

EUROBODALLA SHIRE COUNCIL

PUBLIC FORUM

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

Ordinary Meeting of Council on 28 November 2017

Name	Subject/Comments
Public Forum – 10.00am	
Trish Hellier	4. Confirmation of minutes GMR17/039 Annual Report 2016-17
Rodger Middlebrook	PSR17/060 Coastal Wattle Management - Long Beach
Joe Potts	CCS17/089 Investments made as at 30 September 2017 CCS17/090 Investments made as at 31 October 2017
Peter Bernard	Presentation of Financial Statements by NSW Audit Office

Good morning Mayor Innes, Councillor, General Manager, Staff, Gallery and those comfortable Live Streaming at home.

My name is Patricia Hellier from north Batemans Bay and I would like to address an item on the Council Minutes of the Council meeting of the 14th November 2017 prior to the confirmation of these minutes.

At the last council meeting I stated that the motion that was being put forward NOM 17/011 Albert Ryan Park that this motion was flawed, the reason being was that Lot 8 was not included in the motion, Director Arthur addressed this by stating words to the effect that they were dealing with Albert Ryan Park, whilst this is the name given to this area of land the facts are that Lot 8, 9, 10, and Lot 11 all have the same DP No. 236342 and the Proclamation that was declared by Sir Roden Cutler on the 15th May 1974 that clearly states "under the care, control and management on the said Council", there is a very clear description of the land that appears in the Government Gazette 31st May 1974 which is as follows—

DESCRIPTION OF THE LAND REFERRED TO – All those pieces or parcels of land situate in the Shire of Eurobodalla, Parish of Bateman, County of St Vincent and State of New South Wales, being the whole of lots 8 – 11 inclusive, Deposited Plan 236342, being also shown on a plan registered at the Department of Main Roads, Sydney, and numbered 560.S.105, having a total area of 1 acre 1 rood 12 ½ perches (5 375 square metres) or thereabouts, and said to be in the possession of the Commissioner for Main Roads (D.M.R. Papers 1/145.1627).

I am here today to ask you the Councillors to agree to have this document included in the Minutes of the 14th November 2017 either by way of an amendment to these minutes or added by way of an addition and inclusion that Lot 8 is included in point 1 and especially point 3 of this motion given that it is quite clear that Lot 8 is part of this parcel of land that is also in the care of Council as stated in the Government Gazette 31st May 1974 which Councillor Constable eluded to at last week's council meeting.

To be quite honest, I didn't want to be here today addressing these same issues and having to provide what I will call "evidence" to prove that Lot 8 should have been included in last week's motion and quite frankly there has been a continued roll out of errors by this Council from the time this was listed on the Council's Agenda 12th April 2016 nearly 20 months ago and it continues.

Apart from the rescission of the decommissioning of the toilets from the Public Toilet Review (2015) and the ROSS report from 2010) and the acknowledgement of the ownership of Lot 11 the remainder of the motion I believe to be pointless and a waste of staff's time and rate payers' money and more and more rate payers of this shire are questioning why isn't Council keeping things simple.

At last week's Council meeting I provided a copy of an email from Stephen Waugh from the RMS that confirmed that consultation on maintenance and refurbishment of this area by Council with the RMS was not required I raised this conversation at a meeting on the 8th November on ARP and the Mayor stated "you need it in writing", I provided that confirmation by way of an email and I handed a copy to ALL Councillors at the last Council meeting and it was ignored, so I have to ask myself WHY DID I BOTHER, and why are we as residents who come and address this Council and provide what I

have referred to as "evidence " that then get discounted by you, the Councillors who we have elected to represent us the voters of this shire.

Today I am now asking you the elected Councillor to correct the mistakes from the last Councils meeting and do so by way of an amendment or an addition and inclusion on the confirmation of the Minutes of the 8th November 2017 on this item and I am not interested in hearing from the General Manager or anyone else that there is not a provision for this to occur as for over 12 months we have been pursuing Albert Ryan Park with one Councillor who gave us an undertaking prior to the last election and yet again this Councillors did not got it right. I had asked for a copy of his proposed motion this request was ignored and yet he chose to send a copy to another person, therefore I believe I have been discriminated against.

MAIN ROADS ACT, 1924.—PROCLAMATION
DECLARING CERTAIN LAND TO BE A PUBLIC RESERVE AND
PLACING IT UNDER THE CARE, CONTROL AND MANAGEMENT
OF THE COUNCIL OF THE SHIRE OF EUROBODALLA

(L.S.) A. R. CUTLER, Governor.

I, Sir ARTHUR ROOPE CUTLER, Governor of the State of New South Wales, with the advice of the Executive Council and on the application of The Commissioner for Main Roads and in pursuance of the provisions of subsection (6A) of section 36 of the Main Roads Act, 1924, do, by this my Proclamation, on the recommendation of The Commissioner for Main Roads, declare the land described in the Schedule hereto, being land vested in the said Commissioner and not required for the purposes of the said Commissioner, to be a public reserve and do also by this my Proclamation (the said Commissioner with the concurrence of the Council of the Shire of Eurobodalla having so recommended) place the said land described in the said Schedule hereto under the care, control and management of the said Council.

Signed and sealed at Sydney, this 15th day of May, 1974.

By His Excellency's Command,

JOHN B. FULLER, Acting Minister for Highways.

GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO

All those pieces or parcels of land situate in the Shire of Eurobodalla, Parish of Bateman, County of St Vincent and State of New South Wales, being the whole of lots 8-11 inclusive, Deposited Plan 236342, being also shown on a plan registered at the Department of Main Roads, Sydney, and numbered 560S.105, having a total area of 1 acre 1 rood 124 perches (5375 square metres) or thereabouts, and said to be in the possession of the Commissioner for Main Roads. (D.M.R. Papers 1/145.1627)

Good morning Mayor Innes, Councillors, General Manager, Staff, Gallery and those comfortable Live Streaming at home.

My name is Patricia Hellier from North Batemans Bay and I would like to speak on areas within the Financial Reports .

Firstly I would like to make it known that this issue I am about raise I have contacted council and that is in relation to an item on the Delivery of the second year of our Community Transport Infrastructure Programme valued at over \$5 million dollars, including such projects as Batemans Bay CBD Streetscape, Rotary Park playground expansion – OK hang an minute – Rotary Park Batemans Bay, Rotary Park Moruya, or Rotary Park Narooma – I have to wonder how many councillors may have asked this very question? I phoned council and asked the question “Which Rotary Park? As usual I received a very polite and helpful reply ‘Trish we will have to get back to you on this one as this information came from Kathy Arthur’s area” I did receive a phone call back and I was thanked for drawing it to their attention ,I was told that it was Rotary Park Narooma , I was told whilst it was too late to correct this on the Council Agenda it would be corrected at this Council meeting by a Councillor, well hang a minute this is not the responsibility of a Councillor to correct this item this error is the responsibility of the General Manager.

How can the rate payers of this shire be expected to have confidence in the governance of this shire when simple errors continue surfacing in all areas of this councils operations.

I am not an accountant but I have severe concerns in relation to the Financial areas within Council and reading various figures within the financial report I have come to the conclusion that this Council is not on target for their Fit For The Future Projections and I note that at the end of September 2017 the KIP’s show the Operating Performance Ratio decreasing from a Target of a minimum of 0.% to a projected negative of -1.01%. The actual 2016/17 was 9.7% and the Original Budget 2017/2018 was 2.17%.

Is the Council using the same method of calculation as required in their FFTF submission?

The 3 year rolling average shows a decline from 0.07 to 0.02.

The Original Annual Budget shows an increase in Unrestricted Funds of \$615,845 and YTD shows a decrease of \$45,099,913. The revised Annual Budget shows an increase of \$22,026. How can this be so wrong in 3 months.

The Revised Annual Budget shows an increase in expenses from \$103,440,787 to \$106,651,886 there is a difference of 3 million dollars, Councillor Brown, Mayne, Thomson, Nathan, Tait, Constable, McGinlay, Pollock and Mayor Innes can you please explain .

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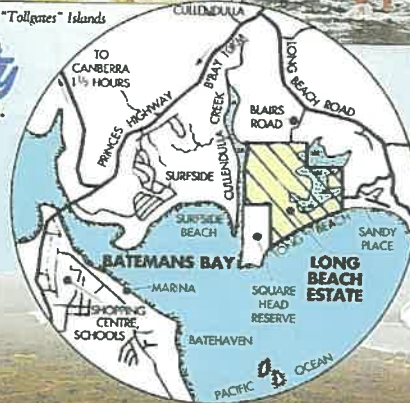


SOUTH COAST BEACHFRONT PARADISE

LONGBEACH
ESTATE • BATEMANS BAY



"Tollgens" Islands



Long Beach in the 1990's before wattle was planted, no scarping, grasses to the edge of the high tide line.



Long Beach Community Association Inc.

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Submission to PSR17/060 E.S. Council ordinary meeting of 28th November 2017

Dear Madam Mayor, Dr Dale, Councillors and Council Staff:

The use of Coast Wattle by Councils in NSW as a means of stabilising dune systems, has been discontinued, Beach Care Illawarra and Beach Care Kiama have challenged retaining coast wattle and the science behind it, they have through various arguments been allowed to clear some dunes and beaches of the coast wattle infestation.

The Victorian Government in its current advisory list of environmental weeds of coastal plains and heathy forest bioregions, ranks Acacia Longifolia Sophorae at #2 in its list of VERY HIGH-RISK WEEDS

The Western end of Long Beach, has since Colonial times been a Coastal Heathland and was grazed in the first two thirds of last century. It was developed for housing during the 1990's and one condition of the development approval was that the dunes be stabilised. The cheapest option and the one employed by the developer and Council, was to scatter 12 kilos of coast wattle seed, and 10 tons of fertilizer, along our dunes and fence them off to impede public access

Twenty years later we are still arguing about how to cope with this environmental calamity, not only in Long Beach but throughout coastal NSW. This final report on the Trial to contain the infestation and break the monoculture of coast wattle, proposes a solution which flies in the face of LBCA's long term argument that Long Beach was and should remain an open heathland.

LBCA would remind Council that the developer donated over 20Ha of the Western End of Sandy Place to Council in exchange for approval of Sandy Place. This land was zoned "Recreation and Open Spaces" which implies room for a child to run or fly a kite.

In 2012 ESC re-zoned the Sandy Place reserve to E2 Environmental Conservation which cloaked the area under a PVP and imposed the mantle of the Office of Environment and Heritage. \$52,000 State dollars later, we are in much the same place as we were in 2013 when I began dealing with Council and Land Care on coast wattle eradication, we have an inaccessible dune and the prospect of losing more reserve area for residents and visitors seeking open spaces.

We can continue playing the "blame game" with neither argument gaining any traction with the other side. My suggestion today is that Councillors guided by the steady hand of a strong Mayor, take a leadership position instead of allowing bland and easy decisions to be made for them.

LBCA urges E.S. Council to undertake a joint community project, to restore this area of Long Beach to an open heathland, free of Coast Wattle and other invasive species, so that the original features that made Long Beach attractive can be restored and the people of Long Beach and Batemans Bay regain an open heathland reserve, not an impenetrable scrubland infested with ticks, rabbits and snakes that are deterrents to its more widespread use.

LBCA urges E.S. Council to adopt the following motions:

1st: LBCA proposes that council reject part 3 of the Recommendation (THAT Council) "Support Long Beach Land Care in planting additional".... of the report PSR17/060 and instead

2nd: LBCA proposes that Eurobodalla Shire Council reverse the zoning of the Sandy Place Reserve from E2 Environmental Conservation currently to RE1 Public Recreation.

3rd: LBCA proposes that ESC engage with the Long Beach Community, LBCA and Land Care Long Beach in a project to dramatically reduce the Coast Wattle in a new trial area in the Long Beach Sandy Place Reserve Dune System.

4th: That coast wattle be replaced with the grasses and coastal heath vegetation predominant before the 1990's Council's ill conceived "Restoration" NOT with canopy species as per the 017/060 proposal

5th: That this trial area be assessed for its ability to retain the dunes and mitigate the effects of the winter storms and southerly blows and that no further planting take place until a significant trial area has been cleared and an assessment has been completed.

LBCA urges this council to undertake a policy that your voters want and not one that is easiest to wrangle through a tight budget.

Thank you.



Long Beach Today, Covered in Wattle, narrowed beaches



Scarping and die-back which happens when the sea meets Coast Wattle

Annual report 2016-17 .GMR17/039
Auditor Statement . Financial Statements 28/11/ 2017

- 1.Through Madam Mayor to the Madam General General Manager .
2. It may be recalled that I have addressed council on several occasions and requested that expression of interest be called for all professional services .That would include auditors .

Initially upon reading this report I became very excited and overjoyed to learn and read that the Auditor – General 's mandate has been extended to become Auditor and the cost of auditing a council's financial reports or any inspection carried out was to be born by the council .This is fair enough but will the general manager confirm whether she thinks that appointment of the auditor General as auditor is a good idea . Despite some advantages it will be another bureaucratic hurdle for the community to jump .

If the community has a legitimate complaint they have suggested other agencies . I am not sure I am convinced that the department will be communityfriendly as I am told that persons here today are not permitted to the ask Marget Crawford any questions when she makes her first address here today . To confirm this I have made several calls to her department and been advised that she would contact me . This has not happened and maybe she can confirm if that is the case *

Could the General Manager comment on the five dot points on the reply and other matters in her letter such as the Buiding and infra structure is below industry bench marks .

Peter Bernard

* whether will she take question on the Departments role