



AGENDA

Ordinary Meeting of Council

8 December 2020

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

ON TUESDAY 8 DECEMBER 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
- 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
4.1 Ordinary Meeting held on 24 November 2020
- 5. PRESENTATION BY NSW AUDIT OFFICE – 11.00am**
- 6. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**
(Declarations also to be made prior to discussions on each item)
- 7. MAYORAL REPORTS**
- 8. NOTICES OF MOTION**
NOM20/008 Outdoor Dining3
- 9. QUESTIONS ON NOTICE FROM COUNCILLORS**
Nil
- 10. PETITIONS**
Nil

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**DR CATHERINE DALE
GENERAL MANAGER**

NOM20/008 OUTDOOR DINING

S012-T00026

Responsible Officer: Rob Pollock - Councillor

Attachments: Nil

Councillor Rob Pollock has given notice that at the Ordinary Meeting of Council on Tuesday 8 December 2020, he will move the following motion.

MOTION

THAT Council:

1. For the duration of any relevant Covid-19 restrictions, delegates to the General Manager the ability to approve licences or variations to existing licences for Footpath Trading that are not consistent with the existing code, to facilitate increased seating capacity.
2. Amend the Footpath Trading Code so that outdoor dining is allowed in front of adjoining properties if the licensee has the written consent of the owner of the property in front of which the outdoor dining is proposed.
3. Extend the waiving of fees for licences approved under the Footpath Trading Code approved by Council on the 10 March 2020 (Minute 20/24) for an additional 6 months.

BACKGROUND

Council approves licence for outdoor eating and the display of goods on footpaths under its Footpath Trading code.

The code provides guidance on when and how outdoor dining and the display of goods on footpaths is permissible and contains a number of considerations to make using footpaths easy for members of the public, with particular focus on those with a disability.

Covid-19 restrictions mean that business already impacted by the pandemic can no longer get as many patrons in their main premises or licence area as they once could. Providing the potential for the licenced area to be expanded will enable business operators to increase the capacity of their businesses, increasing their ability to meet business and customer needs during what is looking like being a busy holiday season.

Licence applications or amendments consistent with the code are approved by staff under delegation. Applications not consistent with the code currently have to be approved by Council resolution and Council approves such licence requests several times each year.

In order to support hospitality businesses, it is proposed to delegate the ability to approve such licences to the General Manager so that outdoor dining can be maximised over the coming months.

The General Manager would still consider the existing code and make decisions on any exceptions using the same set of considerations that are normally presented to Council for approval, noting I cannot recall an occasion when Council has refused such a variation when recommended by staff.

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A permanent change to the code is also proposed so that outdoor dining is allowed in front of adjoining properties if the licensee has the owner's written consent and the other aspects of the Code are satisfied.

This approach is consistent with the aims of the NSW Government who wish to streamline approval processes for outdoor dining across the state in response to the impacts created through the need to social distance in response to COVID 19.

At its Ordinary Council Meeting on 10 March 2020, Council approved a motion to support café and retail businesses through outdoor licensing fees exemption for six months. The funding for this came from NSW Government funding for Community and Economic resilience. To support these businesses further, it is proposed to offer a further 6 months without fees for footpath trading. The cost of this is estimated to be around \$32,000. There will be no adverse impact to the budget of doing this as I am advised that when a budget was allocated in March, a full years cost was identified while the waiving was only approved for a 6 month period.

The proposals outlined in this notice of motion will not only further assist our businesses address the impacts of COVID 19 but assist them in meeting the needs of our many visitors to the Eurobodalla.

GMR20/034 CODE OF CONDUCT COMPLAINTS STATISTICS

**S012-
T00003**

Responsible Officer: Dr Catherine Dale - General Manager
Attachments: 1. Code of Conduct Complaints Statistics
Outcome: 9 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: 9.1.2 Implement effective governance
Operational Plan Link: 9.1.2.2 Assist the Council in meeting its statutory obligations and roles

EXECUTIVE SUMMARY

The Office of Local Government (OLG) requires Council to submit a Code of Conduct Complaints Statistics Report by the 30 November each year. Council submitted its Code of Conduct Statistics Report to the OLG on 11 November 2020. A copy of the report is attached for Council information.

The report includes statistical information on Code of Conduct complaints relating to councillors and the General Manager from 1 September 2019 to 31 August 2020. As part of this process the report must be presented to Council by 31 December 2020.

RECOMMENDATION

THAT Council receive and note the Code of Conduct Complaints Statistics Report.

BACKGROUND

The *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct) is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* (The Regulation").

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

When a Code of Conduct complaint is lodged with a conduct reviewer, they will conduct a preliminary assessment for the purpose of determining how the complaint is to be managed.

The conduct reviewer may determine one or more of the following:

- to take no action, or
- to resolve the complaint by alternative and appropriate strategies such as counselling, training, mediation, informal discussion, negotiation or apology, or
- refer the matter back to the General Manager for by alternative and appropriate strategies such as, counselling, training, mediation, informal discussion, negotiation or apology, or

GMR20/034 CODE OF CONDUCT COMPLAINTS STATISTICS

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- to refer the matter to another agency or body such as, the Independent Commission Against Corruption (ICAC), the NSW Ombudsman, the OLG or the Police, or
- to recommend that the complaints coordinator convene a conduct review committee to investigate the matter.

If the conduct reviewer believes the complaint needs to be investigated, the conduct reviewer must at the outset of their investigation provide a written notice of investigation to the respondent.

Where the conduct reviewer determines that the conduct investigated constitutes a breach of the code of conduct, the conduct reviewer may recommend:

- in the case of a breach by the General Manager, that disciplinary action be taken under the General Manager's contract of employment for the breach, or
- in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the *Local Government Act 1993*, or
- in the case of a breach by a councillor, that the council resolves as follows:
 - that the councillor be formally censured for the breach under section 440G of the *Local Government Act 1993*, and
 - that the matter be referred to the Office of Local Government for further action under the misconduct provisions of the *Local Government Act 1993*.

The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* state that the following statistics must be reported to Council within three (3) months from the end of September each year, in relation to complaints made under the Code of Conduct:

- Total number of complaints received in the period about councillors and the General Manager.
- Total number of complaints finalised in the period about councillors and the General Manager.
- Number of complaints finalised at the outset by alternative means by the General Manager or Mayor.
- Number of complaints finalised referred to the Office of Local Government under a special complaints management arrangement.
- Number of complaints referred to a conduct reviewer.
- Number of complaints finalised at preliminary assessment by conduct reviewer.
- Number of complaints referred back to the General Manager or Mayor for resolution after preliminary assessment by conduct reviewer.
- Number of finalised complaints investigated by a conduct reviewer.
- Number of finalised complaints investigated where there was found to be no breach.
- Number of finalised complaints investigated where there was found to be a breach.

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- Number of complaints referred by General Manager or Mayor to another agency of body such as ICAC, the NSW Ombudsman, OLG or the Police.
- Number of complaints being investigated that are not yet finalised.
- Total cost of dealing with Code of Conduct complaints relating to councillors and the General Manager, including staff costs.

CONSIDERATIONS

All complaints under the Code of Conduct that were received about councillors and the General Manager in the reporting period from 1 September 2019 to 31 August 2020 have been included in this report.

There were four (4) complaints received and finalised within the period. The number of complaints received in the previous year were thirteen (13).

All complaints were finalised at preliminary assessment by a conduct reviewer with three (3) complaints being determined via alternative strategies pursuant to clause 6.13 (b) of the *Procedure* and one (1) complaint to take no action.

Legal

Procedures for the Administration of the Model Code of Conduct for Local Council in NSW states that a Code of Conducts Complaints Statistics report must be presented to Council within three (3) months from the end of September each year.

Policy

The Code of Conducts Complaints Statistics report is a requirement of the *Procedures for the Administration of the Model Code of Conduct for Local Council in NSW* .

Social Impact

Enhancing transparency of Council policy and procedures.

Financial

The total cost of dealing with code of conduct complaints relating to Councillors and the General Manager for the 2019-2020 period is \$13,469.00. This is compared to the total cost of dealing with code of conduct complaints for the 2018-2019 period of \$27,345.00.

CONCLUSION

The Code of Conduct Complaints Statistics report has taken into account all the requirements listed in the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* and the *Model Code of Conduct for Local Councils in NSW*

Council submitted the Code of Conduct Complaints Statistics report to the office of Local Government on 11 November 2020. It is recommended that Council receive and note the Code of Conduct Complaints Statistics report.

| Model Code of Conduct Complaints Statistics Eurobodalla Shire Council | | |
|--|--|--------|
| Number of Complaints | | |
| 1 a | The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct | 4 |
| b | The total number of complaints finalised in the period about councillors and the GM under the code of conduct | 4 |
| Overview of Complaints and Cost | | |
| 2 a | The number of complaints finalised at the outset by alternative means by the GM or Mayor | 0 |
| b | The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement | 0 |
| c | The number of code of conduct complaints referred to a conduct reviewer | 4 |
| d | The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer | 4 |
| e | The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer | 0 |
| f | The number of finalised code of conduct complaints investigated by a conduct reviewer | 0 |
| g | The number of finalised complaints investigated where there was found to be no breach | 0 |
| h | The number of finalised complaints investigated where there was found to be a breach | 0 |
| i | The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police | 0 |
| j | The number of complaints being investigated that are not yet finalised | 0 |
| k | The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs | 13,469 |
| Preliminary Assessment Statistics | | |
| 3 | The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions: | |
| a | To take no action (clause 6.13(a) of the 2018 and 2020 Procedures) | 1 |
| b | To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2018 and 2020 Procedures) | 3 |
| c | To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2018 and 2020 Procedures) | 0 |
| d | To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2018 and 2020 Procedures) | 0 |
| e | To investigate the matter (clause 6.13(e) of the 2018 and 2020 Procedures) | 0 |

| Investigation Statistics | |
|---------------------------|--|
| 4 | The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made: |
| a | That the council revise its policies or procedures <input type="text" value="0"/> |
| b | That a person or persons undertake training or other education (clause 7.37 of the 2018 Procedures or clause 7.40 of the 2020 Procedures) <input type="text" value="0"/> |
| 5 | The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made: |
| a | That the council revise any of its policies or procedures (clause 7.36(a) of the 2018 Procedures or clause 7.39 of the 2020 Procedures) <input type="text" value="0"/> |
| b | In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.36(h) of the 2018 Procedures or clause 7.37(a) of the 2020 Procedures) <input type="text" value="0"/> |
| c | In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.36(i) of the 2018 Procedures or clause 7.37(b) of the 2020 Procedures) <input type="text" value="0"/> |
| d | In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.36(j) of the 2018 Procedures or clause 7.37(c) of the 2020 Procedures) <input type="text" value="0"/> |
| 6 | Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2018 or 2020 Procedures) <input type="text" value="0"/> |
| Categories of misconduct | |
| 7 | The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct: |
| a | General conduct (Part 3) <input type="text" value="0"/> |
| b | Non-pecuniary conflict of interest (Part 5) <input type="text" value="0"/> |
| c | Personal benefit (Part 6) <input type="text" value="0"/> |
| d | Relationship between council officials (Part 7) <input type="text" value="0"/> |
| e | Access to information and resources (Part 8) <input type="text" value="0"/> |
| Outcome of determinations | |
| 8 | The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation <input type="text" value="0"/> |
| 9 | The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG <input type="text" value="0"/> |

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Responsible Officer: Dr Catherine Dale - General Manager
Attachments: Nil
Outcome: 3 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 disasters

EXECUTIVE SUMMARY

At its meetings on 11 February, 24 March, 23 June and 22 September 2020, Council received reports relating to the recovery efforts undertaken by Council for the community in response to the 2019-20 bushfires.

The recovery phase continues to involve the whole community, government, business associations, private entities and not-for-profit organisations.

Council working alongside the Australian and NSW government agencies and other councils, continues to implement the actions listed in its Eurobodalla Recovery Action Plan.

This report provides Council and the community with an update on the action undertaken since September 2020 on recovery efforts.

RECOMMENDATION

THAT Council:

1. receive and note this report;
2. acknowledge the ongoing support from the NSW and Australian governments, and the many community, private and not-for-profit groups.

BACKGROUND

At its meetings on 11 February, 24 March and 23 June 2020, Council considered reports on the bushfire emergency and recovery response.

In total the Currowan, Clyde Mountain and Badja fires burnt over 397,789 hectares of land and caused significant impact to Eurobodalla.

Within Eurobodalla more than 271,000 hectares of our 343,000 hectares, or 81% of our Shire, was directly fire impacted.

Building Impact Assessments undertaken confirmed significant damage to property.

In early 2020, Council commenced the recovery phase. In collaboration with Office of Emergency Management (OEM), Council arranged the opening of a Bushfire Recovery Centre in

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Batemans Bay, and later Narooma. These centres provided a comprehensive range of services to assist our community during this critical and challenging time, with over 6,000 households registered during operation.

Key actions implemented by Council during the early recovery phase to support the community include:

- Coordination of 14 outreach sessions with over 500 people attending.
- Managed the Bushfire Recovery Centre, registering over 6,000 families.
- Assistance with Building Impact Assessments.
- Tasking Australian Defence Force personnel.
- Support with set up of Headspace.
- Set up of recovery webpages on Council's website to provide a 24/7 source of truth for residents seeking recovery support – www.esc.nsw.gov.au/recovery.
- Working with media and using Council's communication platforms to provide information and interview opportunities to ensure the community is aware of recovery support.
- Worked with the Bushfire Housing Assistance Response Team (NSW Dept. of Communities and Justice) and non-government agencies and charities to identify housing opportunities and solutions, with the aim of addressing identified housing needs and gaps as a result of the bushfires.
- Advocacy for essential needs, including attendance at regional recovery meetings and meetings with Australian and NSW Government Ministers, relevant NSW authorities and companies, and appointed recovery personnel about immediate and future community needs to aid the recovery process.

There are numerous funding grants from the NSW and Australian Governments and not-for-profit and private organisations that have been available for individuals and businesses directly impacted by the bushfires.

The National Bushfire Recovery Agency has put measures in place to ensure that families and individuals affected by bushfires can access resources quickly to ease the stress during the recovery phase. These can be found at <https://www.bushfirerecovery.gov.au/recovery-assistance/familiesindividuals>

The Australian Government has provided financial support directly to affected residents. The following information provides a summary of the support provided to Eurobodalla residents and business owners to date:

| Payment Type | No. of Payments | \$ Paid |
|---------------------------------|------------------------|-----------------|
| Disaster Recovery Allowance | 523 | \$2.14 million |
| Disaster Recovery Payment | 15,851 | \$17.75 million |
| Additional Payment for Children | 5,018 | \$2.01 million |

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The following information provides a summary of the support provided to rural producers and small business owners:

| Payment Type | No. of Payments | \$ Paid |
|----------------------------------|------------------------|-----------------|
| Concessional Loans | | \$4.61 million |
| Primary Producer Grants | 94 | \$5.59 million |
| Small Business Grants (\$50,000) | 322 | \$8.88 million |
| Small Business Grants (\$10,000) | 1,842 | \$18.42 million |

* SOURCE: <https://www.bushfirerecovery.gov.au/progress-to-date/local-communities>

CONSIDERATIONS

Council, under the *State Emergency and Rescue Management Act 1989*, has a key role in the recovery stage for the community. Council has many responsibilities and will maintain support for the community over the long term.

Council continues to coordinate the local recovery committee and actively participates in recovery committees at all levels of government to ensure immediate and future community needs are met. In addition, Council has established a local Health and Wellbeing sub-committee, with over 20 government and non-government agencies to support recovery and wellbeing.

Council continues to implement its actions from the Eurobodalla Bushfire Recovery Action Plan. The Plan, which is an evolving document, outlines the activities and strategies Council will undertake to rebuild Eurobodalla's social, built, economic and natural environments. The recovery actions also link with Council's Operational Plan 2020-21 and was reported through Council's Annual Report 2019-20.

Social Environment

Eurobodalla Bushfire Recovery Support Service

This service is joint funded by the Australian and NSW governments and ensures that people who have been impacted by the fires can access the recovery support they need. The service offers a single point of contact with a Case Management Officer who will provide practical and personal support to help manage recovery needs, access relevant services and assist in decision making.

Since this service began, the team have contacted and are providing ongoing support to more than 549 clients across Eurobodalla. 527 clients have been assigned to one of the seven case managers and 68 cases have been closed.

The help provided has included: assisting with grant applications, housing and re-building issues, referrals to specialised mental health counselling services, referral to financial counsellors and explaining information on the progress of DA applications.

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The team is working closely with other government and non-government agencies with case managing clients and resolving practical issues. Council staff have also assisted with more complex issues facing bushfire affected residents such as rebuilding, trees and on-site sewerage systems.

This service has also negotiated with Disaster Relief Australia to conduct clean-up of clients' properties (~60 requiring help) in March / April 2021. This clean-up work is outside of the work undertaken by Laing O'Rourke.

Tea and Talk sessions

Eurobodalla Bushfire Recovery Support Service have been working in partnership with the Red Cross and Service NSW to hold informal monthly 'tea and talk' sessions. These sessions are held on the second Tuesday of each month at various locations around the shire and provide an opportunity for community members to catch up in an informal way with recovery services over a cuppa. 163 people have attended these sessions.

Recovery services representatives are on hand to help with information and links to:

- counselling
- applying for grants and low-interest loans
- practical help at home
- food and household supplies
- preparing your property for bushfire season
- case management support.

Eurobodalla Disaster Relief Fund

Eurobodalla has been overwhelmed by generous donations to our fire affected residents. To date \$319,353 has been received. The funds were broken down into phases as follows:

- *Phase 1* - Supporting individuals whose primary place of residence was significantly impacted by the bushfires. 127 successful applicants (172 applications received) each successful application received \$1,350.
- *Phase 2* – Grants to lift community's spirits. 8 successful applicants (40 applications received) – a total of \$79,652 paid.
- *Phase 1 relaunch* - Supporting individuals whose primary place of residence was significantly impacted by the bushfires. 42 successful applicants (75 applications received) each successful application received \$1350.
- *Business Resilience Grants* – Helping local businesses with bushfire recovery. 88 applications received. Further funding required before successful applications are announced.

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Council has received a considerable number of appreciation letters in response to the funding provided by the Eurobodalla Disaster Relief Fund. The following is an extract of one of these letters:

'I wish to thank Council for the second Eurobodalla Disaster Relief Fund payment. The assistance that has been given by Council and the different arms of government and organisations such as Red Cross, has given me great comfort in not being alone and so courage to move forward.'

Natural Environment

Council is assisting with free weed control for eligible rural properties to assist with blackberry, crofton weed, bitou bush, African boxhorn and Lantana. This program is being funded under the Australian government's Communities combating pest and weed impacts during drought program which totals \$249,988 over an 18 month project.

This assistance is mostly for heavily impacted primary production areas, and landowners of semi-rural properties and or bush blocks in primary producing areas, such as the Belowra and Buckenbowra valleys, Runnyford, Cadgee and Nerrigundah.

Built Environment

Council is experiencing an increase in development enquiries and Development Applications (DA) associated with rebuilding following the bushfires. Council has established an internal team to give priority to these enquiries and applications.

As at 27 Novmeber 2020, Council has received a total of 207 DAs, this includes modification of existing approvals, lodged for rebuild. Of the 207 applications lodged, 162 have been approved with an average turnaround time of 35.67 days.

The 162 approvals are made up of 48 outbuildings, 93 dwelling houses, 10 commercial buildings and 11 alterations. Of the 162 development applications approved, 98 have also had construction certificates determined. This is a strong indication of intention to commence rebuild. Of the 162 development applications approved 10 have had a final occupation certificate issued. The 10 occupation certificates are made up of 7 outbuildings, 2 dwelling houses and 1 alteration.

In some cases Council has been able to facilitate rebuild without the need for a DA, and simply a construction certificate. Construction certificates can be issued by both Council and private certifiers. The total construction certificates that have been issued for the rebuilding process without the need for a DA is 33 and 1 complying development certificate (CDC) application.

Eligible ratepayers can submit an application through the Eurobodalla Disaster Relief Fund for up to \$1,000 to assist with Development Application fees if they owned the subject property during the bushfires. To date, 37 applications have been approved, with \$27,854 being reimbursed.

With the assistance of Ethos Urban, Council worked with the Mogo Chamber and property owners who lost their commercial properties to provide planning for the redevelopment of the

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properties. This project, Mogo Rebuild Stage 1, is now complete, providing valuable guidance and assistance to property owners.

Laing O'Rourke was engaged by NSW Government to deliver the clean-up program from January 2020 through to mid-2020.

The primary focus of the clean-up program was to remove destroyed or damaged buildings and associated safety hazards and debris that could impede people rebuilding their homes or businesses. This included potentially hazardous material, like asbestos, that were near homes or commercial buildings, as well as things like damaged driveways, that could have impacted on the safety of the clean-up activities or hindered the rebuild process.

As at 16 October 2020, 760 properties were cleaned by Laing O'Rourke. This equates to 67,500 tonnes of waste.

It should be noted that there is still a small amount of properties that have not been cleaned up and the NSW Government through Public Works Authority are working with affected property owners and Council to arrange cleanup.

Infrastructure

Council continues to advocate to the Australian and NSW government for critical resilience strategies to be identified, funded and implemented for public infrastructure.

This advocacy includes:

- i) continued requests for the NSW Government to fund the Eurobodalla Regional Integrated Emergency Services Precinct in Moruya inclusive of a new purpose built Incident Management Centre and Emergency Operations Centre.
- ii) seeking fundamental changes in the emergency management arrangements in NSW to have the NSW Government fund the cost currently paid by Local Government and to better integrate emergency services agencies and infrastructure.
- iii) seeking approval to replace single lane timber bridges with single lane concrete bridges. This has been achieved with 16 of the 18 fire impacted bridges to be replaced with a concrete structure (culvert, box culvert or bridge – see list below)
- iv) seeking additional funding to provide for managing the risk from secondary tree death adjacent our transport network. This has now been agreed saving ratepayers approximately three hundred thousand dollars.
- v) advocating directly to the NSW Local Roads Conference 2020 and National Roads, Resilience and Regions Conference 2020 for improved arrangements for Local Government under the Natural Disaster Relief and Recovery Arrangements, particularly relating to the upfront payment requirements placed upon Councils to 'opt-in' and betterment.
- vi) seeking additional funding to cover the damage to roads from the clean-up of private property. An initial amount has been agreed based on the quantity of material carted across Council roads for additional maintenance and further submissions are being made on specific damage to road pavements.

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- vii) seeking funding from the Australian Government for the Eurobodalla Southern Water Supply Storage to improve resilience of our region's water supply. Community associations have also joined with Council in advocating for this critical infrastructure outcome.
- viii) seeking Government funding and cooperation from providers to increase the resilience of telecommunications systems including:
 - a. additional power back-up systems to towers and exchanges as approximately 85% of telecommunication losses were due to power outage. This has been achieved.
 - b. for telecommunications structure to be made more resilient. This is now being pursued by telecommunications providers.
 - c. improved vegetation maintenance arrangements by those responsible for telecommunication sites. This has been raised both directly and via the Eurobodalla Bushfire Risk Management Committee and Local Emergency Management Committee with a positive response from both Government agencies and the telecommunications providers.
 - d. improved response to the loss of telecommunications during disasters. Telstra indicate they have increased their capability in this respect.
- ix) seeking improved resilience of the power supply network working with Essential Energy and Governments, particularly power to critical infrastructure sites. These discussions are continuing. Discussions have also been held with businesses who service the whole of the community such as fuel service stations to seek self-initiated improvements to their resilience to the loss of power. At least one service station has installed a permanent on-site generator to enable continuity of business and provision of fuel during power outages and two others were re-wired to receive a generator during the response to the bushfires. Similarly, Council continues to advocate to the Australian Government to incentivize power back-up and telecommunications systems for all aged care providers to better care for our most vulnerable during disasters. At least one aged care provider has since installed permanent on-site power generation. Health NSW are now working directly with aged care providers in respect to self-initiating action to improve the resilience of aged care facilities.
- x) seeking funding to allow Transport for NSW to improve the resilience of the Kings Highway and Princes Highway. Both highways have had significant works undertaken during 2020 since the bushfires. Transport for NSW have also agreed to considering resilience as a key consideration in future works along these highways
- xi) advocate to and work with Forestry NSW and National Parks to restore access across the broader unsealed road network under the care of these agencies

Works have been undertaken on permanent repair or reconstruction of the following bridges:

- a. Clarkson Bridge, Wagonga Scenic Drive, Narooma (repair complete)
- b. Rosedale footbridge (replaced with a composite structure)
- c. Four Gums bridge, Belowra Road, Belowra (replaced with pipe culverts)

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- d. Cheese Factory Bridge, Eurobodalla Road, Eurobodalla (replaced with a concrete bridge)
- e. Sinclairs Bridge, Eurobodalla Road, Nerrigundah (replaced with a concrete bridge)
- f. Gulph Creek Bridge, Nerrigundah Mountain Road (replaced with a concrete bridge)
- g. Comans Bridge, Gulph Creek Road, Nerrigundah (replaced with concrete box culverts)
- h. Old Tomakin Road Bridge, Mogo (replaced with concrete box culvert)
- i. Pigeon Gully Bridge, Araluen Road, Merricumbene (replaced with concrete box culverts)
- j. Reedy Creek Bridge, Eurobodalla Road, Nerrigundah (being replaced with a concrete bridge – expected to be completed by Christmas)
- k. Peach Tree Bridge, Eurobodalla Road, Nerrigundah (being replaced with a concrete bridge – expected to be completed by Christmas)

The following bridges will be completed in 2021:

- a. Belowra Bridge, Eurobodalla Road, Belowra – will be replaced with a concrete bridge, awaiting bridge components. Expected to be completed in first quarter of 2021.
- b. Sitters Ditch Bridge, Belowra Road, Belowra – will be replaced with piped culvert. Expected to be completed in first quarter of 2021.
- c. Belimbla Bridge Belowra Road, Belowra – will be replaced with a concrete bridge, contracts let. Expected to be completed in first half of 2021.
- d. Kenny Bridge, Araluen Road, Moruya west – contracts have been let, access to site impeded by the major slip on Araluen Road. Alternate access currently being investigated.
- e. McGregors Creek Bridge, Araluen Road – contracts let, access to site impeded by the major slip on Araluen Road. Alternate access being investigated
- f. Old Bolaro Mountain Road – design in progress.
- g. Murphys Bridge, Eurobodalla Road, Nerrigundah – will be replaced with a concrete bridge, geotechnical work scheduled – expected to be replaced in 2021.

Progress on these works has been adversely impacted by the four declared natural disaster floods yet remain ahead of the original schedule.

In addition to the above bridge works, Council is also rebuilding the following rural bridges:

- i) Bradbury's bridge on Araluen Road with a concrete bridge funded under the Natural Disaster Relief and Recovery Arrangements (NDRRA) funding (expected to be trafficable by Christmas and complete in the first quarter of 2021)

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- ii) Cody's bridge, Larrys Mountain Road, Moruya west with a concrete bridge funded from Local Roads and Community Infrastructure Program (expected to be trafficable by Christmas and complete in early 2021)
- iii) the two major causeways immediately south of Nerrigundah on Eurobodalla Road to improve the resilience to floods. Concept approval in principle has been received with detailed estimates and concepts to be submitted to Transport for NSW before Christmas 2020.

There remains significant other flood damage work to be undertaken to the transport network, particularly to the unsealed road network. This damage is a result of the declared natural disaster floods in February, July, August and October 2020. Additional temporary resources have been engaged to manage contractors undertaking these works, to mitigate impacts on the works program and ensure Council receives payment under the NDRRA funding.

Other infrastructure damaged includes:

- i) Water and sewer

Repairs have been affected to damaged water and sewer infrastructure where required. Replacement of sewer pods in Rosedale will proceed in conjunction with the rebuilding on each lot to give landowners greater flexibility in the choice of rebuild.

- ii) Eurobodalla Region Botanic Gardens

Work continues to restore the natural environment and replacement of fire damaged property. A Development Application has been submitted for the replacement of the toilet block and picnic shelters.

Timber from some of the damaged bridge structures have been recycled and incorporated into rebuilding footbridges within the gardens.

- iii) State Emergency Services – Batemans Bay

Council is working with the SES on replacement options including investigating the more central location at Surf Beach. The relocation of the Sunshine Bay RFS shed is also being considered to allow greater integration. In the meantime, temporary housing and storage arrangements are in place for the Bay unit of the SES.

Agriculture

Council continues to work with Local Land Services, Eurobodalla Farmers Network and the local agricultural sub-committee to resolve recovery issues within the agriculture sector.

Council is coordinating, along with the NSW Government and Minderoo, temporary on-farm accommodation for landowners while they rebuild. To date, 47 housing pods have been approved and delivered.

Fencing

The Blazeaid camps at Moruya and Belowra finished on 30 October 2020. Since January, 151,000 metres of fencing was rebuilt and over 100,000m of fencing was cleared. This work was undertaken on 263 properties. BlazeAid estimate this volunteer fencing has saved the community \$1,060,000.

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Economic Environment

Council continues to work with business chambers and industry representatives to understand and address the impacts on businesses and their needs.

Council continues to publish its Tourism and Business Industry newsletters with a focus on financial assistance and support.

Council purchased Spendmapp, an online program which gives council full access to the Credit Card, Debit Card EFTPOS and cash sales recorded in Eurobodalla since July 2018. This program provides data on economic yield by the municipality, showcasing both local spend and visitor spend.

The recent Spendmapp data shows a good economic story of growth in Eurobodalla with 12 of the past 15 months being up on the previous year. This data is showing strong resilience by our local economy with spend increasing in traditionally quieter months.

The data showcases signs of strength; however, it is important to note that businesses could be experiencing difficulty with changing operation models and delivery styles to ensure that they comply with COVID-19 restrictions. Similarly, some businesses have been able to respond to these changes with ease based on capacity and business nature.

Spendmapp data below indicates an increase in economic growth in Eurobodalla for the period July to September on a three year comparison.

| | July | August | September | October | November | December |
|------|---------|---------|-----------|---------|----------|----------|
| 2018 | \$45.2m | \$44.6m | \$45.6m | \$50.3m | \$58.1m | \$83.1m |
| 2019 | \$57.6m | \$56.7m | \$58.5m | \$67.0m | \$63.6m | \$75.3m |
| 2020 | \$72.7m | \$60.1m | \$70.8m | | | |

Spendmapp data for Eurobodalla for the period January to June on a two-year comparison:

| | January | February | March | April | May | June |
|------|---------|----------|---------|---------|---------|---------|
| 2019 | \$86.8m | \$54.4m | \$63.8m | \$68.1m | \$57.0m | \$54.6m |
| 2020 | \$62.2m | \$63.5m | \$71.1m | \$48.4m | \$60.2m | \$70.8m |

AirDNA data shows that although we have a reduced amount of self-contained accommodation available post bushfires due to more houses not being on the market, occupancy levels are up and dollar per property is up.

As of end of October 2020, over the past 12 months (including the bushfire and COVID 19 periods) accommodation revenue has increased by 5.5% across Eurobodalla.

Accommodation bookings are also projected to be stronger over the summer period in comparison to December 2019 and January 2020. This is a positive outlook and will hopefully provide relief to local businesses from the challenges of 2020.

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Community and Stakeholder Engagement

Council uses its communications platforms to share important recovery information with the community, with the focus on providing media-friendly content to ensure the broadest possible reach. Content covers a range of information, from specifics about recovery centre operations, to stories about bush regeneration, and the practical assistance Council is providing to the community. 55 recovery-related media releases have been distributed since 17 January, and 50 Facebook posts. An additional 17 Facebook posts relate to COVID-19.

Council's recovery webpages – www.esc.nsw.gov.au/recovery - collect the range of recovery information in one convenient place for the community. Topics include financial assistance, NSW cleanup program, BlazeAid, rebuilding and repairing (including a list of Eurobodalla's building design professionals), waste services, legal services and looking after your mental health. There are many resources on offer and we test them before adding to our site to make sure they work for residents. Resources are updated daily.

Six dedicated recovery newsletters have been published which provides updates on practical and financial support available from different government bodies, rebuilding bushfires, and related community or neighbourhood meetings. To sign up for the updates you can register at <https://www.esc.nsw.gov.au/living-in/about/emergency-information/eurobodalla-community-recovery/bushfire-recovery-community-updates>

CONCLUSION

This report outlines the key issues relating to the Eurobodalla's Recovery phase. It has provided a summary of the recovery activities to date. This is the fourth report regarding recovery and ensures that Council is kept informed of our progress as our community rebuilds.

GMR20/036 ORGANISATION STRUCTURE - SENIOR STAFF

**S004-
T00026**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 9 Innovative and Proactive Leadership

Focus Area: 9.3 Leverage our skills, knowledge and systems to continually improve and innovate

Delivery Program Link: 9.3.2 Continue to be an organisation people want to work for

Operational Plan Link: 9.3.2.3 Provide human resource management

EXECUTIVE SUMMARY

The purpose of this report is to advise of the proposed changes to Council's senior organisational structure as a result of the resignation of the Director, Corporate and Commercial Services in February 2020. Since that time the Divisional Manager, Waste Services has been acting in this role in addition to undertaking her substantive duties. The acting role concludes on 31 December 2020.

Under Section 332 of the *Local Government Act*, Council must determine the senior staff positions within the organisation structure after consulting with the General Manager.

It is important that consideration be given to the organisation structure when a strategic position becomes vacant to ensure that the structure continues to align with Council's future plans and aspirations.

It is considered that the proposed revised senior structure aligns with the future needs of the organisation, synergies and effectiveness of the corporate functions and financial implications now and into the future.

RECOMMENDATION

THAT

1. Council endorse the senior structure being:
 - (a) Director, Community, Arts and Recreation
 - (b) Director, Infrastructure Services
 - (c) Director, Planning and Sustainability.
2. The Director positions continue to be classified as senior staff officers.

BACKGROUND

The Community Strategic Plan is the highest level strategy 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 Council's vision, as articulated in the CSP, is Friendly, Responsible, Thriving, Proud. This vision is supported by nine outcome areas and 34 strategies that provide more detail about how our vision is translated.

GMR20/036 ORGANISATION STRUCTURE - SENIOR STAFF

**S004-
T00026**

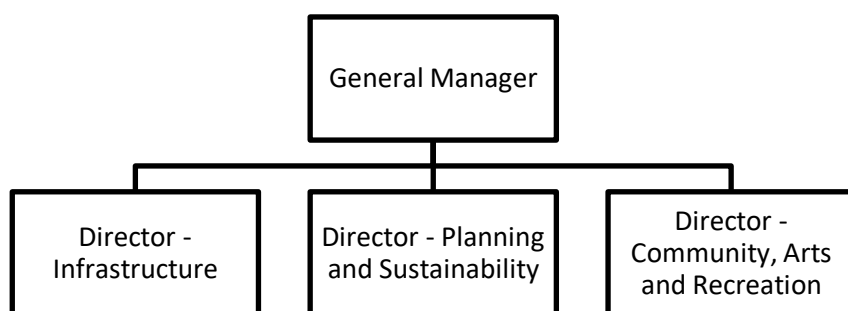
The Delivery Program details the activities that the Council will deliver over its four year term and the strategies it will implement in consultation with the community and contained in the Community Strategic Plan.

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.

The General Manager, supported by the Executive Leadership Team, implements the program of services, capital works and projects set out in the annual Operational Plan and endorsed by the Council.

The organisation structure should facilitate the delivery of services to achieve the Operational Plan actions. It is considered that the proposed revised senior structure has a focus on the current and future needs of the community. It is designed to provide the leadership and management of appropriately grouped services which currently work across directorates to enable improved and effective delivery of services for our community. The aim is to also ensure the senior structure of the organisation aligns with the priorities of the Community Strategic Plan, Delivery Program and Operational Plan.

The proposed three Directorate structure report directly to the General Manager and supports the delivery of the activities and actions in the Delivery Program 2017-21 and Operational Plan 2021-22 as follows:



The nine outcome areas of the Community Strategic Plan are met through the activities and actions outlined in the Delivery Program 2017-21 and Operational Plan 2020-21. The outcomes are delivered through the following services, which have been grouped under the three directorate structure as follows:

| Directorate | Outcomes | Services that contribute to the outcome |
|--------------------------------|--|--|
| Community, Arts and Recreation | Strong communities, desirable lifestyles | <ul style="list-style-type: none"> Community and cultural development Community care |

GMR20/036 ORGANISATION STRUCTURE - SENIOR STAFF

**S004-
T00026**

| | | |
|--|--|--|
| | | <ul style="list-style-type: none"> • Community facilities • Recreation • Youth Services |
| | Celebrated creativity, cultural learning | <ul style="list-style-type: none"> • Children’s Services • Community and Cultural Development • Libraries |
| | Sustainable living | <ul style="list-style-type: none"> • Recreation |
| | Vibrant and diverse economy | <ul style="list-style-type: none"> • Children’s services |
| | Responsible and balanced development | <ul style="list-style-type: none"> • Community facilities |
| | Innovative and proactive leadership | <ul style="list-style-type: none"> • Children’s Services • Community and Cultural Development • Community Care • Community Facilities • Libraries • Recreation • Youth Services |

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| | | |
|-----------------------------|--|---|
| Planning and Sustainability | Strong communities, desirable lifestyles | <ul style="list-style-type: none"> • Public Order and Safety |
| | Celebrated creativity, cultural learning | <ul style="list-style-type: none"> • Business Development • Strategic Planning • Tourism |
| | Protected and valued natural environment | <ul style="list-style-type: none"> • Business Development • Development Assessment and Building Certification • Environmental Management • Public and Environmental Health • Strategic Planning • Tourism • Waste Management |
| | Sustainable living | <ul style="list-style-type: none"> • Business Development • Development Assessment and Building Certification • Environmental Management • Waste Management |
| | Vibrant and diverse economy | <ul style="list-style-type: none"> • Commercial Entities • Business Development • Development Assessment and Building Certification • Strategic Planning • Tourism |
| | Responsible and balanced development | <ul style="list-style-type: none"> • Development Assessment and Building Certification • Strategic Planning |
| | Connected and accessible places | <ul style="list-style-type: none"> • Commercial Entities • Business Development |
| | Collaborated and engaged | <ul style="list-style-type: none"> • Strategic Planning |

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| | | |
|-------------------------|--|---|
| | community | |
| | Innovative and proactive leadership | <ul style="list-style-type: none"> • Commercial Entities • Business Development • Development Assessment and Building Certification • Environmental Management • Public and Environmental Health • Public Order Safety • Strategic Planning • Tourism • Waste Management |
| | | |
| Infrastructure Services | Strong communities, desirable lifestyles | <ul style="list-style-type: none"> • Public Order and Safety |
| | Protected and valued natural environment | <ul style="list-style-type: none"> • Stormwater and Drainage |
| | Sustainable living | <ul style="list-style-type: none"> • Sewer Services • Transport • Water Services |
| | Responsible and balanced development | <ul style="list-style-type: none"> • Sewer Services • Transport • Water Service |
| | Connected and accessible places | <ul style="list-style-type: none"> • Technical Services • Transport |
| | Innovative and proactive leadership | <ul style="list-style-type: none"> • Sewer Service • Stormwater and Drainage • Technical Services • Transport • Water Service |

GMR20/036 ORGANISATION STRUCTURE - SENIOR STAFF

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| | | |
|--|--|------------------------|
| | | • Works and Operations |
|--|--|------------------------|

All other service areas report directly to the General Manager.

CONSIDERATIONS

It should be noted that the organisational structure must be reviewed by Council within 12 months after any ordinary election of the council as stated in Section 333 of the Local Government Act:

'Section 333 Re-determination and review of structure

The organisation structure may be re-determined under this Part from time to time. The council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council'.

Legal

Following are relevant extracts from the *Local Government Act 1993*.

'Section 332 Determination of structure

- (1) *A council must, after consulting the general manager, determine the following:*
- (a) the senior staff positions within the organisation structure of the council,*
 - (b) the roles and reporting lines (for other senior staff) of holders of senior staff positions,*
 - (c) the resources to be allocated towards the employment of staff.*

Policy

The adopted Community Strategic Plan, Delivery Program 2017-21 and Operational Plan 2020-21 have provided direction for the proposed senior structure.

Financial

The resources for the employment of staff (Section 332 (1) (c)) is included in the adopted Operational Plan 2020-21. Senior staff remuneration package details are outlined in the Annual Report.

CONCLUSION

The organisation structure should facilitate the delivery of services to achieve the Operational Plan actions. Significant time has been spent examining the organisation structure to ensure that the recommended senior structure has a focus on the current and future needs of the community. The proposal is designed to provide the leadership and management of appropriately grouped services which currently work across directorates to enable improved and effective delivery of services for our community. The aim is to also ensure the structure of the organisation aligns with the priorities of the Community Strategic Plan, Delivery Program and Operational Plan.

It is considered that the three Directorate structure proposed aligns with Council's Community Strategic Plan, Delivery Program 2017-21 and Operational Plan 2020-21.

**PSR20/029 MOGO ADVENTURE TRAILS HUB DRAFT MASTERPLAN - POST
EXHIBITION**

**S017-
T00002**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments:

1. Under Separate Cover - Mogo Adventure Trails Hub Master Plan
2. Under Separate Cover - Confidential - Submissions
3. Confidential - Development budget and proposed staging
4. Summary of submissions

Outcome: 5 Vibrant and Diverse Economy

Focus Area: 5.3 Focus on the development of sustainable tourism and quality events and visitor experiences

Delivery Program Link: 5.3.2 Actively seek and support the development and hosting of events

Operational Plan Link: 5.3.2.2 Seek grant funding for the implementation of the Mogo Adventure Trail

EXECUTIVE SUMMARY

The purpose of this report is to consider the submissions received during public exhibition and to seek Council's adoption of the Mogo Adventure Trails Hub Master Plan (draft Plan).

The draft Plan is the result of several years of strategic work undertaken in response to industry and stakeholder recognition of the importance of the existing informal trail network in hosting existing and new events and supporting visitor growth and Council's acknowledgement of the economic development potential of a well-planned mountain biking experience.

The draft Plan delivers on key directions and actions in Council strategic documents, including the Eurobodalla Delivery Program and Operational Plan 2017-2021(DPOP), the Eurobodalla Recreational Open Space Strategy (ROSS) and the Nature-Based Tourism Feasibility Study 2019 and NSW Government strategic direction.

With over 150kms of trails identified in the draft Plan, investment in the hub will support the growth of our visitor economy particularly beyond the summer months. Continued planning for and investment in tourist product such as this, was identified in the Eurobodalla Local Bushfire Recovery Action Plan as well as the NSW Government's Regional Economic Development Strategies (REDS) and the Bushfire addenda as being critical to the economic recovery and growth post the bushfires.

The draft Plan was endorsed for public exhibition at the Ordinary Meeting of Council on 8 September 2020. Exhibition took place from 11 September 2020 to 18 October 2020 for a period of 39 days. The original closing date for submissions was Thursday 15 October 2020 and was extended at the request of some community groups. During the exhibition period Council held a drop-in information session at John Street Reserve Mogo on Saturday 26 September from 10am to 1pm.

**PSR20/029 MOGO ADVENTURE TRAILS HUB DRAFT MASTERPLAN - POST
EXHIBITION**

**S017-
T00002**

Council received sixty (60) submissions during the exhibition period and one (1) submission after the close of exhibition. In general, the submissions are supportive of the draft Plan, highlighting the potential for visitor attraction and economic growth for not only Mogo but the surrounding towns and villages and the Eurobodalla.

RECOMMENDATION

THAT:

1. Council having considered all the submissions received during the public exhibition period, adopt the amended Mogo Adventure Trail Hub Master Plan.
2. Council write a letter of appreciation to all those who have made a submission to the Mogo Adventure Trail Hub Master Plan.

BACKGROUND

The draft Plan was endorsed for public exhibition at the Ordinary Meeting of Council on 8 September 2020 (Minute No: 20/159) as follows:

THAT

1. *Council publicly exhibit the draft Mogo Adventure Trails Hub Master Plan for a period of 28 days.*
2. *A further report addressing the submissions received be presented to Council following the exhibition period.*

Exhibition took place from 11 September 2020 to Monday 18 October 2020 for a period of 39 days. The original closing date for submissions was Thursday 15 October 2020 and was extended at the request of some community groups. During the exhibition period Council held a drop-in information session at John Street Reserve Mogo on Saturday 26 September from 10am to 1pm.

Strategic context

The Mogo Adventure Trails Hub has been identified in several Council strategic documents and is in line with NSW Government policy on developing economic stimulus projects post bushfires. These include:

- Eurobodalla's Delivery Program 2017-21 and Operational Plan 2020-21. Action 5.3.2.3: develop an Adventure Trails Strategy for Mogo.
- Eurobodalla Recreation and Open Space Strategy 2018 (ROSS) - recommendation E13, develop a shire wide Adventure Trails Strategy to identify opportunities to increase and enhance the trails and track based activities (walking, horse riding and mountain bike riding) within the public areas for the local communities and visitors. The ROSS further identifies Deep Creek Dam as an area having a combination of single tracks and forest roads used for mountain bike riding.
- Eurobodalla's Destination Action Plan 2018 in Priority 5: tourism product and experience development
- Eurobodalla Nature Based Tourism Feasibility Study 2019 – recommendation that the Mogo Adventure Trails Hub be a priority nature-based infrastructure project.

**PSR20/029 MOGO ADVENTURE TRAILS HUB DRAFT MASTERPLAN - POST
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- Eurobodalla Event Strategy 2019-2023
- NSW Regional Economic Development Strategies (REDS)
- Bushfire addenda

Mogo Adventure Trails Hub Strategy 2019

The project was initiated in early 2019 with the engagement of TRC Tourism to prepare initial work in researching and scoping the feasibility of the Mogo Adventure Trails Hub. A stakeholder workshop was held in June 2019 and was attended by a variety of stakeholders, including NSW government agency representatives, Mogo Business Chamber, business operators, mountain bike and trail bike riders, trail runners, bush walkers, horse riders, road cyclists and Council staff.

The strategy identified key opportunities for Mogo to create a critical mass of trails surrounding the village and establishing it as a hub for providing trail related services. The strategy provided the clear direction to pursue the master planning of the Mogo trails network.

Mogo Adventure Trails Hub Master Plan

The following process was undertaken after Dirt Art (world renowned trail designers) were engaged in February 2020:

- Stakeholder workshop - February 2020, attendees included the mountain biking community, local business and key stakeholders.
- One-on-one meetings with key stakeholders (businesses, members of the local mountain bike club, event organisers and tourism operators)
- Discussions with Forestry Corporation of NSW and NSW Crown lands
- Engagement via social media through the mountain biking group, "Off Camber" Facebook page enabling a consistent dialogue around the project.
- A Mogo drop-in information session in September on the draft plan during exhibition period

The feedback and insights of the local mountain biking community has been instrumental in further understanding the issues and opportunities of the project and testing ideas and concepts to ground truth the draft Plan.

The Mogo Adventure Trails Hub provides an opportunity to create a premier and nationally significant trail destination, which will attract strong visitation from across New South Wales, the ACT, and around Australia. The project has the potential to become an important driver in assisting with the economic recovery of the region following bushfires and the downturn associated with COVID-19 restrictions.

The draft Plan proposes over 150km of trails, which capitalises on the key strengths of the area to create a premier trail destination, connected to Mogo village and Batemans Bay suburbs. The proposed trail system caters for a broad audience of riders, and a wide variety of riding styles in close proximity to Canberra and Sydney markets. This has the potential to significantly grow the economy and provide a number of jobs.

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EXHIBITION**

**S017-
T00002**

It was recently announced that Council were successful in receiving \$3m through the NSW Governments Growing Local Economics Fund towards the design and construction of the Mogo Adventure Trails Hub.

CONSIDERATIONS

Council received sixty submissions during the exhibition period and one submission after the close of exhibition. In general, the submissions are supportive of the draft Plan, highlighting the potential for visitor attraction and economic growth for not only Mogo but the surrounding towns and villages.

The primary reasons for support in submissions are:

- the potential of the Mt Wandera as a signature trail and unique trail experience for the Mogo Adventure Trails Hub,
- economic benefit to the region, and
- enthusiasm and support for Council to deliver this nationally significant trail destination.

A detailed submission supported the Mogo Adventure Trails Hub project but stated further work needed to be given to providing a better trail network alignment than what is proposed in the draft Plan. It is important to note this detailed design will occur at the next stage of development, where detailed analysis of topography, terrain and elevation and environmental and cultural assessments will establish the final trail alignment and network structure.

Eleven submissions raised concerns with regards to:

- greater consideration for other trail-users (including trail bikes and horse riders),
- additional car parking provision,
- safety and risk management (particularly potential conflict between trail users), and
- environmental and cultural issues.

In response to these submissions the following key amendments to the draft Plan are proposed:

- Minor rewording and edits through the draft Plan,
- Clarity in the plan around the use of the trail by other users and the relationship between the different user groups,
- Additional information in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries,
- Additional information in Section 9.5 (Values Analysis on the social, environmental, Aboriginal and non-Aboriginal heritage),
- Removal of the recommended carpark at the secondary trail head at Batemans Bay,

**PSR20/029 MOGO ADVENTURE TRAILS HUB DRAFT MASTERPLAN - POST
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- Finalisation of a staging plan and development budget in Appendix 1, and
- Inclusion of uplift service provider plan in Appendix 2.

The amended draft Plan and a more detailed summary and response to each submission is provided as separate attachment to this report.

Legal

The proposed trail network moves through the Mogo State Forest and Deep Creek Dam. This land is owned and managed by Forestry Corporation of NSW (FCNSW) and NSW Crown Lands respectively.

The development of the trail network will require a permit from FCNSW and Council will need to consider changing the current licence or become the land manager over Deep Creek Dam (Crown Lands). FCNSW and Crown Lands are supportive of the trail network and Council will continue to engage the landholders on how best to achieve the necessary permit and licence to progress the project.

Asset

The draft Plan proposes infrastructure in the form of two trail heads for the Mogo Adventure Trails Hub. The primary trail head is proposed within Mogo's village centre and will allow direct access to the trail network with a range of more minor entrances from Batemans Bay suburbs, including Batehaven, Surfside, Lilli Pilli, Malua Bay and Tomakin.

It is recommended that the trail head be supported with bike infrastructure such as bike stands, bike washes, trail maps, water refill station, car parking, change rooms and toilets in Mogo village. This connectivity between the trail network and Mogo village is sought after and will effectively utilise the existing services and amenity of the village.

A secondary trail head is proposed for Batemans Bay, this trail head will only feature signage and minor infrastructure, providing clear and functional entry and exit to the trail network.

The ongoing, management, maintenance and governance of the network will be the subject of future reporting to council.

Economic Development Employment Potential

Adventure trails has significant potential to benefit the local and regional economy (see page 137 of the draft Plan):

- In its first year of operating, the trails network has the potential to attract 45,000 visitors and result in over \$11.8 million to the local economy and this growth is predicted to increase year on year,
- Approximately 10 FTE jobs are expected to be created during construction and another 20 FTE jobs once the trail hub is operational,
- The potential for at least six new business opportunities (including shuttle services, accommodation and new events) and allow existing businesses to value add to their current services, and

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- Attraction of more events due to the hub being able to cater for different racing formats.

Council staff are currently looking at potential opportunities and the development of an investment prospectus to support trail development, maintenance and broader value-added investment opportunities in the village of Mogo. It is proposed to brief councillors on the progress of this work in early December.

Financial

A proposed development budget and staging plan for the detailed design and construction of the trails is provided as a Confidential attachment, as it contains commercial information of a confidential nature.

Council was successful in receiving \$3m through the NSW Governments Growing Local Economics Fund toward the design and construct the Mogo Adventure Trails Hub. Council is seeking future grant funding opportunities to further support the construction of the track network and supporting infrastructure, noting that the network will be staged.

Investigations are also continuing in regard to the potential management options and structures and in regard to the funding of ongoing maintenance. This includes the potential for maintenance and coordination to be funded through sponsorship. This model has been used successfully at other locations. Given the potential national significance of the proposal, the likelihood of sponsorship funding or significantly supporting maintenance is high.

As with other mountain bike track networks both in NSW and elsewhere, risk associated with use of the tracks will be managed through track design, construction and sign posting in accordance with the relevant standards.

Community and Stakeholder Engagement

In developing the draft Plan, Dirt Art and Council officers have undertaken the following:

- A stakeholder workshop at Moruya Golf Club on 18 February 2020 attended by over 40 people from the mountain biking community, local business and key stakeholders. This workshop followed on from previous consultation and workshop conducted by TRC Tourism in 2019,
- Several one-on-one meetings with key stakeholders (businesses, members of the local mountain bike club, event organisers and tourism operators),
- Keeping councillors informed through invitations to all stakeholder workshops via the councillor newsletter,
- Ongoing discussions with Forestry Corporation of NSW and NSW Crown Lands, and
- Engagement via social media through the mountain biking group, "Off Camber" Facebook page enabling a consistent dialogue around the project.
- An information drop-in session held in Mogo on 26th September from 10am to 1pm

In addition, the draft Plan was on public exhibition between 11 September 2020 to Monday 18 October 2020 for a period of 39 days. The original closing date for submissions was Thursday 15 October 2020 and was extended at the request of some community groups. During the

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EXHIBITION**

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exhibition period Council held a drop-in information session at John Street Reserve Mogo on Saturday 26 September from 10am to 1pm. During this period, the draft Plan was on Council's website and a hard copy was provided to community members on request.

The feedback and insights of the local community over the last two years has been instrumental in formulating an understanding of the issues and opportunities of the project and testing ideas and concepts to ground truth the draft Plan.

CONCLUSION

The majority of issues raised in the submissions have been addressed in the amended draft Plan. The need for a more detail assessment of the trail network alignment and structure will be more appropriately addressed at the detailed design stage of the project.

Having considered and addressed the concerns raised in submissions this report is seeking to adopt the draft Plan.

| Doc No. | Issues/Concerns | Response |
|-------------------------|--|--|
| 4328963 | Supports the potential of the draft masterplan and would like consideration to be taken for trail runners. | Noted. The draft Plan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. |
| 4331060 | Trail Bike users and other users need to be considered in the draft Plan | Noted. The draft Plan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. |
| 4331062 | Supportive and suggests regional collaboration | Noted. Considerable work is already been undertaken by Council staff in establishing the project as an economic driver and tourism asset that does not need to be further addressed in the draft Plan. |
| 4331051 | Supportive. Comments regarding the plan being an asset for the community and drawcard for visitors. | Noted. |
| 4331148 | Would like to see carparking, road management, events, rubbish and medical/emergency concerns met in the draft Plan. | Noted. The issues raised in the submission will be addressed in the design and construction stage of the project and through the permit process with Forestry Corporation of NSW (FCNSW) and Crown Lands. Additional information will be provided in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries. |
| 4331149 | Supportive. Good for tourism and positive for locals. | Noted. |
| 4331363 | Supportive and would like to see a shard trail for bush walkers | Noted. The draft Plan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. |
| 4331362 | Supportive. Tourist attraction and flow on effect. | Noted. |
| 4322042 | The trails should be for motorcycle riders users as well. | Noted. The draft Plan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. |

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| 4332126 | Supportive. Opportunity for tourist attraction. | Noted. |
| 4332394 | Supportive. Welcomes another area to ride 4 hrs of Sydney and would visit. | Noted. |
| 4332405 | Supportive. Great for local business and tourist attraction. | Noted. |
| 4332409 | Supportive. Comments on the protection the native birds and animals. | Noted. Additional information will be provided Section 9.5 (Values Analysis on the social, environmental, Aboriginal and non-Aboriginal heritage) and the trail hub will have minimal, if any, impact on native fauna. |
| 4332513 | Supportive and will benefit locals | Noted. |
| 4333108 | Supportive. Great thing for the community and future tourism. | Noted. |
| 4333624 | Supportive. Great initiative. | Noted. |
| 4333865 | Would like to see designated trails for other users, including horse riders, hikers and trail bikes | Noted. The draft Plan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. |
| 4335582 | Supportive | Noted. |
| 4335600 | Supportive. Comments regarding preservation of ecology and species. | Noted. |
| 4336495 | Supportive with suggestions for new location for the northern trail hub, trails N9, N23, N18, N10, N22, N4, N5, N6, N7. Preference on money spent on new trails, infrastructure and signage rather than existing trails. Encouragement for engagement of the indigenous community. | Noted. The issues raised in the submission such as trail alignment and structure are best considered and assessed at the detailed design stage of the project. |

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| 4336787 | Concerns regarding carparking capabilities, amenities, traffic and safety, use of Forestry roads. | Noted. The issues raised in the submission will be addressed in the design and construction stage of the project with respect to car parking and amenity and through the permit process with FCNSW and Crown Lands. Additional information will be provided in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries. |
| 4337641 | Supportive with suggestions regarding moving the trail head, car parking, climbing sections for trails and enough trails for a weekend of riding | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4337640 | Supportive. Expressed interest in visiting | Noted. |
| 4337872 | Supportive with suggestions regarding social values, FCNSW, integration with towns, regional positioning, access nodes, and linking key events in the region | Noted. The draft Plan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. It has always been understood that FCNSW will continue to sustainably harvest the Mogo State Forest and that the trail hub would need to work around this activity. |
| 4339094 | Supportive. Offer to help with working bees | Noted. |
| 4339568 | Supportive. Would like the inclusion of a pump track, further infrastructure for secondary trail head, inclusion of a walking track. | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4340636 | Supportive. Comments regarding general comments and omissions, trail network structure and function, new trail location and desing, incorporation of identified existing trails into overall trail network. | Noted. Submission issues to be addresses in the design and construction stage of the project and through the permit process with FCNSW and Crown Lands and edits and rewording will be made to the draft masterplan. |

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| 4342537 | Support with comments suggesting the use of Mogo State Forest as a Regional Park dedicated to recreation, including adventure trails, as well as promoting environmental values. | Noted. The draft Plan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. It has always been understood that FCNSW will continue to sustainably harvest the Mogo State Forest and that the trail hub would need to work around this activity. |
| 4344066 | Supportive and linked to Direction 9 of the South East and Tablelands Regional Plan. | Noted. Considerable work is already been undertaken by Council staff in establishing the project as a economic driver and tourism asset and that does not need to be further addressed in the draft Plan. |
| 4344336 | Supportive but with concerns regarding risk and incident management, Forestry negotiations and the need for more trail infrastructure | Noted. The issues raised in the submission such as trail alignment and structure are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4345955 | Supportive with suggestions regarding realignment and arrangement of a number of trails, placement of trail heads and carparking. Strongly supportive of the Mt Wandera track. | Noted. Submission issues to be addresses in the design and construction stage of the project and through the permit process with Forestry Corp and Crown Lands |
| 4346705 | Supportive with a strong focus on the tourism, economic development and encouraged active recreation benefits that the project will bring | Noted. |
| 4348867 | Supportive of an all year round tourism destination | Noted. |
| 4349885 | Supportive with suggestions how to manage stakeholders, federal funding grants, marketing and guidance on cost benefit analysis | Noted. The issues raised in the submission such as trail alignment and structure are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. The draft Plan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. |

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| 4349214 | Supportive for stimulating the local economy and tourism opportunities | Noted. The project has potential to become an important driver in assisting with the economic recovery of the region following bushfires and the downturn associated with COVID-19 restrictions. |
| 4349296 | Supportive for a wide variety of trails | Noted. |
| 4349294 | Supportive for locals, tourism opportunities and suggestions on engagement of the Yuni Nation | Noted. The project has potential to become an important driver in assisting with the economic recovery of the region following bushfires and the downturn associated with COVID-19 restrictions and additional information added to Section 9.5 (Values Analysis on the social, environmental, Aboriginal and non-Aboriginal heritage). Staff will continue to engage the local Aboriginal community through the development of the project. |
| 4350510 | Supportive with concerns regarding traffic management and traffic noise | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4350508 and 4350509 | Supportive with suggestions surrounding the carparking and signage | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4351147 | Supportive with suggestions on trails | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4351227 | Supportive with comments on product development, maintenance, considerations on trail signage and governance | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4351728 | Concerns regarding carparking capabilities, amenities, signage, traffic, safety of trail users, risk management, water quality management, and wording of the draft masterplan | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. Additional information will be provided in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries. |

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| 4353116 | Comments regarding funding of the project | Noted. |
| 4353129 | Supportive with comments regarding future logging plans and its impact on the flora and fauna | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. It has always been understood that FCNSW will continue to sustainably harvest the Mogo State Forest and that the trail hub would need to work around this activity. |
| 4353130 | Comments regarding safety concerns, risk management, and effect on wildlife. | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. The draft masterplan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. Additional information will be provided in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries. |
| 4353380 | Comments regarding safety concerns and traffic management | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4353900 | Supportive with comments regarding the permit process, forestry functions, aboriginal cultural heritage values, safety, other user groups and traffic management. | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4352426 | Supportive with Comments regarding an adventure trail for horse riders | Noted. The draft masterplan will be amended to provide clarity around the use of the trail by other users and the relationship between the different user groups. |

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| 4355646 | Comments regarding partnership proposal, added social benefit for the community, walking trails, job creation, camps and tours. | Noted. The project has potential to become an important driver in assisting with the economic recovery of the region following bushfires and the downturn associated with COVID-19 restrictions and additional information added to Section 9.5 (Values Analysis on the social, environmental, Aboriginal and non-Aboriginal heritage). Staff will continue to engage the local Aboriginal community through the development of the project. |
| 4329509 | Support with comments encouraging a range of trail difficulties | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4331152 | Support and would love to see more plans like this. | Noted. |
| 4331145 | Support from a local business owner | Noted. |
| 4340572 | Support - however, concerned about additional traffic and dust issues | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. Additional information will be provided in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries. |
| 4349213 | Supportive of the tourism potential that will drive employment and investment in the Eurobodalla Shire. | Noted. |
| 4349401 | Supportive with comments regarding the tourism potential, employment and investment opportunities | Noted. |

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|-------------------------|--|---|
| 4350466 | Comments regarding the European Cultural Values section, Deep Creek Dam management, risk and incident management and Mount Wandera. | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands.. Additional information will be provided in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries and Section 9.5 (Values Analysis on the social, environmental, Aboriginal and non-Aboriginal heritage). |
| 4353131 | Comments regarding Safety concerns, concern for wildlife, the effect of water catchment areas. | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands.. Additional information will be provided in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries. |
| 4353347 | Comments regarding safety, the European cultural values section, water quality of the Dam, native fauna, risk management, supporting infrastructure. | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. Additional information will be provided in Section 16.4 (Risk and Incident Management) on safety and risk management of trail users with mitigation strategies proposed to reduce collisions and major injuries. |
| 4328963 | Supportive with comments for additional tracks | Noted. The issues raised in the submission are best considered and assessed at the detailed design stage of the project and through the permit process with FCNSW and Crown Lands. |
| 4335604 | Support and would visit regularly for the tracks | Noted. |

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|------------------------|---|
| Responsible Officer: | Lindsay Usher - Director, Planning and Sustainability Services |
| Attachments: | 1. Under Separate Cover - Draft Batemans Bay Waterfront Masterplan and Activation Strategy 2. Submissions report for the draft Batemans Bay Waterfront and Activation Strategy |
| Outcome: | 6 Responsible and Balanced Development |
| Focus Area: | 6.1 Plan for growth and encourage increased investment and development outcomes |
| Delivery Program Link: | 6.1.2 Review and prepare planning strategies, policies and studies |
| Operational Plan Link: | 6.1.2.2 Implement the Batemans Bay Waterfront Masterplan and Activation Strategy |

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider adoption of the draft Batemans Bay Waterfront Masterplan and Activation Strategy which is attached under separate cover.

The draft Batemans Bay Waterfront Masterplan and Activation Strategy (the draft Plan) outlines ways to strengthen the waterfront as a key destination experience for Eurobodalla. The draft Plan provides a vision for the waterfront to facilitate the development of marine based tourism infrastructure, further activate the waterfront and deliver a range of opportunities identified during an extensive stakeholder engagement process between June 2019 and March 2020.

By adopting the draft Plan, Council will be showing confidence in the future of the Batemans Bay waterfront, through realization of the opportunities to be gained by the new Batemans Bay bridge alignment and the potential to create a waterfront that stands out from any on the coast. This confidence and vision, together with the investment in new and improved public infrastructure, is fundamental to encourage and attract commercial investment.

A draft Batemans Bay Waterfront Masterplan and Activation Strategy was on public exhibition for 28 days from 1 July to 28 July 2020. Council received 93 submissions during the exhibition period. A submissions report is attached, inclusive of responses to submissions received. The submissions most commonly raised one or more of the following issues:

- Support for the draft Plan
- The relationship between the draft Plan and the foreshore plans being delivered as part of the Transport for NSW (TfNSW) Batemans Bay bridge replacement project
- The desire for Clyde River boat access in Batemans Bay by retaining the Clyde Street boat ramp
- The importance of oyster industry operations
- Points of clarification and/or suggestions

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The exhibited draft Batemans Bay Waterfront Masterplan and Activation Strategy was revised to address submissions as described in Table 1 below. Minor edits have also been made eg. spelling and clarification, and updates to the community views and issues section to reflect public exhibition.

Table 1: How key issues raised by submissions have been addressed in the revised draft Plan.

| Changes in revised draft Plan | Key issues addressed |
|--|---|
| A concept that indicates the opportunity for a possible staged approach, if necessary, for Smoke Point waterfront. It shows the capacity for retention of the Clyde Street boat ramp whilst also providing a longer term vision should it be proposed to remove the boat ramp in the future. This is included in the revised draft Plan as an appendix. | The desire for Clyde River boat access in Batemans Bay by retaining the Clyde Street boat ramp. |
| Updated Map 2 for Smoke Point to: <ol style="list-style-type: none"> 1. Alignment more with the Batemans Bay bridge replacement plans where appropriate 2. Increase the turning circle to allow for oyster industry (eg trucks) and busses 3. Clarify that the functional use of the jetty for oyster farmers would be retained 4. Identify the fishing platform 5. Clarify that the heritage listed former car ferry ramps would be retained 6. Clarify that a new nature walk linking the waterfront through to Mackay Park and town centre would be investigated (ie detailed design would need to consider options and avoid and minimise impacts to the environment). | <ol style="list-style-type: none"> 1. The relationship between the draft Plan and the foreshore plans being delivered as part of the TfNSW Batemans Bay bridge replacement project 2. The importance of oyster industry operations. 3, 4, 5 and 6. Points of clarification and/or suggestions. |
| Clarification that any new infrastructure development would need to comply with relevant legislation and potential environmental impacts to seagrass, mangroves and other habitats are to be avoided, minimised and mitigated where reasonable and feasible. | <p>The importance of oyster industry operations.</p> <p>Points of clarification and/or suggestions.</p> |
| Updated actions to include that repurposing the Department of Primary Industry (DPI) (Fisheries) storage shed and jetty at Smoke Point would be in collaboration with Crown Lands, DPI (Fisheries) and the oyster industry. | <p>The importance of oyster industry operations.</p> <p>Points of clarification and/or suggestions.</p> |
| Clarification in the guiding principle “to create leafy shade” that existing trees should be retained where practicable. | Points of clarification and/or suggestions. |

The draft Batemans Bay Waterfront Masterplan and Activation Strategy has been through a substantial stakeholder consultation process and is supported by best practice guiding principles. It is ready for Council to consider adoption and implementation.

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RECOMMENDATION

THAT Council

1. Adopt the attached draft Batemans Bay Waterfront Masterplan and Activation Strategy which maintains the Clyde Street boat ramp, while providing a vision for its removal, should such be proposed in the future.
2. Continue to seek opportunities for implementation of the draft Batemans Bay Waterfront Masterplan and Activation Strategy.
3. Write to all those who made a submission advising of Council's decision and thanking them.

BACKGROUND

Council engaged specialist tourism planning and urban design consultants, Inspiring Place and Complete Streets, to identify opportunities to activate the Batemans Bay waterfront. The project is an outcome of several NSW Government and Council strategic documents which identify the need to reinforce Batemans Bay as a key regional centre and marine tourism hub.

The draft Batemans Bay Waterfront Masterplan and Activation Strategy (the draft Plan) outlines ways to strengthen the waterfront as a key destination experience for Eurobodalla. The draft Plan provides a vision for the waterfront to facilitate much needed development of marine based tourism infrastructure, further activate the waterfront and deliver on opportunities raised during an extensive stakeholder engagement process between June 2019 and March 2020.

The draft Plan includes actions for:

- Youth Central – a unique youth activity space with multiple play opportunities in a colourful setting by the water
- Pedestrian wayfinding and interpretation that improves accessibility and enables Batemans Bay to stand out as a destination
- Waterfront Square providing an open vista through to the estuary; an interactive installation to draw families, with improved access to the water and quality street furniture
- Waterfront activation through innovative product displays, experiential retail, alfresco dining, busking and entertainment, parklets and spontaneous activity in collaboration with businesses
- A people and activity focussed Clyde Street, delivered through changed road pavement, improved parking alignments, removal of barriers, additional seating, shade and open green spaces to support spontaneous and planned activities
- A connected waterfront with a widened pathway, upgraded lighting, improved landscaping and accessibility to water

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- Marine infrastructure to support the growth of marine based tourism including cruises, kayaks, sea planes, recreational boaters and diving and fishing charter operations
- Review polices and processes to make activation easier and encourage more people to do business and live in Batemans Bay

The four guiding principles described in Table 2 are incorporated in the draft Plan and have had consistent overall strong support from the community. The draft Plan includes actions and strategies that support these principles. If adopted, Council would rely upon the Plan to guide decision making to ensure proposed development and activities do not prejudice the long-term vision and guiding principles for the waterfront.

Table 2: Principles underpinning the draft Plan from page 6 of the draft Plan

| Guiding Principle | Key Elements |
|-----------------------------------|--|
| Make it a people place | <ul style="list-style-type: none"> › Give priority to people not cars › See the waterfront as a stage › Design attractive, all year-round open spaces › Make playful and energetic spaces › Create leafy shade › Make streets safe, comfortable and inviting › Stimulate the senses › Respect the local culture › Interpret the story of the place › Install wayfinding › Inject arts and arts activities › Make it safe and secure › Walking, walking, walking |
| Make it active – day and night | <ul style="list-style-type: none"> › Light the night › Encourage an outdoor culture › Create spaces to host events and activities › Support spontaneous activity › Provide a program of activation opportunities |
| Make strong connections | <ul style="list-style-type: none"> › Celebrate the waterfront edge › Enliven the links to the waterfront › Remove barriers to access and activity › Foster alternative transport |
| Make it work for local businesses | <ul style="list-style-type: none"> › Excite the imagination › Diversify street edges, activate the street › Identify the gateways to the precinct › Respond to climate risks and opportunities › Encourage people to live in the town › Stimulate mixed-use development |

Significant investment is already occurring through recent projects including the replacement of the Batemans Bay bridge and the proposed redevelopment of the Mackay Park precinct.

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The ability to attract more people to the waterfront, to stay longer and spend, will rely on the draft vision and the delivery of the actions in the Plan which integrate accessibility, land use, built form, culture and heritage, public space and the environment.

A more people-oriented place, with a high amenity public realm and space for more activities, will provide the necessary platform to attract private sector investment.

The draft Plan guides decision making to deliver a range of outcomes identified in other key plans of Council. In particular:

- A vibrant and diverse economy - outcome 5 of the Eurobodalla Community Strategic Plan (the CSP)
- Eurobodalla Destination Action Plan (EDAP) and the Nature Based Tourism Feasibility Study 2019 regarding the need to revitalise Batemans Bay as an appealing gateway for the community and visitors to Eurobodalla
- Action 4.1 of the EDAP to ensure tourism is considered as an important part of Council's planning and development of physical and community infrastructure in order to attract quality tourism and hospitality investment and provide exceptional experiences for visitors and the community.

CONSIDERATIONS

The draft Plan was exhibited for 28 days from 1 July to 28 July 2020. During this time, an estimated 340 people viewed the exhibition and feedback webpage, and approximately 150 people viewed the draft Plan online. Council received 93 submissions during the exhibition period.

A submissions report including responses to submissions is attached. The submissions most commonly raised one or more of the following issues:

- Support for the draft Plan
- The relationship between the draft Plan and the foreshore plans being delivered as part of the TfNSW Batemans Bay bridge replacement project
- The desire for Clyde River boat access in Batemans Bay by retaining the Clyde Street boat ramp
- The importance of oyster industry operations
- Points of clarification and/or suggestions

Revisions were made to the exhibited Plan to address submissions received during public exhibition. Submissions were addressed taking into consideration:

1. all feedback received throughout the various stages of developing the plan and
2. the draft Plan's guiding principles developed in the early stages of the project and
3. the strategic goals and directions of Council and NSW Government.

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Consideration was given to whether there were suitable alternatives to the concept for Smoke Point to address submissions requesting Clyde Street boat ramp be retained. Whilst retaining the Clyde Street boat ramp compromises the ability to deliver a strong, connected, attractive and activated waterfront, a staged approach could be implemented to retain the boat ramp in while providing a longer-term vision should it be proposed to remove the boat ramp in the future. This would give Council time to evaluate the impacts of the changed traffic and movement arrangements on boat ramp usage. Appendix 2 in the revised draft Plan demonstrates the proposed concept which maintains the boat ramp. The proposed staged concept for Smoke Point includes removing existing carparking spaces as recreation space and repurposing carparking arrangements along Clyde Street through the realignment of angled parking spaces to 90° parking ensuring that an overall increase in carparking on Clyde Street will be achieved.

Changes to the exhibited draft Batemans Bay Waterfront Masterplan and Activation Strategy to address submissions are described in Table 1 of this report. Minor edits have also been made eg. spelling and clarification, and updates to the community views and issues section to reflect public exhibition. More detail on how submissions have been responded to, is in the submissions report (attached).

Legal

Some actions in the draft Plan will require permits and approval. As some of the waterfront land is Crown land, there may also be a need for amending or creating new licences or leases to complete the actions. The draft Plan is consistent with the current Plan of Management that covers some of this land.

A Native Title claim over a large area of south east coast of NSW also means that there may be obligations to refer certain activities to the Native Title Services Corporation (NTS Corp), on behalf of the South Coast Claimants, before undertaking them.

Policy

The draft Plan recommends reviewing Council policies to make it easier for businesses and community groups to use public spaces for a range of activities. It also proposes that relevant Development Control Plans are reviewed to ensure they align with the guiding principles and strategies of the draft Plan.

Environmental

Implementing the draft Plan is not expected to negatively impact on the environment however, if adopted, some concepts in the draft Plan would require feasibility and environmental assessment before proceeding. The draft Plan provides opportunities for our community to better connect with the local environment via marine tourism infrastructure and better direct access to the Clyde River for a wide range of water-based activities

Asset

While many of the actions can be completed for low installation cost and minimal ongoing maintenance, the draft Plan does also propose substantial infrastructure that would become a Council asset requiring ongoing maintenance and renewal. Before proceeding, the cost-

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effectiveness and maintenance requirements must be considered. The draft Plan proposes to investigate the options and feasibility of some elements proposed. This is an important step to help Council and funding bodies to focus on investments that would support the growth or establishment of new business and a place that will attract people to live and visit. This is vital for the recovery of Eurobodalla after the impacts of the summer bushfires and COVID-19.

Social Impact

Implementing an adopted plan would result in Batemans Bay becoming one of the most sought after places on the NSW coast to live, work and play - a safe place that the community can come together along a well-maintained, strategically planned and vibrant foreshore. This draft Plan provides a long term vision and direction to support community wellbeing, attract new and grow existing businesses, and provide more attractions and activities for visitors. This is a key part of building the resilience of our Shire against future disasters and global impacts.

The shared drivers for change include healthy living, increased residential and commercial development opportunities, improved environmental quality, active transport and adaptation to coastal hazards, all within the framework of a sustainable economy in support of improved lifestyles for residents. This change is even more critical when considering the social and economic impact that the summer bushfires and COVID-19 is having and will continue to have on Batemans Bay.

The draft Plan, if adopted, would position Batemans Bay waterfront to realise its full potential as a standout coastal destination with new and improved experiences for all. The draft Plan has the goal of creating a distinctive waterfront, not just one of many.

Economic Development Employment Potential

The draft Plan identifies opportunities to improve the physical features of the waterfront to improve opportunities to access, enjoy and activate public spaces. The draft Plan proposes infrastructure to support the growth of marine/nature-based tourism businesses and identifies opportunities to attract new experiential retail into vacant shops.

The draft Plan recognizes that people are drawn to places of high-quality design that feature attractions and other people. This is key to the success of the waterfront as well as Clyde Street. The draft Plan recognizes that streets are not just a conduit for cars and movement – but inviting and vibrant spaces that supports both community and economy.

Pre COVID-19 committed agencies were working hard to deliver Streets for People through finding the balance between providing for vehicles while fostering sustainable transport within the existing streetscape profile. Streets for People represents a paradigm shift in thinking about streets and road reservations as spaces for all users through the negotiation of confined road spaces. This initiative is a quintessential model of the marriage between strategic and transport planning, and urban design.

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Post Covid, this has been recognized as more important to support businesses in activity centres and local economies more broadly. With limitations on seating restrictions on gathering indoors, outdoor space – footpaths, roads, and open space become more important as places to support gathering activities and people.

The ability to build resilience into our existing business, and attract new businesses and growth in the local economy is highly reliant upon the quality of the public realm and the investment in public infrastructure

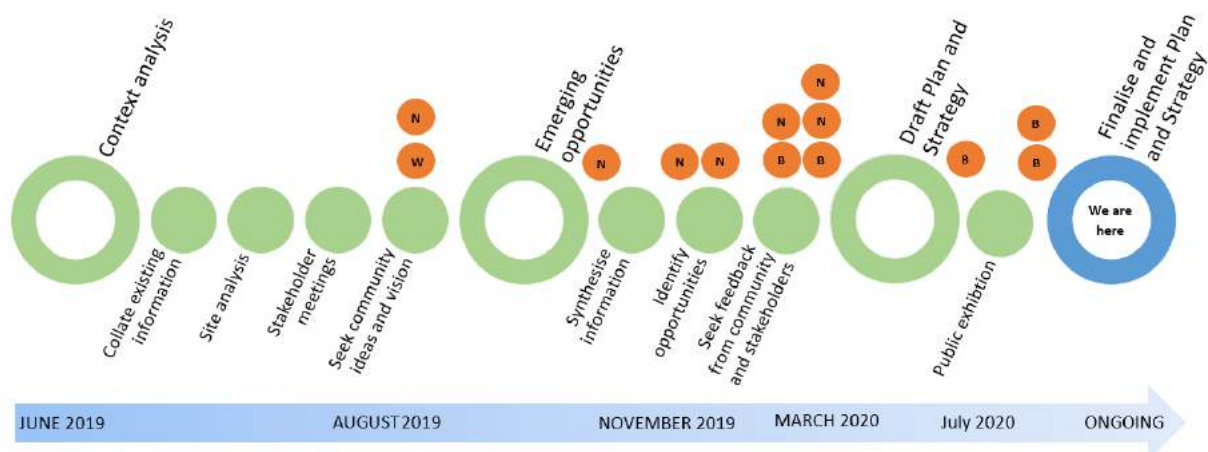
Financial

If adopted, the actions in the draft Plan would be progressively rolled out across the waterfront once resources and funding were sourced. Grant funding opportunities for projects that align with the draft Plan are already available. The draft Plan guides long-term staging and implementation of the waterfront but this will vary in response to the availability of resources and funding opportunities. An adopted Plan would make Eurobodalla’s applications for funding more competitive, as it establishes a clear vision for the waterfront, as a key marine tourism hub and community asset.

Community and Stakeholder Engagement

Extensive stakeholder engagement has been undertaken throughout the development of the draft Plan. The feedback received, at each phase has been considered and incorporated in the draft Plan. We also used feedback provided by the community from related projects such as Batemans Bay bridge replacement, along with the results of previous studies and strategies, including the Batemans Bay visioning project.

An outline of the engagement process, steps and activities is provided in Figure 1.



Clr Councillor updates via 1:1 meetings, Newsletters, Workshops and Briefings.

Figure 1: An outline of the engagement process, steps and activities

The context analysis included meetings with key stakeholders, three community ‘walk and talks’ in Batemans Bay, presentations to local businesses about activation and the process. Staff visited Batemans Bay Primary School and representatives of Council’s Youth Advisory Committee.

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The community have been engaged throughout the project and invited to share their ideas via Council's Tourism News, letters to landholders, media releases and social media. This has included a range of groups that would use or benefit from using the waterfront, eg., boat users, tourism operators, recreational fishers, and arts and cultural organisations.

During an 'engagement through activation' weekend in November 2019, Council received 85 surveys and 30 comment sheets about the emerging concepts, ideas and options. The weekend demonstrated how Batemans Bay waterfront could be activated and staff and consultants listened to the views shared by the community.

Members of our Aboriginal community have been engaged via the Aboriginal Advisory Committee and email distributions. The Aboriginal Community were invited to share ideas at a picnic on the foreshore in late November 2019.

Negotiations with Marine Parks and Transport for NSW have been undertaken throughout the development of the draft Plan to ensure a whole of government understanding of the emerging principles and actions. Councillors and staff across all Council directorates have provided comments as the draft Plan was prepared.

The draft Plan was placed on public exhibition for 28 days as the final step in the community consultation process. The draft Plan was made available on Council's website due to the COVID-19 implications around making hard-copies available. Public exhibition of the draft Plan was promoted via a public notice in the local press and a media release.

CONCLUSION

The draft Batemans Bay Waterfront Masterplan and Activation Strategy has been through a substantial stakeholder consultation process and is supported by best practice guiding principles. It is recommended that Council consider its adoption and implementation.

Eurobodalla Shire Council

**DRAFT BATEMANS BAY WATERFRONT
MASTERPLAN AND ACTIVATION STRATEGY**

SUBMISSIONS REPORT

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INTRODUCTION

The draft Batemans Bay Waterfront Masterplan and Activation Strategy (the draft plan) was on public exhibition for 28 days from 1-28 July 2020 as part of the final step in an extensive engagement process that start in June 2019.

About 340 people viewed the exhibition and feedback webpage for the draft Plan and about 150 people viewed the draft Plan online during July. Council received 93 submissions during the exhibition period. Submissions are attached to this report.

The following agencies and representative groups made submissions within the submission period:

- NSW Department of Primary Industries (Fisheries) and (Batemans Marine Park)
- NSW Department of Planning, Industry and Environment (Crown Lands)
- Batemans Bay Boaters Association
- Batemans Bay Business and Tourism Chamber
- Boat Owners Association of NSW
- Clyde River Shellfish Quality Assurance Program
- Batemans Bay Greek Community
- Recreational Fishing Alliance of NSW
- Tuross Head Fishing Club

Issues raised in submissions have been grouped into the following categories in this report:

- Agency submissions
- Support for plan
- Relationship with Batemans Bay Bridge Replacement project
- Support the oyster industry
- Retain the Clyde Street boat ramp
- Upgrade boat ramp facilities
- Youth Central
- Other issues
- Other suggestions
- Consultation process and expectations
- Implementation

Recommendations in the draft Plan do not rely on any engagement method in isolation. All feedback has been carefully considered and evaluated against strategic directions, best practice and evidence, guiding principles and the vision for Batemans Bay. Overall, the diversity of engagement methods has meant that a wide range of people from our community have had a say and there has been majority support for the draft Plan and the process undertaken to prepare it. The responses to submissions are within the context of overall feedback, guiding principles and strategic goals.

AGENCY SUBMISSIONS

Two NSW Government agencies made submissions. The issues raised and how they are addressed in the revised draft Plan are provided in Table 2.

Table 2: Summary of how agency submissions have been addressed in the revised draft Plan

| Agency | Issue | How addressed in revised draft Plan |
|---|---|--|
| Department of Planning, Industry and Environment - Crown Lands | Unique opportunity to align with the draft State Strategic Plan for Crown Land. | Noted. |
| | Crown Lands can assist with implementation. | Noted. |
| | Consider the 'objects and principles' of the <i>Crown Land Management Act 2016</i> . | Implementation of the draft Plan would be consistent with relevant legislation. |
| Department of Primary Industries- Fisheries and Batemans Marine Park | The shed at Smoke Point is used by DPI Fisheries to store boats and equipment for Fisheries Compliance purposes and has an ongoing requirement for this site, until such time as a fit for purpose alternative is provided. | The action to repurpose the storage shed has been updated to clarify that it would be in collaboration with DPI (Fisheries). |
| | Potential impacts to aquaculture leases should be referred to the Department. | Noted. There are no intended or likely impacts to aquaculture leases as a result of the draft Plan. |
| | Plans to repurpose the Fisheries storage shed or that affect the jetty, parking, turning circle may impact on oyster farm operations or impede traffic. | The action to repurpose the storage shed has been updated to clarify that it would be in collaboration with the oyster industry. |
| | Recommendation that the recreational fishing and viewing platform that RMS will be building on the abutment of the existing bridge, be specifically identified as such in the draft Plan. | Map 2 updated to identify the fishing platform that is being delivered as part of the Batemans Bay Bridge Replacement project. |
| | Concern about plans to remove fishing and boating facilities offered by the existing Clyde Street boat ramp but Old Punt Road boat ramp on the northern side of the bridge has been identified by local stakeholders and DPI as a suitable replacement site. Recommendation for planning and undertaking improvements to Old Punt Road boat ramp. | Noted. The draft Plan includes an action to investigate the feasibility of improving the Old Punt Road boat ramp. |

| | | |
|---|--|---|
| Department of Primary Industries- Fisheries and Batemans Marine Park | <p>Widening Murra Mia walkway is supported provided:</p> <ul style="list-style-type: none"> a) Walkways do not extend beyond existing rock revetment b) Structures are designed to mitigate the impacts of coastal hazards are incorporated into the design c) There is no harm of seagrass | <p>This would be considered during detailed design. The action plan has been updated to include the statement that potential environmental impacts to seagrass, mangroves and other habitats would be avoided, minimised and mitigated where reasonable and feasible.</p> |
| | <p>Boardwalk over seawall and adjoining seabed in the Habitat Protection Zone at Smoke Point is not supported.</p> | <p>This would be considered during detailed design. The action plan has been updated to include the statement that potential environmental impacts to seagrass, mangroves and other habitats would be avoided, minimised and mitigated where reasonable and feasible.</p> |
| | <p>Seawalls must be with the footprint of existing seawalls and incorporate environmentally friendly seawall design principles.</p> | <p>This would be considered during detailed design. The action plan has been updated to include the statement that potential environmental impacts to seagrass, mangroves and other habitats would be avoided, minimised and mitigated where reasonable and feasible.</p> |
| | <p>Support for tourism and boating infrastructure within the Special Purpose Zone if it is meeting a direct servicing need and not just for a gateway statement or streetscaping aesthetic. Further, location of infrastructure must not impact on known spawning locations near the 'entry point' near Beach Road.</p> | <p>This would be considered during detailed design. The action plan has been updated to include the statement that potential environmental impacts to seagrass, mangroves and other habitats would be avoided, minimised and mitigated where reasonable and feasible.</p> |

| | | |
|---|---|---|
| <p>Department of Primary Industries- Fisheries and Batemans Marine Park</p> | <p>The new floating pontoon should align with the footprint of the old Coal Bunker Wharf to minimise impacts to seagrass.</p> | <p>The floating pontoon is shown on Map 3 in the vicinity of the old Coal Bunker Wharf. It does not completely align with the historic structure to align with the pedestrian desire lines and Clyde Street crossing point to Batemans Bay CBD. This would be further considered during detailed design. The action plan has been updated to include the statement that potential environmental impacts to seagrass, mangroves and other habitats would be avoided, minimised and mitigated where reasonable and feasible</p> |
| | <p>Pedestrian connectivity to Mackay Park must not harm marine vegetation.</p> | <p>Map 2 and the relevant action has been updated to state the Council would investigate options and feasibility for the development of a shared pathway. The action plan has been updated to include the statement that potential environmental impacts to seagrass, mangroves and other habitats would be avoided, minimised and mitigated where reasonable and feasible.</p> |

| | | |
|---|---|---|
| <p>Department of Primary Industries- Fisheries Batemans Marine Park</p> | <p>Use the Commonwealth Government's National Light Pollution Guidelines for Wildlife to inform detailed design of lighting along the waterfront.</p> | <p>Dark sky principles are already suggested in the draft Plan and would achieve a similar outcome of directed light. The action plan has been updated to include the statement that potential environmental impacts to seagrass, mangroves and other habitats would be avoided, minimised and mitigated where reasonable and feasible.</p> |
| | <p>Implementation of this plan must include measures to reduce litter inputs into the adjoining marine park.</p> | <p>The guiding principles suggests co-locating seats with rubbish bins. Waste management would continue to be undertaken to minimise litter inputs in the Clyde River.</p> |
| | <p>Works must be clearly justified and designed and constructed in a manner that avoids, minimises and mitigates impacts on the aquatic environment, and improve habitat opportunities.</p> | <p>The action plan has been updated to include the statement that potential environmental impacts to seagrass, mangroves and other habitats would be avoided, minimised and mitigated where reasonable and feasible.</p> |

Relevant submissions

4300478, 4300949

SUPPORT FOR THE DRAFT PLAN

Summary

Submissions that stated they were supportive of the draft Plan stating reasons such as:

- It's a great opportunity to enhance the community and visitor waterfront experience
- Batemans Bay waterfront is currently undervalued
- It's a commendable investment
- It would enhance and beautify the foreshore
- There is much to be admired about the plan
- It is trying to capture the attention and spend of boaties on the river
- It covers all age groups
- It may encourage innovative outcomes

Specific elements of the draft Plan that were supported in these submissions included:

- Activation strategies and identifying potential waterfront locations that encourage entertainment, events, art, concerts, displays
- Provision of floating pontoon for easy access to vessels/watercraft and support for proposed location
- Upgrading lighting
- Waterfront Square
- Repurposing the Fisheries boat shed at Smoke Point
- Re-location of bus stop
- Planning/development guidelines
- Retaining and improving access to sandy areas eg immediately east of the Batemans Bay bridge
- Fishing platform
- Public art
- Measures to make Clyde Street more pedestrian friendly and slow traffic
- Landscaping to include shade trees and lawn areas
- Pedestrian Wayfinding
- Possible opportunities for incorporating technology
- Widened walkway from Smoke Point to Beach Road
- Pedestrian links to CBD
- Nature play space at Smoke Point
- Youth central
- Retaining carparking
- Retaining existing T-wharf
- Seaplane pontoon
- New toilets at Smoke Point

Response

The elements supported in submissions have been retained in the revised draft Plan.

Relevant submissions

4301643, 4303756, 4301790, 4289080, 4299650, 4293907, 4297696, 4300480, 4300453,
4300597, 4300452, 4300529, 4300373, 4301997, 4294264, 4284454, 4291965, 4283586,
4301093, 4300950

RELATIONSHIP WITH BATEMANS BAY BRIDGE REPLACEMENT PROJECT

Summary

Submissions related to the Batemans Bay Bridge Replacement project included:

- Opportunities to reuse the old bridge for artwork/display/interpretation
- Concerns that the location and design of the new bridge is not appropriate
- The new bridge may negatively impact traffic and pedestrian movements
- Water quality control basins are unattractive, unsafe and may lead to environmental impacts
- Retain parts of the existing bridge as fishing platforms
- Floating pontoons are not shown on the existing T-wharf like in the Batemans Bridge replacement plans
- A pump out facility for the northern shore part of Batemans Bridge replacement plans
- Unclear what will be included in the Batemans Bay Bridge replacement scope of works

It was suggested that the Batemans Bay Waterfront Masterplan and the urban design and landscaping component of the Batemans Bay Bridge Replacement project should align, and that Council should seek ways to implement the draft Plan in parallel or complimentary to the bridge works.

Response

Council is not responsible for the Batemans Bay Bridge Replacement but has advocated for the best possible community outcomes for Batemans Bay. Some features of the Batemans Bay bridge works are out of Council's control at this point in time including:

- Opportunities to reuse the old bridge for artwork/display/interpretation
- Concerns that the location and design of the new bridge is not appropriate
- Water quality control basins are unattractive, unsafe and may lead to environmental impacts
- Retain parts of the existing bridge as fishing platforms
- A pump out facility for the northern shore part of Batemans Bridge replacement plans

The new bridge will change traffic and pedestrian movements along Clyde Street, and the draft Plan takes advantage of this to provide opportunities for slower traffic and safer Clyde Street. The new bridge will reduce current convenient access to Clyde Street boat ramp but extend the continuous and uninterrupted length of the waterfront through to Smoke Point.

Floating pontoons on the existing T-wharf (as shown in previous Batemans Bay Bridge replacement plans) are not included in the draft Plan because a new, purpose built floating pontoon provides a more functional and accessible outcome.

The [Batemans Bay Bridge Replacement webpage](#) includes information about what TfNSW will be delivering as part of that project. The masterplan has considered the most recent and available Batemans Bay Bridge Replacement plans since public exhibition of the draft Plan to align with them where appropriate. However, the draft Plan is aspirational and future concepts strive for a more activated and connected waterfront thus builds on the TfNSW plans.

The revised draft Plan was updated to include:

- A concept that indicates the opportunity for a possible staged approach, if necessary, for implementing the plan for Smoke Point waterfront. It shows the capacity for retention of the Clyde Street boat ramp in the short- term.
- Updated Map 2 for Smoke Point that identifies more alignment with the Batemans Bay bridge replacement plans where appropriate including identifying the fishing platform.

Relevant submissions

4301643, 4297146, 4299650, 4301093, 4301802

SUPPORT THE OYSTER INDUSTRY

Summary

Submissions highlighted that the draft Plan should support the oyster industry. The oyster industry in Batemans Bay has historic importance and is a growing industry that supports our local economy. Submissions highlighted the investments being made through the development of Australia Oyster Coast, Narooma Oyster Festival, Hatchery at Moruya airport and oyster promotion through Eurobodalla Tourism and that we should further promote the industry and build tourism opportunities around it.

Submissions identified the following considerations that should be addressed to support the oyster industry and provide certainty that they can undertake operations safely and effectively:

- Adequate parking for staff
- Adequate accessibility to Smoke Point for trucks eg loading zone, turning circle
- A boat ramp near Budd Island
- Nearby moorings for boats
- Risk of pollution of the Clyde River by adding marine infrastructure
- Ensure security of jetty, moorings etc to prevent theft or damage to facilities and equipment
- Retain/improve the jetty at Smoke Point
- A boat ramp specifically for oyster farmers to make it fit-for-purpose and reduce conflict/safety issues with the general public
- Carefully manage potential issues associated with public use and oyster industry uses that conflict and may result in safety concerns eg if jetty used by public or DPI shed repurposed
- Improve Lattas Point Road

Oyster farmers noted that Clyde Street boat ramp is currently the safest and most convenient for them to use and do not want it removed. Hanging Rock boat ramp is not safe or practical on an oyster punt and Old Punt Road boat ramp is not currently suitable due the sand build-up and 'drop off'.

Response

Previous feedback supported reducing the road width to provide more parking at Smoke Point compared to the current parking available. Parking at Smoke Point would not be reduced based on current arrangements. Further the future vision for Clyde Street is a pedestrian friendly street with reduced traffic thus less people would park at Smoke Point, providing enough space for oyster farmers and their staff. The turning circle has been increased to align with the most recent available TfNSW plans.

It is possible some moorings may need to be relocated to accommodate Batemans Bay bridge replacement works. During bridge construction no new applications are being taken for moorings to ensure there is plenty of room for possible temporary relocations during bridge works.

Any development or increased activity on or near waterways brings a risk of pollution of the Clyde River. Detailed design would ensure development is designed and constructed to avoid, minimise and mitigate impacts on the aquatic environment, and improve habitat opportunities where reasonable and feasible. This includes consideration of the potential impacts of construction and operation on seagrass, mangroves and other habitats, and the potential for spills and sedimentation.

Improvements to Lattas Point Road are beyond the scope of the Batemans Bay Waterfront Masterplan and Activation Strategy. However, Council is now looking at long-term options to address this alternative access for oyster farmers and will engage with the industry to investigate the feasibility of improvements. In the short-term, maintenance schedules are being reviewed and Council understands that TfNSW has agreed to dust seal the road as part of the Batemans Bay bridge replacement.

The draft Plan includes an action that Council will investigate improvements to Old Punt Road boat ramp. This would include upgrades that would make it suitable for the oyster industry if the Clyde Street boat ramp is removed. Alternative solutions that better service the oyster industry would also be considered at that time.

The draft Plan proposes to retain and upgrade the jetty at Smoke Point so the oyster industry can continue to use it for ongoing and growing operations. Repurposing the DPI (Fisheries) storage shed at Smoke Point and the jetty would be in collaboration with the oyster industry.

The revised draft Plan was updated to include:

- A concept that indicates the opportunity for a possible staged approach, if necessary, for implementing the plan for Smoke Point waterfront. It shows the capacity for retention of the Clyde Street boat ramp in the short-term.
- Updated Map 2 for Smoke Point to increase the turning circle to allow for oyster industry (eg trucks) and buses and to clarify the functional use of jetty would be retained for the oyster industry.
- Clarification that implementing infrastructure actions plan would be consistent with relevant legislation and potential environmental impacts to seagrass, mangroves and other habitats are to be avoided, minimised and mitigated where reasonable and feasible.
- Updated actions to include that repurposing the DPI (Fisheries) storage shed and jetty at Smoke Point would be in collaboration with Crown Lands, DPI (Fisheries) and the oyster industry.

Relevant submissions

4301092, 4301998, 4301975, 429144, 4301764, 4291299, 4300480, 4300529, 4299140, 4292720

RETAIN THE CLYDE STREET BOAT RAMP

Summary

Submissions requested that the Clyde Street boat ramp is retained. Reasons stated to retain the boat ramp included:

- It is expensive to replace and already exists thus saves money to keep it
- It wastes previous investment into upgrading it
- It is very popular and therefore a highly needed facility
- We do not have enough boat ramps; Batemans Bay needs a boat ramp.
- Alternative ramps are not currently suitable
- Removal conflicts with goals and improving opportunities for people to connect with the Clyde River
- Future boat/kayak hire businesses would need the ramp at Smoke Point
- The decision for removal would be in the hands of Transport for NSW and Crown Lands, not Council
- It's a safer, all-weather condition boat ramp for sailing boats, smaller boats, kayakers and oyster farmers, fisheries and water police
- It was paid for via boat registrations and licences, taxes and rates
- Two lanes resulting in a faster turnover
- It has better parking for bigger trailers
- It will impact businesses directly that use it
- It is important for our local economy and tourism as it attracts recreational boaters
- People choose to live in homes /apartments and stay at the motels at Smoke Point because it is so close to the boat ramp
- It is vital for the oyster industry
- To maintain the historic connections Batemans Bay CBD has to accessing the water by boat
- It will further sterilize the entire length of Clyde Street
- Play spaces/open space is already well catered for and would be improved by the draft Plan
- Although the parking is limited, it caters for the demand for the majority of the year for local community use
- Hanging Rock boat ramp land is leased by the marina and so not guaranteed to always be accessible
- It provides another access to the Clyde River in case of a maritime emergency or an incident or maintenance at other boat ramps means they cannot be used
- Reduces congestion at other boat ramps and pressure for more parking at them
- It provides convenient access for general boater and fishers, to the moored vessels in Wray Bay and the swing moorings, for bridge pylon maintenance and for emergency operations
- It doesn't attract the 'big' trailer boats that launch at Hanging Rock or ski boats that launch at Nelligen

- The sandy area near the ramp assists younger or less nimble people to get in and out of boats

Reasons provided for why Hanging Rock boat ramp is not suitable included:

- It is too far away and adds unnecessary time to journeys to Batemans Bay
- It is dangerous for smaller watercraft eg kayaks and boats <5m and oyster punts
- It requires crossing a sand bar which is dangerous
- Small boats would also have the large expense to fit Open Water Safety Equipment just to travel to the bridge
- It is already overcrowded during the warmer months

It was suggested that if Clyde Street was removed, there would be no boat ramp in Batemans Bay at all, despite Old Punt Road boat ramp being retained. However, submissions included reasons why Old Punt Road boat ramp is not suitable such as:

- Always buried in sand. Light vehicles and heavy boats can easily lose traction because of the sand and slide backwards into the water
- Only usable by 4-wheel drive vehicles
- Exposure to strong currents, especially when tide is going out
- The drop off at low tide makes launching boats difficult
- Southerlies blows straight onto this ramp making it very dangerous and pontoons unviable
- Inadequate parking
- Dangerous for small boats and kayaks during strong tide flows

Reasons why Nelligen boat ramp is not suitable included:

- Nelligen is too far away
- You need to know how to navigate the river

Submissions identified that the local economy has been struggling for a long time. There were concerns about the loss of tourism income if the Clyde Street boat ramp were removed and a belief that it's a money maker for the local shops. There was a sense that removing Clyde Street boat ramp would impact the whole region as an iconic fishing /water sport/oyster producing holiday destination.

The submission from the Batemans Bay Tourism and Business Chamber stated that the Clyde Street boat ramp should be removed based on the impacts of vehicle access through the town centre and that alternate boat ramp access would continue to be available. DPI (Fisheries) identified Old Punt Road boat ramp on the northern side of the bridge as a suitable replacement site.

Response

The Clyde Street boat ramp is going to become less convenient when boaters must travel through the CBD to access it due to the new Batemans Bay Bridge. There are existing issues with the Clyde Street boat ramp including sand, wind and currents that are like the Old Punt Road boat ramp. It is most popular over six weeks in Summer and does not provide a year-round benefit to the local economy.

Fundamentally the Smoke Point precinct plan articulates a different future for the area. A future vision that recognises that new and improved experiences are the drivers for growth in tourism volumes and spend. The scoping paper to the NSW South Coast Marine Tourism Strategy 2019 identifies precinct development and place building as important enablers with private enterprise being key to offering services off the back of conditions for growth being created. The NSW South Coast Marine Tourism Strategy scoping paper highlights that:

- Numbers of fishing visitors are high but direct visitor expenditure per capita is low.
- The value of boating and fishing to our economy is low compared to other growth areas.
- New and improved experiences are the drivers for growth in tourism volumes and spend.
- Tourism and leisure markets access fishing opportunities via charter operations and land-based fishing.
- The bulk of marine asset usage for boating and fishing is driven by local population, boat registrations and boat licenses rather than pure visitor activities.
- The more quality activities a visitor can engage in, the higher their overall experience will be classified as and the more likely they will be to not only return but recommend the destination to others.

Eurobodalla's visitors are usually visiting friends and relative and looking for new and different experiences. We can improve the waterfront's amenity and potential for activity to invigorate the local economy. It can be used by people that will stop, spend and stay in Batemans Bay instead of catering for boat trailer parking. Hundreds of people of a range of abilities, interests and ages can use it daily throughout the year. Boaters and fishers can continue to have convenient access to the Clyde River at Batemans Bay from Old Punt Road boat ramp, which is identified in an action the draft Plan for investigation into options and feasibility for upgrades.

Removing the boat ramp on Clyde Street focusses on changing the current situation to support growth in visitor economy and increase local job opportunities by:

- Investing in areas that grow visitation and expenditure such as high-end charters
- Creating new quality precincts and experiences to enable private sector investment
- Targeting growing the spend per visitor to facilitate sustainable tourism outcomes for our environment and local economy
- Highlighting signature experiences which visitors identify with the region eg a quality activated waterfront that provides a gateway to the Eurobodalla

Visitors are unlikely to remember Batemans Bay because of Clyde Street boat ramp, but they will remember an engaging play space and recreational opportunities for youth like no other they have experienced on the far south coast, and more importantly, they will tell their friends about it. The future vision for Batemans Bay to have more residential and tourism accommodation development means that there will be increased pressure to remove a boat ramp in the CBD in any case.

The revised draft Plan was updated to include:

- A concept that indicates the opportunity for a possible staged approach, if necessary, for implementing the plan for Smoke Point waterfront. It shows the capacity for retention of the Clyde Street boat ramp in the short- term.

Relevant submissions

4295536, 4297696, 4301092, 4289822, 4300480, 4289790, 4295551, 4300453, 4288758, 4289890, 4301764, 4301093, 4290733, 4288964, 4291369, 4291965, 4296322, 4289474, 4301138, 4296338, 4300372, 4289838, 4295554, 4289469, 4300597, 4291299, 4297442, 4301790, 4293439, 4289319, 4296337, 4290674, 4300452, 4300993, 4298994, 4294294, 4300529, 4301765, 4300373, 4295562, 4293972, 4298308, 4296417, 4301643, 4300383, 4297148, 4291368, 4295033, 4289492, 4301997, 4295508, 4284454, 4291442, 4294463, 4300448, 4289893, 4289514, 4301802, 4296416, 4300994, 4289030, 4300921, 4292793, 4301090, 4301091, 4293895, 4284567, 4300370, 4293021, 4296745, 4297146, 4289747, 4295512, 4300950, 4296752, 4296339, 4290718, 4299674, 4289550, 4290685, 4296747, 4301641, 4300371, 4301974

UPGRADE BOAT RAMP FACILITIES

Summary

Submissions that advocated to retain the Clyde Street boat ramp, also suggested that it should be improved. Suggestions to upgrade the Clyde Street boat ramp included:

- Design for sailing boats rather than just for recreational fishing craft to attract more sailors
- Kayakers need more suitable access to the river because boat ramps designed for fishing boats are usable, but they are hard to use and risky for kayakers
- Provide a pump out facility
- Provide pontoons
- Increase parking to service not only the boat ramp but also surrounding park, residents and businesses
- Provide a toilet
- Facilitating larger vessels that may increase due to the new bridge being higher

Submissions suggested there is uncertainty about what would be upgraded at the Old Punt Road boat ramp. Submissions included that Old Punt Road boat ramp should be upgraded to include:

- Jetty and pontoon
- Wash down facilities for motor, trailer springs and brakes
- A convenient toilet
- Widened to two lanes
- Picnic tables and BBQ facilities
- More trailer parking
- A solution to the sand build-up
- Covered fish cleaning table

Submissions suggested that the access route to Old Punt Road as a result of the new Batemans Bay bridge is difficult potentially damaging to trailers. Submissions suggested frustration that previous Council advice was that no jetty/pontoon would ever be provided at Old Punt Road boat ramp and that boating fees had been used for upgrades before at this location.

It was suggested that a commitment was made by John Holland (on behalf of TfNSW) to investigate the feasibility of upgrading Old Punt Road boat ramp.

Response

The long-term vision for Smoke Point is for the Clyde Street boat ramp to be removed and while it would continue to be maintained, Council are not seeking to upgrade Clyde Street boat ramp. The draft Plan includes an action to investigate the feasibility of improving the Old Punt Road boat ramp and Council understand that TfNSW continues its investigations. After investigations are completed after the new bridge is completed, Council will be able to identify options and feasibility for improving Old Punt Road boat ramp. This would provide

convenient access to the Clyde River near Batemans Bay while not conflicting with uses in the CBD.

The suggested improvements to boat ramps in submissions are consistent with previous advice provided to Council and are considered in any boat ramp project.

It was not necessary to make amendments to the draft Plan to address this issue.

Relevant submissions

[4300480](#), [4295551](#), [4288758](#), [4291299](#), [4293021](#), [4300529](#), [4289474](#), [4301643](#), [4300448](#),
[4291442](#), [4288758](#), [4291965](#), [4300370](#), [4301802](#)

YOUTH CENTRAL

Summary

Submissions that mentioned youth central were in relation to justifying retaining Clyde Street Boat ramp. As such, many suggested that Youth central was not appropriate under the new Batemans Bay bridge because they would prefer a boat ramp and:

- Youth central does not need to be on the waterfront because youth can use other areas of Batemans Bay
- Youth can use the community centre facilities
- Youth central should be at Hanging Rock where other attractions for that age group are located eg sports facilities including indoor basketball, soccer and large playing fields
- It will encourage antisocial behaviour
- It would never be used in winter or inclement weather
- One of the best “youth” activities is fishing not gathering under a four-lane noisy bridge
- Supervision would be difficult
- It increases the risk of drownings in the area by placing potentially vulnerable people or gatherings of large groups at a range of times, including evenings near a body of water

The submission from the Batemans Bay Tourism and Business Chamber clearly supported the Youth Central concept.

Response

Earlier feedback strongly supported youth central. One submission noted that if located closer to the CBD, businesses would welcome the increased business from youth as the area is underutilised. Being within 400 metres walking distance, businesses would benefit just as much by having youth central at Smoke Point.

Youth central would facilitate recreational activity that can occur under a bridge, even if it is noisy at times. Any outdoors activity is reduced in inclement weather and the economic benefits at other times far outweigh that patronage may be low on wet or cold days.

The detailed design of youth central would complement and support other outdoor youth facilities proposed between Batemans Bay and Corrigans Reserve including the waterfront, Mackay Park and Hanging Rock precincts. A quality outdoor public space for youth benefits youth and our local businesses. Current and accepted urban design and social research does not support that recreational spaces designed for youth in a CBD would become antisocial. In fact, activation and more people on the waterfront for longer will lead to it being safer for everybody.

Youth central would provide an alternative to fishing and boating for youth, who can still access the Clyde River via the Old Punt Road boat ramp in the future. The current risk of

being adjacent to water is acceptable and it would not increase due to creating youth central or any other element of the draft Plan.

The draft Plan now includes a plan demonstrating a staged approach to achieving the vision for smoke Point, which includes retaining the Clyde Street boat ramp in the short term and reducing the available area for youth central. While this compromises the quality and amenity of the waterfront, it is an acceptable interim solution.

It was not necessary to make amendments to the draft Plan to address this issue specifically however the response to the category for retaining the Clyde Street boat ramp is also relevant.

Relevant submissions

4289822, 4289474, 4298994, 4293972, 4293021, 4301643, 4297148, 4300448, 4296416,
4292793

OTHER ISSUES

Summary

Table 3 lists other issues raised and how they have been addressed in the draft Plan.

Table 3: other issues raised in submissions and how addressed in the draft Plan.

| Issue | How addressed in revised draft Plan |
|---|---|
| Concern that future tourism and residential development supports developer interests rather than ratepayers and that it may remove or compromise existing commercial capacity | The recent Council adopted Local Strategic Planning Statement includes directions that would ensure the quality of future residential and tourism development. Existing commercial capacity would not be significantly increased in the short-term, however the vision for Batemans Bay to be thriving may mean there are future opportunities to increase commercial space appropriately. |
| Potential environmental impacts of seaplanes on the Clyde River | Overall feedback has been supportive of investigating the option of a seaplane pontoon in Batemans Bay. The revised draft Plan includes that development would avoid, minimise and mitigate impacts on the aquatic environment, and improve habitat opportunities where reasonable and feasible. This includes consideration of the potential impacts of construction and operation the environment and is a requirement under the <i>Environmental Planning and Assessment Act 1979</i> in any case. |
| Retain existing memorials on new seating or other infrastructure installed and communicate with the relevant families about proposed change | Memorials are not intended to be impacted by implementing the draft Plan and alternative arrangements or retaining any memorials would be negotiated if required. |
| Truck egress from Woolworths carpark conflicts with making it a people place | While there is likely to be far less through traffic due to the new Batemans Bay Bridge, Clyde Street designs must still cater for trucks, buses, cars and boat trailers. This is a necessary compromise, especially in the short term. The long-term vision for Clyde Street to be more pedestrian friendly will be considered in future developments to try and further reduce traffic on Clyde Street in the future. Truck access is far less often than other personal vehicles. |

| Issue | How addressed in revised draft Plan |
|--|---|
| Gateway location for vehicles arriving in Batemans Bay via North Street would be better suited closer to the Princes Highway | The location has been identified as an entry to the Batemans Bay waterfront precinct. As such, the entry statement location has not been changed in the revised draft Plan. |
| Location of the new toilet facility at Smoke Point seems to be in the middle of nowhere blocking water views | The location of the toilet facility at Smoke Point is similar to the existing location (prior to bridge works) and aligns with the TfNSW plans. This location is convenient for the nature play space, youth central and existing boat ramp in the short-term. The visual impact of these toilets is acceptable, especially within the CBD context and the location has not been changed in the revised draft Plan. |
| Draft document should be sent back for a complete revision, rewrite and rethink to improve structure and readability | One submission was made regarding the structure of the document which was in contrast to other feedback stating the document was well written and of high quality. As such the revised draft Plan does not change the document structure. |
| Attachment 1 and 2 have little relevance to Batemans Bay in terms of location, scale or current population demographic. | The attachments provide a vision for Batemans Bay and not intended to always directly reflect what is there now. The attachments provide guidance for decision making over the years to what would lead to achieving the vision for Batemans Bay waterfront. As such, the revised draft Plan retains the attachments. |
| It is unclear if the heritage listed car ferry ramps will be retained | Map 2 in the revised draft Plan has been updated to clarify the heritage listed former car ferry ramps would be retained. |
| Retaining existing trees eg Peppercorns | Development guidelines in attachment 3 include that setbacks may be required to protect existing trees. The draft Plan includes guiding principles to create green leafy shade and the revised draft Plan clarifies that existing trees should be retained where practicable. |
| A fishing platform and its design | Map 2 in the revised draft Plan has been updated to identify the fishing platform in the same location as the Batemans Bay Bridge foreshore designs. |

| Issue | How addressed in revised draft Plan |
|--|---|
| What does the yellow dot represents on the jetty immediately east of the Batemans Bay bridge | The yellow dot is an interpretation and public art opportunity. More guidance is provided in the guiding principles attachment in the draft Plan and Map 2 has been updated to clarify this. |
| Spaces for public art installation on foreshore and throughout CBD | This is provided in the guiding principles attachment of the draft Plan. The action plan includes assessing options for entry statements and sculptures in line with Council's Public Art Strategy. |
| The connection from Smoke Point to Mackay Park is unclear | How pedestrians will walk between Mackay Park to the Batemans Bay waterfront is not known at this stage. Map 2 has been updated in the draft Plan to include that options would be investigated, and consideration given to avoiding and minimising impacts to marine vegetation. |
| Ensure residents on Clyde Street have access to their homes | The draft Plan does not propose to limit access for any permanent residents. Clyde street is proposed to be more pedestrian friendly, however vehicles access will always be retained, especially for residents, businesses and the oyster industry. |

Relevant submissions

4289080, 4293907, 4299650, 4301643, 4301790, 4283586, 4285801, 4291965, 4303756, 4301641

OTHER SUGGESTIONS

Summary

Submissions raised the following suggestions for inclusion in the draft Plan:

- A netted swim area
- Reduce truck access but increase trailer boat access on Clyde Street
- Provide wind protection for performance spaces
- Free wifi
- Power outlets
- Drinking water fountains
- Position 'tie-up' section of floating pontoon in water of a depth capable of accommodating larger deep keel craft
- Grassed area be of a larger area for regular market style of event. Current lawn space to too narrow for efficient, viable and effective market participation.
- Pop-up Healthy River Education Centre
- Boating hub so boats can 'park' their boats near facilities such as restaurants, shops and public toilets
- Interpretation walk about the history of the place and sea
- More seating and tables
- Space for large audiences eg to listen to live bands
- Links between the water the foreshore and CBD
- A cold shower should be provided and perhaps the proposed toilet facilities include a small changing room/shower
- The new location of public toilets must be easily accessible to foreshore activities
- Remove the boatshed and jetties near waterfront square
- Mitigate ongoing erosion along the northern foreshore from Wharf Road to Long Beach
- Improve family recreation areas
- Improve parking for longer vehicles, cars and trailers, caravans and boats
- Kayakers need more suitable access to the river because boat ramps designed for fishing boats are usable, but they are hard to use and risky for kayakers and it is very difficult to enter and exit kayaks from a jetty

Response

Most of these suggestions are either already suggested in the draft Plan or have potential to be included during detailed design.

A netted swim area is not supported as the area is a working waterfront and people are able to swim without netting in any case. There is not enough space to widen the grassed area on Clyde Street (identified as the lawn in the draft Plan). Removal of the boatshed (currently the Innes Boatshed business) is not supported because of the historic character of the old boatshed and experience it offers Batemans Bay. Mitigating erosion on the northern foreshore is beyond the scope and study area of the draft Plan. Additional long-vehicle

parking is not supported on the waterfront where the vision is for less traffic and more people in a thriving CBD.

It was not necessary to make amendments to the draft Plan to address these issues.

Relevant submissions

4301790, 4303756, 4300529, 4301093, 4291965, 4301091, 4296338

CONSULTATION PROCESS AND EXPECTATIONS

Summary

Submissions suggested the consultation process was inadequate and questioned the process, survey wording and analyses, and the breadth of the community that has participated including that oyster farmers were not engaged. Some submissions suggested they felt that Council had not listened to their views during the process and that counter arguments to their views were not valid. Submissions indicate that they feel the draft Plan should be identical to the Batemans Bay bridge replacement foreshore designs and that the process ignores the views of boat user groups that the draft Plan should:

- Retain Clyde Street boat ramp
- Include floating pontoons on the existing T-wharf
- Identify a fishing platform and specific design features

Submissions from boat user groups and some individuals suggest that the views of non-boaters in the community should not get equal consideration because they have not contributed to the boat ramp through fees, registrations and contributions to Marine Rescue. Some submissions correctly state that Council advocated for retaining the boat ramp in the past, particularly as part of the Batemans Bay Bridge replacement project and suggest that position should not ever be debated, reconsidered or challenged.

Oyster farmer representatives did not feel their views had been appropriately considered and requested a meeting to support and clarify their submissions. This meeting was undertaken in August 2020 and the issues raised considered (refer to support the oyster industry section of this report).

One submission raised that previous Council projects in Batemans Bay have not resulted in improvements to the economy and believes this well-meaning draft Plan will have similar negative impacts.

Response

The outcome of the draft Plan did not rely on any engagement method in isolation. All feedback has been carefully considered and evaluated against strategic directions, best practice and evidence, guiding principles and the vision for Batemans Bay. Council revisited the potential for retaining the Clyde Street boat ramp based on submissions received. Overall, the diversity of engagement methods has meant that a wide range of people from our community have had a say and there has been majority support for the draft Plan.

The consultation process for the TfNSW Batemans Bay bridge replacement project focussed on a small area of the waterfront and had very different goals. The engagement process for the draft Plan focussed on a wider cross section of the community and had goals to grow our local economy, support local job opportunities and encourage local tourism.

Council advocated for retaining the Clyde Street boat ramp based on the best information it had at the time in 2018. Since then, additional consultation has suggested there are better alternatives that better meet the needs of our community and would grow the local economy.

It was not necessary to make amendments to the draft Plan to address this issue.

Relevant submissions

4301090, 4300921, 4300993, 4301643, 4301765, 4300994, 4289319, 4296337, 4294264,
4297696, 4300480, 4301764, 4289474, 4291299, 4296752

IMPLEMENTATION

Summary

The Bateman Bay Tourism and Business Chamber submission suggests businesses are keen to be a part of implementing the draft Plan eg advocate and facilitate an activated waterfront, improve lighting and progress a potential seaplane pontoon.

The draft Plan identifies that many recommended actions require additional consultation, planning, design, feasibility and costing assessments before they can be implemented. A submission noted that future consultation is supported.

Submissions suggested that funding has not been secured to implement the draft Plan raising concerns that Council will not be able to realise the vision in the draft Plan. One submission raised that Council has not clearly prioritised the actions or stages to implement the draft Plan.

Response

The draft Plan is a clear indicator Council and the NSW Government are looking to invest in Batemans Bay and provides confidence for businesses to also invest. By providing a clear vision and guiding principles, there will be more investment in that direction and competitive grant opportunities. This will lead to detailed design and implementation of the Plan over several years.

Grant funding opportunities for projects that align with the draft Plan are already available. Examples of projects that are identified in the draft Plan that Council could seek funding for as soon as possible, if adopted, include:

- **Youth central – a unique youth activity space** with multiple play opportunities in a colourful setting by the water.
- **Pedestrian wayfinding and interpretation** that improves accessibility and enables Batemans Bay to stand out as a destination.
- **Waterfront square** providing an open vista through to the estuary, an interactive installation to draw families, improved access to the water and quality street furniture.
- **Waterfront activation** through innovative product displays, experiential retail, alfresco dining, busking and entertainment, parklets and spontaneous activity in collaboration with businesses.
- **A people and activity focussed Clyde Street** delivered through changed road pavement, improved parking alignments, removal of barriers, additional seating, shade and open green spaces to support spontaneous and planned activities.
- **A connected waterfront** with a widened pathway, upgraded lighting, improved landscaping and accessibility to water
- **Marine infrastructure** to support the growth of marine based tourism including cruises, kayaks, sea planes, recreational boaters and diving and fishing charter operations.

While businesses are struggling as we recover from the economic and social impacts of bushfires and COVID-19, this draft Plan provides vision and direction for how to best service

the community, attract new and support existing businesses, and provide more attractions and activities for visitors.

It was not necessary to make amendments to the draft Plan to address this issue.

Relevant submissions

4303756, 4301790, 4299650

OTHER CORROSPONDENCE

On 25 August, RFS suggested boat ramps are needed to integrate waterways into the transport network for evacuations. No changes to the draft Plan are required to address this because emergency boats used for rescues and evacuations can access the Clyde River at Nelligen, Hanging Rock and Old Punt Road boat ramps. Hanging Rock is best placed for evacuation and rescues due to its evacuation centre potential and ability to accommodate connecting transport for evacuees.

On 1 September, TfNSW stated that the Batemans Bay bridge replacement project would not deliver Council's Batemans Bay Waterfront Masterplan and Activation Strategy but noted the foreshore designs for the Batemans Bay bridge replacement project will do not prohibit Council from making changes in the future. No changes were required to the draft Plan to address this.

On 15 September, Melinda Pavey, NSW Minister for Water, Property and Housing, commended Council on the development of the draft Plan and offered to support delivery.

SUMMARY OF PROPOSED CHANGES TO THE DRAFT PLAN TO ADDRESS SUBMISSIONS

Proposed changes to the draft Plan to address submissions received within the context of the overall feedback, guiding principles and strategic goals include:

- A concept that indicates the opportunity for a possible staged approach, if necessary, for implementing the plan for Smoke Point waterfront. It shows the capacity for retention of the Clyde Street boat ramp in the short- term.
- Updated Map 2 for Smoke Point to:
 - Alignment more with the Batemans Bay bridge replacement plans where appropriate
 - Increase the turning circle to allow for oyster industry (eg trucks) and busses
 - Clarify the functional use of the jetty for oyster farmers would be
 - Identify the fishing platform
 - Clarify the heritage listed former car ferry ramps would be retained
 - Clarify that a new nature walk linking the waterfront through to Mackay Park and town centre would be investigated (ie detailed design would need to consider options and avoid and minimise impacts to the environment).
- Clarification that any new infrastructure development would need to comply with relevant legislation and potential environmental impacts to seagrass, mangroves and other habitats are to be avoided, minimised and mitigated where reasonable and feasible.
- Updated actions to include that repurposing the DPI (Fisheries) storage shed and jetty at Smoke Point would be in collaboration with Crown Lands, DPI (Fisheries) and the oyster industry.
- Updated community views and issues section to reflect public exhibition.
- Minor edits such as spelling mistakes, updating the order of the attachments and inserting words to clarify messages.
- Clarification in the guiding principle “to create leafy shade” that existing trees should be retained where practicable.

PSR20/032 DRAFT EUROBODALLA TOWN AND VILLAGE ENTRY SIGNAGE

**OP0033-
S007**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments: 1. draft Eurobodalla Shire, Town & Village Entry Signage

Outcome: 5 Vibrant and Diverse Economy

Focus Area: 5.3 Focus on the development of sustainable tourism and quality events and visitor experiences

Delivery Program Link: 5.3.1 Work in partnership to continue to develop the tourism industry

Operational Plan Link: 5.3.1.1 Progress the implementation of the Eurobodalla Tourism Wayfinding and Signage Strategy

EXECUTIVE SUMMARY

The purpose of this report is to recommend Council's adoption of the draft Eurobodalla Shire, Town and Village Entry Signage (draft Signage).

The draft Signage has been prepared to guide the look of entry statements to Eurobodalla towns and villages. The draft Signage was prepared as part of implementing the Tourism Wayfinding and Signage Strategy that was adopted by Council on 11 December 2018 (Min No. 18/381).

The draft Signage was developed by experienced wayfinding designers from Arterial Design, in consultation with key community stakeholders.

Stakeholder engagement has informed the draft Signage. The designs are unique and contextual, representing Eurobodalla's landscape and history through local materials and artwork by a Yuin artist.

Council won a grant from the NSW Government's Stronger Country Communities Fund for which will assist delivery of some entry signs by May 2022.

RECOMMENDATION

THAT Council adopts the draft Eurobodalla Shire, Town and Village Entry Signage included in the attachment to this report.

BACKGROUND

In May 2018, Council invited people who live, visit, work or run a business in Eurobodalla to tell us what they think works well and what could be improved, as well as share ideas about signage and wayfinding elements in Eurobodalla. About 25 participants attended four stakeholder workshops and 60 people completed an online survey about tourism signage during May 2018. A draft Eurobodalla Tourism Wayfinding and Signage Strategy (Strategy) was on exhibition from 26 September to 31 October 2018. Feedback received from the community during the public exhibition period was considered before adopting the Strategy at the Ordinary Meeting of Council meeting on 11 December 2018 (Min No 18/381).

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A style guide has been prepared in accordance with the adopted Strategy to guide the installation of the entry signage so that it aligns with the findings of Council's Tourism Brand Review, Creative Marketing Strategy and the principles in this Strategy.

In accordance with Recommendation 16 of the Strategy, Council worked with Aboriginal communities and Council's Aboriginal Advisory Committee to identify how entry signage can best acknowledge traditional cultures and languages.

In accordance with Action 18 of the Strategy the draft Signage are designed to achieve a hierarchy of entry statements in accordance with the principles in the Strategy and Council's Town Signs Policy that includes:

- *Engagement with local communities during the process*
- *Work with Aboriginal communities and Council's Aboriginal Advisory Committee to consider dual naming of towns and villages where possible and acknowledgement of the traditional owners of the land.*
- *Investigating options to help align the current entry statement to Batemans Bay, Moruya and Narooma with the new family of signs e.g. landscaping.*

Expressions of interest from Yuin artists to design a representation of Umbarra were assessed by a panel with representatives from Council's Aboriginal and Public Art Advisory Committees, South East Arts and Council's graphic designer.

CONSIDERATIONS

Stakeholder engagement has informed the draft Signage. The designs are unique and contextual, representing Eurobodalla's landscape and history through local materials and artwork by a Yuin artist.

The draft Signage in the Attachment includes the following key features:

- Using local timber species
- Using local quarried stone
- Turquoise colour representative of our beaches and waterways
- Sweeping curve representative of our coastline, rolling hills and mountains
- A laser cut pattern of Umbarra based on artwork by a Yuin artist
- Local Dhurga language, walawaani njindiwan, which can be translated to 'safe journeys everyone'
- Orange-brown colour of rusted steel which is found throughout Eurobodalla in natural stone, bark and heritage buildings
- Reflective lettering to ensure they are effective at night

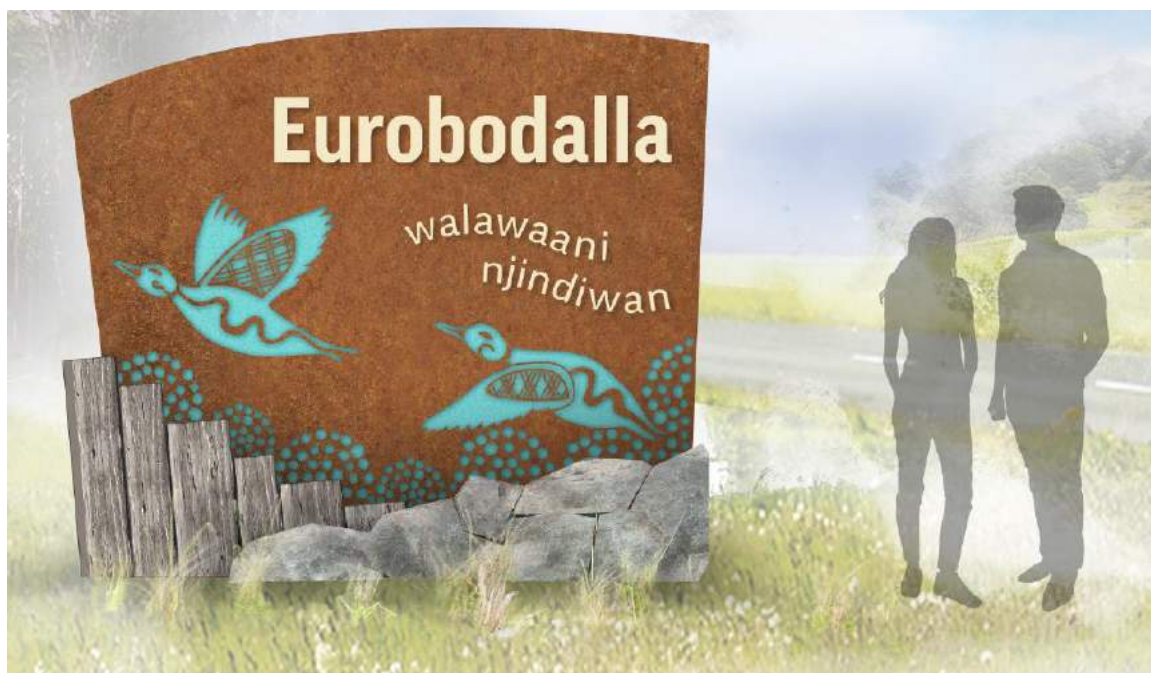


Figure 1: Illustration of the entry statements proposed in the draft Style Guide.

Legal

Signs must meet the required Australian Standard and align with available Roads and Maritime Services manual, guidelines, policies and other guidance. Installation of any signs will require assessment in accordance with the *Environmental Planning and Assessment Act*.

Environmental

There are no environmental impacts expected as a result of installing entry signage. Installation of any signs will require assessment in accordance with the *Environmental Planning and Assessment Act*. The Tourism Wayfinding and Signage Strategy includes the principle that signs will have minimal impacts to environment and visual amenity and should not clutter the landscape or reduce aesthetic beauty or vistas, be attractive, fit well in the environment and avoid and minimise impacts to the environment eg., vegetation.

Asset

The draft Signage are designed to be low maintenance in terms of materials. Maintenance of the site (eg mowing around signs) would be aligned with current schedules.

The designs use steel, timber and stone which are durable, high quality and replaceable. Locations would be chosen so the entry statement can be clearly viewed but is not a distraction or safety hazard for motorists or during maintenance. Entry signs should not interfere with other road safety and regulatory signs and be placed in locations to convey a positive image of the location.

Social Impact

Dhurga language has been included on entry signs to achieve a traditional welcome, walawaani njindiwan (which can be translated to safe journeys everyone). Including Umbarra, the black duck Yuin totem, also acknowledges the traditional owners of the land and was strongly

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supported by Aboriginal communities and the Aboriginal Advisory Committee. The design represents Eurobodalla's landscape and Aboriginal and non-Aboriginal history and contributes to reconciliation.

Economic Development Employment Potential

While direct potential economic development and employment is limited, locally sourced contractors and materials (timber and stone) will be sourced where possible. Entry signage that helps visitors feel welcomed and find their way around Eurobodalla are part of a suite of measures to support the visitor economy and locals employed in related sectors through Council's Eurobodalla Destination Action Plan 2018-2021.

Financial

A grant from the NSW Government's Stronger Country Communities Fund will assist delivery of some entry signs. Further grants would be sought to implement the Eurobodalla Tourism Wayfinding and Signage Strategy and the draft Signage Style Guide.

Community and Stakeholder Engagement

Stakeholders were engaged and updated in accordance with Council's Community Engagement Framework and Participation Plan. This included:

- Emailing approximately 400 stakeholders including tourism/business operators and business chambers to provide feedback on draft concepts and invited to attend a workshop
- Draft design and style concepts workshopped with the community on 15 April 2019
- Council website updated including summary of feedback and how it was actioned
- Updates in Council's Tourism newsletters
- Two Aboriginal community/elder meetings,
- Meetings with Local Aboriginal Land Councils
- In November 2019 Council sought expressions of interest (EOI) from Aboriginal artists and designers to design a laser cut pattern to represents Umbarra (black duck totem),
- Media release in May 2020 and
- Regular updates at Council's advisory committee meetings.

The community would be informed via a media release and updates to Council's website of the adopted Signage.

CONCLUSION

The draft Signage, prepared in consultation with the community, guides the look of entry signs for the Shire, towns and village in Eurobodalla.

It is recommended that Council adopts the draft Eurobodalla Shire, town and village entry signage included in the attachment.

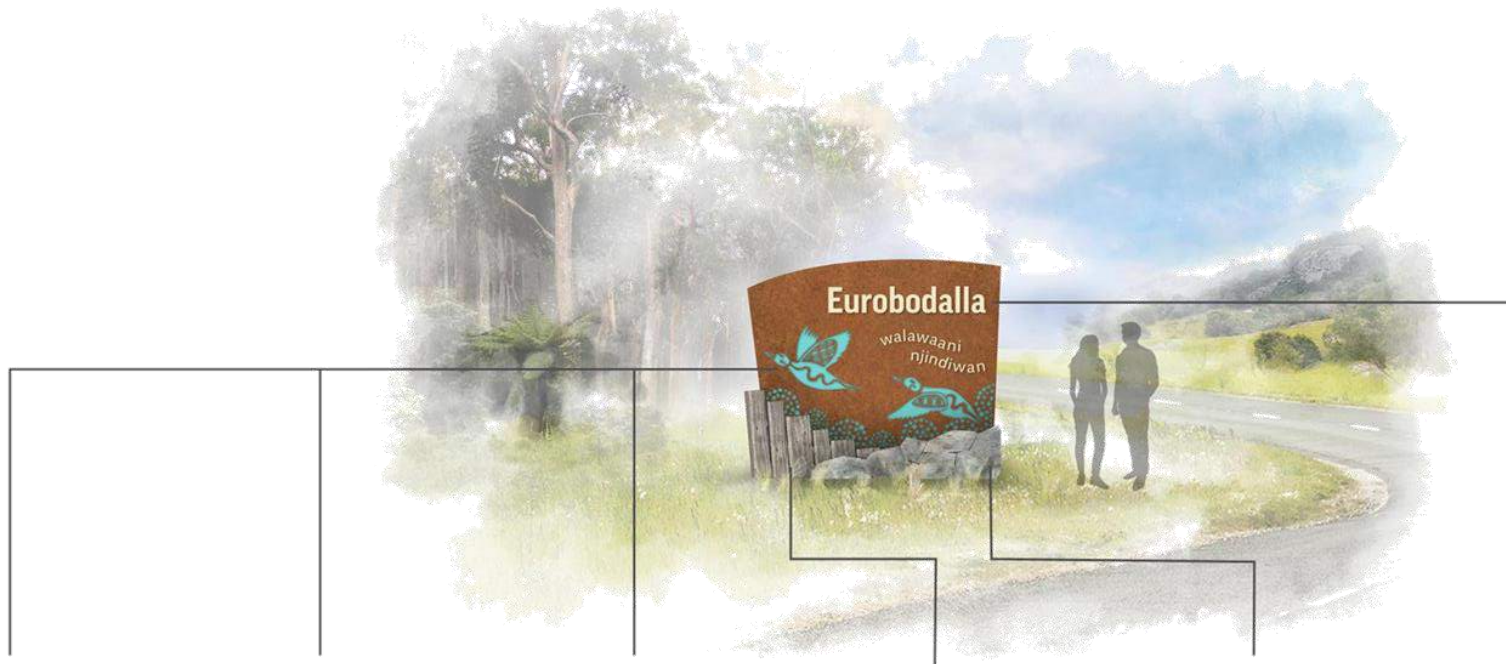
Gateway Signs

Artistic impression of Shire Gateway



Gateway Signs

Artistic impression of Shire Gateway



Artwork

An artwork depicting Umbarra (black duck totem). Umbarra was chosen as it is a totem widely accepted as representing all Dhurga speaking people.



Laser Cut Steel

Rusted steel sheet laser cut with Umbarra (black duck totem) design. Metal backing sheet adds depth.



Electroplated Galvanized Steel

Turquoise colour to reference the local water colour



Local Timber Species

Local materials creates shire-wide aesthetic.



Locally Quarried Stone

Local materials creates shire-wide aesthetic.



Powder Coat Letters

Font *FF Good* for legibility. Similar to *Festivo LC* in Eurobodalla branding.

Gateway Signs

Illustrated Elevation of Hierarchy

Front View



Rear View



PSR20/033 EUROBODALLA VISITOR SERVICING REVIEW

**S012-
T00025**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services
Attachments: 1. Under Separate Cover - Eurobodalla Visitor Servicing Review
Outcome: 5 Vibrant and Diverse Economy
Focus Area: 5.3 Focus on the development of sustainable tourism and quality events and visitor experiences
Delivery Program Link: 5.3.1 Work in partnership to continue to develop the tourism industry
Operational Plan Link: 5.3.1.2 Implement the adopted findings from the Visitor Information Services Review recommendations

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider finalisation of the implementation of the new model of visitor information servicing for the Eurobodalla as described as the High Priority Action Plan on page 38 of the Eurobodalla Visitor Servicing Review - Final Report; (Destination Marketing Store (DMS) December 2019).

Priority 8 – Action 8.2 of the Eurobodalla Destination Action Plan 2018-2021 required Council to:

“Investigate the best model for the delivery of visitor information services in Batemans Bay as part of the Mackay Park precinct”.

This decision was the catalyst for the review process and subsequently led to the conclusion that a destination wide approach was necessary.

An independent and thorough review process undertaken by Destination Marketing Store was supported by a Council led industry and staff engagement process. The process and findings are summarised in the body of this report. The findings of the Eurobodalla Visitor Servicing Review - Final Report December 2019 (the Destination Marketing Store or DMS Review Report – see Attachment 1) were submitted to Council in early January 2020.

The review revealed that Council is spending approximately 1/3 of its tourism budget per year to service less than 10% of visitors to our Shire via the two visitor information centres located at Batemans Bay and Narooma. This is inconsistent with the requirements of the NSW Integrated Planning and Reporting (IPR) framework which indicates that councils should ensure that all services continue to improve productivity and deliver value for money.

Fundamentally the review recommends a move away from the current static Accredited Visitor Information Centres (AVIC) servicing model to a business partnership and digitally based model with a strong emphasis on engaging residents and businesses in information dispersal. The findings of the review clearly identify that the current model is broken and there is a shift required to “fish where the fish are feeding” – taking visitor information to where visitors are rather than expecting them to come to the information. This is not a reflection on the good work that has and continues to be undertaken by the people working in the two visitor information centres, but a reflection of the change in the way the market seeks and consumes

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information and the ability to provide visitor information more efficiently while providing greater access to our visitors.

The new model can be delivered within the current marketing and promotions budget together with the re-allocation of an internal resource to a newly created Visitor Information and Industry Development Assistant role which will work across the Eurobodalla working with business in implementing the business partnership model.

The new model will provide an improved visitor service that best meets the needs of visitors to our Shire in a more efficient and cost-effective manner. The report recommends that Council implement the new model of visitor information servicing described as the High Priority Action Plan on page 38 of the Eurobodalla Visitor Servicing Review - Final Report; (Destination Marketing Store December 2019).

The current lease for the Narooma Visitor Information Centre expires in May 2021. The Narooma site is located on Crown land. It is recommended that council go to market for the lease of the premises. The lease which would commence after the conclusion of the current lease, would include requirements for the Lighthouse Museum to be operated and for the occupants to participate in the business partnership model.

The Batemans Bay Visitor Centre (VIC) sits on Council owned operational land. It is intended to close the Batemans Bay VIC on the 28 February 2021 replacing the service with the business partnership model. Expressions of interest will be sort for the lease or sale of the property. This will enable Council to consider the return from leasing the land with the return from selling the land to ensure the best value for ratepayers is obtained.

RECOMMENDATION

THAT:

1. Council endorse the implementation of the new model for the delivery of visitor information services as recommended in the Eurobodalla Visitor Servicing Review Final Report (Destination Marketing Store December 2019).
2. Council call for Expression of Interest as soon as possible for the lease of the building (Part Lot 7011 DP 1055108) to commence at the completion of the lease of the Narooma Visitor Information Centre to Montague Arts and Crafts Society ensuring that a proposed lease:
 - (a) participate in the business partnership program for visitor services; and
 - (b) maintain and manage the Lighthouse Museum.
3. The lease of the site of the current Narooma Visitor Information Centre building, being part Lot 7011 DP1055108 be in line with Council's Land Acquisition and Disposal Policy following the determination of market value by a registered valuer.
4. Council undertake a process seeking offers to purchase or undertake a long-term lease of the site of the Batemans Bay Visitor Information Centre, being part Lot 11 DP1257575.in line with Council's Land Acquisition and Disposal Policy following the determination of market value by a registered valuer.

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**S012-
T00025**

5. Council take all necessary actions to enact sale or long-term lease of part Lot 11 DP1257575 (Batemans Bay) including subdivision of the land and the lease of part Lot 7011 DP1055108 (Narooma).
6. Council thank the staff of the Batemans Bay Visitor Information Centre and the Montague Arts and Crafts Society and their volunteers at the Narooma Visitor Information Centre for their work over many years to bring visitor information services to those visiting the centres.

BACKGROUND

Rationale for Review

The review of visitor servicing came about for several reasons:

- Identified as an action in the industry led Eurobodalla Destination Action Plan 2018-2021.
- The business case to support the development of the Regional Aquatics, Arts and Leisure Centre proposed the closure of the Batemans Bay VIC with the potential to relocate the services into the new facility.
- Key findings of the summer and winter 2018 visitor surveys identified:
 - that the most frequently mentioned improvement visitors sought was more information of what the area offers
 - websites, social media and personal recommendation were the most popular sources of visitor information both prior and during a trip and
 - less than 10% of visitors to the Eurobodalla visited a VIC whilst in the area.

Process

The following process was undertaken:

| Date | Action |
|--------------------------|--|
| June 2019 | Engagement of consultants through a selective Expression of Interest process. |
| July – August 2019 | Targeted stakeholder engagement with Batemans Bay Visitor Information Centre staff, Chambers of Commerce, tourism industry stakeholders, Montague Arts and Crafts Society (MACS) (as operators of Narooma VIC) and related organisations. |
| November 2019 | Internal review of findings |
| January 2020 | Draft final review report |
| August 2020 | Briefing with Councillors on final review report |
| September - October 2020 | <ul style="list-style-type: none"> • engagement with staff from Batemans Bay Visitor Information Centre • Four stakeholder meetings, face to face and Zoom meetings: <ul style="list-style-type: none"> ○ Batemans Bay |

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| | |
|--|---|
| | <ul style="list-style-type: none">○ Moruya (this session was Zoomed, recorded and placed on Council website here)○ Narooma x 2 |
|--|---|

Findings of the review

The key findings of the DMS review report, as presented to Council in August 2020 were:

- over 92% of visitors to a region do not visit a Visitor Information Centre. In Eurobodalla's case this is approximately 90% as evidence by the 2018 survey results.
- annual reporting figures acknowledge that door counts have been declining since 2007 as have inbound calls
- revenue has also fallen off dramatically over the last 10 years
- close to one third of Council investment in tourism supports less than 10% of visitors
- the NSW Integrated Planning and Reporting (IPR) framework indicates that councils should ensure that all services continue to improve productivity and deliver value for money
- investment (money and staff) in the wrong type of visitor servicing is at the expense of the right kind of visitor servicing
- digital technology has disrupted the way visitors consume information.

Recommendations of the review

There is clearly a need to shift focus to provide an effective visitor information service. The review report made several recommendations for Eurobodalla Tourism to deliver visitor servicing around a dispersed visitor information partnership model. The report identified the top three priority actions to develop in the first 12 months. These are:

1. **Business partnership model** – relies on the activation of local business networks. A hub and spokesmodel where the Eurobodalla Tourism website is the hub
2. **Visiting Friends and Relatives** - encouraging residents to be part of the destination's 'marketing team' by reaching out to their friends and relatives to deliver real results and lift the awareness and perception of the region
3. **Content and channel review and optimization** - ensuring that content, including videos, images and copy, resonates with our identified target markets to reinforce the destination brand and positioning.

Resourcing the new delivery model

Many initiatives of the Eurobodalla Marketing Strategy 2019-2020 align with the findings of the DMS review report and have been progressed over the past months. For example, the review of content, ensuring the Eurobodalla Tourism Website is upgraded to firm up its role as the future information hub in the new hub and spokesmodel, developing partnerships with conversion

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partners, and industry capacity and capability building are all well underway. In addition, the Visiting Friends and Relatives campaign was launched during October 2020.

The review identified the need to look closely at the resources required to ensure that Eurobodalla Tourism are “fishing where the fish are feeding”. It became apparent that under current resourcing arrangements, in order to deliver the key industry development and partnership components of the recommendations, a dedicated resource is required. This option has been satisfactorily resolved internally with the redeployment of staff who currently work in the Batemans Bay Visitors Information Centre.

This allows for a newly focussed effort on the industry development aspects of the business partnership program across the Eurobodalla.

The contract for the management of the Batemans Bay Regional Aquatic, Arts and Leisure Centre will require the contractor to provide visitor information services in accordance with the business partnership model.

CONSIDERATIONS

Legal

Council has adhered to the requirements of the Local Government State Award in consulting and negotiating internally with staff impacted by the closure of the Batemans Bay Visitor Information Centre.

Any further processes to sell or lease the Batemans Bay VIC building or lease the Narooma building will be undertaken in accordance with the requirements of the Local Government Act, 1993.

The integrity of the contract with the MACS will be maintained until the contract expires in May 2021.

The Batemans Bay Visitor Centre is located on Council owned operational land whereas the Narooma Visitor Centre sits on Crown Land managed by Council.

Policy

The visitor servicing review process and implementation of the recommendations deliver on the following policy directions of Council.

1. The Eurobodalla Destination Action Plan 2018-2021
Priority 8 – Action 8.2 *“Investigate the best model for the delivery of visitor information services in Batemans Bay as part of the Mackay Park precinct”*.
2. The Eurobodalla Delivery Plan and Operational Plan 2020-2021
 - 5.3 Focus on the development of sustainable tourism and quality events and visitor experiences
 - 5.3.1 Work in partnership to continue to develop the tourism industry
 - 5.3.1.2 Implement the adopted findings from the Visitor Information Services Review recommendations.

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Environmental

There are positive environmental outcomes with a shift to a more digitally focussed visitor servicing model.

Asset

The transition from the static visitor information centre model to the proposed new model allows for the repurposing of Council assets providing opportunities to other groups or individuals while providing a potential revenue to Council.

An opportunity exists with the Narooma Visitor Information Centre to repurpose the use of the building to a use which remains consistent with the Crown land purpose, while providing greater opportunity to be financially sustainable. This can be achieved whilst at the same time ensuring participation in the visitor information business partnership program and the management and care of the Lighthouse Museum and its artefacts.

The lease arrangements with the current tenant, MACS, ends in May 2021. There is no option available to extend the current lease further, with the available option having already been taken up. It is therefore proposed to go to market seeking expressions of interest for the lease of the building inclusive of the following:

- (a) The lessee participating in the business partnership program for visitor servicing; and
- (b) maintain and manage the Lighthouse Museum.

With the closure of the Batemans Bay Visitor Information Centre on the 28 February 2020 and transition to the business partnership model it is proposed to subdivide the building and associated infrastructure to enable potential sale or long-term lease. A competitive process will be undertaken to determine interest and best return and outcome to Council and the community with a decision on lease vs sale being informed by the long-term financial return and position represented by the interest received.

Social Impact

One of the recommendations made by the Victoria State Government, on behalf of all State Tourism Organisations, in a paper they jointly authored, titled **A National Perspective on Visitor Information Servicing** was to:

"...build partnerships with local government, industry and community in growing the visitor economy and directing the future of visitor servicing".

It is a sentiment that is captured in the proposed new dispersed model and can be summed up in the mantra *tourism is everyone's business*. The desired outcome is for residents and operators to recognise that everyone within the visitor economy has a role to play in engaging visitors and to help distribute and communicate visitor information. The recently launched Visiting Friends and Relatives (VFR) campaign has been effective in already engaging with residents. This reflects a positive social impact in the community where residents are participating in the visitor economy.

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Economic Development Employment Potential

For Eurobodalla the risks of not evolving the current visitor services model are significant. Tourism is the driving force of the Eurobodalla economy and visitor servicing plays a vital role in this economy. Its purpose is to stimulate visitation to the destination and stimulate visitation around the destination. Visitation that results in economic improvement for local businesses and social benefits for local residents.

Visitor servicing will also play a critical role in ensuring that the recent demand focussed activity that commenced with the new destination brand and subsequent campaign is converted into actual visitors.

It also makes an important contribution to delivering a positive visitor experience. One that results in, at the very least, recommendations to friends and family and possibly, repeat visits.

Having purchased AirDNA, Council is now in the position to be able to monitor accommodation bookings providing greater direction as to when and if it needs to initiate marketing campaigns.

Financial

Technology has changed the world and along with it, the world of tourism and how the market seeks and consumes information. The extent of change is now such that continuing to operate VIC's in the traditional static model does not make economic sense nor is it best meeting the needs of visitors. It's now time for a new model. One that will not only better meet the needs of visitors but will also improve tourism Return On Investment (ROI).

Pivoting to a new model for visitor servicing will result in a significant operational saving comprising:

- \$321,997 Batemans Bay and
- \$89,126 Narooma

whilst at the same time provide an opportunity for future revenue streams in relation to both of the current visitor information centre sites.

Aside from the re-allocated resource no further budget is required to support the new servicing model. Efficiencies have been gained in the current marketing and promotions budget through a shift from traditional marketing methods to using more digitally based technologies.

In terms of future uses of the sites, Council will obtain a valuation from a registered valuer for lease or sale of the Batemans Bay site and lease of the Narooma site and use this, in conjunction with the Land Acquisition and Disposal Policy, to assess future returns to Council.

Community and Stakeholder Engagement

The need for the review is a response in part to the outcomes of engagement with our visitors who advised via the findings of the 2018 MICROMEX visitor research that providing **more information and promotion of what the area provides** for people in the destination, was the most common suggestion for improving the visitor experience.

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An outline of the community and stakeholder engagement process was provided in the background section of this report. The purpose of the engagement undertaken throughout the process was twofold:

- To seek input and then ultimately advise industry stakeholders and community groups of improved and more effective model for offering visitor services; and
- To advise and consult with staff at the Batemans Bay Visitor Information Centre on the timing of the closure and work with them on redeployment opportunities. Advice was presented on a new role in the Tourism and Events Unit for a Visitor Information and Industry Development Assistant.

The response to the new model from industry stakeholders across the Eurobodalla was generally positive with support for participation in the business partnership program and agreement that the current model was not working. Some concern was raised as to the resourcing and support for businesses in delivering on a dispersed model. Council staff were able to address this concern with assurances that the new model would be resourced through the new dedicated Visitor Information and Industry Development Assistant role working with businesses across the Eurobodalla.

The potential change in the nature of the contract requirements for the Narooma visitor information centre raised some concerns with Narooma community groups. Of particular concern was the need for ongoing support for the Lighthouse Museum and the artefacts currently on loan to council.

The visitor information services and the museum will remain an integral part of the ongoing operation and management of the VIC building. In seeking expressions of interest for the future use of the site a requirement of any agreement would need to support and potentially enhance the ongoing operation of the lighthouse museum as a tourist attraction. A future service level agreement with any future lessees would require participation in the business partnership program for visitor information servicing.

The opportunity exists for future tenants of that building to continue with a tourism-oriented use that supports and enhances the current uses. The key difference will be a shift away from the requirements of being an AVIC accredited VIC and its requirement to open 363 days of the year for a minimum 42 hours per week – including being open every Saturday and Sunday. Council already has approaches by groups in the Narooma community around a potential lease.

A sentiment was expressed by some who attended the stakeholder meetings that the cost of the current contract should be re-allocated into tourism marketing and promotion for Narooma specifically. This is not deemed necessary at this time as the tourism marketing and promotions budget is adequate to deliver the current requirements of the marketing plan. Efficiencies have been gained over the last 12 months given the shift to a more digitally based marketing model with an emphasis on driving messaging through our new website, digital campaigns around the new brand, partnerships with major brands (e.g Wotif, GoPro, Intrepid, and Two Wheel Tours), the VFR campaign and social media. Significant savings have been made through not paying for ads in tv and print media, attending trade shows, producing print collateral and more

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traditional methods of marketing. The current marketing budget is being used more effectively to reach a greater and targeted audience.

CONCLUSION

The DMS review report presents strong recommendations to move away from the static visitor information centre model of providing visitor services. The current model no longer meets the needs of visitors and does not represent a good or efficient use of resources and therefore, undermines the health and potential of the visitor economy. Less visitors; less visitor expenditure; less visitor dispersal. And particularly important, lower visitor yield.

Currently, approximately one third of council investment in tourism supports under 10% of visitors. The NSW Integrated Planning and Reporting (IPR) framework indicates that councils should ensure that all services continue to improve productivity and deliver value for money. Clearly a service that consumes one third of Council's tourism budget to service less than 10% of its visitors does not deliver a good return on investment.

The shift to a more dispersed model has already commenced with the work currently being undertaken within the tourism unit in the digital marketing space and with the launch of the VFR campaign. With the recent re-allocation of a position within the team and the more efficient use of the marketing budget, Council has the resources to continue to deliver this model.

The Batemans Bay Visitor Information Centre is scheduled to close on 28 February 2021 while work is underway to ensure that the new model has been firmly established. Council has the opportunity to commence a process to determine the future use of the Batemans Bay VIC building and land.

Council can undertake a process regarding the lease of the Narooma Visitor Information Centre building ensuring that the future of the Lighthouse Museum and opportunity to offer visitor services are considered.

Both opportunities present themselves with the ability to achieve a more financial, social and economically sustainable outcome for the Shire.

The proposed changes are not a reflection of the good work that has and continues to be undertaken by the people working in the two visitor information centres, but a reflection of the change in the way the market seeks and consumes information and the ability to provide visitor information more efficiently while providing greater access to our visitors.

IR20/020 REQUEST FOR TENDER – 10034081

S029 - T00004

POTATO POINT LOW PRESSURE SEWERAGE RETICULATION

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Confidential: RFT 10034081 Potato Point Low Pressure Sewerage Reticulation

Outcome: 4 Sustainable Living

Focus Area: 4.1 Maximise the efficient use and reuse of our water resources

Delivery Program Link: 4.1.1 Provide a safe, reliable and sustainable town water supply and sewerage services

Operational Plan Link: 4.1.1.2 Build, renew, operate and maintain sewerage systems

EXECUTIVE SUMMARY

The Potato Point sewerage scheme is a priority project to improve the service to residents in the village and better protect the environment.

The pressure sewerage reticulation is the second of two construction contracts associated with this project, with the sewage pump station and sewer rising main construction contract awarded in June.

This report outlines the evaluation of offers submitted in response to Request for Tender No. 10034081 Potato Point Low Pressure Sewerage Reticulation, and provides a recommendation for the preferred tenderer.

RECOMMENDATION

THAT Council:

1. Endorses the selection of the preferred tenderer listed for Request for Tender No 10034081 Potato Point Low Pressure Sewerage Reticulation; and
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderer, subject to the terms specified in the Request for Tender.

BACKGROUND

Council's adopted Integrated Water Cycle Management Strategy (IWCMS) 2016 identified the existing on-site sewage management systems in Potato Point as having a medium-high risk on public and environmental health.

The provision of a low pressure sewerage scheme to collect and transport sewage to the Bodalla Sewage Treatment Plant (STP) was therefore included in Council's long term capital works program. Council was subsequently successful in obtaining a grant of \$3.22 million from the NSW State Government through the Restart program.

This project will be constructed through two contracts, with the first being for the construction of the sewage pumping station and rising main to transport sewage from Potato Point to the Bodalla STP. This contract was awarded in June.

**IR20/020 REQUEST FOR TENDER – 10034081
POTATO POINT LOW PRESSURE SEWERAGE RETICULATION**

**S029 -
T00004**

The second contract is for the construction of the pressure sewerage scheme within Potato Point. This report deals with the second stage of the overall scheme.

RFT 10034081 was advertised on 20 August 2020 with a closing date of 24 September 2020.

Offers were received from the following eight (8) tenderers and assessed in accordance with the Tender Evaluation Plan:

- Bay and Coast Plumbing Pty Ltd, Batemans Bay, NSW 2536
- Codmah Pty Ltd, Prestons, NSW, 2170
- FB Contracting, Virginia, Qld, 4014
- Hisway Pty, Nowra, NSW, 2541
- Ledonne Constructions Pty Ltd, Carlton, NSW, 2218
- MMA Civil Contractors, Leichhardt NSW 2040
- Pressure Sewer Services Australia, Dandenong South, Vic, 3175
- Utilstra Pty Ltd, Fyshwick, ACT, 2609.

A summary of the evaluation including each tenderer's scoring against the evaluation criteria is provided at the Confidential Attachment to this report.

CONSIDERATIONS

Legal

Request for Tender (RFT) 10034081 Potato Point Low Pressure Sewerage Reticulation was advertised in accordance with clause 167 of the Local Government (General) Regulation 2005 and the Local Government Act 1993.

The tender was advertised on Council's noticeboard page in local newspapers, in the Sydney Morning Herald, and through the NSW Government etendering website (<https://tenders.nsw.gov.au>).

Before tender assessment was undertaken, a formal Tender Evaluation Plan (TEP) was distributed amongst the Tender Evaluation Committee.

The offer submitted by the preferred tenderer has been assessed as representing good value for money for Council due to the company's demonstrated experience, quality of workmanship and satisfactory price in comparison to the pre-construction estimate.

Policy

Procurement was undertaken in accordance with Council's Procurement Policy, Code of Practice – Procurement, Code of Practice – Tendering, the Local Government Procurement Guidelines, Local Government (General) Regulation 2006 and the Local Government Act 1993.

Environmental

The works are designed to reduce the environmental impacts associated with the existing on-site sewage management systems in Potato Point. The Bodalla STP has been designed to accommodate anticipated flows from the Potato Point village.

**IR20/020 REQUEST FOR TENDER – 10034081
POTATO POINT LOW PRESSURE SEWERAGE RETICULATION**

**S029 -
T00004**

Financial

The amount tendered by the preferred Tenderer can be accommodated within the existing sewer fund capital budget.

A grant of \$3.22 million through the NSW State Government Restart program has previously been accepted by Council for the Potato Point Sewerage Scheme.

Community and Stakeholder Engagement

The Potato Point community has been extensively consulted with regarding the project in general and the location of assets to be located on each property. The Contractor is required to continue to undertake extensive consultation with all Potato Point property owners throughout project construction.

The community will be informed of the tender outcome via Council's contract register found in Council's 'Public Access to Information' weblink.

CONCLUSION

The tender process has been conducted in accordance with mandatory Council and Local Government requirements and the preferred tenderer has been assessed, through an extensive evaluation as representing best value for money.

This report recommends the preferred tenderer for the Potato Point Low Pressure Sewerage Reticulation.

CCS20/051 LAND ACQUISITION - NELLIGEN RESERVOIR

**S023-T00027/STS
500050**

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

Attachments: 1. Confidential - Agreed compensation details

Outcome: 9 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

The Nelligen Water Supply and Sewerage Scheme project is being undertaken by Council's water and sewer team. Public Works Advisory (PWA) have been engaged as a design consultant for the project to complete detailed design work and to manage the land acquisition.

Part Benandarah State Forest is required for the proposed water reservoir site together with an easement for access to the site.

Forestry Corporation of NSW (Forestry) has agreed to the terms of the acquisition. The amount of compensation is set out in the confidential attachment.

The land will be used for operational purposes and therefore it will be appropriate for the land to be classified as operational land upon acquisition.

RECOMMENDATION

THAT:

1. Public Works Advisory, on behalf of Council, apply to the Minister for Local Government to acquire part Benandarah State Forest, for water infrastructure purposes, by compulsory process, in accordance with section 187(2) of the *Local Government Act 1993* and in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. If consent is granted all necessary action be taken to finalise the acquisition in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act*.
3. All survey and legal costs associated with the land acquisition be borne by Council.

CCS20/051 LAND ACQUISITION - NELLIGEN RESERVOIR

**S023-T00027/STS
500050**

4. Public notice be given of Council's intention to resolve:
 - i. Part Benandarah State Forest is acquired as operational land.
 - ii. A period of 28 days is given for members of the public to make submissions.
 - iii. A further report is presented following the advertising period to classify the land.
 - iv. Consent be given to affix the Common Seal of Council to the applicable documentation.

BACKGROUND

As part of the Nelligen Water Supply and Sewerage Scheme project, a new water reticulation system will be constructed for the Nelligen village. This new reticulation system will be connected to the Shire's existing water supply network via a dedicated transfer main. As part of the project this reservoir is required to balance demand and provide necessary storage for the Nelligen village.

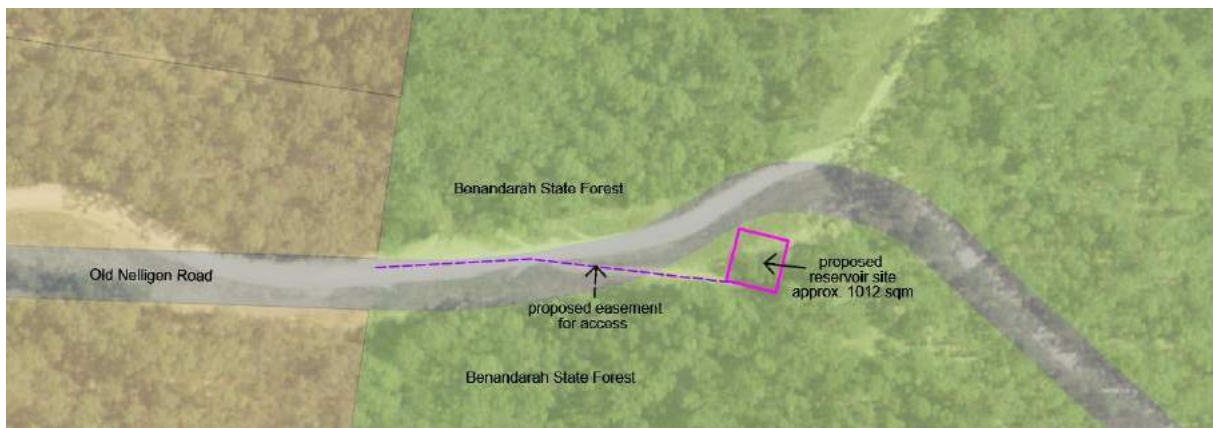
A site within Benandarah State Forest has been selected for the location of the new Nelligen water reservoir. Construction of the reservoir is proposed to commence in 2021. Acquisition of part of Benandarah State Forest is required to accommodate the new reservoir as well as an easement for access to the site.

As part of Council's agreement with PWA, the process to acquire the land by compulsory process will be undertaken by PWA, and the land will be vested in Council by notification in the Government Gazette.

All land owned by Council must be classified as either community or operational land. In accordance with section 34 of the *Local Government Act 1993*, public notice must be given of Council's intention to classify the land as operational land and allowing not less than 28 days for receipt of written submissions. The land is to be classified as operational.

CONSIDERATIONS

The acquisition area is shown in the sketches below.



CCS20/051 LAND ACQUISITION - NELLIGEN RESERVOIR

**S023-T00027/STS
500050**



Nelligen reservoir site and easement for access – part Benandarah State Forest

Legal

PWA will facilitate all aspects of the compulsory land acquisition in accordance with the *Local Government Act 1993* and the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.

PWA will comply with any relevant legislation and procedures in relation to Native Title and Aboriginal land rights and interests to ensure a valid acquisition. The acquisition of Forestry land could mean Council has a liability to compensate for Native Title if this is ever determined to have existed on the Land prior to Council's acquisition.

In accordance with section 34 of the *Local Government Act 1993*, public notice must be given of Council's intention to classify the land as operational land and allowing not less than 28 days for receipt of written submissions.

www.legislation.nsw.gov.au/#/view/act/1993/30/chap6/part2/div1/sec34

Policy

The acquisition of land for infrastructure purposes will proceed in accordance with Council's Land Acquisition and Disposal Policy.

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

Asset

The reservoir will form part of the infrastructure to provide a potable water supply for Nelligen village and the easement will permit access by Council to construct and maintain the water infrastructure.

Social Impact

Part of the Integrated Water Cycle Management Strategy is to provide Nelligen with a supplementary potable water supply. The existing rainwater tanks may be then be used for non-potable water uses such as toilet flushing or garden watering.

Financial

NSW Government is providing \$3.5 million through the Safe and Secure Water Program. Council will contribute the remaining required funds from capital works funding.

CCS20/051 LAND ACQUISITION - NELLIGEN RESERVOIR

**S023-T00027/STS
500050**

Compensation for part Benandarah State Forest has been negotiated with the Forestry and an agreement has been reached, subject to Council approval. The amount of compensation is set out in the confidential attachment.

Community and Stakeholder Engagement

Forestry have consented in writing to the proposed acquisition.

CONCLUSION

This report recommends compulsory acquisition of part Benandarah State Forest to accommodate the Nelligen water reservoir and an easement for access to the site, and for the site to be classified as operational land.

CCS20/048 EVENTS LICENCE - MALUA BOARDRIDERS CLUB ACTIVITIES

S023-T00017

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

Attachments: 1. Confidential - Submissions

Outcome: 9 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

Malua Boardriders (the 'club') would like to conduct monthly surfing events within several Council managed Crown and community reserves between Lilli Pilli and Tomakin. The club is an incorporated association and not-for-profit, community-based club.

Public notice has been given and four submissions were received.

The submissions have been considered and subject to the specific conditions below, it is considered reasonable and appropriate that an initial twelve-month licence be granted to the club to host surfing events from these locations with renewals of the licence areas considered on successful completion of the 12 month trial period.

In response to matters raised in the submissions, the following specific conditions will be included:

- Events to be monthly with only one of the locations used each month
- The club must leave the area in a clean and tidy state
- The club must ensure event users are aware of nearest toilet facility and advise they must use them
- The club must car pool where possible particularly to sites with limited carparking
- The club must advise what sites they have utilised during the initial licence period to assist with review of further licences
- The events will not be held in school holidays or on public holiday weekends

RECOMMENDATION

THAT:

1. Council grant an initial one-year licence to Malua Boardriders to conduct monthly surfing events, and the General Manager be given delegated authority to grant further licences to Malua Boardriders with terms and conditions in line with similar licences from within:
 - Crown Reserve R56022 Lot 7019 DP 1021196 Lilli Pilli
 - Crown Reserve R89171 Lot 7047 DP 1035133 Malua Bay
 - Council Owned (community land) Lot 73 DP612285 South Rosedale

CCS20/048 EVENTS LICENCE - MALUA BOARDRIDERS CLUB ACTIVITIES

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- Crown Reserve R90677 Lot 7007 DP 1074939 Barlings Beach
- Crown Reserve R90677 Lot 7005 DP 1125042 Tomakin Beach

Subject to the following conditions:

- (a) The licence fee be the Crown statutory minimum, currently \$507 plus GST per annum, increased annually in line with the CPI
- (b) Provision of evidence of public liability insurance cover in the amount of at least \$20 million
- (c) Conditions generally in line with similar licences.

BACKGROUND

The club has expressed interest in conducting monthly surfing events from the following locations, with only one location being used at any one time depending on conditions:

1. Crown Reserve R56022 Lot 7019 DP 1021196 Lilli Pilli
2. Crown Reserve R89171 Lot 7047 DP 1035133 Malua Bay
3. Council Owned (community land) Lot 73 DP612285 South Rosedale
4. Crown Reserve R90677 Lot 7007 DP 1074939 Barlings Beach
5. Crown Reserve R90677 Lot 7005 DP 1125042 Tomakin Beach

The proposed licence areas have been endorsed by Council's recreation staff.

An initial twelve month licence is proposed and further renewals considered upon successful completion of the trial twelve month licence period.

CONSIDERATIONS

The club is an incorporated association and is a not-for-profit, community-based club that has expressed an interest in hosting surfing events within Council managed reserves.

The club proposes to use no more than two 3m x 3m gazebo tents in the reserve for competitors' registration and shade for spectators. All other activities are undertaken on the beach and in the water.

Only one location is used at any one time depending on weather and surfing conditions.

The club provides a well organised, structured and safe environment for the development of surfers across all age and gender groups. The club proposes to run competitions and activities usually being held on a monthly basis. They will not be held in school holidays or on public holiday weekends.

Competition days may vary between Friday afternoon, Saturday or Sunday depending on weather forecasts. The club estimates each event attracts approximately 45-65 participants. The proposed licence areas are shown in the sketches below.

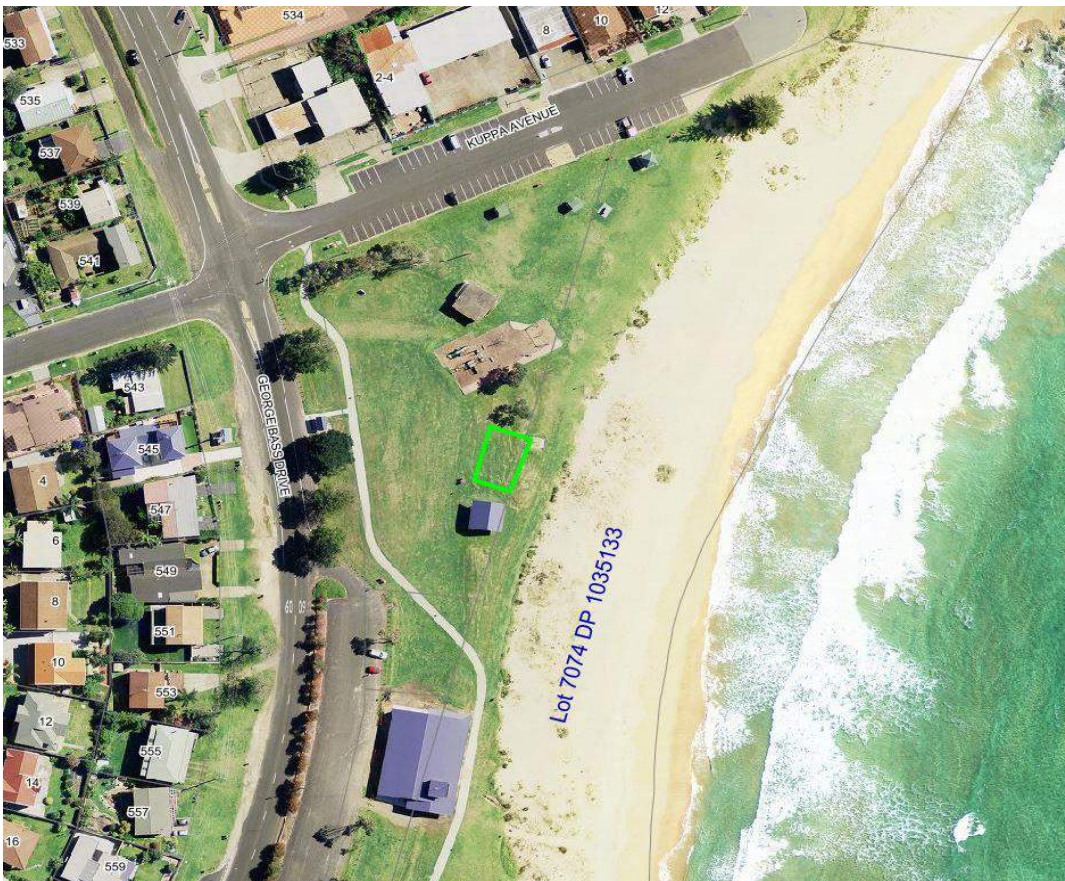
1. LILLI PILLI – PROPOSED LICENCE AREA OUTLINED IN GREEN

CCS20/048 EVENTS LICENCE - MALUA BOARDRIDERS CLUB ACTIVITIES

S023-T00017



2. MALUA BAY – PROPOSED LICENCE AREA OUTLINE IN GREEN



3. NORTH ROSEDALE – PROPOSED LICENCE AREA OUTLINED IN GREEN

CCS20/048 EVENTS LICENCE - MALUA BOARDRIDERS CLUB ACTIVITIES

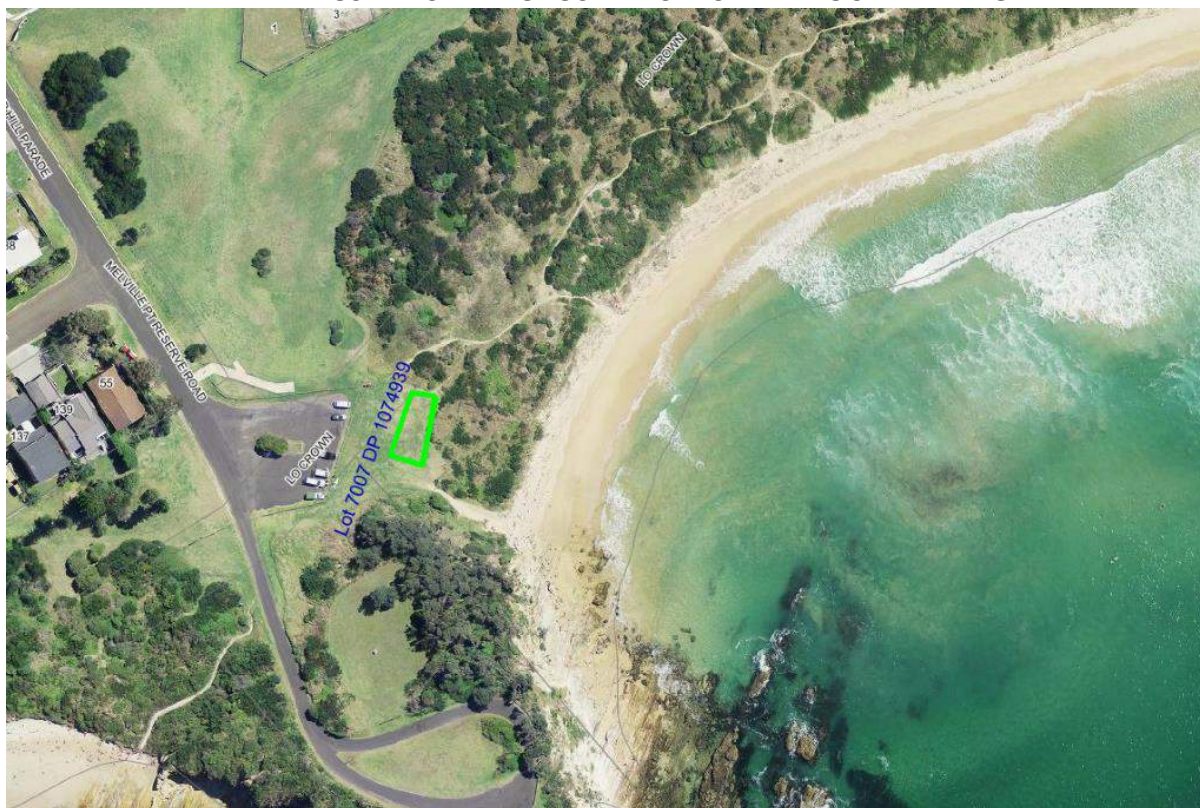
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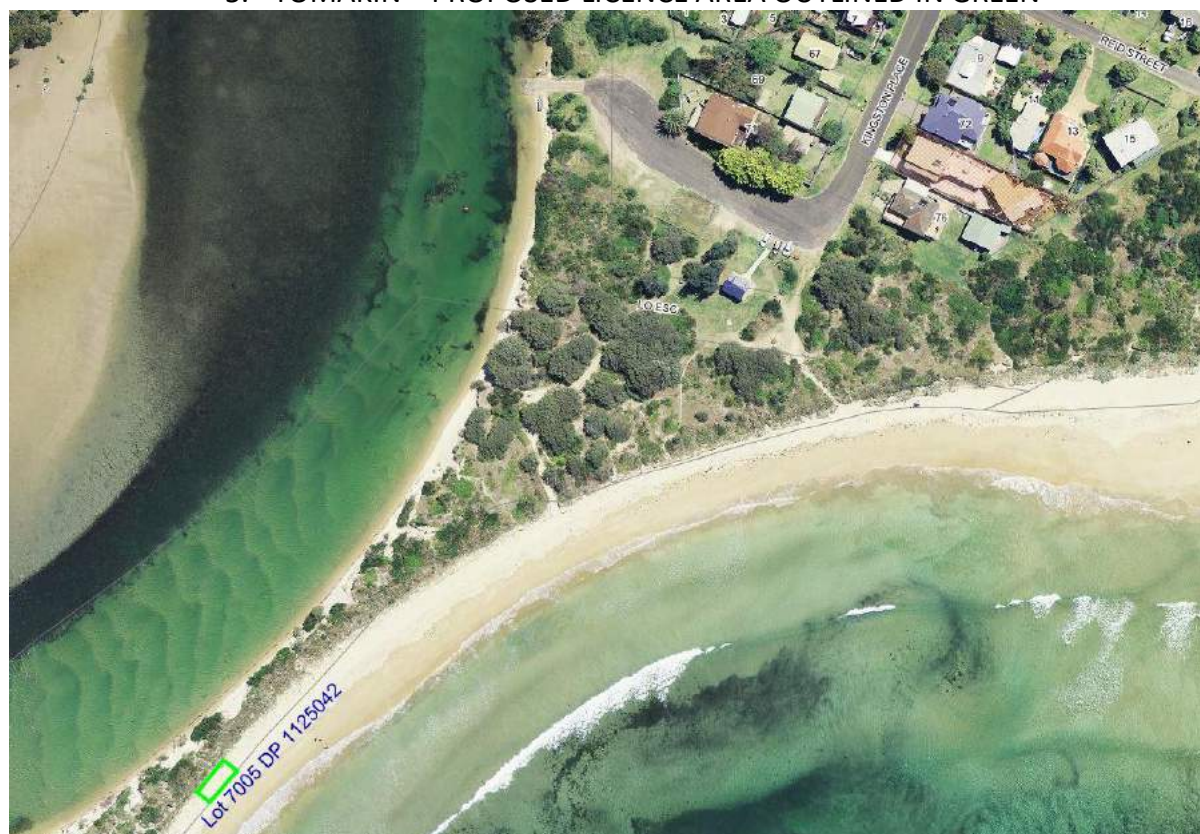
CCS20/048 EVENTS LICENCE - MALUA BOARDRIDERS CLUB ACTIVITIES

S023-T00017

4. BARLINGS BEACH - PROPOSED LICENCE AREA OUTINED IN GREEN



5. TOMAKIN – PROPOSED LICENCE AREA OUTLINED IN GREEN



CCS20/048 EVENTS LICENCE - MALUA BOARDRIDERS CLUB ACTIVITIES

S023-T00017

Legal

The following lots are under the management of Council as Crown Land Manager:

1. Lot 7019 DP 1021196 Lilli Pilli being part Crown Reserve R56022
2. R89171 Lot 7047 DP 1035133 Malua Bay being part Crown Reserve R89171
3. Lot 7007 DP 1074939 Barlings Beach and
4. Lot 7005 DP 1125042 Tomakin Beach being part Crown Reserve R90677

The following lot is Council owned community land:

5. Lot 73 DP612285 North Rosedale

Council can only issue a licence for a period up to five years 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 - Licencing of Council controlled Public Reserves and Associated Buildings, an expression of interest (EOI) was called in February 2020 for parties interested in seeking a licence for periods up to 5 years to use any Council owned or managed public reserves.

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

No other party expressed an interest in using the same part of these reserves.

Asset

It will be a condition of the licence that the reserves are left clean and tidy at the end of the day.

Social Impact

Malua Boardriders provide a well organised, structured and safe environment for the development of surfers across all age and gender groups. Granting a licence to Malua Boardriders to run competitions and instructional activities for surfing enthusiasts will provide a socially inclusive, safe and well-coordinated experience in the sport.

Economic Development Employment Potential

The monthly events provide economic benefit to local cafes and other businesses in the area.

Financial

In line with similar licences, it is considered reasonable for the licence fee to be the Crown statutory minimum, currently \$507 plus GST per annum, increased annually in line with the CPI.

CCS20/048 EVENTS LICENCE - MALUA BOARDRIDERS CLUB ACTIVITIES

S023-T00017

Community and Stakeholder Engagement

An EOI was advertised in February 2020 from interested parties wishing to conduct activities on council managed public reserves for a period of up to five years. No other party expressed an interest in using the same part of these reserves.

In accordance with Section 47A of the *Local Government Act 1993* and Council's Community Engagement Framework the intention to grant licences to the club over a number of Council managed reserves was publicly notified for 28 days to 13 October 2020 with four submissions being received.

| | Issue Raised | Council response |
|----------------------|---|--|
| Tomakin Resident | Concerns with Tomakin/Barlings Licence Areas. Not being notified directly by the Club. Excluding recreational surfers from events and the use of the area. | The Club has followed best practice and contacted Council to obtain permission for the activities. This is a recreational sporting club open to all. The events proposed are not professional surfing competitions. Any licence issued would not permit exclusive use. |
| Tomakin Resident | Concerns with surfing competitions at Barlings, Tomaga River Mouth or Tomakin Beach. "Elitist events that exclude other surfers who live in the area on the days of competition". | Malua Boardriders is a community based recreational sporting group, organising community sporting events open to all ages and all skill levels. Membership is open to all. Exclusive use of the beach would not be granted. |
| Rosedale Association | Strongly supports the boardriders efforts in building connections and promoting a sense of community following the bushfires, but has raised some concerns about South Rosedale licence area. Absence of public toilets. Fragility of sand dunes, beach tracks and carpark garden. Limited car parking and bins. Risk of commercial operators setting up at Rosedale i.e. coffee & food vans. | Community based sporting event - not commercial or professional. If licence is granted for South Rosedale issues raised could be addressed by way of inclusion of conditions that the Club be required to provide own rubbish bins and ensure event users are aware of nearest toilet facility and advise they must use them, along with carpooling to limit congestion of the carpark. Only on completion of successful trial period, would a licence for each area be renewed. |

CCS20/048 EVENTS LICENCE - MALUA BOARDRIDERS CLUB ACTIVITIES

S023-T00017

| | | |
|----------------------|---|--|
| Lilli Pilli Resident | Concern with Lilli Pilli licence area. Potential for large crowds. Prevention of existing users swimming at the beach. Not large enough area to cope with surfing event. Damage to local environment. | Community sporting group - events viewed by family members and supporters of local participants. Limited use of area as only one site per month anticipated. Any licence issued would not permit exclusive use. Assurance from Club and licence condition requiring environmentally respectful use of the area. |
|----------------------|---|--|

Specific licence conditions in response to these concerns will include:

- Events to be monthly with only one of the locations used each month
- The club must leave the area in a clean and tidy state
- The club must ensure event users are aware of nearest toilet facility and advise they must use them
- The club must car pool where possible particularly to sites with limited carparking
- The club must advise what sites they have utilised during the initial licence period to assist with review of further licences
- The events will not be held in school holidays or on public holiday weekends

CONCLUSION

An initial twelve month licence is proposed for the club to conduct surfing events and activities at a number of Council managed public reserves between Lilli Pilli and Tomakin.

The club is an incorporated not-for-profit group that provides a well organised, structured safe environment for the development of surfers in the area. It is considered reasonable and appropriate for Council to support the Club by granting licences for use of the nominated Council managed crown reserves for surfing activities with renewals of the licence areas considered on successful completion of the 12 month trial period.

CCS20/049 LICENCE FOR COACHING PURPOSES - BATEMANS BAY TENNIS FACILITY

**S023-T00017
LAND ID: 40568**

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

Attachments: 1. Confidential - Licensee & licence fees

Outcome: 9 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

Tennis coaches have been operating from the Batemans Bay tennis facility at Hanging Rock Place Batemans Bay for approximately twelve years. There is currently one coach operating at the courts under a licence for coaching purposes. Another tennis coach has expressed an interest in obtaining a licence to operate his coaching business from the Batemans Bay tennis facility along with the existing coach.

The licences allow coaches sole use of a court for coaching sessions, while still providing opportunity for others to access remaining courts.

Public notification of 28 days has been given of Council's proposed intention to grant a licence to the applicant and no submissions have been received.

It is considered reasonable and appropriate that a licence be issued in the same terms as the existing licence for coaching purposes, expiring on 30 November 2022, in line with the existing coach's licence.

RECOMMENDATION

THAT:

1. The General Manager be given delegated authority to grant a licence for coaching purposes at Batemans Bay tennis facility at Hanging Rock in Batemans Bay within Lot 1 DP 1260850 with terms and conditions in line with similar licences including but not limited to:
 - a. The licence fee be in line with similar licences
 - b. The licence area is to be left clean and tidy after use, and any damage caused is to be rectified by the licence holder.
 - c. The provision of \$20 million public liability insurance.
2. The General Manager be given delegated authority to negotiate further licences.

CCS20/049 LICENCE FOR COACHING PURPOSES - BATEMANS BAY TENNIS FACILITY

**S023-T00017
LAND ID: 40568**

BACKGROUND

A local tennis coach has expressed an interest in obtaining a licence to operate his coaching business at the Batemans Bay tennis facility. A two-year licence will enable the coach to utilise the facility, whilst still providing opportunity for other coaches to access the other courts for coaching purposes.

Use of the Batemans Bay tennis facility by tennis coaches is important for the development of upcoming players and will assist with the cost of maintenance. Use of the facility by tennis coaches encourages the growth and development of the sport of tennis in the area.

The licence fee, as set out in the confidential attachment, includes court hire and maintenance contributions. Licence conditions will ensure that all courts will be available for tennis tournaments and events when required. The fee is comparable to industry standards.

CONSIDERATIONS

Legal

The licence is within Lot 1 DP 1260850 which is classified as operational land and there is no impediment to granting a licence.

Environmental

The proposed licence would not have any undue environmental impact. Council is supporting environmentally sustainable businesses.

Asset

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

Social Impact

The use of the facility by tennis coaches encourages the growth and development of the sport of tennis in the area and is important for the development of upcoming players.

Financial

The proposed licence fee is in line with the existing licence for coaching purposes and includes court hire and maintenance contribution and is set out in the confidential attachment.

Community and Stakeholder Engagement

Public notification of proposed use of operational land is not required, however being guided by Council's *Community Engagement Framework*, public notice of 28 days has been given of Council's intention to grant a licence to the applicant and no submissions have been received.

CONCLUSION

A local tennis coach has applied for a licence to operate his coaching business in Batemans Bay. A two-year licence to the tennis coach will ensure regular use of the facility, contributions to the cost of maintenance of the facility and encourage the development of tennis in this area.

CCS20/053 LICENCE FOR WATER SPORTS - NAROOMA

S023-T00017

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

Attachments: Nil

Outcome: 9 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 Mobile Leisure Sports have applied to obtain a twelve-month licence to operate non-powered water sports activities from a reserve within the Narooma area.

The proposed licence area is the grassed area at the southern side of Narooma Bridge.

Public notice has been given and no submissions were received.

It is considered reasonable and appropriate that, a twelve-month licence be granted to Narooma Mobile Leisure Sports to operate from the proposed licence area, with renewals considered upon successful completion of the initial licence period.

RECOMMENDATION

THAT:

1. Council grant a one-year licence to Narooma Mobile Leisure Sports to operate non-powered water sports activities at Narooma Bridge - within Lot 7319 DP 1166668 including the following conditions:
 - a. The licence fee be in line with similar licences
 - b. The licence area is to be left clean and tidy after use, and any damage caused is to be rectified by the licence holder
 - c. The provision of \$20 million public liability insurance
 - d. Conditions generally in line with similar licences.

2. The General Manager be given delegated authority to negotiate further licences.

BACKGROUND

An application has been received from a local business wishing to operate water sport activities in the Narooma area. The main activities are water bikes, kayaking and stand up paddle boarding.

CCS20/053 LICENCE FOR WATER SPORTS - NAROOMA

**S023-
T00017**

Narooma Mobile Leisure Sports is a small family run business operating in Narooma and Bathurst since 2018. The proposal involves the setting up of a small marquee and signage with water sport equipment out and ready for use from that location. The equipment will be transported to the location via a trailer.

The applicant has expressed an interest in operating from a number of locations and after consideration the proposed licence location is a grassed area at the southern side of Narooma Bridge - within Lot 7319 DP 1166668.

An initial twelve-month licence is proposed and further renewals upon successful completion of the initial licence period.

The potential of the licence area becoming crowded with an impact on existing users has been raised. The short length of the licence will allow Council to assess any impacts before considering a longer licence.

Public notification has taken place and no submissions have been received.

The licensee has been informed their use of the licence area is not to impact the existing users and that a licence does not confer exclusive use of the licence area.

CONSIDERATIONS

The applicant's equipment to be hired is non-powered and will be water bikes, kayaks and stand up paddle boards.

The applicant has stated that the relevant Marine permits have been obtained.

An application for a licence to operate a non-motorised water sports hire business from various reserves following public notification has been received.

An initial twelve-month licence is proposed and, following comments received during the notification period, it is considered reasonable and appropriate for Council to issue a licence with renewals considered on successful completion of the initial term.

CCS20/053 LICENCE FOR WATER SPORTS - NAROOMA

**S023-
T00017**

Licence Area shown in the sketch below.



Legal

Crown reserve 85364 (Lot 7319 DP 1166668 Narooma) is under Council's management.

Council can issue a licence for a period up to five years 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.

The business has obtained adequate insurance. The applicant holds a Certificate to Operate with the Australian Maritime Safety Authority (ASMA), the governing body for hire and drive permits, and a Batemans Marine Park permit. The granting of a temporary licence would be subject to the licensee maintaining these approvals.

Policy

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, an expression of interest (EOI) was called in February 2020 for parties interested in seeking a licence for periods up to five years to use any Council owned or managed public reserves.

CCS20/053 LICENCE FOR WATER SPORTS - NAROOMA

**S023-
T00017**

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

No other party expressed an interest in using the same part of these reserves.

Environmental

The licenced activity would not have any undue impact on other users of the reserve. In issuing this licence, Council is supporting an environmentally sustainable business.

Asset

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

Social Impact

The applicants promote water safety and provide the opportunity for locals and visitors alike to enjoy non-motorised water sports activities.

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

In line with similar aquatic hire activities within the Shire it is considered appropriate the licence fee be \$1242.00 per annum plus GST increased by CPI.

Community and Stakeholder Engagement

An EOI was advertised in February 2020 from interested parties wishing to conduct activities on council managed public reserves for a period of up to 5 years. No other party expressed an interest in using the same part of these reserve.

In accordance with section 47A of the *Local Government Act 1993* and Council's Community Engagement Framework the intention to grant licences to the licensee over Council managed reserve has been publicly notified for 28 days. No submissions were received.

CONCLUSION

Public notice has been given and no submissions were received.

It is considered reasonable and appropriate that an initial twelve-month licence be granted on the grassed area at the southern side of Narooma Bridge - Part Lot 7319 DP 1166668.

Renewals will be considered on successful completion of the initial licence period.

CCS20/054 LEASE OF BATEMANS BAY COMMUNITY CENTRE

LAND ID: 29439

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

Attachments:

1. Under Separate Cover - Confidential - Submitted EOIs
2. Under Separate Cover - Confidential - EOI Community Scorecard
3. Under Separate Cover - Confidential - Submissions
4. Under Separate Cover - Confidential - EOI Overview

Outcome: 9 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: 9.2.2.3 Strategic management and review of Council operational land

EXECUTIVE SUMMARY

At its meeting on 24 November 2020, Council deferred a decision on this matter. The intention of this report is to relist for Council consideration.

Council has received a number of unsolicited enquiries from parties interested in leasing the Batemans Bay Community Centre (BBCC).

In response to enquiries, acting in accordance with section 9.2.2 of Council's adopted delivery program, Council staff investigated the potential leasing of the Batemans Bay Community Centre. On 18 August 2020, Councillors were briefed on an EOI process, which has now been undertaken.

The EOI process and the proposed responses to community input provide an opportunity to meet the needs of user groups with alternate venues at the same time as supporting the expansion of social services locally.

Due to the level of community interest in retaining the Community Centre for community use, the EOI was only open to groups who could establish a community benefit rather than a purely commercial one. The EOI was for a lease only, not for the sale of BBCC.

Council has received a number of submissions from members of the community about the potential leasing of the community centre and this report includes responses addressing the matters raised.

In particular, responses to address matters raised by the community include:

- That the Meals on Wheels food services program will remain in the Community Centre with this becoming a requirement in the conditions of any lease
- A commitment to relocated users that they will receive 3 months usage in the new Council venue at no cost and a guarantee that they will not pay more for a comparable space than they currently pay
- A detailed analysis of the features of the principal Batemans Bay venues that users would be relocated to which shows that facilities and features are comparable

CCS20/054 LEASE OF BATEMANS BAY COMMUNITY CENTRE

S023-T00015

Land ID: 29439

Two EOIs were received and have been assessed against the selection criteria. Both are considered to be suitable lessees.

Council is now in a position to decide whether to issue a lease for the BBCC and if a decision to lease is made, who to issue the lease to.

RECOMMENDATION

THAT:

1. Council approve entering into a lease with the preferred candidate.
2. The General Manager be given delegated authority to conclude negotiations with that preferred candidate, or with the alternative candidate if the preferred candidate does not proceed.
3. Council approve an amended fee structure for relocated users which include 3 months of no charge and ongoing fees at the new venue which match what they currently pay.

BACKGROUND

At its meeting on 24 November 2020, Council deferred a decision on this matter. The intention of this report is to relist for Council consideration.

Council has previously publicly indicated the intent to review the future use of the Batemans Bay Community Centre (BBCC).

Council has received unsolicited enquiries from a number of parties interested in leasing the BBCC. In response to the enquiries, acting in accordance with section 9.2.2 of Council's adopted delivery program, Council staff investigated the potential leasing of the Batemans Bay Community Centre.

Councillors were briefed on an EOI process to lease BBCC on 18 August 2020 and that process has been undertaken.

Because of the level of community interest in retaining the community centre for community use, the EOI was only open to groups who can establish a community benefit rather than a purely commercial one. The EOI was for a lease only.

CONSIDERATIONS

EOI assessment

Two EOIs were received, one from South Eastern Aboriginal Regional Management Service (SEARMS) and one from South Coast Colleges (SCC).

The EOIs were assessed against the selection criteria by a panel. A preferred candidate was identified but both lessees were considered suitable.

Existing Users

There are around 15 regular hirers of the community centre and other, more periodic users. Their needs have been key considerations in this matter.

CCS20/054 LEASE OF BATEMANS BAY COMMUNITY CENTRE

S023-T00015

Land ID: 29439

Council has recently engaged with existing users about relocating to other venues when it was thought that the Bushfire Recovery Centre was going to be at BBCC for an extended period and when Headspace were asking to lease BBCC. Alternative sites were also arranged for current users with minimal impact when the community centre was needed for elections.

Comparison of alternative venues

The main alternative venues for users relocating from BBCC would be:

- Hanging Rock Function Centre
- Mackay Park Function Centre
- Batemans Bay Basketball Stadium
- Malua Bay Community Centre
- Batemans Bay Child & Family Day Care Centre
- Batemans Bay Library

The tables below compare the features available at these venues to those in the equivalent room at BBCC.

The utilisation data comes from the venue booking system and is based on bookings being available from 7am to 9pm. Data from 2019 has been used due to bookings in 2020 being disrupted due to COVID-19.

The three tables compare the various rooms at BBCC to the most likely alternative venues. The tables show that there are a range of alternatives to the BBCC room. The tables compare the three main areas of the BBCC, that being the Main Hall (Table 1), Room 3 (Table 2) and Rooms 1 and 2 (Table 3). Often these alternative venues are at a lower cost or offer more features than the BBCC.

Research also identified that the alternate venues are under utilised - only being occupied between 10% and 33% of the time.

CCS20/054 LEASE OF BATEMANS BAY COMMUNITY CENTRE

S023-T00015

Land ID: 29439

**BBCC Main hall compared to alternatives
(Table 1)**

| Criteria | Batemans Bay Community Centre Hall (BBCC) | Hanging Rock Function Centre (HRFC) | Mackay Park Function Centre (MPFC) | Batemans Bay Basketball Stadium (BBBS) |
|-------------------------------|---|-------------------------------------|------------------------------------|--|
| Current utilisation (7am-9pm) | 29% | 27% | 18% | 27% |
| Price per hour | \$53.00 | \$37.00 | \$37.00 | \$29.00 |
| Floor space (m2) | 200 | 148 | 259 | 420 |
| Accessible entrance | ✓ | ✓ | ✓ | ✓ |
| Accessible toilets | ✓ | ✓ | ✓ | x |
| A/V equipment | x | ✓ | ✓ | x |
| Commercial kitchen | ✓ | ✓ | ✓ | x |
| Fridges | ✓ | ✓ | ✓ | x |
| Cool room | ✓ | x | x | x |
| Storage | ✓ | x | ✓ | ✓ |
| Tables & chairs | ✓ | ✓ | ✓ | x |
| Heating/cooling | ✓ | ✓ | ✓ | x |
| Timber floor | ✓ | x | x | ✓ |

**BBCC Room 3 compared to alternatives
(Table 2)**

| Criteria | Batemans Bay Community Centre Hall Room 3 (BBCC) | Mackay Park Function Centre (MPFC) | Malua Bay Community Centre (MBFC) | Batemans Bay Child & Family Day Care Centre (C&FDC) |
|-------------------------------|--|------------------------------------|-----------------------------------|---|
| Current utilisation (7am-9pm) | 16% | 18% | 12% | 10% |
| Price per hour | \$36.00 | \$37.00 | \$23.00 | \$23.00 |
| Floor space (m2) | 48 | 259 | 110 | 76 |
| Accessible entrance | ✓ | ✓ | ✓ | ✓ |
| Accessible toilets | ✓ | ✓ | ✓ | ✓ |
| A/V equipment | ✓ | ✓ | x | x |
| Commercial kitchen | x | ✓ | x | x |
| Fridges | ✓ | ✓ | ✓ | ✓ |
| Storage | ✓ | ✓ | ✓ | ✓ |
| Tables & chairs | ✓ | ✓ | ✓ | ✓ |
| Heating/Cooling | ✓ | ✓ | ✓ | ✓ |

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Land ID: 29439

**BBCC Rooms 1 and 2 compared to alternative
(Table 3)**

| Criteria | Batemans Bay Community Centre Room 1 (BBCC) | Batemans Bay Community Centre Room 2 (BBCC) | Batemans Bay Library (BB Lib) | |
|-------------------------------|---|---|-------------------------------------|--|
| Current utilisation (7am-9pm) | 12% | 32% | 33% | |
| Price per hour | \$20.00 | \$12.00 | \$21.00 | |
| Floor space (m2) | 23 | 13 | 36 | |
| Accessible toilets | ✓ | ✓ | ✓ | |
| Accessible toilets | ✓ | ✓ | ✓ | |
| A/V equipment | ✓ | ✓ | ✓ | |
| Commercial kitchen | x | x | x | |
| Fridges | x | x | ✓ | |
| Storage | ✓ | x | x | |
| Tables & chairs | ✓ | ✓ | ✓ | |
| Heating/cooling | ✓ | ✓ | ✓ | |

Policy

In response to the enquiries, acting in accordance with section 9.2.2 of Council's adopted delivery program, Council staff investigated the potential leasing of the Batemans Bay Community Centre.

Legal

The land on which the Community Centre is located is Council owned operational land.

Social

Council has a role in the provision of facilities and services that support participation and community connectedness, as well as a role advocating for local access to social supports and services that improve outcomes for residents.

Groups who expressed an interest in response to the EOI are providing valuable services to the community.

Existing user groups may initially be inconvenienced by being relocated however there are alternative Council venues available at similarly discounted rates that provide similar facilities.

Financial

A valuation has been undertaken by a registered valuer. As part of its lease negotiations, Council will use this valuation and consider Council's published Fees and Charges, when concluding the negotiations on rent for any lease.

CCS20/054 LEASE OF BATEMANS BAY COMMUNITY CENTRE

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In terms of existing user groups, where alternative venues are comparable, fees for the new facilities will be comparable. Council will ensure where existing users switch to another venue, they are offered a comparable venue at the same price they have paid at the community centre (or a lower price if that is available).

It is recommended that Council give relocated bookings a three-month fee-free period as they transition to a new venue.

Community and Stakeholder Engagement

There is no legal requirement to advise the community through public notice, or to or seek feedback through public exhibition for dealings in operational land.

Nevertheless, input from the community was sought and submissions were received from around 35 parties. Those submissions are attached to this Council report as confidential attachments and are summarised below.

The main concern of many of the submissions was that there would be increased costs to community groups and Not-for-Profits (NFPs) however, because Council has suitable alternate venues at comparable prices, this should not be the case. The preferred respondent from the EOI process also specified that community and NFP use will continue at rates in-line with Council's adopted fees.

The future of Meals on Wheels (MoW) was also raised but both responders to the EOI have indicated they can be accommodated within BBCC into the future. It will be a condition of the lease that MoW can continue to licence space remain at the community centre if MoW wishes. Others submitters were concerned that the Community Centre is for sale which it is not.

Should Council decide to lease the Community Centre, the large majority of users at BBCC will be relocated to Hanging Rock Function Centre, Mackay Park Function Centre, and the Batemans Bay Library meeting room. The Batemans Bay Child and Family Centre, Hanging Rock Basketball Stadium and Malua Bay Community Hall will also be utilised, although to a lesser extent.

These venues have significant spare capacity to absorb the relocated user groups.

CCS20/054 LEASE OF BATEMANS BAY COMMUNITY CENTRE

S023-T00015

Land ID: 29439

The following table summarises the submissions received, issues raised and Council's response:

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|--|
| <p>Concern raised</p> |
| <p>Future of U3A usage of Batemans Bay Community Centre (BBCC)</p> <ul style="list-style-type: none"> ▪ Concern over the loss of their core venue ▪ U3A could not continue without the use of the Community Centre ▪ No other venue with the same features ▪ Concern over loss of accessible venue ▪ Negative effect on U3A |
| <p>Council response</p> <ul style="list-style-type: none"> • Council has a number of alternate venues in Batemans Bay to cater for existing users. • All of the alternate venues are comparable in price and amenity to the venues currently being hired at the BBCC. • U3A have utilised a variety of Council facilities including Tomakin Hall & Malua Bay Hall. Of the 12 programs booked for the second half of 2020, the BBCC was requested for only 41% of them (5 programs). • In July 2020 correspondence with U3A identified Hanging Rock Function centre, Batemans Bay Basketball, and Batemans Bay Library as the options for the five programs operating at the BBCC. • Alternative Council venues are accessible. Hanging Rock Function Centre (HRFC) has disability access with a lift and others have ramp access. The space inside HRFC is comparable to the size of the BBCC hall and houses a commercial kitchen. Hire of the function centre is substantially cheaper than the BBCC Hall. |
| <p>Concern raised</p> |
| <p>Cost and availability</p> <ul style="list-style-type: none"> ▪ Cost and availability of alternative venues ▪ Concern over displacement of existing users |
| <p>Council response</p> <ul style="list-style-type: none"> • Council has a number of alternate venues in Batemans Bay to cater for existing users. • All of the alternate venues are comparable in price and amenity to the venues currently being hired at the BBCC. • All Not for Profit discounts at the BBCC will be recognised at other Council venues. • The space inside Hanging Rock Function Centre (HRFC) is comparable to the BBCC hall and houses a commercial kitchen. Hire of the function centre is substantially cheaper than the BBCC Hall at \$37 per hour compared to \$53 per hour at the BBCC. • HRFC has disability access via a lift, so this alternate venue is accessible. • It is recommended that Council approve an amended fee structure for relocated users which include 3 months of no charge, and ongoing fees at the new venue which match what they currently pay. |

CCS20/054 LEASE OF BATEMANS BAY COMMUNITY CENTRE

S023-T00015

Land ID: 29439

| |
|--|
| Concern raised |
| Future of Meals on Wheels at BBCC <ul style="list-style-type: none">▪ Concern for continuity of the Meal on Wheels service▪ One letter attaches an attendance sheet with 122 signatures of people who attended a rally at BBCC |
| Council response |
| <ul style="list-style-type: none">• Meals on Wheels is a valued service to the community as recognised by Council in the EOI and the respondents' submissions have stated they can work with Meals on Wheels to accommodate them.• It is recommended to include the use by Meals on Wheels of BBCC as a condition in any lease. |

| |
|--|
| Concern raised |
| Retention of Community Use <ul style="list-style-type: none">▪ Retention of community centre for community / not for profit use▪ Concern over impact on Arts sector▪ Community centre belongs to Batemans Bay▪ Vacant commercial space exists for commercial use |
| Council response |
| <ul style="list-style-type: none">• The Community Centre is being retained for community use since that is a condition of the EOI. Alternative venues are available for existing users (including the arts sector) and the EOI respondents have indicated other community use of the centre may be possible.• The Community Centre is not being sold or leased for commercial use.• Council has alternate venues in the short term to support a range of art groups, with highly targeted solutions proposed as part of the BBAALC |

| |
|--|
| Concern raised |
| Other General comments <ul style="list-style-type: none">▪ Against consolidating council assets to offset costs and requesting information on how decisions will be made▪ Concern about commercial leasing of BBCC▪ Object to the leasing centre to fund aquatic arts centre |
| Council response |
| <ul style="list-style-type: none">• Council has responsibility to use assets efficiently and has a number of alternate venues in Batemans Bay to cater for existing users.• A decision will be made in an open Council meeting following consideration of EOIs and community comments |

CCS20/054 LEASE OF BATEMANS BAY COMMUNITY CENTRE

S023-T00015

Land ID: 29439

Council will continue to have contact with all existing users to outline what other facilities are available, and to develop a plan to transition them to other Council venues should Council decide to approve a lease.

CONCLUSION

Council has received enquiries from multiple organisations who are interested in leasing the Batemans Bay Community Centre (BBCC). An EOI was conducted and two suitable lessees expressed an interest in leasing BBCC.

Council has received community input about the lack of alternative venues for BBCC and Council has compared facilities at a number of venues to highlight that there are comparable alternatives.

A lease condition protecting Meals on Wheels and a 'no fee increase' commitment are also proposed in response to community input.

This report recommends Council considers approving a lease with the General Manager delegated to conclude negotiations with the preferred candidate. Should those negotiations not result in a satisfactory outcome, then negotiations will be held with the other candidate.

CCS20/055 DIVIDENDS FROM WATER AND SEWER

S011-T00022

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

Attachments: Nil

Outcome: 9 Innovative and Proactive Leadership

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

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

Operational Plan Link: 9.2.4.3 Collect rates and charges

EXECUTIVE SUMMARY

Each year there is an opportunity to pay Water and/or Sewer dividends providing certain criteria are addressed.

The Water and Sewer funds are expected to be in a sound financial position to pay a dividend to transfer funds to the General Fund based upon the final Water and Sewer fund operating results for 2018-19 (as per the audited Special Purpose Financial Statements), subject to achievement of substantial compliance of best practice audit as conducted by Deloitte and approval from the Department of Primary Industries, Water (DPIW). The dividend will be paid once the audit completes which is expected early 2021.

Guidelines for Best-Practice Management of Water Supply and Sewerage encourage continuing improvement in performance and identify six criteria for best-practice management of water supply and sewerage.

The guidelines also set out the outcomes the NSW local government Local Water Utilities (LWU) need to achieve in order to be eligible for payment of dividend from the surplus of their water supply or sewerage businesses, including effective and sustainable water supply and sewerage businesses. Additionally; best-practice management of these businesses as well as their compliance with *National Competition Policy* and the *National Water Initiative* needs to be demonstrated.

Any local government LWU wishing to pay a dividend from the surplus of its water supply and sewerage businesses are required to demonstrate achievement against these outcomes through substantial compliance with these guidelines for each of the six criteria.

CCS20/055 DIVIDENDS FROM WATER AND SEWER

S011-T00022

RECOMMENDATION

THAT Council:

1. Resolve to take up dividends from the Water and Sewer funds of \$617,710 and \$563,100 respectively based upon 2018-19 audited results in the Water and Sewer funds, subject to achievement of substantial compliance with Best Practice Guidelines and approval from the Department of Primary Industries, Water (DPIW).

BACKGROUND

Council's water supply and sewerage businesses are permitted to pay an annual dividend from its water supply or sewerage business surplus.

The NSW Government encourages best-practice by all LWUs. The purpose of best-practice management is:

- to encourage the effective and efficient delivery of water supply and sewerage services; and
- to promote sustainable water conservation practices and water demand management throughout NSW.

Guidelines for Best-Practice Management of Water Supply and Sewerage encourage continuing improvement in performance and identify six criteria for best-practice management of water supply and sewerage:

1. Strategic Business Planning
2. Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals)
3. Water Conservation
4. Drought Management
5. Performance Reporting
6. Integrated Water Cycle Management.

The guidelines also set out the outcomes local government LWUs need to achieve in order to be eligible for payment of a dividend from the surplus of their water supply or sewerage businesses, including effective and sustainable water supply and sewerage businesses. Additionally; best-practice management of these businesses as well as their compliance with *National Competition Policy* and the *National Water Initiative* needs to be demonstrated.

Any local government LWU wishing to pay a dividend from the surplus of its water supply and sewerage businesses are required to demonstrate achievement against these outcomes through substantial compliance with these guidelines for each of the six criteria.

In order to make a dividend payment from a surplus, an LWU must:

- Demonstrate best-practice management compliance through an independent compliance audit report; and
- Obtain an unqualified financial audit report for its water supply and sewerage businesses; and

CCS20/055 DIVIDENDS FROM WATER AND SEWER

S011-T00022

- Resolve in a council meeting open to the public that it has achieved 'substantial compliance' with each criterion in the guidelines.

Each dividend must be calculated and approved in accordance with the DPIW guidelines and must not exceed:

- i. 50% of this surplus in any one year, or
- ii. The number of water supply or sewerage assessments at 30 June 2019 multiplied by \$30 (less the payment for tax equivalent charges, not exceeding \$3 per assessment).

In accordance with the DPIW guidelines, a Dividend Payment Form, Statement of Compliance, Unqualified Independent Financial Audit Report and Compliance Audit Report are required to be submitted to the DPIW.

The proposed transfer of funds from the Water and Sewer funds to the General Fund are based upon 2018-19 audited results in the Water and Sewer funds, and subject to a satisfactory compliance of best practice audit and approval from the DPWI.

CONSIDERATIONS

The Water and Sewer funds are in a sound financial position and have capacity to transfer the full dividend amounts. They had operating surpluses (before capital revenue) of \$2.062 million (Water) and \$1.772 million (Sewer) in 2018-19.

Financial

The Water and Sewer funds are in a sound financial position and have capacity to transfer the full dividend amounts. They had operating surpluses (before capital revenue) of \$2.062 million (Water) and \$1.772 million (Sewer) in 2018-19.

Community and Stakeholder Engagement

The 2018-19 Financial Statements, which included Water and Sewer funds, were referred to audit on 22 October 2019 and publicly exhibited on 13 November 2019 prior to being presented to Council for adoption at the Ordinary Meeting of Council held on 26 November 2019.

CONCLUSION

Based upon 2018-19 audited results in the Water and Sewer funds, and subject to achievement of substantial compliance of best practice audit and approval from the Department of Primary Industries, Water, endorsement of Council is sought to transfer dividends of \$617,710 (Water) and \$563,100 (Sewer) funds to the General Fund.

CAR20/022 HEALTHY COMMUNITIES, RECOVERY AND SENIORS WEEK GRANTS

**S003
T00026**

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

Attachments: 1. Confidential - Healthy Communities, Recovery and Seniors Week Grants - Confidential Attachment

Outcome: 1 Strong Communities, Desirable Lifestyle

Focus Area: 1.3 Encourage and enable healthy lifestyle choices

Delivery Program Link: 1.3.1 Activate and motivate our community to embrace healthy lifestyles

Operational Plan Link: 1.3.1.2 Coordinate Healthy Communities and Seniors Week grants

EXECUTIVE SUMMARY

In this report information will be provided about the 2020 Healthy Communities, Recovery and Seniors Week Grants, previously the Healthy Communities and Seniors Festival Grants. The grants were renamed prior to applications opening in September 2020, to acknowledge the allocation of an additional \$10,000 from bushfire recovery funds, in 2020-21 and 2021-22, as approved at the 8 September Council meeting.

The total amount available for the grants in the 2020-21 financial year is \$23,023.

The purpose of the grants is to help Eurobodalla community groups run activities that aim to improve health and wellbeing and support the community to recover from the bush fires.

The report covers the grants process including guidelines, applications, the review panel, and the panel recommendations.

RECOMMENDATION

THAT Council approve the recommendations detailed in the confidential attachment, awarding Healthy Communities, Recovery and Seniors Week grants to 25 local groups/organisations for the 2020-21 financial year.

BACKGROUND

Healthy Communities and Seniors Festival Grants have been awarded annually to eligible community groups to promote health and social participation. For a number of years the grants supported community led activities that aim to improve health and wellbeing in the community. In previous years, grants were generally to the value of \$500 and available to not for profit community groups to supplement their costs.

The purpose of the renamed Healthy Communities and Recovery Grants are the same, with additional and special consideration given to projects which assist the community in bushfire recovery activities.

In the 2020-21 financial year, available grant amounts were increased from \$500 up to \$2,000 for eligible not for profit community groups.

CAR20/022 HEALTHY COMMUNITIES, RECOVERY AND SENIORS WEEK GRANTS

**S003
T00026**

The Healthy Communities, Recovery and Seniors Week Grants have been promoted extensively to community and recreational groups, volunteer organisations, and incorporated and non-incorporated groups in Eurobodalla, resulting in an increase in applications with thirty three (33) applications received this year.

CONSIDERATIONS

Grant Guidelines

To be eligible to apply for a Healthy Communities, Recovery and seniors Week grant a group must:

- be a not for profit and either incorporated or able to provide evidence of being a bonafide Eurobodalla based community group
- contribute some financial support or volunteer labour to the proposed activity
- show adequate insurance coverage for the activity
- not have any outstanding debts owed to Council
- consider environmentally friendly options and resources.

Groups must use the grants to achieve one or more of the following outcomes in the local community:

- Make a positive contribution to the community
- Encourage people in Eurobodalla to be healthy and active
- Celebrate cultural diversity and inclusion
- Provide opportunities for volunteering and/or social interaction
- Improve access to information, a service or a facility
- Improve community safety
- Improve access and/or encourage people with disability to participate
- Teach or develops a new skill
- Help the community in bushfire/disaster recovery
- Celebrates older people and their contribution to the community
- Create intergenerational opportunities for social interaction
- Encourage lifelong learning
- Promote and celebrate the cultural diversity of older people in our community
- Raises community awareness of the benefits of positive and active ageing.

Some of examples of costs the grant can be put towards include:

- hiring or purchasing a new piece of equipment
- promotion of an event or an activity
- running an event or activity
- training staff and more
- Celebrating the Seniors Festival in 2021.

CAR20/022 HEALTHY COMMUNITIES, RECOVERY AND SENIORS WEEK GRANTS

**S003
T00026**

Applications And Review

33 applications were received by the closing date of 7 October.

A review panel made up of a community member; a Councillor and the Director, Community Arts and Recreation assessed applications against the guidelines. 30 applications were assessed as meeting the grant guidelines. Two organisations submitted two applications, only one application per organisation was deemed eligible for funding.

The review panel has recommended that 25 of the applications are allocated a grant up to \$2,000. It has recommended that 3 applicants can be supported via alternative programs and funding.

The panel recommendations for funding under the Healthy Communities, Recovery and Seniors Week Grants during 2020-21 are in a confidential attachment to this report.

Community and Stakeholder Engagement

The grants opened on 9 September 2020 and closed on 7 October by advertising them on Council's website, online news, posting on Council's Facebook and Twitter and on Council's noticeboard page in local newspapers and distributing a media release.

The Healthy Communities, Recovery and Seniors Week Grants were promoted extensively to community and recreational groups, volunteer organisations, and incorporated and non-incorporated groups in Eurobodalla, resulting in an increase in applications.

CONCLUSION

The Healthy Communities, Recovery and Seniors Week Grants provide the opportunity to support local not for profit community groups and organisations, strengthening their capacity to promote health and wellbeing, increasing community participation in a range of activities, and supporting disaster recovery and community renewal.

CAR20/023 Y DRIVE FUNDING

S003-T00045

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

Attachments: Nil

Outcome: 1 Strong Communities, Desirable Lifestyle

Focus Area: 1.4 Ensure activities, facilities and services meet changing community needs

Delivery Program Link: 1.4.1 Plan for and provide opportunities, services and activities for youth

Operational Plan Link: 1.4.1.1 Provide services and opportunities for young people

EXECUTIVE SUMMARY

This report is to seek Council approval to accept funding of up to \$500,000 via the Transport for NSW Driver Licensing Access Program to support the Y Drive Program for the next five years.

The Y Drive project is a community support project to assist disadvantaged and at-risk young people to attain their required 120 hours of driving experience to achieve their 'P' plate licence.

The youth referred to the program are those that are disadvantaged for a variety of social and economic reasons or have no licensed parent or family/carers with a car to enable the attainment of the hours. A comprehensive intake process has been developed to prioritise participants and match them with suitable mentors.

The success of the program, which has been running for the past three years, has provided positive, practical outcomes. In supporting young people to gain their licence the project has enabled greater employment and educational opportunities, independence and positive relationships with volunteer mentors, resulting in the current offer of further funding for this highly successful program.

RECOMMENDATION

THAT Council accept the funding allocation of up to \$500,000 over the next five years, under the Transport for NSW Driver Licensing Access Program, to support the Y Drive Program.

BACKGROUND

In 2017 Council received a \$20,000 grant from the Department of Premier and Cabinet to run the pilot Y Drive project. This funding for the pilot project has been fully utilised and achieved the goals of the project, which was to assist young learner drivers who are experiencing high levels of disadvantage to obtain 120 hours of supervised driving experience to become P plate independent drivers. As a result of the positive feedback and success of this initial pilot project, Council received an additional \$124,950 in 2018 from the Department of Justice to continue and expand the program. This enabled 30 young people to engage with Y Drive.

In August 2020 Council agreed to accept \$161,500 from Stronger Communities Fund to continue to support the program for 18 months. The additional funding from Transport NSW of up to \$500,000 will enable us to support the program for five years, with the aim of supporting up to 120 young participants in the program.

CAR20/023 Y DRIVE FUNDING

S003-T00045

CONSIDERATIONS

The Y Drive project provides support by making available suitable vehicles and approved volunteer mentors to undertake supervised driving hours to achieve a licence. With a licence the young people graduating from the program have an opportunity to seek and sustain employment and/or access education and training, creating real opportunities and options for their future.

For many young people participation in Y Drive removes the incidence of driving unlicensed, or risk taking with others who may be unlicensed, which in turn creates a further cycle of disadvantage for young people. Furthermore, being able to drive, and being taught to drive correctly improves road safety, life chances, employability, and confidence.

Transport has been identified as a huge barrier for young people to access education, employment, healthcare, and social activities. There is a lack of regular public transport options between the three main towns of Eurobodalla (Batemans Bay, Moruya, Narooma), and feedback from community meetings routinely highlight that lack of transport is a major challenge for young people in Eurobodalla (Eurobodalla Shire Council Youth Action Plan 2016-2018). The new funding will enable an additional 120 young people to gain a licence.

The objectives of the Program are to:

- Improve road safety outcomes supporting driver licensing disadvantaged communities to meet the Graduated Licensing Scheme (GLS) requirements, leading to reduced crash and injury rates.
- Provide culturally appropriate support and resources that assist driver licensing disadvantaged communities (including Aboriginal communities) to obtain, retain and regain their driver licence across all stages of the licensing pathway.
- Contribute to improved access to education, employment, health and other community participation services for driver licensing disadvantaged communities through the attainment of driver licences.
- Increase equity of opportunity for driver licensing disadvantaged communities (including Aboriginal communities) to obtain a driver licence and to be a safer and legal road user.

Social Impact

This project has already evidenced the positive impact that having a licence has on young people, and in many cases, their family. Our first participant who gained their 'P' plates is now able to drop her child off at child care and attend TAFE independently. Another young participant was the first person in his entire family to ever gain a licence. Another participant who is home schooled and cares for her mother, who has a disability, can go food shopping without the need to rely on others.

The project will continue to work with the existing steering committee made up of a range of local services to support participants through the process and continue the collaborative approach to the project.

The shire is also benefitting from all young people now being able to access the 'Keys 2 Drive' program locally, as a direct result of the Y Drive project. Driving schools are registered as

CAR20/023 Y DRIVE FUNDING

S003-T00045

providers to support the project. This program entitles learner drivers with a free professional driving lesson with the person who will be supervising their driver hours, supporting both the participant and local business operators.

Furthermore, due to the requirements of this project, participants have demonstrated a high degree of increased road safety awareness, confidence and have been taught to drive well.

32 young people have participated in the program to date.

25 have achieved their licence and 20 mentors supported the program, not only supervising driving hours, but also becoming strong friends and role models.

Economic Development Employment Potential

The ability to obtain a driving licence provides young people with the independence and means to access employment, training and social opportunities. The opportunity to have a licence can be life-changing for some disadvantaged young people.

By Council taking a lead role in this project we are providing our youth with options to succeed and improve life chances.

Financial

A total of up to \$500,000 has been offered to Council via the Transport for NSW Driver Licensing Access Program to support the Y Drive Program for the next five years. No Council funding is required to support the project.

Community and Stakeholder Engagement

We will inform the community through providing information on Council's website; Online News; Living in Eurobodalla residents newsletter; posting on Council's Facebook and Twitter; and distributing a media release.

We have collaborated with the community through by seeking advice, ideas, and recommendations from the project steering groups comprised of representatives from local police, PCYC, Department of Prime Minister and Cabinet, Alan May Holden, local professional driver training schools, homeless and support services, Campbell Page and the Roads and Maritime Service.

CONCLUSION

The Y Drive project has received a high level of support from the Eurobodalla and wider community including participants, volunteer mentors, families, service organisations and local referring services. The success of the project has enabled positive leverage for Council to attract funds for a further five years to deliver practical and important outcomes for our community, supporting young people to have a bright future with practical opportunities and experiences.

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. |