



AGENDA

Ordinary Meeting of Council

14 February 2017

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

ON TUESDAY 14 FEBRUARY 2017

COMMENCING AT 10.00AM

AGENDA

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

1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY & EVACUATION MESSAGE

2. APOLOGIES

Nil

3. PUBLIC FORUM (AGENDA ITEMS ONLY)

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Ordinary Meeting held on 13 December 2016

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

(Declarations also to be made prior to discussions on each item)

Page No.

6. MAYORAL REPORTS

MR17/001 Council support for 'no balloon release' 3

7. NOTICES OF MOTION

NOM17/001 Mobility Parking Scheme..... 5

NOM17/002 Advocating for the Princes Highway Corridor Strategy and Kings Highway..... 8

NOM17/003 Divestment of Council Investments in Fossil Fuel supporting Financial Institutions 10

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. GENERAL MANAGER'S REPORTS

GMR17/001	2017 Conferences	14
GMR17/002	Audit, Risk and Improvement Committee Annual Report	18
GMR17/003	Community Feedback and Adoption of Community Engagement Framework	20

10. PLANNING AND SUSTAINABILITY REPORTS

PSR17/001	Donation of Development Fee	54
PSR17/002	Policy Review - Compliance Policy	56

11. INFRASTRUCTURE REPORTS

IR16/044	Road Naming Proposal - Glenella Road, Batemans Bay	58
IR17/002	Local Traffic Committee No 4 for 2016-17	64
IR17/003	Ringlands Jetty Narooma	67
IR17/004	Policy Review - Copper Chrome Arsenate (CCA) Management	70
IR17/005	Policy Review - Engineering Design Standards	72
IR17/006	Policy Review - Pesticides/Herbicides Use Notification Policy	74
IR17/007	Policy Review - Water Saving Incentives for Reticulated Water Customers	76

12. FINANCE AND BUSINESS DEVELOPMENT REPORTS

FBD17/001	Policy Review - Gathering Information for Risk Management	78
FBD17/002	Investments made as at 30 November 2016	80
FBD17/003	Investments made as at 31 December 2016	83

13. COMMUNITY, ARTS AND RECREATION REPORTS

CAR17/001	Children's Services Fees and Charges	86
-----------	--	----

14. DELEGATE REPORT

15. URGENT BUSINESS

16. DEALING WITH MATTERS IN CLOSED SESSION88

17. CONFIDENTIAL MATTERS

DR CATHERINE DALE
GENERAL MANAGER

MR17/001 COUNCIL SUPPORT FOR 'NO BALLOON RELEASE'

File Ref: E02.6718

Attachments: Nil

EXECUTIVE SUMMARY

Council has been active in raising awareness in the community about the effects balloon releases have on the natural environment, particularly the marine environment, and the ways by which the impact can be managed.

Balloon release has an adverse impact on the environment and continues to be an item of litter that is identified in cleanups. Balloons and the associated debris can travel long distances and cause negative impacts, particularly in our waterways.

I am seeking the support of my fellow Councillors' for a 'no balloon release' policy at all Council reserves and events, formalised via the inclusion of a 'no balloon release' provision in Council's Events Guidelines. Collaboration with neighbouring council areas to ban the release of balloons will further reinforce this policy.

RECOMMENDATION

THAT:

1. The release of balloons be banned at Council events and in Council managed reserves.
2. The inclusion of a 'no balloon release' and sustainability provisions in Council's Events Guidelines be effected.
3. Council collaborate with neighbouring council areas and Canberra Region Joint Organisation to support banning the release of balloons.
4. Council advocate for a State and National education program on the issues associated with balloon release in relation to littering and helium usage, and encourage the banning of balloon release.

BACKGROUND

Approximately 95% of released balloons rise to 8,500 metres where they expand in the cold and thin air, become brittle and shatter into spaghetti-like pieces that then sink back to earth. The remaining 5% do not reach a high enough altitude to burst and therefore, drift with the wind hundreds of kilometres before descending back to the land or the sea. Due to predominant winds and currents, balloons and other marine debris often accumulate in predictable areas, overlapping with the foraging and nesting areas of marine animals.

The impact of litter reaching our marine environment is well known and documented with 663 species affected worldwide. Even balloons that are classified as 'biodegradable latex' can last months or even years before breaking down, and pose a threat to marine life during that time. Balloon release has an adverse impact on the environment and continues to be an item of litter that is identified in cleanups. Balloons and the associated debris can travel long distances and cause negative impacts, particularly in our waterways. The impacts from balloons on marine life

MR17/001 COUNCIL SUPPORT FOR 'NO BALLOON RELEASE'

E02.6718

include deformity and loss of limbs, internal injuries and blockages, and death through starvation, suffocation and strangulation.

In November 2000 the NSW Government enacted the *Protection of the Environment Operations Amendment (Balloons) Act 2000*. Since that date, it is illegal to release 20 or more gas-inflated balloons at or about the same time. It is deemed an aggravated offence where a person releases more than 100 balloons. There are a number of exceptions to these offences, for example whether the balloons are released specifically for scientific purposes.

Every balloon released is littering and can be subject to the enforcement of litter laws. The New South Wales legislation is largely not monitored nor enforced, with balloons being released on some commemorative occasions, and the provision of balloons as promotional signage or giveaways by community groups and businesses.

Whilst balloon release is not a major or obvious litter item in Eurobodalla Shire, it does however negatively impact on our environment, and in turn has the potential to impact adversely on our economy which has a strong dependence on the environment. Council has proactively engaged in understanding the issues with balloon releases, raised awareness of the issues with the broader community, conducted cleanups and specifically targeted balloon release events. Balloons are often used for celebrations and the emphasis has been on encouraging alternatives to balloon release and raising the awareness of the negative impacts of balloon release. In this regard, Council has proactively worked with volunteers and community groups. There is strong support from the broader community and a recent petition advocating for 'no balloon release' has been active in Bega Valley Shire and Eurobodalla Shire.

Council can play a more active role in encouraging a 'no balloon release' in Eurobodalla Shire by formalising a 'no balloon release' at all Council reserves and events, in addition to collaboration with neighbouring Council areas to ban the release of balloons. This proactive approach will ensure that Eurobodalla Shire's natural environment for which the South Coast of NSW is renown, does not contribute to balloon litter to our local environment and marine environment across the world.

NOM17/001 MOBILITY PARKING SCHEME

E00.4623

Responsible Officer: Maureen Nathan - Councillor

Attachments: Nil

Councillor Maureen Nathan has given notice that at the Ordinary Meeting of Council on Tuesday 14 February 2017, she will move the following motion.

MOTION

THAT:

1. Information relating to the Mobility Parking Scheme (MPS), and associated parking permits, be distributed to the community via the next Council quarterly newsletter to residents.
2. Council write a media release to the Roads and Maritime Services (RMS) identifying the short fall in the MPS and seeking their action to expand the scheme to enable permits to people who are able to walk 100m on their own, but due to their age, physical or medical condition are not able to do so in a timely manner.
3. A report be presented to Council on 28 March 2017 regarding the establishment of a local scheme aimed at providing the ability for permit holders to park double the sign posted limit for those areas sign posted with a limit of 1 hour or less. That the report address, as a minimum, how the scheme would be operated and administered, any legal and budget considerations.

BACKGROUND

I recently raised concerns regarding access to parking for longer periods for people with a disability, either permanent, or temporary arising from a medical episode.

In response to this I was advised by Council staff that a Mobility Parking Scheme (MPS) was already operated by the NSW Government. Whilst I was aware of this, the information relating to the MPS is not necessarily widely known. Council could help to rectify this by providing information to the community which may expand their options when parking in the Shire.

A summary of the relevant information was provided in the Councillor newsletter and is repeated here to increase awareness within the community. The Mobility Parking Scheme is administered by the Roads and Maritime Services (RMS) as a function of the NSW Government.

“Mobility Parking Scheme (MPS)

Who is eligible:

To be eligible for an MPS disability parking permit, a person must be unable to walk because of permanent or temporary loss of the use of one or both legs or other permanent medical or physical condition, or whose physical condition is detrimentally affected as a result of walking

NOM17/001 MOBILITY PARKING SCHEME

E00.4623

100 metres, or who requires the use of crutches, a walking frame, calipers, scooter, wheelchair, or other similar mobility aid.

How do you apply:

Visit your doctor or other registered medical practitioner and have them assist you to fill out the Roads & Maritime Services MPS application form for Individual and Temporary Permits.

Take the completed form (signed by yourself and the doctor) to an RMS / Services NSW office. Depending on the office facilities you will be either issued a permit on the spot or a permit will be posted to you within 7 days (an interim permit will also be issued on the spot).

Temporary permit duration is determined at the doctor's discretion, to a maximum of 6 months.

The permit issued contains a photo identification, and does not specify a particular vehicle (ie permit is for the person, not the vehicle).

How much does it cost:

There is a fee of \$41 for a permit, however eligible pensioners do not have to pay.

Where can I park in the Eurobodalla:

The disability parking permit entitles vehicles to park in spaces marked with a symbol for people with a disability (Accessible Parking).

The permit also provides parking concessions in time limited spaces:

- where parking is limited by a sign to more than 30 minutes, the vehicle can park for an unlimited time
- where parking is limited by a sign to 30 minutes, the vehicle can park for 2 hours
- where parking is limited by a sign to less than 30 minutes, the vehicle can park for a maximum of 30 minutes.

Also at a 'No Parking' sign vehicles may park up to 5 minutes, and the driver must remain within the vehicle or within 3 metres of the vehicle to drop off or pick up passengers or goods."

Council could play a role in increasing awareness of the above information to the community by inclusion of an item in Council's resident newsletter and via the media. This would increase public knowledge of the expanded parking options available in the Eurobodalla for drivers with a disability, and drivers who are caring for a person with a disability, either permanent or temporary.

I commend this low cost action to support our community to my fellow Councillors.

Whilst the MPS is beneficial to many members of our community, the scheme requires doctors to complete comprehensive documentation verifying the persons need to access the scheme and that they cannot walk 100m. We have many people who due to their age, physical condition, or medical condition may be able to walk 100m but not in a timely manner. This results in them not being able to use shorter term and more convenient parking to access essential services and local businesses.

NOM17/001 MOBILITY PARKING SCHEME

E00.4623

In order to address this issue I believe that Council should:

1. Write to the RMS identifying the shortfall in the mobility scheme and seek their assistance in addressing this.
2. Develop a local scheme that is implemented by local doctors which enables the display of a permit that entitles the vehicle to park for double the sign posted parking limits for those areas sign posted with a 1 hour or less restriction.

That this scheme be developed in such a way as to be cost effective and in a manner which minimises the administrative burden of our doctors.

Developing a local scheme will address the problem that exists and will enable Council to gain knowledge which can be shared with the RMS in the hope of them developing and managing a broader scheme for NSW.

NOM17/002 ADVOCATING FOR THE PRINCES HIGHWAY CORRIDOR STRATEGY AND KINGS HIGHWAY

E00.4263

Responsible Officer: Phil Constable - Clr

Attachments: Nil

Councillor Phil Constable has given notice that at the Ordinary Meeting of Council on 14 February 2017, he will move the following motion.

MOTION

Council invite the Hon. Melinda Pavey MP in her capacity as NSW Minister for Roads, Maritime and Freight, the Hon. Andrew Constance MP in his dual capacity as the Local Member, NSW Minister for Transport and Infrastructure, and the Hon. John Barilaro MP, in his capacity as Deputy Premier, Minister for Regional NSW and Member for Monaro, together with the RMS Southern Region Manager Ms Renae Elrington to a meeting with Councillors and the necessary Council staff, as soon as it can be arranged, to engage in a discussion about the vital importance of:

- i) advancing the upgrading the Princes Highway and Kings Highway, noting the critical role these highways have in servicing Eurobodalla Shire's residents, businesses and transport needs, the greater South Coast and Canberra regions and the international market place via Canberra airport.
- ii) developing longer term plans for the future redevelopment of the Princes Highway and Kings Highway to meet the medium and long term needs.

BACKGROUND

The NSW Government is progressing major upgrade works to sections of the Princes Highway and Kings Highway, which is recognised and appreciated. Nevertheless, to secure the economic and social prosperity of our community in the short and long term, further upgrades and excellent long term infrastructure planning for these highways, backed by the necessary Government funding is essential.

The State Government via the Roads & Maritime Service (RMS) has developed a Princess Highway Corridor Strategy, published in August 2016 that outlines priorities for the upgrade of the highway over the next twenty years from Yallah in the North to the Victorian border in the South. This strategy is available at the following link.

<http://www.rms.nsw.gov.au/projects/south-coast/corridor-strategies/index.html>.

Approximately 115 kilometres of the Princes Highway passes through the Eurobodalla. This is about one quarter of the length of the highway covered within the Corridor Strategy.

The duplication of the bridge over the Clyde River is identified in the Corridor Strategy (page 144) and the Minister for Transport & Infrastructure, the Hon Andrew Constance MP, and the previous Minister for Roads, Maritime and Freight have committed to funding the new bridge. The NSW Roads and Maritime Services are working up options to be discussed with the community and advise that these options will be available for community input in late 2017.

NOM17/002 PRINCES HIGHWAY CORRIDOR STRATEGY

E00.4263

The community can track progress on this work via the RMS web-site at
<http://www.rms.nsw.gov.au/projects/south-coast/batemans-bay-bridge/index.html>.

Council also needs the Princes Highway south of Batemans Bay realigned and an intersection constructed by the NSW Government to tie into the South Batemans Bay Link Road, which is currently under construction. The RMS have worked up options for this work but are yet to secure the necessary NSW Government funding for this project.

<http://www.rms.nsw.gov.au/projects/south-coast/batemans-bay-link-road/index.html>.

Council's input into the Princes Highway Corridor Strategy is evidenced in the published Corridor Strategy document (p46, 112).

Similarly, Council continues to fight for further and progressive upgrades to the Kings Highway to support growth in the regional economic activity, secure and support linkages to Canberra airport and the international market place, secure growth in the tourism and visitor markets, improve road safety and transport efficiency outcomes, and support the social well being of our community as part of the Eurobodalla, South Coast and Canberra regions. Specifically, Council has been seeking further funding to see the next sections of the Kings Highway west of Nelligen designed and upgraded. As yet no commitment to on-going design or construction funding necessary has been secured from the RMS, despite the known conflicts between current land holdings and the future road alignment needs for the Kings Highway, and the support of all Chambers of Commerce.

As the newly elected Council, I believe we need to meet directly with the responsible Ministers as a matter of priority to push for these vital infrastructure upgrades to our highways to be brought forward and completed, and to put in place longer term plans for these highways.

I therefore wish to move the following motion.

**NOM17/003 DIVESTMENT OF COUNCIL INVESTMENTS IN FOSSIL FUEL SUPPORTING
FINANCIAL INSTITUTIONS**

E00.4623

Responsible Officer: Patrick McGinlay - Councillor

Attachments: Nil

Councillor Patrick McGinlay has given notice that at the Ordinary Meeting of Council on 14 February 2017, he will move the following motion.

MOTION

THAT Council give preference to investing with financial institutions that do not invest in, or finance, the fossil fuel industry where:

- a) Council's investment is compliant with its 'Investment Policy'.
- b) The investment rate of interest is comparable to other similar investments that may be on offer to Council at the time of investment.
- c) A briefing be provided to Councillors, at the end of financial year 2016/17, to assess the results of this moderate divestment strategy.

BACKGROUND

Objective

The intent of this notice of motion is aimed at environmental protection by taking action to combat climate change. Carbon emissions through the use of fossil fuels are, according to overwhelming scientific evidence, one of the key contributors to global warming and climate change.

One of the few mechanisms that smaller institutions and entities like councils can use to influence the broader movement to protect our shared environment, is by limiting or excluding investment, directly or indirectly, in the fossil fuel industry.

This can be achieved by moving ratepayer owned and Council managed investment capital from financial institutions that support the fossil fuel industry, to those that do not.

If a sufficient number of councils were to do the same, the impact financially would be very significant, and have the potential to influence many other financial institutions to move their support away from fossil fuels, into more sustainable and environmentally responsible energy sources and infrastructure.

**NOM17/003 DIVESTMENT OF COUNCIL INVESTMENTS IN FOSSIL FUEL
SUPPORTING FINANCIAL INSTITUTIONS**

E00.4623

Precedents

At present, there are already nine NSW Councils that have put in place divestment strategies similar to that proposed in this notice of Motion. They are, along with their investment portfolio totals at the time of their divestment, as follows:

Marrickville Council	\$55,000,340
Leichhardt Municipal Council	\$79,702,199
Lismore City Council	\$50,017,029
Gloucester Shire Council	\$6,419,922
Newcastle City Council	\$286,104,501
Byron Shire Council	\$75,962,424
Albury City Council	\$81,190,223
Ballina Shire Council	\$69,289,000
Randwick City Council	\$75,091,000

As at September 2016 there were a further 17 councils elsewhere in Australia, as well as the ACT Government, that have divestment strategies.

Current Eurobodalla Shire Council Investments

As at 31 December 2016 Council had a total of \$85,879,314.41 invested via 57 separate term deposits with 9 different financial institutions (see summary table below). These investments are for relatively short terms ranging from 31 days to 370 days and all are due to mature in the final half of the 2016/17 financial year. For information regarding which category various financial institutions fall into, see research done by Market Forces -

<http://www.marketforces.org.au/banks/compare>

Institutions that are currently funding fossil fuel enterprises:

Institution	% of Council's Investment Portfolio
Institution	% of Council's Investment Portfolio
National Australia Bank	25.07
Bankwest	14.54
St George Bank	11.64
ING Bank	09.90
AMP Banking	05.68
Sub-total	66.83%

**NOM17/003 DIVESTMENT OF COUNCIL INVESTMENTS IN FOSSIL FUEL
SUPPORTING FINANCIAL INSTITUTIONS**

E00.4623

Institutions that have Position Statements/track records against funding fossil fuel enterprises:

Bank of Queensland	14.54
Bendigo Bank	09.31
IMB	06.99
ME Bank	02.33
Sub-total	33.17%

Total 100%

Target

As can be seen, our Council has 2/3 of its investments in institutions that support the fossil fuel industry. The ratio then is 2:1 in favour of such financial institutions. The intent and target of this Notice of Motion is, in the short-term, to reverse the above ratios and to get 2/3 (within the constraints of (a) and (b) of the Motion) of Council's investments being lodged with financial institutions that have a stated intent and/or track record of non-investment in the fossil fuel industry. The timeframe would be by the end of the financial year 2016/17 as almost all current investments mature before then. Progress can be monitored and targets re-assessed for consideration in 2017/18 and beyond.

Compliance with Council's 'Investment Policy'

The above investments are in line with Council's 'Investment Policy', www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Investment-Policy-2015.pdf which is designed to ensure that Council's investments are risk averse and comply with current NSW Local Government investing policy guidelines, <https://www.olg.nsw.gov.au/sites/default/files/Investment-Policy-Guidelines-May-2010.pdf> 'best practice' and the current Ministerial Order. <http://www.olg.nsw.gov.au/sites/default/files/11-01.pdf> . It also complies with Section 625 of the *Local Government Act 1993* www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/ regarding how Councils may invest money.

The 'Investment Policy' in compliance with the above is conservative in intent and has provisions covering:

- Liquidity Risk
- Maximum holdings held with institutions according to a range of assessed credit risk
- Maximum holdings with individual institutions
- A performance requirement that Interest exceeds the Average Bank Bill Swap Rate by 25 basis points.

The recommendations of this Notice of Motion, when implemented, are intended to also comply with Council's current 'Investment Policy' in regard to the above provisions. As such, there is no need to change the current policy, and that the record of the carrying of this Notice of Motion is all that is required to document and implement a 'divestment' strategy.

**NOM17/003 DIVESTMENT OF COUNCIL INVESTMENTS IN FOSSIL FUEL
SUPPORTING FINANCIAL INSTITUTIONS**

E00.4623

Investment Returns

It is likely that there would be very little variation on the financial return to Council when this divestment strategy is implemented. I accept that any variation at any particular point in time would be dependent on the market and could be either negative (marginally less interest gained) or positive (marginally more interest gained). The Finance section of Council provide monthly reports to Councillors and the Council Audit Committee on its investment performance and would be asked to comment on any trend that emerges with the implementation of this divestment strategy.

GMR17/001 2017 CONFERENCES

E91.3255

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Focus Area: Collaborative Communities

Delivery Program Link: C1.1 Conduct the business of Council in an inclusive, responsive and transparent manner

Operational Plan Link: C1.1.1 Support the councillors in meeting their statutory obligations and roles as community representatives

EXECUTIVE SUMMARY

Council has a commitment to continuing professional development for Councillors. Attendance at industry conferences provides the individual Councillor with new skills and knowledge on particular issues to ensure that they can perform their duties and represent residents to the best of their ability. It also provides Councillors with the opportunity to network and advocate with councillors from other local government areas.

To ensure each Councillor is given the opportunity to participate in the conferences that are of interest to them, this report has been prepared outlining a number of conferences known to be available to Councillors during 2017. The conferences included are:

1. Local Government NSW Tourism Conference on 12 -14 March 2017.
2. Australia Local Government Women's Association NSW Conference on 11-13 April 2017.
3. Australian Coastal Councils Conference on 3-5 May 2017.
4. 57th Floodplain Management Australia Conference on 16-19 May 2017.
5. 2017 NSW Local Roads Congress on 5 June 2017.
6. National General Assembly (NGA) on 18-22 June 2017.
7. Australian Regional Development Conference on 11-12 September 2017.
8. National Local Roads and Transport Congress on 7-9 November 2017.
9. NSW Coastal Conference will be held in November 2017.

Under *Councillor's Expenses and Facilities* Policy, Councillors (except the Mayor) are entitled to an annual amount of \$3,300 per financial year for their professional development. The costs associated with the annual Local Government Association Conference are excluded from this cost.

GMR17/001 2017 CONFERENCES

E91.3255

RECOMMENDATION

THAT:

1. Council determine which Councillors will attend each of the following Conferences being held in 2017:
 - a. Local Government NSW Tourism Conference on 12 -14 March 2017.
 - b. Australia Local Government Women's Association NSW Conference on 11-13 April 2017.
 - c. Australian Coastal Councils Conference on 3-5 May 2017.
 - d. 57th Floodplain Management Australia Conference on 16-19 May 2017.
 - e. 2017 NSW Local Roads Congress on 5 June 2017.
 - f. National General Assembly (NGA) on 18-22 June 2017.
 - g. Australian Regional Development Conference on 11-12 September 2017.
 - h. National Local Roads and Transport Congress on 7-9 November 2017.
 - i. NSW Coastal Conference will be held in November 2017.
2. Council representatives be reimbursed out of pocket expenses in accordance with the Councillors' Expenses and Facilities Policy.

BACKGROUND

Historically, Council would consider the attendance of Councillors at each conference separately throughout the year. Whilst this practice had been acceptable, it is considered appropriate to change this process and consider attendance in one report. Doing this will assist Councillors to plan their professional development and keep within the allocated budget.

Below is the detailed information of conferences available for Councillors to attend in 2017 in order of when they occur throughout the year.

The **LGNSW Tourism Conference** is being held on 12-14 March 2017 at the Manning Entertainment Centre in Taree, NSW. The conference theme is 'Tourism is everyone's business'. The registration cost for the Conference is \$693 if paid by 22 February 2017. More information and a copy of the Conference program is available on the LGNSW website at: <http://www.lgnsw.org.au/events-training/lgnsw-tourism-conference/registration>

The **Australian Local Government Women's Association (ALGWA) NSW Conference** is being held on 11-13 April 2017 in Launceston, Tasmania. The conference theme is 'Be the Balance'. The registration cost for the Conference is \$650. More information and a copy of the Conference program is available at: <http://algwaconf17.org.au/index.htm>

The **Australian Coastal Councils Conference** is being held on 3-5 May 2017 at the Mon Komo Hotel in Redcliffe, Queensland. The conference theme is 'A Sustainable Future for Coastal

GMR17/001 2017 CONFERENCES

E91.3255

Australia'. The registration cost is \$1320 if paid by 1 March 2017. More information and a copy of the Conference program is available at: <https://coastalcouncils.org.au/>

The **57th Floodplain Management Australia Conference** is being held on 16-19 May 2017 at the Newcastle Exhibition and Convention Centre in Newcastle, NSW. The conference theme is 'Preparing for the Next Great Flood'. The registration cost is \$1125 if paid by 13 March 2017. More information and a copy of the Conference program is available at: <http://floodplainconference.com/>

The **2017 NSW Local Roads Congress** is being held on 5 June at State Parliament House in Sydney. Registration for Councillors attending this conference is free with a paying delegate. The Director Infrastructure Services will be attending the Congress as the paying delegate. The conference and registration brochures will be available closer to the date.

The **2017 National General Assembly (NGA)** is being held on 18-22 June 2017 at the National Convention Centre in Canberra. More information and a copy of the Conference program is available at: <http://alga.asn.au/?ID=14652>

The **Regional Development Australia Conference** is being held on 11-12 September 2017 at Coffs Harbour. The conference will provide equal focus to the advancement of economic and social outcomes for Regional Australia – Economic, Planning & Infrastructure, Environment and Community Development. The registration costs and conference brochure will be available closer to the date. More information on Regional Development Australian can be found at <http://regionaldevelopment.org.au/>

The **National Local Roads and Transport Congress** is being held on 7-9 November 2017 in Albany, WA. The conference and registration brochures will be available closer to the date.

The **NSW Coastal Conference** will be held in November 2017. The conference and registration brochures will be available closer to the date.

The **Local Government Annual Conference** is being held on 4-6 December 2016 at the Hyatt Regency, Sydney. More information and a copy of the Conference program is available at: <http://www.lgnsw.org.au/events-training/local-government-nsw-annual-conference>

CONSIDERATIONS

Policy

Council's Councillor's Expenses and Facilities Policy provides that attendance of Councillors at each conference will normally be limited to two. The principle of having one councillor attend will be considered as "best practice" for attending seminars and conferences. This may be varied from time to time by resolution of Council.

GMR17/001 2017 CONFERENCES

E91.3255

Councillors attending training, seminars and conferences are to provide a detailed report to Council on the outcome and issues. Councillors must provide a written delegate's report to Council following each conference attended, to be eligible to attend any further conference.

Section 232 (1) (g) of the Local Government Act 1993, states '*to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor*'.

Financial

Councillors are allocated the annual sum of \$3,300 to specifically provide for their professional development. This allocated is for each financial year.

Council will reimburse or pay registration fees, accommodation, meals, parking, telephone and travel expenses associated with attendance at the conference plus any other reasonable and directly related out of pocket expenses.

Accommodation is restricted to a maximum NRMA 4 ½ star rating and where possible at the conference venue to avoid other costs and inconvenience.

CONCLUSION

It is considered appropriate that Councillors attend conferences throughout the year to enable them to be both knowledgeable and up-to-date on particular issues to ensure that they can perform the duties and represent the residents to the best of their ability.

GMR17/002 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT

E05.9354

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover – Audit, Risk and Improvement Committee Annual Report

Focus Area: Support Services

Delivery Program Link: SS1.2 Maintain a sound governance framework within which Council operates

Operational Plan Link: SS1.2.2 Ensure transparency in council dealings

EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee, a committee of Council, is required under its Council approved Terms of Reference 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 what the Audit Risk and Improvement Committee have been reviewing over the last 12 months.

RECOMMENDATION

THAT

1. The Audit, Risk and Improvement Committee annual report be received and noted.
2. Council, through the independent member of the Audit, Risk and Improvement Committee, thank the previous Chair, Mr Ken Mitchell, the previous Council representatives, Mr Neil Burnside and Mr Peter Schwarz, and the independent members.

BACKGROUND

The Audit, Risk and Improvement Committee (ARIC) plays a pivotal role in the governance framework providing Council with independent oversight and monitoring of Council's audit processes, including the internal control activities.

Since its inception in 2008, the ARIC has seen some structural change with an increase in independent members from two to three. The ARIC achieves its independence by having a majority of independent members external to Council and its operations, three independent members and two councillors.

CONSIDERATION

The annual report from the ARIC is required under the Terms of Reference (TOR) www.esc.nsw.gov.au/inside-council/council/governance of the ARIC. The TOR has been developed under the Local Government Act 1993, Section 23A and are designed to help councils develop and implement internal audit and risk management frameworks that will in turn build community confidence in their managerial performance.

GMR17/002 AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT

E05.9354

Financial

The Audit, Risk and Improvement Committee, provides independent assurance to the community that Council's finances are managed transparently and in accordance with legislative requirements. The three independent members give an extra level of insight from the community.

CONCLUSION

The Audit, Risk and Improvement Committee's annual report from the Chair, Mr Mark Barraclough is attached and it is recommended it be received and noted.

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Community Engagement Charter
2. Community Engagement Framework
3. Community Engagement Planning Tool
4. Under Separate Cover - KJA Consultancy Outcomes Report for Eurobodalla Shire Council
5. Confidential - Submissions

Focus Area: Collaborative Communities

Delivery Program Link: C2.1 Provide quality, timely and accessible information to the community

Operational Plan Link: C2.1.5 Guide and monitor uptake and implementation of the community engagement framework

EXECUTIVE SUMMARY

This report seeks Council's endorsement of the Community Engagement Charter, the Community Engagement Framework and the Community Engagement Planning Tool (formally Decision Making Tool) that were exhibited for six weeks in June and July 2016.

The documents are based on two reports prepared for Council by KJA Consultancy; the *Community Engagement Framework* and *Outcomes Report*, and incorporate feedback received from the community during the exhibition periods. Recommendations and key actions from these reports and feedback received during the development and public exhibition will inform how Council implements the framework to improve the way it engages with the community.

The Community Engagement Charter is an agreement between Council and the community declaring Council's commitment to engagement, clarifying the responsibilities of Council and community members and educating stakeholders on the benefits and opportunities of engagement.

The Community Engagement Framework provides guidance for the conduct of best practice community engagement and aims to:

- Build a culture of effective engagement across the organisation
- Clarify the roles and responsibilities of internal stakeholders
- Build a relationship of trust with external stakeholders
- Deliver a consistent approach to engagement
- Deliver change within the current available resources.

The Community Engagement Planning Tool is a guide to help staff develop community engagement plans. It uses an algorithmic ranking approach to consider the most suitable level of engagement, stakeholders and activities for different projects.

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

RECOMMENDATION

THAT COUNCIL:

1. Receive and note the feedback provided by community members during the public exhibition of the *draft Community Engagement Charter*, *draft Community Engagement Framework* and *Community Engagement Planning Tool*.
2. Adopt the Community Engagement Charter and Community Engagement Framework.
3. Implement actions to achieve the aims of the framework.

BACKGROUND

Council adopted a Community Engagement Policy based on International Association of Public Participation (IAP2) principles in 2013. In 2015, Council began research to develop a Community Engagement Framework, with the aim of identifying how Council's current practices could be improved. This included exploring research into best practice, Council's current practices, how councils similar to Eurobodalla engage with their communities and standards advocated by IAP2.

At the same time, Council's Audit Committee recommended Council seek independent advice and undertake a situation analysis to determine the best way to improve communication and engagement. The development of the Community Engagement Framework is a key recommendation in the Fit for the Future Action Plan and the 2013-17 Delivery Plan.

Council engaged KJA consultancy to proceed with interviewing community representatives and councillors in preparation of a draft Community Engagement Framework. The project progressed in three phases. The first was a situation analysis capturing an initial overview of stakeholder perspectives.

KJA then completed a draft Community Engagement Charter, draft Community Engagement Framework and draft Community Engagement Planning Tool using research into best practice and incorporating feedback from Councillors, staff and community members.

KJA also completed an Outcomes Report, which identified further opportunities for Council to consider to continue to strengthen its community engagement practices.

Council endorsed the draft Community Engagement Charter, draft Community Engagement Framework and draft Community Engagement Planning Tool to be exhibited between 16 June and 29 July 2016 to seek feedback from the wider community. This feedback has been incorporated into the final documents.

CONSIDERATIONS

Council's existing approach to community engagement is based on the International Association for Public Participation's (IAP2) Public Participation Spectrum. This is supported by the Community Engagement Framework, which identifies five different engagement levels depending on the engagement goals:

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

DESCRIPTION OF LEVELS OF COMMUNITY ENGAGEMENT			
1. INFORM	tell	we will let you know	keep the community informed by providing objective information, regularly.
2. CONSULT	ask	we will ask you for your views	seek feedback from the community on proposals, decisions and analysis.
3. INVOLVE	discuss	we will talk about all the options with you	public aspirations and concerns are addressed by community participation.
4. COLLABORATE	team up	we will work together to develop solutions and alternatives	partnering with the community to identify preferred solutions.
5. EMPOWER	follow	we will implement what you decide	giving the community a role in the decision-making process.

The Community Engagement Charter declares Council's view that engagement is a two-way street. Council commits it will be transparent, proactive, available, genuine and consistent. It asks the community to get involved, be prepared to listen to ideas, share their thoughts and feedback, and ask questions and proactively access information.

The Community Engagement Framework provides guidance to staff on how to proceed with community engagement activities in a way that is consistent across Council. It helps staff to decide whether they need to engage, set goals, assess likely levels of impact and plan engagement activities taking into account stakeholders, engagement levels and methods. It also guides on how to evaluate the effectiveness of community engagement and provide feedback.

The framework sits alongside the Community Engagement Planning Tool, which asks staff a series of questions about the issue or project. It relies on staff to use their own understanding of the project and its context, prompting them to think about the different aspects of community engagement. Answers generated by the tool attract scores that are totalled to guide engagement levels and methods.

Recommendations and key actions from the KJA Outcomes Report and community feedback

Recommendations and key actions from KJA consultancy and feedback received during the public exhibition will inform how Council implements the framework to strengthen its approach to engaging the community. A Community Engagement Implementation Plan and a toolkit for Council staff, councillors and committees will be developed. The implementation plan will set out actions to achieve the aims of the framework. The toolkit will include the framework,

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

charter, planning tool, more detail on engagement methods and stakeholder analysis and mapping, and comprehensive marketing and promotional resources. The toolkit is to be used in conjunction with an intranet-based community engagement calendar and activity register for reporting.

Legal

The Community Engagement Framework does not replace any of Council's legal engagement responsibilities. It identifies that if any legal requirements for engaging the community exist for a particular project, issue or decision, Council must consult in accordance with statutory requirements (for example, for development applications). The purpose of the framework is to guide Council on best practice for engaging the community on issues or decisions where there is no statutory requirement or existing prescribed process.

Policy

Council's *Community Engagement Policy – 2013* is based on the IAP2's Public Participation Spectrum, which advocates that different levels of community engagement are suitable for different projects or decisions depending on impact, the amount of influence a community can have over the final decision and the goals of engaging the community. If the framework is adopted by Council, the *Community Engagement Policy – 2013* will be reviewed to determine if it is still required. There may not be a need to have both an endorsed Community Engagement Framework and a Community Engagement Policy.

In January 2017, Council received advice from NSW Planning and Environment of a proposal to update the Environment Planning and Assessment Act 1979 with one of the aims being to enhance community participation in the planning system. The proposal is that planning authorities will have to prepare a community participation plan explain how the authority will engage the community in plan-making and development decisions. It is proposed that to reduce duplication for local councils, the amendments specify that a council does not need to prepare a separate community participation plan if it can meet the EP&A Act requirements through the broader community engagement strategy it has prepared.

If the EP&A Act is amended as proposed, Eurobodalla Shire Council could review its Community Engagement Framework and if necessary, update it to meet the new requirements.

Social Impact

It is important that social impact is considered when planning community engagement and that it is included when relevant in Council reports so that Council can make informed decisions.

Following feedback during the public exhibition period, the order of questions in the planning tool has been adjusted to give more focus to social impact. *Consider social impact* is now its own step, which prompts staff to consider social impact in the following questions:

- Are there sensitivities associated with the project?
- Is there a potential impact to community values or social wellbeing?
- How would you describe the (likely) impact?

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

The Environmental Planning and Assessment Act 1979 requires a project's social impacts to be considered as part of the development assessment process.

Financial

There are costs associated with effective community engagement. One of the recommendations of the Outcomes Reports is to be aware of the need to fund the required activities, including staff training, appropriately and this will be considered in future engagement activities and in the development of community engagement plans.

Staff

The Community Engagement Charter, Community Engagement Framework and Community Engagement Planning Tool will guide Council staff responsible for preparing and implementing community engagement activities.

If the charter, framework and planning tool are adopted, Council's communications service will oversee the implementation of the framework, an implementation plan, toolkit and register. An online version of the planning tool has already been developed in-house and is currently being tested on Council's new intranet.

One of the actions likely to continue is to use and develop the expertise of the staff project team who contributed to the development of the draft documents as a central point of expertise within Council for community engagement.

Community Engagement

Using the draft Community Engagement Planning Tool as a guide, the level of engagement for this project was determined as 'involve'. 'Involve' means that Council will work with stakeholders to ensure their views and aspirations are directly reflected in developed alternatives and to provide feedback on how stakeholder input influenced the decision.

In addition to the earlier engagement activities outlined in the background section of this report, Council publicly exhibited the draft framework documents from 16 June to 29 July 2016. Three written submissions were received (included as a confidential attachment) and Council staff also met with representatives of three community groups who wanted to give their feedback in person. Staff were also invited to test the planning tool and provide further feedback during the exhibition period.

Feedback has been incorporated into the planning tool and it will also be used to develop actions in the implementation plan. General comments received about the proposal are noted as dot points, and Table 1 below summarises further feedback and shows where it has been or will be reflected or considered.

General comments received on the framework:

- A framework that encourages consistency across Council is a positive step.
- A shift in attitude to greater transparency would be a welcome first step from Council's leaders and an appropriate way to launch this framework.

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

- Given the present culture of the Council the framework proposed is appropriate. It clearly and systematically sets out the engagement methods required for the level of engagement specified and, importantly, it gives relevant examples of situations and methods.
- When sufficiently refined, a decision tool such as the one presented will enable a consistent, rational and sound means by which to engage.
- In some circumstances, the decision tool could elicit a “tick the box” response.
- Genuine engagement is at the heart of our democratic processes, its success depends on trust of Council by the community. For meaningful engagement, Council must focus attention on growing a culture within Council of wanting to engage, rather than having to.
- History has shown that lower-ranked proposals and actions in small areas can cause enormous controversy and division within the entire shire. When you couple this with the fact that there is no recourse for the community; frustration, divisiveness and loss of confidence in council grows.
- Input in the form of information, expert advice and finance from those outside the shire is a valuable resource in the preliminary stage of a project or proposal. However, if they are not a Eurobodalla ratepayer they should not be engaged in the actual decision-making process – that should be the role of local ratepayers.
- I feel that this framework serves to demean the importance and impact of lower ranked issues, proposals etc on the local community. If this ‘ranking system’ is implemented I can see ratepayers having little or no say in what happens to or in their neighbourhood or local area.
- I find that this framework for community engagement is flawed, as the level of controversy/consequences is based on an arbitrary decision by Council staff, as ‘to how significantly a proposal or action will effect community stakeholders’ and the size of the area to be impacted.

Table 1 – Feedback and suggestions received.

Feedback received	How the feedback has or will be incorporated or considered
<p>1. Any community engagement outcomes can be impacted by the quality/clarity of the Council report, and the language used. Council staff may benefit from guidance/training on writing Council reports eg: Good Conduct and Administrative Practice Guidelines for state and local government (2nd edition) https://www.ombo.nsw.gov.au/__data/assets/pdf_file/0016/3634/Good-Conduct-2nd-edition-amended.pdf.</p>	<p>Training on report writing for staff will be investigated.</p> <p>How to improve the way we identify and explain social impact will be investigated, and social impacts identified from using the planning tool</p>

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

While publicly available, Council reports are still often difficult to read and understand, not in plain English, use inconsistent language referring to community engagement. Social impacts that are identified from using the Planning Tool should be reported/acknowledged in Council reports.	will be acknowledged in Council reports.
2. Council needs to focus its attention on building a culture of wanting to engage, rather than having to.	The Framework aims to build a culture of effective engagement across the organisation.
3. The nature and extent of the social impact of Council's proposals should be the first consideration when deciding on the ranking and level of engagement.	'Consider social impact' is now its own step in the planning tool. More sensitivities have been added for consideration, wording has been improved and an additional question asks the likely impact level to community values and social wellbeing.
4. Framework is appropriate "given present culture" of Council. A little mechanistic and will elicit a "tick the box" response, but it gives staff and councillors tools to genuinely engage with ratepayers.	Embedding a culture shift to consistent engagement, and active monitoring of activities were recommended improvements identified by KJA. These will be addressed in the implementation plan and it will prevent a "tick the box" response from staff.
5. Framework is flawed as the level of controversy/consequence is based on an arbitrary decision by Council staff.	Improvements to the planning tool give more focus to community values and social wellbeing. Planning tool responses will be lodged on a community engagement register with responses monitored by applicable staff.

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

6. Suggestions for wording improvements in background, introduction, need to engage, sensitivities, etc.	Suggestions have been incorporated into the framework and planning tool.
7. Need a definition for 'community' to specify ratepayers only – Council should represent and act on behalf of ratepayers, not those outside the shire.	Relevant stakeholders to each project will be identified through the stakeholder mapping process.
8. There are no options for the local community if they are unhappy with the engagement process.	If community members are unhappy with the engagement process they can contact Council, and present their views at a Council meeting.
9. Feedback from staff identified 'Decision Making Tool' was not the correct terminology and caused some confusion.	Decision Making Tool was renamed 'Planning Tool'.
10. Council meetings: Interaction between councillors and members of the community who attend Council meetings could be improved by re-introducing time for informal communication during a meeting break: eg, over a cup of tea in the committee room next door to the Council Chamber.	There are time constraints at some Council meetings. However, Councillors are usually available after the meeting to interact with community members.
11. Council should place the question of social impact front and centre in its engagement framework and in all that it does.	Social impact has been given an earlier position on the planning tool, and this Council report sets out a definition.
12. Surveys: Greater use of surveys, eg Micromex, should be considered as they are a useful and quantitative community engagement tool.	Surveys are already used and this could be expanded, noting that an average cost of a Micromex is around \$12,000.
13. Meetings with community groups: Senior staff should continue to have regular dialogue through meetings with groups such as ERA who understand Council matters and	Council's senior staff regularly meet with community and business

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

who can provide informed feedback and advice.	groups, and will continue to do this.
14. Roundtable approach: Council staff should engage with groups of specialist, interested and informed residents for 'roundtable' discussions to develop ideas before preparing draft policies and plans, and prior to seeking broader community feedback.	This has been added to the planning tool.
15. Council should consider adopting the recommendation to: investigate the establishment of a 'Citizens Panel' for engagement and consultation issues and opportunities as a source of counsel, discussion and insight into Council's engagement approach. Note that this is an ongoing group.	To be considered in the development of the implementation plan.
16. Council reports and submissions: An executive summary or comment should be included in Council reports when inviting feedback through a submission process that will guide people making a submission and explain what Council wants to know.	Improving the way we communicate what Council wants to know from an engagement activity, will be included as an action in the implementation plan.
17. Mayor and Councillors: To improve the way the community perceives Council and to build trust and faith, the incoming Councillors and Mayor should consider training in team negotiation and leadership.	Leadership and negotiation training for councillors has been scheduled.
18. Council staff: Training to improve listening skills should be considered for senior staff to improve the outcomes of community engagement, and to build Council's reputation as an organisation that listens to its community.	Training will be an action in the implementation plan.
19. Consider adopting an over-arching narrative in Council communications eg "In the next four years we will build a southern dam, complete the Batemans Bay spine road and sell the loss-making Batemans Bay Beach Resort." It can be returned to in major reporting documents used during the Council's period as a simple means of allowing the community to gauge real progress.	This will be considered in Council's communications activities.

Other feedback received related to useful edits to the framework and planning tool and these have been incorporated in the final versions.

**GMR17/003 COMMUNITY FEEDBACK AND ADOPTION OF COMMUNITY
ENGAGEMENT FRAMEWORK**

E15.9270

To develop the Community Engagement Framework, we have informed, consulted and involved stakeholders through:

- Providing information on Council's website, the 2016-17 Operational Plan, media releases, Council News and the noticeboard advertisement in two local newspapers
- Interviews with representatives from 10 community groups to get the community's perspective of what is and isn't working now, what Council could improve, and what kind of engagement the community expects from Council for different types of projects
- Workshops with councillors and the Council staff project team
- Staff project team meetings to review, test and refine drafts, in particular the draft planning tool
- Public exhibition of the draft Community Engagement Charter, draft Community Engagement Framework, and draft Community Engagement Planning Tool
- Meetings with representatives of three community groups to seek feedback on drafts
- Informing community members who participated in the situation analysis interviews of the exhibition and thanking them for their involvement and input by writing to them directly
- Thanking the authors of the three written submission received by writing to them directly
- Incorporating feedback into the final documents.

CONCLUSION

Eurobodalla Shire Council recognises the positive impact of engaging with its community and stakeholders. The Community Engagement Charter, framework and planning tool help to bring together and weigh up the considerations to deliver community engagement that finds the balance between community, Council and the project.

Endorsing the charter, framework and planning tool will support the intent of the *One Community: Community Strategic Plan* which identifies the importance of building and maintaining an engaged and connected community that works together to achieve common goals, where thoughts and ideas are valued, and community members are empowered with knowledge and have the opportunity to participate.



Eurobodalla Shire Council is committed to engaging with its community and stakeholders

Our *One Community: Community Strategic Plan* identifies the importance of building and maintaining an engaged and connected community that works together to achieve common goals, where thoughts and ideas are valued, and community members are empowered with knowledge and have the opportunity to participate.

We will engage with the community and our stakeholders, using effective engagement practices, in regard to major issues and plans affecting the region and activities that will have an impact on the community. Our approach to engagement is underpinned by the International Association of Public Participation's (IAP2) Spectrum.

We believe that good engagement will:

- Give us a better understanding of community and stakeholder needs and expectations
- Help us identify issues and perspectives which would not otherwise be known
- Assist in building positive relationships with the community and our stakeholders
- Help increase understanding of our projects or plans
- Ensure that the community is informed about our responsibilities and actions
- Enable community ownership of outcomes
- Increase awareness in regard to the responsibilities of Council, the community and stakeholders.

We think engagement is a two-way street

We will be:

- transparent
- proactive
- available
- genuine
- consistent

We ask you to:

- get involved
- be prepared to listen to other ideas
- share your thoughts and feedback
- ask questions
- proactively access information

Connect with us



council@esc.nsw.gov.au



Subscribe to Council News online



Like us on Facebook www.facebook.com/EurobodallaShireCouncil



Follow us on Twitter @inEurobodalla



www.esc.nsw.nov.au



Community Engagement Framework

Introduction

Purpose of the framework

A community engagement framework provides guidance for the conduct of best practice community engagement.

The Eurobodalla Shire Council Community Engagement Framework has been designed as a tool for those at Council who have an interest in and responsibility for coordinating, planning, designing, implementing and evaluating community engagement activities. It includes the Community Engagement Charter and Community Engagement Planning Tool, and is supplemented by the ***Eurobodalla Shire Council Community Engagement Toolkit*** (in development).

It is important to remember that community engagement is not a silver bullet solution to ensure that all parties agree with decisions. Ineffective or tokenistic community engagement can be detrimental to the good faith of the community in the long term.

Background

Council began research on developing a Community Engagement Framework in April 2015, with the aim of identifying how Council's current practices could be improved. This included exploring research into best practice, Council's current practices, how councils similar to Eurobodalla engage with their communities and standards advocated by the International Association for Public Participation (IAP2). At the same time, Council's Audit Committee recommended Council seek independent advice and undertake a situation analysis to determine the best way to improve communication and engagement. The development of the Community Engagement Framework is a key recommendation in the Fit for the Future Action Plan and the 2013-17 Delivery Plan.

In July 2015, Council engaged KJA consultancy to proceed with interviewing community representatives and councillors in preparation of a draft Community Engagement Framework with a view to:

- build a culture of effective engagement across the organisation
- understand the roles and responsibilities of internal stakeholders
- build a relationship of trust with external stakeholders
- deliver a consistent approach to engagement
- deliver change within the current available resources.

The project progressed in three phases. The first was a situation analysis capturing an initial overview of stakeholder perspectives on Council's performance and operations. KJA then completed a draft Community Engagement Charter, draft Community Engagement Framework and draft Planning Tool using research into best practice and incorporating feedback from councillors, staff and community members. KJA also completed an Outcomes Report, which identified further opportunities for Council to consider to continue to strengthen its community engagement practices.

The draft Community Engagement Charter, draft Community Engagement Framework and draft Planning Tool were exhibited in mid-2016 to seek feedback from the wider community. This feedback was incorporated into the final documents where possible.

Why community engagement?

Eurobodalla Shire Council is committed to including its community in decisions that affect it.

Eurobodalla's *One Community: Community Strategic Plan* identifies the importance of building and maintaining an engaged and connected community that works together to achieve common goals, where thoughts and ideas are valued and community members are empowered with knowledge and have the opportunity to participate.

In some cases, there are legislative requirements to consult with the community, but as well as fulfilling a legal obligation, effective community engagement can lead to:

- a better understanding of community needs and expectations
- identifying issues and perspectives that might not otherwise be known
- building positive relationships between Council and its community
- increasing understanding of Council projects and plans
- the community being better informed about Council responsibilities and actions
- community ownership of decisions and outcomes.

It is the intent of Council to engage with the community, using effective engagement practices, on issues and plans affecting the region and activities that have significant impact on the community.

Defining Community Engagement

Community engagement is an umbrella term that encompasses a spectrum of activities, ranging from everyday informal discussions, contact with stakeholders during service delivery, group discussions or meetings and formal consultation processes, through to Council supporting community members in taking action on issues themselves.

So often the terms to describe engagement are used interchangeably. To avoid confusion, Council has developed these simple descriptions:

- **Inform** – keep the community informed by providing objective information, regularly.
- **Consult** – seek feedback from the community on proposals, decisions and analysis.
- **Involve** – public aspirations and concerns are addressed by community participation.
- **Collaborate** – partnering with the community to identify preferred solutions.
- **Empower** – giving the community a role in the decision-making process.

Principles

Eurobodalla Shire Council's *Community Engagement Policy (2013)* identifies these principles to guide the approach to engaging the community:

Be open and inclusive

- Recognise that community participation is a right of all citizens.
- Create and promote opportunities for the community to actively and meaningfully participate in the decision-forming process.
- Use engagement activities that are accessible and inclusive to maximise the opportunities for a wide range of community members to participate.
- Commit to informing the community about Council's service delivery, planning and decision making processes.

Generate mutual trust and respect, and be accountable

- Treat all engagement activity participants with respect.
- Ensure engagement processes are not biased towards any stakeholders.
- Explain how the community's input will be used.
- Be able to demonstrate how the community's input is used.

Engage early and provide information that is clear

- Engage the community early in a project, wherever practical.
- Clearly communicate the goals of the engagement process.
- Communicate any limitations of the engagement process to participants from the start; including legislative or policy requirements, conflicting community views, budget constraints and any non-negotiable aspects.
- Provide staff and the community with all the information they need to participate meaningfully.

Be considerate and provide feedback

- Demonstrate that we have considered the community's input and other relevant information before a project decision is made.
- Acknowledge the contributions that participants have made.
- Give feedback to participants at key stages in the project and upon completion.
- Let participants know how they can seek feedback or ask questions in the future.

Value and acknowledge skills and resources

- Recognise that community members have knowledge and experience to contribute.
- Allocate adequate timeframes and resources to engagement processes.
- Coordinate engagement processes to avoid duplication and wasting resources.
- Provide training opportunities for staff to develop community engagement skills.

The Community Engagement Framework helps to bring together and weigh up the considerations to deliver community engagement that finds the balance between community, Council and the project. The framework provides guidance in eight areas:

1. Objectives
2. Stakeholders
3. Impact level
4. Engagement level and methods
5. Engagement plan
6. Tasks to consider
7. Evaluation
8. Feedback.

1. Objectives

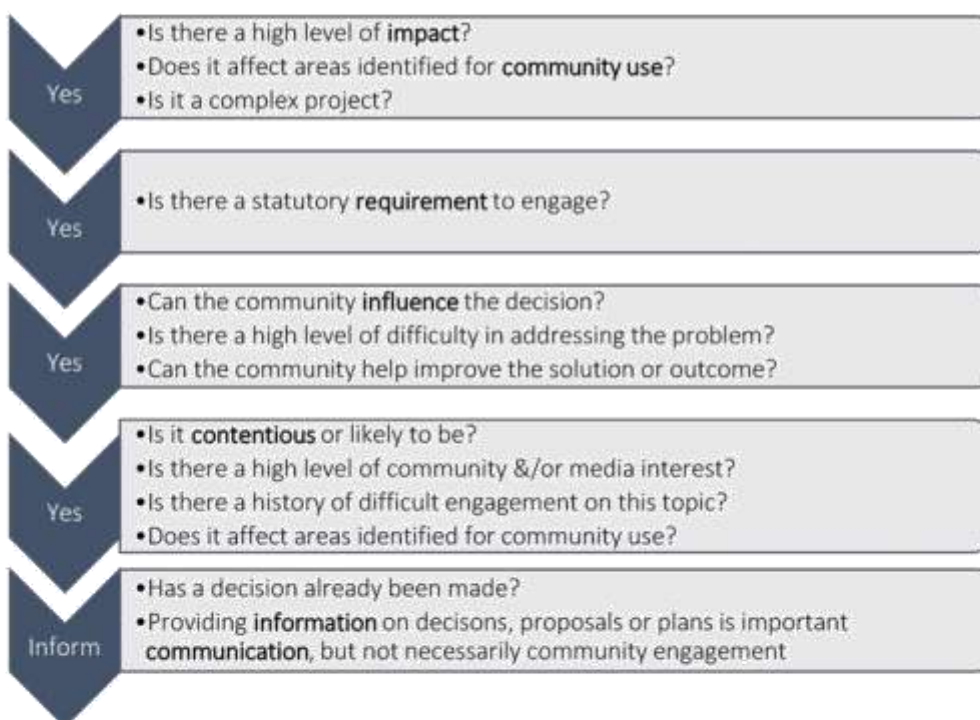
Throughout community engagement there are many decisions to be made: When do you engage? Who do you engage with? What are you engaging about? How are you going to capture the information from the engagement? Where are you going to hold the engagement activity? How long should you engage for?

Some of these decisions are functional and others underpin the very nature of the engagement you are trying to undertake. This section will look at some of the most important questions you may need to consider.

To help with this process, a Planning Tool to assist decision making has been developed to be read in conjunction with the framework.

Do you need to engage?

Determining whether there is a need to engage the community is essential to avoid wasting Council resources and disappointing the community by proposing an engagement process that will not influence an outcome or decision.



In most cases, if you answered yes to one or more of these questions, the answer to the question "Do you need to engage?" will also be yes.

What are the community engagement goals?

The purpose or goals of engaging the community defines what needs to be achieved through the engagement process.

To define the purpose for engaging, consider these questions:

- What are the negotiable aspects of the project or plan that can be influenced by the community?
- What do you want the community engagement to achieve?
- What questions would you like the engagement activities to answer?
- Who are the decision-makers?
- What do the decision-makers need from engaging the community?

Community engagement goals can include:

- Providing the community with balanced and objective information
- Identifying stakeholder needs
- Getting feedback from stakeholders on a particular option or decision
- Understanding the community's concerns or perspectives
- Providing different ways for community members to give their input
- Reaching a consensus on a proposal or plan
- Supporting the community to develop a sense of ownership in a project or a decision
- Developing mutual trust and positive relationships with stakeholders.

A project or action can have more than one goal for engaging the community, and might have different goals at different stages of the project.

Clearly defined goals can be easily communicated to participants, Council and the wider community and can provide a direction for all other aspects of the community engagement process to work toward. Clearly defined goals also form the basis of the evaluation of the engagement, i.e. how successful was the engagement process in achieving the engagement goals?

2. Stakeholders

Stakeholders are people or groups who have an interest in or may be impacted by the project. Stakeholders vary and can be internal or external to Council; organised groups or individuals; easily identifiable or difficult to reach.

Any project or decision can have a wide-reaching impact across the whole of Eurobodalla, or can be specifically related to a particular group of stakeholders or hard to reach groups. Identifying all relevant stakeholders is essential to an inclusive and effective engagement process.

The following list is a guide to help you identify your project's stakeholders:

- | | | |
|----------------------------------|---|--|
| • Residents | • Seniors | • Service providers |
| • Ratepayers | • Young people | • Utilities |
| • Non-resident ratepayers | • People with disability | • Not-for-profit groups |
| • Visitors | • Sporting groups | • Community leaders or spokespeople |
| • Committees and Advisory Groups | • Community groups | • Subject experts |
| • Councillors | • Environmental groups | • Local businesses |
| • Council staff | • People with diverse cultural backgrounds | • Developers |
| • Funding providers | • People who identify as Aboriginal and/or Torres Strait Islander | • Schools and education establishments |
| • Business chambers | | |

Other ways to identify stakeholders include:

- reviewing records
 - People who have made previous submissions, attended forums, volunteers
 - Residents in particular geographic areas
 - People who have expressed interest in the past
- asking the community
 - Call for expressions of interest
 - Consult with key community members or groups and ask who else they think might be interested
- using in-house knowledge
 - Ask project team members or staff in other sections of Council who have experience or knowledge of the project's subject matter
 - Check mailing lists or lists of attendees at past engagement activities
 - Consider Council staff and councillors as potential stakeholders as well
- considering hard to reach groups
 - Consider people or groups who might have barriers to participating or might not usually be involved in community engagement activities

When you start considering all of the stakeholders you *could* potentially engage with, the list could have tens of thousands of people. It's important to determine if all of these stakeholders are impacted by the project in the same way, have influence over the project in the same way and need to be communicated with in the same manner. Detailed stakeholder mapping can assist in capturing this information for further decision making.

[illegible]

3. The level of impact

A project's level of impact relates to how significantly a proposal or action will affect community stakeholders. These guidelines define the degree of impact in five levels, based on the assumption that any project, issue, service or action will have some impact on the community:

Impact level	Description/criteria	Examples
Level 1: (LOW) Low impact, township/ neighbourhood (everything is 'local')	<ul style="list-style-type: none"> small change or improvement to a facility or service at a local level and low risk of conflict at the local level 	<ul style="list-style-type: none"> local playground or area upgrade street furniture installation low impact road changes or upgrades community building upgrades minor amendment to Local Environmental Plan or Development Control Plan changes to a local activity or program e.g. time or location local events, celebrations or festivals licence, lease, activity approval assessing development application
Level 2: (LOW - MODERATE) Low to moderate impact, all of Eurobodalla	<ul style="list-style-type: none"> recurring large scale programs and activities that impact across all or a large scale of Eurobodalla, but have a lower level or potential for controversy or concern 	<ul style="list-style-type: none"> improvements to shire-wide services upgrade of regional facilities/parks changes to customer services e.g. rate payments, office hours rezoning/reclassifying land weed control and Landcare programs capital works program road sealing programs community events e.g. NAIDOC celebrations, Youth Week, Volunteers and Seniors Week
Level 3: (MODERATE) Marginal to moderate impact, specific township/ neighbourhood or all of Eurobodalla	<ul style="list-style-type: none"> marginal to moderate level of real or perceived impact or risk to a local area, community or group or all of Eurobodalla 	<ul style="list-style-type: none"> remove, redevelop or relocate a park/playground changes to or loss of a service e.g. local youth services Plan of Management new or major amendment to Local Environment Plan Development Control Plan town centre studies, urban/rural strategies changes to car parking areas medium-high impact road closure or updates Emergency management e.g. bushfire

Level 4: (MODERATE - HIGH) High impact, specific township/ neighbourhood	<ul style="list-style-type: none"> high level of real or perceived impact or risk to a local area, community or group potential for a high level of public interest or controversy or division within the community loss of or significant change to a local facility or service significant expenditure or allocation of resources 	<ul style="list-style-type: none"> major change to strategic policy or operations as determined by Council e.g. service reviews, Delivery Program remove a shire-wide service e.g. library, recycling, transport provision of a regional facility e.g. aquatic/sports centre changes or impact to natural bushland or waterway (impacting nature values)
Level 5: (HIGH) High impact, all of Eurobodalla	<ul style="list-style-type: none"> high level of real or perceived impact on the whole or a large part of Eurobodalla Shire significant impact on attributes of high value to the community (environment/heritage/landscape) impact on health, safety or wellbeing of the community high degree of community interest potential impact on State or regional strategies or direction significant expenditure and/or reallocation of resources 	<ul style="list-style-type: none"> Local Government Election Community Strategic Plan

4. Engagement level and methods

The Community Engagement Framework does not prescribe exactly how the community should be engaged for every project or issue. Rather, Council staff determine the most appropriate approach based on the nature of the issue, project, plan or decision to be made.

The Planning Tool is intended as a quick reference guide to help determine your engagement level. It includes a list of common tools and methods Council uses to engage the community and identifies how suitable each activity is for different combinations of impact and engagement levels.

The table below describes the five levels of participation. In many cases, more than one level of participation and technique will be required to achieve the engagement goals.

	Inform	Consult	Involve	Collaborate	Empower
Why are we doing this	To provide the public with balanced and objective information to assist them in understanding solutions, alternatives, opportunities and/or problems.	To obtain public feedback on analysis, alternatives.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making and/or devolved budgets in the hands of the public.
What will we say? What will we do?	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

Resourcing

It is important to take into account available resources when planning community engagement activities. Resources are the things, people, space, time and information you need to build your community engagement plan and deliver engagement to meet the goals you set in the beginning. Resources can also be the boundary on how far a project can go and how much engagement can be done. A workshop with a few key stakeholders is more expensive than a Facebook post to the whole community, for example. Both are valid tools of engagement with their own strengths. The ***Eurobodalla Shire Council Community Engagement Toolkit*** (in development) explains community engagement activities in detail that might be suitable for your project.

5. The engagement plan

Writing down an engagement plan helps communicate the steps and process internally, organise your thoughts and identify gaps in information.

Community engagement goals:					
	Timing/schedule	Key messages	Stakeholders/target audience	Method/activity	Tasks/milestones
	<i>Intended timing of tasks</i>	<i>Information that stakeholders need in order to participate meaningfully and information that Council needs to communicate</i>	<i>Internal and external stakeholders who will be involved/targeted</i>	<i>Planned method of engagement for your stakeholder group/s</i>	<i>Tasks that must be completed or achieved</i>

Tips for an effective community engagement plan

1.	Once you have decided to engage, print out a blank community engagement plan. You can fill out the engagement plan as you work through the framework.
2.	Write down your engagement goal on your community engagement plan. As this will form the basis of your engagement plan, it's important to achieve internal alignment and sign off for this goal.
3.	A good plan will change and adapt. Budgets, timeframes, resources, internal support, priorities and the number of stakeholders involved will all influence other elements in the engagement plan.
4.	Stakeholder mapping will help you understand the size and scale of your stakeholders, their issues and preferred contact methods.
5.	Not all stakeholders will experience the same level of impact at the same time. If you expect this will change, make note in the community engagement plan and prepare for the change.
6.	Internal alignment on the level of impact, the level of engagement and how much community stakeholders can contribute to decision making can be challenging. Once you get to this stage in the engagement framework, it's worthwhile checking in to make sure your internal stakeholders are on the same page.
7.	Don't get locked in to doing something the same way because you've always done it that way.
8.	Consider your stakeholders' preferred communication method when matching your communication methods/tools to the stakeholder groups.
9.	Plan when you will let participants know how their feedback will be used.
10.	Remember to let participants know when and how a decision will be made.
11.	Keep your internal stakeholders up to date with the progress of the engagement plan, especially if elements change.

6. Tasks to consider

This table sets out some suggested tasks for your community engagement project. Ongoing liaison with the project team and reference to your community engagement plan throughout the process is advised.

Implementing the engagement program					
PHASE	ACTIVITIES			MESSAGING FRAMEWORK	
Prepare	Establish Project Team	Workshop with project team around approach, issues, stakeholders and messaging.	Write down your plan	Allocate resources	<p>Tell them what you are going to do.</p> <p><i>Example: Council will be asking for your feedback on improvements to our parks. Your feedback will help Council develop a Park Improvement Plan. The plan will tell Council and the community how and when our parks will be maintained and improved.</i></p>
	Draft key messages	Align engagement activities with appropriate project phases	Prepare communications	Schedule all engagements and communication	
Engage	Deliver engagement activities	Engage with and disseminate information to stakeholder groups	Analyse feedback	Refine approach as needed	<p>Tell them what you are doing.</p> <p><i>Example: Have your say about improvements to parks in your area by completing our survey.</i></p>
Close the loop	Document the engagement and the outcomes	Report back to stakeholders about how their input informed the outcome	Thank stakeholders for their involvement	Evaluate the project and engagement program	<p>Tell them what you have done and how you used any feedback.</p> <p><i>Example: Council conducted a survey about where improvements should be made. The feedback we received has informed the development of a Park Improvement Plan. The plan tells Council and the community how and when our parks will be maintained and improved.</i></p>

7. Evaluation

Evaluating the effectiveness of the community engagement process can help to improve Council's overall approach to engagement by identifying what went well and what can be improved in the future. Some broad items to consider when evaluating the effectiveness of an engagement process are:

- Did the community feel that Council was genuine in its engagement goals and efforts?
- Was the process implemented as planned? If not, what changed and why?
- Were the goals of a particular activity met?
- Have the overall community engagement aims been met?
- Did the input from stakeholders contribute to a better overall outcome?
- Has Council gained a better understanding of the community's perspective on the issue?
- If a final decision was made, was it generally accepted by the public?
- What challenges or lessons have been identified throughout the process?
- How significant is 'number of people' who participate? Numbers don't necessarily equal effective, but can still be relevant.

Were principles met?

It can also be useful to evaluate the community engagement plan and process against Eurobodalla Shire Council's principles of community engagement in the *Community Engagement Policy (2013)*:

Be open and inclusive

- Did participants feel that the engagement process was accessible and inclusive?
- Did the engagement process include a balanced range of community members and different views?
- Did participants feel that the process was flexible enough to address issues as they arose?

Generate mutual trust and respect and be accountable

- Did participants feel that they were treated with respect and dignity?
- Did participants feel that the process fairly considered their input?
- Can Council demonstrate that promises to the public were upheld?

Engage early and provide information that is clear

- Did Council make the promise to the public clear for all engagement activities?
- Did Council clearly communicate any limitations about what the community's input could influence?
- Did participants feel that they understood the aims and process?
- Did Council seek community engagement early in the project?
- Did participants get all the information they needed to provide meaningful input?

Be considerate and provide feedback

- Did participants feel that Council listened and allowed all participants to have their say?
- Did Council provide feedback to participants at key stages of the project?
- Is Council able to show how community input has been taken into consideration in decision making?

Value and acknowledge skills and resources

- Did Council allocate the timeframes and resources that were needed?
- As a result of this project, have any staff training or development needs been identified?

8. Post-project feedback

Providing feedback informs participants about how their input was used and how it impacted the decision or the project's outcome. It also lets them know that Council values their input and experience.

Providing ongoing feedback throughout the project should be considered in the Community Engagement Plan. If participants receive information throughout the course of a project then they are more likely to accept a final decision or outcome.

At the end of the community engagement process, it is important that participants feel that the process was worthwhile and that the promise to the public has been upheld. This can encourage people to participate in engagement activities in the future, and can have a positive impact on the way that the community perceives Council.

Ways of providing feedback will vary depending on the type of project and who participated. Some items to consider for providing feedback are:

- Include plans for providing post-project feedback in your Community Engagement Plan
- Provide information about the outcome or decision
- Provide information that addresses the community engagement aims and the promise to the public
- Provide feedback in a timely manner
- Provide information through credible channels

Providing feedback is also relevant for internal stakeholders such as your Project Team and Director. Be sure to complete the post project feedback report in your Project Management Guide, as well as any other reporting requirements that are relevant to your particular project.

Attachment 1 – Community Engagement Charter



Eurobodalla Shire Council is committed to engaging with its community and stakeholders

Our One Community: Community Strategic Plan identifies the importance of building and maintaining an engaged and connected community that works together to achieve common goals, where thoughts and ideas are valued, and community members are empowered with knowledge and have the opportunity to participate.

We will engage with the community and our stakeholders, using effective engagement practices, in regard to major issues and plans affecting the region and activities that will have an impact on the community. Our approach to engagement is underpinned by the International Association of Public Participation's (IAP2) Spectrum.

We believe that good engagement will:

- Give us a better understanding of community and stakeholder needs and expectations
- Help us identify issues and perspectives which would not otherwise be known
- Assist in building positive relationships with the community and our stakeholders
- Help increase understanding of our projects or plans
- Ensure that the community is informed about our responsibilities and actions
- Enable community ownership of outcomes
- Increase awareness in regard to the responsibilities of Council, the community and stakeholders.

We think engagement is a two-way street

We will be:

- transparent
- proactive
- available
- genuine
- consistent

We ask you to:

- get involved
- be prepared to listen to other ideas
- share your thoughts and feedback
- ask questions
- proactively access information

Connect with us

- council@esc.nsw.gov.au Subscribe to Council News online
- Like us on Facebook www.facebook.com/EurobodallaShireCouncil
- Follow us on Twitter @InEurobodalla www.esc.nsw.gov.au



Community Engagement Planning Tool

Officer Name:	
Project:	
Date:	

STEP 1: DETERMINE ENGAGEMENT LEVEL						
1. What are we planning to do? <ul style="list-style-type: none"> <input type="checkbox"/> local playground or area upgrade <input type="checkbox"/> street furniture installation <input type="checkbox"/> low impact road changes or upgrades <input type="checkbox"/> community building upgrades <input type="checkbox"/> minor amendment to Local Environmental Plan or Development Control Plan <input type="checkbox"/> changes to a local activity or program e.g. time or location <input type="checkbox"/> local events, celebrations or festivals <input type="checkbox"/> licence, lease, activity approval <input type="checkbox"/> assessing development application 	<ul style="list-style-type: none"> <input type="checkbox"/> improvements to shire wide services <input type="checkbox"/> upgrade of regional facilities/parks <input type="checkbox"/> changes to customer services e.g. rates payments, office hours <input type="checkbox"/> rezoning/reclassifying land <input type="checkbox"/> weed control and Landcare programs <input type="checkbox"/> capital works program <input type="checkbox"/> road sealing programs <input type="checkbox"/> community events e.g. NAIDOC celebrations, Youth Week etc. 	<ul style="list-style-type: none"> <input type="checkbox"/> remove, redevelop or relocate a park/playground <input type="checkbox"/> change to or loss of a service e.g. local youth services <input type="checkbox"/> Plan of Management <input type="checkbox"/> New or major amendment to Local Environmental Plan <input type="checkbox"/> Development Control Plan <input type="checkbox"/> town centre studies, urban/rural strategies <input type="checkbox"/> changes to car parking areas <input type="checkbox"/> medium-high impact road closure or upgrades <input type="checkbox"/> Emergency management, e.g. bushfire readiness <input type="checkbox"/> Unprecedented 	<ul style="list-style-type: none"> <input type="checkbox"/> major change to strategic policy or operations as determined by Council, e.g. service reviews, Delivery Program <input type="checkbox"/> remove a shire wide service e.g. library, recycling, transport <input type="checkbox"/> provision of a regional facility e.g. aquatic/sports centre <input type="checkbox"/> changes or impact to natural bushland or waterway (impacting nature values) <input type="checkbox"/> Rate variation 	<ul style="list-style-type: none"> <input type="checkbox"/> Local Government Election <input type="checkbox"/> Community Strategic Plan 	[Record ranking]	
Ranking (tick): <input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5		
2. Is there a statutory requirement to engage?						
Ranking (tick): <input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	[Record ranking]	
3. Is there ability or opportunity for the community to influence or have input into the decision making? ie: are there any negotiable aspects of the project that the community can contribute to? This opportunity may not exist if Council has received legal advice, must follow a legislated requirement, or a Council decision has already been made.						
4. Is this an operational decision? Refer to Section 377 of the Local Government Act 1993. An operational decision is within the General Manager's delegation and included in an adopted policy, procedure, strategy or plan. If an item is included in the adopted Delivery Program/ Operational Plan, decisions about implementing it are operational. Eg, if building a new road is an approved action in the DPOP there is no need to ask the community if the road is required. There may however be a need to engage the community on its design, if there are options. This will help you be clear about what you are asking the community for feedback on.						
5. What is the aim of engagement?	To provide the community with balanced and objective information. Can include helping them understand what Council is doing and why by describing the problems, alternatives, opportunities and/or solutions.	To obtain community feedback on a proposal, analysis, alternatives and/or decisions. To consider any submissions from community members.	To work directly with the community throughout the process to ensure that public concerns and aspirations are understood and considered through the project.	To partner with the community in each aspect of the decision-making process including the development of alternatives and the identification of the preferred solution.	To place final decision making and/or delegated budgets in the hands of the public.	[Record ranking]
Ranking (tick): <input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5		

STEP 2: CONSIDER SOCIAL IMPACT						
Consider the level of impact and key messages to share with the community. If you are preparing a Council report, you should include any likely impacts, sensitivities and impact to community values or social wellbeing under the heading of social impact. If you are unsure, seek input from the executive leadership team or community engagement working group.						
6. Are there sensitivities associated with the project? Tick all that apply. Positions do not indicate ranking or importance		<input type="checkbox"/> Political <input type="checkbox"/> Cultural <input type="checkbox"/> Media <input type="checkbox"/> Environmental		<input type="checkbox"/> Financial <input type="checkbox"/> Safety <input type="checkbox"/> Legal		
7. Is there a potential impact to community values or social wellbeing? Tick all that apply. Positions do not indicate ranking or importance		<input type="checkbox"/> Local identity <input type="checkbox"/> Freedom of association or freedom of speech <input type="checkbox"/> Land ownership <input type="checkbox"/> Significant social impact <input type="checkbox"/> Significant economic impact		<input type="checkbox"/> Money/funding provision <input type="checkbox"/> Disability <input type="checkbox"/> Culture <input type="checkbox"/> Health <input type="checkbox"/> Firearms <input type="checkbox"/> Religion		<input type="checkbox"/> Gender equality <input type="checkbox"/> Arts <input type="checkbox"/> Impacts to a specific socioeconomic status group <input type="checkbox"/> Other: democracy, right to participation
8. How would you describe the (LIKELY) impact?	Low Minimal impact on a small section of the local government area	Low – Moderate Minimal impact on entire local government area	Moderate Marginal to moderate impact on a section of, or the entire local government area	Moderate – High Moderate to significant impact on a section of, or the entire local government area	High Significant impact on entire local government area	{Record ranking}
Ranking (tick): <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5						
STEP 3: CONSIDER STAKEHOLDERS						
9. Which stakeholders will we engage? Tick all that apply		<input type="checkbox"/> All community members (all people who live, own a property, work, study in or visit Eurobodalla) <input type="checkbox"/> Interest groups <input type="checkbox"/> Ratepayers (including non-residents) <input type="checkbox"/> Residents (all or specific groups/suburbs/towns/other) <input type="checkbox"/> Community groups and organisations, volunteers <input type="checkbox"/> Visitors	<input type="checkbox"/> Agencies and peak bodies <input type="checkbox"/> Council staff <input type="checkbox"/> Councilors <input type="checkbox"/> Local MPs <input type="checkbox"/> State and Federal MPs <input type="checkbox"/> Advisory, sunset, management and steering committees or groups <input type="checkbox"/> Traffic/emergency management committees	<input type="checkbox"/> Businesses, investors, developers <input type="checkbox"/> Specific funding providers <input type="checkbox"/> Media (print, radio, online, social) <input type="checkbox"/> Education and employment bodies <input type="checkbox"/> Chambers of commerce and business groups <input type="checkbox"/> Think about other stakeholders based on your knowledge of the project/item:		
10. What level of influence will the stakeholders have on the decision?		A Council decision has already been made. The Community Strategic Plan, technical studies or needs analysis has informed Council's direction. Council will keep stakeholders informed.	Council will consider stakeholder input, along with other relevant information such as research, legal, financial, social, and other short and long term implications to inform their decision.	Stakeholder views will be sought at multiple stages in the process to inform decisions progressively throughout the project.	Stakeholders will be key in the decision-making process.	Stakeholders make the decision.
Ranking (tick): <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5						
Have you considered any barriers that could limit people with disability from participating and taken action to remove those barriers where possible?						<input type="checkbox"/> Yes <input type="checkbox"/> No <i>It is important to identify and remove barriers wherever possible, eg by using accessible venues, providing information in different mediums, making it easy for people to attend, etc</i>
Add up the score for each row that has a recorded ranking to determine the ranking total						RANKING TOTAL:

STEP 4: DETERMINE ENGAGEMENT METHOD					
Ranking total	4 – 6	6 – 8	9 – 15	16 – 18	19-20
How will we describe the level of engagement?	Inform (TELL)	Consult (ASK)	Involve (DISCUSS)	Collaborate (TEAM UP)	Empower (FOLLOW)
	We will keep stakeholders informed.	We will inform stakeholders, listen to and acknowledge their views and provide feedback on how stakeholder input has influenced the decision.	We will work with stakeholders to ensure that stakeholder views and aspirations are directly reflected in the alternatives developed and provide feedback on how stakeholder input has influenced the decision.	We will look to stakeholders for direct advice and innovation in formulating solutions and incorporate that advice and recommendations into the decisions to the maximum extent possible.	We will implement what stakeholders decide.
What will the engagement consist of?	Council will deliver information to stakeholders. Communication is one-way. Often the community is informed about a decision that has been made and relevant action or activities scheduled to take place.	Council obtains feedback from the community regarding views, solutions, alternatives and proposals to inform and influence the outcome of Council decisions and actions.	Council will design a participatory process to identify community concerns, aspirations and issues and ensure they are considered prior to decision making.	Council works together with the community to identify preferred solutions and alternatives, once issues and interests are well understood.	Refers to community development and community capacity building initiatives whereby Council provides opportunities and resources for communities to contribute their skills and talents.
What tools and information will we use? <i>This list should be used as a guide only. Not all activities will be appropriate for all projects, and some activities from other columns may be appropriate.</i>	<input type="checkbox"/> Website <input type="checkbox"/> Media release, radio, social media, email newsletter <input type="checkbox"/> Public exhibition <input type="checkbox"/> Newspaper, radio paid ad <input type="checkbox"/> Letter to directly affected stakeholders <input type="checkbox"/> Sign <input type="checkbox"/> Brief/attend meetings of existing advisory committees <input type="checkbox"/> Community information session, stall, or event <input type="checkbox"/> Other: _____	<input type="checkbox"/> Website <input type="checkbox"/> Media release, radio, social media, email newsletter <input type="checkbox"/> Blog <input type="checkbox"/> Public exhibition <input type="checkbox"/> Newspaper noticeboard <input type="checkbox"/> Newspaper, radio paid ad <input type="checkbox"/> Letterbox drop to directly affected stakeholders <input type="checkbox"/> Sign <input type="checkbox"/> Letter or email notification or invitation to local stakeholder groups <input type="checkbox"/> Brief/attend meetings of existing advisory committees <input type="checkbox"/> Stakeholder briefings <input type="checkbox"/> Community information session, stall or event <input type="checkbox"/> Feedback form or survey <input type="checkbox"/> Other: _____	<input type="checkbox"/> Website <input type="checkbox"/> Media release, radio, social media, email newsletter <input type="checkbox"/> Blog <input type="checkbox"/> Public exhibition <input type="checkbox"/> Letterbox drop to directly affected stakeholders <input type="checkbox"/> Sign <input type="checkbox"/> Letter or email notification or invitation to local stakeholder groups <input type="checkbox"/> Newspaper, radio paid ad <input type="checkbox"/> Brief/attend meetings of existing advisory committees <input type="checkbox"/> Stakeholder briefings <input type="checkbox"/> Community information session, stall, or event <input type="checkbox"/> Feedback form, survey or interviews <input type="checkbox"/> Other: _____	<input type="checkbox"/> Website <input type="checkbox"/> Media release, radio, social media, email newsletter <input type="checkbox"/> Blog <input type="checkbox"/> Public exhibition <input type="checkbox"/> Letterbox drop to directly affected stakeholders <input type="checkbox"/> Sign <input type="checkbox"/> Letter or email notification or invitation to local stakeholder groups <input type="checkbox"/> Newspaper, radio paid ad <input type="checkbox"/> Brief/attend meetings of existing advisory committees <input type="checkbox"/> Stakeholder briefings <input type="checkbox"/> Deliberative process or citizens panel <input type="checkbox"/> Roundtable approach <input type="checkbox"/> Workshop or forum <input type="checkbox"/> Feedback form, survey or interviews <input type="checkbox"/> Establish a project committee <input type="checkbox"/> Other: _____	<input type="checkbox"/> Website <input type="checkbox"/> Media release, radio, social media, email newsletter <input type="checkbox"/> Blog <input type="checkbox"/> Letterbox drop to directly affected stakeholders <input type="checkbox"/> Sign <input type="checkbox"/> Letter or email notification or invitation to local stakeholder groups <input type="checkbox"/> Newspaper, radio paid ad <input type="checkbox"/> Deliberative process or citizens panel <input type="checkbox"/> Council poll/plebiscite/referendum <input type="checkbox"/> Election / voting process <input type="checkbox"/> Other: _____

PSR17/001 DONATION OF DEVELOPMENT FEE

81.2292.D

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

Attachments: Nil

Focus Area: Productive Communities

Delivery Program Link: P1.1 Facilitate growth and development of our business community

Operational Plan Link: P1.1.1 Strengthen partnerships between council and the business community

EXECUTIVE SUMMARY

This report provides details relating to an application for a refund of Development Application (DA) fees to a non-profit charitable organisation.

On 13 December 2016 Council received an application from Community Life Batemans Bay Inc. for reimbursement of its Development Application fees.

The fees were paid in relation to Development Application 302/17 and Construction Certificate approved on 1 December 2016 for a boundary fence, as part of a NSW Government grant for increased security.

Council's Code of Practice – Reimbursement – DA Fees only permits the refund of the Development Application (DA) fee.

RECOMMENDATION

THAT a donation be made to Community Life Batemans Bay Inc. to the value of \$179.00, being the assessment fee for Development Application 302/17, in accordance with Council's Code of Practice – Reimbursement – DA Fees.

BACKGROUND

Community Life Batemans Bay Inc. lodged a Development Application 302/17 for the construction of a new boundary fence at 6 Herarde Street, Batemans Bay. Community Life Batemans Bay Inc. is a not for profit charitable organisation and are in the final stages of obtaining a grant from the NSW Department of Family and Community Services. The purpose of the grant is to replace and extend fencing at their premises to increase security.

CONSIDERATIONS

Policy

Item 6 of Council's Code of Practice – Reimbursement – DA Fees allows for a refund of fees paid by non-profit, voluntary/community groups.

On 13 December 2016 Council received an application from Community Life Batemans Bay Inc. for reimbursement of its application fees in the sum of \$642.00.

PSR17/001 DONATION OF DEVELOPMENT FEE

81.2292.D

Council has been consistent with its process of managing the reimbursement of DA fees, such as the request from Community Life Batemans Bay Inc., and in accordance with the Code of Practice only the DA fee will be reimbursed.

Financial

Council's Code of Practice – Reimbursement – DA fees allows for a 100% refund for the Development Application portion of the fees as a donation to a non-profit, voluntary/ community organisation. In this instance, this portion equates to a donation back to Community Life Batemans Bay Inc. of \$179.00.

CONCLUSION

In accordance with Council's Code of Practice – Reimbursement – DA Fees it is recommended that a donation of \$179.00 being the relevant Development Application fee, be made to Community Life Batemans Bay Inc.

PSR17/002 POLICY REVIEW - COMPLIANCE POLICY

E16.0297

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services
Attachments: 1. Under Separate Cover - Draft Compliance Policy
Focus Area: Support Services
Delivery Program Link: SS1.2 Maintain a sound governance framework within which Council operates
Operational Plan Link: SS1.2.2 Ensure transparency in council dealings

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*:

- *Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.*
- *Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.*
- *Section 164(4) amendment and revocation of local policy – 'a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election'.*

The Compliance Policy has been reviewed. The draft policy is recommended to be placed on public exhibition before being presented to Council for adoption.

RECOMMENDATION

THAT:

1. Council endorse the draft Compliance Policy for public consultation.
2. The draft Compliance Policy be placed on public exhibition for a period of 28 days and following the expiration of this period, the draft policy and any public submissions be presented to Council for adoption.

BACKGROUND

The purpose of this policy is to provide a structure for consistency and transparency in decision making, and to facilitate a balanced approach to compliance and enforcement activities for which Council is responsible. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.

This policy outlines matters to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, through to what enforcement option Council will choose and whether to commence criminal or civil proceedings.

PSR17/002 POLICY REVIEW - COMPLIANCE POLICY

E16.0297

This policy is guided by the Ombudsman's Model Compliance Policy, the Independent Commission Against Corruption and legal advisors, reviewed against the Environment Protection Authority and other council's policies.

Changes

Modifications to the Compliance Policy were made with items 3.1 – *Assessment Framework* and 3.2 – *Investigation processes* being expanded upon to reflect the Ombudsman's Model Compliance Policy – December 2015. The modifications also include additional and more detailed information on the assessment framework and the objectives of the investigation process.

CONSIDERATIONS

Legal

Council sought legal Counsel for review and advice upon the adoption of the current policy in 2011 and the draft policy remains unchanged with only minor additional information.

Social Impact

The purpose of the policy is to ensure that community expectations are met in regard to regulatory functions and that people are treated fairly and consistently in the handling of compliance matters.

Community Engagement

Council will place the draft policy on public exhibition for a period of not less than 28 days commencing on Wednesday 22 February 2017 until Tuesday 21 March 2017. Copies will be available for viewing on Council's website, at the Batemans Bay, Moruya and Narooma libraries and at the Customer Service Centre in Moruya.

CONCLUSION

The review of the Compliance Policy has refined the document to enable clear guidance for Council officers and the public as to how Council deals with compliance and regulatory matters.

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

IR16/044 ROAD NAMING PROPOSAL - GLENELLA ROAD, BATEMANS BAY

E05.9211

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Map - Entire length of road

Focus Area: Support Services

Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services

Operational Plan Link: SS3.3.2 Provide survey, investigation and design services

EXECUTIVE SUMMARY

Council has recently commenced the construction of the 'South Batemans Bay Link Road' after securing \$10 million in funding from the NSW Government. When constructed, this road will be a primary collector road that will provide an essential transport link to and from the Princes Highway to George Bass Drive at Catalina.

For the purposes of advocacy, funding and project planning, this road has been referenced as the 'Link Road'. This report seeks Council's endorsement to name the entire length of road as Glenella Road. The origins of Glenella Road date back to 1951.

Currently, the 'Link Road' is a combination of portions of named and unnamed roads. Commencing at its intersection with George Bass Drive, the road is named Glenella Road for approximately 2km in a westerly direction. From this point, the road is unnamed until it reaches the intersection with The Ridge Road. At the intersection with The Ridge Road, the road is named The Ridge Road until it reaches the intersection with the Princes Highway. A map attached to this report provides visual clarification of this description.

Under the Roads Act 1993, Council is prescribed as a Roads Authority. As a Roads Authority, Council is empowered to name and number its public roads under Section 162 of the Roads Act 1993. Road naming must comply with Geographical Names Board (GNB) guidelines and Council's Road Naming Policy. This proposal complies with both instruments.

One of the principles of road naming is that road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services.

The retention of the name Glenella Road and expansion of its extent complies with the principles of road naming. Once fully constructed, the community and motorists should be very aware where the 'Link Road' will lead them when travelling from the Princes Highway extent and vice versa.

The notification process of the proposal as required by the GNB guidelines has been undertaken. Prescribed authorities and property owners whose properties either front or back onto the 'Link Road' have been notified and the proposal has been placed on public exhibition for a period of 28 days. No submissions were received during the public exhibition.

This proposal has no financial implication to Council other than the cost for the purchase and installation of new signage, and the ongoing maintenance of the signage which is expected to be minimal.

IR16/044 ROAD NAMING PROPOSAL - GLENELLA ROAD, BATEMANS BAY

E05.9211

RECOMMENDATION

THAT:

1. Council names the unnamed road that commences outside the western boundary of Lot 12 DP 116593 and heads in a westerly direction to the intersection of The Ridge Road - Glenella Road.
2. The naming proposal of Glenella Road for the unnamed section of road that commences outside the western boundary of Lot 12 DP 116593 and heads in a westerly direction to the intersection of The Ridge Road be gazetted.
3. Council rename the section of The Ridge Road from its intersection with the current unnamed road to the intersection with the Princes Highway – Glenella Road.
4. The renaming of the section of The Ridge Road from its intersection with the current unnamed road to the intersection with the Princes Highway to Glenella Road be gazetted.

BACKGROUND

Council has recently commenced the preliminary construction of the 'South Batemans Bay Link Road' after securing \$10 million in funding from the NSW Government. When constructed, this road will be a primary collector road that will provide an essential transport link to and from the Princes Highway to George Bass Drive at Catalina.

Currently, the 'Link Road' is a combination of portions of named and unnamed roads. Commencing at its intersection with George Bass Drive, the road is named Glenella Road for approximately 2km in a westerly direction. From this point, the road is unnamed until it reaches the intersection with The Ridge Road. At the intersection with The Ridge Road, the road is named The Ridge Road until it reaches the intersection with the Princes Highway. A map attached to this report provides visual clarification of this description.

For the purposes of advocacy, funding and project planning, this road has been referenced as the 'Link Road', however, as construction has commenced it would be prudent to formally name the entire length of road 'Glenella Road'.

Glenella Road was originally gazetted on 31 August 1951 when it was located from the intersection with Beach Road. When Council constructed George Bass Drive, in 2009 a portion of Glenella Road was renamed George Bass Drive.

A search has been carried out on the origins of the name Glenella. As Glenella Road was originally gazetted in 1951, a search of Council Minutes revealed that the names appear to have been proposed by the Batehaven Progress Association (Council Motion 461 dated 10 July 1951). Batemans Bay Historical Society were contacted and they could not locate any records of Glenella. However, they did advise that the origins of Glenella could simply be that two members of the Batehaven Progress Association were 'Glen' and 'Ella'.

CONSIDERATIONS

One of the principles of road naming is that road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services. Many emergency responses and other public services are determined by the clarity of

IR16/044 ROAD NAMING PROPOSAL - GLENELLA ROAD, BATEMANS BAY

E05.9211

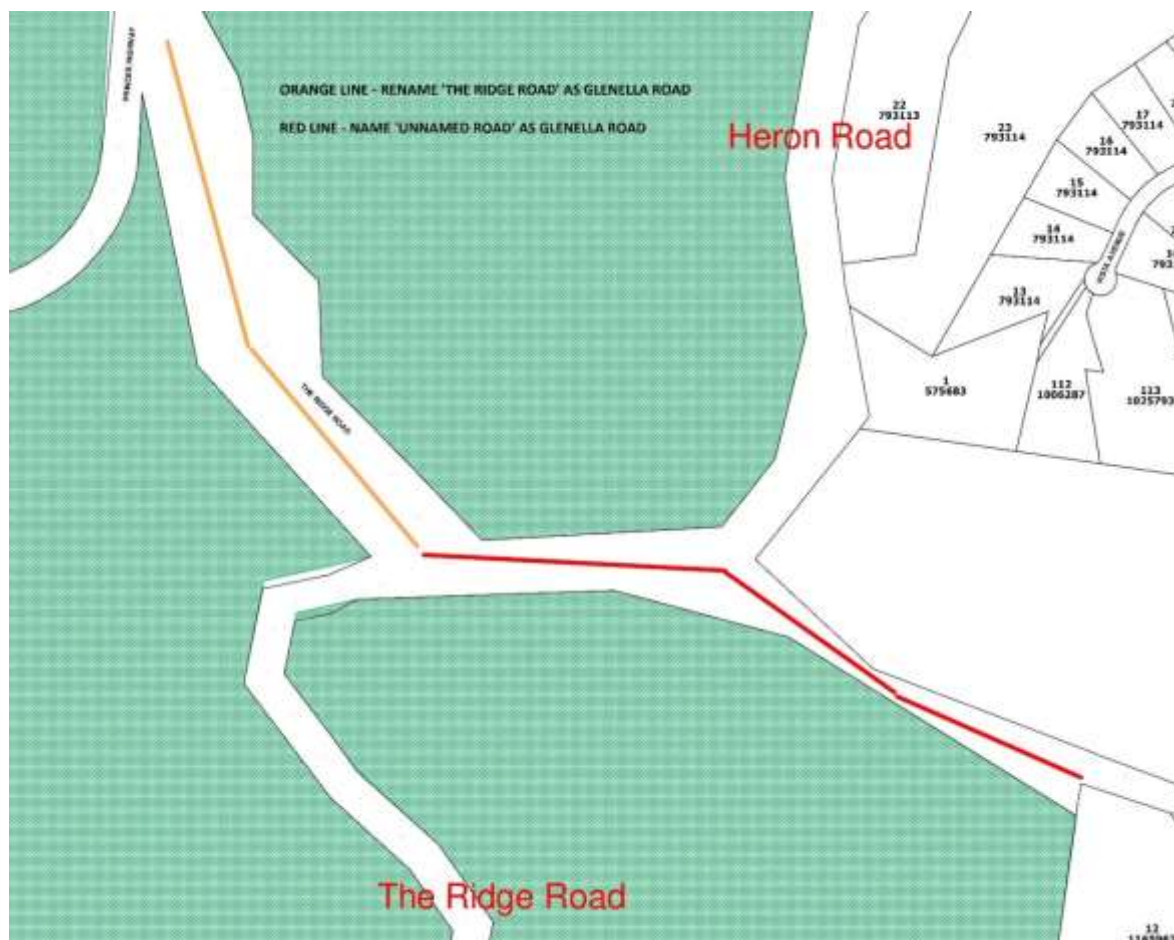
road names and their extents, and all road name proposals shall ensure that operations will not be adversely affected.

The retention of the name Glenella Road and expansion of its extent complies with the principles of road naming. Once fully constructed, the community and motorists should be very aware where the road will lead them when travelling from the Princes Highway extent.

If Council decided not to endorse this report's recommendations, then changing the name of the existing section of Glenella Road would require four property owners to readdress their properties. If a decision was made to retain Glenella Road as it is currently, and rename the remaining sections, this would result in the length of road having two names and the GNB road naming principles would not be met.

Renaming the section of The Ridge Road near its intersection with the Princes Highway to Glenella Road would not affect property owners as each side of the road is abutted by State Forest.

The map below shows the sections of the road proposed to be named and renamed Glenella Road.



IR16/044 ROAD NAMING PROPOSAL - GLENELLA ROAD, BATEMANS BAY

E05.9211

Legal

Under the Roads Act 1993, Council is prescribed as a Roads Authority. As a Roads Authority, Council is empowered to name and number its public roads under Section 162 of the Roads Act 1993.

Policy

This proposal complies with Council's Roads Naming Policy. The policy provides guidance for developers, the community and Council when allocating new road names and renaming existing roads. The policy ensures that appropriate naming and renaming of roads, for which Council is the Roads Authority, is undertaken in compliance with the GNB guidelines.

The GNB role in the road naming process is to set policy and processes for all road naming proposals, and to compile, maintain and publish a list of road names as per Section 5(2) of the Geographical Names Board Act 1966.

Asset

The entire length of road referred to in this road naming proposal is owned by Council.

Council has secured \$10 million in funding from the NSW Government to construct the South Batemans Bay Link Road. Preliminary construction activities have recently commenced with the completion date being December 2018.

Financial

This proposal has no financial implications other than the purchase of new road name signage, and the ongoing maintenance of the signage which is expected to be minimal.

Community Engagement

In line with the GNB guidelines, notification of the naming proposal was provided to the following:

- Prescribed authorities head office:
 - a) Australia Post
 - b) Registrar General
 - c) Surveyor General
 - d) Ambulance Service of NSW
 - e) Fire and Rescue NSW
 - f) NSW Rural Fire Service
 - g) NSW Police Force
 - h) State Emergency Service
 - i) NSW Volunteer Rescue Association Inc
 - j) Roads and Maritime Services
- Prescribed authorities local office:
 - a) NSW Police Force
 - b) NSW Fire and Rescue
 - c) NSW Rural Fire Service
 - d) State Emergency Service

IR16/044 ROAD NAMING PROPOSAL - GLENELLA ROAD, BATEMANS BAY

E05.9211

e) Ambulance Service of NSW

- Twelve (12) property owners whose properties either front or back onto the road including Forestry Corporation of NSW, Batemans Bay office, and
- Batemans Bay Local Aboriginal Land Council.

The proposal was advertised via the following avenues:

- Council's Noticeboard in local newspapers on 31 August, 7, 14 and 21 September 2016
- Council's website under the On Exhibition page from 31 August to 29 September 2016.

The notification process allowed for written submissions to be received by Council by 28 September 2016. The notifications to the head offices of prescribed authorities stated that should no response be provided within 14 days it will be considered the proposal is concurred with. Notifications to prescribed authorities' local offices is not necessary under the GNB guidelines, however, as the new road would be an important transport/emergency response link for the Batemans Bay area, input from local authorities was considered appropriate.

No submissions were received from prescribed authorities or the community.

CONCLUSION

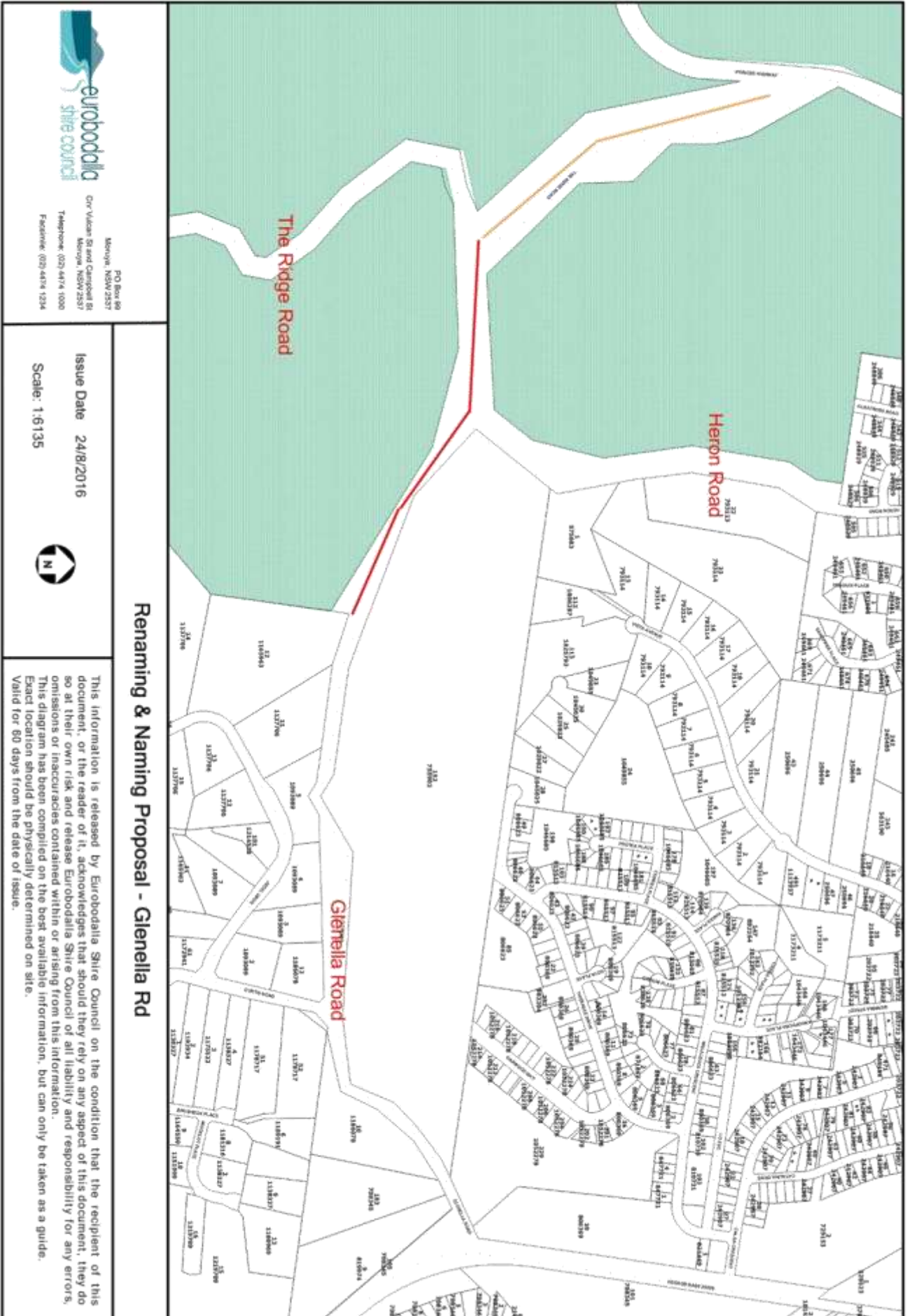
The 'South Batemans Bay Link Road' has recently commenced construction and when complete will provide the Eurobodalla will a new primary collector road that will reduce travelling times, alleviate congestion and improve emergency response times in the Batemans Bay area.

It is prudent that Council names this new transport linkage well before it is open to the public so that the community, motorists and visitors are fully aware of its name and the location of its end points.

The proposal to name the entire length of the new link road 'Glenella Road' appears logical as its history dates back to 1951, a portion of the road is already named Glenella Road and is well known to motorists, and no property owner will be affected by the need to readdress their residence.

No submissions, either for or against the proposal, were received during the public exhibition period.

Subject to Council's endorsement of this naming proposal, the subsequent gazettal of the road name Glenella Road by the GNB will be made legal.



IR17/002 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2016-17

E16.0002

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Focus Area: Productive Communities

Delivery Program Link: P3.1 Undertake advocacy activities to further the development of transport infrastructure and support future growth

Operational Plan Link: P3.1.2 Coordinate the Local Traffic & Development Committees

EXECUTIVE SUMMARY

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

The Minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for the Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting of 15 December 2016 were as follows:

- Signage – Time Restricted Off-street Parking, Clyde And Perry Streets Batemans Bay.

RECOMMENDATION

THAT:

1. The Minutes of the Eurobodalla Local Traffic Committee Meeting No 4 of 2016-17 held on 15 December 2016 be received and noted.
2. The Clyde Street and Perry Street off-street parking areas in Batemans Bay be time restricted to a maximum three (3) hours, to operate between the hours of 8.30am to 6.00pm Monday-Friday and 8.30am to 12.30pm Saturday.

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 4 for 2016-17 was held on 15 December 2016 via teleconference. The teleconference format was adopted for this meeting due to the short notice and to ensure there was a quorum. It was attended by Councillor Mayne (Chairperson), Mrs Danielle Brice (representative for the Hon Andrew Constance MP), Jesse Fogge (Roads and Maritime Services), Sergeant Angus Duncomb (NSW Police Force), Dave Hunter (Traffic Officer) and Matt Cormick (Minute Taker).

Apologies were received from Heidi Hanes (Road Safety Officer).

MINUTES OF PREVIOUS MEETING

The Minutes of the Eurobodalla Local Traffic Committee Meeting No 3 for 2016-17 held on Thursday 22 November 2016 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

There were no outstanding items discussed at the meeting.

IR17/002 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2016-17

E16.0002

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2017.RT.006 Signage – Time Restricted Off-street Parking, Clyde And Perry Street Batemans Bay

A Mayoral report was presented to the Ordinary Meeting of Council on 13 December 2016 asking Councillors to support a motion to remove pay parking from the Batemans Bay CBD and also to time limit these areas to 3 hours.

Reasons given for the changes were that business groups in Batemans Bay have consistently raised their concerns with the imposition of pay parking and its impact on businesses and the community, and also additional parking has recently become available at Mackay Park and the Bridge Plaza. Subsequently, Council resolved that:

1. *Pay parking be removed from the Clyde Street and Perry Street off-street parking areas in Batemans Bay by 23 December 2016.*
2. *Subject to the concurrence of the Local Traffic Committee, a three (3) hour parking limit be put in place over the Clyde Street and Perry Street off-street parking areas in Batemans Bay from 23 December 2016.*

The Local Traffic Committee has previously discussed time restricting these parking areas earlier this year. The Council resolved at the Ordinary Meeting on 8 March 2016 that:

The Local Traffic Committee be asked to consider recommending the implementation of timed parking restrictions in the existing off-street pay parking car parks on Clyde Street and Perry Streets, Batemans Bay to further encourage turnover of these high demand parking spaces.

Subsequently at the Local Traffic Committee meeting of 14 April 2016, the Committee supported this request to time limit the pay parking to 3 hours. This was on the basis that the off-street car parks were under pay parking. Council resolved at that time to further consult with businesses.

Given Council's resolution to remove pay parking in Batemans Bay, the Committee were asked to consider if they still supported the 3 hour time limit in the off-street parking areas off Perry Street and Clyde Street in Batemans Bay.

The Committee noted that the on-street parking has time limited parking between the hours of 8.30am to 6.00pm Monday - Friday and 8.30am to 12.30pm Saturday. The Committee also noted that the off-street car parks under the Village Centre and Bridge Plaza were limited to 3 hours.

For consistency, the Committee agreed to support the 3 hour time limit in the off-street parking areas in Clyde Street and Perry Street to operate over the same spread of hours as the on-street parking.

Recommendation:

That the Clyde Street and Perry Street off-street parking areas in Batemans Bay be time restricted to a maximum three (3) hours, to operate between the hours of 8.30am to 6.00pm Monday-Friday and 8.30am to 12.30pm Saturday.

IR17/002 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2016-17

E16.0002

GENERAL BUSINESS

There were no discussion items for General Business.

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee is to be held on Thursday 16 February 2017 in Council's Committee Room commencing at 9.30am.

IR17/003 RINGLANDS JETTY NAROOMA

E80.1214

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Focus Area: Liveable Communities

Delivery Program Link: L5.2 Manage and maintain a safe, sustainable and accessible range of community spaces

Operational Plan Link: 5.2.1 Undertake maintenance program

EXECUTIVE SUMMARY

Council is investigating, in response to Councillor Phil Constable's Notice of Motion, the opportunity to re-establish Ringlands Jetty Narooma by way of grant funding from the NSW Recreational Fishing Trust program. The site of the old jetty is within a habitat protection zone identified in the Batemans Bay Marine Park zoning plan.

Council retains the Crown Lands License over the condemned jetty site.

Council proposed reconstruction of the jetty in October 2013, however this proposal was not supported by NSW Marine Parks due to impact on seagrass beds in the vicinity.

Council will program the preparation of a preliminary design for a replacement jetty to comply with stringent environmental considerations and seek agreement 'in principle' from the NSW Marine Parks prior to lodging a grant application.

Interested community groups will be consulted to work with Council on the reconstruction of the jetty subject to a successful funding application.

RECOMMENDATION

THAT Council program preliminary design works to meet NSW Marine Parks' specifications to secure an 'in principle' agreement in preparation for a potential grant application for funding under the Recreational Fishing Trust program for the construction of a new jetty at Ringlands Point Narooma.

BACKGROUND

The jetty fronting Lot 7045 DP 1055106 adjacent to Lot 21 DP 865887 at Ringlands Point Narooma was closed due to safety concerns in April 2013. Land access to the jetty has been removed.

Council proposed reconstruction of the jetty in October 2013, however this proposal was not supported by NSW Marine Parks due to impact on seagrass beds in the vicinity.

Councillor Constable proposed at the 13 December 2016 Council meeting that Council pursue grant funds to re-establish the jetty in accordance with NSW Marine Park requirements.

Subsequent consultation with NSW Marine Parks confirms that a permit for reconstruction of the jetty may be considered subject to stringent design and construction requirements including the use of open mesh decking and piling systems in order to minimise impact on the seagrass beds. Council has agreed to consult further with NSW Marine Parks in the

IR17/003 RINGLANDS JETTY NAROOMA

E80.1214

development of a preliminary design to achieve agreement in principle prior to submitting a formal grant application under the Recreation Fishing Trust program.

Consultation with NSW Department of Primary Industries, Recreational Fishing Trust division, confirms expressions of interest for grant funding opportunities will open in February 2017.

Subject to an in principle agreement being reached with NSW Marine Parks for a construction permit, Council will prepare documentation to support an application for funding under the Recreational Fishing Trust program for the design and reconstruction of the Ringlands Point Jetty.

Council has consulted with the Narooma BoatsAfloat community group which had previously expressed an interest in working with Council on the re-establishment of the jetty. This group remains committed to assisting Council with this project.

Council retains Crown Land Licence 308385 (formerly Permissive Occupancy 1954/6 Moruya) for a jetty 9.1m x 2.1m fronting Lot 7045 DP 1055106 adjacent to Lot 21 DP 865887 at Ringlands Point.

Potential risk posed by the steep incline down to the jetty will be assessed by Council's Support Services Engineer, who will prepare a report addressing site constraints for land access.

Environmental

A Review of Environmental Factors (REF) would need to be prepared for the jetty based on the design developed in consultation with NSW Marine Parks. A previous review of environmental issues at the site indicates that, subject to receipt of an approval from NSW Marine Parks, the project could proceed.

This approval would be aided by the proposed jetty being located predominately within the footprint of the previous jetty.

The upgrading of the Ringlands Jetty would improve the safety of the jetty for users with minimal impacts on the riparian vegetation and marine environment of the Wagonga Inlet.

Any construction would be required to meet strict environmental standards in accordance with NSW Marine Parks' specifications.

Social Impact

The proposed works would be predominately limited to the footprint of the current infrastructure. The upgraded surface would result in a safe amenity for jetty users and enhance the current use of the foreshore area with the provision of safer facilities and improved lake access. However, achieving an accessible compliant solution on this site would be cost prohibitive due to the steep incline down to the jetty.

Financial

Subject to success in securing grant funding, the capital works would be funded by the NSW Recreational Fishing Trust.

A suitable budget provision would, however, need to be made by Council for the ongoing costs associated with inspection, maintenance and depreciation of the jetty. This amount will be

IR17/003 RINGLANDS JETTY NAROOMA

E80.1214

determined once the preliminary design has been prepared and agreement in principle obtained from NSW Marine Parks.

There are no other supporting facilities at Ringlands Point currently such as a formed access road, toilet or associated picnic facilities. Should the jetty be a successful attraction, this may lead to further requests for other facilities at this location. There is currently no provision in Council's Long Term Financial Plan or current strategies for additional facilities at this site.

Community Engagement

We will consult with the community as part of the design process both prior to and concurrently with the grant application process. We will further inform the community through providing information on Council's website.

CONCLUSION

Prior to proceeding with a grant application, preliminary designs will need to be prepared, the Review of Environmental Factors prepared, and agreement in principle obtained from Marine Parks. Once this is done, Council could actively pursue funding under the Recreational Fishing Trust program.

IR17/004 POLICY REVIEW - COPPER CHROME ARSENATE (CCA) MANAGEMENT E06.0375

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Under Separate Cover - Policy Review - Copper Chrome Arsenate (CCA) Management

Focus Area: Liveable Communities

Delivery Program Link: L5.2 Manage and maintain a safe, sustainable and accessible range of community spaces

Operational Plan Link: 5.2.1 Undertake maintenance program

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*:

- *Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.*
- *Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.*
- *Section 165 (4) Amendment and revocation of local policy – 'a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election'.*

The Copper Chrome Arsenate (CCA) Management policy has been reviewed. The draft policy is recommended to be placed on public exhibition before being presented to Council for adoption.

RECOMMENDATION

THAT:

1. Council endorses the draft Copper Chrome Arsenate (CCA) Management policy.
2. The draft Copper Chrome Arsenate (CCA) Management policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

BACKGROUND

In accordance with section 165(4) of the *Local Government Act 1993*, a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

This Policy clarifies Copper Chrome Arsenate (CCA) Management within Council controlled lands.

IR17/004 POLICY REVIEW - COPPER CHROME ARSENATE (CCA) MANAGEMENT E06.0375

Changes

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

Legal

Eurobodalla Shire Council will comply with the *Agriculture & Veterinary Chemicals (Administration) Act 1992*.

Community Engagement

Council will place the draft policy on public exhibition for a period of not less than 28 days commencing on Wednesday 22 February 2017 until Tuesday 21 March 2017. 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 policy should be publicly exhibited for 28 days. At the end of the public exhibition period Council will be advised of any submissions received during the exhibition period and the draft Copper Chrome Arsenate (CCA) Management policy will be presented to Council for consideration to adopt.

IR17/005 POLICY REVIEW - ENGINEERING DESIGN STANDARDS

E06.0375

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Under Separate Cover - Policy Review - Engineering Design Standards Policy

Focus Area: Productive Communities

Delivery Program Link: P3.1 Provide development assessment services

Operational Plan Link: P3.1.6 Develop engineering design standards for new subdivision works

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*:

- *Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.*
- *Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.*
- *Section 165 (4) Amendment and revocation of local policy – 'a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election'.*

The Engineering Design Standards policy has been reviewed. The draft policy is recommended to be placed on public exhibition before being presented to Council for adoption.

RECOMMENDATION

THAT:

1. Council endorses the draft Engineering Design Standards policy.
2. The draft Engineering Design Standards policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

BACKGROUND

In accordance with section 165(4) of the *Local Government Act 1993*, a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

This Policy clarifies engineering design standards within Council controlled lands.

Changes

The policy has been reviewed and no substantive changes are recommended at this time, apart from minor referencing updates due to changes in the *Local Government Act 1993*, replacing:

IR17/005 POLICY REVIEW - ENGINEERING DESIGN STANDARDS

E06.0375

Under Council's Charter (Section 8 of the *Local Government Act 1993*) Council must:

- *Bear in mind that it is custodian and trustee of public assets and effectively plan for assets for which it is responsible and*
- *Have regard to the long term and cumulative effects of its decisions.*

With

*Under Guiding principles for Councils (Section 8A (2)(c) of the Local Government Act 1993)
Council should consider the long term and cumulative effects of actions on future generations.*

Community Engagement

Council will place the draft policy on public exhibition for a period of not less than 28 days commencing on Wednesday 22 February 2017 until Tuesday 21 March 2017. 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 Engineering Design Standards policy should be publicly exhibited for 28 days. At the end of the public exhibition period Council will be advised of any submissions received during the exhibition period and the draft Engineering Design Standards policy will be presented to Council for consideration to adopt.

IR17/006 POLICY REVIEW - PESTICIDES/HERBICIDES USE NOTIFICATION POLICY E06.0375

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Under Separate Cover - Policy Review - Pesticides/Herbicides Use Notification Policy

Focus Area: Liveable Communities

Delivery Program Link: L5.2 Manage and maintain a safe, sustainable and accessible range of community spaces

Operational Plan Link: 5.2.1 Undertake maintenance program

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*:

- *Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.*
- *Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.*
- *Section 165 (4) Amendment and revocation of local policy – 'a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election'.*

The Pesticides/Herbicides Use Notification Policy has been reviewed. The draft policy is recommended to be placed on public exhibition before being presented to Council for adoption.

RECOMMENDATION

THAT:

1. Council endorses the draft Pesticides/Herbicides Use Notification Policy.
2. The draft Pesticides/Herbicides Use Notification Policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt

BACKGROUND

In accordance with section 165(4) of the *Local Government Act 1993*, a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

This policy clarifies Pesticides/Herbicides Use Notification standards within Council controlled lands.

IR17/006 POLICY REVIEW - PESTICIDES/HERBICIDES USE NOTIFICATION POLICY E06.0375

Changes

The policy has been reviewed and no substantive changes are recommended at this time, apart from minor referencing updates and change of title to include 'Use Notification Policy' in line with the Code of Practice.

Legal

This policy complies with the NSW legislation - *Pesticides Regulation 2009*.

Community Engagement

Council will place the draft policy on public exhibition for a period of not less than 28 days commencing on Wednesday 22 February 2017 until Tuesday 21 March 2017. 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 Pesticides/Herbicides Use Notification policy should be publicly exhibited for 28 days. At the end of the public exhibition period Council will be advised of any submissions received during the exhibition period and the draft Pesticides/Herbicides Use Notification policy will be presented to Council for consideration to adopt.

**IR17/007 POLICY REVIEW - WATER SAVING INCENTIVES FOR RETICULATED
WATER CUSTOMERS**

E16.0297

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Under Separate Cover - Water Saving Incentives for Reticulated
Water Customers Policy

Focus Area: Sustainable Communities

Delivery Program Link: S2.2 Operate and maintain Council's water supply systems

Operational Plan Link: S2.2.1 Identify and implement innovative water conservation and
sustainable water usage practices

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*:

- *Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.*
- *Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.*
- *Section 165 (4) Amendment and revocation of local policy – 'a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election'.*

The Water Saving Incentives for Reticulated Water Customers policy has been reviewed. The draft policy is recommended to be placed on public exhibition before being presented to Council for adoption.

RECOMMENDATION

THAT:

1. Council endorse the draft Water Saving Incentives for Reticulated Water Customers policy.
2. The draft Water Saving Incentives for Reticulated Water Customers policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the draft policy for consideration to adopt.

BACKGROUND

In accordance with section 165(4) of the *Local Government Act 1993*, a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.

**IR17/007 POLICY REVIEW - WATER SAVING INCENTIVES FOR RETICULATED
WATER CUSTOMERS**

E16.0297

Eurobodalla Shire Council's policy was developed to manage our water supply in accordance with NSW Best Practice Management of Water Supply and Sewerage Guidelines.

Council promotes water conservation and demand management as essential for ensuring efficient use of our valuable water resources and to improve environmental outcomes. Best Practice Management requires active intervention by supporting appropriate demand management measures such as retrofit programs and rebates for water efficient appliances.

Changes

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

The rebate for rainwater tanks in existing premises has been removed from the policy based primarily on demand.

Of the ten applications received in the previous year, only two were eligible for the rebate due to the stringent requirements of the regulator. The removal of this rebate will result in more effective use of administration resources.

Community Engagement

Council will place the draft policy on public exhibition for a period of not less than 28 days commencing on Wednesday 22 February 2017 until Tuesday 21 March 2017. 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 Water Saving Incentives for Reticulated Water Customers policy should be publicly exhibited for 28 days. At the end of the public exhibition period Council will be advised of any submissions received during the exhibition period and the draft Water Saving Incentives for Reticulated Water Customers policy will be presented to Council for consideration to adopt.

**FBD17/001 POLICY REVIEW - GATHERING INFORMATION FOR RISK
MANAGEMENT**

E16.0297

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: 1. Under Separate Cover - Gathering Information for Risk Management Policy

Focus Area: Support Services

Delivery Program Link: SS1.2 Maintain a sound governance framework within which Council operates

Operational Plan Link: SS1.2.2 Ensure transparency in council dealings

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*:

- *Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.*
- *Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.*
- *Section 165 (4) Amendment and revocation of local policy – 'a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election'.*

The purpose of this report is to inform Councillors of the review of the Gathering Information for Risk Management Policy and the draft policy is recommended to be placed on public exhibition before being presented to Council for adoption.

RECOMMENDATION

THAT

1. Council endorses the draft Gathering Information for Risk Management Policy for public consultation.
2. The draft Gathering Information for Risk Management Policy be placed on public exhibition for 28 days and, following the expiration of this period, the draft policy and any public submissions be presented back to Council for adoption.

BACKGROUND

Effective risk management relies on identifying in advance any potentially harmful aspects which could arise from operations, analysis of the likely consequences if an incident were to occur, and implementation of controls to prevent it occurring. Therefore it is essential that Council has in place a systematic process to consistently record information about risks, hazards and incidents to enable it to respond in a coordinated manner.

**FBD17/001 POLICY REVIEW - GATHERING INFORMATION FOR RISK
MANAGEMENT**

E16.0297

Collection and retrieval of accurate information is also critical in the defence of claims. Councils are faced with various types of incidents that may result in a complaint or claim against the council including public liability, professional indemnity, or workers compensation claims.

To defend these claims, a council is required to show that it acted in a manner which was not in breach of its duty of care. Often, the only proof to support this position is the testimony of council officers and council's records of its activities. Some court decisions have been handed down against councils due to the inadmissibility of records as acceptable evidence, or the failure to be able to produce records and information that could have supported the council's defence.

This policy recognises the importance of gathering information and records in the day-to-day operations of Council and the management of risk and incidents, and of those records meeting acceptable evidence standards for court.

CONSIDERATIONS

The Gathering Information for Risk Management Policy has been reviewed and no substantive changes are recommended at this time, apart from minor referencing updates.

Legal

It is a recommendation from Statewide Mutual (Council's Insurer) that Council have in place a systematic process to consistently record information about risks, hazards and incidents to enable it to respond in a coordinated manner.

Policy

The Gathering Information for Risk Management Policy recognises the importance of gathering information and records in the day-to-day operations of Council and the management of risk and incidents, and of those records meeting acceptable evidence standards for court.

Community Engagement

Council will place the draft Gathering Information for Risk Management Policy on public exhibition for a period of not less than 28 days commencing on Wednesday 22 February 2017 until Tuesday 21 March 2017. 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 Gathering Information for Risk Management Policy should be publicly exhibited for 28 days. At the end of the public exhibition period the draft Gathering Information for Risk Management Policy will be presented to Council for consideration to adopt, along with a report to consider any submissions received during the exhibition period.

FBD17/002 INVESTMENTS MADE AS AT 30 NOVEMBER 2016

E99.3517

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: Nil

Focus Area: Support Services

Delivery Program Link: SS1.1 Manage Council's financial assets and obligations

Operational Plan Link: SS1.1.2 Undertake forward budgeting and financial 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 that the investments as at 30 November 2016 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

Legal

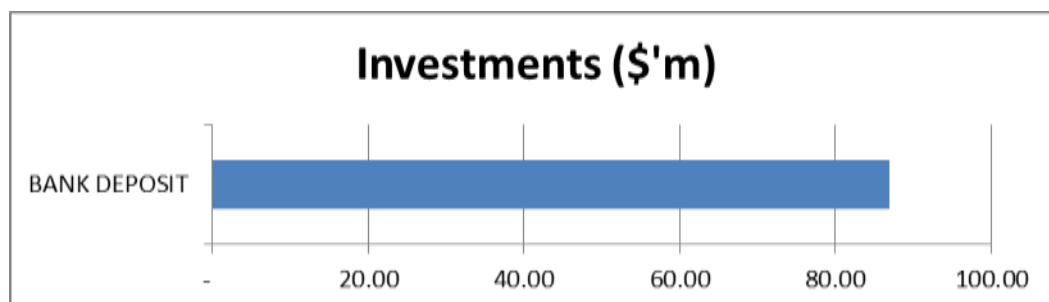
Budgeted legal fees for 2016-17 are \$0.035m and it is expected that future credit crisis legal costs will not be material.

Policy

Investments comply with Council's Investment policy.

Financial

Council Investing Overall



Council has 100% (\$86.87m) invested in bank deposits. The bank deposits are in banks rated A or greater or covered by the AAA rated Government Guarantee (except \$4.75m with IMB (Rated BBB+) and \$1.75m with ME Bank (Rated BBB+)). Investment in Government Guaranteed Deposits is \$2.25m and represents 2.59% of the portfolio.

FBD17/002 INVESTMENTS MADE AS AT 30 NOVEMBER 2016

E99.3517

The weighted average return for all investments for the month is 2.68% which is above the Council policy benchmark of Bank Bill Swap rate (BBSW) + 0.25% (2.01%).

Collateralised Debt Obligation (CDO)

Funded legal action against the Fitch rating agency is in the early stages and is likely to continue for some time.

Summary Investment Information

The following table summarises investment categories and balances at month end.

CATEGORY	(\$)
At Call Deposit Government Guaranteed	250,000
At Call Deposit	4,620,833
Term Deposits	80,000,000
Term Deposits Government Guaranteed	2,000,000
	86,870,833
<i>Weighted average Interest %:</i>	2.68%
<i>Average 90 day BBSW + 25%</i>	2.01%

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.

Policy Risk	Low Liquidity Risk %	Medium Liquidity Risk %	High Liquidity Risk %	Total %
Remote Risk	2.59	0.00	0.00	2.59
Policy Limit	100.00	70.00	50.00	
Near Risk Free	89.92	0.00	0.00	89.92
Policy Limit	100.00	50.00	30.00	
Some Limited Risk	7.49	0.00	0.00	7.49
Policy Limit	30.00	20.00	10.00	
At Risk	0.00	0.00	0.00	0.00
Policy Limit	0.00	0.00	0.00	
Grant Total	100.00	0.00	0.00	100.00

The unrestricted current ratio is the amount of unrestricted current assets compared to each dollar of current liability. The Office of Local Government suggests a minimum 1.5:1 and the

FBD17/002 INVESTMENTS MADE AS AT 30 NOVEMBER 2016

E99.3517

audited unrestricted current ratio as at 30 June 2016 is 2.68:1. Council therefore has approximately \$2.68 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.

FBD17/003 INVESTMENTS MADE AS AT 31 DECEMBER 2016

E99.3517

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: Nil

Focus Area: Support Services

Delivery Program Link: SS1.1 Manage Council's financial assets and obligations

Operational Plan Link: SS1.1.2 Undertake forward budgeting and financial 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 that the investments as at 31 December 2016 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

Legal

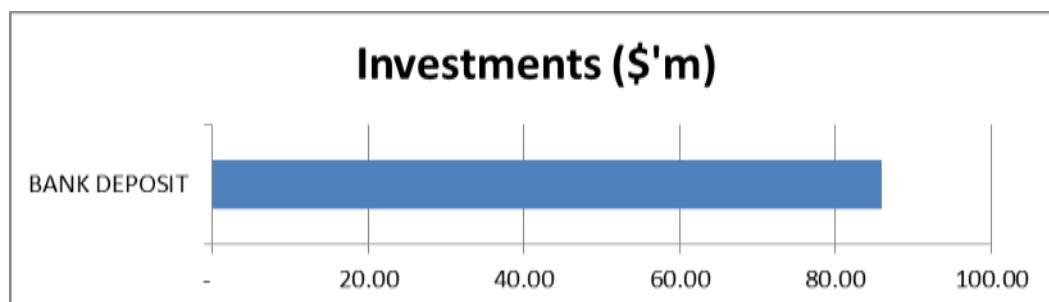
Budgeted legal fees for 2016-17 are \$0.035m and it is expected that future credit crisis legal costs will not be material.

Policy

Investments comply with Council's Investment policy.

Financial

Council Investing Overall



Council has 100% (\$85.87m) invested in bank deposits. The bank deposits are in banks rated A or greater or covered by the AAA rated Government Guarantee (except \$5.75m with IMB (Rated BBB+) and \$1.75m with ME Bank (Rated BBB+)). Investment in Government Guaranteed Deposits is \$2.25m and represents 2.61% of the portfolio.

FBD17/003 INVESTMENTS MADE AS AT 31 DECEMBER 2016

E99.3517

The weighted average return for all investments for the month is 2.68% which is above the Council policy benchmark of Bank Bill Swap rate (BBSW) + 0.25% (2.03%).

Collateralised Debt Obligation (CDO)

Funded legal action against the Fitch rating agency is in the early stages and is likely to continue for some time.

Summary Investment Information

The following table summarises investment categories and balances at month end.

CATEGORY	(\$)
At Call Deposit Government Guaranteed	250,000
At Call Deposit	4,629,314
Term Deposits	79,250,000
Term Deposits Government Guaranteed	1,750,000
	85,879,314
<i>Weighted average Interest %:</i>	2.68%
<i>Average 90 day BBSW + 25%</i>	2.03%

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.

Policy Risk	Low Liquidity Risk %	Medium Liquidity Risk %	High Liquidity Risk %	Total %
Remote Risk	2.61	0.00	0.00	2.61
Policy Limit	100.00	70.00	50.00	
Near Risk Free	88.65	0.00	0.00	88.65
Policy Limit	100.00	50.00	30.00	
Some Limited Risk	8.74	0.00	0.00	8.74
Policy Limit	30.00	20.00	10.00	
At Risk	0.00	0.00	0.00	0.00
Policy Limit	0.00	0.00	0.00	
Grant Total	100.00	0.00	0.00	100.00

The unrestricted current ratio is the amount of unrestricted current assets compared to each dollar of current liability. The Office of Local Government suggests a minimum 1.5:1 and the

FBD17/003 INVESTMENTS MADE AS AT 31 DECEMBER 2016

E99.3517

audited unrestricted current ratio as at 30 June 2016 is 2.68:1. Council therefore has approximately \$2.68 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.

CAR17/001 CHILDREN'S SERVICES FEES AND CHARGES

E08.2560

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

Attachments: Nil

Focus Area: Liveable Communities

Delivery Program Link: L1.1 Develop and provide essential care services to children and families

Operational Plan Link: L1.1.4 Coordinate, support and expand Family Day Care Educators network

EXECUTIVE SUMMARY

This report seeks approval from Council to adopt two new fees to be added to Council's fees and charges.

At the Council meeting on 8 November 2016, it was resolved that the new fees be put on public notice for 28 days to allow submissions from the public to be received. Following the 28 day period of exhibition from 14 November to 12 December 2016, a report to Council be presented outlining any feedback and to consider the adoption of the new fees.

The proposed new fees are required as a result of new fees being introduced by our external software provider to electronically administer payments and enrolments for regulatory compliance.

The proposed fees are:

- new fee of \$3.30 per week for *Harmony Web* software users (cost recovery)
- new fee of \$7.00 per week for manual processing of attendance records (partial cost recovery).

The proposed fees have been put on exhibition for the required period with no submissions or feedback provided to Council. The new software system will enable a more efficient mode of processing payments and enrolment details for both Council and Educators and, as such, Council should adopt the new fees.

RECOMMENDATION

THAT Council adopt the new fees being:

1. the fee of \$3.30 per week for *Harmony Web* software users;
2. the fee of \$7.00 per week for manual processing of attendance records;
3. add fees to Council's schedule of fees and charges for 2016/17.

CAR17/001 CHILDREN'S SERVICES FEES AND CHARGES

E08.2560

BACKGROUND

Eurobodalla Shire Council has provided Children's Services for over 26 years. The Children's Services Coordination Unit run Eurobodalla Family Day Care and the After School and Vacation Care Services in Batemans Bay, Moruya and Narooma as fee-for-service programs, supported with funding from the Australian Government.

Council's Family Day Care service are upgrading their current payment processing system Harmony to the new *Harmony Web* system. The new technology offers an improved system to Educators and will substantially increase efficiency, processing time and productivity for the Coordination Unit staff and for Educators.

Financial

The proposed fees for Family Day Care will recover the complete cost for Educators using the *Harmony Web* software. The manual processing fee represents a partial cost recovery for the administration of manually processing attendances and maintaining enrolment details. It is anticipated that the majority of Educators will transition across to the new software system over time.

Community Engagement

The draft fees were placed on public exhibition for a period of 28 days and primary stakeholders were informed of the process for making a submission. Public notification commenced on 14 November 2016.

The current Educators with Family Day Care were informed of the software changes and the proposed changes to the fee structure.

CONCLUSION

The proposed fees have been put on exhibition for the required period with no submissions or feedback provided to Council. The new software system will enable a more efficient mode of processing payments and enrolment details for both Council and Educators and, as such, Council should adopt the new fees.

16. DEALING WITH MATTERS IN CLOSED SESSION

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

CONFLICT OF INTEREST

A conflict of interest is a clash between private interest and public duty. There are two types of conflict: Pecuniary – regulated by the *Local Government Act* and Department of Local Government; and Non-Pecuniary – regulated by Codes of Conduct and policy, ICAC, Ombudsman, Department of Local Government (advice only).

THE TEST FOR CONFLICT OF INTEREST

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

IDENTIFYING PROBLEMS

- 1st** Do I have private interests affected by a matter I am officially involved in?
- 2nd** Is my official role one of influence or perceived influence over the matter?
- 3rd** Do my private interests conflict with my official role?

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

AGENCY ADVICE

Officers of the following agencies are available during office hours to discuss the obligations placed on Councillors, Officers and Community Committee members by various pieces of legislation, regulation and Codes.

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@eurocoast.nsw.gov.au	www.esc.nsw.gov.au
ICAC	8281 5999	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Local Government Department	4428 4100	dlg@dlg.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	8286 1000 Toll Free 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

Reports to Committee are presented generally by 'exception' - that is, only those items that do not comply with legislation or policy, or are the subject of objection, are discussed in a report.

Reports address areas of business risk to assist decision making. Those areas include legal, policy, environment, asset, economic, strategic and financial.

Reports may also include key planning or assessment phrases such as:

Setback Council's planning controls establish preferred standards of setback (eg 7.5m front; 1m side and rear);

Envelope taking into account the slope of a lot, defines the width and height of a building with preferred standard of 8.5m high;

Footprint the percentage of a lot taken up by a building on a site plan.

Acronym	Meaning	Description
ACR	Australian Capital Region	The political and strategic grouping of the ACT government and 17 adjacent councils.
AEP	Annual Exceedance Probability	For floods expressed as a % eg 1% = 1:100 year event. The NSW Flood Guidelines nominate types of development and controls.
AHD	Australian Height Datum	Floor levels for buildings set to remain at or above flood level (expressed as 'freeboard').
APZ	Asset Protection Zone	Area to be cleared and maintained around habitable buildings in bushfire prone areas.
AS	Australian Standard	Standards set by national body as minimum construction, service, system, planning or design requirements.

Acronym	Meaning	Description
BCA	Building Code of Australia	Prescribes minimum standards or performance base for building construction.
CAMP	Companion Animal Management Plan	Required by state law, plan nominating management of dogs and cats and areas for access for the exercise of dogs (eg beaches and reserves).
CC	Construction Certificate	Floor plans approved by council or private certifier in compliance with development conditions and BCA.
COPW	Condition of Public Works Report	Required by state law to define the condition of infrastructure assets, the cost to upgrade to defined standards, the current costs of maintenance and desired levels of maintenance.
CP	Cultural Plan	A cultural plan enables identification of cultural assets, identity and needs as well as providing a framework to develop cultural initiatives to increase opportunities for residents.
CSR	Complaint and Service Request	Requests received from public by phone, letter, email or Councillor to attend to certain works (eg pothole) or complain of certain service or offence (eg dogs barking).
DA	Development Application	Required by state law to assess suitability and impacts of a proposed development.
DAP	Disability Action Plan	Council plan outlining proposed works and services to upgrade facilities to progressively meet Disability Discrimination Act.
DCP	Development Control Plan	Local planning policy defining the characteristics sought in residential, commercial land.
DECCW	Department of Environment, Climate Change and Water (formerly EPA, NPWS, DEC)	State agencies (former Environment Protection and National Parks), DNR managing state lands and natural resources and regulating council activity or advising on development applications.
DWE	Department of Water and Energy	State agency managing funding and approvals for town and country water and sewer services and State energy requirements.
DoP	Department of Planning	State agency managing state lands and regulating council activity or advising on development applications or strategic planning.
DLG	Department of Local Government	State agency responsible for regulating local government.
DoL	Department of Lands	State agency managing state lands and advising on development applications or crown land management.
DoC	Department of Commerce	State agency (formerly Public Works) managing state public water, sewer and buildings infrastructure and advising/supervising on council infrastructure construction.

Acronym	Meaning	Description
DoH	Department of Health	State agency responsible for oversight of health care (community and hospital) programs. Also responsible for public warning of reportable health risks.
DOTAR	Department of Infrastructure, Transport and Regional Development and Local Government	Federal agency incorporating infrastructure, transport system, and assisting regions and local government.
EBP	Eurobodalla Bike Plan	Strategic Plan identifying priorities and localities for cycleways in the Shire.
EIS	Environmental Impact Statement	Required for designated and state developments researching and recommending solutions to social, economic and environmental impacts.
EMP	Estuary Management Plan	Community based plan, following scientific research of hydrology and hydraulics, recommending actions to preserve or enhance social, economic and environmental attributes of estuary
EMS	Environmental Management System	Plans prepared by council (such as waste management and strategic planning) around AS14000.
EOI	Expressions of Interest	Often called in advance of selecting tenders to ascertain capacity and cost of private sector performing tasks or projects on behalf of council.
EP&A	Environment Planning & Assessment Act	State law defining types of development on private and public lands, the assessment criteria and consent authorities.
ESC	Eurobodalla Shire Council	
ESD	Ecologically Sustainable Development	Global initiative recommending balance of social, economic and environmental values in accord with 7 ESD principles.
ESS	Eurobodalla Settlement Strategy	Council strategy prepared with assistance of government to identify best uses and re-uses of urban lands, the appropriate siting of private and public investment (eg institutions, employment areas or high density residential) based on current and planned infrastructure and land capacity.
ET	Equivalent Tenement	Basis of calculation of demand or impact of a single dwelling on water and sewer system.
FAG	Financial Assistance Grant	Federal general purpose grant direct to local government based on population and other 'disability' factors.

Acronym	Meaning	Description
FSR	Floor Space Ratio	A measure of bulk and scale, it is a calculation of the extent a building floor area takes up of an allotment.
GIS	Geographic Information System	Computer generated spatial mapping of land and attributes such as infrastructure, slope, zoning.
IPART	Independent Pricing & Regulatory Tribunal	State body that reviews statutory or government business regulatory frameworks and pricing levels.
IPWEA	Institute Public Works Engineers Australia	Professional association.
IWCMS	Integrated Water Cycle Management Strategy (or Plan)	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation to water, sewer and stormwater systems.
IWMS	Integrated Waste Management (Minimisation) Strategy	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation of waste (solids, effluent, contaminated, liquid trade waste).
LEP	Local Environment Plan	The statutory planning instrument defining the zones and objectives of urban and rural areas.
LGAct	Local Government Act	State law defining the role of Mayor, Councillors, staff, financing, approvals etc.
LGMA	Local Government Managers Australia	Professional association.
LGNSW	Local Government NSW	Representative advisory and advocacy group for councils in NSW.
MOU	Memorandum of Understanding	Agreement in principle between parties (eg council and agency) to achieve defined outcomes.
NPWS	National Parks & Wildlife Service	Now merged into DECCW.
NRM	Natural Resource Management	
NVC	Native Vegetation Act 2003	State law defining means of protection of threatened legislation and approval processes to clear land.
OC	Occupation Certificate	Issued by council or private certifier that building is safe to occupy and in compliance with development conditions and BCA.
OSMS	On site sewage management system	Includes septic tanks, aerated systems, biocycles etc.
PCA	Principal Certifying Authority	The person or organisation appointed by applicant to inspect and certify structures.

Acronym	Meaning	Description
PIA	Planning Institute of Australia	Professional association.
POEO	Protection of the Environment Operations Act	State law outlining standards for emissions and discharges and penalties for pollution.
PoM	Plan of Management (usually for community land)	Council plan nominating type of uses for community land and range of facilities progressively to be provided on land.
PPP	Public Private Partnerships	
PTS	Public Transport Strategy	Council strategy to initiate mechanisms to promote and facilitate public transport (bus, taxi, community transport, cycles) in design of subdivisions, developments and council works.
REF	Review of Environmental Factors	Council examination of risk and social, economic and environmental benefit of proposed works, assessed against state planning, environment and safety laws.
REP	Regional Environment Planning Policy	Outlines compulsory state planning objectives to be observed in development assessment and strategic planning.
RFS	Rural Fire Service	State agency responsible for providing equipment and training for volunteer firefighter brigades, and the assessment and approval of developments in bushfire prone lands.
RLF	Regional Leaders Forum	The group of mayors and general managers representing the councils in the ACR.
RMS	Roads & Maritime Service	State agency responsible for funding, construction and maintenance of state roads, the approval of council works on arterial roads and development applications.
S64	S64 Contributions Plan	Developer contributions plan to enable, with council and state funds, the augmentation of water, sewer and stormwater infrastructure.
S94 S94A	S94 Contributions Plan S94A Contributions Plan Levy Plan	Developer contributions to enable construction of public infrastructure and facilities such as roads, reserves, carparks, amenities etc.
SCG	Southern Councils Group	Political and strategic grouping of councils along the NSW south coast from Wollongong to the border, lobbying government for assistance (eg highways) and resourcing sharing initiatives.
SCRS	South Coast Regional Strategy	Regional Strategy prepared by DoP for ESC, BVSC and part SCC to guide new LEPs.

Acronym	Meaning	Description
SEA	Strategic Environment Assessment	Spatial assessment of environmental constraints of land considered in design and assessment of subdivision and infrastructure. Scientific research behind assessment of capacity of land and waterways in rural residential and urban expansion lands to sustain human settlement.
SEPP	State Environmental Planning Policy	Outlines compulsory state planning objectives.
SNSWLHD	Southern NSW Local Health Districts	State board commissioned with oversight of health care in Highlands, Monaro and Far South Coast.
SoER	State of the Environment Report	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social, economic and environmental features of the Shire and appropriate responses to address or preserve those issues.
SP	Social Plan	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social framework of the community, their services and facilities and economic interactions.
.....SP	Structure Plan	Plan promoting landuses and siting of infrastructure and facilities in towns (eg, BBSP – Batemans Bay Structure Plan).
SRCMA	Southern Rivers Catchment Management Authority	State agency commissioned with assessment and monitoring of health and qualities of catchments from Wollongong to the border, and determine directions and priorities for public and private investment or assistance with grants.
STP	Sewer Treatment Plant	Primary, secondary and part tertiary treatment of sewage collected from sewers before discharge into EPA approved water ways or irrigation onto land.
TAMS	Total Asset Management System	Computer aided system recording condition and maintenance profiles of infrastructure and building assets.
TBL	Triple Bottom Line	Commercial term coined to encourage business to consider and disclose social and environmental risk, benefit and costs in the conduct of business to guide investors as to the long term sustainability and ethics of a business. Taken up by Council to record the basis of prioritisation, the review of condition, the monitor of progress and the financial disclosure of preventative or maintenance investment in council based social and environmental activities.
ToR	Terms of Reference	
TSC	Threatened Species Conservation Act 1995	State law governing the protection of nominated species and relevant assessment and development controls.

Acronym	Meaning	Description
WCF	Water Cycle Fund	Combination of water, sewer and stormwater activities and their financing arrangements.
WSUD	Water Sensitive Urban Design	Principle behind the IWCMS and council development codes requiring new developments to reduce demand and waste on water resources through contemporary subdivision and building design.