



AGENDA

Ordinary Meeting of Council

28 February 2023

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Eurobodalla Shire Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act, to the best of their skill and judgement. The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

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

ON TUESDAY 28 FEBRUARY 2023

COMMENCING AT 12.30PM

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 14 February 2023
- 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**
(Declarations also to be made prior to discussions on each item)
- 6. MAYORAL REPORTS**
Nil
- 7. NOTICES OF MOTION**
Nil
- 8. QUESTIONS ON NOTICE FROM COUNCILLORS**
Nil
- 9. PETITIONS**
Nil
- 10. GENERAL MANAGER'S REPORTS**
GMR23/010 Delivery Program 2022-26 Operational Plan 2022-23 Six-Monthly

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WARWICK WINN
GENERAL MANAGER

GMR23/010 DELIVERY PROGRAM 2022-26 OPERATIONAL PLAN 2022-23 SIX-MONTHLY PERFORMANCE UPDATE JULY - DECEMBER 2022

S004-T00028

Responsible Officer: Warwick Winn - General Manager

Attachments: 1. Under Separate Cover - Six Month Performance Update Report July to December 2022

Outcome: 5 Our engaged community with progressive leadership

Focus Area: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 Implement effective governance and long-term planning

Operational Plan Link: 5.2.2.3 Review and prepare Council's plans and reports under the Integrated Planning and Reporting Framework

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on Council's progress in implementing the community's vision and goals as articulated in the Integrated Planning and Reporting suite of documents, the Community Strategic Plan – Our Eurobodalla 2042, the Delivery Program 2022-26, and Operational Plan 2022-23.

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

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

The Delivery Plan 2022-26 consists of 65 activities for the term and the Operational Plan 2022-23 includes 265 operational actions for the year. As of 31 December 2022, 87% of the actions are on track or completed, and 13% of the actions are off track or withdrawn.

RECOMMENDATION

THAT the Six-Monthly Performance Update Report July – December 2022 be received and noted.

BACKGROUND

The purpose of this report is to provide an update on Council's progress in implementing the community's vision and goals as articulated in the Integrated Planning and Reporting suite of documents, the Community Strategic Plan – Our Eurobodalla 2042, the Delivery Program 2022-26 and Operational Plan 2022-23.

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

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

GMR23/010 DELIVERY PROGRAM 2022-26 OPERATIONAL PLAN 2022-23 SIX-MONTHLY PERFORMANCE UPDATE JULY - DECEMBER 2022

S004-T00028

The Community Strategic Plan - Or Eurobodalla 2042, articulates a community vision for the future, five corresponding goals, and 18 strategies to achieve these.

The Delivery Plan 2022-26 consists of 65 activities for the term and the Operational Plan 2022-23 includes 265 operational actions for the year. As of 31 December 2022, 5% of actions are completed, 82% are on track, 11% are off track and 2% are withdrawn:

Goals	Completed	On Track	Off Track	Withdrawn
Our sustainable shire celebrates our natural environment and outdoor lifestyles	3	43	6	1
Our community that welcomes, celebrates, and supports everyone	4	64	7	2
Our region of vibrant places and spaces	4	46	8	2
Our connected community through reliable and safe infrastructure networks	-	25	5	-
Our engaged community with progressive leadership	2	39	4	-
Total	13 (5%)	217 (82%)	30 (11%)	5 (2%)

Council have completed actions to celebrate NAIDOC Week and Children's Week, the Basil Sellers Art Prize and provision of the community grant program. All council policies have been reviewed along with the Developer Contributions Plan and finalisation of the Coastal Management Plan, and Wagonga, Mumaga and Moruya Estuary Coastal Management Plans.

30 actions for the year are considered off track as of 31 December 2022. This is largely due to significant staff vacancy rates which peaked at approximately 15% during the first half of 2022-23. Furthermore, key resources have been deferred to respond to impacts of natural disasters, considerably in infrastructure areas given the damage to transport network. Five actions are flagged as withdrawn from this work plan, again largely due to resourcing constraints.

All other actions are considered on track.

Further details can be found in the attachment – Six Month Performance Update Report July to Decembers 2022.

Legal

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

**GMR23/010 DELIVERY PROGRAM 2022-26 OPERATIONAL PLAN 2022-23 SIX-
MONTHLY PERFORMANCE UPDATE JULY - DECEMBER 2022**

**S004-
T00028**

Policy

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

Asset

The Capital Program included in the Operational Plan 2022-23 continues Council's focus on sustaining community infrastructure through the renewal of assets and a provision for new infrastructure to meet demand from growth and progressively address network deficiencies. It aligns to the Asset Management Strategy and Plans which form part of Council's Resourcing Strategy.

Financial

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

Community and Stakeholder Engagement

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

CONCLUSION

This Delivery Program 2022-26 Six-Monthly Performance Update July - December 2022 report provides an update of Council's progress to achieving our community's vision and goals as articulated in the Community Strategic Plan – Our Eurobodalla 2042.

**GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER
2022**

**S011-
T00003**

Responsible Officer: Warwick Winn - General Manager

Attachments: 1. Under Separate Cover - Quarterly Budget Review for period ending
31 December 2022

Outcome: 5 Our engaged community with progressive leadership

Focus Area: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.1 Provide strong corporate and financial management that is ethical,
fair, transparent and accountable

Operational Plan Link: 5.3.1.1 Provide sound and strategic financial management and reporting

EXECUTIVE SUMMARY

This Budget Review reports on Council's performance against the current Operational Plan budget for the quarter ending 31 December 2022. Major variations are highlighted.

The original Operational Plan budget, on a consolidated basis (which includes all of Council's funds), for 2022-23 forecasts were:

- Income Statement deficit, before capital revenue, of \$1.23 million
- Income Statement surplus, after capital revenue, of \$41.62 million
- Increase of \$1.30 million in unrestricted funds.

The proposed revised budgets after the quarter ending 31 December 2022 are:

- Income Statement deficit, before capital revenue, of \$7.11 million
- Income Statement surplus, after capital revenue, of \$46.74 million
- Decrease (usage) of \$21.02 million in unrestricted funds.

The December Review adjustments result in a favourable variation for the income statement, before capital revenues, of \$1.25 million and a decrease (usage) of \$13.26 million of unrestricted funds as per the Consolidated Fund Flow Statement.

There are no material concerns at the quarterly review about Council meeting budget targets for 2022-23. Council is however, concerned with the impact of decisions on cash in the short term and trends of operating deficits which may be unsustainable in the longer term. Council is currently undertaking a review of its capital works program to deliver and meet priorities identified in our Community Strategic Plan – Our Eurobodalla 2042.

RECOMMENDATION

THAT:

1. The budget review report for the quarter ended 31 December 2022 be received and noted.
2. The favourable variation to the Income Statement before capital revenue of \$1.25 million and unfavourable variation to the Consolidated Fund Flow Statement of \$13.26 million be adopted.

**GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER
2022**

**S011-
T00003**

BACKGROUND

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

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

The attachments to this report are as follows:

Financial reports (Attachment 1)

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

Financial reports include:

- a) Consolidated Fund Flow Statement – This report shows the impact of operating, financing and investing activities on Councils unrestricted working capital.
- b) Consolidated Income Statement – Provides sources of income and expenditure, including depreciation, per Council service areas.
- c) Consolidated Capital Program Statement – Provides capital expenditure information for each program area and associated services.
- d) Projected Funds Balance Statement – Provides information on the movements in both unrestricted and restricted fund accounts.
- e) Budget Amendment Report – Provides details of proposed significant adjustments to budgets.
- f) SRV capital program – Provides capital expenditure information for each of the projects in the SRV program of works for 2022-23.

Consultancy, Legals and Contractors Report (Attachment 2)

This attachment provides information on major contracts entered into, legal fees incurred and consultancy costs for the quarter ended 31 December 2022.

Key Financial Indicators (Attachment 3)

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

Mayoral and Councillor Expenses (Attachment 4)

Provides information about Mayoral and Councillor expenditure for the quarter ended 31 December 2022.

The Bay Pavilions Income Statement (Attachment 5)

Provides income and expenditure, including depreciation for the quarterly budget review ended 31 December 2022.

General Manager Performance Plan (Attachment 6)

Details the 2022-23 Performance Plan for the General Manager.

GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER 2022

**S011-
T00003**

CONSIDERATIONS

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

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

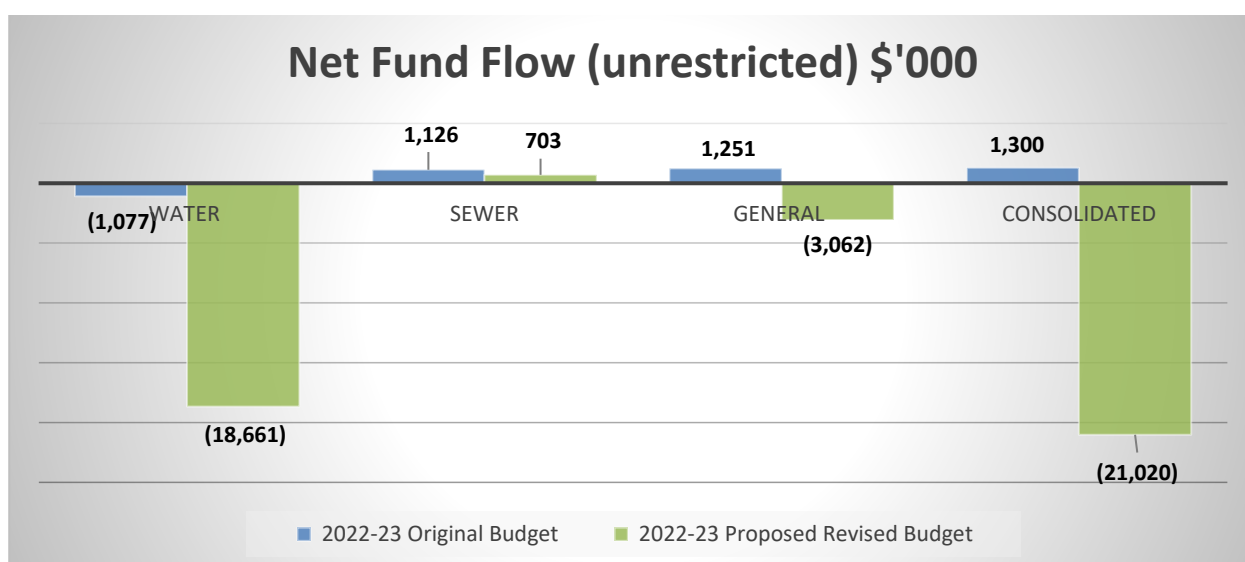
It includes all transactions having an impact on Council’s funds i.e. income and expenses from its operating activities, capital program and borrowing activities. It also includes the transfer into or use of restricted funds for capital or non-recurrent projects. Depreciation is not included as it does not represent a cash flow.

The net fund flow shows the amount of unrestricted funds that will be used to deliver the agreed Operational Plan outcomes for 2022-23. The consolidated original budget forecast a \$1.30 million increase to unrestricted funds. The impact of September and December 2022 quarterly review amendments result in a projected decrease to unrestricted funds of \$21.02 million for 2022-23. See table 1.1 and graph 1.1 below.

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

Fund	2022-23 Original Budget	Previous Review	December Review	2022-23 Proposed Revised Budget
Water	(1,077)	(137)	(17,447)	(18,661)
Sewer	1,126	(352)	(70)	703
General	1,251	(8,572)	4,259	(3,062)
Consolidated	1,300	(9,062)	(13,258)	(21,020)

Graph 1.1 Net fund flow (unrestricted)



Consolidated Income Statement (Attachment 1(b)):

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

GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER 2022

**S011-
T00003**

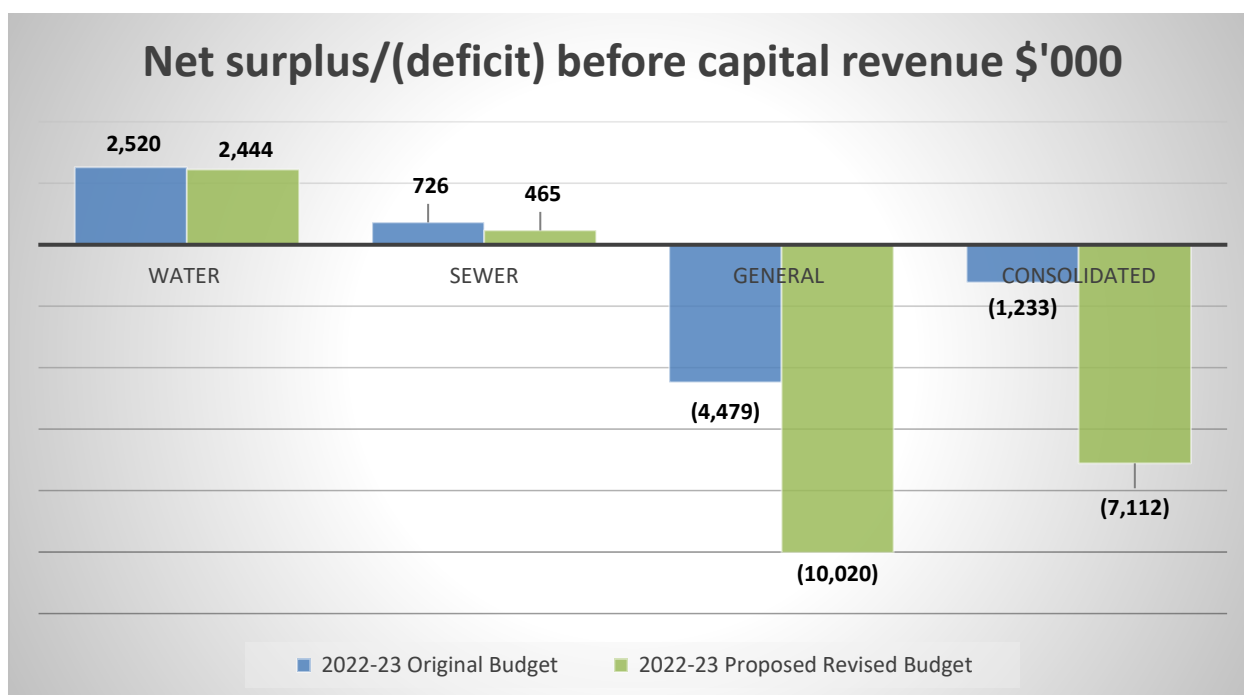
The result can be impacted by the timing of project funding, where funds are received in a different year to the expenditure taking place.

The proposed revised budget, incorporating the September and December Review adjustments is a deficit of \$7.11 million before capital revenues (per table 1.2 and graph 1.2 below).

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

Fund	2022-23 Original Budget	Previous Review	December Review	2022-23 Proposed Revised Budget
Water	2,520	(130)	55	2,444
Sewer	726	(262)	-	465
General	(4,479)	(6,741)	1,200	(10,020)
Consolidated	(1,233)	(7,133)	1,254	(7,112)

Graph 1.2 Net surplus/ (deficit) before capital revenue



December Review adjustments (operational)

The proposed December Review adjustments to the originally adopted Operational Plan budget for the 2022-23 result in a favourable variation of \$1.25 million to the operating before capital revenue.

Significant operational adjustments include:

- \$0.45m recognition of workers certificate income for the financial year
- \$0.23m sale of land parcel (Lot 851 DP214160) in Surfside, Batemans Bay
- \$0.20m revised timing of the Barlings Beach Aboriginal Place Fund project (grant funded)

GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER 2022

S011-T00003

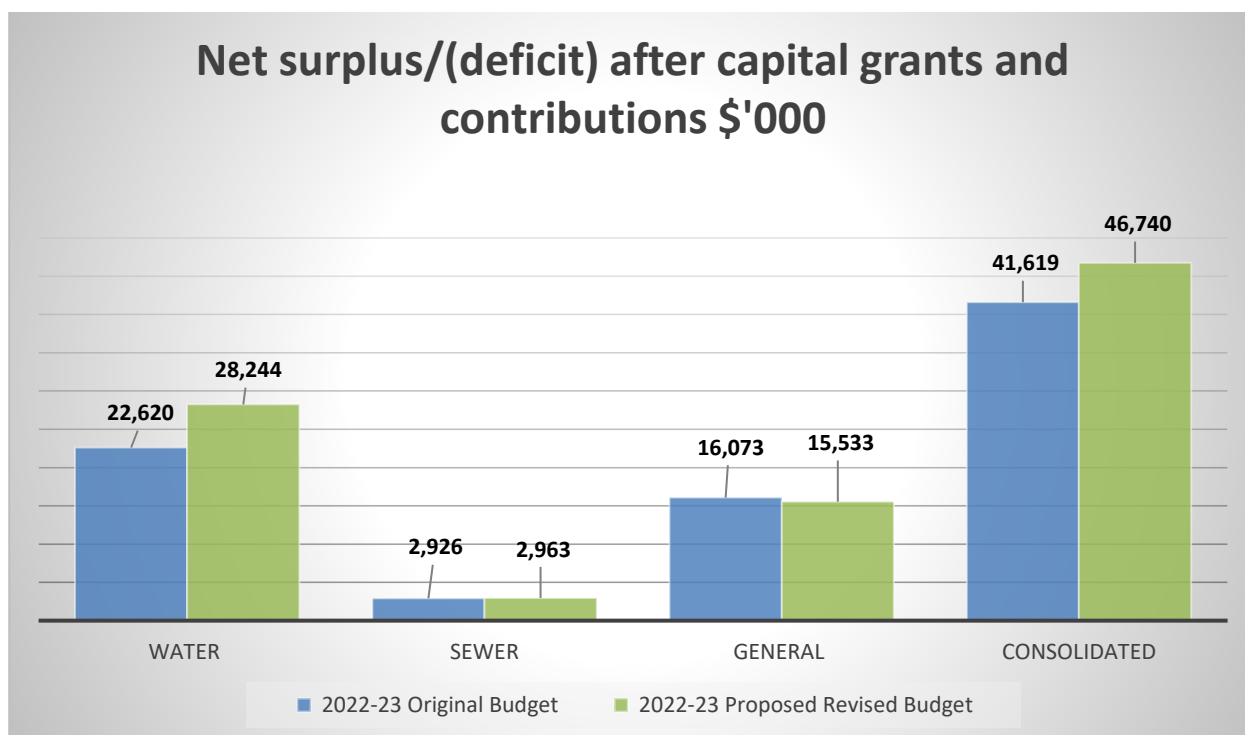
- \$0.40m revised timing of the Surf Beach Waste Facility Resilience Masterplan (grant funded)

The proposed revised budget, incorporating the September and December Review adjustments is a surplus of \$46.7 million after capital revenues (per table 1.2 and graph 1.2 below). The December review adjustments relate to revised timing of significant grant funded capital works deferred to the next financial year including various waste grant funded works, the Mogo Adventure Trail project and the Coastal Headlands Walk project.

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

	2022-23 Original Budget	Previous Review	December Review	2022-23 Proposed Revised Budget
Water	22,620	4,404	1,220	28,244
Sewer	2,926	37	-	2,963
General	16,073	10,923	(11,463)	15,533
Consolidated	41,619	15,364	(10,243)	46,740

Graph 1.3 Net surplus/(deficit) after capital revenue



**GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER
2022**

**S011-
T00003**

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

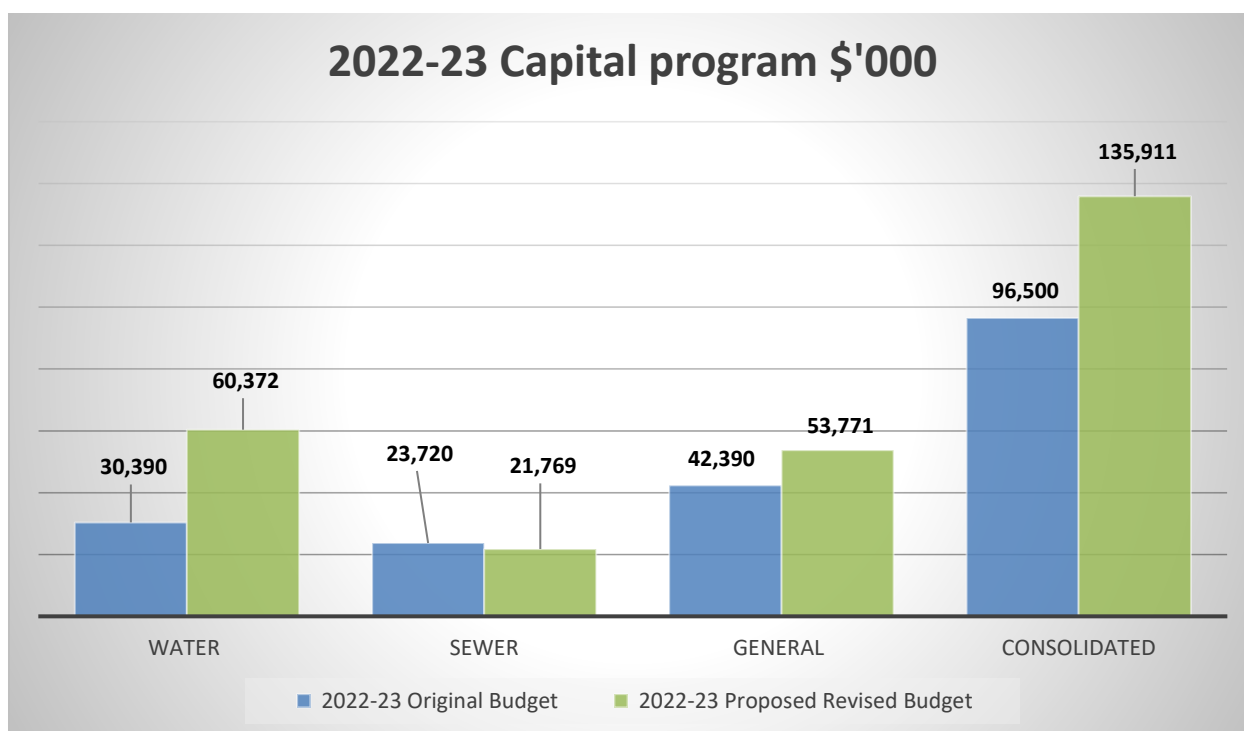
Capital Program

The original capital expenditure budget for 2022-23 was \$96.50 million. The proposed revised budget, incorporating September and December variations is \$135.91 million (per table 1.4 and graph 1.4 below).

Table 1.4 Capital Program per fund, \$'000

	2022-23 Original Budget	Previous Review	December Review	2022-23 Proposed Revised Budget
Water	30,390	52	29,930	60,372
Sewer	23,720	(21)	(1,930)	21,769
General	42,390	38,813	(27,431)	53,771
Consolidated	96,500	38,843	569	135,911

Graph 1.4 Capital Program per fund, \$'000



December Review Adjustments (capital)

Capital budget adjustments totaling \$0.57 million have been made during the December quarter and affect the current year's capital program. Significant variations of \$30.00 million increasing the originally adopted capital works program relate to the construction of the Southern Storage Water Facility. This is a significant project and construction timing is reviewed each quarter. In General Fund (including Waste Fund), several capital works have

**GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER
2022**

**S011-
T00003**

been deferred to the following year as a result of resourcing and delivery constraints. These include:

- \$9.00m revising timing of waste capital works and fleet at Surf Beach and Brou locations
- \$4.90m Mogo Adventure Trail – Stage 1
- \$3.57m Transport works including Disaster Recovery works, Fixing Country Bridges Program and roading works
- \$2.60m Coastal Headlands Walk project
- \$1.60m Recreational works including Malua Bay Beach Reserve upgrades, Moruya Showground Canteen upgrades
- \$1.40m Fleet and Plant Procurement
- \$1.20m Eurobodalla Fire Control Centre Construction
- \$1.00m Casey’s Beach Rockwall

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

2022-23 is the seventh year of the SRV program and over \$7.87 million of infrastructure works for the year are underway. \$1.49 million of SRV designated funds are being utilised on these works. At the December review, approximately 25% of the programmed SRV works for this year have been expensed. Total expenditure on the SRV designated projects as at 31 December 2022 is \$1.99 million (per Table 1.5 below).

Attachment 1 (f) reports the detailed progress of the capital program showing individual project budgets and expenses with updates as at 31 December 2022.

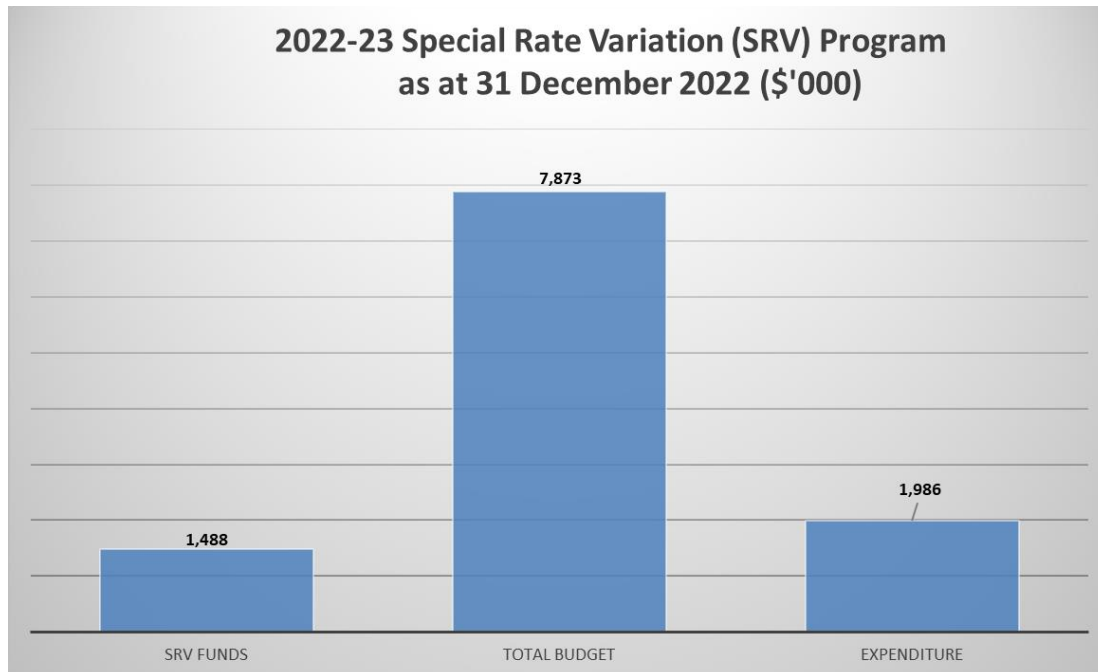
Table 1.5 2022-23 Special Rate Variation Capital Program \$’000

2022-23 Special Rate Variation (SRV) Capital Program	\$
SRV Funds	1,488
Total Budget	7,873
Expenditure to 31 December 2022	1,986
Percentage spent	25.23%

**GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER
2022**

**S011-
T00003**

Graph 1.5 2022-23 Special Rate Variation Capital Program



The Bay Pavilions Income Statement (Attachment 5)

The original 2022-23 budget forecast a \$3.24 million operating deficit for The Bay Pavilions. The September review included budget variations for revenue and variations relating to insurance and increased electricity expenditure. There were no variations for the December quarter. As a result of the quarterly budget variations, the forecast operating deficit is \$4.00 million.

General Manager 2022-23 Performance Plan (Attachment 6)

The 2022-23 Performance Plan of the General Manager, Mr Warwick Winn has been attached. This will form the foundation of works to be undertaken in 2023.

Legal

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

Policy

The accounting policies being used are based on those detailed in the financial statements for the year ended 30 June 2022.

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

**GMR23/011 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 DECEMBER
2022**

**S011-
T00003**

CONCLUSION

There are no material concerns at this quarterly review about meeting budget targets for 2022-23. Council is however, concerned with the impact of decisions on cash in the short term and trends of operating deficits which may be unsustainable in the longer term. Council is currently undertaking a review of its capital works program to deliver and meet priorities identified in our Community Strategic Plan – Our Eurobodalla 2042.

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

As the Responsible Accounting Officer, it is my opinion that the December Quarterly Budget Review for Eurobodalla Shire Council indicates that Council's projected financial position as at 30 June 2023 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

GMR23/012 INVESTMENTS MADE AS AT 31 JANUARY 2023

**S011-T00006,
S012-T00025**

Responsible Officer: Warwick Winn - General Manager

Attachments: Nil

Outcome: 5 Our engaged community with progressive leadership

Focus Area: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.1 Provide strong corporate and financial management that is ethical, fair, transparent and accountable

Operational Plan Link: 5.3.1.1 Provide sound and strategic financial management and reporting

EXECUTIVE SUMMARY

The purpose of this report is to:

- certify that Council's investments in financial instruments have been made in accordance with legal and policy requirements
- provide information and details of investments
- raise other matters relevant to investing.

RECOMMENDATION

THAT the certification of investments as at 31 January 2023, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, be received.

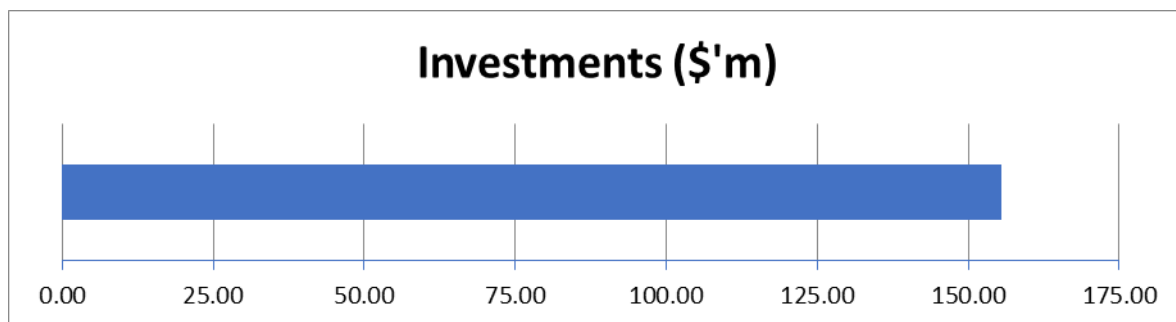
CONSIDERATIONS

Policy

The portfolio is compliant with Council's Investment Policy adopted by Council on 9 August 2022 (Minute 22/190).

Financial

Council investing overall



GMR23/012 INVESTMENTS MADE AS AT 31 JANUARY 2023

**S011-T00006,
S012-T00025**

Council has \$155.61M (100%) invested in bank deposits. The bank deposits are held in banks rated A or greater, or covered by the AAA rated Government guarantee, except for \$37.50M invested in banks rated below A, and in the 'some limited risk' category of the policy.

Investments decreased by \$16m during January 2023 due to variations in timing of cash flows and anticipated payments for significant water and sewer capital works.

The 'some limited risk' category is now restricted to BBB+ rating institutions which allows up to 30% of all investments. Currently there is 24.10% invested in BBB+ rating category. Investment in Government guaranteed deposits is \$1.75M representing 1.12% of the portfolio.

There are \$60.0M (38.56%) of funds invested in institutions which either have no direct financing exposure to projects in the fossil fuel sector or no longer directly finance projects in the fossil fuel sector but still have some exposure from historical funding.

The weighted average return for all investments for the month is 3.66%, which is above the Council policy benchmark of bank bill swap rate (BBSW) + 0.25% (3.57%).

Summary investment information

The following table is a summary of investment categories and balances at month end.

CATEGORY	(\$)
At call deposit	7,348,255
Term deposits	146,510,000
Term deposits Government guaranteed	1,750,000
	155,608,255
<i>Weighted average interest %:</i>	3.66%
<i>Average 90 day BBSW + 0.25%</i>	3.57%

Policy and liquidity risk

The investment policy is divided into two risk categories of credit risk (risk of ultimately not being able to redeem funds) and liquidity risk (risk of loss due to the need to redeem funds earlier than the investment term). Our investments comply with the risk policy as shown in the following table.

GMR23/012 INVESTMENTS MADE AS AT 31 JANUARY 2023

**S011-T00006,
S012-T00025**

Policy risk	Low liquidity risk %	Total % of investments	Policy risk % (max holdings)
Remote risk	1.12	1.12	100.00
Near risk free	74.78	74.78	100.00
Some limited risk (BBB+)	24.10	24.10	30.00
Grand total	100.00	100.00	

The unrestricted current ratio is the amount of unrestricted current assets compared to each dollar of current liability. The Office of Local Government suggests a minimum 1.5:1, and the audited unrestricted current ratio as at 30 June 2022 is 3.63:1. Council therefore has approximately \$3.63 of current assets for each \$1 of current liabilities.

CONCLUSION

Pursuant to provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, I hereby certify that these investments have been made in accordance with *the Local Government Act 1993* and related regulations.

GMR23/013 REVIEW OF CODE OF MEETING PRACTICE

**S012-
T00025**

Responsible Officer: Warwick Winn - General Manager

Attachments: 1. Under Separate Cover - Amended draft Code of Meeting Practice

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 Implement effective governance and long-term planning

Operational Plan Link: 5.2.2.1 Assist the Council in meeting its statutory obligations and roles

EXECUTIVE SUMMARY

The purpose of this report is to review the Code of Meeting Practice (the Code) to amend the schedule of Council meetings, Public Forum and Access sessions.

To enable more effective and efficient decision-making for Councillors, and to provide certainty for community members' participating in meetings, it is proposed that Council move to monthly Ordinary Council meetings and Public Access and Forum sessions.

It is also proposed that Council amend the order of business on Council Meeting Agendas to add Public Forum to the order of business for Ordinary Council meetings as outlined in Clause 7.1 of the Code.

Public Access and Public Forum sessions would be reduced to once per month rather than twice. It is proposed that Public Forum form part of the Council Meeting, held at the start prior to Council reports, and will be recorded in the meetings' minutes. Public Forum will be required to be added to the order of business for Ordinary Council meetings as outlined in Clause 7.1 of the Code.

It is also proposed to remove Delegate Reports from the order of business for Ordinary Council meetings. Delegate reports are provided by Councillors who represent Council at various conferences. These reports will be shared among Councillors and will be available to members of the public at the Moruya customer service centre.

Before adopting any changes to Council's Code of Meeting Practice, under section 361 of the *Local Government Act 1993*, Council is required to exhibit the Code of Meeting Practice for a period of not less than 42 days.

If the proposed changes are adopted, a new schedule of Ordinary Council Meeting dates which includes meeting at least 10 times each year, each time in a different month (section 365 of the *Local Government Act 1993*) will need to be adopted.

RECOMMENDATION

THAT:

1. The amended Draft Code of Meeting Practice be placed on public exhibition for a period of not less than 42 days from 1 March 2023 to 11 April 2023.

GMR23/013 REVIEW OF CODE OF MEETING PRACTICE

**S012-
T00025**

2. The community will be informed about the proposed changes to meeting frequency, Public Access, Public Forum and other minor amendments and submissions invited via Council's communication platforms.
3. A further report be presented to Council to consider submissions, adoption of the amended draft Code of Meeting Practice and a proposed meeting schedule.

BACKGROUND

The Code of Meeting Practice (the Code) was adopted by Council on 5 September 2022. The Code sets out the current timing of Ordinary meetings as per below:

	<i>Timing of Ordinary meetings</i>
2.1	<i>Council is required to meet at least 10 times each year, each time in a different month.</i> <i>LGA Sec 365</i>
2.2	<i>Ordinary meetings of Council will be held on the following occasions:</i> <ol style="list-style-type: none">1. <i>Council adopts an annual schedule of dates for Ordinary Council meetings.</i>2. <i>2nd and 4th Tuesday of each month unless otherwise resolved.</i>3. <i>Meetings will commence at 12.30pm and conclude by 3.30pm, with the potential to extend by one hour to 4.30pm, if Council resolves.</i>4. <i>This commencement time may vary for particular meetings if Council resolves.</i>5. <i>Council will recess during January.</i>

Council endorsed the meeting schedule for 2023 at the Ordinary Council Meeting on 25 October 2022.

Current Arrangement

Council meetings are generally scheduled on the 2nd and 4th Tuesday of each month.

Public Access and Public Forum sessions are held prior to each Ordinary meeting of the Council at 9.30am and 10.30am, respectively.

Between February 2021 to November 2022 Council held 33 Ordinary Council meetings with the median time of 46 minutes. Additionally, the number of Public Access speakers was **45** (average three) and Public Forum **130** (average six) for the same period.

Proposal

It is proposed that a more efficient use of Councillor and staff time would be to move to a monthly meeting schedule. Public Access would occur on the first Tuesday of each month at 10.00am, unless otherwise resolved, and Public Forum to occur at the beginning of each Council Meeting, listed as an agenda item. If there are no registered Public Forum speakers, the meeting will continue as per the agenda.

It is proposed that the Code be amended to one Ordinary Council Meeting per month to be scheduled on the 3rd Tuesday. Start time will remain at 12.30pm, however it will now

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commence with a Public Forum session. One hour maximum, with possibility of a 15-minute extension (clause 3.9 of the Code) will be allocated to Public Forum. Council meetings will conclude by 4.30pm, with the potential to extend by one hour to 5.30pm, if Council resolves.

Additionally, it is proposed that one Public Access session be held at 10.00am on the 1st Tuesday of each month at 10.00am, unless otherwise resolved, for a maximum of one hour (clause 3.32 of the Code).

Council would continue to recess during January.

CONSIDERATIONS

Before adopting any changes to Council's Code of Meeting Practice, under section 361 of the *Local Government Act 1993*, Council is required to exhibit the code of meeting practice for a period of not less than 42 days.

If the proposed changes are adopted, a new schedule of Ordinary Council Meeting dates which includes meeting at least 10 times each year, each time in a different month (section 365 of the *Local Government Act 1993*) will need to be adopted.

Public Access

Public Access would be reduced to once per month rather than twice. Public Access has a relatively low participation rate, averaging three speakers per session. Councillors are available by email and phone to community members.

Public Forum

Public Forum is currently held prior to each Ordinary meeting of the Council, outside of the formal Council Meeting proceedings. It is proposed that Public Forum form part of the Council Meeting, held at the start prior to Council reports, and will be recorded in the meetings' minutes and the Council meeting webcast. Public Forum will be required to be added to the order of business for Ordinary Council meetings as outlined in Clause 7.1 of the Code.

Delegate Reports

Delegate Reports prepared by Councillors following attendance at conferences are currently included in the business paper. Delegate Reports are not required under legislation, nor for decision making purposes. It is proposed that future Delegate Reports will not be included in the business paper and will now be circulated to all Councillors as part of their weekly bulletin. Delegate Reports will be made available to the public at the Moruya customer service centre.

The Code of Meeting Practice will be required to be amended to remove Delegate Reports from the order of business as outlined in Clause 7.1 of the Code.

Legal

The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under Section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulations 2005* (the Regulations). The Code of Meeting Practice includes mandatory clauses that reflect the Act and Regulations. Additional clauses do not contradict the Model Code.

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Policy

Under section 361 of the *Local Government Act 1993*, Council is required to exhibit the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

Community and Stakeholder Engagement

Council will place the amended draft Code of Meeting Practice on public exhibition for a period of not less than 42 days commencing on Wednesday 1 March until Tuesday 11 April 2023.

The community will be informed about the proposed changes to meeting frequency, Public Access, Public Forum and other minor amendments and submissions invited via Council's communication platforms.

Copies will be available for viewing on Council's website, at the Batemans Bay, Moruya and Narooma libraries and Moruya customer service centre.

CONCLUSION

To enable more effective and efficient decision-making for Councillors, and to provide certainty for community members' participating in meetings, it is proposed that Council move to monthly Ordinary Council meetings and Public Access and Forum sessions. It is also proposed that Council amend the order of business on Council Meeting Agendas to remove delegate reports and add Public Forum to the order of business for Ordinary Council meetings as outlined in Clause 7.1 of the Code.

The amended draft Code of Meeting Practice will be placed on public exhibition for a period of not less than 42 days from 1 March 2023 until 11 April 2023.

A further report will be presented to Council recommending the draft Code of Meeting Practice be adopted along with the proposed new schedule of dates for Ordinary Council meetings, Public Access and Public Forum.

PSR23/008 SCULPTURE FOR CLYDE - HALLMARK EVENT FUNDING

S026-T00001

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services
Attachments: Nil
Community Goal: 3 Our region of vibrant places and spaces
Community Strategy: 3.2 Support diversified industry and thriving businesses
Delivery Program Link: 3.2.5 Encourage a variety of quality events to drive economic development as guided by the Events Strategy
Operational Plan Link: 3.2.5.1 Support and provide resources for event organisers to deliver hallmark, destination, sports tourism and community events

EXECUTIVE SUMMARY

The purpose of this report is to advise that Council has been approached by the organiser for the Sculpture for Clyde event to be recognized as a hallmark event and to be given funding of \$40,000 for one year.

At a briefing and presentation to the Council on February 7 a request was made for \$40,000 for year 1 and then \$20,000 per year for three years following. This request has now been revised to a one-off request for \$40,000 for this FY only.

The Eurobodalla Event Strategy 2019-2024 (Event Strategy) supports the development of two hallmark events for the Eurobodalla Shire. Under the current Events Strategy and Framework, funding and support is limited to two hallmark events, with support being \$20,000 per year for three years. The hallmark event funding is intended to support established events in the Eurobodalla to grow and reach a sustainable level, with a focus on developing destination events into hallmark events.

A decision to provide funding will be a departure from the current policy, and additional funding will need to be found. The Sculpture of Clyde event is not established in the Shire having been held in Shoalhaven for the past three years.

The event organiser for Sculpture for Clyde was notified when hallmark event funding applications were open and was provided with information to apply, however an Expression of Interest (EOI) was not submitted at that time. Sculpture for Clyde applied and were successful in receiving a tourism event grant to the value of \$8,000. However, the funding agreement has not been signed as the funding agreement precludes any other funding from Council.

The Sculpture for Clyde event has not been held in the Eurobodalla since 2017, with the event moving to Willinga Park in the Shoalhaven local government area for the last few years.

Council will need to determine if it wishes to provide financial support to Sculpture on Clyde and the amount of any support provided

RECOMMENDATION

THAT Council provide Sculpture for Clyde with the agreed \$8,000 Tourism Destination Event funding and contribute an additional \$12,000K.

PSR23/008 SCULPTURE FOR CLYDE - HALLMARK EVENT FUNDING

S026-T00001

BACKGROUND

The hallmark funding opened on 4 April 2022 and closed on 17 April 2022. The funding was broadly advertised and there were two nominations for hallmark funding, Narooma Oyster Festival and River of Art. On 17 May 2022, Council heard presentations from both event organisers, and at the Ordinary meeting of Council on 13 September 2022, the Motion was carried to allocate hallmark event funding to these two events (Minute No. 22/242):

THAT:

- 1. Approve \$20,000 per year to support the River of Art Festival for a three-year agreement, consistent with the actions of the Event Strategy from within the existing budget.*
- 2. Approve \$20,000 per year to support the Narooma Oyster Festival for a three-year agreement, consistent with the actions of the Event Strategy from within the existing budget.*
- 3. Allocate additional funding of \$15,000 per year of new budget to support the Narooma Oyster Festival to deliver traffic management for a three-year agreement.*
- 4. Undertake advocacy to the relevant NSW Government Ministers, Shadow Ministers, and Agencies for a review of the funding support for events that includes opportunity for ongoing or longer term operational support to events that improves the ongoing sustainability of events.*

The event organiser for Sculpture for Clyde was notified when hallmark event funding applications were open and was provided with information to apply, however an EOI was not submitted at that time. Sculpture for Clyde applied and were successful in receiving a tourism event grant to the value of \$8,000. However, the funding agreement has not been signed as the funding agreement precludes any other funding from Council.

Sculpture on Clyde is an event that was first held on the Batemans Bay waterfront in 2017. The event was moved to Willinga Park in the Shoalhaven local government area for subsequent years, with the organiser now wishing to return the event to Batemans Bay.

The event is described as a distinct Eurobodalla event that aims to highlight the Eurobodalla's competitive advantage through the event's art legacy 'The Batemans Bay Sculpture Walk'.

The organisers presented to Councilors on 7th February 2023 with a request for \$40,000 to relocate the event to the Batemans Bay Waterfront, recognition as a hallmark event and \$20,000 of support for the following three financial years.

At the presentation to Council there was lack of clarity over what the Council contribution would fund and a request for a budget breakdown was made. A budget was provided to Councilors on 20 February 2023 indicating that Council funding would be part of the income to support the relocation of the event to the Shire.

The organisers were clear that additional council resources would not be required to support the event.

PSR23/008 SCULPTURE FOR CLYDE - HALLMARK EVENT FUNDING

S026-T00001

CONSIDERATIONS

The selection of the hallmark events for this events support program is initiated by Council, with a presentation by the Event Manager to Council. The [Eurobodalla Events Strategy](#) establishes the attributes for an event to be considered a hallmark event and be successful for funding. These are:

- more than 5,000 visitors to the event
- have a minimum of a two-night stay for visitors
- occur in the shoulder/low season
- activate the Eurobodalla destination brand and build positioning of the entire Eurobodalla Shire
- create local pride
- repeat visitors
- activate key infrastructure/spaces throughout the Eurobodalla
- offer new and distinctive experiences that activate the brand positioning
- build the capacity of their committee and community.

This request for the funding and recognition as a hallmark event does not currently sit within the event support framework of Council and would require an additional budget being allocated to support this event for this year.

Hallmark event funding has historically been granted to two well established events in the Eurobodalla, with over ten years of development, growth, and ability to demonstrate their capability to meet the key attributes. The Sculpture for Clyde event has not been held on the Batemans Bay waterfront since 2017, making it difficult to assess the event against the key attributes.

Councilors were advised that “the event generates significant value and adds to local businesses. The organisers spoke of a survey of 4 hotels in the Shire who were at capacity during the event which was held during the off-season .

Council will need to consider whether the event contains the attributes necessary to be considered a hallmark event as per the points listed above, and further determine if \$40,000 should be found from other sources to support the event this year.

The \$8,000 destination tourism event grant already secured by the event could be used as a contribution should Council wish to support the event to grow as a hallmark event.

Hallmark events also receive internal resource support from Council staff. This includes strategic planning support, in-kind support with traffic management and operations, and event marketing support. This level of support will already be directed to Narooma Oyster Festival (5-6 May) and the River of Art. Additional events leading up to May take up a significant amount of Council staff time including The Moruya Mardi Gras, Family Fun Cultural Fishing Day, Sprint Series Adventure Race, Electric Vehicle Expo, Batemans Bay Triathlon to name a few.

The Events Support Team at Council consists primarily of one full time employee (the Events Coordinator) and some part-time administration support. The team currently assists approximately 50 events across the Eurobodalla each year, and resourcing is already stretched

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across support for the two existing hallmark events and other events. Additional staff support would be required if Council were to consider a third hallmark event.

Council staff will be reviewing the Eurobodalla Events Strategy in the 2023/24 financial year. A key consideration of the review will be to look at the current event categories i.e., hallmark, destination events, sports tourism events and community events, and determine if the categories are still relevant, or whether a different range of categories and additional funding is required to ensure a balanced portfolio of events for the Eurobodalla.

The review will be timely as the event context has changed dramatically in the post-Covid world, particularly with cost escalations, and at a local level capacity of event organisers/committees to sustain events.

Council has been approached by many event organisations over the past 12 months to increase its support. This has been for both commercial events as well as not-for-profit organisations. For example, Council will recall a request by the Narooma Oyster Festival for additional support based on the unprecedented growth of that event, coupled with the dramatic increase in running costs.

A review of the Event Strategy should consider the changing event landscape, as well as the additional pressure on Council to support and grow events. A revised strategy is required to continue to guide Council decision-making to best support events to help grow the local economy and assist local event organisers.

By supporting the Sculpture for Clyde for one year, the event will be given an opportunity to evaluate the event's attributes within the Eurobodalla and provide the event with an opportunity to grow as a hallmark event, whilst giving Council the opportunity to review the Events Strategy in line with the significant changes in the event space.

Policy

The Eurobodalla Event Strategy 2019-2024 (Event Strategy) outlines Council's event support framework. Under the current Events Strategy and Framework, funding and support is limited to two hallmark events at \$20,000 per year for 3 years.

Social Impact

The event has the potential to foster community pride through the acquisition of art and the development of the Batemans Bay Sculpture Walk.

Economic Development Employment Potential

There is insufficient information to evaluate the economic value of the event at this stage.

Financial

There is currently no budget to support a third hallmark event or the \$40,000 requested.

Council will need to determine if it wishes to financially support the event and the amount of financial support. It is recommended that Council match the already awarded \$8,000 in grant funding with an additional \$12,000 to support the event's return to the Eurobodalla.

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CONCLUSION

The Sculpture for Clyde Event has not been held in the Shire for several years. This makes it difficult to evaluate the event against the Hallmark criteria. Hallmark event funding has historically been granted to two well established events in the Eurobodalla, with over ten years of development, growth, and ability to demonstrate their capability to meet the key attributes. There is insufficient funding in the current event support budget to fund the event to the tune of \$40,000 for this FY. Council could match the \$8000 already awarded to the event with another \$12,000 should it wish to support the return of the event to the waterfront.

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S030-T00018

Responsible Officer: Tony Swallow - Acting Director Infrastructure Services

Attachments: Nil

Community Goal: 4 Our connected community through reliable and safe infrastructure networks

Community Strategy: 4.1 Provide integrated and active transport networks to enable a connected and accessible Eurobodalla

Delivery Program Link: 4.1.1 Plan for an integrated and active local transport network, guided by the NSW Government's Future Transport 2056 Strategy

Operational Plan Link: 4.1.1.3 Coordinate the Local Traffic Committee

EXECUTIVE SUMMARY

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report. The main issues covered at the Eurobodalla Local Traffic Committee meeting, held 2 February 2023, are as follows:

- Signage – No Parking, Barbara Crescent, Denhams Beach
- Line Marking – Double Barrier lines, Nelson Parade, Tuross Head
- Signage and Line marking – Give Way, Blackfellows Creek Road, Potato Point
- Signage– No Stopping, Sunpatch Parade, Tomakin.

RECOMMENDATION

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 6 for 2022-23 be received and noted.
2. No Parking signage at the cul-de-sac on Barbara Crescent, Denhams Beach be installed.
3. That double barrier linemarking be installed on Nelson Parade from the intersection of Trafalgar Road and Nelson Parade to Jellicoe Road Tuross Head.
4. That 'Give Way' signage and BB centrelines at the intersection of Blackfellows Creek Road and Riverview Street, Potato Point be installed.
5. That Council Plan 5029, Set B, Sheet 1 detailing 'No Stopping' signage on Sunpatch Parade, Tomakin be approved.
6. That the Moruya Mardi Gras Street Parade, to be conducted in Moruya on Saturday 11 March 2023, on River Street, Shore Street west, Church Street west, Church Street east and Ford Street north based on the submitted Traffic Management and Control Plans be approved.

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7. That the Traffic Management and Control Plans for the Batemans Bay Triathlon, to be conducted along George Bass Drive and North Head Drive and within Tomakin Village on Saturday 25 March 2023 be approved.
8. Traffic movements for the Oaks Ranch development to be reviewed as part of the current development assessment process.
9. That Council Plan 5172 Set A Sheet 9 be amended to detail the proposed extension of a traffic median island on Field Street and be advertised for community consultation associated with the intersection of Field Street, Lynch Street and Riverside Drive Narooma.
10. That the Traffic Management and Control Plans for the Batemans Bay Beach to Bridge event along the Batemans Bay foreshore with turn points on Wharf Road and Beach Road on Sunday 26 March 2023 be approved.

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 6 for 2022-23 was held on 2 February 2023. The meeting was attended by Councillor Amber Schutz (Chair), Senior Sergeant Angus Duncombe (NSW Police), Emma Pietruska (Transport for NSW), Kate McDougall (Road Safety Officer), Geoff Armstrong (Design Coordinator), Kelly-Anne Marshall (Surveillance Officer, Maintenance – Works), Samantha Dennis (Infrastructure Support Coordinator), and Sarah Kerkham (representative for Michael Holland MP).

APOLOGIES

Thomas Franzen (Divisional Manager Technical Services), and Daniel Weekes (Maintenance Planning Officer – Works).

DEPUTATIONS

Nil

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 5 for 2022-23 held on 1 December 2022 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

Nil

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2023.RT.021 Signage – No Parking, Barbara Crescent, Denhams Beach

Council has received communication from a resident outlining the issues of vehicles parking in the Barbara Crescent cul-de-sac to gain access to Denhams Beach. Parked cars in the cul-de-sac impedes any vehicles from turning easily, particularly compromising service vehicles' functions.

No Parking signage would alleviate congestion issues at the cul-de-sac, yet still allow persons to pick up and drop off in the zone.

LTC Recommendation:

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No Parking signage at the cul-de-sac on Barbara Crescent, Denhams Beach be installed.

2023.RT.022 Line Marking – Double barrier lines, Nelson Parade, Tuross Head

Nelson Parade is a narrow road in Tuross Head where vehicles have regularly parked on the side of the road, narrowing the road further, increasing the likelihood that vehicles from opposite directions could not pass.

Council's Road Safety, A/Traffic Coordinator and Design Coordinator inspected the length of Nelson Parade from Trafalgar Road to Jellicoe Road and determined that double barrier lines would benefit the traffic flow along Nelson Parade.

Double barrier lines are to be installed, continuing from Trafalgar Road, along Nelson Parade to the intersection with Jellicoe Road. Vehicles will not legally be able to park along this section of Nelson Parade to allow for increased traffic flow.

Recommendation:

That double barrier linemarking be installed on Nelson Parade from the intersection of Trafalgar Road and Nelson Parade to Jellicoe Road Tuross Head.

2023.RT.023 Signage and Line Marking – Give Way, Blackfellows Point Road, Potato Point

Council received correspondence from a resident on Riverview Street, Potato Point. He expressed his concern with vehicles travelling at speed on Blackfellows Point Road to the intersection with Riverview Street since the new bridge and road upgrade.

Council's A/Traffic Coordinator and Design Coordinator inspected the area and accessed the area in need of 'Give Way' treatment on Blackfellows Point Road.

A 'Give Way' treatment will be installed on Blackfellows Point Road as per AS 1742.2, Section 5.4.2

LTC Recommendation:

That 'Give Way' signage and BB centrelines at the intersection of Blackfellows Point Road and Riverview Street, Potato Point be installed.

2023.RT.024 Signage – No Stopping, Sunpatch Parade, Tomakin

Council received funding under the Stronger Communities Fund – Round 7 and Local Roads and Community Infrastructure Program to construct approximately 40m of shared pathway along Sunpatch Parade, Tomakin.

Council has constructed new shared pathway on Sunpatch Parade, narrowing the width of Sunpatch Parade, impacting on parking availability. Reduced parking, adjacent to the new shared pathway, will be supported by 'No Stopping' signage on both sides of the road.

LTC Recommendation:

That Council Plan 5029, Set B, Sheet 1 detailing 'No Stopping' signage on Sunpatch Parade, Tomakin be approved.

INFORMAL ITEMS FOR DISCUSSION

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2023.SE.005 Special event applications: Moruya Mardi Gras

The Moruya Mardi Gras street parade is a reinvigoration of the street parade conducted from 1962 through to the 1970s. The street parade in 2022 honoured 90 years of the Sydney Harbour Bridge and the Moruya Granite. In 2023 the event will honour the original committee of the Mardi Gras.

The route for the event will encapsulate the use of the following streets:

- a. River Street
- b. Shore Street West
- c. Church Street West
- d. Church Street East
- e. Ford Street North.

Staging zones will be established as outlined below and managed in three waves. Staging zones are:

- Wave A – Shore Street west from the intersection with River Street in a westerly direction to the Bowling Club on the left-hand side of the road only
- Wave B – River Street, Moruya from the intersection of Shore Street west in a westerly direction to the Illawarra Retirement Village on the left-hand side of the road only
- Wave C – The Bowling Club carpark, Shore Street west. The parade will egress from the carpark by a right turn from the eastern entrance into Shore Street.

From the staging points, the parade will progress in single file to the intersection of Church Street and Page Street. Once the parade reaches Church Street it will widen to use the full width of the street. The parade will progress to the intersection of Church Street west and Vulcan Street. At this point the parade will cross Vulcan Street and head into Church Street east to Ford Street at which point the parade will veer left onto Ford Street north until reaching the entrance to Riverside Park. At the entrance to Riverside Park the parade will turn right and proceed into Riverside Park to the termination point.

The termination point in Riverside Park will be sectioned for parade participants to be dispersed by wave. Each wave will be dispersed by the termination marshal. A separate staging point will be provided for the vehicular entrants (motor vehicles and motorcycles) to be displayed on the southern grassed area to the south of Riverside Park access road.

The expected number of participants is based on the 2022 event. The event in 2022 had approximately 70 entrants with approximately 300 participants.

The spectator numbers in 2022 were approximately 2500. It is expected similar spectators or a slight increase in numbers will occur for the 2023 parade.

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To facilitate the smooth flow of traffic and good risk management, the following roads will be required to be closed to manage the parade effectively.

The expectation is that the temporary requested road closures would be in place for the period 12.00pm to 3.20pm (3hrs 20minutes).

River Street

The closure of River Street from the intersection with Shore Street to the Illawarra Retirement Village.

This is the staging point for Wave B.

Parade participants will be in a single file formation in the eastbound direction on the left-hand shoulder of the roadway with the right wheels of all vehicles being on the road surface. This will ensure that accessibility for emergency services is maintained, and the footpath is not impeded by parade participants.

NB: Emergency Service access to the hospital will be maintained in the westbound direction.

Shore Street west from River Street intersection to Thomas Street intersection.

Shore Street west will be closed from the intersection with River Street to Thomas Street. Access to the Shore Street staging area will be from Thomas Street. All vehicular access will be via the eastbound lane only.

Wave A will depart from the roadway and head eastbound. Vehicles and participants will be lined up on the eastbound lane from the intersection with River Street to the Bowling Club.

Wave C participants will be staged in the Bowling Club carpark and egress via a right turn onto Shore Street from the eastern carpark entrance.

Page Street north from Queen Street

Page Street north from the intersection with Queen Street at the Catholic Church to Church Street will be closed to vehicular traffic. This is to risk manage vehicles prior to the parade start.

NB: Emergency vehicle access will not be impeded as a traffic marshal will be in attendance to provide access.

Church Street west from Vulcan Street

Church Street to Riverside Park is the primary focal point of the parade. The parade will be from the intersection of Page Street accessing both sides of the carriageway. This is to provide the appropriate level of flow to enable the parade to cross Vulcan Street on the cadence of the traffic lights heading eastbound.

Vulcan Street egress to Church Street

Egress from Vulcan Street accessing Church Street east and west will be closed to enable the parade to use Church Street for the duration of the parade.

Church Street east accesses

Access from all carparks into Church Street east will be closed for the duration of the temporary road closures to prevent breaches of the parade.

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Ford Street central from Church Street to Queen Street

A section of this street from the carpark access at the rear of the mower centre to the roundabout on Church Street will be closed. Egress from the Ford Street carpark will be by right hand turn only toward Queen Street.

Church Street east westbound to Ford Street

Access from the extreme eastern end of Church Street will be closed. A temporary detour will be in place to enable access to Queen Street via the carpark behind the Ford Street commercial zone.

Ford Street north of Church Street

The parade will proceed north on this section of roadway to enter via a right turn into Riverside Park. This section of roadway will be barricaded and made sterile to allow the parade to enter Riverside Park to the termination zone.

Shore Street east from Vulcan Street

Shore Street east from Vulcan Street and the bridge will be temporarily closed. This requirement is to ensure that the travelling foot traffic from Church Street and Vulcan Street is not placed at risk from moving vehicles as the large volume of spectators moves into Riverside Park.

The parking on Shore Street from Ford Street to Vulcan Street on the left-hand side of the street will be sectioned off for parking of large vehicular traffic which is not able to be accommodated in Riverside Park. ie semi-trailer and 8tonne tray back style large vehicles.

Conclusion

The Moruya Mardi Gras street parade to be held on 11 March 2023 is proposed to be conducted on River Street, Shore Street west, Church Street west, Church Street east, and Ford Street north with the parade participants to be dispersed at Riverside Park. The expectation is that the temporary requested road closures would be in place for the period 12.00pm to 3.20pm (3hrs 20minutes) and actual event duration from 1.00pm to 3.00pm.

Recommendation:

That the Moruya Mardi Gras Street Parade, to be conducted in the Moruya CBD on Saturday 11 March 2023, on River Street, Shore Street west, Church Street west, Church Street east and Ford Street north based on the submitted Traffic Management and Control Plans be approved.

2023.SE.006 Special Event Application – Batemans Bay Triathlon, based in Tomakin
Council has received a special event application with associated traffic management documents for the Batemans Bay Triathlon to be conducted on George Bass Drive and North Head Drive, between Tomakin and Moruya and on local roads within Tomakin Village, on Saturday 25 March 2023.

The event will be based at Tomakin Sports and Social Club.

The Batemans Bay Triathlon Festival is a one-day event, consisting of 4 triathlon distances:

- Super Sprint – 300m Swim, 10km Bike and 2km Run
- Sprint – 600 Swim, 20km Bike and 5km Run

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- Standard – 1.5km Swim, 40km Bike and 10km Run
- Ultimate – 2km Swim, 60km Bike and 20km Run.

The transition and finish line will be located on the grassed area behind Tomakin Sports and Social Club. The bike course takes athletes along George Bass Drive to North head Drive and through Tomakin Village. The run course takes athletes through Tomakin Village. The swim course is in the Tomaga River.

The following road closures are requested on Saturday 25 March 2023:

1. George Bass Drive, controlled access (emergency and official vehicles exempt with resident vehicles and adjoining business patrons allowed when safe to do so), from Sunpatch Parade Tomakin to Broulee Road from 8.30am to 1.30pm
2. George Bass Drive and North Head Drive, road closed – controlled access (emergency and official vehicles exempt with resident and airport patrons allowed when safe to do so), from Broulee Road Broulee to a turnaround point 300m east of Malabar Weir Moruya from 8.30am to 1.30pm.

The northern turnaround point on George Bass Drive for the longer events will be at Broulee Road intersection.

Due to the continuing COVID-19 pandemic, the Committee advise that in the week prior to the competition day, the event organiser consider and implement any requirements of NSW Health.

CONCLUSION

The Batemans Bay Triathlon to be held on Saturday 25 March 2023 is proposed to be conducted on George Bass Drive, North Head Drive and within Tomakin Village. It will be based at the Tomakin Sports and Social Club.

Recommendation:

That the Traffic Management and Control Plans for the Batemans Bay Triathlon, to be conducted along George Bass Drive and North Head Drive and within Tomakin Village on Saturday 25 March 2023 be approved.

2023.IN.007 Councillor Request – The Oaks Ranch cul-de-sac, Clearwater Drive

Clr Anthony Mayne had been asked by several residents of Mossy Point, on the western side of George Bass Drive, about the impact of increased traffic due to the through road to Oaks Ranch.

The Oaks Ranch is located at 340 Old Mossy Point Road, Jeremadra. An access at the cul-de-sac of Clearwater Terrace, Mossy Point enables drivers to travel to/from the eastern side of the Ranch to George Bass Drive along Clearwater Terrace and Estuary Way.

The Oaks Ranch site is subject to a \$20 million DA for tourist accommodation, housing, and new golf course. A significant issue is access and whether there will be access from the west (Princes Highway and Old Mossy Point Road). If not, access will be confined to the east and any upgrade required should be placed on the developer.

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Recommendation:

Traffic movements for the Oaks Ranch development to be reviewed as part of the current development assessment process.

2023.IN.007 Community consultation – Field Street, extension of centre island

A customer had reported several near misses at the cross section of Riverside Drive roundabout / Field Street / Lynch Street Narooma. The potential for conflicting traffic movements occurs when vehicles travelling from Riverside Drive, exiting onto Lynch Street meet vehicles traveling southwest towards the roundabout from Field Street.

No line marking or Give Way signs are present at the junction of Field Street and Lynch Street. Line marking and Give Way signs are present on both roundabout approaches along Riverside Drive and also at the western end of Lynch Street.

GIS crash history data shows one other crash at the cross section (2018), and customers report many near misses in recent months.

The installation of an extended median from the roundabout on Riverside Drive into Field Street will stop a conflict of traffic on Field Street and traffic entering Lynch Street. Blocking entry into Lynch Street at Field Street will force cars exiting the roundabout, wanting to turn into Lynch Street, to travel down Field Street, into Barker Parade, into Nichelsen Street then into Lynch Street. This will take away any conflict of traffic on Field Street and Lynch Street.

Recommendation:

That Council Plan 5172 Set A Sheet 9 be amended to detail the proposed extension of a traffic median island on Field Street and be advertised for community consultation associated with the intersection of Field Street, Lynch Street and Riverside Drive Narooma.

2023.SE.007 Special Event Application – Batemans Bay Beach to Bridge

Council has received a special event application with associated traffic management documents for the Batemans Bay Beach to Bridge running event to be conducted on the Batemans Bay foreshore with turn points on Wharf Road and Beach Road, on Sunday 26 March 2023.

The event will require altered traffic arrangements.

The Beach to Bridge running festival is a one-day event, consisting of 4 run distances.

- 21.1km Run
- 10km Run
- 5km Run
- 2km Run.

Start and finish will be located at the Batemans Bay Foreshore. Utilising the footpath runners will start and head over the bridge to a turn point on Wharf Road, returning to another turn point along Beach Road at Corrigans Beach Reserve.

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T00018**

Road Closures:

The following road closures (emergency and official vehicles exempt and resident vehicles allowed when safe to do so) are requested from Sunday 26 March 2023 for the running event:

1. Wharf Road turning lane from the Princes Highway from 9:45am to 2:30pm approximately
2. Batemans Bay Marina carpark, Catlin Avenue and Hanging Rock Place will be controlled access when it's safe from runners
3. All runners will utilise the footpath.

Due to the continuing COVID-19 pandemic, the Committee advise that in the week prior to the competition day, the event organiser consider and implement any requirements of NSW Health.

CONCLUSION

The Batemans Bay Beach to Bridge to be held on Sunday 26 March 2023 is proposed to be conducted on the Batemans Bay foreshore with turn points on Wharf Road and Beach Road.

Recommendation:

That the Traffic Management and Control Plans for the Batemans Bay Beach to Bridge event along the Batemans Bay foreshore with turn points on Wharf Road and Beach Road on Sunday 26 March 2023 be approved.

GENERAL BUSINESS

- The Narooma Forest Rally will be held on 20 May 2023 with no impact to local and regional roads.
- Discussion that line of sight is compromised when vehicles are exiting Batehaven shopping complex carpark turning right onto Corrigan Crescent, Batehaven. A request to relocate the existing 'no stopping' signage on the southbound lane of Corrigan Crescent will be presented to the Local Traffic Committee at the next meeting to be held Thursday 2 March 2023.
- Discussion that emergency service vehicles are being compromised on entry/exit to the Batemans Bay Police station due to a narrow car space impeding safe access to/from the station to/from Perry Street carpark. A request to upgrade the existing linemarking at this location will be presented to the Local Traffic Committee at the next meeting to be held Thursday 2 March 2023.
- The NRL are hosting the Raiders vs Bulldogs football match on Sunday 12 February 2023. Traffic Management Plan has been finalised for the event to manage buses and accessible parking.

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NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 2 March 2023 in Council's Glass Meeting Room and via MS Teams, commencing at 9.30am.

**IR23/003 REQUEST FOR TENDER NO. 10053411 TUROSS HEAD SEWAGE
PUMPING STATION TU01 AUGMENTATION**

**S029-
T00004**

Responsible Officer: Tony Swallow - Acting Director Infrastructure Services

Attachments: 1. Confidential - RFT 10053411 SPS TH01 Augmentation

Community Goal: 1 Our sustainable shire celebrates our natural environment and outdoor lifestyles

Community Strategy: 1.4 Work together in the management and use of our valuable resources

Delivery Program Link: 1.4.1 Provide safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy

Operational Plan Link: 1.4.1.3 Build and renew sewerage network

EXECUTIVE SUMMARY

Council proposes upgrading a sewage pumping station near Bridges Avenue and Tuross Boulevard at Tuross Head.

Request for Tender (RFT) No. 10053411 was open for submissions from 27 October 2022 with a closing date of 1 December 2022. Upon close of tender, two (2) tenders were received.

This report outlines the evaluation of these offers in response to RFT No. 10053411 and provides a recommendation to accept neither of the tenders.

RECOMMENDATION

THAT:

1. Council does not accept any tender for Request for Tender No. 10053411 - Tuross Head Sewage Pumping Station TU01 Augmentation.
2. Council invites fresh tenders under clause 167 of the Local Government (General) Regulation 2005.

BACKGROUND

The Tuross Head Sewerage Scheme was constructed in 1985. Council is in the process of investigating and designing sewage pumping station upgrades to accommodate changes in sewage load (eg increased capacity requirements due to population growth), to replace aging electrical and mechanical equipment, and to improve site safety and operational resilience for all ten (10) sewage pumping stations at Tuross Head to ensure their continued reliability.

The first package of works is to upgrade Sewage Pumping Station TU01 near Bridges Avenue and Tuross Boulevard at Tuross Head. This sewage pumping station pumps all sewage collected at Tuross Head and Turlinjah to the Tuross Sewage Treatment Plant located at Bingie.

RFT No. 10053411 was open for submissions from 27 October 2022 and closed on 1 December 2022. Only two (2) offers were received, which were assessed in accordance with the Tender Evaluation Plan:

- SNG Engineering Pty Ltd
- Civil and Civic Group Pty Ltd.

**IR23/003 REQUEST FOR TENDER NO. 10053411 TUROSS HEAD SEWAGE
PUMPING STATION TU01 AUGMENTATION**

**S029-
T00004**

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

CONSIDERATIONS

Legal

RFT No. 10053411 Tuross Head Sewage Pumping Station TU01 Augmentation 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 the NSW Government e-tendering website (<https://tenders.nsw.gov.au>).

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

Tenders submitted by both tenderers have been assessed as not meeting the minimum requirements in that proposed personnel did not possess the required level of experience, tender schedules were incomplete, and/or work methodology did not demonstrate an adequate understanding of the requirements of the work.

Section 178 of the NSW Local Government General Regulation 2005 requires that:

“After considering the tenders submitted for a proposed contract, the council must either—

- (a) accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or
- (b) decline to accept any of the tenders.

A council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following—

- (a) postpone or cancel the proposal for the contract,
- (b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details,
- (c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract,
- (d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,
- (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender,
- (f) carry out the requirements of the proposed contract itself.”

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 2005 and the *Local Government Act 1993*.

**IR23/003 REQUEST FOR TENDER NO. 10053411 TUROSS HEAD SEWAGE
PUMPING STATION TU01 AUGMENTATION**

**S029-
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Environmental

Tuross Head pumping stations are being upgraded to ensure continued reliability. The TU01 sewage pumping station will have increased detention storage, improved odour control and a permanent standby generator installed, significantly improving environmental performance and resilience.

Financial

Funding is available within the existing sewer fund capital budget and sewer fund reserves pending a future successful contract being awarded by negotiation.

Community and Stakeholder Engagement

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 tenders submitted have been assessed as not meeting the minimum requirements.

This report recommends that Council does not accept the submitted tender, and that Council invites fresh tenders for the work.

**IR23/004 REQUEST FOR TENDER NO. 2223-091 - SUPPLY OF POWER AND
LIGHT MORUYA REGIONAL AIRPORT**

**S023-
T00025**

Responsible Officer: Tony Swallow - Acting Director Infrastructure Services

Attachments: 1. Confidential - RFT No. 2223-091 Supply Power and Light Moruya
Regional Airport

Community Goal: 4 Our connected community through reliable and safe infrastructure
networks

Community Strategy: 4.2 Strengthen linkages through air, road, and marine transport options

Delivery Program Link: 4.2.2 Provide and enhance the Regional Airport, guided by the Airport
Master Plan

Operational Plan Link: 4.2.2.1 Operate and maintain the Regional Moruya Airport

EXECUTIVE SUMMARY

There is a requirement to install electrical infrastructure into the western subdivision at the Moruya Regional Airport to finalise the subdivision and allow tenants to have power to the lots. The infrastructure upgrade also allows for planned future upgrades to the west of the airport runway.

This report outlines the evaluation of offers submitted in response to Request for Tender (RFT) No. 2223-091 Supply of Power and Light, Moruya Regional Airport, and provides a recommendation for the preferred tenderer.

RECOMMENDATION

THAT:

1. Council endorses the selection of the preferred tenderer listed for Request for Tender No. 2223-091 Supply of Power and Light, Moruya Regional Airport, within the confidential attachment; 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

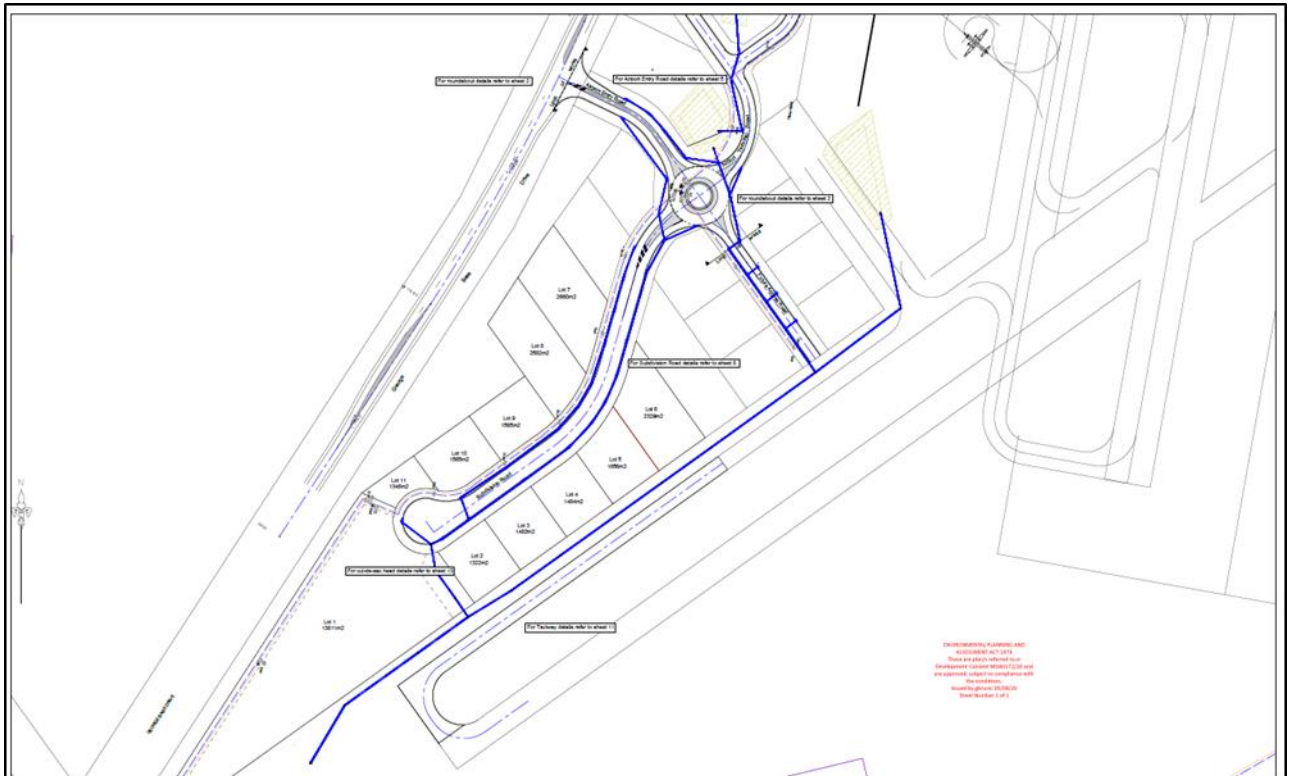
Council constructed a new western subdivision between 2020 and 2022, as part of a staged plan to upgrade Moruya Regional Airport.

Construction of a sealed road and kerbing, piped drainage system, and levelled blocks have been completed, as well as water and sewer supply. The supply of a 500KVA transformer and switching gear was delayed due to overseas manufacturing and industry wide materials shortages, exacerbated by COVID-19 and global demand issues. Council has received the required substation, and delivery of the switching gear is expected during March 2023.

It is anticipated that installation of the switching gear, transformer, low and high voltage cabling, turrets and lighting columns will commence in March, and take approximately two months to complete.

**IR23/004 REQUEST FOR TENDER NO. 2223-091 - SUPPLY OF POWER AND
LIGHT MORUYA REGIONAL AIRPORT**

**S023-
T00025**



Location of western subdivision, Moruya Regional Airport

RFT No. 2223 - 091 Supply of Power and Light Moruya Regional Airport was open for submissions from 10 January 2023 with a closing date of 31 January 2023. Upon close of tender, five (5) tenders were received from the following tenderers:

- | | |
|--|--------------|
| • Core Electrical and Communications Pty Ltd | Pambula, NSW |
| • Country Powerline Construction | Dubbo, NSW |
| • MFS Contracting Pty Ltd | Concord, NSW |
| • Rodgers Electrical Pty Ltd | Hume, ACT |
| • Southpower Electrical Services Pty Ltd | Moruya, NSW. |

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

CONSIDERATIONS

Legal

RFT No. 2223-091 Supply of Power and Light, Moruya Regional Airport was advertised in accordance with Local Government (General) Regulation 2005 REG 167 and Local Government Act 1993.

**IR23/004 REQUEST FOR TENDER NO. 2223-091 - SUPPLY OF POWER AND
LIGHT MORUYA REGIONAL AIRPORT**

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T00025**

The tender was advertised on Council's Tenderlink web portal:

(www.tenderlink.com/eurobodalla)

Upon release of the RFT a Tender Evaluation Plan (TEP) was distributed amongst the Tender Evaluation Board (TEB). Declarations of Confidentiality and Interest Forms were completed and signed by the TEB.

The offer submitted by the preferred tenderer has been assessed as representing best value for money for Council.

Policy

The procurement activity for which this report applies has been conducted in accordance with Council's Procurement Policy, Code of Practice – Procurement, Code of Practice – Tendering, the Local Government Procurement Guidelines, Local Government (General) Regulation 2005 and the Local Government Act 1993.

Asset

Installation of electrical infrastructure (and future NBN installation) will complete all works at the Airport western subdivision.

Economic Development Employment Potential

The western subdivision provides additional light industrial blocks to service ongoing needs for the business community.

Financial

The project can be completed within Council's existing Airport capital budget.

Community and Stakeholder Engagement

Consultation was undertaken with the local Aboriginal community and Airport management for the project.

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

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.

The preferred tenderer as identified in the Confidential Attachment is therefore recommended for the awarding of a contract for the requirement.

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**S004-
T00019**

Responsible Officer: Alison Worthington - Councillor

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.1 Be proactive leaders with a focus on 'community better'

Operational Plan Link: 5.2.1.4 Provide professional development opportunities for Councillors

EXECUTIVE SUMMARY

Councillor Alison Worthington represented Eurobodalla Shire Council at the 2022 National General Assembly which was held on the 20 to 22 June 2022 in Canberra.

RECOMMENDATION

THAT the delegates report from Councillor Worthington be received and noted.

BACKGROUND

Councillor Mayne and I attended the general assembly of the ALGA in Canberra on 20th-22nd June 2022, along with our GM Catherine Dale. The conference was themed 'Partners in Progress'.

Arriving on Day 1 of the conference we learned that the previous day a Regional Cooperation and Development Forum had been held and we encourage that councillors attending this conference in future also attend the Regional Forum beforehand. Kristy McBain, Minister for Regional Development, Local Government and Territories addressed this forum. It is worth noting here that the Local Government ministerial portfolio has been reinstated by the new Albanese Government - there were motions submitted to the Assembly before the change of government advocating for just that.

One of the biggest partnerships under scrutiny throughout the conference was that between local and federal governments. Graham Jarvis, Portfolio Lead (Strategic Finance) at AEC Group, presented to the conference a paper on the importance of the Financial Assistance Grants provided by the Commonwealth Government to help councils provide local services and infrastructure. These important grants have fallen to just 0.53% of Commonwealth taxation revenue over the last 3 decades and ALGA policy is to advocate for a commitment from Federal government to restore the FAGs to at least 1% of that taxation revenue in a phased approach.

In fact Motion 4 on the business paper, submitted by Gunnedah Shire Council NSW, with 12 supporting motions from other councils, was carried that:

This National General Assembly calls on the Australian Government to conduct a review into the local government Financial Assistance Grant Act 1995 and the basis on which grant funding for roads is allocated, to create a more equitable approach to allocations and one that recognises the infrastructure managed by local government in the rural, regional and remote regions of Australia.

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There was good news too from the Catherine King, Member for Ballarat and Minister for Infrastructure, Transport, Regional Development and Local Government who shared that local government is once again represented in National Cabinet, with the assurance that the representative is invited to 1 National Cabinet meeting per year. The ALGA position here is that we need a full commitment that an ALGA representative will be a **voting member** in the National Cabinet and there was an advocacy motion in the business paper for this also.

The new Labor government have stated that they will be re-forming the Federal Council of Local Government, first formed in 2008 when Anthony Albanese was then Minister for Local Government, to 'bring the mayors to Canberra'.

Minister King also flagged that there will soon be a Parliamentary Friends of Local Government working group formed. Parliamentary Friends groups provide a non-partisan forum for parliamentarians to meet and interact with stakeholder groups on matters relating to their focus subject.

The conference included a number of presentations and panels focused on Disaster Management and Planning - this is 2022 after all!

We heard that establishing a Disaster Mitigation Fund for councils was recommended by the Productivity Commission in 2014 but never implemented.

Since the May Federal election we now have a commitment from the government for up to \$200 million yearly to go to a new "Disaster Ready Fund".

The federal government has remodelled the Emergency Response Fund so that it can draw down from the a maximum of \$200 million in any given year (\$150 million on response and \$50 million on resilience projects) beyond what is already available to fund emergency response and natural disaster recovery and preparedness. This is designed to support sustained investment in disaster mitigation projects. The message from speakers was that local governments need to work up their ideas for that infrastructure and resilience: more stormwater culverts on unsealed road network anyone?

Muheed Jamaldeen, Director, Deloitte Access Economics presented on his work which has a particular focus on the economics of climate change and how they impact on the performance of our cities and regions. His powerpoint slides (attached) sent a powerful message about the need to shift our thinking on adaptation to climate change and the increasing frequency and intensity of natural disasters. It was alarming to hear that 97% of all natural disaster funding in Australia is spent after an event, and only 3% before in preparation.

Muheed illustrated why the approach needs to be 'reimagined from recovery to resilience' and to reframe how we talk about the costs of what we do. We need to account for the additional costs to community including asset damage, family and domestic violence, evacuation costs, reduced economic activity from damage to agriculture and more. There is an investment dividend in acting before a natural disaster event and as a country we can realise a significant (\$380 billion) economic dividend as a result of pro-active resilience planning and climate adaptation initiatives. He also encouraged thinking outside and planning beyond your LGA boundaries in programs like the CRJO Resilience Blueprint this council is a part of.

Dr Marcus Spiller Principal & Partner, SGS Economics & Planning presented on Local Government and Productivity. The good news here is that local government is arguably the

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S004-T00019

most productive sector in the three-tier system of governance. We do a lot with a little! How little?

In Australia investment in local government is small by international standards, in terms of share of GDP.

Remarkably, in an era of significant mistrust in government, trust in local government here is consistently higher than for other levels of government.

<https://az659834.vo.msecnd.net/eventsairaeuprod/production-conferenceco-public/324e266c45a146edbb24e4d7be0a7302>

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@esc.nsw.gov.au	www.esc.nsw.gov.au
ICAC	8281 5999	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
The Office of Local Government	4428 4100	dlg@dlg.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	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.