



# AGENDA

## Ordinary Meeting of Council

**27 June 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 27 JUNE 2023**

**COMMENCING AT 12.30PM**

**AGENDA**

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

- |  |                 |
|--|-----------------|
| <b>1. WELCOME</b>  |                 |
| <b>2. ACKNOWLEDGEMENT OF COUNTRY</b>                                 |                 |
| <b>3. APOLOGIES</b>  |                 |
| <b>4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>                |                 |
| 4.1 Ordinary Meeting held on 23 May 2023                             |                 |
| <b>5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA</b>          |                 |
| (Declarations also to be made prior to discussions on each item)     |                 |
|  | <b>Page No.</b> |
| <b>6. MAYORAL REPORTS</b>  |                 |
| Nil  |                 |
| <b>7. NOTICES OF MOTION</b>  |                 |
| NOM23/001 Review of the Borrowing Management Policy .....            | 3               |
| <b>8. QUESTIONS ON NOTICE FROM COUNCILLORS</b>                       |                 |
| Nil  |                 |
| <b>9. PETITIONS</b>  |                 |
| Nil  |                 |
| <b>10. GENERAL MANAGER'S REPORTS</b>                                 |                 |
| GMR23/023 Adoption of the Code of Meeting Practice .....             | 5               |
| GMR23/029 2023-24 Determination of the Local Government Remuneration |                 |

	Tribunal .....	13
GMR23/024	Audit, Risk and Improvement Committee Annual Report .....	16
GMR23/026	Risk Management Policy Review.....	20
GMR23/027	Safety and Emergency Services Grant .....	29
GMR23/030	Labour Hire Contract – Extenuating Circumstances .....	36
<b>11.</b>	<b>PLANNING AND SUSTAINABILITY REPORTS</b>	
PSR23/020	Mogo Oval Community Facility .....	39
PSR23/021	Land Classification - Lot 44 DP 1291391 George Bass Drive, Rosedale ..	43
PSR23/022	Land Acquisition - 'Old Bodalla Farm', Part 382 Eurobodalla Road, Bodalla.....	46
PSR23/023	Proposed Road Closure, Part Bronte Crescent, Sunshine Bay .....	50
PSR23/024	Proposed Easement for Access and Stormwater, Knowlman Road, Rosedale .....	59
<b>12.</b>	<b>FINANCE AND CORPORATE SERVICES REPORTS</b>	
FCS23/013	Adoption of the 2022-26 Delivery Program, 2023-24 Operational Plan including the 2023 Fees and Charges.....	63
FCS23/011	Rates Subsidy Grants 2023-24 .....	82
FCS23/012	Investments made as at 31 May 2023 .....	85
FCS23/014	Request for Tender (RFT) - 2223-120 Trade Service Panel Pre- Qualification Scheme .....	88
FCS23/015	Request for Tender (RFT) - 2223/026 Concrete Supply Panel .....	91
FCS23/016	Request for Tender (RFT) 2223-161 for the Supply and Delivery of Two (2) 26-32T Landfill Compactors for Surf Beach and Brou Waste Management Facilities .....	94
<b>13.</b>	<b>INFRASTRUCTURE REPORTS</b>	
IR23/011	Draft Integrated Water Cycle Management Strategy and Strategic Business Plan .....	96
IR23/012	Maintenance and Renewal Schedule for Roads 2023-24 .....	100
IR23/013	Local Traffic Committee No 10 for 2022-23.....	112
<b>14.</b>	<b>COMMUNITY, ARTS AND RECREATION REPORTS</b>	
	Nil	
<b>15.</b>	<b>DELEGATE REPORT</b>	
<b>16.</b>	<b>URGENT BUSINESS</b>	
<b>17.</b>	<b>DEALING WITH MATTERS IN CLOSED SESSION .....</b>	<b>116</b>
<b>18.</b>	<b>CONFIDENTIAL MATTERS</b>	

**WARWICK WINN**  
**GENERAL MANAGER**



---

**NOM23/001      REVIEW OF THE BORROWING MANAGEMENT POLICY**

S012-T00026, S004-T00060

Responsible Officer: Alison Worthington - Councillor

Attachments:        Nil

Councillor Alison Worthington has given notice that at the Ordinary Meeting of Council on Tuesday 27 June 2023, she will move the following motion.

**MOTION**

THAT Council:

1. Notes the importance of addressing climate change through emissions reductions and of addressing divestment from fossil fuel companies and their projects to accelerate the investment in and development of renewable energy solutions.
2. Notes that council adopted actions toward divestment of its investment portfolio when the Investments Policy was amended in 2017 to give preference to investing with financial institutions that do not invest in, or finance, the fossil fuel industry where certain conditions can be met.
3. Notes the Climate Action Plan 2022-2032 Action 10.4 under 'Adaptive, responsive Council': Consider further divestment of Council's investment portfolio to fossil free funds can be extended to Council's Borrowing Management Policy.
4. Investigate ways to give preference to lenders without exposure to investments in, or providing finance to, fossil fuel companies in the coal and gas sectors, and to prepare a report for Council with appropriate recommendations for amendment of the Borrowing Management Policy.

**BACKGROUND**

One of the mechanisms that smaller institutions and entities like councils can use to influence global emissions reductions is to limit or exclude investment, directly or indirectly, in the fossil fuel industry.

Across the globe institutions are acting to move their money out of oil, coal and gas companies for both moral and financial reasons, and are also turning their attention to ending business ties with financial institutions and superannuation funds that loan to or invest in fossil fuel projects. This divestment can include moving both loans and investments away from fossil fuel funding institutions.

A recent report from Market Forces has found that none of Australia's Big 4 banks have ruled out funding new and expanded fossil fuel projects and the companies developing them and that all four banks are therefore acting out of line with the most credible pathways to achieve the Paris climate goals and net zero emissions by 2050. The report can be viewed here: [Banking Climate Failure 2023 - Market Forces](#)

Council has exposure to the Big 4 banks through existing loans and exploring ways to move our loans to institutions that have resolved to no longer finance new and expanded fossil fuel projects is a meaningful step we can take to ensure we are managing council finances for better outcomes for a safe climate future.

---

**NOM23/001 REVIEW OF THE BORROWING MANAGEMENT POLICY**

**S012-T00026,  
S004-T00060**

Council's Borrowing Management Policy was last reviewed in April 2022 and we have since adopted a Climate Action Plan which asks that further divestment opportunities be explored.

Recognising that council will continue to seek loans, it is incumbent on us as a truly adaptive and responsive council to explore further divestment of council finances from exposure to fossil fuel projects in both our loans and investments and indeed to review all policies over time be consistent with the Climate Action Plan 2022-32.

---

**GMR23/023 ADOPTION OF THE CODE OF MEETING PRACTICE**

**S002-T00025**

Responsible Officer: Warwick Winn - General Manager

Attachments: 1. Under Separate Cover - Code of Meeting Practice  
2. Code of Meeting Practice - Consolidate Feedback

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

### **EXECUTIVE SUMMARY**

The purpose of this report is to present the revised Code of Meeting Practice (the Code) for Council's consideration and to propose a new schedule of Ordinary meetings for the remainder 2023 calendar year to be endorsed.

To support a more effective and efficient Council Meeting cycle, it was proposed in February 2023 that Council move to monthly meetings. It was also proposed to amend Council Meeting agendas to add Public Forum as the first item on the order of business as outlined in Clause 7.1 of the Code. Additionally, Public Access sessions would be moved from fortnightly to monthly, and delegate reports would be removed from Council Meeting agendas.

At [28 February 2023](#) Ordinary meeting councillors voted to place a revised Code reflecting these proposed amendments on public exhibition to seek the community's views.

Council received 14 submissions from Eurobodalla residents about the proposed amendments.

Section 365 of the *Local Government Act 1993* requires councils to hold 10 meetings per year, each in a different month. So far in 2023 Council has held seven Ordinary council meetings in four different months, including today's meeting.

A schedule of meetings for the remainder of the 2023 calendar year is proposed in this report.

Generally, Council Meetings will be held on the third Tuesday of the month starting 12.30pm, with Public Forum the first agenda item. Public Access will be held on the first Tuesday of the month starting 10am.

Public holidays and local government reporting requirements have been considered in setting dates. The calendar may be amended at any time if Council resolves to alter the meeting days, and extraordinary meetings may be called as required.

### **RECOMMENDATION**

THAT Council:

1. Adopt the Code of Meeting Practice as attached to report GMR23/023.
2. Endorse the following revised meeting schedule for Council Meetings from August 2023:
  - a. 15 August 2023
  - b. 19 September 2023

---

**GMR23/023 ADOPTION OF THE CODE OF MEETING PRACTICE**

**S002-T00025**

- c. 17 October 2023
  - d. 21 November 2023
  - e. 19 December 2023
3. Endorse the following dates for Public Access sessions starting in August 2023:
- a. 1 August 2023
  - b. 5 September 2023
  - c. 3 October 2023
  - d. 7 November 2023
  - e. 5 December 2023
4. Note that the schedule of Council Meeting dates and Public Access sessions may be amended at any time by resolution, and that Extraordinary meetings may be called as required.

**BACKGROUND**

Council's current Code of Meeting Practice (the Code) was adopted in [September 2022](#). This Code states that Ordinary council meetings are to be held fortnightly on a Tuesday, starting 12.30pm, Public Access sessions to be held at 9.30am and Public Forum to be held at 10.30am. Council endorsed the meeting schedule for 2023 at the Ordinary Council Meeting on [25 October 2022](#).

To enable a more effective and efficient Council Meeting cycle, it was proposed that Council move to monthly Ordinary council meetings, taking place on the third Tuesday at 12.30pm. It was also proposed that Council amend the order of business on Ordinary Council Meeting Agendas to add Public Forum as the first order of business for Ordinary Council meetings as outlined in Clause 7.1 of the Code.

The proposed change would see Public Forum become part of the Council meeting. It would be the first order of business, creating more seamless debate and minimising the time community members need to wait to hear the item. Public Forum would also be recorded as part of the meeting minutes and the live stream.

Public Access would reduce from twice to once per month under the proposal, taking place on the first Tuesday at 10am.

Reports by councillors about their attendance at conferences would be removed from the Council Meeting agenda. Instead, these would be shared among councillors and available to members of the public at the Moruya customer service centre.

---

**GMR23/023 ADOPTION OF THE CODE OF MEETING PRACTICE**

**S002-T00025**

At [28 February 2023](#) Ordinary meeting councillors voted to place a revised Code on public exhibition to seek the community's view on proposed changes.

**CONSIDERATIONS**

As per Section 361 of the *Local Government Act 1993* Council exhibited the revised Code of Meeting Practice from 1 March to 11 April 2023.

During the exhibition period 14 submissions were received from community members. Councillors received a copy of all submissions.

In summary:

- 5 submissions were against moving to monthly meetings.
- 4 submissions supported moving to monthly meetings.
- 3 submissions were neutral to moving to monthly meetings.
- 4 submissions supported moving Public Forum into the meeting.
- 3 submissions were against removing delegate reports from the business paper.
- 2 submissions suggested the duration of Public Access and Public Forum sessions be extended if moving to monthly.
- 2 submissions suggested if the Public Access session is to occur on a different day to the meeting, there should be a strong expectation under the Code for all councillors to attend and a record of attendance to be published.
- 1 submission was against the current Public Access/Forum model and suggested an alternative engagement model.
- 1 submission suggested if meetings are moved to monthly, they would expect to see a renewed program of councillor catch-ups or some similar way to meet up with councillors informally, in person.
- 1 submission suggested meetings should be held in the evening.
- 1 submission suggested re-establishing planning and infrastructure committees.
- 1 staff submission was received suggesting two additional clauses: that an approved speaker cannot have an alternative person speak on their behalf and no audio-visual aids can be used during presentations; and an amendment to part 4 for councillors to request to attend a meeting by audio-visual link.

Attachment 2 is a summary of the submissions and staff responses to each submission.

When developing the revised schedule of meetings for 2023, consideration was given to Office of Local Government compliance and reporting requirements, public holidays, school holidays (when possible) and other significant events.

Starting August 2023, the revised schedule follows clause 2.2 (2) of Council's revised Code of Meeting Practice for the remainder of the year, that is, Council Meetings, including Public Forum as the first agenda item, will be held the third Tuesday of the month starting at 12.30pm.

---

**GMR23/023 ADOPTION OF THE CODE OF MEETING PRACTICE**

**S002-T00025**

Public Access will be held on the first Tuesday of the month starting at 10am, with one hour allocated for registered speakers.

Public Access sessions for October and November will fall after the October Labor Day long weekend and the Melbourne Cup. To maximise attendance, these sessions will be held on the second Tuesday of the month.

The schedule may be amended at any time via a council resolution, and Extraordinary meetings of Council can be called as required.

**Legal**

The Model Code of Meeting Practice for Local Councils in NSW is made under Section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulations 2021* (the Regulations). The Code of Meeting Practice includes mandatory clauses that reflect the Act and Regulations. Additional clauses do not contradict the Model Code.

Under Section 365 of the *Local Government Act 1993*, Council is required to meet at least 10 times per year, each time in a different month. So far for 2023 Council has held seven (including today) Ordinary council meetings in four different months. The proposed new schedule of meetings starting in August satisfies Council's requirement under section 365 of the Act.

**Policy**

Once adopted, the revised Code of Meeting Practice will become Council's policy for the conduct of its meetings.

**Community and Stakeholder Engagement**

Feedback was sought from community members via a media release, Council's website, and a Council News newsletter item.

The community will be informed of changes to Council Meeting dates and Public Access sessions in a media release and via Council's website, social media, Living in Eurobodalla newsletter, monthly Council News email newsletter, and by direct email to community associations and business chambers.

**CONCLUSION**

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

The revised draft Code of Meeting Practice was placed on public exhibition for 42 days from 1 March 2023 until 11 April 2023 and 14 submissions we received.

It is recommended that the revised Code of Meeting Practice be adopted along with the proposed new schedule of dates for Ordinary Council meetings and Public Access sessions.



## Attachment 2: Revised Code of Meeting Practice – consolidated feedback

Submission No.	Submission Summary	Staff response
1	Not supportive of moving to monthly meetings.	Acknowledge concern about the reduced number of meetings, however, an extraordinary meeting can be called at any time to deal with any urgent issues as they arise. The Model Code requires 10 Council Meetings be held each year.
2	Supportive of moving to monthly meetings.	Noted.
3	Not supportive of moving to monthly meetings.	Acknowledge concern about the reduced number of meetings, however, an extraordinary meeting can be called at any time to deal with any urgent issues as they arise. The Model Code requires 10 Council Meetings be held each year.
4	Supportive of moving to monthly meetings and Public Forum being included in the business paper. Suggested evening meetings.	Survey results (CoMP 2022) indicated that evening meetings were not supported. Evening meetings were trialled approximately 10 years ago and were not continued due to staff impacts.
5	Against moving to monthly meetings. Suggested reestablishing planning and infrastructure committees.	Acknowledge concern about the reduced number of meetings, however, an extraordinary meeting can be called at any time to deal with any urgent issues as they arise. The Model Code requires 10 Council Meetings be held each year.  The re-establishment of planning and infrastructure committees will not create the efficiencies this revision to the Code is seeking.
6	Supportive of moving to monthly meetings.	Noted.
7	Supports moving to monthly meetings if all matters are addressed. Also supportive of Public Forum being included in the order of business on the agenda of Ordinary Council Meetings.	Noted.
8. Staff Submission	Suggests a clause be added to prevent an approved speaker having an alternative person speak on their behalf during Public Forum and Public Access.	Propose adding a clause (3.7) that an alternative person is not permitted to speak on behalf of an approved speaker during Public





## Attachment 2: Revised Code of Meeting Practice – consolidated feedback

Submission No.	Submission Summary	Staff response
	<p>Suggests no audio-visual aids can be used during Public Forum and Public Access speaker presentations.</p> <p>Suggests an amendment to Part 4 (Attendance by Councillors at meetings) to require councillors to advise the General Manager prior to the meeting of their intention to attend a Council meeting via audio-visual link.</p>	<p>Forum and Public Access, however, Council staff may read the approved speaker's presentation on their behalf.</p> <p>Propose adding a clause (3.11) stating that no audio-visual aids can be used during Public Forum and Public Access.</p> <p>Propose amending Part 4 to require councillors to advise the General Manager prior to the meeting of their intention to attend a Council Meeting via audio-visual link.</p>
9	<p>Supportive of Public Forum being included in the order of business on the agenda of Ordinary Council Meetings.</p> <p>Against moving to monthly meetings and removing Delegate Reports from order of business.</p> <p>Does not agree with Public Access being held on an alternate day.</p>	<p>Acknowledge concern about the reduced number of meetings, however, an extraordinary meeting can be called at any time to deal with any urgent issues as they arise. The Model Code requires 10 Council Meetings be held each year.</p> <p>It is proposed to make Delegate Reports available on Council's website as well as the Moruya Admin offices, so they are readily accessible for members of the public to view.</p> <p>Public Access is proposed to be held on the same day as a Councillor briefing day to maximise attendance and convenience for Councillors and staff to attend. Public Access is a non-mandatory provision in the Code and is an additional opportunity for members of the public to raise any Council-related issues with councillors that have not been previously determined by Council.</p>
10	<p>Against the current Public Access/Forum model and suggests a need for an alternative engagement model.</p>	<p>The program of Councillor Catchups has been resumed to maximise resident opportunity to engage with councillors less formally.</p> <p>Public Forum and Public Access presentations (if provided) are published on the Council website. It is proposed to resume publication of staff responses to presentations.</p>





## Attachment 2: Revised Code of Meeting Practice – consolidated feedback

Submission No.	Submission Summary	Staff response
		The draft 2023-24 DPOP notes the establishment of an online community engagement tool, already trialled successfully for the 2022-32 Community Strategic Plan engagement.
11	<p>If meetings are moved to monthly, they would like the business paper to be made available earlier than one week prior.</p> <p>If Public Forum is moved to monthly, they would like the duration of the session extended.</p> <p>If Public Access is to occur on a different day to the meeting, they suggested there should be a strong expectation under the Code for all councillors unless they are able to provide an acceptable explanation for a failure to attend on any occasion.</p> <p>Against restricting access to Delegate Reports by only making them available at the council office in Moruya.</p>	<p>It is not practical for the business paper to be available earlier than one week prior. The Model Code requires business papers to be available three business days prior to the meeting.</p> <p>Public Forum will commence at the beginning of the Council Meeting and will continue until all registered speakers are heard. Clauses 3.8, 3.10 and 3.11 that refer to the time limit on Public Forum will be removed from the draft Code.</p> <p>For transparency, it is proposed to include a list of Councillor attendance at Public Access sessions on the Council website along with presentations and responses.</p> <p>It is proposed to make Delegate Reports available on Council’s website as well as the Moruya Admin offices, so they are readily accessible for members of the public to view.</p>
12	Objects to moving to monthly meetings.	Acknowledge concern about the reduced number of meetings, however, an extraordinary meeting can be called at any time to deal with any urgent issues as they arise. The Model Code requires 10 Council Meetings be held each year.
13	<p>Supportive of Public Forum being included in the order of business on the agenda of Ordinary Council Meetings.</p> <p>If meetings are moved to monthly, they would expect to see a renewed program of Councillor catch-ups or some similar way to meet up with councillors informally, in person.</p>	The program of Councillor Catchups has been resumed to maximise resident opportunity to engage with councillors less formally.



## Attachment 2: Revised Code of Meeting Practice – consolidated feedback

Submission No.	Submission Summary	Staff response
14	<p>If meetings are moved to monthly meetings, they would like the Public Access and Public Forum allocated time reviewed.</p> <p>They would like the attendance records of Public Access sessions published.</p> <p>Against removing Delegate Reports from order of business.</p>	<p>Council has the option to consider extending the time allocated for Public Access by Council resolution.</p> <p>Public Forum will commence at the beginning of the Council Meeting and will continue until all registered speakers are heard. Clauses 3.8, 3.10 and 3.11 that refer to the time limit on Public Forum will be removed from the draft Code.</p> <p>For transparency, it is proposed to include a list of Councillor attendance at Public Access sessions on the Council website along with presentations and responses.</p> <p>It is proposed to make Delegate Reports available on Council's website as well as the Moruya Admin offices so they are readily accessible for members of the public to view.</p>

---

**GMR23/029 2023-24 DETERMINATION OF THE LOCAL GOVERNMENT  
REMUNERATION TRIBUNAL**

**S012-  
T00010**

Responsible Officer: Warwick Winn - General Manager

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 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 Local Government Remuneration Tribunal has determined an increase of 3% to mayoral and councillor fees for the 2023-24 financial year, with effect from 1 July 2023. The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every three years under section 239 of the *Local Government Act 1993*.

The Tribunal undertook a review of the categories as part of its 2023 determination and determined two new remuneration categories and varied the criteria of several categories. The Tribunal has re-categorised 26 Councils including Eurobodalla Shire Council. From 1 July 2023, Council will be moved into a higher existing category named 'Regional Centre'. The level of fees paid depends on the category a Council is in.

### **RECOMMENDATION**

THAT Council:

1. Note that under the Tribunal's determination for 2023-24 fees, Council has been re-categorised as a 'Regional Centre' from a 'Regional Rural' classification and the maximum annual Councillor fee is \$26,070 and additional Mayoral fee is \$64,390 within this category.
2. Make a determination that the maximum 2023-24 annual Councillor and Mayoral Fees be set in accordance with Council's classification.

### **BACKGROUND**

The Local Government Remuneration Tribunal is constituted under the *Local Government Act 1993* and is responsible for categorising councils, county councils and mayoral offices to determine the maximum and minimum fees to be paid to councillors, members of county councils and mayors in each category.

In its determination, the Tribunal has acknowledged the issues raised in submissions about the remuneration received by mayors and councillors, including a lack of diversity in representation, the changing nature of work required to be undertaken and changed community expectations. The Tribunal has suggested there would be merit in a comprehensive review of the framework for mayor and councillor remuneration. This will be considered as part of the Government's examination of the broader issues facing local government.

The Tribunal's 2023 Annual Determination can be viewed at:

[2023 annual determination - lgrt.pdf \(nsw.gov.au\)](#)

---

**GMR23/029 2023-24 DETERMINATION OF THE LOCAL GOVERNMENT  
REMUNERATION TRIBUNAL**

**S012-T00010**

**CONSIDERATIONS**

Categorisation of Councils

The Local Government Remuneration Tribunal is required under section 239 of the *Local Government Act 1993* to determine the categories of councils and mayoral offices at least once every three years. The Tribunal undertook a review of the categories as part of its 2023 determination. The Tribunal has determined the creation of two new remuneration categories, 'Metropolitan Major' and 'Rural Large'.

The Tribunal has also varied the criteria of several existing categories. As a result of the creation of the two new categories and changes to the criteria of some of the existing categories, the Tribunal has re-categorised 26 councils into a higher existing category or into a new category.

Eurobodalla Shire Council was previously classified as a Regional Rural council. As a result of the 2023 review, Eurobodalla Shire Council is now classified as a Regional Centre.

In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in Section 240 of the LG Act:

- the size of areas
- the physical terrain of areas
- the population of areas and the distribution of the population
- the nature and volume of business dealt with by each council
- the nature and extent of the development of areas
- the diversity of communities served
- the regional, national and international significance of the council
- such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government
- such other matters as may be prescribed by the regulations.

For its 2023 review, the Tribunal undertook an extensive examination of the categories, criteria and allocation of councils into each of the categories.

Fees for Councillors and the Mayor

Under the provisions of the *Local Government Act 1993*, councils are required to fix and pay an annual fee based on the Tribunal's determination. A council cannot fix a fee higher than the maximum amount determined by the Tribunal and must pay at least the minimum fee. The level of fees paid will depend on the category that the council is in.

The Tribunal is required to have regard to the same policies on increases in remuneration as the Industrial Relations Commission is required to give effect to under the *Industrial Relations Act 1996*, relating to the conditions of employment of public sector employees.

The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and finds that the full increase of 3% available to it is warranted.

**GMR23/029 2023-24 DETERMINATION OF THE LOCAL GOVERNMENT  
REMUNERATION TRIBUNAL**

**S012-T00010**

The 2023-24 fees for a council classified as a Regional Centre are shown below. For comparative purposes, Council's previous classification is also shown.

	<b>Councillor Annual Fee</b>		<b>Mayoral Annual Fee</b>	
	Minimum	Maximum	Minimum	Maximum
<b>Regional Centre (new)</b>	\$14,810	\$26,070	\$30,820	\$64,390
<b>Regional Rural</b>	\$9,850	\$21,730	\$20,980	\$47,420

**Financial**

At the 14 June 2022 Ordinary Council meeting, Council set the 2022-23 fees at \$21,100 for each councillor and an additional \$46,040 mayoral fee ([GMR22/062](#)). It is common practice for councillors and the mayor to be paid at the maximum fee within the assigned category.

Council's 2023-24 budget allocation for the councillor and mayor's fee is \$239,514. A September budget variation of \$59,506 will be required should Council adopt the maximum fees for their new category.

If Council does not fix a fee, Council must pay the minimum fee determined by the Tribunal. In this case, the amounts paid in 2023-24 would be less than 2022-23.

**CONCLUSION**

The Local Government Remuneration Tribunal has determined an increase to the mayoral and councillor fees of 3% for the 2023-24 financial year, with effect from 1 July 2023.

Under the provisions of the *Local Government Act 1993*, councils are required to fix and pay an annual fee based on the Tribunal's determination. Eurobodalla Shire Council was previously classified as a Regional Rural council. As a result of the 2023 review, Eurobodalla Shire Council is now classified as a Regional Centre. It is common practice for councillors and the mayor to be paid at the maximum fee within the assigned category.

---

**GMR23/024 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT**

**S004-  
T00048**

Responsible Officer: Warwick Winn - General Manager

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.5 Be an agile organisation that champions continuous improvement and efficiencies

Operational Plan Link: 5.3.5.1 Facilitate the Audit, Risk and Improvement Committee and associated projects

### **EXECUTIVE SUMMARY**

The Audit, Risk and Improvement Committee (ARIC), an advisory committee of Council, is recommended under the *NSW Premier & Cabinet Internal Audit Guidelines* to report to the Council, at least annually, on its oversight role of the internal audit function.

This report is presented to advise Council on the activities and matters that the ARIC reviewed during 2021-22 financial year.

Due to the Local Government election, change in committee membership and staff turnover the 2021-22 annual report had been delayed.

### **RECOMMENDATION**

THAT the Audit, Risk and Improvement Committee 2021-22 annual report be received and noted.

### **BACKGROUND**

The *Local Government Act 1993* and the *Local Government (General) Regulations 2021* require NSW councils to have an audit, risk, and improvement committee.

Since 2008, the ARIC has played a pivotal role in the governance framework, providing Council with independent oversight and monitoring of Council's audit processes, including the internal control activities.

The ARIC achieves its independence by having a majority of independent members external to Council and its operations.

The committee comprises three independent members and two Councillors. During 2021-22 there were changes to the committee membership due to the Local Government elections in November 2021 and the resignation of the Chair in April 2022.

#### Independent members

- Mark Barraclough (Chair until 13 April 2022)
- Kim Gillis (Chair from 13 April 2022)
- David Anderson
- Grant Doran (from 25 May 2022)

---

**GMR23/024 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT**

**S004-  
T00048**

Councillors

- Lindsay Brown (until November 2021)
- Phil Constable (until November 2021)
- David Grace (from February 2022)
- Tubby Harrison (from February 2022)

At the 13 April 2022 ARIC meeting, independent member Mr Mark Barraclough tendered his resignation after six years of service. Kim Gillis AM was also appointed chairperson at this meeting.

At the 10 May 2022 Ordinary Meeting of Council, and on recommendation of the ARIC, Grant Doran was appointed as the third independent member of the committee.

Each member of the ARIC contributes to the continual improvement of Council processes from within and represents the community by playing a pivotal role in the management of Council's financial requirements and expectations.

**CONSIDERATIONS**

As per the ARIC's Terms of Reference the committee is required to meet four times a year with extra meetings scheduled as required. A review of documents and financial issues occurs between scheduled meetings as necessary. Between 1 July 2021 and 30 June 2022 ARIC met on four occasions

- 28 July 2021
- 27 October 2021
- 13 April 2022
- 25 May 2022

During the 2021-22 financial year, the ARIC reviewed and/or monitored a number of regular and one-off issues such as:

- Bay Pavilions updates
- Batemans Bay Beach Resort – monitoring financial and occupancy trends
- Bushfire /disaster relief updates
- Corporate Business System implementation
- COVID-19 pandemic updates
- Draft 2020-21 Financial Statements referred to audit
- Expression of Interest process and appointment of Internal Audit and Risk Management Services
- External Auditor updates
- Independent Commission against Corruption (ICAC) and other external bodies reports/matters

---

**GMR23/024 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT**

**S004-  
T00048**

- Integrated Planning and Reporting review and updates
- Internal audit progress reports including procurement, building certification and developer contributions
- Investment reports
- Plan for Financial Year ending 30 June 2022
- Replacement of Independent Member and Chairperson

The NSW Audit Office participates in the regular ARIC meetings and is listed as a standard agenda item. The Annual Engagement Plan for the financial year ending 30 June 2021 from the NSW Audit Office was provided to the ARIC at the meeting of 28 July 2021 and set out the key issues and audit approach regarding the audit of the financial statements of the Council.

#### **Internal audits**

Council's internal audit plan (IAP) is prepared annually, agreed and conducted by Council's appointed internal auditor. The IAP lists internal audits to be carried out by the internal auditor. This list is reviewed and rearranged as necessary based on the priority the ARIC might place on particular functions.

In 2021, Council's internal auditor, InConsult, continued to report the progress on the implementation of the recommendations of the audits conducted on the building certification and procurement services. InConsult also conducted an internal audit on Developer Contributions. This audit was originally scheduled for early 2020 but was deferred due to COVID-19.

Council's internal audit service contract expired in 2022, noting that InConsult held the contract for 13 years. The ARIC undertook an Expression of Interest (EOI) process to engage a new provider. Centium was the successful applicant and are working with the committee to prepare and implement an IAP for 2022-23.

#### **Guidelines for Risk Management and Internal Audit for Local Government in NSW**

Amendments are currently being made to the *Local Government (General) Regulation 2021* to require all councils to have a risk management framework and an internal audit function and to prescribe membership requirements for ARICs. It is anticipated the Regulation amendments will be made in the second half of 2023. Councils are required to comply with these requirements from 1 July 2024 and, commencing with the 2024-25 annual report, to attest to their compliance with the requirements in their annual reports.

The Office of Local Government has issued comprehensive Guidelines for Risk Management and Internal Audit for Local Government in NSW to assist councils to implement these requirements. The Guidelines have been issued in draft form pending the supporting Regulation amendments being made so that councils can commence the steps necessary to implement them. The Guidelines will be reissued in a final form when the supporting regulations are made in 2023, to align them with the regulations as drafted.

Once these guidelines are finalised and released, a review of Council's current ARIC Terms of Reference will be undertaken, and a report prepared for Council to consider mandated recommendations.



---

**GMR23/024 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT**

**S004-  
T00048**

**CONCLUSION**

The *Local Government Act 1993* and *Local Government (General) Regulation 2021* provide the statutory foundations and prescribe the desired outcomes for councils' audit, risk and improvement committees, risk management frameworks and internal audit functions.

The ARIC provide independent advice to the council that is informed by the council's internal audit and risk management activities and information and advice provided by council staff, relevant external bodies and other subject matter experts.

During 2021-22 the ARIC meet four times and reviewed and/or monitored a number of regular and one-off issues and projects. They also provide oversight of Council's internal audit function and successfully carried out an expression of interest process to appoint a new internal auditor.

Due to the Local Government election, change in committee membership and staff turnover the 2021-22 annual report had been delayed. Once endorsed by ARIC, this report will be presented to advise Council on the activities and matters that the ARIC reviewed during 2021-22 financial year.

Mr Kim Gillis, Chair of the Audit Risk and Improvement Committee, would like to take this opportunity to thank his fellow members for their continued contribution to the roles they have undertaken during the 2021-22 financial year.

---

**GMR23/026 RISK MANAGEMENT POLICY REVIEW**

**S004-T00060**

Responsible Officer: Warwick Winn - General Manager

Attachments: 1. Draft Risk Management Policy

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: 5.2.2.2 Review Council policies

**EXECUTIVE SUMMARY**

Council's policies are reviewed within the first 12 months of a new Council term for the reasons set out under the following sections of the *Local Government Act 1993 (LGA)*.

- Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, strategies and policies of the council'.
- Section 232 (1)(f) The role of a councillor – 'to uphold the represent accurately the policies and decisions of the governing body'.

Council's Risk Management policy was not updated last year during the policy review period. The draft Risk Management policy is recommended to be placed on public exhibition before being presented to Council for adoption.

**RECOMMENDATION**

THAT

1. Council places the draft Risk Management policy for the purpose of public consultation for a period of 28 days.
2. Following the expiration of this period, the draft Risk Management policy and any public submissions be presented back to council for consideration.

**BACKGROUND**

This policy affirms Eurobodalla Shire Council's commitment to risk management and reflects the value it places on the management of risk throughout the organisation. This policy recognises the varied and complex work environments of Council and our areas of specialist service delivery.

Eurobodalla Shire Council is committed to taking a structured and innovative approach to the management of risk throughout the organisation in order to promote and demonstrate good corporate governance, to minimise loss and maximise opportunities to improve service provision.

---

**GMR23/026 RISK MANAGEMENT POLICY REVIEW**

**S004-T00060**

The Risk Management approach utilised by Eurobodalla Shire Council in the development of the Risk Management Plan is AS/NZS ISO 31000:2018 together with the requirements of the Work Health and Safety Act 2011 (NSW), and will be incorporated into the Planning, Governance, Assets Management and Operational Processes of Eurobodalla Shire Council.

To ensure ongoing compliance with AS/NZS ISO 31000:2018, this policy will:

- State the risk management objectives of Eurobodalla Shire Council;
- Identify the elements of Eurobodalla Shire Council's risk management system required for the control of risk;
- Be consistent with relevant risk management legislation, codes of practice, Australian Standards and industry practice;
- Be documented, implemented, maintained and communicated to all employees;

Further, the aim is to provide direction and commitment to Risk Management principles as part of Eurobodalla Shire Council's management planning, decision making and the undertaking of operational activities.

To effectively integrate the management of risk into Eurobodalla Shire Council's high level management planning activities to ensure the achievement of its strategic objectives as outlined in the Community Strategic Plan and associated documents. The Risk Management Framework (incorporated into the Risk Management Plan) includes Risk Management being integrated with Eurobodalla Shire Council's Integrated Planning and Reporting Structure.

To apply and incorporate the Risk Management Framework into Eurobodalla Shire Council's operational activities and business planning processes.

**CONSIDERATIONS**

The policy has been reviewed and no substantial changes are recommended at this time, apart from minor referencing updates.

**Legal**

This policy will assist Council's compliance with AS/NZ ISO 31000:2018

**Community and Stakeholder Engagement**

Council will place the draft policy on public exhibition for a period of not less than 28 days commencing on 28 June 2023 until 25 July 2023. Copies will be available for viewing on Council's website, at the Batemans Bay, Moruya and Narooma libraries and Moruya customer service centre.

**CONCLUSION**

The draft Risk Management policy should be publicly exhibited for 28 days. At the end of the public exhibition period, the draft policy will be presented to Council for consideration to adopt, along with a report to consider any submissions received during the exhibition period.



Policy

<b>Policy title</b>	Risk Management Policy
<b>Responsible manager(s)</b>	Corporate Manager Governance & Administrative Services
<b>Contact officer(s)</b>	Corporate Manager Governance & Administrative Services
<b>Directorate</b>	General Manager
<b>Approval date</b>	
<b>Focus area</b>	Our engaged community with progressive leadership
<b>Delivery Program link</b>	5.2.2 Implement effective governance and long-term planning
<b>Operational Plan link</b>	5.2.2.2 Review Council policies

**Purpose**

This policy affirms Eurobodalla Shire Council’s commitment to risk management and reflects the value it places on the management of risk throughout the organisation. This policy recognises the varied and complex work environments of Council and our areas of specialist service delivery.

Eurobodalla Shire Council is committed to taking a structured and innovative approach to the management of risk throughout the organisation in order to promote and demonstrate good corporate governance, to minimise loss and maximise opportunities to improve service provision.

The Risk Management approach utilised by Eurobodalla Shire Council in the development of the Risk Management Plan is AS/NZS ISO 31000:2018 together with the requirements of the Work Health and Safety Act 2011 (NSW), the Office of Local Government Guidelines for Risk Management and Internal Audit for Local Government in NSW. These will be incorporated into the Planning, Governance, Assets Management and Operational Processes of Eurobodalla Shire Council.

To ensure ongoing conformity with AS/NZS ISO 31000:2018, this policy will:

- State the risk management objectives of Eurobodalla Shire Council;
- Identify the elements of Eurobodalla Shire Council’s risk management system required for the control of risk;
- Be documented, implemented, maintained and communicated to all employees;
- Be available to other interested parties; and

Be reviewed periodically (at least every 2 years) to ensure it remains relevant and appropriate

**Policy aims**

To provide direction and commitment to Risk Management principles as part of Eurobodalla Shire Council’s management planning, decision making and the undertaking of operational activities.



## Policy

To effectively integrate the management of risk into Eurobodalla Shire Council's high level management planning activities to ensure the achievement of its strategic objectives as outlined in the Community Strategic Plan and associated documents. The Risk Management Framework (incorporated into the Risk Management Plan) includes Risk Management being integrated with Eurobodalla Shire Council's Integrated Planning and Reporting Structure.

To apply and incorporate the Risk Management Framework into Eurobodalla Shire Council's operational activities and business planning processes.

To promote an environment of risk awareness and willingness to manage risk at all levels of Eurobodalla Shire Council's operations.

To provide opportunities that encourages continuous improvement of the Risk Management Program and at all levels of the organisation.

To ensure, through the application of this Policy:

- That the Council, General Manager and Executive Leadership Team are in a position to confidently make informed strategic, project and operational decisions based on Risk Management Principles;
- That the requirements of the Office of Local Government's Guidelines for Risk Management and Internal Audit for Local Government in NSW are satisfied;
- That all reasonably foreseeable risks are systematically identified, assessed, analysed, prioritised and considered for appropriate treatment with all information documented in Eurobodalla Shire Council's electronic risk system;
- The correct assigning of ownership of risks through appropriate delegation of risk management responsibilities to all Eurobodalla Shire Council's officers across all functional areas of Eurobodalla Shire Council;
- That all relevant legislation is complied with and relevant risk management standards (currently AS/NZS ISO 31000:2018) are used to provide guidance in best risk management practices;
- The effective management and allocation of resources through more targeted and effective controls;
- Improved protection of the community, Eurobodalla Shire Council Council's workers and volunteers, Council's assets and Council's financial integrity and sustainability;
- The effective communication of this policy through the development of a Risk Management Communication and Reporting Framework.



Policy

**Policy details**

<b>1</b>	<p><b>Application</b></p> <p>This procedure applies to all Eurobodalla Shire Council employees and all others at Eurobodalla Shire Council workplaces.</p>
<b>2</b>	<p><b>Legislation</b></p> <p>Council is guided by the <i>Local Government Act 1993</i>, the <i>Civil Liability Act 2002</i>, as well as Australian Standards and Statewide Mutual’s Best Practice Manuals for the management of risk and the Office of Local Government Guidelines for Risk Management and Internal Audit for Local Government in NSW.</p>
<b>3</b>	<p><b>Context</b></p> <p>Risks exist in all aspects of Eurobodalla Shire Council’s undertakings. AS/NZS ISO 31000:2018 defines risk as the ‘effect of uncertainty on objectives’. An effect is a deviation from the expected, whether it be a negative or positive (realising opportunities) deviation.</p> <p>The effective implementation of this policy will ensure that the management of risk is seen as good business sense and provide a way to confidently know which risks to take for the benefit of a greater opportunity, which risks to avoid in order to prevent significant impact on the organisation and managing the outcomes for success in order to achieve Eurobodalla Shire Council’s key objectives.</p> <p>It is essential that risks are managed to ensure that Eurobodalla Shire Council achieves its objectives; and in turn be recognised for the excellence of its services and for the strength of its partnerships with the community, customers, employees and stakeholders. Risk Management plays a key role in ensuring that Eurobodalla Shire Council achieves that objective.</p>
<b>4</b>	<p><b>Responsibilities</b></p> <p>The Council, General Manager, Directors, Divisional Managers, and all workers of Eurobodalla Shire Council are to be familiar with, and competent in, the application of the Risk Management Policy, and are respectively accountable for the delivery of the Policy within their areas of influence and responsibility. These are outlined in Eurobodalla Shire Council’s Risk Management Plan.</p>

**Implementation**

Requirements	Responsibility
<p><b>1 Risk Management Plan</b></p> <p>Eurobodalla Shire Council’s Risk Management Plan is the document that articulates how the intent of the Risk Management Policy (this policy) is to be communicated and implemented throughout Eurobodalla Shire</p>	<p>Corporate Manager                      Governance &amp; Administrative Services</p>





Policy

	<p>Council’s operations. It provides clear guidance and the associated processes, procedures and standards that are to be observed.</p> <p>Effective communication is critical to the successful implementation of the policy. Eurobodalla Shire Council is to develop and implement a Communication Strategy that will ensure the policy and its intent is known, clearly understood and applied by all workers within Eurobodalla Shire Council.</p> <p>Similarly, a Reporting Strategy will provide effective channels for information, decision making and instructions to be relayed efficiently and effectively in order to successfully manage any potential risk that may impact on the achievement of Eurobodalla Shire Council’s objectives. It is the responsibility of all Eurobodalla Shire Council workers to follow these protocols.</p> <p>Eurobodalla Shire Council is committed to the proactive approach to risk management, to continually review its effectiveness and to be flexible enough to adapt to the changing needs of the organisation. A performance review of the effective implementation of the Risk Management Plan and activities will be conducted on an ongoing basis by the Audit, Risk and Improvement Committee. This review will serve to further enhance Eurobodalla Shire Council’s performance that will see Council as a proactive and resilient leader by the community.</p>	
<p><b>2</b></p>	<p><b>Committee</b></p> <p>The Audit, Risk and Improvement Committee will oversee the development and implementation of the enterprise risk management system with the objective to:</p> <ul style="list-style-type: none"> <li>• Endeavour to provide a safe environment for residents and visitors</li> <li>• Proactively manage Council risks</li> <li>• Minimise injury, loss and exposures to litigation</li> </ul> <p>Establish future direction of Eurobodalla Shire Council for the management of risk.</p>	<p>Audit, Risk &amp; Improvement Committee</p>
<p><b>3</b></p>	<p><b>Record Requirements</b></p> <p>All documents associated with the risk management system and procedures are to be kept in the appropriate Eurobodalla Shire Council electronic record keeping system.</p> <p>All Eurobodalla Shire Council workers are responsible for the formal retention of any risk management documents.</p> <p>The location in Enterprise Contents Management (ECM) for the retention of the risk management system associated document is in S027-T00018.</p>	<p>Council officers</p>



Policy

4	<p><b>Conflicts of Interest</b>                  It is all employees' responsibility to ensure that there are no conflict of interest situations existing in undertaking their respective Council role. All conflicts of interest will be managed in accordance with Council's Code of Conduct Policy and procedures.</p>	Council officers
5	<p><b>Staff</b>                  Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.</p>	Managers and Coordinators
6	<p><b>Concerns</b>                  Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.</p>	Council officers
7	<p><b>Consultation</b>                  Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Council's Executive Leadership Team and Divisional Managers have been involved in the Enterprise Risk Management Framework. Public submissions regarding this policy are invited for consideration during the exhibition period.</p>	As applicable

**Review**

The policy will be automatically revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council revokes it sooner.

**Note:** Automatic revocation of the policy is provided for by section 165(4) of the Local Government Act 1993. The next general local government election is expected to be held in September 2024.

This policy may also be reviewed and updated as necessary when legislation requires it; or Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages risk.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Delivery Program/ Operational Plan outcomes achieved	Council reporting
Concerns or complaints registered	Council records
Customer feedback, survey responses	Surveys
Internal or external review	Audit





Policy

**Definitions**

Word/ Acronym/ Phrase	Definition
Others	People who are present at a Eurobodalla Shire Council worksite or otherwise affected by work carried out by Eurobodalla Shire Council, who are not carrying out work for Eurobodalla Shire Council. Includes visitors to Eurobodalla Shire Council workplaces.
ECM	Eurobodalla Shire Council Electronic Content Management System
WHS	Work Health and Safety
WHS Officer	A person who makes, or participates in making, decisions that affect the whole or a substantial part of the business or undertakings of Eurobodalla Shire Council. Eurobodalla Shire Council's Officers are the General Manager and the members of Executive Leadership Team. For clarity, the WHS Legislation excludes elected members of Council from having Officer Responsibility
Worker	Person who carries out work for Eurobodalla Shire Council, whether paid or unpaid, or directly or indirectly engaged. Includes an employee, labour hire staff, volunteer, apprentice, work experience student, subcontractor, and contractor.
Workplace	includes all permanent and temporary workplaces and related facilities

**Governance**

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

*Related legislation and policies*

Name	Link
Related Council Policy or Code of Practice	<a href="http://www.esc.nsw.gov.au/inside-council/council/council-policies">www.esc.nsw.gov.au/inside-council/council/council-policies</a>
Local Government Act 1993	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N">www.legislation.nsw.gov.au/maintop/view/inforce/act+30+1993+cd+0+N</a>
Local Government (General) Regulations 2021	<a href="http://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0460">www.legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0460</a>
Work Health and Safety Act 2011 (NSW) (WHS Act)	<a href="http://www.legislation.nsw.gov.au/#/view/act/2011/10">www.legislation.nsw.gov.au/#/view/act/2011/10</a>



Policy

*Related external references*

Name	Link
Office of Local Government Guidelines for Risk Management and Internal Audit for Local Government in NSW	<a href="http://www.olg.nsw.gov.au/councils/governance/risk-management-audit-and-internal-controls/risk-management-and-internal-audit-framework-for-local-councils-in-nsw/">www.olg.nsw.gov.au/councils/governance/risk-management-audit-and-internal-controls/risk-management-and-internal-audit-framework-for-local-councils-in-nsw/</a>
AS/NZS ISO 31000:2018	Risk management – Principles and guidelines
IEC/ISO 31010 2009-11	Risk management – Risk management techniques
ISO Guide 73:2009	Risk management - Vocabulary

*Supporting documents*

Name	Link
Enterprise Risk Management Plan	TBA

*Change history*

Version	Approval date	Approved by	Min No	File No	Change
1	25 Nov 2008	Council	08/326		Policy commenced
2	22 Sept 2009	Council	09/369	E09.3418	Reviewed and updated
3	27 Aug 2013	Council	13/246	E13.7095	Review and update new template
4	9 May 2017	Council	17/120	E16.0297 See list	Reviewed and updated (start of new Council term)

*Internal use*

Responsible officer		Relevant director or GM		Approved by	Council
Minute #	TBA	Report #	TBA	Effective date	TBA
File	See list E16.0297	Review date	Sep 2020	Pages	7

---

**GMR23/027 SAFETY AND EMERGENCY SERVICES GRANT**

**S014-T00018**

Responsible Officer: Warwick Winn - General Manager  
Attachments: 1. Safety and Emergency Service Grant applications summary  
Outcome: 5 Our engaged community with progressive leadership  
Focus Area: 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: 5.2.1.2 Administer community grants and donations

**EXECUTIVE SUMMARY**

Council's Community Grants policy provides funding to support the operating costs associated with the delivery of community services and initiatives by organisations in the Eurobodalla. Under this policy, Councils' Safety and Emergency Services Grants stream provides grants towards the operational costs for surf life saving clubs and emergency organisations.

The grant was open between 19 April 2023 and 12 May 2023.

Eleven applications were received and assessed as meeting the criteria. Requests included training for volunteers, communications equipment, and day to day operations including fuel and electricity. The total amount requested was greater than the allocated funding available. The budget allocation is \$44,900, with requests received totalling \$57,859.50.

It is recommended that five applicants receive the full amount requested. The six remaining applicants represent NSW Government agencies – the Rural Fire Service and the State Emergency Service - that benefit from the Emergency Services Levy collected from councils by the NSW Government each year. It is recommended these applicants receive an equal proportion of the remaining funds, amounting to around 44% of their requested funding.

**RECOMMENDATION**

THAT:

1. Council endorse the recommendations detailed in the attachment, awarding Safety and Emergency Services Grants to 11 organisations for 2022-23.
2. Council work with the applicants representing local brigades of the RFS and SES to seek funding from alternative sources to meet their operational needs, noting the exceptional work carried out by the volunteers of these organisations.
3. Council endorse a review of the Community Grants Policy in conjunction with preparation of Council's future finance strategy.

**BACKGROUND**

In November 2022, Council adopted a revised Community Grants Policy. This policy specifically reflects Council's approach to donations to community organisations, with consideration to local government's role in achieving community cohesion, civic participation and capacity building. The policy can be viewed at [Community grants policy \(nsw.gov.au\)](https://www.nsw.gov.au/community-grants-policy).

---

**GMR23/027 SAFETY AND EMERGENCY SERVICES GRANT**

**S014-T00018**

Under section 5.11 of this policy, Council considers allocating funds under the Safety and Emergency Services grants category. These grants are available for surf life saving clubs and emergency organisations such as volunteer coastal patrol, rescue squads and rescue helicopter services.

The grant was open between 19 April 2023 and 12 May 2023. Eleven applications were received.

The grant is structured as follows:

- Applicants must be Eurobodalla-based safety and emergency services organisations.
- All applications must be made through Council's online application form.
- Grants must provide demonstrated community benefits.
- Applicants must be appropriately insured.
- Applicants must not have any outstanding debts to Council.

Council received 11 applications from the following organisations:

1. Marine Rescue NSW – Batemans Bay
2. Marine Rescue NSW – Narooma
3. Long Beach Rural Fire Brigade
4. Eurobodalla Volunteer Operations Support Brigade (RFS Far South Coast)
5. Malua Bay Rural Fire Brigade
6. Southern Region SLSA Helicopter Rescue Service Pty Ltd (T/A Westpac Life Saver Helicopter)
7. Mogendoura Rural Fire Service
8. Narooma Surf Lifesaving Club Inc
9. Broulee Surfers Surf Lifesaving Club Inc
10. Nelligen Rural Fire Brigade
11. Moruya SES

**CONSIDERATIONS**

Council received 11 applications to the Safety and Emergency Services Grants. All applications were assessed against the eligibility criteria with all applications assessed as meeting the requirements. However, the total amount requested was greater than the allocated funding available. The budget allocation is \$44,900, with requests received totalling \$57,859.50.

**GMR23/027 SAFETY AND EMERGENCY SERVICES GRANT**

**S014-T00018**

Six applications were received from local brigades of the NSW Government’s Rural Fire Service (RFS) and State Emergency Service (SES). The NSW Government collects funds from councils each year to support the RFS, SES and Fire and Rescue in the form of a levy. Council’s 2023-24 Emergency Services Levy is \$1,498,678.

It is therefore proposed that five applicants receive the full amounts requested, and the six RFS and SES applicants receive an equal proportion of the remaining funds, amounting to around 44% of their grant requests.

A summary is attached outlining the projects each organisation will undertake with this funding, including items like staff training and new communications equipment.

**Policy**

The Safety and Emergency Services Grants stream is part of Council’s Community Grants Policy. It is proposed to review this policy in conjunction with preparation of Council’s future finance strategy later this year.

**Financial**

A total budget of \$44,900 is allocated for 2022-23 Safety and Emergency Services Grants. The total of the 11 grant applications is \$57,859.50.

Since the grant is oversubscribed and noting the \$1.49M cost to ratepayers for the NSW Government’s Emergency Services Levy, it is recommended five applicants receive the full amounts requested, and the six RFS and SES applicants receive an equal proportion of the remaining funds, amounting to around 44% of their grant requests.

Safety and Emergency Services Grant 2022-23 Budget	44,900	Recommended funding	
	Requested amount	100% funding	Partial funding (44%)*
Marine Rescue NSW Batemans Bay	19,200.00	19,200.00	
Marine Rescue Narooma	5,000.00	5,000.00	
Southern Region SLSA Helicopter Rescue Service Pty Ltd (T/A Westpac Life Saver Helicopter)	3,000.00	3,000.00	
NAROOMA SURF LIFE SAVING CLUB INC	5,500.00	5,500.00	
BROULEE SURFERS SURF LIFESAVING CLUB INC	1,946.00	1,946.00	
Eurobodalla Volunteer Operations Support Brigade	3,400.00		1,502.00
Long Beach Rural Fire Brigade	600.00		265.00
Malua Bay Rural Fire Brigade	6,000.00		2,650.00
Mogendoura Rural Fire Service	3,000.00		1,325.00
Nelligen Rural Fire Brigade	2,712.60		1,198.00
New South Wales State Emergency Service – Moruya SES	7,500.90		3,314.00
<b>Total</b>	<b>57,859.50</b>	<b>34,646.00</b>	<b>10,254.00</b>
Total budget remaining after 100% funding allocation		10,254.00	
Total requested to be partially funding		23,213.50	44%

\* rounded number

**Community and Stakeholder Engagement**

All local emergency services and previous funding applicants were notified in writing of the grant availability. Council informed the broader community via a media release and information on Council’s website.

---

**GMR23/027 SAFETY AND EMERGENCY SERVICES GRANT**

**S014-T00018**

**CONCLUSION**

The Safety and Emergency Services Grants provide the opportunity to support local community organisations to provide vital emergency services and initiatives to the community.

Council will contact applicants from local SES and RFS brigades to offer support to seek further funding from alternative sources.

A review of the Community Grants Policy is proposed in conjunction with preparation of the future finance strategy.



## 2022-23 Safety and Emergency Services Grant Applications

Submission No.	Applicant	Requested Amount	Recommended Amount	Description
SESG00001	Marine Rescue NSW Batemans Bay	\$ 19,200.00	\$ 19,200.00	<p>Assistance with the ongoing berthing costs for two of our rescue vessels.</p> <p>Marine Rescue operates three rescue vessels in Batemans Bay. Two of these vessels, BM30 and BM20 are berthed at the Batemans Bay Marina as rapid response units. The cost of berthing these two vessels is a recurring annual expense of \$19,200 per annum and we would be most grateful if these fees could be funded via this grant for the current period.</p> <p>Were Council to fund this request then Marine Rescue Batemans Bay could undertake upgrades on all our vessels by using the funds we would have spent on berthing fees in purchasing communications headsets and AIS Communication Man Overboard sensors for our vessels and assisting end of season maintenance programs.</p> <p>All of these programs are intended to provide a "fit for purpose" vessels with a modern communication and protection system for all our volunteers. Our mission is to create a safe ongoing working environment.</p>
SESG00002	Marine Rescue Narooma	\$ 5,000.00	\$ 5,000.00	<p>Marine Rescue Narooma (MRN) is comprised of volunteers whose mission is to save lives on the water. MRN provides a 24/7 radio and rescue response service and relies on local fundraising activities to help cover its operating costs. The Narooma Bar is very treacherous and thirteen lives have been lost on it since 1990, the latest being two lives in March 2020 and one in April 2023.</p> <p>MRN operates two rescue vessels. Our main vessel is a high speed response vessel capable of providing assistance to boats in trouble up to 30 nautical miles off-shore. One of MRN's main operational costs is fuel to run our rescue vessels. Each vessel has twin outboards and require Premium Octane 98 fuel. At high speed in response to an offshore Mayday callout, fuel usage can be as high as 180 litres per hour. Fuel is also required for training which occurs every week. In 2022 the cost of fuel was \$5,750 and in the first 4 months of 2023 we have spent \$3,030.</p> <p>A grant to help supplement this expense would be a welcome addition to our budget.</p>
SESG00003	Long Beach Rural Fire Brigade	\$ 600.00	\$ 265.00	<p>Provide funding to cover the cost mobile internet for I pads in the fire vehicles and mobile dongle</p> <p>We are a Rural Fire Brigade covering the Long Beach / Maloneys Beach &amp; Cullendulla areas We have I pads in our vehicles to assist in locating addresses that we are call to, we are also able to get weather updates and information from NSW RFS</p>
SESG00004	Eurobodalla Volunteer Operations Support Brigade	\$ 3,400.00	\$ 1,502.00	<p>RFS Communications</p> <p>Our Eurobodalla Volunteer Operations Support (EVOS) Brigade provides radio communications and operational support for the NSW RFS. We are in the RFS Far South Coast District and operate from the Eurobodalla Fire Control Centre (EFCC) in Moruya. Since the 2019/2020 fires, our work has become more reliant on IT usage, such as the adoption of the Computer Aided Dispatch (CAD) system. To facilitate our work-related functions, we need to use a good quality laptop computer and an Apple iPad.</p> <p>The computer will be used to access the CAD and Activ and ICON software while operating at the desk next to the Radio equipment to enable us to be better able to function and provide the service for operational commanders in the field. This ultimately improves the protection our volunteers provide to the Eurobodalla community.</p> <p>The iPad will be used to give operational mobility when working as a Command Assistant on the fire ground. This includes providing Intel between EFCC and the fire ground commander in a timely manner.</p>
SESG00005	Malua Bay Rural Fire Brigade	\$ 6,000.00	\$ 2,650.00	<p>Malua Bay Rural Fire Brigade is seeking \$6,000 to fund enhanced radio communications to support enhanced 24 hour local incident control capability during emergency incidents and events. The Brigade provides a 24 hour response capability to bushfire, structural, electricity and gas fire events and, other emergencies such as floods, in its area of responsibility and elsewhere in Australia. The Brigade also provides assistance to Police, Ambulance and SES operations.</p> <p>The equipment sought is:</p> <p>\$5,500 for 1 x Motorola APX6000 Government Radio Network programmed P25 radio to equip the Captain and Senior Deputy with a radio each to enable enhanced 24 hour local incident control through the ability to attend incidents directly while the Brigade awaits crews for response.</p> <p>\$500 for 1 x Icom IC-F5023 VHF 128 channel 25 Watt NSW RFS Fireground Network programmed Base Radio to fully equip the Station to maintain local area Incident Control capability and support to local area, Group and District communications capability during fire and other emergencies.</p>

## 2022-23 Safety and Emergency Services Grant Applications

Submission No.	Applicant	Requested Amount	Recommended Amount	Description
SESG00006	Southern Region SLSA Helicopter Rescue Service Pty Ltd (T/A Westpac Life Saver Helicopter)	\$ 3,000.00	\$ 3,000.00	<p>Purchase of EXFIL SAR Tactical Helmet to assist rescue crew to communicate with aircrew during water rescues</p> <p>WLSHRS boundaries are from Shoalhaven Heads to the Victorian border. Whilst core operations are focused on marine and coastal environment, the aircraft, equipment and crew can operate at any location inland.</p> <p>The coastline of South East NSW is predominantly rugged cliffs and rock ledges, occasionally inter-dispersed with sandy beaches. The area is well known for its remote locations and rescue services often have difficulty in accessing most locations along the seaboard. The south coast is a well-known SLSA "black spot".</p> <p>Operations focus on proactive surf patrols and reactive callouts from 13SURF and other agencies. We carry a crew of three and the capability of additional specialist crew, such as ambulance paramedic, doctor or police if required and two patients.</p> <p>Whilst coastal rescue operations are our primary function, our service is very capable of any tasking requests for inland responses as the nearest helicopters are based at Canberra and Albion Park.</p> <p>The Service welcomes visitors from community groups, small school groups and the general public to visit the base at Moruya and get an insight in what we do and how we can help save lives.</p>
SESG00007	Mogendoura Rural Fire Service	\$ 3,000.00	\$ 1,325.00	<p>Water tank</p> <p>Purchase and installation of a 26,000L water tank as an additional water supply to refill fire tankers. The brigade station is not on the town water supply and a round trip to the closest hydrant is approximately 40 minutes. An additional water tank will ensure added protection is available to properties and community assets during fires as brigade tankers can remain on the fireground for longer periods without having to leave to refill in town.</p>
SESG00008	NAROOMA SURF LIFE SAVING CLUB INC	\$ 5,500.00	\$ 5,500.00	<p>Narooma SLSC provides emergency search, rescue and medical services to the local and tourist community in and around Narooma. To do this the club relies on first aid/rescue equipment (including vehicles, boats, boards) and a well maintained clubhouse that acts as a hub for our activities. Operational funding is being sought to cover the essential costs associated with the vital service we deliver. Costs still to be incurred this year include fuel; first aid equipment; electricity and telephone bills; medical oxygen cylinders; registration costs (for vehicles, rescue boats, trailers, etc); radios; and, repair/maintenance of vehicles (e.g. all terrain vehicle), inflatable rescue boat and rescue boards.</p> <p>We currently have 207 active hard-working volunteer members who put in so much of their own time to support our club and protect our community. Given that we are still recovering from the loss of fundraising opportunities since COVID, this funding would alleviate some of the fundraising pressure and demonstrate to our volunteers that they are valued. The club's long term sustainability is dependent upon our dedicated volunteer members and our financial stability. Plus, day-to-day it is critical that we have an operational budget that keeps us "rescue ready" 24/7.</p>
SESG00009	BROULEE SURFERS SURF LIFESAVING CLUB INC	\$ 1,946.00	\$ 1,946.00	<p>Installation of a Defibrillator on External Wall of Clubhouse</p> <p>This project will see the installation of a publicly accessible, weather-proof Automated External Defibrillators (AED) to the external Clubhouse wall. The AED will be placed in a well-lit position and registered with NSW Ambulance Service and on the NSW First Aid AED Locator register. At present, there is no AED available to the public when the Clubhouse is closed. Early access to an AED in the event of a cardiac emergency can save lives. Not having this equipment could lead to loss of life in the event of an emergency.</p> <p>The community in and around Broulee relies on our Club to provide immediate emergency search, rescue and first aid services to the public when visiting our beach. Broulee is a popular holiday destination that boasts diving, surfing, fishing, kayaking, snorkelling tours and the beautiful Broulee Island Nature Reserve. The southern end of our beach is the starting point for the 4km Broulee Island Reserve Walk. While our township is home to around 1,700 people, during the summer months the population of the Eurobodalla region grows from 17,500 to 40-50,000. To maximise community safety when the clubhouse is closed, it is vital we provide the community with a fully accessible AED.</p>



## 2022-23 Safety and Emergency Services Grant Applications

Submission No.	Applicant	Requested Amount	Recommended Amount	Description
SESG00010	Nelligen Rural Fire Brigade	\$ 2,712.60	\$ 1,198.00	<p>Purchase of a Thermal Imaging Camera to provide enhanced fire/thermal identification, management and suppression</p> <p>The Nelligen RFS brigade is a small village protection brigade made up solely of volunteers that provide an essential emergency response capability to a broad range of incidents including Motor Vehicle Accidents on the Kings Highway, bushfires and structural fires.</p> <p>Access to a thermal imaging camera will allow the brigade to better identify and manage a broad range of fire/thermal incidents that will ultimately result in increased protection to the community and environment. In particular, the increase in electric vehicles and domestic solar systems has created a unique challenge for firefighters in the management of Li-ion batteries. The early detection and management of thermal overrun will better prevent incidents escalating into events that threaten life, property and the community. A thermal imaging camera will also increase the efficiency of all fire fighting activities ensuring that the most effective firefighting strategies are employed, increasing safety and reducing the level of resources needed.</p>
SESG00011	New South Wales State Emergency Service - Moruya SES	\$ 7,500.90	\$ 3,314.00	<p>Heavy Vehicle licensing to boost capability for Flood Operations</p> <p>NSW SES received a budget enhancement that boosts our capacity to undertake flood rescue, resupply and bush search and rescue response. SES is currently adding 8 new Mercedes Benz Unimog vehicles – known as High Clearance Vehicles (HCV) – that can be safely driven through flood water to rescue or evacuate flood impacted persons, deliver prescription medicine and food to people who are isolated by flood water, and undertake bush search and rescue in arduous conditions.</p> <p>Some HCVs already exist in the SES fleet and have been extensively utilised during Western NSW flooding. Two HCVs were also deployed to South Australia in 2022 to assist with flood operations.</p> <p>Local SES vehicles traditionally do not allow local SES volunteers to hold the appropriate driver license to operate a High Clearance Vehicle due to vehicle weights. We are currently exploring options to boost capacity of local volunteers to undertake training to operate HCVs so that we're able to assist with flood operations where required locally, across NSW and interstate.</p> <p>With ESC's support for training (\$950 pp GST inc.) and accommodation (up to \$300.15 pp GST inc.) costs, six local volunteers can gain the appropriate NSW Heavy Vehicle license to undertake HCV training.</p>
11		<u>\$ 57,859.50</u>	<u>\$ 44,900.00</u>	

---

**GMR23/030 LABOUR HIRE CONTRACT – EXTENUATING CIRCUMSTANCES**

**S012-T00025**

Responsible Officer: Warwick Winn - General Manager

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.4 Develop and grow a skilled, motivated and accountable workforce and position Council as an organisation people want to work for

Operational Plan Link: 5.3.4.5 Undertake a review of recruitment policy and processes

**EXECUTIVE SUMMARY**

Eurobodalla Shire Council has utilised labour hire through a contract with Recruitflex over a period of five years. This contract had two contract extensions that have been utilised and will end on 30 August 2023.

Labour hire has been used across Infrastructure Services, Community Services (including community care and children services), Waste Services and other divisions of Council as required during this period.

There is a plan to review Council's current labour hire usage to develop workforce plans that better reflect staffing requirements.

Entering a tender process and progressing the use of labour hire is an expensive and time-consuming process and will require resources to manage the process and the contract.

The current labour hire expenditure for 2022-23 is over \$1.3 million, which is above the tendering threshold of \$250,000.

Under Section 55 (3)(i) of the *Local Government Act 1993 (Act)*, the tendering requirement under the Act does not apply where a contract is entered into because of extenuating circumstances.

Due to Council's intention to review labour hire over the next 12 months and taking into consideration its current financial position, it is considered appropriate under these circumstances to enter into a 12-month contract with the current provider, Recruitflex, in accordance with Section 55 (3)(i) of the Act.

**RECOMMENDATION**

THAT:

1. Council resolves that because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders for labour hire.
2. The reasons for Council's decision that a satisfactory result would not be achieved by inviting tenders for labour hire are that:
  - (a) Council will over the next 12 months review labour hire practice and develop effective workforce plans that better reflect staffing levels and resourcing needs.
  - (b) The cost of tendering for a contract is a time-consuming and expensive process.
  - (c) Recruitflex has held the current labour hire contract for the last five years and understands Council's processes.

---

**GMR23/030 LABOUR HIRE CONTRACT – EXTENUATING CIRCUMSTANCES**

**S012-T00025**

- (d) If Council did invite open tenders, Recruitflex would likely have an advantage over other tenders given its prior knowledge and experience working with Council.
3. Council delegate authority for the General Manager to enter into direct negotiation with Recruitflex for a 12-month contract in relation to labour hire and to execute any agreement arising from those direct negotiations.

**BACKGROUND**

Council has utilised labour hire and outsourced the hiring of casual employees through a labour hire contract for more than a decade. Entering into a 12-month contract with Recruitflex will provide Council an opportunity to review practice.

The current contract expires on 30 August 2023. The following factors are the main reasons that Council requires labour hire services for the next 12 months:

- A demand for labour hire services across infrastructure services, waste management and community and children services.
- Specific plant and skilled operators required at short notice.
- Use of seasonal workers eg, children services
- Provide time for effective review of workforce planning and recruitment.

The cessation of the labour hire option in September 2023 would impact construction and maintenance works and disrupt services such as childcare and or community care.

**CONSIDERATIONS**

Over the next 12 months Council's intention is to review reliance on labour hire and develop effective workforce plans that reflect staffing levels and resourcing needs. However, there is still a need labour hire services while that review takes place.

**Legal**

In accordance with *Division 1 Tendering, Section 55 (3)(i) of the Local Government Act 1993*,

- (i) A contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.

Extenuating circumstances

Council's labour hire contract with Recruitflex had two contract extensions that have been utilised and will end on 30 August 2023. It is recommended that Council enter into a 12 month contract to ensure business continuity and an adequate period for review.

The extenuating circumstances are:

- Council will over the next 12 months review practice on labour hire and develop effective workforce plans that reflect staffing levels and resourcing needs.
- Recruitflex has held the current labour hire contract for the last five years and understands Council's processes.

---

**GMR23/030 LABOUR HIRE CONTRACT – EXTENUATING CIRCUMSTANCES S012-T00025**

- If Council did invite open tenders, Recruitflex would likely have an advantage over other tenders given its prior knowledge and experience working with Council.

**Policy**

The proposal has been given consideration under Section 55 of the *Local Government Act 1993*, Council's Procurement Policy, and Procurement (Including Tendering) Code of Practice.

**Financial**

The current labour hire expenditure for 2022-23 is over \$1.3 million, which is above the tendering threshold of \$250,000. The intention is to review practice in this area.

**CONCLUSION**

Due to the intention to review labour hire practice and develop workforce plans that better reflect staffing requirements, Council requires to enter into a 12-month contract with current labour hire contractor Recruitflex while the review is undertaken.

Due to extenuating circumstances, an exemption is sought under Section 55 (3)(i) of the *Local Government Act 1993*, to allow for Recruitflex to continue to provide labour hire services.

---

**PSR23/020 MOGO OVAL COMMUNITY FACILITY**

**L16218**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services  
Attachments: Nil  
Community Goal: 2 Our community that welcomes, celebrates, and supports everyone  
Community Strategy: 2.2 Encourage community spirit and enable healthy lifestyles  
Delivery Program Link: 2.2.1 Strengthen community spirit through community development initiatives  
Operational Plan Link: 2.2.1.5 Promote and facilitate activities and events that connect community and respond to wellbeing needs

**EXECUTIVE SUMMARY**

The purpose of this report is to seek approval for Council to grant a lease to a new, independent incorporated association being established by the Mogo Village Business Chamber to operate a Community Recreation facility, at Mogo Oval.

The lease of part of Lot 1 Sec 15 DP758688 (Mogo Oval) is proposed being Crown Land under Council management.

This facility is to be funded via the Black Summer Bushfire Recovery Grants program.

Public notification of the proposed lease was undertaken from 27 April to 24 May 2023. No submissions were received.

**RECOMMENDATION**

THAT:

1. Subject to final negotiations, Council as Crown land manager approve a lease over part Lot 1 Section 15 DP 758688 at Mogo for 20 years including the following conditions:
  - (a) the provision of \$20 million public liability insurance.
2. The General Manager conclude negotiations and carry out all necessary actions to enter into a lease within Lot 1 Section 15 DP 758688.

**BACKGROUND**

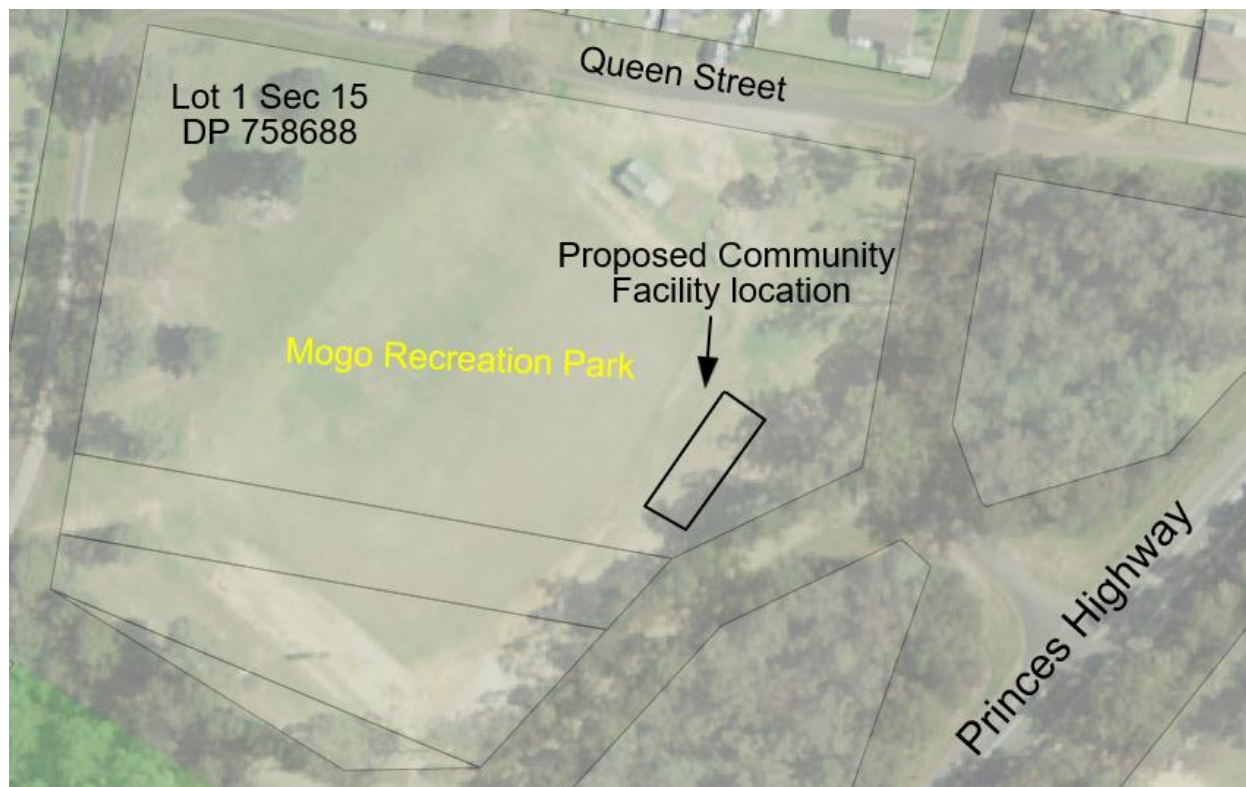
In February 2022, the Mogo Village Business Chamber (MVBC) was awarded \$1 million from the Australian Government's Black Summer Bushfire Recovery Grants program to build a community facility and pump track in Mogo.

Whilst Council was not a part of the grant application, meetings with MVBC have been ongoing since that time to facilitate the delivery of the project.

The site identified by MVBC is at the Mogo Oval, being Lot 1 Sec 15 DP758688, Queen Street, Mogo

PSR23/020 MOGO OVAL COMMUNITY FACILITY

L16218



At the Council meeting on 12 April 2022, Council considered a Notice of Motion on this matter and unanimously resolved that:

*“Council provide in principle support to the Mogo Business Chamber for their proposal to construct a Community Recreation Hub, to be funded via the Black Summer Bushfire Recovery Grants program, at Mogo Recreation Park.*

*This support is subject to the proposed uses of the facility being appropriate for the purpose of public recreation and that the proposal for the structure and associated infrastructure is in compliance with all relevant legislation.”*

The identified site is Crown Reserve R94621 for Public Recreation under the management of Council.

Public Notification of the proposal for Council to consider a lease was undertaken from 27 April to 24 May 2023. No submissions were received.

Councillors were notified of the proposed lease in the Councillor newsletter of 28 April 2023.

### CONSIDERATIONS

Potential management models for the facility have been discussed with MVBC. The outcome of these discussions subject to Council approval is as follows:

- Council will only lease the land to the new incorporated body and will not own or manage the building
- The lessee will be a new incorporated body currently being established by the Mogo Village Business Chamber
- Lease term is 20 years

---

**PSR23/020 MOGO OVAL COMMUNITY FACILITY**

**L16218**

- The rent will be the Crown Lands minimum, currently \$566 per year

**Legal**

Mogo Oval is a Crown Reserve under the management of Council as Crown Land Manager.

*The Crown Land Management Act 2016* commenced on 1 July 2018. A Crown Land Manager (CLM) is responsible for the care, control and management of appointed Crown Reserves on behalf of the people of NSW. CLMs oversee the appointed reserves, buildings, assets and infrastructure, along with administering the crown leases and licences for these locations.

[Crown Land Management Act 2016](#)

Crown Lands have confirmed that the purpose of the building is consistent with the reserve purpose being Public Recreation.

Development approval would be required and this is the responsibility of the lessee.

The term of lease is 20 years. If more than 21 years, then Ministerial approval would be required.

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

**Policy**

The lease will be created in accordance with Council's Land Management- Acquisition, Disposal and Leasing/Licensing Policy (Land Policy).

[Land-Management-Acquisition-Disposal-and-Leasing-Licensing-Policy-final-for-adoption.pdf \(nsw.gov.au\)](#)

**Asset**

Council will not own the asset but will achieve a beneficial community facility.

**Social Impact**

Mogo community has been severely impacted by fire and flood natural disasters. The MVBC is very motivated by this facility and has liaised with the Mogo community about it.

**Financial**

Funding for the building comes from the Black Summer Bushfire Recovery Grants program. Council is leasing the land only, the MVBC will manage the construction and its budget.

Rent for the land is to be the Crown Land minimum, currently \$566 per annum.

**Community and Stakeholder Engagement**

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

Public notification of the proposed lease has been undertaken from 27 April to 24 May 2023. No submissions were received.

[Local Government Act 1993 No 30 - NSW Legislation](#)

---

**PSR23/020 MOGO OVAL COMMUNITY FACILITY**

**L16218**

**CONCLUSION**

It is recommended that Council support a 20 year lease to a new, independent incorporated association being established by the Mogo Village Business Chamber of the land for construction and operation of a Community Recreation facility, at Mogo Oval.



---

**PSR23/021 LAND CLASSIFICATION - LOT 44 DP 1291391 GEORGE BASS  
DRIVE, ROSEDALE**

**S023-T00001,  
LAND ID 20721**

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

Attachments: 1. Confidential - Land classification - Lot 44

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.2 Manage land under Council control

Operational Plan Link: 5.3.2.1 Undertake strategic management of Council's operational land portfolio

### **EXECUTIVE SUMMARY**

The purpose of this report is to advise councillors of the vesting of land into Council's ownership and the legislative requirement to classify the land within three months of it being vested in Council as owner.

A 137-lot residential subdivision at Rosedale was approved by Council in August 2014 including the creation of Lot 44 for vesting into Council ownership.

Lot 44 DP 1291391 accommodates a sewer pump station that will service the lots within the new development and has an area of 3,032m<sup>2</sup>.

Council has given a minimum of 28 days' public notice of its intention to resolve that Lot 44 DP 1291391 be classified as operational land. The period of public notice was from 4 May to 1 June 2023 during which time no submissions were received.

This report seeks Council approval to classify Lot 44 as operational land.

The landowner's details are set out in the confidential attachment.

### **RECOMMENDATION**

THAT lot 44 DP 1291391 (formerly part Lot 1 DP 403372) at George Bass Drive, Rosedale, be classified as operational land, pursuant to section 34 of the *Local Government Act 1993*.

### **BACKGROUND**

The 137-lot residential subdivision of 1664 George Bass Drive, Rosedale being Lot 1 DP 403372, approved by Council in August 2014 (DA73/13), made provision for the dedication of land to house the sewer pump station that will service the newly created lots.

The plan of subdivision that was registered at the NSW Land Registry Services on 30 March 2023 vested Lot 44 DP 1291391 in Council's ownership. As the land accommodates a sewer pump station, it is appropriate that the land be classified as operational land.

**PSR23/021 LAND CLASSIFICATION - LOT 44 DP 1291391 GEORGE BASS  
DRIVE, ROSEDALE**

**S023-T00001,  
LAND ID 20721**

## CONSIDERATIONS

The subject lot is shown as highlighted in red in the aerial image below:



*Lot 44 DP 1291391 George Bass Drive, Rosedale*

### Legal

In accordance with the provisions of the *Local Government Act 1993*, land to be acquired is to be classified as either community or operational land. As the land is to be acquired for operational purposes, it would be appropriate for it to be classified as operational land, upon acquisition.

Public notice must be given of Council's intention to classify the land as operational land and allowing not less than 28 days for receipt of written submissions.

[Local Government Act 1993, s34](#)

### Policy

Dedication to Council of Lot 44 DP 1291391 to accommodate a sewer pump station is in accordance with *Council's Land Management – Acquisition, Disposal and Leasing/Licensing Policy* adopted by Council 22 November 2022.

[Land-Management-Acquisition-Disposal-and-Leasing-Licensing-Policy](#)

### Environmental

Sewer pump stations are required to service urban expansion.

### Asset

The sewer pump station is an asset of Council and will be maintained by Council.

---

**PSR23/021 LAND CLASSIFICATION - LOT 44 DP 1291391 GEORGE BASS  
DRIVE, ROSEDALE**

**S023-T00001,  
LAND ID 20721**

**Economic Development Employment Potential**

The provision of adequate sewer pump stations is essential to residential developments.

**Financial**

There are no financial costs for the classification of land only.

**Community and Stakeholder Engagement**

In accordance with the provisions of the *Local Government Act 1993*, Council's intention to formally resolve to classify the land as operational land is required to be publicly notified and any submissions considered prior to making a decision.

Council has publicly notified its intention to resolve to classify the land as operational land in accordance with section 34 of the *Local Government Act 1993*. Notice was given for a period of not less than 28 days, from 4 May 2023 to 1 June 2023. No submissions were received.

**CONCLUSION**

This report recommends that Lot 44 DP 1291391 be classified as operational land as the property accommodates sewer infrastructure.

---

**PSR23/022 LAND ACQUISITION - 'OLD BODALLA FARM', PART 382  
EUROBODALLA ROAD, BODALLA**

**LI 22359,  
24389**

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

Attachments: 1. Confidential - Land acquisition for road widening - part Old Bodalla Farm

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.2 Manage land under Council control

Operational Plan Link: 5.3.2.1 Undertake strategic management of Council's operational land portfolio

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek approval for a proposed acquisition of land for road purposes. The acquisition of land is required for road widening to formalise road realignment and reconstruction of Silo Farm bridge over the Tuross River.

The project requires acquisition of approximately 3451m<sup>2</sup> of land from 'Old Bodalla Farm' being part Lot 1 DP 794098 and part Lot 1 DP 795687 on Comerong Forest Road, Bodalla. The total area of these two properties is approximately 102.8 hectares.

Reconstruction of the bridge and road widening are scheduled to be completed in or about November 2023.

The acquisition of land will be pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* and as outlined in Council's *Land Management- Acquisition, Disposal and Leasing/Licensing Policy* adopted by Council on 22 November 2022.

This report seeks approval of the acquisition of land for road purposes.

The landowners' details are as shown in the confidential attachment to this report.

### **RECOMMENDATION**

THAT:

1. Council approve the acquisition of part Lot 1 DP 794098 and part Lot 1 DP 795687 for road purposes.
2. All actions necessary be taken for the acquisition of part Lot 1 DP 794098 and part Lot 1 DP 795687 for road purposes in accordance with Council's *Land Management – Acquisition, Disposal and Leasing/Licensing Policy*.
3. If the acquisition of part Lot 1 DP 794098 and part Lot 1 DP 795687 cannot be negotiated by agreement, Council make application to the Minister for Local Government and the Governor to acquire part Lot 1 DP 794098 and part Lot 1 DP 795687 for public road purposes by compulsory process in accordance with Council's power under Section 177(1) of the *Roads Act 1993* and in accordance with Council's *Land Management – Acquisition, Disposal and Leasing/Licensing Policy*.
4. All survey and legal costs associated with the land acquisition be borne by Council.

**PSR23/022 LAND ACQUISITION - 'OLD BODALLA FARM', PART 382  
EUROBODALLA ROAD, BODALLA**

**LI 22359,  
24389**

5. Once acquired, the land be dedicated as public road in accordance with the provisions of the *Roads Act 1993*.
6. The General Manager be given delegated authority to execute all necessary documentation associated with the acquisition.

**BACKGROUND**

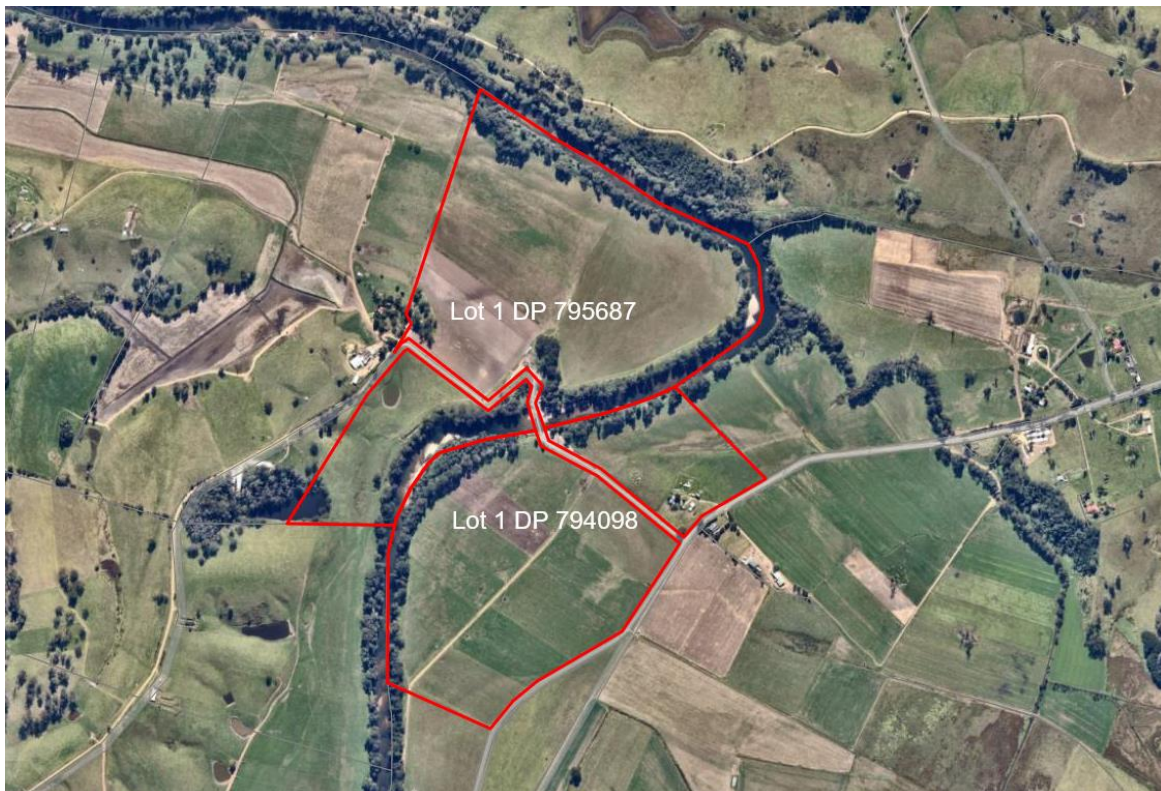
Comerang Forest Road crosses the Tuross River at the junction of 'Old Bodalla Farm' over Silo Farm bridge. The subject property comprises Lot 1 DP 794098 and Lot 1 DP 795687. The centreline of the Tuross River is the boundary between those lots.

To enable reconstruction of the bridge and road widening, the acquisition of part of the land is required. The land acquisition will also rectify the historical encroachment of the previous bridge, which was on the private land, with the completion of the current road and bridge works.

The project requires the acquisition of approximately 3,451m<sup>2</sup> of part Lot 1 DP 794098 and part Lot 1 DP 795687 for road purposes.

**CONSIDERATIONS**

Below is an aerial image showing the location of 'Old Bodalla Farm', together with a sketch of the proposed road widening which shows the area of land proposed to be acquired:

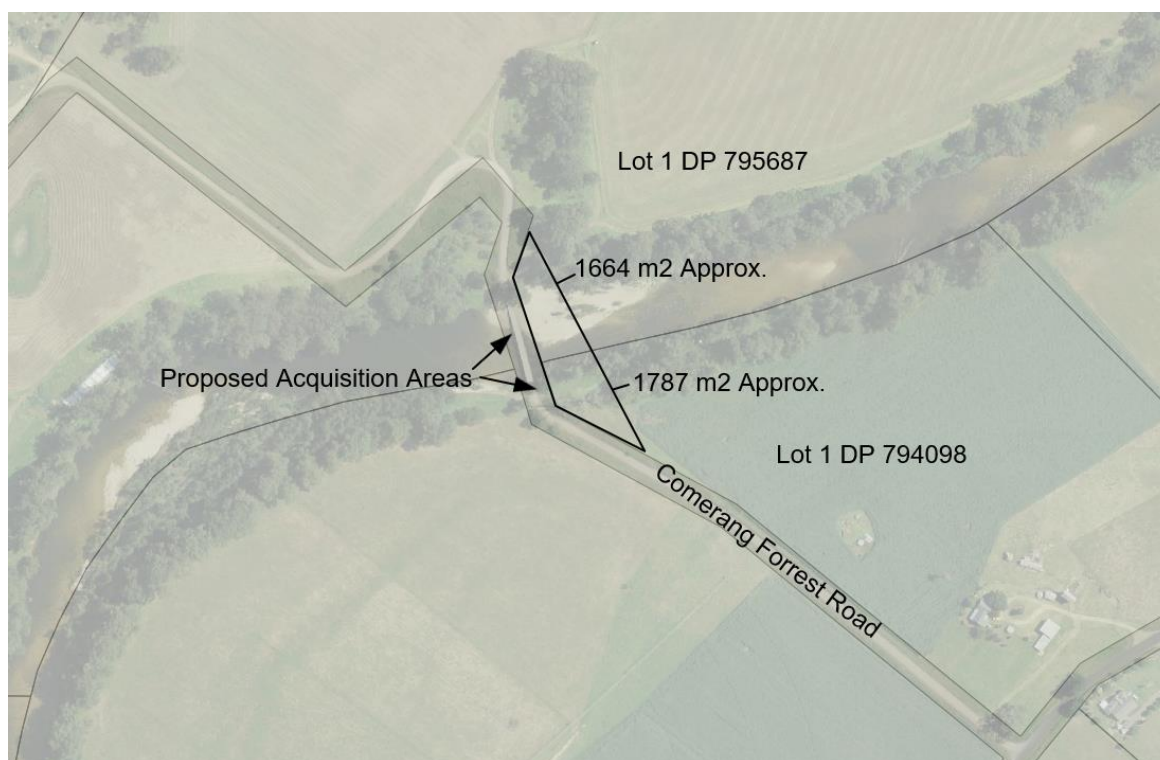


*'Old Bodalla Farm', Lot 1 DP 794098 & Lot 1 DP 795687*



**PSR23/022 LAND ACQUISITION - 'OLD BODALLA FARM', PART 382  
EUROBODALLA ROAD, BODALLA**

**LI 22359,  
24389**



*Sketch of land proposed to be acquired*

**Legal**

A plan of acquisition will be prepared by a registered surveyor, which will be lodged for registration at the office of NSW Land Registry Services.

Council will seek to acquire the land by agreement. If acquisition by agreement is not achieved, it may need to proceed by compulsory process. Acquisition, whether by agreement or compulsory acquisition, will be in accordance with the provisions of *the Land Acquisition (Just Terms Compensation) Act 1991*.

[Land Acquisition \(Just Terms Compensation\) Act 1991 No 22 - NSW Legislation](#)

**Policy**

The acquisition will proceed as outlined in Council's *Land Management – Acquisition, Disposal and Leasing/Licensing Policy* adopted by Council on 22 November 2022.

[Land-Management-Policy](#)

**Asset**

Public roads and related infrastructure are Council assets.

The reconstruction of the bridge over the Tuross River on Comerang Forest Road and road widening are scheduled to be completed in or about November 2023.

**Financial**

Compensation for the acquisition of land will be determined following a valuation by a registered valuer.

---

**PSR23/022 LAND ACQUISITION - 'OLD BODALLA FARM', PART 382  
EUROBODALLA ROAD, BODALLA**

**LI 22359,  
24389**

Together with compensation, Council will be responsible for costs associated with the acquisition including survey and legal fees, and the landowners' reasonable legal costs.

Funds are allocated for the bridge reconstruction and road widening project from the Fixing Country Bridges Program and Bridges Renewal Program.

**Community and Stakeholder Engagement**

Council is in communication with the landowners of 'Old Bodalla Farm' in respect of the proposed acquisition of land.

Council's Community Engagement Strategy 2022 and relevant legislation have been used to guide the best approach to engagement on this matter. There is no legal requirement to advise the community through public notice, or to seek feedback through public exhibition for the acquisition of land and the engagement method will be to 'inform' through this report.

**CONCLUSION**

The road widening to formalise road realignment and reconstruction of Silo Farm bridge over the Tuross River at 'Old Bodalla Farm' requires the acquisition of approximately 3,451m<sup>2</sup> of land for road purposes.

This report recommends Council approve the acquisition of part Lot 1 794098 and part Lot 1 DP 795687 for road purposes.

---

<b>PSR23/023</b>	<b>PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE BAY</b>	<b>LAND ID</b> <b>123</b>
------------------	--	------------------------------

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

Attachments: 1. Confidential - Proposed part road closure Bronte Crescent

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.2 Manage land under Council control

Operational Plan Link: 5.3.2.1 Undertake strategic management of Council's operational land portfolio

### EXECUTIVE SUMMARY

The purpose of this report is to seek approval for part road closure at Bronte Crescent, Sunshine Bay.

An application has been received from the owners of 10 Bronte Crescent, Sunshine Bay ('the applicants') to close part of the unformed road reserve adjoining their property to enable its sale to them. On closure, the newly created lot will be vested to Council as operational land which enables Council to sell the land.

Following closure, it is intended that Council negotiate the sale of the newly created lot to the applicants. The value of the unformed road reserve proposed to be closed and new lot created will be determined following a valuation by a registered valuer. The area of unformed road reserve proposed to be closed is approximately 350 square metres (subject to final survey).

If the sale of the newly created lot proceeds, it will be a condition of that sale that the applicants consolidate the land with their own property to create 1 lot.

All costs including survey, valuation and legal costs associated with the road closure will be borne by the applicants. The applicants will be required to pay Council for the newly created lot following road closure and, in addition, costs of survey and legal costs for the consolidation of the newly created lot with their own property.

The proposed road closure and transfer will take place in accordance with Council's *Land Management – Acquisition, Disposal and Leasing/Licensing Policy*.

The landowners' details are shown in the Confidential attachment to this report.

### RECOMMENDATION

THAT:

1. A Deed of Agreement be entered into with the landowners of 10 Bronte Crescent, Sunshine Bay for the closure of that part of Bronte Crescent adjacent to their property, requiring the landowner to pay all costs associated with the closure of part of Bronte Crescent, including payment for the land to be determined following a valuation, and to then consolidate the newly created lot with their own property.
2. Once closed and vested in Council, the former segment of unformed road reserve adjacent to 10 Bronte Crescent, Sunshine Bay be sold to the adjoining landowners following payment of agreed value.



---

**PSR23/023 PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE BAY**

**LAND ID  
123**

3. The General Manager be given delegated authority to execute all necessary documentation.

**BACKGROUND**

The landowners of 10 Bronte Crescent, Sunshine Bay, being Lot 14 DP 23067, have applied to close and purchase part of the unformed road reserve at Bronte Crescent adjoining their property. The road reserve is situated at the top of Bronte Crescent and is adjacent to a loop in the road. Councillors have previously been briefed on this matter, both before and after the public notification.

The road reserve adjacent to the loop in Bronte Crescent Sunshine Bay is unformed, and there is no future need for the unformed road by Council. It is proposed to close part of the road reserve to create a new lot, to be sold and subsequently consolidated with the applicants' property.

Total area of the road reserve in that area is approximately 940sqm. The area shown to be closed on the on-site Public Notice was approximately 460sqm. This has been reviewed since receiving submissions.

Subject to final survey, the area of road reserve proposed to be closed is approximately 350sqm with approximately 590sqm of visible green space being retained as unformed road reserve.

The closure of part of the unformed road reserve will devolve Council of current and future maintenance responsibilities over the area disposed of.

Council's procedure for road closures has been followed, including notification to the appropriate statutory authorities and neighbouring property owners, allowing a minimum of 28 days for submissions to be received. 11 submissions raising concerns were received and these are attached to this report in the Confidential Attachment.

Council had previously considered the creation of a stand-alone lot for separate sale however, following investigation, it was determined that the parcel would not achieve the minimum lot size for a stand-alone lot which, in accordance with the 2012 *Eurobodalla Local Environment Plan* (LEP), would need to be 550sqm. The entire area of unformed road reserve is approximately 940sqm.

As it is not possible to create a saleable, standalone lot, it is considered appropriate that Council consider negotiating directly with the applicants in respect of the sale of the newly created lot, following the closure of road.

The area is restricted by services being a sewer line on the proposed eastern boundary and an easement would be required. An electricity pole is in the vicinity, however will not interfere with this proposal noting that the electricity authority has been contacted as part of the road closure process and advised no easement is required for the proposed road closure. The electricity authority also advised they do not oppose the part road closure.

Bronte Crescent at Sunshine Bay is a residential headland area. The outer boundaries of the headland reserve will form a small part of the Batemans Bay Coastal Headlands Walking Trail. The location of the proposed trail does not impede the proposal to close part of the unformed road reserve adjoining the applicant's property.

**PSR23/023 PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE BAY**

**LAND ID  
123**

All actions in respect of the sale of the closed road reserve, including the price negotiated, will be in accordance with Council's *Land Management – Acquisition, Disposal and Leasing/Licensing Policy*.

**CONSIDERATIONS**

Below is a plan of the area as per on-site Public Notice of December 2022/January 2023 of the part road reserve proposed to be closed (approx. 460sqm).

An aerial and a street view image is also shown below together:



*Area of unformed road reserve (subject to final survey) as per On Site Notice Dec 2022/Jan 2023*



**PSR23/023 PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE BAY**

**LAND ID  
123**



*Large area picture showing part unformed road reserve adjoining 10 Bronte Crescent, Sunshine Bay*



*Street view (north to south) over unformed road reserve adjoining 10 Bronte Crescent, Sunshine Bay*

---

**PSR23/023 PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE BAY**

**LAND ID  
123**

The sale of the unformed road reserve is only appropriate where the purchaser of the road reserve is a landowner whose property directly adjoins the area of unformed road to be closed.

In accordance with the Independent Commission Against Corruption's (ICAC) publication "*Direct Negotiations: guidelines for managing risks*", when it comes to the decision to directly negotiate with the applicants for the sale of the closed road reserve, it was essential that Council followed the 5 "probity principles" outlined in the ICAC guidelines:

- **Fairness** – Council had had regard to any potential parties that will be excluded by the decision to enter those direct negotiations. The neighbour is the only possible purchaser as it is not possible to achieve a separate lot suitable for development. Fairness can be demonstrated by giving public notice of the intention of Council to consider the closure of the segment of unformed road reserve and its future sale.
- **Impartiality** – this requires that the decision-making process is free of, or at least, not adversely affected by a conflict of interest. Good governance processes were followed, including briefing Councillors, conducting public notification, and reporting to Council on any submissions or objections received.
- **Accountability** – demonstrating how a decision is made and how resources are used entails providing information and explanation, to both internal and external stakeholders. Decision-making processes need to be consistent with legislation, policy, strategy, and accepted procedure.
- **Transparency** – Transparency entails being open about the proposed transaction, both with internal stakeholders and the community and other external stakeholders. Transparency has been evidenced by this public report and full and proper records being kept as to how decisions are made.
- **Value for Money** – Council will obtain a formal valuation report from a registered valuer to determine the sale price in respect of the newly created lot (after closure of the segment of unformed road reserve). This will ensure that the transaction results in optimal value for money.

### **Legal**

In accordance with the s38A of the *Roads Act 1993*, Council is the roads authority for public roads and may propose the closure of a public road for which is it the authority.

In accordance with the s38B of the *Roads Act 1993*, the proposal to close the road must be advertised in the local paper and all affected landowners and notifiable authorities must be given a minimum 28-day period within which to lodge a written submission on the proposal.

A Plan of Road Closure and First Title Creation will be registered at NSW Land Registry Services. Following registration of the plan, the road closure is to be notified in the Government Gazette. On closure of the road, the land will vest in Council as operational land. Subject to negotiation, a Deed of Agreement will be negotiated with the applicant and the newly created lot will be transferred and consolidated with the adjoining Lot 14 DP23607 at Bronte Crescent, Sunshine Bay.

[Roads Act 1993 Sec 38A](#)

[Roads Act 1993 Sec 38B](#)

---

**PSR23/023 PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE  
BAY**

**LAND ID  
123**

### **Policy**

All actions in respect of the sale of the closed road reserve will be in accordance with Council's *Land Management – Acquisition, Disposal and Leasing/Licensing Policy*.

An application for road closure by a private landowner can only be processed where the applicant's property directly adjoins the subject road. In this instance, the applicants, being the landowners of 10 Bronte Crescent, are the only landowners whose property boundary directly adjoins the unformed road reserve. This criterion enables Council to process the application for closure as Road Authority and, when the road is closed and a first title created, Council is then able to deal directly with the applicants to negotiate the subsequent sale of the newly created lot.

Council's policy notes that in circumstances "*where a site is not large enough for development in its own right (including a portion of road reserve) and is surrounded by public road on all sides other than the adjoining owner*", Council can dispose of such land by direct negotiation.

[Acquisition Disposal and Leasing Licensing Policy](#)

### **Financial**

All costs including survey, valuation and legal costs associated with the road closure will be borne by the applicants. In addition to the costs of the road closure and subsequent sale of the newly created lot, the applicants will be required to pay all costs of surveying and legal costs associated with the consolidation of the lot with their own property.

The value of the unformed road reserve proposed to be closed and new lot created will be determined following a valuation by a registered valuer. Council will negotiate the sale with the applicants who will be required to pay the agreed amount to Council for the sale of the newly created lot following road closure.

S41(4) of the *Roads Act 1993* requires funds received from the proceeds of sale of the land (formerly being public road) are only to be used by Council for the acquisition of land for public roads and/or for carrying out road work on public roads.

### **Community and Stakeholder Engagement**

In accordance with s38B of the *Roads Act 1993*, the proposed road closing was publicly notified through the local newspaper and on Council's website allowing an extended period of 41 days for submissions. This period of public notice was then extended by a further week to 48 days (from 7 December 2022 to 24 January 2023). A sign was also erected on the unformed road reserve for duration of the public notice, being 7 December 2022 to 24 January 2023.

11 submissions have been received by Council. All 11 submissions are attached to this report as Confidential Attachments.

The submissions have been grouped into appropriate headings and been summarized in the table below. The submissions received were referred to relevant Council divisions for review and comments. The comments from the relevant Council divisions are shown below:



**PSR23/023 PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE BAY**

**LAND ID  
123**

Submission comments	Council response
<p><b>Space</b></p> <p>Very tight switchback. Almost 180-degree switch-back bend. A sharp, horseshoe turn. Bronte Crescent is a steep, narrow thoroughfare suitable for vehicles serving a limited demographic capacity.</p>	<p>Given the area of road being proposed to be closed and that this area has been reduced, there are no proposed changes to the road alignment.</p>
<p><b>Coastal walk – traffic &amp; pedestrian use</b></p> <p>Coastal walk will create more foot &amp; road traffic. Pedestrian traffic will increase even more due to coastal walking track initiative. Dangers to pedestrians on cliff walk and on the crescent roadway. With planned coastal clifftop walk, greater patronage by tourists less aware of the point’s dangers. Area...utilised by pedestrians who park and enjoy the beauty of the foreshore trails accessed from Bronte Crescent Reserve between road and car barrier is barely 2 metres and grass. Most people walk on the road. Area allows safe access to all adjacent properties and to the headland reserve. Pedestrian traffic will increase even more due to coastal walking track initiative.</p>	<p>The Coastal Headland Walk project is not proposing to encourage parking in Bronte Crescent. The Coastal Headland Walk does utilize a length of Bronte Crescent to the south of the bend. It is anticipated that walkers will traverse behind the guard rail that is already in place via an informal gravel track. Online mapping of the walk will be amended to further discourage walking in the Crescent. Council’s current Pathway Strategy does not include any future pathways in Bronte Crescent.</p>
<p><b>Line of sight and future development</b></p> <p>Development will impinge on current capacity of street in terms of traffic and</p>	<p>Bronte Crescent is a low-speed area with low traffic volumes. Any proposed structure on the newly acquired land</p>

**PSR23/023 PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE BAY**

**LAND ID  
123**

<p>parking.</p> <p>Risks to motorists and residents whose driveways debouch close to the apex of the crescent.</p> <p>Any structures, or even significant garden foliage, would turn the bend into a blind corner.</p> <p>Essential to have clear view across road reserve to see any truck or car coming.</p> <p>Any structure (built) on the road reserve would obscure the road view, making a serious collision highly possible.</p> <p>Development of the reserve will reduce safety and ambience of Bronte Crescent.</p> <p>Presumably more traffic and residents if further development was allowed.</p> <p>Additional area provided by proposal will certainly mean added footprint ratio for any development, resulting in a heavier volume of traffic.</p>	<p>would need to be reviewed as part of the Development Application process and these factors will be considered at that time.</p> <p>The land is zoned R2 Low Density Residential. A 1273m2 lot (combined total) would allow an increased residential density. Dual occupancies and multi dwelling housing are permitted in the zone with development consent. Using information available and the integrated housing areas as a guide, 4 dwellings could potentially be constructed on the land. There is overhead Essential Energy infrastructure which may reduce this number of dwellings.</p> <p>The additional traffic generation would need to be considered as part of any DA. It is not likely that the addition of 3 dwellings (there is 1 existing dwelling) would result in a detrimental impact to the road network.</p>
<p><b>Emergency services /temporary construction work</b></p> <p>The road reserve provides an increasingly important operational space (for emergency services).</p> <p>Emergency vehicles: safe access and manoeuvres in an event of crisis.</p> <p>Emergency vehicles: safe access and manoeuvres in a crisis.</p> <p>Important space for temporary construction work and emergency service provision.</p>	<p>The proposed boundary does still allow room within the road verge for this type of use to occur.</p>

State statutory authorities, including the electricity authority, were also notified allowing a minimum 28 days for submissions. No objections were received from those statutory authorities.

**PSR23/023 PROPOSED ROAD CLOSURE, PART BRONTE CRESCENT, SUNSHINE BAY**

**LAND ID  
123**

Following consideration of the submissions received, the area proposed for road closure has been reduced. The area notified for closure, the area now proposed to be closed and the open space to remain is shown in the image below:



*Revised area of proposed road closure*

**CONCLUSION**

An application for the proposed road closure and purchase of part of the unformed road reserve has been received from the landowners of 10 Bronte Crescent, whose property directly adjoins the unformed road reserve.

Public notification has been carried out to consider approval of the proposed closure and sale of part road reserve at Bronte Crescent, Sunshine Bay. Submissions received during the period of public notice have been considered and reviewed by the relevant Council staff. Based on that internal review, the area of proposed road to be closed has been revised as indicated above. It is recommended that Council proceed to approve the proposed road closure.

Following closure, the newly created lot will vest in Council as operational land. Once sold, the land is to be transferred to and consolidated with the applicant's property being Lot 14 DP 23607.



---

**PSR23/024 PROPOSED EASEMENT FOR ACCESS AND STORMWATER,  
KNOWLMAN ROAD, ROSEDALE**

**LI 11231**

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

Attachments: 1. Confidential - Easements for access and stormwater

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.2 Manage land under Council control

Operational Plan Link: 5.3.2.1 Undertake strategic management of Council's operational land portfolio

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek consent for the creation of an easement for access over the unconstructed segment of Knowlman Road, Rosedale adjoining Lots 17 and 18 DP 22106 and for the creation of an easement to drain stormwater over the Council land adjoining Lot 18 DP 22106, being Lot 7 DP 804658.

An application has been received by Council for an easement for access over part of an unconstructed road reserve, being Knowlman Road, Rosedale. The applicant is the landowner of Lots 17 and 18 DP 22106 which adjoins the road reserve.

Development approval in respect of Lots 17 and 18 DP 22106 includes conditions requiring approval of an easement for access over the road reserve and an easement to drain stormwater into the adjoining Council community land.

All costs including survey and legal costs associated with the easement for access and the easement to drain stormwater will be borne by the landowner.

The landowner's details are shown in the confidential attachment to this report.

### **RECOMMENDATION**

THAT:

1. Consent be given for the creation of an easement for access over the unconstructed segment of Knowlman Road, Rosedale adjoining Lots 17 and 18 DP 22106.
2. Consent be given for the creation of an easement to drain stormwater over the Council land adjoining Lot 18 DP 22106, being Lot 7 DP 804658.
3. All costs of valuation, surveying, and registration of the easement for access and the easement to drain stormwater be borne by the landowners of Lots 17 and 18 DP 22106.
4. The General Manager be given delegated authority to execute all necessary documentation associated with the easements.

### **BACKGROUND**

Council issued conditional approval for construction of a driveway, being works within a public road, on 9 March 2003 pursuant to Section 139 of the *Roads Act 1993* (RD0050/23). A condition of the approval requires an easement for access to be created over the road reserve in favour

**PSR23/024 PROPOSED EASEMENT FOR ACCESS AND STORMWATER,  
KNOWLMAN ROAD, ROSEDALE**

**LI 11231**

of the applicant's property and requiring construction and/or maintenance of the easement to be the responsibility of the landowners of the lots benefitted.

An application has been received by Council from the landowner of Lots 17 and 18 DP 22106 for an easement for access over the road reserve known as Knowlman Road, Rosedale.

The driveway will be over part of the road reserve to service Lots 17 and 18 DP 22106. Future development by the landowners adjoining the road reserve, being Lots 16, 24, 25 and 26, will be assessed on receipt of any development application.

The landowners are also seeking an easement for drainage of stormwater into Council's adjoining community land with conditions required under the development consent.

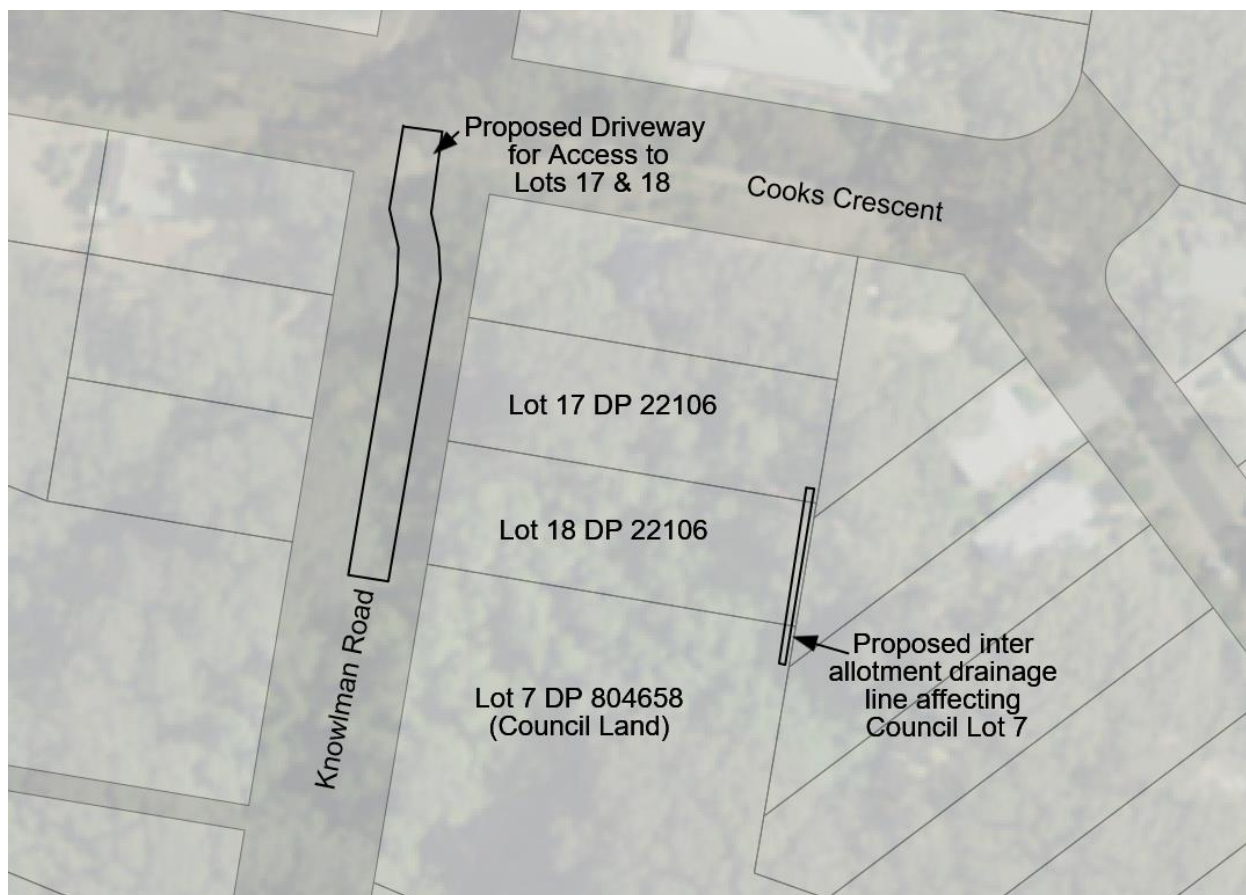
**CONSIDERATIONS**

Below are aerial images which show the location of the road reserve, proposed access and stormwater easements and adjoining properties:



**PSR23/024 PROPOSED EASEMENT FOR ACCESS AND STORMWATER,  
KNOWLMAN ROAD, ROSEDALE**

**LI 11231**



*Knowlman Road*

**Legal**

Knowlman Road, south of Cooks Crescent, was gazetted as public road on 11 August 2017. Council is the roads authority for Knowlman Road.

Prior to construction and use of the road reserve for legal access, the lots require servicing in the form of an easement and restriction over the road reserve.

A roads authority may grant an easement (eg, right of access) over a public road in a new deposited plan by Section 88B *Conveyancing Act 1919*. As roads authority, Council may also create a positive covenant for maintenance and/or repair of a public road pursuant to ss.88BA(1) and (3) *Conveyancing Act 1919*.

Similarly, Council as landowner may grant an easement (eg, to drain stormwater) over land in its ownership.

[s88B Conveyancing Act 1919](#)

[ss88BA Conveyancing Act 1919](#)

**Policy**

The granting of the easements will be in accordance with Council's *Land Management - Acquisition, Disposal Leasing and Licensing Policy* adopted by Council on 22 November 2022.

[Land Management - Policy](#)

---

**PSR23/024 PROPOSED EASEMENT FOR ACCESS AND STORMWATER,  
KNOWLMAN ROAD, ROSEDALE**

**LI 11231**

**Asset**

Public roads (whether constructed or unconstructed) and related infrastructure are Council assets.

However, notwithstanding its statutory obligations as roads authority, Council may grant an easement over a public road and a positive covenant for maintenance and/or repair of that public road pursuant to the *Conveyancing Act 1919*.

**Financial**

All costs including survey, valuation and legal costs associated with the easement for access and the easement to drain stormwater will be borne by the landowner. Any compensation payable by the landowner will be determined following receipt of a valuation from a registered valuer.

**Community and Stakeholder Engagement**

Council is in communication with the applicant, being the landowner of Lot 17 and 18 DP 21066 in respect of the proposed easements.

Council's Community Engagement Strategy 2022 and relevant legislation have been used to guide the best approach to engagement on this matter. There is no legal requirement to advise the community through public notice, or to or seek feedback through public exhibition for the grant of an easement for access over road and the engagement method will be to 'inform' through this report.

**CONCLUSION**

The grant of an easement for access over the unconstructed segment of Knowlman Road and the grant of an easement to drain stormwater over the adjoining Council community land, will enable the applicants to comply with the conditions of development consent.

This report recommends Council approve an easement for access over that part of Knowlman Road directly adjoining Lots 17 and 18 DP 21066, and an easement to drain stormwater over the adjoining Council community land, being Lot 7 DP 804658.

---

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES** **S004-T00028;  
S004-T00029**

Responsible Officer: Stephanie Speedy - Director of Finance and Corporate Services (Acting)

Attachments: 1. Under Separate Cover - Delivery Program 2022-26, Operational Plan 2023-24  
2. Under Separate Cover - 2023-24 Fees and Charges  
3. Under Separate Cover - 2023-33 Long-Term Financial Plan

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

### **EXECUTIVE SUMMARY**

The purpose of this report is to adopt Council's Delivery Program 2022-26 and Operational Plan 2023-24, incorporating the budget, Fees and Charges, Revenue Policy and the making of the general rates, environmental levy and water, sewer, waste, stormwater and liquid trade waste charges.

Under NSW Integrated Planning and Reporting legislation, councils are required to prepare a Community Strategic Plan, Delivery Program and Operational Plan for each term of council. Council endorsed the Community Strategic Plan on 12 April 2022.

The Delivery Program 2022-26 sets out the activities that Council aims to deliver during 2022-26 and the measures used to track progress. The Operational Plan 2023-24 shows the actions, key projects, capital works and infrastructure renewals and maintenance that Council plans to deliver in the year ahead.

Similar to most councils throughout the State and indeed the Nation, Council faces significant financial challenges in the coming years. Cost of living pressures affect local government just as they do households. It is more expensive to build things, to maintain them and to run the services our community expects. In March 2023, councillors and senior staff spent two-half days reviewing the Council's financial situation to identify a path forward for the shire in response to these challenges. A finance strategy will be developed during 2023-24 with a 'finance-led and delivery-focused' mindset. The draft Operational Plan 2023-24 represents 'year zero' and includes a revised approach to grants that will see Council's focus on seeking funding for work already programmed.

The draft Operational Plan 2023-24 was exhibited for 28 days between 10 May and 6 June 2023. Fifteen submissions were received from the community and considered in the preparation of the final version of the Operational Plan 2023-24. The submissions and proposed staff responses were provided to all councillors.

The general rate income will increase by 4.3% for 2023-24 which is made up of IPART's rate peg amount of 3.7% plus the population growth factor of 0.6%.

To meet the statutory requirement for Council to endorse its budget by 30 June 2023, the Delivery Program 2022-26 and Operational Plan 2023-24, incorporating the budget, Capital

---

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 S004-T00028;  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES S004-T00029**

Works program, Statement of Revenue Policy and Fees and Charges for 2023-24 is reported to Council for adoption, incorporating amendments since exhibition as outlined in this report.

**RECOMMENDATION**

THAT

1. Council make the annual Ordinary Rates and Environmental Special Rate for 2023-24 in accordance with the rate peg set by IPART which is 3.7% plus 0.6% population growth factor, as contained in the tables in the report.
2. Council make each annual charge for water, sewer, waste, stormwater and liquid trade waste for 2023-24 in accordance with the Revenue Policy and the charges as contained in the tables in the report.
3. Council make each fee and charge for 2023-24 in accordance with the Revenue Policy and Fees and Charges as attached to the report.
4. Council adopt the Delivery Program 2022-26, Operational Plan 2023-24 and Long-Term Financial Plan 2023-33 attached to the report as per the statutory requirements with implementation to commence 1 July 2023.
5. Council thank the community members who made a submission and provide them with a response.

**BACKGROUND**

The *Local Government Act 1993* requires all NSW councils to prepare a Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan.

The Community Strategic Plan is the highest-level plan that Council prepares and is a whole of community plan, reviewed and developed in partnership with the community. It identifies and articulates the community's long-term aspirations, priorities, and vision. Council's Community Strategic Plan was endorsed on 12 April 2022.

The Delivery Program details the activities that Council will deliver during 2022-26 and the strategies it will implement in consultation with the community and contained in the Community Strategic Plan.

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

The Resourcing Strategy, consisting of the Long-Term Financial Plan, Asset Management Strategy and Plans, and the Workforce Management Strategy, outlines how Council plans to allocate resources to achieve the vision and goals set out in the Community Strategic Plan. The Resourcing Strategy is a supporting document to the CSP and focuses on finances, assets and people.

15 submissions were received from the community during the exhibition period. Councillors have received a copy of the submissions. A summary of the public submissions is provided under the Community Engagement section of this report.

---

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES** **S004-T00028;  
S004-T00029**

### **CONSIDERATIONS**

The Operational Plan 2023-24 has been developed with the aim of building a sustainable future and represents Council's financial 'year zero'.

The Operational Plan 2023-24 continues to focus on building a sustainable future for Eurobodalla and delivering services, key projects, capital works and infrastructure maintenance to support the community in its daily activities, economic development and employment growth. It also systematically implements strategies and plans that Council has adopted following extensive community engagement.

The Delivery Program 2022-26 and Operational Plan 2023-24 is structured around the five goals in the Community Strategic Plan (CSP):

1. Our sustainable shire, that celebrates our natural environment and outdoor lifestyles
2. Our community that welcomes, celebrates, and supports everyone
3. Our region of vibrant places and spaces
4. Our connected community through reliable and safe infrastructure networks
5. Our engaged community with progressive leadership

From the five goals there are 18 supporting strategies that provide guidance to achieve the goals. In response to the CSP strategies, Council has developed 65 delivery program activities and 212 operational plan actions to deliver and implement during 2023-24. Each service that assists in achieving the outcome is identified. Measures to track and report on progress in achieving each activity is also provided.

Key supporting documents such as plans and strategies that support the Delivery Program 2022-26 have been included in the services table.

### **Legal/Financial**

The Office of Local Government's Integrated Planning and Reporting Manual and Integrated Planning and Reporting Guidelines are comprehensive tools which have been used in the development of the Delivery Program 2022-26 and Operational Plan 2023-24.

The combined Delivery Program 2022-26 and Operational Plan 2023-24 has been prepared in accordance with the *Local Government Act 1993*.

- Section 404 requires Council to have a Delivery Program to implement the strategies established in its Community Strategic Plan within the resources available.
- Section 405 requires Council to have an Operational Plan which details the activities to be engaged in by the Council during the year as part of the Delivery Program. The Operational Plan must include a statement of the Council's Revenue Policy for the year covered by the Plan. The statement of revenue policy must include the statements and particulars required by the regulations.
- Section 535 requires a Council resolution to make a rate or charge.

The following presents the rates and charges as detailed in the Revenue Policy and Fees and Charges Schedule for making:



---

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 S004-T00028;  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES S004-T00029**

General Revenue Increase

The General rate income will increase by 4.3% which is made up of IPART's rate peg amount of 3.7% plus the population growth factor of 0.6% for 2023-24.

In accordance with Section 494 of the *Local Government Act 1993*, it is recommended that Council makes the following Ordinary Rates for 2023-24:

Ordinary Rate Name	Rate (cents in \$)	Base Charge (\$)	Base Charge as a % of total Ordinary Rate
Residential	0.1092	569.50	49.94
Business	0.5514	569.50	14.13
Farmland	0.0748	569.50	32.57
Business Inactive	0.1092		

Environment Special Rate

In 1996-97 Council introduced an Environmental Levy to provide funds to assist with the preservation and protection of the environment. A separate fund, the Environment Fund, was established for the levy to ensure that monies collected are accounted for separately from other activities of Council.

The Environmental Levy will increase by 4.3% which is made up of IPART's rate peg amount of 3.7% plus the population growth factor of 0.6% for 2023-24.

In accordance with Section 495 of the *Local Government Act 1993*, it is recommended that Council makes the following Environmental Levy for 2023-24:

Category	Rate (cents in \$)	Base charge (\$)	Base Charge as a % of total Environmental Levy
Environmental Levy	0.004188	22.30	49.71

Interest Charges on Overdue Rates and Charges

The Minister for Local Government has determined the maximum rate of interest that may be charged on overdue rates and charges for 2023-24 will be 9.0%.

In accordance with Section 566(3) of the *Local Government Act 1993*, it is recommended that Council resolves to adopt the maximum interest rate allowed.

Council has a [hardship policy](#) that provides a framework for ratepayers experiencing genuine hardship for assistance with their rates and charges, in accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.

Waste Management Charges

Council provides a waste management and collection service to the community. Waste management charges are designed to recover costs from people who benefit from the availability and/or use of Council's waste management services. Waste collection charges will increase by 4.3%.

In accordance with Sections 496 and 501 of the *Local Government Act 1993*, it is recommended that Council makes the following Waste Management Charges for 2023-24:

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES** **S004-T00028;  
S004-T00029**

<b>Waste Management Charges</b>	<b>Charge (\$)</b>
<b>Domestic waste availability charge</b>	20.80
<b>Domestic waste collection service charge</b>	258.50
<b>+Additional service 240L recycling bin</b>	75.80
<b>+Additional service 240L garden organics bin</b>	75.80
<b>Waste management charge (Section 501)</b>	58.80

Stormwater Charges

In 2006-07 Council introduced a Stormwater Charge on all developed urban properties. A special 'Stormwater Fund' was established as part of the General Fund to record and report the income and expenditure related to this charge.

Stormwater charges will remain the same as 2022-23.

In accordance with Section 496A of the *Local Government Act 1993*, it is recommended that Council makes the following Stormwater Charges for 2023-24:

<b>Stormwater Charge</b>	<b>Charge (\$)</b>
<b>Land categorised as residential</b>	25.00
<b>Residential strata (per lot)</b>	12.50
<b>Land categorised as business</b>	25.00 (for land up to 1,050 square metres) 50.00 (for land 1,051 to 2,100 square metres) 75.00 (for land 2,101 to 3,150 square metres) 100.00 (for land greater than 3,150 square metres) The charge for business strata units is as for business, divided by the number of units, subject to a minimum charge of \$5.00.

Water Charges

Supplying water to the community is one of the major activities of Council. To pay for the provision of this service, Council collects revenue from the people who benefit from the access and use of the water supply. All consumers are charged a fixed access charge and a water consumption charge. The access and user charges provide an equitable balance between having the infrastructure to meet peak demand periods and the need to maintain an affordable water usage charge for residents living in the Eurobodalla full-time.

The water access charge will increase by 4.17%. The water consumption charge will increase by 2.56%.

In accordance with Sections 501, 502 and 552 of the *Local Government Act 1993*, it is recommended that Council makes the following Water Charges for 2023-24:

<b>Water Access</b>	<b>Charge (\$)</b>
<b>Minimum single residential – metered, unmetered, strata unit</b>	375.00
<b>Minimum dual occupancy / secondary dwelling</b>	600.00

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 S004-T00028;  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES S004-T00029**

<b>Business, Multi Residential (non-strata flats) and Mixed-Use (residential/business)</b>		
<b>Water meter size (mm)</b>	<b>Capacity factor</b>	<b>Charge (\$)</b>
20	1.0	375.00
25	1.6	600.00
32	2.6	975.00
40	4.0	1,500.00
50	6.3	2,362.00
65	10.6	3,975.00
80	16.0	6,000.00
100	25.0	9,375.00
Vacant unmetered	1.0	375.00
Mixed-Use 20mm	1.6	600.00

<b>Water Consumption</b>	<b>Usage Charge (\$)</b>
Residential and business	4.00 per kL
<b>A minimum charge of \$10.00 applies to all accounts 0-2 kL</b>	

### Sewer Charges

Council is responsible for the sewerage services within the Eurobodalla. To pay for the provision of this service, Council collects revenue from people who benefit from the availability and use of Council's sewerage system.

The sewer access charge will increase by 4.85%. The sewerage usage charge will increase by 4.88%

In accordance with Sections 501, 502 and 552 of the *Local Government Act 1993*, it is recommended that Council makes the following Sewer Charges for 2023-24:

<b>Sewer Access</b>	<b>Charge (\$)</b>
Residential general service – metered, unmetered, strata unit	1,080.00
Turlinjah general service (85%)	918.00
Dual occupancy / secondary dwelling	1,728.00

<b>Business, Multi Residential (non-strata flats) and Mixed-Use (residential/business)</b>		
<b>Water meter size (mm)</b>	<b>Capacity factor</b>	<b>Charge (\$)</b>
20	1.0	1,080.00
25	1.6	1,728.00
32	2.6	2,808.00
40	4.0	4,320.00
50	6.3	6,804.00
65	10.6	11,448.00
80	16.0	17,280.00
100	25.0	27,000.00
Vacant unmetered	1.0	1,080.00

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES** **S004-T00028;  
S004-T00029**

<b>Business strata unit</b>	1.0	1,080.00
<b>Mixed-Use 20mm</b>	1.6	1,728.00

<b>Sewerage Usage</b>	<b>Usage Charge (\$)</b>
<b>Business</b>	2.15 per kL

Liquid Trade Waste Charges

Dependent on the type of business listed on the schedule, properties are charged a usage fee discounted by a discharge factor. The liquid trade waste discharge factor is the ratio of the volume of liquid trade waste discharged into the sewerage system divided by the volume of water consumed.

The liquid trade waste annual fee will increase by 4.55%. The liquid trade waste compliant discharge will increase by 3.03%.

In accordance with Sections 501 and 502 of the *Local Government Act 1993*, it is recommended that Council makes the following Liquid Trade Waste Charges for 2023-24:

<b>Liquid trade waste annual fee</b>	115.00
<b>Liquid trade waste annual fee (large discharger)</b>	610.00
<b>Compliant Discharge</b>	1.70/kL
<b>Non-Compliant Discharge (without appropriate treatment)</b>	16.50/kL

Proposed Amendments

During the public exhibition period, minor editorial amendments to the documents have been made to phrasing, punctuation and format to improve the quality and clarity of the documents.

In terms of the 2023-24 Fees and Charges, the following changes have been made.

- Section 603 certificate fee increased from \$90 to \$95. This is a statutory fee set by the Office of Local Government.
- Vacation Care Electronic Administration Fee increased from \$5.00 to \$5.30, as did the range for the Excursion/Incursion Fee from \$1-\$30 to \$1-\$50. Both these fees reflect an increased cost of external software.
- Bay Pavilions Fee – Swim Squad child/concession – casual entry \$4.70 has been removed as this fee was erroneously included in the draft version.

Changes were also made to Home Care Package fees in response to the Australian Government's decision in the May budget to invest \$11.3 billion to increase wages for Aged Care workers. In line with these changes Community Care have completed a review of the Home Care Package Schedule of fees and charges, with a slight increase to the exhibited hourly rates. Refer to the table below for all changes to the exhibited Home Care Package fees.

Council's 55 Home Care Package clients will have their subsidies increased by 11.9% so they can receive the same services and hours of services.

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES** **S004-T00028; S004-T00029**

All clients affected will receive a letter outlining these amendments.

The table below sets out the 2023-24 Fees & Charges that were updated during the submission period.

<b>Category</b>	<b>Fee Name</b>	<b>Exhibited Fee (inc. GST)</b>	<b>Amended Fee (inc. GST)</b>
Certificates	Section 603 (Outstanding Debts) LGA	\$90.00	\$95.00
Vacation Care	Excursion/Incursion Fee	\$1-\$30	\$1-\$50
Family Day Care	Electronic Administration (Fee)	\$5.00	\$5.30
Home Care Packages	Mon-Fri 6am-8pm (per Hour)	\$63.00	\$64.00
Home Care Packages	Mon-Fri 6am-8pm (Minimum Fee)	\$47.25	\$48.00
Home Care Packages	Mon-Fri 8pm-midnight (per Hour)	\$71.00	\$72.25
Home Care Packages	Mon-Fri 8pm-midnight (Minimum Fee)	\$53.25	\$54.20
Home Care Packages	Night care 12 midnight-6am (per Hour)	\$71.00	\$72.25
Home Care Packages	Night care 12 midnight-6am (Minimum Fee)	\$53.25	\$54.20
Home Care Packages	Sleepover support	\$235.00	\$240.75
Home Care Packages	Saturday (per Hour)	\$85.00	\$86.70
Home Care Packages	Saturday (Minimum Fee)	\$63.75	\$65.00
Home Care Packages	Sunday (per Hour)	\$109.00	\$111.30
Home Care Packages	Sunday (Minimum Fee)	\$81.75	\$83.45
Home Care Packages	Public Holiday (per Hour)	\$131.00	\$133.75
Home Care Packages	Nursing Care (Monday - Friday)	\$107.00	\$109.20

**Asset**

The Delivery Program 2022-26 and Operational Plan 2023-24 has a focus on working with peak bodies to advocate to the Australian and NSW governments for enhanced funding models to better support regional communities across NSW.

**Social Impact**

The Delivery Program 2022-26 and Operational Plan 2023-24 provide a range of programs, services and infrastructure projects to meet identified community needs.

**Community and Stakeholder Engagement**

The Operational Plan 2023-24 was developed by councillors and staff. It aligns to the Delivery Program 2022-26 and provides for the implementation of other specific strategies and plans that Council has adopted following community engagement and input. Some of these include

---

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES S004-T00028; S004-T00029**

the Climate Action Plan, Community Engagement Strategy, Open Coast Coastal Management Program, Eurobodalla EV Charging Strategy, Youth Action Plan and a review of Council's policies during 2022.

The Delivery Program 2022-26 and Operational Plan 2023-24 was endorsed for public exhibition from 10 May to 6 June 2023. Council continued to engage the community during this period by:

- making the draft Delivery Program 2022-26 and Operational Plan 2023-24 available for the community to read on Council’s website
- informing the community about the public exhibition and inviting the community to have their say through information on Council’s website, Council News (Council’s monthly email newsletter), media releases and social media
- three Community briefings held across the Shire
- notifying and inviting community associations and business chambers to have their say
- consulting the community by considering and acknowledging submissions received and providing the community’s feedback to Council prior to any decisions being made about the Delivery Program 2022-26 and Operational Plan 2023-24.

Fifteen public submissions were received during the exhibition period. Councillors received all submissions. The table below provides a summary of the issues raised in the submissions and Council’s response.

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
1	<p>What impacts financial and otherwise on the wider community will deficit budgeting cause, will there be compounding financial impacts over several years as a result of the proposed deficit budgeting?</p>	<p>The issues raised are noted and considered during the submission process. There is clear information available about the budget challenges in the General Manager and Mayor's introduction to the 2023-24 Operational Plan, media releases available on Council's website, current edition of Living in Eurobodalla, and on Council's website - <a href="https://www.esc.nsw.gov.au/council/plans-and-reporting/financial-forecast">https://www.esc.nsw.gov.au/council/plans-and-reporting/financial-forecast</a>.</p>
2	<p><i>Submission provided by Durras Community Association</i></p> <p>Note there is no specific capital works identified for South Durras however several outstanding infrastructure projects:</p> <ul style="list-style-type: none"> <li>- Durras Hall carpark</li> <li>- Cookies Beach road access (southern side)</li> <li>- Nature-based Playground masterplan</li> </ul>	<p><b>Durras Hall carpark upgrade</b> Any improvements will need to be assessed against other priorities. An upgrade is not currently part of the capital works program for 2023-24. Council will inspect the carpark and provide comment to the Association on works to level and gravel the carpark.</p> <p><b>Cookies Beach road access</b> This is the sealed road leading from the end of Banyandah Street (entry to Murramarang Resort). This 220m section of sealed road is about 4m wide and leads to a carpark servicing an ocean boat ramp and the beach. The road and carpark are within Murramarang National Park but are maintained by Council. There are No Stopping sign on the east (resort) side and room for cars to pass by diverging onto the grass. Any widening would be a longer term proposal and the project would have a longer lead time due to potential archaeological issues. Council will inspect the road given the potential for increased usage due to the Murramarang Coastal Walk and review the signage, and what maintenance works can be achieved in conjunction with other priorities.</p> <p><b>Nature-based Playground masterplan</b> We installed a new playground in Durras in the last 18 months. A second playground is not scheduled in the near future.</p>
3	<p>Overpriced pizza oven. Listen to the people.</p>	<p>Noted, the pizza oven was grant funded.</p>
4	<p>Development of a management plan to document the existence, management and succession planting of trees in parks, carparks, along footpaths and in other public spaces under the management of ESC.</p>	<p><b>Tree Management Plan</b> The Eurobodalla Local Strategic Planning Statement identifies actions: 6.2 Investigate the potential for developing a street tree masterplan for urban areas (long term) 2.2 and 6.1 refer to the reviewing of the Development Control Plans with regard to urban design, environmental and place-based principles (medium to long term) The Eurobodalla Climate Action Plan 2022-2032 includes actions: 3.3 Facilitate improvements in the design of the design of residential and commercial buildings, and the urban form</p>



**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
	<p>Use of grant funds for the hire of hot showers at North Head camp ground.</p>	<p>(new subdivisions) that integrate sustainability and resilience.</p> <p>3.6 Design and implementation of programs for plantings and/or artificial shading of strategic urban streetscapes, Council carparks and playgrounds.</p> <p>Council encourages street planting and this is evident in recent subdivisions in Rosedale and Broulee with plantings included by the developer where appropriate.</p> <p>Council has undertaken a trial for Verge Gardens and the development of a Biodiversity Strategy is underway, which may also assist in future mechanisms for street and carpark plantings. Note that this is complex as there are multiple considerations regarding species suitability, restrictions due to infrastructure and services etc. In addition urban plantings, street trees, cooling and heat sinks may have differing aesthetics and objectives that are to be met and this is yet to be investigated.</p> <p><b>Showers at North Head camp ground</b></p> <p>Last year Council was successful in obtaining a grant to provide support for homeless people to access laundry facilities and for the installation, cleaning and maintenance of hot showers at North Head primitive camp ground. Prior to the installation of the showers the Mayor met with Elders at the camp ground, where concerns were raised regarding the installation of permanent showers, or any other permanent infrastructure on the site. As a compromise, Council agreed to provide temporary rather than permanent showers and to minimise disturbance and impact on the site. This was successfully achieved, with temporary showers in place for an initial three months, then extended again until early December 2022. Council has pursued funding again this year and been successful. As a result, the showers will be reinstalled from 1 June until 31 August, with daily cleaning and maintenance in place. Council staff are also working with local agencies to ensure supports and options are made available to vulnerable residents, including housing and welfare.</p>
5	<p>Landcare - further funding for NSW Landcare to be announced in the New Year. Hoping Eurobodalla Landcare Network (ELN) is successful in maintaining or increasing share of funding.</p>	<p>The draft Delivery Program 2022-2026 Operational Plan 2023-24 includes action 1.2.3.1 Assist Landcare and community groups to deliver environmental projects environmental opportunities, issues and impact. Council has a dedicated part-time Landcare Officer and continues to support Landcare activities across the Eurobodalla.</p>
6	<p>Development of tiny homes policy to address issue of home</p>	<p>Council's Local Environmental Plan/Development Control Plan provides guidance as to where and how to provide secondary dwellings (noting that granny flats/tiny homes are not a land</p>

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
	unaffordability.	use in the NSW planning system). Council has also prepared a web page to assist community members considering secondary dwelling/tiny homes - <a href="https://www.esc.nsw.gov.au/property/development/tiny-homes">https://www.esc.nsw.gov.au/property/development/tiny-homes</a>
7	Free tipping vouchers for remote properties only without considering how this "free" service will be paid for is unfair and inequitable.	<p>All rateable properties, including those that do not have access to the domestic waste collection service, pay a waste management charge to cover the cost of Eurobodalla's waste management services.</p> <p>Residents who receive the domestic garbage collection service receive an annual hard waste collection as part of the service, which allows each eligible household to dispose of up to 2m<sup>3</sup> of bulky household waste. The introduction of a voucher system will improve equity for remote and rural properties who do not receive a kerbside collection.</p>
8	Trees are important in urban areas.	<p>The Eurobodalla Local Strategic Planning Statement identifies actions:</p> <p>6.2 Investigate the potential for developing a street tree masterplan for urban areas (long term)</p> <p>2.2 and 6.1 refer to the reviewing of the Development Control Plans with regard to urban design, environmental and place-based principles (medium to long term)</p> <p>The Eurobodalla Climate Action Plan 2022-2032 includes actions:</p> <p>3.3 Facilitate improvements in the design of the design of residential and commercial buildings, and the urban form (new subdivisions) that integrate sustainability and resilience.</p> <p>3.6 Design and implementation of programs for plantings and/or artificial shading of strategic urban streetscapes, Council carparks and playgrounds.</p>
9	Water and sewer access charges under mixed use category.	<p>The Mixed-use category was introduced in the Revenue Policy last year. Council resolved to defer the implementation of the mixed-use category for 12 months.</p> <p>22/149 MOTION</p> <p>THAT: 3. Council defer the implementation of the newly adopted mixed-use water and sewer access charges until 1 July 2023.</p>
10	Saving money ideas including sell the Pav, Sale of Old Bowling Club site, purchase and lease of 4WD vehicles, pay freeze for senior management, delay construction of non-essential works, reduce the use of consultants and contractors and disaster funding.	<p><b>Bay Pavilions</b></p> <p>An independent review of the Bay Pavilions operations is currently being undertaken by KPMG. As advised in a Mayoral Report (28/3/23 Min 23/21), the report will be reviewed by Council's Audit, Risk and Improvement Committee, presented to Council and made available to the community. This will include the terms of reference. In addition to the financial review, Council is also undertaking an energy audit of the Bay Pavilions to consider energy costs going forward.</p>

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
		<p><b>Sale of the Old Bowling Club site</b> Council is proceeding with plans to sell the former Bowling Club. At the Council meeting on 14 February 2023, Agenda of Ordinary Meeting - Tuesday, 14 February 2023 (nsw.gov.au), Council resolved to sell the land and finalise negotiations with one of two preferred proponents identified through an Expression of Interest process.</p> <p><b>Purchase and lease of 4WD vehicles</b> Four-wheel drive (4WD) or all-wheel drive (AWD) specified models of vehicles are provided where there is a need.</p> <p><b>Senior Management pay freeze</b> Noted.</p> <p><b>Delay non-essential construction works</b> The timing of works is prioritised on a forward program that considers a number of factors including Strategic plans, funding obligations, asset renewal and level of service.</p> <p><b>Consultants and Contractors</b> Council engages consultants and contractors for projects that require specialist skills and knowledge or to fill gaps in the workforce. Council delivers services and works programs through a mix of delivery mechanisms including: * Direct employment of Council staff; * Direct employment of Council staff working with sub-contractors and materials provided through competitive procurement, * Consultancy, and * Full contracted services.</p> <p><b>Disaster funding</b> Council has been successful in securing funding for Disaster recovery and resilience works which has enabled the community to rebuild after the recent disaster events.</p>
11	Request increase spend in Narooma including Centenary Drive repairs, construction of a large shelter for gatherings and celebrations and some art work.	<p><b>Centenary Drive repairs</b> The bushfires and subsequent floods had a major impact on the road network in the Eurobodalla Shire. The repair and recovery process has been extensive and is ongoing. Centenary Drive repairs will be addressed in the 2023/24 financial year.</p> <p><b>Construction of a large shelter</b> Council will consider the provision of a larger shelter in the Narooma area when the Recreation and Open Space Strategy (ROSS) is reviewed and updated. This will include community consultation in relation to need, location and community priority of a shelter and other community and recreational</p>

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
		<p>infrastructure for the district.</p> <p><b>Public art in Narooma</b> Council has a Public Art Strategy (2019) and actively seeks opportunities to include art in projects and community facilities. Batemans Bay and Moruya do have a number of sculptures and murals. They have come about via community donation (e.g. Sculpture for Clyde), as part of major developments (e.g. Bay Pavilions and the new Batemans Bay bridge) and from philanthropic donation (e.g. Basil Sellers and the late Councillor Maureen Nathan).</p> <p>Narooma has several murals in place (e.g. Sponsored by River of Art) and artworks in Narooma library purchased by Council. Council recently received a request for an artwork/mural to be installed on the Narooma flat. In addition, there is the Wagonga Inlet Living shoreline project. It will include information and interpretation design work along the foreshore, set for installation in Aug-Oct this year, along with a sculpture collaboration with Aboriginal artists on the northern side of the inlet for possibly later in the year.</p>
12	<p>Emphasis on capital works for tourism projects - Council is spending ratepayers funds to attract people from out of the area, but these tourists are not contributing to the upkeep of the local facilities they are using. Further, more tourism generates a need for more accommodation. As a result, there is a growing shortfall of available properties for long term renters, or for people to buy so they can live in the area.</p> <p>Council should not be investing in the installation of electric vehicle stations - petrol stations are not provided by Council but by free enterprise. Leave the responsibility for providing charging stations to the private sector. Let them carry the cost and the risk.</p>	<p><b>Tourism</b> Local governments need to play a pivotal role in tourism especially in areas like the Eurobodalla where tourism activity contributes so much to the local economy. In Eurobodalla in 2021/22 total tourism sales were \$201.1 million and made a contribution of \$97.7 million to the Shire's GRP. Council uses a data analytics program called Spendmapp which has shown consistently that visitor spend in the Eurobodalla economy is consistently more than 50% of total spend. At the latest census tourism, food services and accommodation combined with retail were the largest industry employers in the shire, with a combined workforce of 2,420. Compare this with construction at 2,189 and the aged care sector at 1,958.</p> <p><b>Electric Vehicles</b> Council has an Electric Vehicle Charging Infrastructure Strategy which identifies the requirements for charging infrastructure on council managed public lands. The NSW Government has primarily funded the installation of the infrastructure and council will facilitate appropriate lease agreements. The Climate Action Plan 2022 -2032 adopted by Council sets targets and identifies actions for Council and the community across key areas of sustainability: energy, transport, built environment, waste, water, biodiversity, agriculture, regional economy, natural hazards, and Council responsiveness. Within integrated transport Council has identified:</p> <p>2.1 Develop an Electric Vehicle (EV) Strategy including charging</p>

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
	<p>The purchase of a Tesla for Mayor</p> <p>Questions the relationship between Council and the Southcoast Health and Sustainability Alliance bit it appears that they are the unelected driving force for all things renewable.</p> <p>Suggests Council could make some money by patrolling areas where tourists are basically free camping. I have seen instances of people in campervans park near the camp ground in Dalmeny, stay for a few nights, use the camp ground amenities and then go on their merry way. It is probably not cost effective as you would have to pay a ranger to patrol the area but it is an ongoing issue.</p>	<p>infrastructure requirements, operational changes and transition plan.</p> <p>2.2 Implement the EV Strategy: transition to an EV fleet and implement charging infrastructure and changes needed in work practices.</p> <p>The Mayor has been proactive in trialing the EV Tesla and Council is monitoring the success of the vehicle</p> <p><b>Relationship with SHASA</b> Council collaborates with many community groups including SHASA and works with them on activities associated with the Climate Action Plan. There is a Climate Change Advisory Committee that has been established to assist Council.</p> <p>10.8 Facilitate a Climate Change Advisory Group comprising external, technical expertise that can assist Council and community implement the Climate Action Plan, including by accessing external funding opportunities to reduce emissions or climate risks.</p> <p><b>Patrolling free camping</b> When illegal camping or overnight stays are identified Council conducts inspections in response to complaints.</p>
13	<p>Examples of other councils actions to mitigate the impacts of man-made climate change, Urban tree strategy, sustainable development with respect for nature. Does not support zombie developments or the proposed Sebel Townhouse development on corner of Dolphin Ave and Beach Road. Supports Collaborative Strategy and the introduction of an online engagement platform.</p>	<p><b>Urban Tree Strategy</b> The Eurobodalla Local Strategic Planning Statement identifies actions:</p> <p>6.2 Investigate the potential for developing a street tree masterplan for urban areas (long term)</p> <p>2.2 and 6.1 refer to the reviewing of the Development Control Plans with regard to urban design, environmental and place-based principles (medium to long term)</p> <p>The Eurobodalla Climate Action Plan 2022-2032 includes actions:</p> <p>3.3 Facilitate improvements in the design of the design of residential and commercial buildings, and the urban form (new subdivisions) that integrate sustainability and</p>

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
	<p>Bay Pavilions KPMG - who will be accountable?</p>	<p>resilience.</p> <p>3.6 Design and implementation of programs for plantings and/or artificial shading of strategic urban streetscapes, Council carparks and playgrounds.</p> <p><b>Engagement Platforms</b> The draft 2023-24 DPOP notes the establishment of an online community engagement tool, already trialled successfully for the 2022-32 Community Strategic Plan engagement.</p> <p><b>Bay Pavilions</b> An independent review of the Bay Pavilions operations is currently being undertaken by KPMG. As advised in a Mayoral Report (28/3/23 Min 23/21), the report will be forwarded to ARIC, presented to Council and made available to the community. This will include the terms of reference. In addition to the financial review, Council is also undertaking an energy audit of the Bay Pavilions to consider energy costs going forward.</p>
<p>14</p>	<p>Suggest and recommend 1) careful consideration of the State of Environment Report, and 2) that the whole Eurobodalla community is given every encouragement and facility to engage in and implement projects in support of "Our Eurobodalla is Sustainable"</p>	<p>Thank you for your submission which is noted and considered as part of the exhibition process.</p>
<p>15</p>	<p><i>Submission provided by Tuross Head Progress Association</i></p> <p>List of maintenance and infrastructure requests for Tuross Head.</p>	<p><b>Bushfire Risk Mitigation Program</b> Under the Rural Fires Act 1997, all land management agencies, including Council, are required to implement procedures to minimise the threat posed by bushfires. Accordingly, ESC has developed a Bush Fire Risk Management Policy, and a Bush Fire Risk Management Plan.</p> <p>The Eurobodalla Bush Fire Risk Management Plan deals with Bush Fire Management Zones identified within the Eurobodalla BFMC area. These zones identify the fire management intent for a specific area. The four categories of Bush Fire Management Zones are:</p> <ul style="list-style-type: none"> <li>• Asset Protection Zone (APZ);</li> <li>• Strategic Fire Advantage Zone (SFAZ);</li> <li>• Land Management Zone (LMZ); and</li> <li>• Fire Exclusion Zone (FEZ).</li> </ul> <p>Council undertakes bushfire mitigation works to treat these zones in accordance with the legislated requirements and our</p>

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
		<p>policy. Standards for these Zones, including Asset Protection Zones, are determined by the Rural Fire Service.</p> <p>More information on bushfire planning undertaken by Council can be found here: <a href="#">Bush fire risk management   Eurobodalla Council (nsw.gov.au)</a></p> <p>The lead agency for managing bushfire risk is the RFS, and the new RFS Far South Coast bushfire management plan is currently on exhibition for public comment. The THPA can view this document and provide comment directly to the RFS on issues of bushfire risk here: <a href="#">Far South Coast - NSW Rural Fire Service</a>.</p> <p><b>Coopers Island Road</b> Council will undertake works to clear grass and shrubs from part of the road reserve near the start of the causeway as part of the regular maintenance cycle for Coopers Island Road. Council has provided some carparking which allows for fishers or kayakers to access the waterway. No further works are planned at this stage due to the constraints imposed by the site.</p> <p><b>Disabled person access to Sandy Point and Lavender Bay</b> Council was successful in receiving a grant for \$129,290 through the Recreational Fishing and Camping Facilities Grant Funding Stream from the NSW Department of Primary Industries to complete an Accessible Fishing Path. This project would improve fishing access for all users including those with disabilities. It includes a dedicated accessible car park with improved 100m long access path to the deeper water fishing which will allow more people within the community and visitor access to a popular fishing spot.</p> <p>Council has completed the design for the path (attached) and undertaken environmental investigations. These investigations show that further environmental studies will now be required before works can commence including the likely need to obtain an Aboriginal Heritage Impact Permit (AHIP). Unfortunately, this is a lengthy process and requires a variation in time for Council to complete the work.</p> <p>Council is still committed to completing the project and has revised its methodology to finish the work within the same funding budget. This will include the accessible carpark, 40m of path constructed of replas decking and 60m of path constructed of decomposed granite.</p> <p>To enable the required environmental assessments and permits to be undertaken and obtained, Council has also</p>



**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24 OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES** **S004-T00028; S004-T00029**

No.	Summary of Submission	Proposed response
		<p>applied for an extension of time until 30 June 2024 to complete the works from the grant funding body. We are currently awaiting approval of this variation request to ensure we can proceed with the works and commence the required environmental studies.</p> <p><b>Coila Beach public toilet</b> Council has recently developed a toilet renewal strategy and this toilet is included on the work program.</p> <p><b>Off leash dog exercise compound</b> There is one designated off leash fenced area located at NATA Oval in Narooma. There are no future plans for an off leash dog exercise area in Tuross, Kyla Park, which is a designated sports area. The Eurobodalla Companion Animal Management Plan identifies a range of prohibited, off leash and timeshare arrangements in the Tuross area.</p> <p><b>Security lighting at Kyla Hall</b> Council will continue to seek an avenue for grant funding for this project, and would support the THPA in any application the Association made. We note the budget figure of circa \$30,000 was obtained in the 2020-21 financial year, and a current budget figure will likely be higher in the 23-24 FY.</p> <p><b>Stage 3 of the 'T' intersection on Highway</b> Council has raised this matter with TfNSW to get an update on this work and how this project fits into the overall Princes Highway Upgrade Program. The project will likely require more than simply reinstating the previous left turn slip lane. Given the nature of the intersection the current Road Design Guidelines would likely require a full acceleration lane to be provided to enable vehicles to accelerate from the turning speed to the speed of through traffic on the Princes Highway. This will require some length to develop the acceleration and merge. The project would need to be prioritised by TfNSW considering other commitments and works they are undertaking across the state.</p> <p><b>Secure storage shed at Kyla Hall</b> At present Council has not identified this project as a priority. Consideration will be given to including it into future recreational planning.</p> <p><b>Coila Lake boat launchings pads at Kyla Park</b> Council will be developing a Marine Infrastructure Plan in the new financial year. This will be a holistic plan covering boat</p>

**FCS23/013 ADOPTION OF THE 2022-26 DELIVERY PROGRAM, 2023-24  
OPERATIONAL PLAN INCLUDING THE 2023 FEES AND CHARGES**

**S004-T00028;  
S004-T00029**

No.	Summary of Submission	Proposed response
		<p>launching facilities throughout the shire. This request will be considered for inclusion.</p> <p><b>Granny flat DA requirement</b> Council policy does not regulate whether a tiny home/secondary dwelling can be erected with a Development Application (DA) or not. This regulation falls under NSW planning policy (State). There are provisions in NSW planning policy for secondary dwellings to be approved via the Complying Development Certificate process.</p> <p>Council's Local Environmental Plan/Development Control Plan provides guidance as to where and how you provide secondary dwellings (noting that granny flats/tiny homes are not a land use in the NSW planning system). Council has also prepared a web page to assist community members considering secondary dwelling/tiny homes - <a href="https://www.esc.nsw.gov.au/property/development/tiny-homes">https://www.esc.nsw.gov.au/property/development/tiny-homes</a></p> <p><b>Cyclic landscaping maintenance program for boardwalk stabilization</b> Council's Parks Coordinator will contact the Association to discuss this issue further.</p>

**CONCLUSION**

The Delivery Program 2022-26 and Operational Plan 2023-24 has been developed considering the various inputs and responses provided by stakeholders and community members. 15 submissions were received and considered in the final version of the Delivery Program 2022-26 and Operational Plan 2023-24 and the 2023-24 Fees and Charges.

Council is required to adopt the Delivery Program 2022-26, Operational Plan 2023-24 incorporating the Budget, Capital Works Program, Statement of Revenue Policy and Fees and Charges by 30 June 2023.

---

**FCS23/011 RATES SUBSIDY GRANTS 2023-24**

**S014-T00018**

Responsible Officer: Stephanie Speedy - Director of Finance and Corporate Services (Acting)

Attachments: 1. Confidential - Rates Subsidy Grant Applications

Focus Area: 5 Our engaged community with progressive leadership

Delivery Program Link: 5.2 Proactive, responsive and strategic leadership

Operational Plan Link: 5.2.1 Be proactive leaders with a focus on 'community better'

### **EXECUTIVE SUMMARY**

Council adopted the new Community Grants Policy at the Council meeting on 22 November 2022 per Minute Number 22/313. One of the grants that falls under this policy is the Rates Subsidy Grant. This grant offers a partial subsidy of Council rates to registered charities, not for profit sporting and social and cultural organisations providing services or benefits to the community.

Applications for the grant were opened to the public 12 April 2023 and closed on 2 May 2023. Twelve applications were received. The amount of funds applied for is within the budget parameters.

### **RECOMMENDATION**

THAT Council approve the allocation of funds to the Rates Subsidy Grants recipients as outlined in the confidential attachment to this report.

### **BACKGROUND**

Previously, the Rates Subsidy Grant was part of the four-year community grants program. This was changed to an annual grant when the policy was updated and adopted in November 2022.

As an annual grant, applications are only accepted during the advertised application window and do not continue into subsequent years. Applicants must re-apply each year and current recipients are advised by letter when the annual application process opens.

Applications open in April each year at which time a media release is issued and details of how to apply and who may be eligible are provided on Council's website.

The grant is structured as follows:

- Council will approve a budget allocation in the Operational Plan for the financial year.
- Public notice of the amount of rates grants will be given in the Operational plan for the year in which the fee is to be subsidised, to satisfy section 610E of the *Local Government Act 1993*.
- Rates subsidy grants can be applied to rented or leased premises where the applicant is responsible for the rates payment.
- Rates subsidy grants will not be available to organisations that have licensed premises, commercial or surplus income, churches or other religious groups.
- The rate subsidy is capped at 50% of the annual rates and charges shown on the rates notice, excluding waste charges.

**FCS23/011 RATES SUBSIDY GRANTS 2023-24**

**S014-T00018**

Council received 12 applications that are listed below:

Bay Theatre Players Inc	Central Tilba School of Arts Trust Inc – 3 Bate Street
Moruya Dist Historical Society Inc	Central Tilba School of Arts Trust Inc – 3a Bate Street
Country Women’s Association of NSW – Moruya	Arts Council of Eurobodalla Inc
Eurobodalla Access Radio Incorp	Country Women’s Association NSW – Batemans Bay
Country Women’s Association of NSW – Narooma	Narooma Men’s Shed Inc
Narooma School of Arts & Soldiers War Memorial Hall Incorp	Narooma District Woodcrafters Association Inc

**CONSIDERATIONS**

The Rates Subsidy Grant offers a partial subsidy of Council rates to registered charities, not for profit sporting and social and cultural organisations providing services or benefits to the community.

**Legal**

Section 356 of the *Local Government Act 1993* allows Council to grant financial assistance for the purpose of exercising its functions.

**Policy**

The Rates Subsidy Grant is part of the annual community grants program under Council’s Community Grants Policy. The grant was changed from four yearly to annually when the policy was updated and adopted in November 2022.

**Financial**

The estimated budget of \$28,030 is included in the draft 2023-24 Delivery Program and Operational Plan (DPOP) and the total amount requested by all applicants comes within this budget.

As the rates and charges for 2023-24 have not yet been adopted by Council, the recommended grant amounts are estimated based on the proposed rates and charges currently included in the draft 2023-24 DPOP. On adoption, the Rates Subsidy Grants will be finalised.

**Community and Stakeholder Engagement**

Previous recipients of the Rates Subsidy Grant were advised by letter in April 2023 of the pending application process and the changes to the policy moving the grants from four yearly to annual.

This grant was released to the public through the Smarty Grants program on 12 April 2023 and closed on 2 May 2023. The available grants were advertised through a Council media release and on Council’s website.

Applicants will be notified in writing as to the outcome of their application following Council’s decision. If approved, the Rates Subsidy Grant will be applied to the applicant’s rates and charges levied for 2023-24 and details of the subsidy payment will be shown on their 2023-24 Annual Rates Notice.

---

**FCS23/011 RATES SUBSIDY GRANTS 2023-24**

**S014-T00018**

**CONCLUSION**

Council provides grant funds to a range of organisations for the purpose of providing a community service or undertaking a project of benefit to the community. The budget allows for all applicants to receive a 50% rate subsidy on their annual rates and charges as shown on the rates notice, excluding waste charges.

**FCS23/012 INVESTMENTS MADE AS AT 31 MAY 2023**

**S011-T00006,S012-T00025**

Responsible Officer: Stephanie Speedy - Director of Finance and Corporate Services (Acting)  
Attachments: Nil  
Community Goal: 5 Our engaged community with progressive leadership  
Community Strategy: 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 May 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.

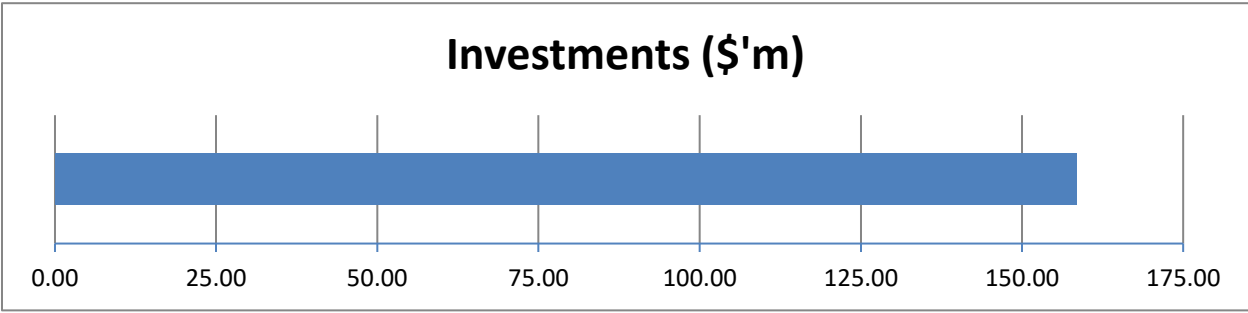
**CONSIDERATIONS**

**Policy**

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

**Financial**

Council investing overall



**FCS23/012 INVESTMENTS MADE AS AT 31 MAY 2023**

**S011-T00006,S012-T00025**

Council has \$156.44M (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 \$38.5M invested in banks rated below A, and in the 'some limited risk' category of the policy.

Investments decreased by \$2M during May 2023 due to normal variations in timing of cash flows.

The 'some limited risk' category is now restricted to BBB+ rating institutions which allows up to 30% of all investments. Currently there is 24.61% invested in BBB+ rating category. Investment in Government guaranteed deposits is \$1.75M representing 1.12% of the portfolio.

There are \$62.0M (39.63%) 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 4.16%, which is above the Council policy benchmark of bank bill swap rate (BBSW) + 0.25% (3.92%).

Summary investment information

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

<b>CATEGORY</b>	<b>(\$)</b>
At call deposit	12,183,611
Term deposits	142,510,000
Term deposits Government guaranteed	1,750,000
	<b>156,443,611</b>
<i>Weighted average interest %:</i>	4.16%
<i>Average 90 day BBSW + 0.25%</i>	3.92%



**FCS23/012 INVESTMENTS MADE AS AT 31 MAY 2023**

**S011-T00006,S012-T00025**

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.

<b>Policy risk</b>	<b>Low liquidity risk %</b>	<b>Total % of investments</b>	<b>Policy risk % (max holdings)</b>
<b>Remote risk</b>	1.12	1.12	100.00
<b>Near risk free</b>	74.27	74.27	100.00
<b>Some limited risk (BBB+)</b>	24.61	24.61	30.00
<b>Grand total</b>	<b>100.00</b>	<b>100.00</b>	

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.

---

**FCS23/014 REQUEST FOR TENDER (RFT) - 2223-120 TRADE SERVICE PANEL PRE-QUALIFICATION SCHEME**

**S001-T00007**

Responsible Officer: Stephanie Speedy - Director of Finance and Corporate Services (Acting)

Attachments: 1. Confidential - Confidential Attachment - RFT 2223-120 Trade Service Panel

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.3 Provide effective and professional administration, technical and trade services to support the delivery of services to the community

Operational Plan Link: 5.3.3.2 Undertake procurement that provides best value to the community

### **EXECUTIVE SUMMARY**

This report outlines the associated evaluation process for Request for Tender (RFT) No. 2223-120, Trade Services Pre-Qualification Scheme that was advertised on 9 May 2023 for the purpose of establishing a pre-qualified list of trade service providers to support Council's operations across the Shire for a period of two years with an option to extend by a further two (2) by twelve months (12) by mutual agreement.

Twenty-six trade service categories were developed, based upon Australian Bureau of Statistics Standard Industrial Classifications, and NSW Fair Trading licensing and qualifications. To expand these categories, we have introduced eleven subcategories, that will assist in defining fields of work as well as delineating certain services that contractors provide.

The Tenderers will not be ranked as this is a pre-qualification scheme. The purpose of this scheme is to establish a panel of suitably qualified trade contractors. Council's Procurement Policy and tender contract terms will apply when completing request for quotes (RFQ's) using this panel arrangement.

### **RECOMMENDATION**

THAT Council:

1. Endorses the proposed panel for the Prequalified Trade Services Scheme via the Council's Invitation to Register 2223-120.
2. Accordingly approves the entering-into of Deeds of Standing Offer with the proposed panellists, subject to the terms specified in the RFT No. 2223-120 enabling the mandatory participation requirements for suppliers.
3. Approves inviting members to the scheme for the duration of the Panel, to ensure adequate supply availability and value-for-money for Council, the tender arrangement is an open panel.

### **BACKGROUND**

Council regularly procures various trade services to meet ad hoc, maintenance and small to medium sized projects. To assist in obtaining these services we have established a pre-qualified

---

**FCS23/014 REQUEST FOR TENDER (RFT) - 2223-120 TRADE SERVICE PANEL PRE-QUALIFICATION SCHEME**

**S001-T00007**

panel, classifying potential suppliers into their respective fields of trade, under a consistent standing arrangement.

Given the need for safety, risk mitigation and quality management for every procurement activity that Council undertakes, the scheme provides a panel of suppliers that have set terms and compliance levels, with WHS, certifications and insurances. The panel provides a smoother engagement mechanism and removes the time-consuming processes both parties must work through regarding compliance and contract generation that is associated with multiple separate engagements. A panel arrangement provides a screening of compliance, removing the need for many lengthy procurement processes.

Pre-qualification does not replace effective post-tender assessment or sound contract management. However, it allows Council to engage suppliers under set terms and conditions assisting in mitigating procurement risks and by providing the tools to contract manage if required.

The Scheme is an **open** panel, meaning that panel membership remains open to any new members who register for pre-qualification by completing the Council's Invitation to Register. Where Council requires a trade service, all members of that trade category will be provided with an opportunity to quote.

The original panel was a **closed** panel, where members had been assessed and ranked in accordance with strict guidelines and evaluation criteria, including price. Many providers had little or no opportunity to respond to requests for quotation due to their position in the ranking hierarchy. This also proved to be problematic for new members wishing to join during the two year term of the panel as the tender process would not allow it.

The Prequalification Scheme does not preclude the Council from adopting alternative forms of procurement (for example, open tender or pre-registration) on specific contracts.

Request for Tender (RFT) No. 2223-120 was released on 9th May 2023 and closed on 6th June 2023.

Responses to the Invitation to Register were received from 46 trade service providers. Through the life of the contract the procurement team will work closely with other areas of Council to ensure that the panel includes enough coverage over the trade fields and includes adequate providers. Late applications can be made directly to the procurement team. The previous scheme had 192 trade service providers at end of the engagement, demonstrating the effectiveness of the open panel arrangement.

### **CONSIDERATIONS**

Request for Tender (RFT) No. 2223-120, Trade Services Pre-Qualification Scheme, was advertised for the purpose of establishing a pre-qualified list of trade providers. Establishing a prequalified panel will provide the following benefits to Council:

- Providing a level playing field for local service providers to bid for work in the Local Government setting in general
- Removing the need for costly and time-consuming individual quotation, contract establishment and compliance screening processes for every requirement and
- Better contract management by having a Deed of Standing Offer.

---

**FCS23/014 REQUEST FOR TENDER (RFT) - 2223-120 TRADE SERVICE PANEL PRE-QUALIFICATION SCHEME**

**S001-  
T00007**

The outcome will assist Council in avoiding costly future screening exercises over a two-year period and provide a competitive and fair quotation system to our suppliers.

**Legal**

RFT No. 2223/120 was advertised in accordance with *Local Government (General) Regulation 2021 REG 167* and *Local Government Act 1993*.

The tender was advertised on Council's Website, and at Council's Tenderlink web portal ([portal.tenderlink.com/eurobodalla](http://portal.tenderlink.com/eurobodalla)).

Prior to the RFT closing, a Tender Evaluation Plan was approved and distributed amongst the Tender Evaluation Panel. Declarations of Confidentiality and Interest Forms were completed and signed by the Tender Evaluation Committee.

**Policy**

The tendering activity and associated evaluation for which this tender applies has been administered in compliance with Council's Procurement Policy, Code of Practice – Procurement, Code of Practice – Tendering, the Local Government Procurement Guidelines, *Local Government (General) Regulation 2021* and *Section 55 of the Local Government Act 1993*.

**Financial**

The outcome of the proposed Trade Service Pre-qualification Scheme will assist in mitigating the timeframes and costs associated with contract establishment and company compliance checks. There is no cost for a supplier to become a pre-qualified panel member.

**Community and Stakeholder Engagement**

The tender was advertised on Council's Website and at Council's Tenderlink web portal [www.tenderlink.com/eurobodalla](http://www.tenderlink.com/eurobodalla). All previous members of the Scheme were also informed and invited to register for the new tender. Subject to the resolution of Council, the community will be informed of the panel via Council's contract register found on Council's website.

**CONCLUSION**

The tender process has been conducted in accordance with mandatory Council and Local Government requirements and the panel composition and rankings have been assessed through an extensive evaluation. Deeds of Standing Offer will be entered into with the panellists as detailed within the Confidential Attachment.

---

**FCS23/015 REQUEST FOR TENDER (RFT) - 2223/026 CONCRETE SUPPLY PANEL**

**S001-  
T00007**

Responsible Officer: Stephanie Speedy - Director of Finance and Corporate Services (Acting)

Attachments: 1. Confidential - Confidential Attachment ANNEXURE A - RFT 2223-026 Concrete Supply Panel Expansion  
2. Confidential - Confidential Attachment ANNEXURE B RFT 2223-026 Concrete Supply Panel - Rates

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.3 Provide effective and professional administration, technical and trade services to support the delivery of services to the community

Operational Plan Link: 5.3.3.2 Undertake procurement that provides best value to the community

### **EXECUTIVE SUMMARY**

This report outlines the associated evaluation process for Request for Tender (RFT) No. 2223-026 Concrete Supply Panel, that was advertised on 10 January 2023 for the purpose of expanding an existing pre-qualified list of concrete supply service providers to support Council's operations across the Shire. The panel would remain active for the original tender timeframe period of two years, expiring on the 31 December 2023, with an option of a further two by twelve months extension options.

The panel expansion will be contributing to the following concrete types:

- 20 Megapascal (MPa) compressive strength concrete
- 25 MPa compressive strength concrete
- 32 MPa compressive strength concrete
- 40 MPa compressive strength concrete
- Kerb and Gutter Mix
- Sand and Cement Mix and
- No Fines Concrete

Tenders were previously sought for the establishment of a panel and this report is presented to Council to expand the panel. The expansion request formed part of the initial report to Council, where a motion was passed for Council to conduct further tendering. A Confidential Attachment detailing the evaluation activity undertaken and the resulting panel rankings for each material type and geographical location.

---

**FCS23/015 REQUEST FOR TENDER (RFT) - 2223/026 CONCRETE SUPPLY PANEL**

**S001-  
T00007**

**RECOMMENDATION**

THAT Council:

1. Endorses the expansion to the existing panel composition Request for Tender (RFT) No. 2223-026 and associated rankings detailed within the Confidential Attachment to this report.
2. Accordingly approves the entering-into of Deeds of Standing Offer with the proposed panellists, subject to the terms specified in the RFT No. 2223-026.

**BACKGROUND**

Council regularly procures concrete to support its many construction projects. Given the need for strict safety, risk mitigation and quality management each procurement activity, without a pre-negotiated set of pricing and terms would be time consuming for both parties to the associated contract and may not represent value for money. A panel arrangement provides a screening of compliance and cost up front, removing the need for many lengthy procurement processes.

A Panel of three suppliers already exists however this panel will not meet Council's requirements long-term. During the initial tender process, the report to Council documented the need to undertake an expansion process to seek additional suppliers. The introduction of a fourth panel member will ensure an adequate supply availability and best value-for-money is achieved.

RFT No. 2223-026 was advertised on 10 January 2023 and closed at 2pm on 31 January 2023. The Request for Tender received one tender to provide additional services. The list of Tenderers is as follows:

- Holcim Australia PTY LTD, 26 Lithgow Street Fyshwick ACT 2609

**CONSIDERATIONS**

Request for Tender (RFT) No. 2223-026 – Concrete Supply Panel, was advertised for the purpose of establishing a pre-qualified list of Concrete Supply Panel providers. Establishing a panel for concrete supply services will provide the following benefits to Council:

- Meeting the tendering requirements of Section 55 of the Local Government Act and removing the risk of spending above the \$250,000 threshold with individual service providers
- Providing a level playing field for local service providers to bid for work in the Local Government setting in general
- Removing the need for costly and time-consuming individual quotation and compliance screening processes for every requirement
- Better contract management by having a Deed of Standing Offer and
- Ensuring value for money by the expansion of the tender.

---

**FCS23/015 REQUEST FOR TENDER (RFT) - 2223/026 CONCRETE SUPPLY PANEL**

**S001-  
T00007**

One tender was received during the advertising period and the names are attached in the Confidential Attachment.

**Legal**

RFT No. 2223-026 was advertised in accordance with *Local Government (General) Regulation 2021 REG 167* and *Local Government Act 1993*.

The tender was advertised on Council's noticeboard, in the Sydney Morning Herald and at Council's Tenderlink web portal ([portal.tenderlink.com/eurobodalla](http://portal.tenderlink.com/eurobodalla)).

Prior to the RFT closing, a Tender Evaluation Plan was approved and distributed amongst the Tender Evaluation Panel. Declarations of Confidentiality and Interest Forms were completed and signed by the Tender Evaluation Committee.

**Policy**

The tendering activity and associated evaluation for which this tender applies has been administered in compliance with Council's Procurement Policy, Code of Practice – Procurement, Code of Practice – Tendering, the Local Government Procurement Guidelines, *Local Government (General) Regulation 2021* and *Section 55 of the Local Government Act 1993*.

**Financial**

The outcome of the proposed Concrete Supply Panel will be to avoid costly future procurement engagement costs.

**Community and Stakeholder Engagement**

Subject to the resolution of Council to the Concrete Supply Panel, the community will be informed of the panel via Council's contract register found on Council's website.

**CONCLUSION**

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

Deeds of Standing Offer will be entered into with the preferred panellists as detailed within the Confidential Attachment.



---

**FCS23/016 REQUEST FOR TENDER (RFT) 2223-161 FOR THE SUPPLY AND DELIVERY OF TWO (2) 26-32T LANDFILL COMPACTORS FOR SURF BEACH AND BROU WASTE MANAGEMENT FACILITIES** **S022-T0001**

Responsible Officer: Stephanie Speedy - Director of Finance and Corporate Services (Acting)

Attachments: 1. Confidential - Confidential Attachment - RFT 2223-161 Supply & delivery of Two (2) 26-32T Landfill Compactors

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.3 Provide effective and professional administration, technical and trade services to support the delivery of services to the community

Operational Plan Link: 5.3.3.5 Manage fleet services

### **EXECUTIVE SUMMARY**

Request for Tender (RFT) 2223-161 for the Supply & Delivery of Two (2) 26-32T Landfill Compactors for Surf Beach and Brou Waste Management Facilities was advertised on 30 March 2023. This report outlines the associated evaluation process and will inform Council resolution of the resultant contract to be entered into with the preferred tenderer.

### **RECOMMENDATION**

THAT Council endorses entering a Deed of Standing Offer with the preferred tenderer as detailed within the Confidential Attachment.

### **BACKGROUND**

Council currently owns landfill compactors that have surpassed their useful life and require replacement as per the approved 2022-2023 Fleet Replacement Plan. These landfill compactors are located and utilised at Surf Beach and Brou Waste Management Facilities.

### **CONSIDERATIONS**

#### **Operational Requirements**

Landfill operations require specialised equipment to enable maximum efficiencies and effectiveness. The Environment Protection Authority's (EPA's) license requirements also drive standards and practices for landfill management which can only be achieved by specialised equipment.

The specification for this RFT was developed in coordination with the following stakeholders: Workshop Coordinator, Waste Operations Coordinator, and Fleet Management Coordinator.

The final configuration and fit-out was approved by all parties. The projected increase in operations of Surf Beach Waste Management Facility over the proposed life of the new landfill compactors was taken into consideration, for this reason the specification included two size options for tenderers to offer:

**Option 1:** Two (2) x 26T Landfill Compactors, one for each site (equivalent to the current landfill compactor specifications), OR

---

<b>FCS23/016</b>	<b>REQUEST FOR TENDER (RFT) 2223-161 FOR THE SUPPLY AND DELIVERY OF TWO (2) 26-32T LANDFILL COMPACTORS FOR SURF BEACH AND BROU WASTE MANAGEMENT FACILITIES</b>	<b>S022-T0001</b>
------------------	--	-------------------

**Option 2:** One (1) x 26T Landfill Compactor for Brou, and one (1) x 32T Landfill Compactor for Surf Beach

#### Work Health & Safety (WHS)

The specification was developed in accordance with, and all RFT responses were required to comply with, the *Work Cover NSW / WHS Regulation 2017 (Chapter 5 – Plant and Structures)*, Work, Health and Safety regulations, Federal and State legislation, and Australian Standards.

#### **Legal**

RFT No: 2223-161 was advertised in accordance with *Local Government (General) Regulation 2021 REG 167* and *Local Government Act 1993*.

The tender was advertised on Council's Tenderlink web portal (<https://portal.tenderlink.com/eurobodalla>) in the Sydney Morning Herald on 4 April 2023, and via email communication to any known potential suppliers in the industry.

Prior to the RFT closing, a Tender Evaluation Plan was approved and distributed amongst the Tender Evaluation Panel. Declarations of Confidentiality and Interest Forms were completed and signed by the Tender Evaluation Committee.

#### **Policy**

The tendering activity and associated evaluation for which this tender applies has been administered in compliance with Council's Procurement Policy, Procurement (including tendering) Code of Practice, the *Local Government (General) Regulation 2021* and *Section 55 of the Local Government Act 1993*

#### **Financial**

Funds have been allocated to the Plant Capital Fund as per the approved 2022-2023 Fleet Replacement Plan. The proposed outcome is within this allocation.

Given the specialised nature of the equipment it was decided to request trade-in offers for the existing landfill compactors if tenderers wished, rather than relying on potentially volatile sale results at public auction. A valuation of the existing machines was sought from Pickles Auctions, an approved contractor for asset disposal services under Local Government Procurement contract LGP221, for comparison against trade-in offers.

#### **Community and Stakeholder Engagement**

Subject to the resolution of Council for this tender, the community will be informed of the contract via Council's contract register found on Council's website in accordance with the *Government Information (Public Access) Act 2009*.

#### **CONCLUSION**

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

The Confidential Attachment provided to Councillors advises the preferred tenderer.

---

**IR23/011 DRAFT INTEGRATED WATER CYCLE MANAGEMENT STRATEGY AND  
STRATEGIC BUSINESS PLAN**

**S032-  
T00032**

- Responsible Officer: Tony Swallow - Acting Director Infrastructure Services
- Attachments: 1. Under Separate Cover - Draft Integrated Water Cycle Management Strategy
- 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: 1.4.1.5 Review the Integrated Water Cycle Management Strategy

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council endorsement for the public exhibition of the draft Integrated Water Cycle Management Strategy (IWCMS) and Strategic Business Plan (SBP).

These strategic documents outline the water and sewer works over the next 30 years required to support economic growth and ensure the wellbeing of our community, and protection of our environment.

### **RECOMMENDATION**

THAT:

1. Council endorse the draft Integrated Water Cycle Management Strategy and Strategic Business Plan for public exhibition for a period of not less than 28 days.
2. A report be prepared for Council post exhibition of the draft Integrated Water Cycle Management Strategy and Strategic Business Plan following consideration of any submissions received during the public exhibition.

### **BACKGROUND**

Prior to 1 July 2022, councils that have responsibility for water supply and sewerage infrastructure were required to comply with the requirements and timeframes of the *NSW Government's Best Practice Management of Water Supply and Sewerage Guidelines 2007*.

These requirements included:

- Preparing and implementing a 30-year Integrated Water Cycle Management (IWCM) Strategy.
- Preparing and implementing a 20-30 year Strategic Business Plan, Financial plan and associated asset management plans.
- Annual Performance Monitoring, including preparing an annual Action Plan to review Council's performance and to identify and address any areas of under-performance.

The NSW Government published guidelines and checklists for the preparation of an IWCM strategy and Strategic Business Plans. In 2003, Eurobodalla Shire Council was the first council in

---

**IR23/011 DRAFT INTEGRATED WATER CYCLE MANAGEMENT STRATEGY AND  
STRATEGIC BUSINESS PLAN**

**S032-  
T00032**

NSW to prepare an IWCM Strategy, and in 2016 Eurobodalla Shire Council was the first council in NSW to review and update their IWCM Strategy under the 2014 revised guidelines.

From July 1, 2022, a new Regulatory and Assurance Framework for Local Water Utilities superseded the Best Practice Management Framework. Under the new framework, Local Water Utilities must have in place effective, evidence based strategic planning to be eligible for funding under the Safe and Secure Water Program, and to pay a dividend. Rather than specific guidance and checklists, the new Regulatory and Assurance Framework document provides a list of Strategic Planning Outcomes that must be addressed to demonstrate effective, evidence-based strategic planning.

**CONSIDERATIONS**

Demonstrated Best Practice Management has been a prerequisite for the payment of a dividend from the surplus of Council's water supply and sewerage businesses to the General Fund, and for financial assistance under the Country Towns Water Supply and Sewerage Program. Eurobodalla Shire Council has been audited annually for compliance.

For the past few years, Council has been reviewing background studies such as Population and Water Cycle Projections and has updated computer modelling for secure yield and water supply reticulation and sewerage collection system performance (including growth in the network) to inform our next IWCM Strategy review. A draft IWCM Strategy, Strategic Business Plan and a 30-year Long-Term Financial Plan have been prepared under the Best Practice Guidelines (completed in December 2022) and was submitted to the Regulatory Assessments Team of the Department of Planning and Environment (Water) for assessment. On 9 May 2023 Council was advised that, based on the draft documents, Eurobodalla Shire Council is considered to have effective, evidence-based strategic planning in place under the new Regulatory and Assurance Framework.

The key infrastructure projects identified in the review include:

- The provision of a water supply and sewerage scheme at Nelligen – this project has community support and has already commenced.
- Provision of a sewerage scheme at Akolele – this project has community support and will commence shortly (construction tender awarded).
- Sewage Treatment Plant capacity upgrades at Batemans Bay (under construction), Tomakin and Narooma.
- Malua Bay Sewer Diversion – diverting sewage collected from the suburbs of Lilli Pilli and Malua Bay from the Batemans Bay Sewage Treatment Plant to the Tomakin Sewage Treatment Plant.
- Construction of the 3,120 megalitre Eurobodalla Dam - this project has community support and construction has already commenced. The Eurobodalla Dam has been designed to enable it to be raised (circa 2070) to 8,000 megalitres of storage.
- Construction of a new 12 megalitre per day Southern Water Treatment Plant (SWTP) – to utilise the benefit of the Eurobodalla Dam storage. The SWTP will be designed to enable a capacity upgrade to 18/24 megalitres per day when needed.

---

**IR23/011 DRAFT INTEGRATED WATER CYCLE MANAGEMENT STRATEGY AND  
STRATEGIC BUSINESS PLAN**

**S032-  
T00032**

- Construction of a 6km trunk water supply main bypassing Moruya.

The last three projects will ensure water supply security for the region for more than 100 years (at current growth projections).

Since 2016, Council has constructed sewerage schemes at Rosedale, Guerrilla Bay, Bodalla, and Potato Point, and we are currently in the construction phase of providing water supply and sewerage services to Nelligen and a sewerage service at Akolele. We have accomplished this work with financial assistance from the NSW government through the Country Towns Water Supply and Sewerage Program (pre-2018) and the Safe and Secure Water Program (post 2018). Other villages in the Eurobodalla Shire that aren't currently serviced with water supply and/or sewerage services are:

- South Durras water supply and sewerage
- Congo water supply and sewerage
- Central Tilba sewerage
- Tilba Tilba sewerage
- Mystery Bay sewerage.

The Safe and Secure Water Program is now a priority program with remaining projects under the program being ranked, and it is now unlikely that Council will receive funding towards these schemes within the foreseeable future. Budgets for these schemes have therefore been removed from the draft long-term-financial plan. This decision will be reviewed every 5-8 years during a strategic plan review, while considering the environmental and public health need as well as financial viability.

### **Legal**

The Regulatory and Assurance Framework for Local Water Utilities applies to local water utilities in regional NSW, covering local government councils exercising water supply functions under Division 2 Part 3 Chapter 6 of the *Local Government Act 1993*, and utilities exercising water supply functions under the *Water Management Act 2000*. The regulatory and assurance framework is designed to ensure local water utilities manage risks effectively and strategically.

### **Policy**

The completion and ongoing review of an IWCMS and SBP is a requirement under the Regulatory and Assurance Framework for Local Water Utilities.

### **Environmental**

The IWCMS and SBP support works needed to better protect our environment and industries dependent upon our waterways (eg our tourism and oyster industries).

### **Asset**

The adopted 30 year capital works program includes appropriate funding for the renewal and upgrades of existing water and sewer assets.

---

**IR23/011 DRAFT INTEGRATED WATER CYCLE MANAGEMENT STRATEGY AND  
STRATEGIC BUSINESS PLAN**

**S032-  
T00032**

**Social Impact**

The capital works and operational plans presented in the document will ensure the existing Levels of Service to the community are met.

**Financial**

The Integrated Water Cycle Management Strategy, Strategic Business Plan and Fair Value Asset Review (completed July 2022) provide inputs into the long-term financial plan. A 30-year planning horizon is adopted for modelling to allow financial peaks and troughs to be smoothed out to give a consistent pricing path (for intergenerational equity).

Financial modelling of the water supply business indicates that the current pricing is appropriate and sustainable. Cash accumulates consistently from around 2033 to fund the next major infrastructure upgrades, including dam raising and water treatment capacity upgrades/renewals.

Financial modelling of the sewerage business indicates that the current pricing is currently lower than necessary and that increases of approximately 6% are required to provide appropriate financial ratios and a sustainable and stable pricing path.

**Community and Stakeholder Engagement**

The draft IWCM Strategy, Strategic Business Plan and a 30-year Long-Term Financial Plan have been prepared under the Best Practice Guidelines (completed in December 2022) and was submitted to the Regulatory Assessments Team of the Department of Planning and Environment (Water) for assessment. On 9 May 2023 Council was advised that, based on the draft documents, Eurobodalla Shire Council is considered to have effective, evidence-based strategic planning in place under the new Regulatory and Assurance Framework.

Council will place the draft Integrated Water Cycle Management Strategy on public exhibition for a period of not less than 28 days commencing on 3 July until 31 July 2023. Copies will be available for viewing on Council's website, at the Batemans Bay, Moruya and Narooma libraries and Moruya customer service centre.

**CONCLUSION**

The review of the Integrated Water Cycle Management Strategy and Strategic Business Plan has been completed in accordance with the Regulatory and Assurance Framework for Local Water Utilities, with a combined strategic document presented to Council for its endorsement for public exhibition.

This review has confirmed that the existing strategic direction as adopted in the previous IWCMS (2016) is appropriate and should continue to be implemented. Financial analysis has confirmed that the proposed strategy is affordable and requires no significant increases in customer bills. Funding opportunities for capital works projects will continue to be sought into the future.

The adopted levels of service for drought security, drinking water quality, water supply, sewer overflows, sewage treatment plant license compliance and availability of service are all addressed by the preferred IWCMS scenario presented.

---

**IR23/012 MAINTENANCE AND RENEWAL SCHEDULE FOR ROADS 2023-24**

**S028-T00009**

Responsible Officer: Tony Swallow - Acting Director Infrastructure Services  
Attachments: 1. Grading Schedule 2023-2024  
2. Sealing program for sealed roads 2023-24  
Outcome: 7 Connected and Accessible Places  
Focus Area: 7.1 Work in partnership to provide an integrated transport network  
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network  
Operational Plan Link: 7.1.2.1 Provide a safe efficient and integrated transport network

**EXECUTIVE SUMMARY**

Each year a schedule of works is prepared for the maintenance grading of unsealed roads, resurfacing of sealed roads and gravel resheeting works.

The maintenance grading schedule is based on delivering a reasonable level of service, taking into account the various factors impacting on the performance of the road network, in particular, traffic volumes, type of traffic, terrain, amount and quality of gravel and the available budget.

The reseal program is vital from a road safety perspective as it reinstates grip between the vehicle and the road surface and reduces the number of pavement defects such as potholes. Resealing also assists in keeping maintenance costs down, and by extending the life of the underlying structural road pavement by minimising the ingress of moisture. This helps minimise more expensive pavement rebuilding work.

The gravel resheeting program provides an annual program to replace gravel pavements on a cyclic basis. This improves the driveability of the unsealed road network. This report seeks delegation of determining this program to the General Manager to allow integration into the bushfire and flood disaster recovery works.

All of the proposed works are an integral part of keeping the local road network to a reasonable condition.

Once the 2023-24 Maintenance Grading and Reseal Schedules are adopted by Council, they will be placed on our website for the information of the community. The gravel resheeting program will be updated as part of the six monthly report to Council on progress against the adopted 2023-24 Operational Plan.

**RECOMMENDATION**

THAT:

1. The schedules for the maintenance grading of unsealed roads and the resealing of sealed roads for 2023-24 as attached to this report be adopted.



---

**IR23/012 MAINTENANCE AND RENEWAL SCHEDULE FOR ROADS 2023-24**

**S028-T00009**

**BACKGROUND**

Each year a schedule of works is formulated for the maintenance grading of unsealed roads, resealing of sealed roads and gravel resheeting of unsealed roads.

Minor adjustments to the programs may occasionally be made with the approval of the Director Infrastructure Services, to account for variations in costs, to take advantage of any opportunities for efficiencies of work and to treat any significant problems that might arise as the year progresses due to weather or other issues.

The sealed and unsealed road networks have been highly impacted from the bushfires and floods experienced over the last four years. Significant additional works were required to remediate damage, and these works are now almost complete.

The proposed schedules for maintenance grading and reseals are provided as attachments to this report.

**CONSIDERATIONS**

**1. Maintenance Grading Schedule for Unsealed Roads**

There are approximately 400km of unsealed roads maintained by Council.

The grading schedule is based on delivering a reasonable level of service taking the various factors impacting on the performance of the road network into account, in particular, traffic volumes, type of traffic, terrain, amount and quality of gravel and the available budget. The annual schedule is adjusted prior to presentation to Council, using feedback from the maintenance grading team and customers.

The schedule continues on from the end of the 2022-23 work. The level of service has been kept the same as previous years. It should be noted that the grading team has the responsibility (and is accountable) to make judgements regarding the method of maintenance grading based on the condition of the road. These include:

- do nothing and record for future inspection
- do drains and culvert and vegetation only and record for future road surface inspection
- work to a depth of 80-100mm and re-compact
- deep rip and re-compact to remove deep corrugations or potholes.

The proposed maintenance grading schedule for 2023-24 is attached.

**2. Reseal Program for Sealed Roads**

Sealed roads should be resealed every 10-15 years depending on traffic volumes and the type of bitumen seal. Research for our part of New South Wales indicates that bitumen will oxidise and crack at about 10-11 years.

The reseal program is vital in keeping maintenance costs down, extending the life of the underlying road pavement and minimising more expensive pavement rehabilitation work. It is also vital from a road safety perspective.

The reseal program is determined through inspection of the road network and with consideration to cracking, ravelling (ie loss of stone) and other failure mechanisms taking

---

**IR23/012 MAINTENANCE AND RENEWAL SCHEDULE FOR ROADS 2023-24**

**S028-T00009**

account of known problem areas and feedback from the maintenance teams. The reseal program has a strong focus on treating roads to manage the risk to the public, improve road safety outcomes and minimise the risk of pavement failure.

The proposed reseal program for 2023-24 is attached.

**3. Gravel Resheeting for Unsealed Road**

Gravel resheeting is undertaken on a cyclic basis at a frequency of between 12-18 years depending on the traffic volumes, terrain and the purpose of the road.

It is recommended that decisions on gravel resheeting be delegated to the General Manager to allow best value to be achieved by integrating Council's resheeting program with other disaster recovery resheeting works if required.

**Legal**

Council has a legal responsibility under the *Roads Act 1993* and *Civil Liabilities Act 2002* to appropriately manage risk within available resources. It is prudent for Council to adopt schedules on behalf of the community to allocate resources appropriately.

**Policy**

The proposed works are in line with Council's Asset Management Policy and Local and Regional Roads Risk Management Policy.

**Asset**

All of the proposed works are an integral part of keeping the local road network in a reasonable condition.

**Social Impact**

The provision of roads of reasonable standard is essential to the wellbeing of our community, particularly as we are so heavily dependent on road transport. Resealing significantly improves road safety outcomes, particularly on higher speed roads.

**Economic Development Employment Potential**

The provision and maintenance of a road network to a reasonable standard is integral to the economic wellbeing of the community.

The completion of these works by a mixture of day labour staff and local contractors provides an important role in maintaining and boosting local employment within Eurobodalla and the immediate surrounds.

**Financial**

The 2023-24 Operational Plan provides a budget of \$ 2,064,218 for resurfacing of local roads and car parks and \$ 1,382,562 for gravel resheeting work. The resealing of Regional Roads is covered from the Regional Road Block Grant, Roads to Recovery Grant and Council funds. The maintenance grading is covered from the Roads to Recovery Grant and Council funds.

**Community and Stakeholder Engagement**

The grading schedule and reseal program will be placed on Council's website for the information of the community. The grading schedule will display roads to be graded by road

---

**IR23/012 MAINTENANCE AND RENEWAL SCHEDULE FOR ROADS 2023-24**

**S028-T00009**

name and locality, with the current month's roads to be graded listed under Current Works. Specific dates will not be provided for the grading schedule given the likelihood of unforeseen events necessitating changes to the timing of the service delivery.

**CONCLUSION**

The proposed 2023-24 Maintenance Grading Schedule for unsealed roads and the proposed 2023-24 Reseal Program for sealed roads are vital to sustain our local road network. Once adopted, the schedules will be placed on Council's website.

## Grading schedule for unsealed roads 2023-24



Council maintains approximately 400km of unsealed roads and endeavours to provide a satisfactory level of service.

The grading program takes into consideration various factors impacting on the performance of the road network such as traffic volume, terrain, available budget and the quality and quantity of gravel.

The schedule indicates the extent of the roads to be graded as well as the frequency. It is a guide only and may be affected by rain or long dry periods.

Road	Locality	Location grade starts	Location grade ends	Length of grade (km)	Number of grades
Aeroclub Road	Moruya	end of seal	start of seal	0.2	1
Alcheringa Lane	Bingie	seal	end of maintenance	0.7	1
Araluen Road	Deua River Valley	park boundary at 2857	1 Ridge Road	17.8	1
Araluen Road	Deua River Valley	Pigeon Gully	seal at Stewarts Road	34.2	1
Barlings Beach Access Road	Guerilla Bay	George Bass Drive	Barlings Beach	0.3	1
Beashels Lane	Bergalia	Bergalia Link Road	Gate at 180 Beashels Lane	1.8	2
Belowra Road	Nerrigundah	Byrnes Street	Woila Creek Firetrail	43.2	1
Bengello Beach Road	Moruya	windsock	Grant Street	4.6	1
Bevian Road	Rosedale	seal at George Bass Drive	driveway at number 73	0.7	1
Bevian Road (southern access)	Tomakin	driveway at number 246	George Bass Drive	0.2	1
Big Rock Road	Bodalla	Princes Highway	reservoir	1.1	1
Bimbimbie Lane	Bimbimbie	Bimbimbie Road	end	0.4	1
Bingie Road	Bingie	seal at Kelly Road	park boundary	0.5	2
Black Flat Road	Currowan	Kings Highway	The River Road	10.2	2
Bolaro Mountain Road	Nelligan	Runnyford Road	2.5km From Runnyford Road	2.6	1
Borang Lake Road	Bodalla	Horse Island Road	end of maintenance	1.5	1
Box Cutting Road	Kianga	end of maintenance	Kianga Forest Road	2.2	1
Brierley Avenue	Moruya	seal	end of maintenance	0.9	1
Brou Lake Road	Bodalla	Brou Tip	park boundary	1.4	1
Buckenbours Pump Station Road	Runnyford	Quartpot Road	pump station	0.8	1
Buckenbours Road	Mogo	Park Street	Mullendaree Creek Causeway	11.1	1
Bumbo Bridge access road	Bodalla	Bumbo Road	Redex Road	0.3	1

Road	Locality	Location grade starts	Location grade ends	Length of grade (km)	Number of grades
Bumbo Road	Bodalla	seal	Crapps Bridge	4.3	1
Burri Road	Rosedale	seal	Bevian Road	1.2	1
Bushland Road	Moruya	seal	end	0.4	1
Byrnes Street	Nerrigundah	Belowra Road	Belowra Road	0.2	1
Cadgee Mountain Road	Nerrigundah	Nerrigundah Mountain Road	Eurobodalla Road	2.4	2
Cemetery Road	Narooma	seal at Narooma Cemetery car park	seal at shelter	0.1	1
Cheese Factory Road	Eurobodalla	Eurobodalla Road	end of maintenance	0.3	1
Cherryrise Road	Wamban	Wamban Road	grid	0.2	1
Clouts Road	Mogendoura	Larrys Mountain Road	end of maintenance	2.7	1
Coila Creek Road	Coila	seal at Princes Highway	end of maintenance	1.1	1
Comerang Farm Road	Bodalla	Eurobodalla Road	Widgett Road	1.2	1
Comerang Forest Road	Bodalla	Eurobodalla Road	end of maintenance	2.8	1
Congo Road	Congo	seal at Congo Creek	seal at Congo	0.7	1
Coopers Island Road	Bodalla	Princes Highway	end	0.8	1
Corunna Point Sports Ground access	Corunna	Mystery Bay Road	park	1.1	1
Donalds Creek Road	Wamban	Wamban Road	Donalds Creek	8.6	1
Donovan Creek Road	Benandarah	Old Princes Highway	forest boundary	1.3	1
Dwyers Creek Road	Moruya	seal	Spring Creek Road	0.3	1
Egans Road	Runnyford	Runnyford Road	272 Egans Road	2.7	1
Eurobodalla Road	Nerrigundah	dust seal east of Sinclairs Bridge	Reedy Creek Road	16.1	2
Goldfields Drive	Jeremadra	Old Mossy Point Road	Jeremadra Grove	2.2	1
Guthrie Street	Moruya	Princes Highway	Main Street	0.6	1
Handkerchief Beach car park	Narooma			0.1	1
Hanns Road	Buckenbowra	Quartpot Road	Old Bolaro Road	5.5	1
Hawdons Road	Mogendoura	cattle grid	forest boundary	2.8	2
Haxstead Road	Central Tilba	cattle grid	Little Lake Cemetery Road	0.2	1
Horse Island Road	Bodalla	Potato Point Road	Horse Island Bridge	3.8	2
Ridge Road	Kiora	Horse Island Bridge	end of maintenance (just past number 105)	1.4	1
Jeremadra Grove	Jeremadra	Goldfields Drive	end of maintenance	1.7	1
Kianga Forest Road	Kianga	Princes Highway	lookout	5.3	2
Larrys Mountain Road	Mogendoura	seal	Araluen Road	7.0	2
Lattas Point Road	Batemans Bay	Princes Highway	Lattas Point oyster sheds	4.0	2
Little Lake Cemetery Road	Central Tilba	Haxstead Road	cemetery	1.1	1

Road	Locality	Location grade starts	Location grade ends	Length of grade (km)	Number of grades
Main Street	Moruya	Guthrie Street	end of maintenance	0.1	1
Malabar Drive	Moruya	seal	end of maintenance	0.7	1
Maulbrooks Road	Mogendoura	Driveway at number 282	seal at number 153	4.0	2
Meadows Road	Mogendoura	seal	end of maintenance	0.6	1
Meads Lane	Tilba Tilba	Meads Road	end	0.2	1
Meads Road	Tilba Tilba	Princes Highway	Meads Lane	1.1	1
Meringo Road	Meringo	seal at Bingie Road	dust seal	1.6	2
Moruya Reservoir Road	Moruya	dust seal	reservoir	0.8	1
Mount Dromedary Trail	Tilba Tilba	reservoir	The Avenue	0.9	1
Mount Dromedary Trail (north)	Narooma	Punkalla Tilba Road	National Park boundary	3.7	1
Mullimburra Point Road	Bingie	seal at dog leg	Pinnacles Close	0.7	2
Munjeroo Lane	Bingie	dust seal	end of maintenance	0.2	1
Mymossa Road	Wamban	Donalds Creek Road	end of maintenance	1.1	1
Mystery Bay Campground car park	Mystery Bay	Mystery Bay Loop Road	end of maintenance	0.1	1
Mangudga Beach Road	Narooma	Princes Highway	end	0.6	1
Nelligen Creek Road	Nelligen	Old Bolaro Road	end of maintenance (number 140)	1.4	1
Nerrigundah Mountain Road	Nerrigundah	Cadgee Mountain Road	seal near Nerrigundah	3.3	2
Noads Drive	Moruya	Noads Place intersection	Congo Road intersection	1.0	2
Noggarula Drive	Bergalia	Princes Highway	end	1.5	2
Old Bolaro Road	Buckenbowra	Misty Mountain Road	seal at Kings Highway	7.5	1
Old Highway	Corunna	seal north of Ridge Road	seal at Corunna Bridge	2.3	2
Old Mill Road	Turlinjah	dust seal at Princes Highway	forest boundary	1.3	1
Old Mossy Point Road	Jeremadra	seal	end of maintenance	0.6	1
Old Nelligen Road	Benandarah	seal at Kings Highway	second creek crossing at Bridge Creek	5.0	1
Old South Coast Road	Narooma	seal at number 136	end of maintenance	0.3	2
Onslow Close	Jeremadra	Old Mossy Point Road	end of maintenance	0.4	1
Paradise Road	Nelligen	Old Bolaro Road	end of maintenance	2.3	1
Patons Road	Moruya	Dwyers Creek Road	creek crossing	1.3	1
Pedro Point Road	Moruya Heads	seal	Pedro Point Reserve Road	1.2	1
Percy Davis Drive	Moruya	seal	east boundary at number 280	0.8	1
Phyllis Price Drive	Moruya	seal	end	2.8	1
Pinnacles Close	Bingie	Mullimburra Point Road	end	0.2	1
Priory Lane	Bingie	seal	end of maintenance	0.6	1



Road	Locality	Location grade starts	Location grade ends	Length of grade (km)	Number of grades
Punkalla Tilba Road	Central Tilba	Wagonga Scenic Drive	Ridge Road	7.6	2
Quartpot Road	Buckenbowra	Buckenbowra Road	Hanns Road	13.9	1
Redex Road	Bodalla	Bumbo Road	bridge	0.1	1
Reedy Creek Road	Eurobodalla	Eurobodalla Road	number 304	20.7	1
Ridge Road	Central Tilba	Boundary Bridge	Punkalla Tilba Road	1.8	2
Rifle Range Pit Road	Kianga	Riverview Road	gravel pit	0.9	1
Ringlands Road	Narooma	Flying Fox Road	number 40	0.4	1
Riverview Road	North Narooma	seal at number 360	end of maintenance at Paradise Point	0.9	1
Rotary Drive	Batemans Bay	seal off Kings Highway	Holmes Lookout	1.1	2
Runnyford Road	Mogo	seal at Nelligen	seal at Princes Highway	21.1	2
Ryans Creek Reserve Road	Moruya	Riverside car park	end of maintenance	1.0	2
Shingle Hut Road	Narooma	Wild Horse Creek Road	end of maintenance (number 80)	1.0	1
Short Street	Mogo	Creek Street (unformed)	Forestry	0.3	1
Spencer Street (west)	Moruya	Forestry	Dwyers Creek Road	0.3	1
Spring Creek Road	Moruya	Dwyers Creek Road	Donkey Hill Road	0.2	1
Sproxtons Road	Benandarah	Old Nelligen Road	Timber Barge Lane	0.4	1
Stewarts Road	Kiora	Araluen Road	end of maintenance (at number 116)	1.1	1
Summerhill Road	Moruya	Dwyers Creek Road	end of maintenance	0.1	1
Sunnyside Road	Central Tilba	Victoria Creek Road	seal at Mystery Bay Road	2.6	1
The Ridge Road	Batemans Bay	Catalina Reservoir Road	Catalina Reservoir Road	4.5	2
The River Road	Currowan	dust seal	seal at Currowan Causeway	11.7	2
The Western Distributor	Currowan	Kings Highway	shire boundary	1.6	1
Timber Barge Lane	Benandarah	Sproxtons Road	end	0.3	1
Turnbulls Lane	Moruya	seal	Hawdon Street	0.5	2
Valley View Lane	Moruya	Mollee Road	end of public road	0.2	1
Wagonga Scenic Drive	Narooma	Box Cutting Road	seal at 74	13.7	2
Waincourt Road	Eurobodalla	seal at number 97	Bullockys Hut Road	1.2	1
Wamban Road	Wamban	end of seal	Wamban Creek Bridge	1.3	2
Western Boundary Road	Turlinjah	seal	forest boundary	1.1	1
Widgett Road	Bodalla	Comerang Farm Road	end of maintenance	1.3	1
Wild Horse Creek Road	Narooma	Punkalla Tilba Road	Shingle Hut Road	0.2	1
Wild Pig Road	Benandarah	forest boundary	end of maintenance	0.5	1
Windus Road	Moruya	Dwyers Creek Road	end of maintenance	0.2	1



Road	Locality	Location grade starts	Location grade ends	Length of grade (km)	Number of grades
Mindywoppa Road	Benandarah	forest boundary	end of maintenance	2.5	1
Voila Creek Firetrail	Belowra	Belowra Road	end	4.9	1
Nonga Road	Narooma	Old South Coast Road	Old Highway	1.3	2
Farragee Road	Moruya	reserve	car park	0.2	1
Youngs Road	Akolele	Bermagui Road	gate	1.2	1



### Reseal program for sealed roads 2023-24

Our 2023-24 Operational Plan provides a budget of \$1,972,465 for resealing local urban roads. The reseal program helps to keep maintenance costs down, extend the life of the underlying pavement and minimise expensive pavement rehabilitation work.

Roads and car parks will be resealed with bitumen or asphalt. Bitumen resurfacing involves an application of bitumen covered by a layer of aggregate. Asphaltting consists of aggregate, filler and binder which are mixed together then spread and compacted while hot, resulting in a smoother surface.

Suburb	Road	Area
Batemans Bay	Alvanex (ROW)	Full length
Batemans Bay	South Street	Pacific Street to Old Princes Hwy
Batemans Bay	Bavarde Avenue	South Street to Pacific Street
Bingie	Kelly Road	Chainage 630 to end of seal
Bodalla	Bodalla Park Drive	Princes Highway to #300
Broulee	Grant Street	Massey Street south to end of seal
Broulee	Imlay Street	Grant Street to southern end
Broulee	Lyttle Street	Full length
Broulee	Suzanne Way	Candlagan Drive to AC
Broulee	Candlagan Drive	Suzanne Way west to markings
Catalina	Gull Close	Full length
Catalina	Ibis Place	Full length
Catalina	Vista Avenue	Sea Street south to end
Catalina	Yarrabee Drive	Full length
Catalina	Sorrell Place	Full length
Catalina	Hoya Place	Full length
Catalina	George Bass Drive	Joes Creek Bridge sth to Roundabout
Dalmeny	Ocean Parade	Full length
Dalmeny	Nioka Street	Full length
Dalmeny	Myuna Street	Full length
Lilli Pilli	Denise Drive	Full length
Lilli Pilli	Denise Lane	Full length
Long Beach	Maloneys Drive	Full length
Long Beach	Hibiscus Close	Full length
Malua Bay	George Bass Drive	Serv 559 - 585
Mogo	Veitch Street	Full length
Mogo	Annett Street	James Street to markings
Mogo	James Street	Full length
Mogo	Quartpot Road	Approaches to Corrigans crossing
Moruya	Princes Highway on street parking	Moruya Bridge to Toose St (west side of road)
Moruya	Princes Highway on street parking	Moruya Bridge to Toose St (east side of road)
Moruya	John Street	Church Street north to markings
Moruya	Queen Street	Ford Street to Treatment Plant
Moruya	Moruya Treatment Plant	Internal roads
Moruya	Hawdon Street	Campbell Street to Fitzroy Street
Moruya	Church Street	Ford Street to John Street
Moruya	Moruya Tip road	Gate entry to end

Suburb	Road	Area
Mossy Point	River Road	Full length
Mossy Point	Annetts Parade	River Road to markings
Mossy Point	Hilmer Avenue	Full length
Narooma	Brice Street	Full length
Narooma	Lynch Street	Full length
Narooma	Nichelsen Street	Full length
Narooma	Hyland Avenue	Full length
Narooma	Costin Street	Princes Highway to Loader Parade
Narooma	Tilba Street	Koerber Lane to Asphalt
Nelligen	Braidwood Street	Reid Street to markings
Nelligen	Old Nelligen Road	Full length
North Batemans Bay	Wray Street	Old Punt Road to markings
South Durras	Lakeside Drive	Full length (excl AC)
South Head	South Head Road	Hazel Road to Newstead Road
Sunshine Bay	Blaxland Crescent	Full length
Sunshine Bay	Blaxland Court	Full length
Surf Beach	Tallgums Way	Kauzal Crescent to The Ridge Road
Surf Beach	Kauzal Crescent	Full length
Surf Beach	The Ridge Road	Tallgums Way north to end of seal
Surfside	Myamba Parade	Wallarah Street to Foam Street
Surfside	Wallaringa Street	Full length
Surfside	The Vista	Full length
Tilba	Whiffens Lane	Full length
Tilba	Haxstead Road	Full length
Tomakin	Tomakin bus stop Road	Full length
Tomakin	Sunpatch Parade	Ainslie Parade to Parks Parade
Tuross Head	Marlin Street	Hawkins Street to Evans Road
Tuross Head	Manly Street	Brighton Street to Foam Street
Tuross Head	Bondi Street	Brighton Street to Foam Street
Tuross Head	Coogee Street	Brighton Street to #44
Car Parks	Princes Highway Narooma	Narooma Plaza
	Bar Beach	Full length
Regional Roads	Hector McWilliam Drive	Princes Highway to caravan park
	George Bass Drive	Tomaga Bridge North to Tomakin Road
	George Bass Drive	Oceanview Way North to Burri Point Road
Rehabilitation Works	Nerrigundah Mountain Road	Cemetery West to the Village
	Illabunda Drive, Malua Bay	
	Nelson Parade, Tuross Head	Trafalgar Road to Jellicoe Road
	Tomakin Road	
	Loader Parade	Costin Street to end
	Wagonga Scenic Drive	Clarksons Bridge approaches
	Wagonga Scenic Drive	Grumleys Bridge approaches
	Wagonga Scenic Drive	Cobra Bridge approaches
Wagonga Scenic Drive	Cowdroys Bridge approaches	

<b>Asphalt</b>		
North	Commercial Lane car park	Full length
	Perry Street	Beach Road to Perry Lane
Central	Gundry Oval Playground car park	Full length
	Mirrabooka Avenue	Vulcan Street to markings
	Estuary Way	Intersection at George Bass Drive
South	Corkhill Drive car park	Full length
	Alexander Place	Full length
	Tarourga Place	Cul de sac
	Acacia Close	Cul de sac
	Riverside Drive	Roundabout x McMillan Crescent

---

**IR23/013 LOCAL TRAFFIC COMMITTEE NO 10 FOR 2022-23**

**S030-T00018**

Responsible Officer: Tony Swallow - Acting Director Infrastructure Services

Attachments: 1. Under Separate Cover - Traffic Management Plan - Rally of the Bay 2023

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 1 June 2023, are as follows:

- Signage– One Way Cambridge Crescent, Broulee.

**RECOMMENDATION**

THAT:

1. That Council Plan Broulee Cambridge Crescent Signage Plan dated 26/05/2023 detailing a One Way left sign on Cambridge Crescent, Broulee, be approved.

**BACKGROUND**

The Eurobodalla Local Traffic Committee Meeting No 10 for 2022-23 was held on 1 June 2023. The meeting was attended by Councillor Amber Schutz (Chair), Senior Sgt Scott Britt (NSW Police), Emma Pietruska (Transport for NSW), Kate McDougall (Traffic Officer), Tom Franzen (Division Manager Technical Services), Sheree Ward and Lexus Croser (Infrastructure Support Officer), Karen Shea (representative for Michael Holland MP).

**APOLOGIES**

Nil

**DEPUTATIONS**

Nil

**MINUTES OF PREVIOUS MEETING**

The minutes of the Eurobodalla Local Traffic Committee Meeting No 9 for 2022-23 held on 4 May 2023 were confirmed and accepted.

---

**IR23/013 LOCAL TRAFFIC COMMITTEE NO 10 FOR 2022-23**

**S030-T00018**

**OUTSTANDING ITEMS FROM PREVIOUS MEETING**

Nil

**ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION**

**2023.RT.030 Signage– One Way Cambridge Crescent, Broulee**

Council was notified by Broulee Public School that there has been an increase of drivers travelling contrary to the one-way direction on Cambridge Street since the opening of the new development on the corner of Train Street and Cambridge Crescent.

Council's Road Safety Officer and Acting Traffic Coordinator inspected the exit from the development on the corner of Train Street and Cambridge Crescent and found lack of signage advising drivers they were exiting onto a one-way street.

The development had a 'curve left' advisory sign and children crossing (symbolic) sign at the boundary line. However, no signage when entering the roadway indicating the one-way street. A 'ONE WAY' (arrow left symbolic) 'R2-2\_L' sign will be installed opposite the driveway exit to inform drivers the road they are entering is one way.

LTC Recommendation:

That Council Plan Broulee, Cambridge Crescent Signage Plan dated 26/05/2023 detailing a One Way left sign on Cambridge Crescent, Broulee, be approved.

**INFORMAL ITEMS FOR DISCUSSION**

**6.1 2023.SE.013 Special Event – Lazer Rally of the Bay**

A special Event Application including Traffic Management and Control Plan documentation has been received for the Rally of the Bay car rally to be conducted within State Forests and on Council roads, located from the south west to the north west of Batemans Bay, on Saturday 23 July 2023.

This car rally has been conducted successfully in previous years. The service area will be located at Corrigans Reserve, Batehaven. The rally involves several stages using a mixture of State Forest and public roads.

Council public roads which are proposed to be closed under race conditions within Eurobodalla are detailed in Appendix G of the Traffic Management Plan Attached.

These public road closures will be advertised by Council. Additional road closures are proposed further north within the Shoalhaven Local Government area.

Additionally State Forest roads within Eurobodalla that will be closed under race conditions include Ross Ridge Road, Dog Trap Road, Lyons Road, Clyde Ridge Road and Western Distributor Road.

Consultation is underway between the event organiser and rural property owners. Letters will be sent to all affected residences and a copy of this letter along with other relevant documents including the Traffic Management and Control Plans and a map will be circulated to committee members prior to the meeting via email.

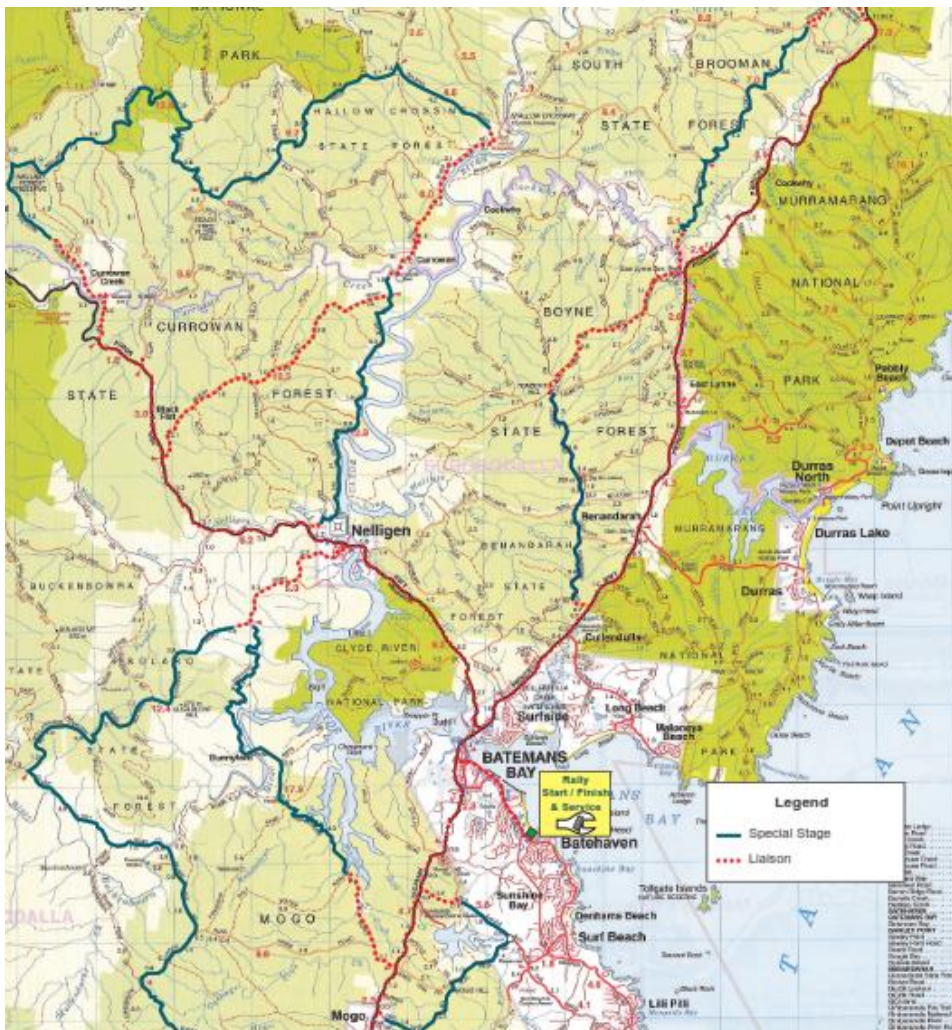
**IR23/013 LOCAL TRAFFIC COMMITTEE NO 10 FOR 2022-23**

**S030-T00018**

The Traffic Management and Control Plans will be circulated to committee members prior to the meeting via email.

LTC Recommendation:

That the Rally of the Bay, to be conducted in the State Forests from the south west to the north west of Batemans Bay on Saturday 23 July 2023 based on the submitted Traffic Management and Control Plans be approved.



*Route map – Lazer Rally of the Bay*

**GENERAL BUSINESS**

**7.1 Blairs Road, Long Beach**

A resident had raised concerns in relation to the speed limit and compliance with the speed limit on Blairs Road. Additional issues have been raised in relation to wildlife. The compliance



---

**IR23/013 LOCAL TRAFFIC COMMITTEE NO 10 FOR 2022-23**

**S030-T00018**

issue was raised with the Police. Council will investigate putting traffic classifiers on this road as per the traffic count schedule.

**7.2 Princes Highway North Batemans Bay, Cors Parade, Clyde Road**

Transport for NSW (TfNSW) is currently undertaking a review of the approximate 4km length of existing 100km/h speed zone on the Princes Highway north of Batemans, from 150m north of the intersection with Cullendulla Drive to the change in speed to 60km/h, just north of the Kings Highway roundabout.

**7.3 Crank It Up, prior to TMP to be submitted**

Organisers of Crank It Up have asked the advice of the Local Traffic Committee regarding Traffic Management Plans for their event to be held later in 2023. It was advised that consultation with all impacted stakeholders would need to be undertaken and considered.

**7.4 Hector McWilliam Drive, Tuross Head, Left Turn Slip Lane**

Questions were raised in relation to the funding commitment from the Member for Bega, Dr Michael Holland MP for the reinstatement of the Left Turn Slip Lane that was previously removed at the Hector McWilliam Drive and Princes Highway intersection. The TfNSW representative advised this matter will be investigated further.

**7.5 Congo Road**

Councillors have unanimously endorsed a plan that could transfer the ownership of a paper road - one that legally exists on paper but has never been built - from Crown Lands to Council, providing potential for the existing track in use to be reopened.

The speed zone and existing signage was discussed with the Committee. It was advised that speed limit signs are not ordinarily installed on unsealed roads by TfNSW.

**NEXT MEETING**

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 6 July 2023 in Council's Glass Meeting Room and via MS Teams, commencing at 9.30am.

**ATTACHED**

Traffic Management Plan - Lazer Rally of the Bay.

---

## 17. 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.