive – adjacent to 285 North Head Drive	Moruya		
23	Lot 18 DP 264212	Shelley Road – adjacent to 2 Shelley Road	Moruya	Yes	
24	Lot 36 DP 264448	Maclean Place – adjacent to 11 Maclean Place	Moruya		Yes
25	DP 26279	Preddeys Wharf Road	Moruya Heads		
27	Lot 21 DP 825840	2 Chisholm Place	Narooma		Yes
28	Lot 2 DP 244134	7-11 Penthouse Place	North Batemans Bay		
39	Lot 173 DP 262910	44-50 Hume Road	Sunshine Bay	Yes	
31	Lot 9 DP 774356	Sunshine Bay Road – adjacent to 4 John Oxley Crescent	Sunshine Bay	Yes	

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33	Lot 3 DP 622389	657 Beach Road	Surf Beach		Yes
34	Lot 14 DP 30365	10-11 Bayview Street	Surf Beach	Yes	
35	Lot 47 DP 262947	32 Eric Fenning Drive	Surf Beach		
36	Lot 852 DP 214160	1 The Vista	Surf Side		
37	Lot 851 DP 214160	15 The Vista	Surf Side		
38	Lot 853 DP 214160	2 The Vista	Surf Side		
39	Lot 850 DP 214160	16 The Vista	Surf Side		
40	Lot 277 DP 218664	55 Tuross Boulevard	Tuross Head		Yes
41	Lot L DP 362231	95 Trafalgar Road	Tuross Head		
42	Lot 101 DP 1001026	3 Museum Place	Batemans Bay		
43	Lot 1 DP 327858	Bumbo Road – adjacent to 55 Bumbo Road	Bodalla		
44	Lot 1 DP 1144366	17 Imlay Street	Broulee		
46	Lot 127 DP 1068529	13a Litchfield Crescent	Long Beach		
48	Lot 95 DP 631493	North Head Drive – near Garlandtown Bridge	Moruya		
49	Lot 3 DP 631315	Behind 37 Queen Street	Moruya		
50	Lot 102 DP 710162	Queen Street – adjacent to 51 Queen St	Moruya		
51	Lot 94 DP 631493	North Head Drive near Garlandtown Bridge	Moruya		
52	Lot 55 DP 1075538	42 Shelley Road	Moruya		
53	Lot 90 DP 713637	Rose Street – adjacent to 10 Rose Street	Moruya		
57	Lot 9 DP 776904	31 Brighton Street	Tuross Head		Yes

QON20/002 RECLASSIFICATION AND SALE OF COUNCIL LAND

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In relation to other blocks potentially for sale, such properties can be identified via a number of means including:

1. The 2018 Recreation and Open Space Strategy (ROSS) adopted by Council on 27 February 2018
2. Under action 9.2.2.3 of Council's adopted Operational Plan 'Strategic Management of Operational Land'
3. Following requests or enquiries from members of the community.

When the 2018 ROSS was adopted, the resolution included the three properties identified for potential sale and stated:

'THAT:

1. *Council adopt the Recreation and Open Space Strategy 2018 and endorse the Action Plan contained in the Strategy.*
2. *Council:*
 - a) *commence a planning proposal process to reclassify Lot 84 DP 259212 (49 Banyandah Street, South Durras) from community to operational to enable sale of the land*
 - b) *commence a planning proposal process to rezone Lot 1110 DP 236653 located at (35-37 Illabunda Drive, Malua Bay) from E2 Environmental Conservation to R2 Low Density residential and reclassify the subject land from community to operational to enable the sale of the land*
 - c) *commence a planning proposal process to reclassify part of Lot 74 DP 776541 (9 Moir Place, Broulee) from community to operational for the purpose of subdivision and offering for sale those lots to the adjoining landowners with the retention of the public pathway*
 - d) *subject to Council resolution take all actions necessary to enable sale of the above properties, including lodgement of development applications for subdivision of land, where appropriate.'*

Council holds operational land for operational use and reviews its use of this land as per action 9.2.2.3 of the Operational Plan. Such land was not the subject of QoN 20/001 and it has not been possible to confirm details of operational land sold since 2012 in the time available to answer this question on notice. Any such land would have come to Council for consideration with the most recent example being the Moruya Racecourse.

Requests from members of the community to purchase land could be received by differing departments within Council – sometimes it is an initial enquiry where the resident just wants to understand the process and possibility of purchasing the land. Such property enquired about has the potential to be sold but may not appear on any identified list. If sale of the land has real potential, then it would either be added to the list of community land being considered for reclassification discussed below or if was operational land, be the subject of a report to Council.

QON20/002 RECLASSIFICATION AND SALE OF COUNCIL LAND

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If the property is community land, then a Council resolution is required to undertake the extensive public consultation process to have the land reclassified.

There are currently eight properties that are being considered for inclusion in a reclassification process - Council has not yet resolved for these properties to be included:

- Three properties identified in the ROSS 2018
- Four properties where it has been identified that a neighbour is encroaching on to community land
- One property where a neighbour would like to purchase a small corner of a public oval which appears to be little used by the public

All property requires a resolution of Council to be sold so any property that is community land will need to be considered at least twice more by Council.

RECOMMENDATION

THAT the response to the question regarding reclassification and sale of Council land raised by Councillor Patrick McGinlay be received and noted.

**GMR20/008 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2020-21**

**S004-T00028,
S004-T00029**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - Draft Delivery Program 2017-21 and
Operational Plan 2020-21
2. Under Separate Cover - Draft Fees and Charges 2020-21

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: 9.1.1.1 Review Council's Delivery Program and prepare the Operational
Plan

EXECUTIVE SUMMARY

Councils are required to prepare a Community Strategic Plan, Delivery Program and Operational Plan. This process follows the NSW Integrated Planning and Reporting legislation. Council's Community Strategic Plan 2017 – One Community was adopted on 13 June 2017. It is proposed to place Council's revised combined draft Delivery Program 2017-21 and Operational Plan 2020-21 on public exhibition for 28 days.

Council's original Delivery Program 2017-21 was developed through an extensive community and stakeholder engagement. The Operational Plan 2020-21 was revised as a result of a Councillor workshop held in February 2020.

The Delivery Program 2017-21 and revised draft Operational Plan 2020-21 (DP/OP) is structured around the nine outcomes in the Community Strategic Plan 2017 – One Community:

1. Strong communities, desirable lifestyle
2. Celebrated creativity, culture and learning
3. Protected and valued natural environment
4. Sustainable living
5. Vibrant and diverse economy
6. Responsible and balanced development
7. Connected and accessible places
8. Collaborative and engaged community
9. Innovative and proactive leadership

The document outlines the four year activities and annual actions Council will undertake to contribute to achieving our community's vision to be friendly, responsible, thriving and proud. Each service that assists in achieving the outcome is identified. Measures to track and report on progress in achieving each activity is also provided.

This document also includes financial information that supports the revised draft Delivery Program 2017-21 and Operational Plan 2020-21, including the budgets, capital program, revenue policy and draft 20-21 Fees and Charges.

**GMR20/008 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2020-21**

**S004-T00028,
S004-T00029**

RECOMMENDATION

THAT:

1. The revised draft Delivery Program 2017-21 and Operational Plan 2020-21 incorporating the Budget, Capital Works Program, Statement of Revenue Policy and Fees and Charges be endorsed and placed on public exhibition for a period of not less than 42 days.
2. Following public exhibition, a further report be submitted to Council for the consideration of submissions and adoption of the Delivery Program 2017-21 and Operational Plan 2020-21.

BACKGROUND

The *Local Government Act 1993* requires all NSW councils to review and adopt key Integrated Plans within 12 months following local government elections. Under NSW Integrated Planning and Reporting legislation, councils are required to prepare a Community Strategic Plan, Delivery Program and Operational Plan.

The Community Strategic Plan is the highest level that Council prepares and is a whole of community plan, reviewed and developed in partnership with the community. It identifies and articulates the community's long-term aspirations, priorities and vision.

The Delivery Program details the activities that the Council will deliver over its four-year term and the strategies it will implement in consultation with the community and contained in the Community Strategic Plan.

The Operational Plan details the actions to be undertaken during the next financial year and includes the annual budget and fees and charges for the year ahead.

CONSIDERATIONS

Council's original Delivery Program 2017-21 was developed through an extensive community and stakeholder engagement. The draft Delivery Program 2017-21 and Operational Plan 2020-21 were revised as a result of a Councillor workshop and consultation with managers.

The document outlines the four-year activities and annual actions Council will undertake to contribute to achieving our community's vision to be friendly, responsible, thriving and proud. Each service that assists in achieving the outcome is identified. Measures to track and report on progress in achieving each activity is also provided.

This year the Operational Plan also includes a section on the bushfire recovery actions to highlight to the community that this will be a significant focus, underpinning many of our activities. We have highlighted throughout the plan (using a heart symbol), the activities that will include bushfire recovery elements.

We have also included a disclosure around COVID-19, outlining that Council is monitoring the COVID-19 pandemic and the rapidly changing situation for our community.

Although this is the last year of the current Delivery Program, given the COVID19 situation, advice from the Office of Local Government is that they are seeking to extend the current IP&R cycle for 12 months, with a next cycle to be truncated to 3 years.

**GMR20/008 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2020-21**

**S004-T00028,
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Legal

Section 404 of the Local Government Act 1993 requires Council to have a Delivery Program to implement the strategies established in its Community Strategic Plan, within the resources available as identified under the Resourcing Strategy.

Section 405 of the Local Government Act 1993 requires Council to adopt an Operational Plan before the beginning of each financial year which details the activities to be engaged in by the Council during the year as part of the Delivery Program. The Operational Plan must include a statement of the Council's revenue policy for the year covered by the Plan. The statement of revenue policy must include the statements and particulars required by legislation.

The Office of Local Government's Integrated Planning and Reporting Manual and Integrated Planning and Reporting Guidelines are comprehensive tools which have been used in the revision of the draft Delivery Program 2017-21 and Operational Plan 2020-21.

Policy

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

Asset

The revised draft Delivery Program 2017-21 and Operational Plan 2020-21 has a focus of Council continuing to work with peak bodies to advocate to the NSW and Australian governments for enhanced funding models to better support regional communities across NSW.

The maintenance allocations have been kept at the same amount as 2019-20 which will result in some minor reduction in level of service due to normal annual cost escalation for materials supply, wages, plant hire costs. To address this, additional focus is being placed on grant applications with a substantial renewal component. It should also be noted that there will be revotes in the capital works program due to COVID-19 and bushfire recovery.

The 2020-21 Capital Program included in the draft Operational Plan 2020-21 has a focus on sustaining community infrastructure through the renewal of assets, particularly short lived assets. The plan also includes the provision of new infrastructure to meet demand from growth and progressively address network deficiencies.

Financial

In preparing the budget for 2020-21 a conservative approach was taken incorporating known factors, examining prior year performance and trends, and making prudent assumptions for forecasting. The focus is to ensure long term financial sustainability while ensuring the continued delivery of a broad range of services and capital works as informed by Council's underlying strategies.

Council's operations are separated into three funds for financial purposes. The three funds are the General Fund (which includes waste and environment activities), the Sewer Fund and the Water Fund. Key considerations for Water and Sewer operations are ensuring a stable pricing path for ratepayers and meeting NSW Office of Water Best Practice requirements. Council recently completed a 30 years Integrated Water Cycle Management Strategy, which has

**GMR20/008 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2020-21**

**S004-T00028,
S004-T00029**

informed the development of the budgets for these funds. Council anticipates delivering a dividend from these funds to the General Fund in 2020-21.

The key projected financial results for each fund and a consolidated outlook is shown in the table below, table is subject to rounding:

Key Results 2020-21 (\$'000)	General Fund	Sewer Fund	Water Fund	Consolidated Fund
Total income (before capital grants and contributions)	80,404	21,962	19,689	122,055
Total expenses	78,710	20,501	17,291	116,502
Net operating result (before capital grants and contributions)	1,694	1,461	2,399	5,553
Net operating result (after capital grants and contributions)	55,436	4,286	18,746	78,468
Total capital program	69,783	20,220	33,320	123,323
Cash position – increase/(decrease) in unrestricted funds	3,308	(9,531)	(986)	(7,209)

**Numbers subject to rounding*

A key indicator for financial sustainability is the net operating result before capital grants and contributions. This shows the funds are generating enough revenue to cover their operating expenditure in the same period. Therefore the financial objective when preparing this plan is to ensure a balanced net operating result for all of Council (consolidated entity) and within each of Council's separate funds (General, Sewer and Water).

All funds project an Operating Surplus before capital grants and contributions. The use of cash continues to be monitored to ensure Council remains in a strong position to meet its obligations when they fall due, and where appropriate borrowings are minimised to lessen their associated costs.

All funds are projected to be in a sound financial position in the delivery program period.

The Revenue Policy incorporated into the budget and disclosed in this plan outlines the proposed changes for rates, levies and annual charges, pricing policies and proposed borrowings for 2020-21.

Proposed changes include:

- The general rate increases by 2.6%, the rate peg amount for 2020-21.
- The environment fund rate increases by 2.6%.
- The waste collection charges increases by 2.6% for the typical household.
- The water access charge increases by 3% to \$340 (20mm connection access charge) and the usage charge increases by 2.7% to \$3.75 per kilolitre. Water charges are determined taking account of the NSW Best Practice Pricing Guidelines.
- The sewer access charge increases by 2.1% to \$990 (20mm connection access charge) and the usage charge increases by 2.1% to \$1.96 per kilolitre.

**GMR20/008 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2020-21**

**S004-T00028,
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Community and Stakeholder Engagement

If the revised draft Delivery Program 2017-21 and Operational Plan 2020-21 are endorsed for public exhibition, Council will continue to engage the community from 8 April to 20 May 2020 by:

- making the revised draft Delivery Program 2017-21 and Operational Plan 2020-21 available for the community to read on Council's website. In previous years, we have had hard copies available through our libraries and customer service centres, however due to COVID-19 restrictions, this year we are strongly encouraging people to review the plan via our website, any specific requests for hard copies can be made through the executive services team on 4474 1358.
- informing the community about the public exhibition and inviting the community to have their say through information on Council's website.
- notifying and inviting community associations, groups and business chambers to have their say
- consulting the community by considering and acknowledging submissions received, and providing the community's feedback to Council prior to any decisions being made about the Delivery Program 2017-21 and Operational Plan 2020-21.

The goals for engaging the community on the revised draft Delivery Program 2017-21 and Operational Plan 2020-21 are to:

- give the community the opportunity to read the plans, and to provide their feedback to Council through a 42 day public exhibition, noting that the 42 day period exceeds Council's legal timeframes which requires this to be endorsed by 30 June 2020
- provide the community with information and opportunities to ask questions and provide feedback and suggestions about the revised draft Delivery Program 2017-21 and Operational Plan 2020-21.

CONCLUSION

The revised draft Delivery Program 2017-21 and Operational Plan 2020-21 will be publicly exhibited for 42 days. The community will be invited to have their say on the draft plans during the exhibition period and make a submission. At the end of the public exhibition period Council will be provided with all submissions for consideration prior to its adoption on 30 June 2020.

**GMR20/009 DISASTER RECOVERY FUNDING – COMMONWEALTH
GOVERNMENT -COUNCILS AFFECTED BY BUSHFIRES**

**S008-T00015,
S012-T00025**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: Protected and Valued Natural Environment

Focus Area: 3.1 Respond to our changing environment and build resilience to natural hazards

Delivery Program Link: 3.1.3 Collaborate with agencies and emergency services to support coordinated emergency management

Operational Plan Link: 3.1.3.3 Support emergency services agencies in planning and responding to natural and man made disasters

EXECUTIVE SUMMARY

The funding for the 'Disaster Recovery Funding – Commonwealth Government, Councils Affected by Bushfires' is provided by the Australian Government through the National Bushfire Recovery Agency. Funding has been made available to bushfire affected Local Government areas in Australia following the unprecedented bushfires from August 2019 onwards. An allocation of \$1,416,667 has been made available to Eurobodalla Shire Council and this is allocated subject to an approved Program of Works, being submitted to the Office of Local Government and a report back to the Commonwealth in twelve months time.

The Commonwealth Government allocated a base payment of \$1 million to 42 of the most severely bushfire impacted councils in New South Wales, Victoria, South Australia and Queensland to help rebuild vital infrastructure and strengthen community resilience. Further funding of \$416,667 was allocated based on the severity of damage in the Eurobodalla region.

Councils are able to spend their payments on projects and activities that they deem essential for the recovery and renewal of their communities, including:

- Rebuilding damaged or destroyed council assets such as key local roads, bridges, and community facilities;
- Employing additional local staff to take on specialist recovery or planning roles to help coordinate and plan the rebuilding effort;
- Hosting new public activities and events to bring communities together and attract visitors back to affected regions; and
- Immediate maintenance and repairs to relief and evacuation centres.

This report outlines a list of projects that are recommended to assist the Eurobodalla community in the recovery process.

It should be noted that a number of these projects will be deferred until COVID-19 is under control and restrictions have been lifted. An extension of time has been sought.

RECOMMENDATION

THAT the list of projects as outlined in this report be forwarded to the Office of Local Government for approval.

**GMR20/009 DISASTER RECOVERY FUNDING – COMMONWEALTH
GOVERNMENT -COUNCILS AFFECTED BY BUSHFIRES**

**S008-T00015,
S012-T00025**

BACKGROUND

The Disaster Recovery Funding for Local Councils is being provided through the Australian Government National Bushfire Recovery Agency.

Local councils are the only organisations eligible for this funding.

CONSIDERATIONS

Projects will need to contribute to one of the following criteria:

- Rebuilding damaged or destroyed council assets such as key local roads, bridges, and community facilities;
- Employing additional local staff to take on specialist recovery or planning roles to help coordinate and plan the rebuilding effort;
- Hosting new public activities and events to bring communities together and attract visitors back to affected regions; and
- Immediate maintenance and repairs to relief and evacuation centres.

Proposed projects	Value	Comments
Community Development Program	\$250,000	A structured program of community development, arts and recreational projects and activities will be developed to support our community's recovery. The program will include sound, evidence-based projects that have been implemented successfully as part of recovery and community development processes elsewhere and modified to suit the Eurobodalla. The program will also include activities and ideas put forward by community groups and organisations within the Eurobodalla community, in collaboration with Council, that advance positive recovery outcomes. Wherever possible, funds will be supplemented with additional grants and partnership arrangements to maximise the benefit to the Eurobodalla community. It will also cover the waiver of hall hire fees for community groups conducting bushfire recovery business or events. These strategies will support people during recovery.
Mogo Town Plan	\$150,000	Supporting and facilitating rebuild of directly impacted shops, whilst looking for an overall improved outcome for Mogo as a town and community. (The DCP work undertaken by strategic planning in 2018 identified a need for

**GMR20/009 DISASTER RECOVERY FUNDING – COMMONWEALTH
GOVERNMENT -COUNCILS AFFECTED BY BUSHFIRES**

**S008-T00015,
S012-T00025**

		a vision and town plan for Mogo). Working with NSW Government Architect to develop a masterplan for affected sites that addresses the requirements of new DCP. An analysis of carparking to determine if on-site requirements can be delivered through an alternate solution, and whether pedestrian and bike linkages can be improved to connect town to mountain bike trails.
Spendmap Data Package	\$38,000	An online program which gives council full access to the Eftpos and cash sales recorded within the community. Can give us full data on economic yield by the municipality, showcasing both local spend and visitor spend.
Evacuation Centre modification to increase resilience	\$200,000	Improve functionality of centres through provision of facilities to connect generators and improve facilities with a focus on Moruya and Narooma evacuation centres.
Community Events Calendar	\$25,000	A new Council website will improve engagement with the community during and beyond bushfire recovery - particularly hard to reach populations like young people - with contemporary features and an integrated community events calendar.
Water saving assistance program extension	\$60,000	Increase dual flush toilet rebate for business + residential. Increase roll out and reduce eligibility thresholds for business pre-rinse spray nozzle, hose down gun + low flow taps and showerheads.
Captain Oldrey Amenities rebuild	\$200,000	Contributing to a complete rebuild of amenities to a fire affected site.
Mogo Pathway	\$33,000	Contribution to pathway from Princes Highway to playing fields.
Emerging Issues	\$435,667	Fund other areas identified as a result of bush fire recovery, not covered by existing funding.
TOTAL	\$1,416,667	

At its meeting on 10 March 2020, Council resolved how the \$250,000 for Bushfire Community Resilience and Economic Recovery Fund would be spent. A number of those projects cannot be undertaken in light of COVID-19 restrictions. Approval has been granted for those timelines to be extended.

GMR20/009	DISASTER RECOVERY FUNDING – COMMONWEALTH GOVERNMENT -COUNCILS AFFECTED BY BUSHFIRES	S008-T00015, S012-T00025
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Legal

Council will need to provide a Schedule of Works to the Office of Local Government.

At the completion of the project(s), Council will need to provide a brief summary of the activities that were funded and evidence of expenditure.

Financial

The Commonwealth Government allocated a base payment of \$1 million to 42 of the most severely bushfire impacted councils in New South Wales, Victoria, South Australia and Queensland to help quickly rebuild vital infrastructure and strengthen community resilience. Further funding of \$416,667 was allocated based on the severity of damage in the Eurobodalla region.

CONCLUSION

Council is eligible for \$1,416,667 under the 'Disaster Recovery Funding – Commonwealth Government, Councils Affected by Bushfires' provided through the Australian Government National Bushfire Recovery Agency. The proposed list of projects meets the objectives and criteria of the Fund. This grant funding is welcomed and will assist the Eurobodalla community.

GMR20/010 COVID-19 UPDATE

S027-T00021

Responsible Officer: Dr Catherine Dale - General Manager
Attachments: Nil
Outcome: Protected and Valued Natural Environment
Focus Area: 3.1 Respond to our changing environment and build resilience to natural hazards
Delivery Program Link: 3.1.3 Collaborate with agencies and emergency services to support coordinated emergency management
Operational Plan Link: 3.1.3.3 Support emergency services agencies in planning and responding to natural and man made disasters

EXECUTIVE SUMMARY

This report provides Council with an update on Council's response to the current COVID-19 situation.

The World Health Organisation (WHO) declared COVID-19 as a pandemic on 30 January 2020. The Australian and NSW Governments have taken measures in accordance with pandemic guidelines and currently, Australia does not have widespread community transmission of COVID-19.

Council is actively involved in the Local Emergency Management Committees response to COVID-19 which includes police, NSW Fire Brigades, SES, Health, Transport for NSW and neighbouring councils. This is allowing us to establish joint approaches and provide consistent advice. The lead agency for health information for this situation in Eurobodalla is NSW Health. The community are encouraged to keep informed of updates on COVID-19 in Eurobodalla. Details can be found at <https://www.health.nsw.gov.au/Infectious/diseases/Pages/coronavirus.aspx>

From 31 March 2020, the NSW Government has regulated that *'you must stay at home, unless you are going to:*

- *work and education, where you can't work remotely*
- *shop for food and essentials*
- *medical needs or the care of others*
- *exercise.*

If you go out, you are required to stay 1.5 meters away from other people at all times. You should also practice good hygiene and wash your hands regularly'.

At the time of writing this report, there are nine confirmed cases of COVID-19 in Eurobodalla.

Council is committed to the safety of its community and staff. Council has implemented plans to keep essential services available to the community and following the advice of government health authorities about the coronavirus COVID-19.

GMR20/010 COVID-19 UPDATE

**S027-
T00021**

Council is also following the advice of NSW Health and the Australian and NSW governments in relation to the delivery of facilities and services and will continue to review its operations in line with the evolving advice and Public Health Orders.

It should be noted that both Australia and NSW Government have implemented significant economic packages to assist businesses and employees and support for people that are tenants and on welfare due to the COVID-19 pandemic.

RECOMMENDATION

THAT Council:

1. Note the action taken to date during this pandemic.
2. Receive further reports throughout the pandemic with additional actions Council has taken.

BACKGROUND

A pneumonia of unknown cause detected in Wuhan, China was first reported to the WHO Country Office in China on 31 December 2019.

COVID-19 is a respiratory illness caused by a new virus. Symptoms include fever, coughing, sore throat and shortness of breath. The virus can spread from person to person, but good hygiene and social distancing can help prevent infection.

The WHO declared COVID-19 as a pandemic on 30 January 2020.

Australia recorded its first case of COVID-19 in late January 2020. Eurobodalla recorded its first case of COVID-19 on 21 March 2020.

CONSIDERATIONS

Council has implemented plans to keep essential services available to the community and following the advice of government health authorities about the COVID-19. Council will continue to review its operations in line with that evolving advice.

Public Health Orders have been issued to protect the community and reduce the spread of COVID-19 infection. Up to date public health orders can be found at <https://preview.nsw.gov.au/covid-19/public-health-orders>

Council is working to limit the spread of COVID-19 and with all Council's physical centres closed to the public, residents can conduct most of their Council business over the phone, or online. Services like paying rates or water bills, viewing and submitting tenders, planning certificates and development applications, including bushfire rebuilding, can all be done without visiting in person. Residents can find the full list on our website or can call on 4474 1000.

To help reduce the potential spread of COVID-19 Council has implemented the following temporary closures:

Council's administration building, Moruya	Closed to the public from midday Monday 30 March, services continue. P 4474 1000
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	<p>www.esc.nsw.gov.au council@esc.nsw.gov.au</p>
Eurobodalla Recovery Centre, Batemans Bay	<p>Closed from Saturday, 4pm. Contact Service NSW for recovery support. P 13 77 88 www.servicensw.gov.au</p>
Council depots in Moruya, Batemans Bay and Narooma	<p>Closed to the public from Friday 27 March 4pm, services continue. P 4474 1000 www.esc.nsw.gov.au council@esc.nsw.gov.au</p>
Surf Beach and Brou tips	<p>Closed to the public from 3.45pm Sunday 29 March, open to contractors transporting waste from bushfire clean-up, construction and demolition, medical services, and commercial and retail.</p>
Moruya Waste Transfer Station	<p>Open for domestic waste, seven days from Monday 6 April. P 4474 1000 www.esc.nsw.gov.au council@esc.nsw.gov.au/wasteandrecycling</p>
Pools, halls and Batemans Bay Visitors Centre	<p>Closed to the public until further notice.</p>
Eurobodalla Libraries	<p>Closed for public browsing until further notice. P 4474 1333 www.esc.nsw.gov.au/libraries library@esc.nsw.gov.au</p>
Playground, outdoor gym and skateparks	<p>Closed to the public until further notice.</p>

All non-essential council events were cancelled starting from 23 March 2020 onwards.

Meetings

Council has worked towards eliminating face to face contact to comply with social distancing measures in an attempt to reduce the spread of the virus. All meetings are now conducted utilizing technology either through phone call or electronic meetings (facetime, zoom, outlook team viewer, webex or skype).

GMR20/010 COVID-19 UPDATE

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Council Meetings

The NSW Government made the necessary amendments to the *Local Government Act 1993* to enable Council meetings to be facilitated via video link and livestreamed to the public. Council has implemented measures to ensure that it complies with the Public Health Order at its next Council Meeting on 7 April 2020. These changes will ensure that we are further limiting the opportunities for contamination and spread of the virus.

Requirements for members of the public to be permitted to attend meetings can now be facilitated by live-streaming the meeting using an audio-visual link.

Council elections postponed

To provide certainty to councils, communities and potential candidates, the NSW Government has made the decision to postpone the September Local Government elections in the face of the COVID-19 crisis.

The decision to postpone the elections is necessary to ensure the health and safety of voters, NSW Electoral Commission staff and election candidates.

It follows Parliament passing amendments to the *Local Government Act 1993* to provide the Minister with the power to postpone the elections for 12 months with a possible further extension to 31 December 2021 should the need arise.

It is the NSW Government's intention that the council elections will be held in September 2021.

Current councillors and popularly elected Mayors will continue to hold their civic offices until the rescheduled local government elections are held. Council will hold its Deputy Mayor elections in October 2020.

Regulatory functions

Eurobodalla has eased regulatory enforcement to give businesses flexibility during this uncertain time to reduce the impacts of COVID-19, allowing more truck deliveries to supermarkets and provisions for assistance for food businesses to assist with meeting Public Health Orders.

Staff

It is important that Council maintains the health and safety of its employees whilst maintain services to the community. As part of Council's Business Continuity Plan, essential service staff were identified and measures were put in place in mid-March to ensure that staff could maintain essential services to its community.

Further, to ensure that Council is reducing the risk to staff, enable social distancing and complying with government regulations, Council has undertaken a review of its workforce and:

- identified those who can reasonably and realistically conduct work from home,
- identified those who would be able to operate at remote or isolated sites and
- implemented hand hygiene, disinfecting and distancing requirements in all of Council's workplaces.

GMR20/010 COVID-19 UPDATE

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From Monday 30 March 2020, Council had put measures in place to ensure that the workforce that could reasonably and realistically conduct work remotely were working from home. For the remainder of employees, strict measures are in place to ensure that social distancing measures are adhered to.

Policy

Council participated in the development of the Canberra Region Joint Organisation Pandemic Management Policy. This policy was developed to complement Council's Business Continuity Plan. The policy provides trigger point to assist the organisation in its response to ensure the health and safety of employees whilst maintaining services to the community.

Community and Stakeholder Engagement

Council uses its communications platforms to share important information on council services affected by COVID-19 restrictions. The content covers a range of information on services and facilities affected by the COVID-19 restrictions. 8 media releases and 8 facebook posts have been distributed since 3 March 2020.

Council's coronavirus webpage - <https://www.esc.nsw.gov.au/coronavirus> provides information on Council's service in one convenient place for the community. This resource is updated daily.

CONCLUSION

This report has outlined Council's response to date to the COVID-19 to ensure that essential services continue throughout the during of this situation. It has provided a summary of actions taken as a local government authority in line with government regulations. Council will continue to review its operations in line with evolving advice from Australian and NSW governments.

IR20/003 LOCAL TRAFFIC COMMITTEE NO 7 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 Eurobodalla Local Traffic Committee meeting are included in this report for Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting, held 5 March 2020, are as follows:

- Signage – 2hr Parking Cranbrook Road, Batemans Bay
- Traffic Management & Control Plan – RYDA Event Donnellys Drive, North Moruya
- Special Event – ANZAC Day Marches, Various Locations
- Special Event Application – Narooma Oyster Festival
- Active Transport Grant Program – Review proposed locations for Walking and Cycling Infrastructure.

RECOMMENDATION

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 6 for 2019-20 be received and noted.
2. That Council Plan No. 5156 Set BP Sheet 08 detailing the 2-hour timed parking on Cranbrook Road, Batemans Bay be approved.

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 7 for 2019-20 was held on 5 March 2020. The meeting was attended by Councillor Anthony Mayne (Chair), Jesse Fogg (Transport for NSW, RMS), Michael Travers (Transport for NSW, RMS), Acting Sergeant Scott Britt (NSW Police), Danielle Brice (representative for the Hon Andrew Constance MP), Dave Hunter (Traffic Coordinator), Mallee Smith and Matt Cormick (minute takers).

APOLOGIES

Apologies were received from Kate McDougall (Road Safety Officer).

IR20/003 LOCAL TRAFFIC COMMITTEE NO 7 FOR 2019-20

E16.0002

DEPUTATIONS

Nil.

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 6 for 2018-19 held on 6 February 2020 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

Nil.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2020.RT.016 Signage – 2hr Parking Cranbrook Road, Batemans Bay

Council has recently received a request to provide timed parking on a section of Cranbrook Road, adjoining a business.

This business, Flooring Xtra, had their premises destroyed during the recent catastrophic bush fire event. The building was at the corner of Cranbrook Road and Princes Highway.

They moved to a unit within No. 28 Cranbrook Road, 350 metres from Princes Highway.

The reason they have requested the timed parking is that the available off-street parking for their customers is very limited, and adjoining on street parallel parking at most times is taken up by workers from various nearby premises who park there all day.

Council would normally not support installing isolated short term on street timed parking within the Batemans Bay industrial area, however given the extenuating circumstances, the proposal is supported. There is adequate on-street parking in other sections of Cranbrook Road to cater for workers' parking.

It is proposed to review the new timed parking arrangements in twelve months' time.

Timed 2 hour on street parking is proposed adjoining No. 28 Cranbrook Road to accommodate three cars. Adjoining property owners and businesses (including on the opposite side of the street) have been informed of the proposal.

Council Plan No. 5156 Set BP Sheet 08 detailing the timed 2-hour parking adjoining No. 28 Cranbrook Road was reviewed by the Committee.

Recommendation:

That Council Plan No. 5156 Set BP Sheet 08 detailing the 2-hour timed parking on Cranbrook Road, Batemans Bay be approved.

IR20/003 LOCAL TRAFFIC COMMITTEE NO 7 FOR 2019-20

E16.0002

INFORMAL ITEMS FOR DISCUSSION

Note: The following minutes in respect to events reflect the discussion by the LTC at the time of the meeting. All ANZAC Day services and the Narooma Oyster Festival have since been postponed due to the COVID-19.

2020.IN.004 Traffic Management & Control Plan – RYDA Event Donnellys Drive, North Moruya

A Traffic Management and Control plan has been received for the running of the annual Rotary Youth Driver Awareness (RYDA) Program on 30 and 31 March using Donnelly Drive, Moruya.

The Rotary Club of Batemans Bay is again facilitating a two-day event to be held around the Moruya Racecourse grounds for the ninth consecutive year. RYDA (Rotary Youth Driver Awareness) is aimed at educating Year 11 students about various road safety issues and students from all five high schools in the Eurobodalla Shire will be participating.

One module requires a practical demonstration of motor vehicle stopping distances on a bitumen surface whilst travelling at three different speeds.

There will be six demonstrations per day each taking up to 30 minutes to complete. The demonstrations are conducted outside the Jockey Club on Donnelly Drive.

All demonstrations are conducted by a certified driving instructor and students observe the demonstration from behind a cordoned off observation area. For added effect, Council provides its portable Speed Advisory Sign.

Donnelly Drive is a No Through Road with the only traffic being residents and visitors to a small cluster of houses.

Closing the road for up to 30 minutes for each demonstration over a two-day period will result in minimal disruption to the resident's lifestyle and/or business activities.

Recommendation:

That the submitted traffic management and control plan for the 2020 Rotary Youth Driver Awareness Program to be conducted using Donnelly Drive, Moruya on 30 and 31 March be approved.

2020.SE.008 Special Event – ANZAC Day Marches, Various Locations

ANZAC Day marches will be conducted in the following locations on 25 April:

- (a) Batemans Bay
- (b) Tomakin
- (c) Moruya
- (d) Tuross Head
- (e) Narooma.

As the marches in Batemans Bay, Moruya and Narooma affect the major road networks, traffic management and control plans are required.

IR20/003 LOCAL TRAFFIC COMMITTEE NO 7 FOR 2019-20

E16.0002

Council will assist the event organisers to submit applications for Road Occupancy License's (ROL's) to the Roads and Maritime Services (RMS) for the Moruya and Narooma marches, as they require the use of the Princes Highway.

Traffic Management and Control Plans were reviewed by the Committee.

Recommendation:

That the submitted traffic management and control plans for the ANZAC Day marches for Batemans Bay, Moruya and Narooma on 25 April 2020, subject to approval by the NSW Police and lodgment of a Road Occupancy License to Roads and Maritime Services for the Moruya and Narooma events be approved.

2020.SE.009 Special Event Application – Narooma Oyster Festival

Traffic Management and Control Plans has been received for the 2020 Narooma Oyster Festival to be conducted in the vicinity of Quota Park on Riverside Drive, Narooma on Friday 1 and Saturday 2 May. A special event application has not been submitted yet.

The event is comprised essentially of stalls and events conducted around the foreshore area in Riverside Drive. Parking will be in the various on-street and off-street areas available in the vicinity of Quota Park.

Road closures of a section of Riverside Drive on Friday 1 May and Saturday 2 May are proposed. A Traffic Management Plan has been prepared for this event and will be circulated to committee members via email prior to the meeting.

The proposed traffic arrangements, including road closures and detours are similar to those used during the May 2019 Oyster Festival. Road closures and detours will be in place from 7am Friday 1 May until 10pm Saturday 2 May 2020. The event will be conducted on Friday 1 May from about 4pm until 8pm and Saturday 2 May 2020 from about 10am to 8pm.

The Traffic Management and Control Plan documents were reviewed by the Committee.

The Committee agreed that a letter box drop should be undertaken to all adjoining residences of the road closure and detour areas.

This is a class 2 event on Councils Roads. An RMS Road Occupancy Licence is not required.

Recommendation:

That the submitted Traffic Management Plan and associated Traffic Control Plan No 5156 Set N Sheet 01 for the Narooma Oyster Festival to be conducted on Riverside Drive on Friday 1 and Saturday 2 May 2020 be approved.

2020.IN.005 Active Transport TfNSW Grant Program – Review proposed locations for Walking and Cycling Infrastructure

Each year Council is invited by NSW Government to apply for funds to build infrastructure for Walking and Cycling under the TfNSW Active Transport Program.

This program is a joint effort to encourage people to walk or cycle as part of their everyday commute. It complements Council's adopted "Eurobodalla Pathways Strategy June 2017", a strategy for safe walking and cycling pathways in Eurobodalla Shire.

IR20/003 LOCAL TRAFFIC COMMITTEE NO 7 FOR 2019-20

E16.0002

A multi-facet approach is taken to determine suitable sites, based on both the Eurobodalla Strategy and TfNSW guidelines. Other practicalities are also considered such as tying in with other construction projects such as kerb and gutter or pavement rehabilitation works.

Both NSW Government and Council contribute to the installation of the infrastructure. This year nine map / suburb sites have been selected with various combination of 1.5m wide pathways, 2.5m wide shared paths and pedestrian refuge islands so people can safely crossroads.

The sites tie into Map Sites in Council's adopted strategy.

The Committee reviewed the plan of the nine sites.

Successful sites are usually announced by the NSW Minister in May and works undertaken in the following financial year ie July 2020 to June 2021.

Recommendation:

That the plan showing the locations and extents of the nine sites through Eurobodalla to be submitted under the NSW Government TfNSW Active Transport Grant Program for Walking and Cycling Infrastructure be Endorsed.

GENERAL BUSINESS

- The Chair relayed that during the recent bush fire event he has received feedback from members of the public of the outstanding work undertaken by Council staff including their efforts in assisting with the reopening of the Kings Highway. The Committee commended Eurobodalla Shire Council staff for their commitment, professionalism and diligence, both through and post the bush fires.

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 2 April 2020 in Council's Committee Room commencing at 9am.

CCS20/011 RENT RELIEF - COUNCIL LEASES AND LICENCES

S023-T00015

Responsible Officer: Amanda Jones - Acting 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

Council manages a number of leases and licences for a range of organisations who are suffering as a result of the current COVID-19 pandemic.

These include tourism businesses who were also significantly affected by the bushfire crisis in 2019/20.

This report seeks approval to delegate to the General Manager the ability to negotiate deferrals of rent payments for up to one year for organisations who can demonstrate hardship linked to either of these two disasters.

RECOMMENDATION

THAT Council delegates to the General Manager the ability to negotiate and implement deferrals of rent payments to Council for up to one year for organisations who can demonstrate hardship linked to either the recent bushfires or the COVID-19 pandemic.

BACKGROUND

Council has received requests for rent relief from its lessees due to the impact on them of the bushfires and current COVID-19 pandemic.

This report seeks approval to delegate to the General Manager the ability to negotiate deferrals of rent payments for up to one year for organisations who can demonstrate hardship linked to either of these two disasters. The deferral would be interest free.

There would be a range of conditions for any deferrals including:

- Lessees need to demonstrate financial hardship
- There will be a review after six months and organisations would need to demonstrate that the hardship is continuing
- Deferral is for payments due over the next year. If payments have recently been made, then a lessee would still have up to a one-year deferral from their next payment
- Subject to any other conditions as agreed by the General Manager, for example that the lessee commits to protecting local jobs as much as possible.

CCS20/011 RENT RELIEF - COUNCIL LEASES AND LICENCES

S023-T00015

The proposal for rent deferral is not intended to cover national or international businesses like telecommunications companies.

Organisations eligible to apply would include all Council's other lessees and licencees who can demonstrate hardship including holiday parks, golf clubs, airport businesses and small businesses who have licences to use Council reserves.

Council is already implementing a range of measures as a result of Council report GMR20/004 'NSW Government Funding for Community and Economic Support'.

Considerations

Some local businesses are likely to cease trading as a result of this crisis and governments at all levels are providing a range of support packages. By acting now, Council will be supporting businesses now while eligibility for State and Australian Government support is determined.

There is a short term financial impact on Council of this proposal but because it is a deferral of rent, this impact is minimised.

Legal

Council has leases on Council owned land as well as Crown Land under Council's management. Amendments to terms under these leases will be needed to facilitate this proposal.

Social Impact

Alongside support from the Australian and NSW Governments, this rent relief will assist in minimizing job losses.

Economic Development Employment Potential

Many businesses in Eurobodalla are under severe financial strain. Council, as landlord for some businesses, can play a role in supporting them through difficult times and assist in minimizing job losses as a result of the bushfires and COVID-19 pandemic.

Financial

Financial impacts on Council include loss of interest, an increased risk of bad debts and a negative impact on cashflow in this and the next financial years.

Annual rent affected would depend on how many businesses are covered but it is likely to be about \$1.3 million per year.

Based on this figure, interest lost across one year could be around \$60,000.

There is a negative impact on cashflow. With some of the rent for this financial year already paid, the impact on cashflow this financial year is estimated at \$700,000.

Community and Stakeholder Engagement

There is no legal requirement to advise the community through public notice, or to or seek feedback through public exhibition.

The public will be informed of the impact on Council's budget through the quarterly financial report.

CCS20/011 RENT RELIEF - COUNCIL LEASES AND LICENCES

S023-T00015

CONCLUSION

It is appropriate for Council to consider delegating to the General Manager the ability to offer Council's lessees deferrals of rent payments for up to one year.

**CCS20/012 RENEWAL OF NAROOMA GOLF CLUB LEASE AND TRACK
LICENCE**

**S023-T00015;
S023-T00017**

Responsible Officer: Amanda Jones - Acting Director Corporate and Commercial Services

Attachments: 1. Confidential - Attachment

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

Narooma Golf Club Limited (Club) currently hold a 20 year lease over Reserve No. R91374, Ballingalla Street, Narooma. The current term expires on 30 June 2020. The Club has requested that a new lease be granted.

The Club also currently licences an access Track through Lot 921 DP 878393 (Narooma Surfbeach Caravan Park), Part Reserve 91375 Crown Reserve under Council management. The initial (8 year, 7 month) term has expired and the licence is currently on carry over. The Licensee has requested that a new licence be issued.

Public notice has been given. No submissions were received.

Council recommends a new 20 year lease be granted to Narooma Golf Club along with a further Licence for use of the track to formalise and continue existing arrangement for access.

RECOMMENDATION

THAT

1. The General Manager be given delegated authority to negotiate a 20 year lease over Reserve No. R91374, Ballingalla Street, Narooma Golf Club subject to the following conditions;
 - a. Payment of annual rental in line with terms of the previous lease, calculated in accordance with terms set out in the financial attachment.
 - 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 lease.
2. The General Manager be given delegated authority to negotiate track licences for periods of up to 5 years to Narooma Golf Club for the purposes of access subject to the following conditions;
 - a. Payment of annual licence fee in accordance with Councils fees and charges in-line with the previous licence fees.
 - b. Provision of evidence of public liability insurance cover in the amount of at least \$20 million; and

**CCS20/012 RENEWAL OF NAROOMA GOLF CLUB LEASE AND TRACK
LICENCE**

**S023-T00015;
S023-T00017**

BACKGROUND

Lease

The current Lease over Narooma Golf Course was granted to the Club in July 2000 and expires on 30 June 2020. The Lessee has requested that a new lease be granted.

Track licence

The licence held by the Club for the use of the track on a carry-over basis. This will facilitate the continued legal right of access through Narooma Surfbeach Caravan Park.

Negotiations with the Club have been finalised and it is proposed that a further 20 year Lease over Narooma Golf Course and a further 5 licence for use of the access track be granted.



It is reasonable and appropriate that the new lease and licence be granted to Narooma Golf Club.

CONSIDERATIONS

The lease area is outlined in red in the above image.

Legal

Lease

Council has been appointed Crown Land Manager to manage Crown Reserves within the Shire under the provisions of Section 3.22 of the *Crown Land Management Act 2016*.

www.legislation.nsw.gov.au/#/view/act/2016/58/part3/div3.4/sec3.22

As Crown Land Manager, Council is permitted to renew existing leases for a term not exceeding 21 years.

**CCS20/012 RENEWAL OF NAROOMA GOLF CLUB LEASE AND TRACK
LICENCE**

**S023-T00015;
S023-T00017**

Track licence

Council, as Crown Land Manager, can renew existing licences for a period up to five years after giving public notice and considering any submissions in accordance with Section 47A of the *Local Government Act 1993*.

www.legislation.nsw.gov.au/#/view/act/1993/30/chap6/part2/div2/sec47a

Council will comply with any relevant legislation and procedures in relation to Native Title and Aboriginal land rights and interests.

Policy

The Independent Commission Against Corruption (ICAC) direct dealings guidelines provide guidance on when Council can directly deal with a lessee. It is appropriate that Council directly deals with the Club for a lease over the Course due to the clubhouse having a perpetual licence from the Crown over it.

Environmental

There are no known environmental impacts on the Reserve from the use by the Narooma Golf Club.

Social Impact

Narooma Golf Club will continue to maintain the Narooma Golf Course for use by locals and visitors.

Economic Development Employment Potential

The Narooma Golf Club undertakes ongoing and extensive maintenance of the golf course year round. The Narooma Golf Club also provides economic benefit to the Shire by drawing visitors to the area.

Financial

A CPI rent review was carried out on 1 July 2019, the next rent review would be due at commencement of the new lease. The proposed rent will be calculated on a similar basis to other golf courses and is set out in the Confidential Attachment.

Community and Stakeholder Engagement

Council, as Crown Land Manager under the Crown Land Management Act 2016, can issue a lease or licence after giving public notice and considering any submissions in accordance with Section 47A of the *Local Government Act 1993*

www.legislation.nsw.gov.au/#/view/act/1993/30/chap6/part2/div2/sec47a

The lease was advertised publicly. No submissions were received.

CONCLUSION

Narooma Golf Club Limited (Club) currently hold a 20 year lease over Reserve No. R91374, Ballingalla Street, Narooma which expires on 30 June 2020. The Club has requested renewal of the lease.

**CCS20/012 RENEWAL OF NAROOMA GOLF CLUB LEASE AND TRACK
LICENCE**

**S023-T00015;
S023-T00017**

The Club holds a carry-over licence for an access Track through Lot 921 DP 878393 (Narooma Surfbeach Caravan Park). The Licensee has requested that a new licence be issued.

Public notice has been given. No submissions were received.

A new 20 year lease is proposed to be granted to Narooma Golf Club along with a further 5 year Licence for use of the track to formalise and continue existing arrangements for access.

**CCS20/013 LICENCE FOR BIKE HIRE BUSINESS, CORRIGANS BEACH RESERVE, S023-T00017
BATEHAVEN.**

Responsible Officer: Amanda Jones - Acting 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

Bay Bike Hire has been operating a successful bike hire business in Penrith NSW. They have relocated to the Eurobodalla Shire and are looking to run a similar business within Crown Reserve R66122 at Corrigans Beach, Batehaven. Crown Reserve R66122 Corrigans Beach, Batehaven is under the management of Council as Crown Land Manager.

Public notice has been given. No submissions were received.

It is considered reasonable and appropriate that Bay Bike Hire be granted a licence for 12 months.

RECOMMENDATION

THAT:

1. Council grant a one-year licence with terms and conditions in line with similar licences to Bay Bike Hire to operate a bike hire business within Crown Reserve R66122 at Corrigans Beach, Batehaven and the General Manager be given delegated authority to grant further licences.
2. The licence fee be in line with similar licences being \$1242.00 plus GST increased annually by CPI.

BACKGROUND

Bay Bike Hire have been successfully operating a bike hire business in Penrith, Sydney for a number of years and have relocated to the Eurobodalla shire. They are interested in operating a bike hire business within Corrigans Beach Reserve, Batehaven.

Bay Bike Hire will provide another recreational activity in the area to be enjoyed by visitors and locals alike. The bikes are stored in a trailer within the licence area and ridden on the cycle path along Beach Road, surrounding areas in Batehaven and Batemans Bay CBD when they are hired.

At days end all equipment and waste is removed from the site.

**CCS20/013 LICENCE FOR BIKE HIRE BUSINESS, CORRIGANS BEACH
RESERVE, BATEHAVEN.**

**S023-
T00017**

CONSIDERATIONS

Bay Bike Hire has requested a 12 month licence be granted to operate its bike hire business within Crown Reserve R66122. Bay Bike Hire have been successfully operating a bike hire business in Penrith NSW for a number of years and have relocated to the Eurobodalla Shire.

The licence area indicated in blue in the sketch below.



Reserve R66122 – Corrigans Beach, Batehaven

Legal

Crown Reserve R66122 Corrigans Beach, Batehaven is under the management of Council as Crown Land Manager. Under the Crown Land Management Act 2016, Council can grant new licences for a period of 12 months for public reserves classified as community land and Crown reserves for which Council is Crown Land Manager after giving public notice and considering any submissions in accordance with Section 47A of the Local Government Act 1993.

www.legislation.nsw.gov.au/#/view/act/1993/30/chap6/part2/div2/sec47a

Council will comply with any relevant legislation and procedures in relation to Native Title and Aboriginal land rights and interests.

Policy

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, an EOI was called in February 2019 for parties interested in seeking a licence for periods up to five years to use any Council owned or controlled public reserves. No other party expressed an interest in using the same part of the reserve.

www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licensing-of-council-controlled-public-reserves-and-associated-buildings-code-of-practice.pdf

**CCS20/013 LICENCE FOR BIKE HIRE BUSINESS, CORRIGANS BEACH
RESERVE, BATEHAVEN.**

**S023-
T00017**

Environmental

Bay Bike Hire would not have any undue impact on other users of the reserves. In issuing this licence, Council is supporting environmentally sustainable business.

Asset

It will be a condition of the licence that the reserve be kept clean and tidy.

Social Impact

Bay Bike Hire provides a further recreational activity to be enjoyed by locals and visitors.

Economic Development Employment Potential

The proposal would increase the range of activities available for visitors, which may lead to increased visitation, length of stay and expenditure.

Financial

It is considered appropriate the licence fee be in line with similar licences being \$1242.00 plus GST increased annually by CPI.

Community and Stakeholder Engagement

An EOI was called from interested parties wishing to conduct activities on Council controlled public reserves for a period of up to five years. No other party expressed an interest in using the same part of the reserve.

The intention to grant a 12 month licence to Bay Bike Hire within Crown Reserve R66122 at Corrigans Beach, Batehaven was publicly notified for 28 days, in accordance with Section 47A of the *Local Government Act 1993* and Council's Community Engagement Framework.

No submissions were received.

CONCLUSION

Bay Bike Hire has advised its interest in obtaining a licence to operate a bike hire business from Crown Reserve R66122 Corrigans Beach, Batehaven. The business would provide an additional sustainable recreation activity for locals and tourists alike.

It is considered reasonable and appropriate for Council to support Bay Bike Hire by granting a 12 month licence.

**CCS20/014 CROWN ROAD TRANSFER AND EASEMENT FOR ACCESS -
TURLINJAH**

S023-T00023

Responsible Officer: Amanda Jones - Acting Director Corporate and Commercial Services

Attachments: 1. Confidential - Attachment

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

An easement for Right of Access (RoA) is sought by the land owners of Lots 210, 379 and 380 DP 752137 to legalise access to their property at Turlinjah as part of their development consent for a dwelling.

Legal access is able to be gained via a 10 metre wide Crown road reserve which extends from the Princes Highway to the properties.

Crown Lands are in agreement for the 10 metre wide Crown road reserve adjoining the properties be transferred to Council on condition a 5 metre wide RoA benefitting the land owners of Lots 210, 379 and 380 is created, and leaving an unencumbered 5 metre public road reserve which will allow public access to the existing oyster lease on Crown land.

Transport NSW (Transport) have approved the design for the exit and entrance to and from the Princes Highway, subject to their conditions being included in the Development Consent.

All survey, legal costs, construction and ongoing maintenance costs associated with the RoA will be borne by the land owners, together with compensation to Council for the RoA following a valuation determined by a registered valuer.

The land owners' details are set out in the confidential attachment.

RECOMMENDATION

THAT

1. Consent be given for the transfer to Council of part unformed Crown road reserve 10 metres wide from the Princes Highway to Lots 210, 379 and 380 DP 752137 and for creation of a 5 metre wide Right of Access benefitting the owners of Lots 210, 379 and 380.
2. All costs including Council's reasonable legal and valuation costs associated with the creation of the Right of Access be borne by the applicant.
3. Compensation for the Right of Access be determined following a valuation by a registered valuer and be paid by the owners Lots 210, 379 and 380 to Council.

**CCS20/014 CROWN ROAD TRANSFER AND EASEMENT FOR ACCESS -
TURLINJAH**

**S023-
T00023**

4. All construction and ongoing maintenance costs associated with the Right of Access be borne by the owners of Lots 210, 379 and 380 DP 752137.
5. Authority be given to affix the Common Seal of Council, if required, to the necessary documentation associated with the Right of Access.

BACKGROUND

In February 2018 the land owners of Lots 210, 379 and 380 DP 752137 submitted a development application for a dwelling and legal access is required to these properties.

Legal access cannot be via the existing Forest Lake Close as it is a Right of Carriageway within Council community land. In accordance with Section 46 of the *Local Government Act 1993* and the Kyla Park Management Plan that Right of Carriageway is only for the benefit of the land owners at Kyla Park.

A proposal for access has been discussed with Crown Lands who are agreeable to transfer the unformed Crown road to Council and to the creation of a 5 metre wide RoA benefitting the owners of Lots 210, 379 and 380 and leaving an unencumbered 5 metre public road reserve which will allow public access to the existing oyster lease on Crown land.

Transport have approved the design for the exit and entrance to and from the Princes Highway, subject to their conditions being included in the Development Consent which includes Transport appointing a project manager to oversee the design and delivery of the road works.

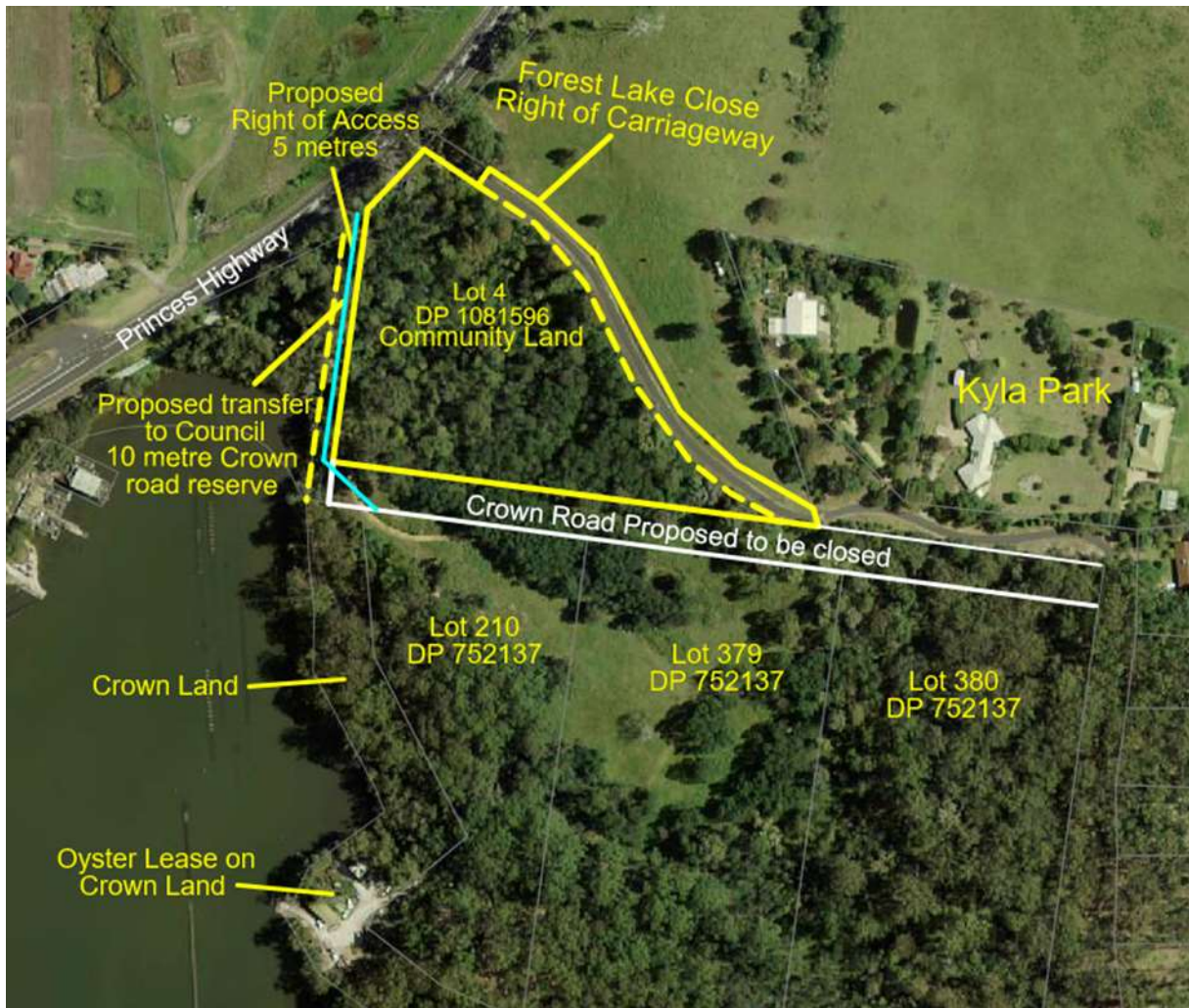
The land owners have an application directly with the Crown to close the Crown road to the north of their properties which will, on closure, form part of their properties. The Crown are agreeable to this proposal.

CONSIDERATIONS

The location of the proposed Right of Access is shown in the sketch below.

**CCS20/014 CROWN ROAD TRANSFER AND EASEMENT FOR ACCESS -
TURLINJAH**

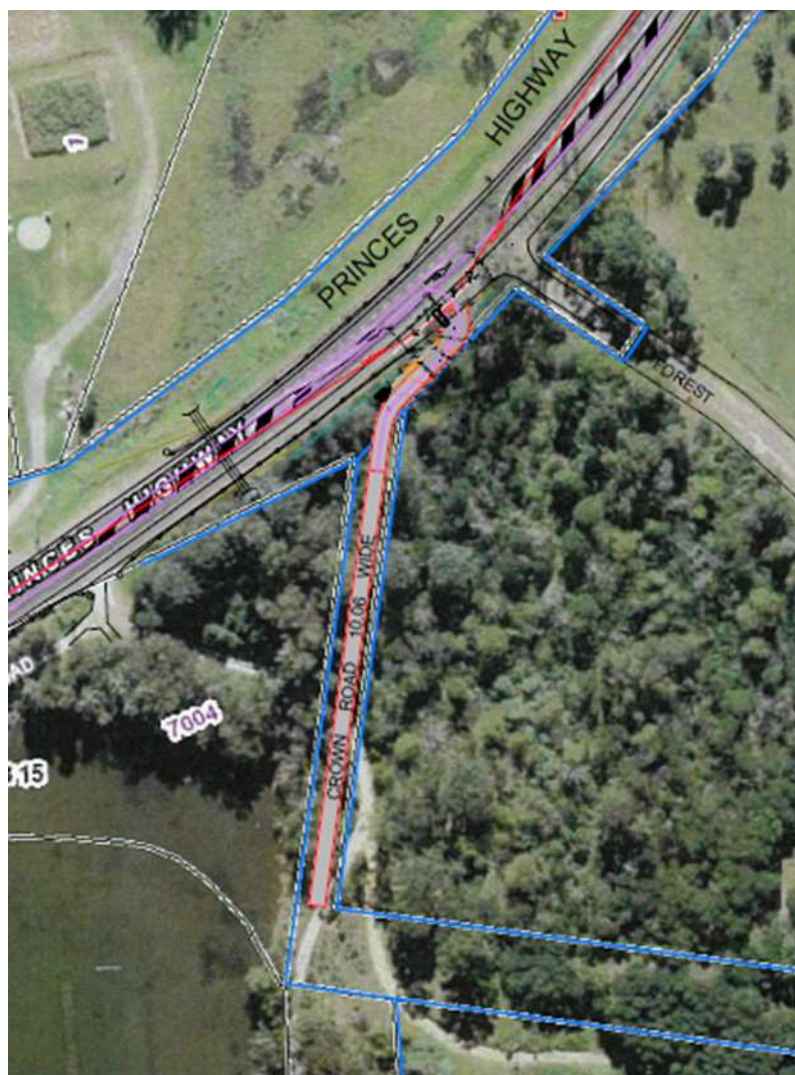
**S023-
T00023**



Proposed Right of Access – Lot 210, 379 and 380 DP 752137 – Turlinjah

CCS20/014 CROWN ROAD TRANSFER AND EASEMENT FOR ACCESS -
TURLINJAH

S023-
T00023



Design of entry/exit to Princes Highway

Legal

The transfer of the unformed Crown road to Council will be published in the Government Gazette.

Terms of the proposed RoA will confirm the owners of the lot benefitted will keep the RoA maintained and in a good state of repair.

The RoA will be registered at NSW Land Registry Services.

Policy

The transfer of a Crown road to Council is in accordance with Section 150 *Roads Act 1993*.

www.legislation.nsw.gov.au/#/view/act/1993/33/part10/div1/sec150

The creation of the RoA will be 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

**CCS20/014 CROWN ROAD TRANSFER AND EASEMENT FOR ACCESS -
TURLINJAH**

**S023-
T00023**

Environmental

Any environmental impacts associated with the driveway and access will be considered in conjunction with appropriate ecological report/s that have been prepared as part of the development application.

Asset

Terms of the proposed RoA will confirm the land owners of the lot benefitted will keep the RoA maintained and in a good state of repair.

Financial

All survey, legal costs, construction and ongoing maintenance costs associated with the RoA will be borne by the land owners, together with compensation to Council for the interest in the land determined following a valuation by a registered valuer.

Community and Stakeholder Engagement

Council's Engagement Planning Tool and relevant legislation have been used to guide the best approach to engagement on this matter. There is no legal requirement to advise the community through public notice, or to seek feedback through public exhibition for land dealings within road reserves. Crown Lands will contact relevant parties in relation to the proposed Crown road closure north of the subject properties.

CONCLUSION

An easement for Right of Access (RoA) is sought by the land owners of Lots 210, 379 and 380 DP 752137 to enable legal access to their property at Turlinjah.

Legal access is able to be gained via a 10 metre wide Crown road reserve which extends from the Princes Highway to the properties.

Crown Lands are in agreement for the 10 metre wide Crown road reserve adjoining the properties be transferred to Council on condition a 5 metre wide RoA benefitting the land owners of Lots 210, 379 and 380 is created.

All costs associated with the creation of the RoA, together with compensation to Council for the RoA, will be borne by the land owners.

CCS20/015 EASEMENT FOR ACCESS - BANYANDAH STREET, SOUTH DURRAS S023-T00001

Responsible Officer: Amanda Jones - Acting Director Corporate and Commercial Services

Attachments: 1. Confidential - Attachment

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

An easement for Right of Access (RoA) is sought by the land owners of Lot 78 DP 259212 to legalise access to their property via Banyandah Street, South Durras over Council road reserve.

All survey and legal costs associated with the RoA will be borne by the land owners.

It is considered reasonable and appropriate that the application for the easement be supported in accordance with *Council's Land Acquisition and Disposal Policy*.

The land owners' details are set out in a confidential attachment.

RECOMMENDATION

THAT

1. Consent be given for the creation of an easement for Right of Access within Council road reserve at South Durras in favour of Lot 78 DP 259212.
2. All costs including Council's reasonable legal and valuation costs associated with the creation of the Right of Access be borne by the applicant.
3. Authority be given to affix the Common Seal of Council, if required, to the necessary documentation associated with the Right of Access.

BACKGROUND

The land owners of Lot 78 DP 259212 have lodged a development application with Council to construct a dwelling on their property.

The land owners have lodged an application for easement over Council property in order to gain physical access to their property and finalise their development application.

Council's Water & Sewer, Technical, Development, Infrastructure and Design departments were consulted about the proposed easement and no objections to the proposed RoA were received.

All costs associated with the creation of the RoA will be the responsibility of the land owners.

CONSIDERATIONS

The location of the proposed easement is shown in the sketch below.

CCS20/015 EASEMENT FOR ACCESS - BANYANDAH STREET, SOUTH DURRAS S023-T00001



Lot 78 DP 259212 Banyandah Street, South Durras

Legal

The terms of the proposed Right of Access will confirm that the land owners will keep the driveway maintained and in a good state of repair.

The RoA will be registered at NSW Land Registry Services.

Policy

The creation with the RoA will be in accordance with Council's Land Acquisition and Disposal Policy.

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

Financial

All survey and legal costs associated with the Right of Access and maintenance are the responsibility of the land owners.

CCS20/015 EASEMENT FOR ACCESS - BANYANDAH STREET, SOUTH DURRAS S023-T00001

The amount of compensation payable to Council by the land owners for the easement will be determined following a valuation by a registered valuer.

Community and Stakeholder Engagement

Council's Engagement Planning Tool and relevant legislation have been used to guide the best approach to engagement on this matter. There is no legal requirement to advise the community through public notice, or to seek feedback through the public exhibition for dealings with a road reserve.

CONCLUSION

An easement for Right of Access (RoA) is sought by the land owners of Lot 78 DP 259212 over Council road reserve at Banyandah Street, South Durras. This will enable legal access to their property.

All costs associated with the creation of the RoA, construction and ongoing maintenance will be the responsibility of the land owners.

CAR20/002 PUBLIC ART ADVISORY COMMITTEE REPORT

S003-T00034

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services

Attachments: 1. Public Art Advisory Committee attachment [↓](#)

Outcome: Celebrated Creativity, Culture and Learning

Focus Area: 2.1 Support and encourage the expression of our vibrant creative arts sector

Delivery Program Link: 2.1.1 Develop and promote creative arts activities and industries

Operational Plan Link: 2.1.1.3 Coordinate the Public Art Advisory Committee and associated projects

EXECUTIVE SUMMARY

This report is to provide background information and recommendations from Council's Public Art Advisory Committee (PAAC) from the meeting of March 2020 regarding the installation of an acquired sculpture from the Sculpture for Clyde (SFC) event held in 2019 and the acceptance of the gifts of the three previously installed sculptures from this event.

The SFC event has been held in August each year since 2017. While SFC is a worthwhile event, it has provided Council with challenges in relation to post-event sculpture placement negotiations in Batemans Bay. To date three sculptures have been installed, Portal, Buoyansea and Dance. SFC has indicated their desire to gift these sculptures to Council.

In early 2019 the PAAC recommended supporting the event with an appropriate site option well in advance of the sculpture event. The chosen site is site 9 at Spinnakers Reach. The aim was to reduce obstacles, speed up the approval process and give meaningful consideration to all relevant factors.

In December 2019 SFC presented two sculptures to the PAAC for consideration. Fracture 2 by David Ball (winning sculpture) and Family by Ron Gomboc (acquired piece). Only one of these is suitable for site 9, Ron Gomboc's piece, Family.

The PAAC recommendations are provided, requesting that Council consider endorsing the proposed installation at site 9 and accepting the gift of Family and the three previously installed sculptures.

RECOMMENDATION

THAT Council:

1. Accept the sculptures entitled 'Family', 'Portal', "Buoyansea' and 'Dance' as gifts from the Batemans Bay Business and Tourism Chamber; and
2. Approve the installation of the sculpture entitled 'Family' at site nine at 'Spinnaker's Reach' with the endorsed \$10,000 budget.

BACKGROUND

A report was put to Council on 5 February 2019 recommending that a site be selected well in advance of the SFC event, to help artists develop their artworks and assist the SFC judging panel

CAR20/002 PUBLIC ART ADVISORY COMMITTEE REPORT

S003-T00034

in choosing a suitable and appropriate sculpture. The site information was given to the SFC and the necessary checks and procedures put in place, including a Native Title application. Council endorsed an allocation of \$10,000 towards the installation, pending PAAC recommendation and Council approval.

The August 2019 sculpture event culminated in a submission to Council, via the PAAC, to install two sculptures instead of the expected single acquisition. A range of factors such as size, composition and site limitations were considered. The PAAC determined only one of the sculptures requested to be installed is suitable for the selected site.

The \$10,000 budget set aside for installation of the acquired work will also only cover the costs of installation for one sculpture. In this instance the PAAC are supportive of the installation of 'Family' at site 9.

SFC have indicated in their past submissions as well as the 2019 submission that they wish to gift all of the sculptures to Council.

CONSIDERATIONS

At its March meeting the PAAC carefully considered the suitability of the sculptures for the site, the cost of installation and the future development of the sculpture walk.

As site 9 was selected in 2019 and is ready to receive a sculpture, the PAAC felt it was best to install one sculpture at this time and continue to work with the SFC committee in the planning and visioning of the proposed sculpture walk.

The PAAC also agreed that it would be best to accept the gift of all the installed sculptures to date.

Discussions with the SFC committee in 2020 have resulted in agreement that additional funds will need to be secured to support instalment costs when sculptures are being gifted to Council. SFC reps are actively seeking funds for opportunities to gift and request instalment for the other acquired sculpture 'Fracture'. When sourced it is anticipated that SFC will seek approval for installation at some time in 2020.

The PAAC continue to support a member of the committee being part of the judging panel for the SCF event and wish to work collaboratively with SFC to develop the vision for the sculpture walk in order to support the best outcomes for public art in Batemans Bay.

Engineering

Council has a Public Art Policy and these recommendations support the aims and is guided by the processes outlined in the accompanying Code of Practice. The Policy can be viewed at: <http://www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Public-Art-policy.pdf>

SFC, Council and the artists have worked together to ensure the engineering specifications have been provided.

CAR20/002 PUBLIC ART ADVISORY COMMITTEE REPORT

S003-T00034

Economic Development Employment Potential

The Chamber's Sculpture on Clyde event has been instrumental in instigating a sculpture walk in Batemans Bay for all to enjoy and visit. The sculptures installed to-date provide this shire with valuable assets, enhancing local landscapes and engaging our community and visitors in the arts.

Financial

Council has approved \$10,000 this financial year to assist with installation and additional lighting to support the installation of the 2019 SFC sculpture.

Community and Stakeholder Engagement

Council's PAAC, on behalf of the community, has provided recommendations for Council's consideration. We have consulted with the residents who reside next to the installations. Council will continue to liaise regularly with the Chamber in relation to the sculptures.

CONCLUSION

The PAAC has carefully considered options and information that is required to support the Chamber with their sculpture acquisitions and provide recommendations to Council to consider in relation to the installation of sculptures on public land.



CAR20/003 DEPARTMENT OF SOCIAL SERVICES FUNDING FOR CHILDREN'S SERVICES

E15.9106

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services

Attachments: Nil

Strategic Objective: Liveable

Delivery Program Link: L1.4 Undertake advocacy activities to improve collaboration, health, service availability, development and funding

Operational Plan Link: L1.4.2 Advocate for improved service delivery and increased levels of funding

EXECUTIVE SUMMARY

Council's agreement is sought to accept a grant variation from the Federal Department of Social Services' (DSS) Families and Children Program funding for \$161,274.29.

The variation is to extend the 3Bs playgroup project for a further twelve months from July 2020 to June 2021. The project will continue to provide supported playgroups across the shire, improving early childhood development and supporting the capacity of those in a parenting role as per the original funding agreement.

RECOMMENDATION

THAT Council:

1. Approve the acceptance of \$161,274.20 offer from the Department of Social Services for the 3Bs Supported Playgroup; and
2. Affix the Common Seal of Council to the DSS Funding Agreement.

BACKGROUND

Council's 3Bs Supported playgroup is an early intervention and prevention project. It has been operating for the past 5 years and value adds to the services for children and families already provided by Council.

The project provides additional services to local families, with a focus on hard-to-reach families with pre-school aged children. Program delivery focuses on addressing the need for improved school readiness and supporting parental capacity.

CONSIDERATIONS

The 3Bs project recognises the role of parents as their child's first teacher and delivers fortnightly supported playgroups across up to eight locations in the shire from Batemans Bay to Wallaga Lake. The focus is on building parent competency and confidence to engage in children's play and learning experiences, to promote school readiness and reduce developmental vulnerability across key domains in the early years.

In addition to the program of playgroups, the project has enabled Council to run school readiness expos, parenting forums and professional development for early learning

CAR20/003 DEPARTMENT OF SOCIAL SERVICES FUNDING FOR CHILDREN'S SERVICES E15.9106

professionals. Last year the service was also sought after to run an additional two playgroups per week, funded by Playgroups NSW.

Social Impact

All Eurobodalla families with children under school age are eligible to attend. The supported playgroups supports families to connect with existing services, child development expertise and online resources to develop positive community connections.

The project coordinator actively engages with local Elders, mothers, fathers and grandparents to incorporate 'hands-on' approaches and discussions to build confidence through the provision of learning opportunities at every session. There is a focus on innovation to initiate and maintain contact with hard-to-reach families and individual child assessments to determine programming requirements.

Improving home learning experiences and increasing knowledge and pathways to pre-school options for local children and families has resulted in positive long term social outcomes that include higher levels of readiness for school curriculums, and school engagement and retention in the longer term.

Economic Development Employment Potential

The project provides one full time position and several casual positions to ensure consistent support for the playgroups across the Eurobodalla.

Local goods and services are sourced wherever possible to maximize the benefit of external funding in our community.

Via participation in the project, parents and volunteers have also had opportunities to develop skills in child development which has enabled some instances of casual employment with the Children's Services team.

Communication / Consultation

The 3Bs playgroup is well recognised in the community and uses Council's website; Online News; Living in Eurobodalla resident's newsletter; posting on Council's Facebook and Twitter; distributing print brochures, and distributing media releases to increase communication with families.

As the project continues, programming and outcomes are determined by consulting with the user groups, reviewing current research and best practice evidence and undertaking individual child assessments at supported playgroups.

The project works collaboratively with the Batemans Bay, Moruya and Narooma libraries to improve community knowledge of improved early parenting, and early childhood development practice. Supporting information is available online.

Financial

The 3Bs support playgroup project is fully funded, requiring statements each year to report on expenditure with an independent audited report at the cessation of the project.

CAR20/003 DEPARTMENT OF SOCIAL SERVICES FUNDING FOR CHILDREN'S SERVICES E15.9106

No additional funding from Council is required.

CONCLUSION

The DSS funding will ensure support for Eurobodalla families to continue to build their confidence and skills as the child's first teacher; to better manage children's transition from home to early childhood education and school; to strengthen and promote local children's services networks and support inclusion of the diverse needs of the local community.

School readiness is essential for long term school and occupational achievement. The 3Bs project will ultimately contribute to a more positive outcome for the participating families.

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.

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.