



AGENDA

Ordinary Meeting of Council

24 April 2018

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

ON TUESDAY 24 APRIL 2018

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 10 April 2018 | |
| 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
Nil | |
| 7. NOTICES OF MOTION
NOM18/005 Albert Ryan Park..... 3
NOM18/006 Animal Cruelty and The Live Animal Export Industry 4 | |
| 8. QUESTIONS ON NOTICE FROM COUNCILLORS
Nil | |
| 9. PETITIONS
Nil | |

10. GENERAL MANAGER'S REPORTS

GMR18/007 Exhibition of the Delivery Program 2017-21 and Operational Plan
2018-19 6

GMR18/008 Funding Acceptance NSW Regional Growth Fund - Stronger Country
Communities 12

GMR18/009 Funding Acceptance - Regional Jobs and Investment Packages 14

GMR18/010 Funding Acceptance - Community Development Grant Corrigan
Playground - Stage Two..... 17

GMR18/011 Funding Acceptance - Gundry Oval..... 19

GMR18/012 Funding Acceptance - Euroboalla Regional Botanic Gardens..... 21

11. PLANNING AND SUSTAINABILITY REPORTS

Nil

12. INFRASTRUCTURE REPORTS

IR18/023 Funding Offer – 2017-18 Block Grant for Regional Roads 23

IR18/025 Tender - Moruya Airport Water and Sewer Works..... 26

13. CORPORATE AND COMMERCIAL SERVICES REPORTS

Nil

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR18/014 Tender - Moruya Library and Arts Centre New Building and
Refurbishment..... 30

15. DELEGATE REPORT

16. URGENT BUSINESS

17. DEALING WITH MATTERS IN CLOSED SESSION34

18. CONFIDENTIAL MATTERS

**DR CATHERINE DALE
GENERAL MANAGER**

NOM18/005 ALBERT RYAN PARK

E00.4635

Responsible Officer: Clr Patrick McGinlay

Attachments: Nil

Councillor Patrick McGinlay has given notice that at the Ordinary Meeting of Council on 24 April 2018, he will move the following alteration to a motion.

MOTION

THAT Council amend Action Item N14 within the Recreation and Open Space Strategy 2018 (*Consult with the community about future design, layout and maintenance of Albert Ryan Park and Rotary Park in Batemans Bay*) and upgrade its status from 'Medium' to 'High' priority.

BACKGROUND

At the Council Meeting on 27 March 2018, Council endorsed a motion that Council "*Consider a state of the art upgrade on the toilets at Albert Ryan Park for people with disabilities*".

This current motion provides a timeframe to enact the above motion.

NOM18/006 ANIMAL CRUELTY AND THE LIVE ANIMAL EXPORT INDUSTRY

E00.4623

Responsible Officer: Clr Patrick McGinlay

Attachments: Nil

Councillor Patrick McGinlay has given notice that at the Ordinary Meeting of Council on 24 April 2018, he will move the following motion.

MOTION

THAT Council:

1. Write to the Australian Government advocating to phase out the live export of animals.
2. Write to the Australian Government advocating to create an Independent Office of Animal Welfare.

BACKGROUND

There is ample evidence demonstrating the inherent cruelty in the live export trade. This cruelty is now once again in the spotlight. Many exported animals suffer horrific cruelty both in transport and in the manner of their treatment on arrival at the importing countries. We know this from investigations by non-profit animal welfare investigators and TV exposes.

Four out of five Australians have backed a phase out of live exports in favour of expanding the chilled meat industry.

All levels of Australian government should be working to end this cruelty and develop a transition plan to boost Australia's export of chilled and frozen boxed meat instead. Processing more meat domestically will increase employment opportunities, strengthen Australia's meat processing sector and provide a superior economic boost to regional Australia.

A five step plan could be considered to achieve the above. This could involve the federal government working with industry to:

1. Provide incentives to support opening new abattoirs close to sources of production to grow domestic processing.
2. Lobby importing countries for an end to subsidies and tariffs that favour the live export trade and put more resources into further promoting the boxed meat trade from Australia.
3. Provide assistance to attract and train meat workers to grow a stronger meat processing industry and boost employment rates.
4. Work with farmers and investors to ensure a smooth and successful transition away from live exports.
5. Allocate areas within the Department of Agriculture and Austrade with specific responsibility for transitioning away from live export.

A further initiative in the immediate term would be to set up an independent Office of Animal Welfare (IOAW) outside of the Department of Agriculture. The IOAW would oversee animal welfare issues, free from existing commercial conflicts of interest, and be guided by advice from

NOM18/006 ANIMAL CRUELTY AND THE LIVE ANIMAL EXPORT INDUSTRY

E00.4623

an Animal Welfare Advisory Committee including animal welfare organisation's and experts, consumer groups, scientists and ethicists.

For further background please also see the below RSPCA link which will take you to their knowledgable page regarding live exports:

http://kb.rspca.org.au/why-is-the-rspca-opposed-to-the-live-export-trade_517.html

**GMR18/007 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2018-19**

E12.6254

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - Draft Delivery Program 2017-21 and
Operational Plan 2018-19
2. Under Separate Cover - Draft Fees and Charges 2018-19

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically
plan for the future and progress towards the community vision

Delivery Program Link: 9.1.1 Undertake sound, best practice long term community and
corporate planning

Operational Plan Link: 9.1.1.1 Review Council's Delivery Program and prepare the Operational
Plan

EXECUTIVE SUMMARY

Councils are required to prepare a Community Strategic Plan, Delivery Program and Operational Plan. This process follows the NSW Integrated Planning and Reporting legislation. Council's Community Strategic Plan 2017 – One Community was adopted on 13 June 2017. It is proposed to place Council's revised combined draft Delivery Program 2017-21 and Operational Plan 2018-19 on public exhibition for 28 days.

Council's original Delivery Program 2017-21 was developed through an extensive community and stakeholder engagement. The draft Delivery Program 2017-21 and Operational Plan 2018-19 were revised during Councillor workshops.

The revised draft Delivery Program 2017-21 and Operational Plan 2018-19 (DP/OP) is structured around the nine outcomes in the Community Strategic Plan 2017 – One Community:

1. Strong communities, desirable lifestyle
2. Celebrated creativity, culture and learning
3. Protected and valued natural environment
4. Sustainable living
5. Vibrant and diverse economy
6. Responsible and balanced development
7. Connected and accessible places
8. Collaborative and engaged community
9. Innovative and proactive leadership

The document outlines the four year activities and annual actions Council will undertake to contribute to achieving our community's vision to be friendly, responsible, thriving and proud. Each service that assists in achieving the outcome is identified. Measures to track and report on progress in achieving each activity is also provided.

**GMR18/007 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2018-19**

E12.6254

This document also includes financial information that supports the revised draft Delivery Program 2017-21 and Operational Plan 2018-19, including the budgets, capital program, revenue policy and draft 2018-19 Fees and Charges.

RECOMMENDATION

THAT:

1. The revised draft Delivery Program 2017-21 and Operational Plan 2018-19 incorporating the Budget, Capital Works Program, Statement of Revenue Policy and Fees and Charges be endorsed and placed on public exhibition for a period of not less than 28 days.
2. Following public exhibition, a further report be submitted to Council for the consideration of submissions and adoption of the Delivery Program 2017-21 and Operational Plan 2018-19.

BACKGROUND

The *Local Government Act 1993* requires all NSW councils to review and adopt key Integrated Plans within 12 months following local government elections. Under NSW Integrated Planning and Reporting legislation, councils are required to prepare a Community Strategic Plan, Delivery Program and Operational Plan.

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

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

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

CONSIDERATIONS

Council's original Delivery Program 2017-21 was developed through an extensive community and stakeholder engagement. The draft Delivery Program 2017-21 and Operational Plan 2018-19 were revised during Councillor workshops.

Councillors participated in a workshop on 20 February 2018 to revise Council's Operational Plan 2018-19 to reflect current priorities and actions in response to the nine outcomes established in the Community Strategic Plan 2017 – One Community.

Councillors were briefed on a number of occasions on Council's financial position.

The document outlines the four year activities and annual actions Council will undertake to contribute to achieving our community's vision to be friendly, responsible, thriving and proud.

**GMR18/007 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2018-19**

E12.6254

Each service that assists in achieving the outcome is identified. Measures to track and report on progress in achieving each activity is also provided.

Legal

Section 404 of the *Local Government Act 1993* requires Council to have a Delivery Program to implement the strategies established in its Community Strategic Plan, within the resources available as identified under the Resourcing Strategy.

Section 405 of the *Local Government Act 1993* requires Council to adopt an Operational Plan before the beginning of each financial year which details the activities to be engaged in by the Council during the year as part of the Delivery Program. The Operational Plan must include a statement of the Council's revenue policy for the year covered by the Plan. The statement of revenue policy must include the statements and particulars required by the regulations.

The Office of Local Government's Integrated Planning and Reporting Manual and Integrated Planning and Reporting Guidelines are comprehensive tools which have been used in the revision of the draft Delivery Program 2017-21 and Operational Plan 2018-19.

Policy

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

Asset

The revised draft Delivery Program 2017-21 and Operational Plan 2018-19 has a focus of Council continuing to work with peak bodies to advocate to the NSW and Australian governments for enhanced funding models to better support regional communities across NSW.

The 2018-19 Capital Program included in the draft Operational Plan 2018-19 has a focus on sustaining community infrastructure through the renewal of assets, particularly short lived assets. The plan also includes the provision of new infrastructure to meet demand from growth and progressively address network deficiencies.

Economic Development Employment Potential

The revised draft Delivery Program 2017-21 and Operational Plan 2018-19 focuses on building a sustainable future for Eurobodalla and delivering key services, key projects, capital works and infrastructure maintenance that support economic development and employment growth within the Shire.

Financial

In preparing the budget for 2018-19 a conservative approach was taken incorporating known factors, examining prior year performance and trends, and making prudent assumptions for forecasting. The focus to ensure long term financial sustainability while ensuring the continued delivery of a broad range of services and capital works as informed by Council's underlying strategies.

**GMR18/007 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2018-19**

E12.6254

Council's operations are separated into three funds for financial purposes. The three funds are the General Fund (which includes waste and environment activities), the Sewer Fund and the Water Fund.

Council's General Fund performance and projections are subject to the NSW Government's Fit for the Future framework. This examines financial sustainability, infrastructure service management and efficiency. In 2015, Council prepared a Fit for the Future improvement proposal which outlined key actions and strategies. Council was declared 'fit' and these actions and strategies continue to be a key consideration when preparing the forecast for this fund.

Council's Water and Sewer operations are not considered under the Fit for the Future framework. Key considerations for these operations are ensuring a stable pricing path for ratepayers and meeting NSW Office of Water Best Practice requirements. These funds recently completed a 30 years Integrated Water Cycle Management Strategy, which has informed the development of the budgets for these funds. Council project to deliver a dividend from these funds to the General Fund in 2018-19.

The key projected financial results for each fund and a consolidated outlook is shown in the table below, table is subject to rounding:

Key Results 2018-19 (\$'000)	General Fund	Sewer Fund	Water Fund	Consolidated Fund
Total income (before capital grants and contributions)	74,118	20,805	18,536	113,459
Total expenses	74,028	18,891	15,386	108,305
Net operating result (before capital grants and contributions)	90	1,914	3,150	5,154
Net operating result (after capital grants and contributions)	11,610	3,391	4,337	19,338
Total capital program	32,166	12,460	3,620	48,246
Cash position – increase/(decrease) in unrestricted funds	(5,327)	(166)	5,828	335

**Numbers subject to rounding*

A key indicator for financial sustainability is the net operating result before capital grants and contributions. This shows the funds are generating enough revenue to cover their operating expenditure in the same period. Therefore the financial objective when preparing this plan is to ensure a balanced net operating result for all of Council (consolidated entity) and within each of Council's separate funds (General, Sewer and Water).

All funds project an Operating Surplus before capital grants and contributions. The use of cash continues to be monitored to ensure Council remains in a strong position to meet its

**GMR18/007 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2018-19**

E12.6254

obligations when they fall due, and where appropriate borrowings are minimised to lessen their associated costs.

All funds are projected to be in a sound financial position in the delivery program period. The Revenue Policy incorporated into the budget and disclosed in this plan outlines the proposed changes for rates, levies and annual charges, pricing policies and proposed borrowings for 2018-19.

Proposed changes include:

- The general rate increases by 2.3 %.the rate peg amount for 2018-19.
- The environment fund rate increases by 2.3%.
- The waste collection charges increases by 2.3% for the typical household.
- The water access charge increases by 3.6% to \$320 (20mm connection access charge) and the usage charge increases by 1.4% to \$3.60 per kilolitre. Water charges are determined taking account of the NSW Best Practice Pricing Guidelines.
- The sewer access charge increases by 2.2% to \$950 (20mm connection access charge) and the usage charge increases by 2.7% to \$1.88 per kilolitre.

Council's proposed Fees and Charges for 2018-19 (not including statutory fees) have generally been increased by 2.3%.

Community and Stakeholder Engagement

Council's original Delivery Program 2017-21 was developed through an extensive community and stakeholder engagement. The draft Delivery Program 2017-21 and Operational Plan 2018-19 were revised during Councillor workshops.

If the revised draft Delivery Program 2017-21 and Operational Plan 2018-19 are endorsed for public exhibition, Council will continue to engage the community from 25 April to 22 May 2018 by:

- making the revised draft Delivery Program 2017-21 and Operational Plan 2018-19 available for the community to read on Council's website, in Eurobodalla's three libraries, and at the Customer Service Centre in Moruya
- informing the community about the public exhibition and inviting the community to have their say through information on Council's website, Eurobodalla News - Council's online newsletter, social media, media release and advertisement in local newspapers
- notifying and inviting community associations, groups and business chambers to have their say
- consulting the community by considering and acknowledging submissions received, and providing the community's feedback to Council prior to any decisions being made about the Delivery Program 2017-21 and Operational Plan 2018-19.

The goals for engaging the community on the revised draft Delivery Program 2017-21 and Operational Plan 2018-19 are to:

**GMR18/007 EXHIBITION OF THE DELIVERY PROGRAM 2017-21 AND
OPERATIONAL PLAN 2018-19**

E12.6254

- give the community the opportunity to read the plans, and to provide their feedback to Council through a 28 day public exhibition, noting that the 28 day period meets Council's legal timeframes which requires this to be endorsed by 30 June 2018
- provide the community with information and opportunities to ask questions and provide feedback and suggestions about the revised draft Delivery Program 2017-21 and Operational Plan 2018-19.

CONCLUSION

The revised draft Delivery Program 2017-21 and Operational Plan 2018-19 will be publicly exhibited for 28 days. The community will be invited to have their say on the draft plans during the exhibition period and make a submission. At the end of the public exhibition period Council will be provided with all submissions for consideration prior to its adoption on 30 June 2018.

**GMR18/008 FUNDING ACCEPTANCE NSW REGIONAL GROWTH FUND -
STRONGER COUNTRY COMMUNITIES**

E17.1311

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.3 Advocate and collaborate to advance the region and address local issues

Operational Plan Link: 9.1.3.2 Seek sources of funding to implement community vision

EXECUTIVE SUMMARY

This report seeks to inform Council of the offer of \$655,000 in grant funding from the NSW Government under the Stronger Country Communities Fund.

The NSW Regional Growth Stronger Country Communities Fund invests in infrastructure projects in regional NSW communities to help improve amenity and sustain the social bonds of strong regional communities.

Eurobodalla Council was offered \$655,000 for five projects in the round one allocation formalised on 21 March 2018.

These projects included:-

- | | |
|--------------------------------------------------------------------------------------|-----------|
| 1. Central Tilba toilet | \$100,000 |
| 2. Corrigans Reserve Changing Places Bathroom and Observation Point Viewing Platform | \$150,000 |
| 3. Eurobodalla Halls | \$100,000 |
| 4. Pathways Mossy Point and South Durras | \$105,000 |
| 5. Moruya Showground Drainage | \$200,000 |

This report seeks Council's endorsement of the actions taken to accept the grant.

RECOMMENDATION

THAT Council note the funding allocation under the NSW Regional Growth Stronger Country Communities Fund and endorse action taken to accept this funding.

BACKGROUND

Councils in regional NSW received an allocation of funding under the NSW Regional Growth Stronger Country Communities Fund for infrastructure projects to support regional communities.

Council submitted funding applications in September 2017 and was advised in March 2018 that the following projects were successful in meeting the conditions of the Stronger Country Communities Fund.

**GMR18/008 FUNDING ACCEPTANCE NSW REGIONAL GROWTH FUND -
STRONGER COUNTRY COMMUNITIES**

E17.1311

1. Central Tilba Toilet	\$100,000
2. Corrigans Reserve Changing Places Bathroom and Observation Point Viewing Platform	\$150,000
3. Eurobodalla Halls	\$100,000
4. Pathways Mossy Point and South Durras	\$105,000
5. Moruya Showground Drainage	\$200,000

CONSIDERATIONS

Projects that were the subject of funding submissions were selected from priority listings identified in the Recreation and Open Space Strategy, Eurobodalla Pathways Strategy and 2017-18 Operational Plan.

Mossy Point and South Durras community groups each contributed \$15,000 towards the pathways projects.

Social Impact

Each of the projects will provide a positive impact on the local community, and meet an identified community need.

Financial

The following projects have been included in the 2017-18 budgets:

1. Central Tilba toilet	\$100,000
2. Corrigans Reserve Changing Places Bathroom and Observation Point Viewing Platform	\$150,000
3. Eurobodalla Halls	\$100,000
4. Pathways Mossy Point and South Durras	\$105,000
5. Moruya Showground Drainage	\$200,000

CONCLUSION

Council has been offered \$655,000 in funding under the NSW Regional Growth – Stronger Country Communities Fund.

The grant funding from NSW Regional Growth Fund – Stronger Country Communities is welcomed. This grant has been formally accepted.

This report seeks endorsement of the action taken to accept this funding.

GMR18/009 FUNDING ACCEPTANCE - REGIONAL JOBS AND INVESTMENT PACKAGES E17.1311

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.3 Advocate and collaborate to advance the region and address local issues

Operational Plan Link: 9.1.3.2 Seek sources of funding to implement community vision

EXECUTIVE SUMMARY

This report seeks to inform Council of the offer of \$2,696,500 in grant funding from the Commonwealth Government under the Regional Jobs and Investment Packages Program. The Regional Jobs and Investment Packages Program supports the Australian Government's commitment to stimulate economic growth in Australian regions.

This program was developed in alignment with our region's Local Investment Plan with the aim of delivering sustainable employment in the region.

Projects offered funding include:-

- | | |
|-----------------------------------------------|-------------|
| 1. Construction of the NSW Shellfish Hatchery | \$2,530,000 |
| 2. Nature Based Tourism Strategy | \$100,000 |
| 3. Jobs and Training Coordinator | \$66,500 |

RECOMMENDATION

THAT Council note the funding allocation under the Australian Government Regional Jobs and Investment Packages Program and endorse actions taken to accept this funding.

BACKGROUND

Councils in South Eastern NSW were invited to submit grant applications under the Regional Jobs and Investment Packages Program in July 2017 and were advised in March 2018 that the following projects were successful in meeting the conditions of the Regional Jobs and Investment Packages Program.

**GMR18/009 FUNDING ACCEPTANCE - REGIONAL JOBS AND INVESTMENT
PACKAGES**

E17.1311

1. Construction of the NSW Shellfish Hatchery \$2,530,000

This project will see the construction of a state of the art hatchery facility to supply shellfish spat to the NSW Oyster and mussel industry. The Hatchery will incorporate a shellfish nursery, land base nursery, training facilities, export packing facilities and a tourist farm gate facility. This site will also house an Export Packing Facility for regional food producers. The Hatchery will supply oyster and mussel spat to local estuaries and other famers in NSW and enhance exports to meet overseas demand. Domestically this will allow oyster farmers to plan and grow their farms sustainably and substantially increase staffing levels.

2. Nature Based Tourism Strategy \$100,000

This will result in a feasibility study that guides development of nature based tourism and recreation activities across the Eurobodalla region and develop a Memorandum of Understanding with NSW based agencies. This will include, but not be limited to, National Parks, State Forests and the Batemans Marine Park Authority.

3. Jobs and Training Coordinator \$66,500

The objective of this project is to connect a cohort of opportunity (youth, unemployed and Aboriginal people) with job opportunities available in the fastest growing employment sector on the Far South Coast – health and community support services. The project facilitates the development of training and employment pathways to provide a skilled local workforce for the growing health and human services sector which includes residential and in-home aged care, disability services, community services and allied health.

Co-funding or in-kind contribution was a requirement of the program.

CONSIDERATIONS

Projects submitted under the Regional Jobs and Investment Package Program were required to evidence strong potential for economic development and job creation. Each of these projects aligns with the South Coast Local Investment Plan.

Economic Development Employment Potential

Each of the projects will contribute positively to employment generation opportunities in Eurobodalla.

Financial

The following projects have been included in the 2017-20 budgets:

- | | |
|-----------------------------------------------|-------------|
| 1. Construction of the NSW Shellfish Hatchery | \$2,530,000 |
| 2. Nature Based Tourism Strategy | \$100,000 |
| 3. Jobs and Training Coordinator | \$66,500 |

**GMR18/009 FUNDING ACCEPTANCE - REGIONAL JOBS AND INVESTMENT
PACKAGES**

E17.1311

CONCLUSION

Council has been offered \$2,696,500 in funding under the Commonwealth Government Regional Jobs and Investment Packages Program.

The grant funding from the Regional Jobs and Investment Packages Program is welcomed. This grant has been formally accepted.

This report seeks endorsement of the action taken to accept this funding.

GMR18/010 FUNDING ACCEPTANCE - COMMUNITY DEVELOPMENT GRANT E06.0152
CORRIGANS PLAYGROUND - STAGE TWO

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.3 Advocate and collaborate to advance the region and address local issues

Operational Plan Link: 9.1.3.2 Seek sources of funding to implement community vision

EXECUTIVE SUMMARY

This report seeks to inform Council of the offer of \$671,000 in grant funding from the Australian Government under the Community Development Grants Program.

The Australian Government has established the Community Development Grants Program to support needed infrastructure that promotes stable, secure and viable local and regional economies.

Eurobodalla Shire Council has been offered \$671,000 to fund infrastructure works for the completion of Corrigan's Reserve Inclusive Playground – Stage Two.

RECOMMENDATION

THAT Council note the funding allocation from the Australian Government under the Community Development Grants Program and endorse the actions taken to accept this funding.

BACKGROUND

Council was formally advised in April 2018 that the project 'Corrigan's Reserve Inclusive Playground – Stage Two' was successful in meeting the conditions of the Community Development Grant Program.

CONSIDERATIONS

This project aligns with the priorities identified in the Recreation and Open Space Strategy, the Disability Action Plan, The Eurobodalla Shire Council Community Strategic Plan, the South Coast NSW Destination Management Plan, the Eurobodalla Destination Management Plan and the Regional Development Australia – Far South Coast Strategic Regional Plan.

Council would also like to acknowledge the advocacy work undertaken by the not-for-profit organisation Bay Push.

Social Impact

This project will provide a positive impact on the local community, and meet identified community needs.

GMR18/010 FUNDING ACCEPTANCE - COMMUNITY DEVELOPMENT GRANT E06.0152
CORRIGANS PLAYGROUND - STAGE TWO

Financial

This project has been included in the 2018-19 budget.

CONCLUSION

Council has been offered \$671,000 in funding under the Australian Government's Community Development Grants Program.

The grant funding from the Australian Government's Community Development Grants Program is welcomed. This grant has been formally accepted.

This report seeks endorsement of the action taken to accept this funding.

GMR18/011 FUNDING ACCEPTANCE - GUNDARY OVAL

E08.2547

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.3 Advocate and collaborate to advance the region and address local issues

Operational Plan Link: 9.1.3.2 Seek sources of funding to implement community vision

EXECUTIVE SUMMARY

This report seeks to inform Council of the offer of \$185,000 in grant funding from the NSW Government under the Infrastructure Grants Program administered by the NSW Office of Liquor and Gaming. This program offer grants to communities across NSW to support the building renovation and fitout of infrastructure for arts and cultural infrastructure and sport and recreation infrastructure and projects.

Eurobodalla Shire Council was offered \$185,000 to contribute to the redevelopment of the amenities at Gundry Oval Moruya.

RECOMMENDATION

THAT Council note the funding allocation from the NSW Government under the Infrastructure Grants Program and endorse actions taken to accept this funding.

BACKGROUND

Council submitted a funding application in September 2017 seeking a contribution to the redevelopment works proposed for Gundry Oval. In March 2018, Council was advised of their success in securing \$185,000 towards this community recreation infrastructure project.

CONSIDERATIONS

The Gundry Oval sports ground redevelopment project is identified as a priority project in the Recreation and Open Space Strategy and in the 2018-19 Operation Plan.

Social Impact

This project meets an identified community need and will result in improved facilities for a large number of local and visiting sporting groups.

Financial

This project has been included in the 2018-19 budget.

CONCLUSION

Council has been offered \$185,000 in funding under the NSW Infrastructure Grants Program towards the redevelopment of amenities at Gundry Oval.

GMR18/011 FUNDING ACCEPTANCE - GUNDARY OVAL

E08.2547

The grant funding from NSW Infrastructure Grants Program is welcomed. This grant has been formally accepted.

This report seeks endorsement of the action taken to accept this funding

GMR18/012 FUNDING ACCEPTANCE - EUROBOALLA REGIONAL BOTANIC GARDENS E08.2547

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.3 Advocate and collaborate to advance the region and address local issues

Operational Plan Link: 9.1.3.2 Seek sources of funding to implement community vision

EXECUTIVE SUMMARY

This report seeks to inform Council of the offer of grant funding from the NSW Government under the Tourism and Environment Fund Program of \$1.47M. The Friends of the Eurobodalla Regional Botanic Gardens were the initial grant applicant and Council subsequently became a joint partner in this application.

The Friends of Eurobodalla Regional Botanic Gardens were also successful in obtaining grant funding for \$660,000 from the Australian Government under the Regional Jobs and Investment Package Program.

Friends of Eurobodalla Regional Botanic Gardens were successful in obtaining funding of \$2.13M for the Visitor Centre Redevelopment Project.

RECOMMENDATION

THAT Council note the funding allocation, congratulate the Friends of the Eurobodalla Regional Botanic Gardens for their successful applications and thank them for their ongoing support at this community facility.

BACKGROUND

Friends of Eurobodalla Regional Botanic Gardens were successful in obtaining grant funding from the Australian Government under the Regional Jobs and Investment Packages Program of \$660,000 and funding from the NSW Government under the Tourism and Environment Fund Program of \$1.47M. Council was a joint partner for this application.

CONSIDERATIONS

The Eurobodalla Regional Botanic Garden Visitor Centre Redevelopment Project will provide world class facilities to cater for up to 150,000 visitors annually; grow the regional visitor economy; promote cultural and nature tourism on the unspoilt South Coast, and significantly boost tourism numbers and income for the South Coast region.

The redevelopment will deliver:

**GMR18/012 FUNDING ACCEPTANCE - EUROBOALLA REGIONAL BOTANIC
GARDENS**

E08.2547

- a purpose built facility for the heritage listed Wallace Herbarium and complete the Plant Science Precinct;
- a fully equipped café located in a beautiful setting and showcasing local produce;
- a multi-purpose community space able to accommodate 100 people for business and social events, art and photographic exhibitions, community workshops and meetings;
- an education hub, equipped with computers and digital microscopes, to provide a focal point for natural history education for primary and secondary schools and nature tourists; and a large retail and interpretive space offering native plant sales, Garden's related merchandise and works by regional artists.

Social Impact

This project meets an identified community need and will result in improved facilities for a large number of local and visitors and meets the action in the South Coast Destination Management Plan.

CONCLUSION

Friends of Eurobodalla Regional Botanic Gardens were successful in obtaining funding of \$2.13M for the Visitor Centre Redevelopment Project.

The grant funding from the Australian Government under the Regional Jobs and Investment Package and the NSW Government under the Tourism and Environment Fund Program is welcomed.

This report notes the funding allocation and congratulates the Friends of the Eurobodalla Regional Botanic Gardens for their successful applications.

IR18/023 FUNDING OFFER – 2017-18 BLOCK GRANT FOR REGIONAL ROADS E14.8340

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services
Attachments: Nil
Outcome: Connected and Accessible Places
Focus Area: 7.1 Work in partnership to provide an integrated transport network
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network
Operational Plan Link: 7.1.2.1 Provide a safe efficient and integrated transport network

EXECUTIVE SUMMARY

Each year the NSW Government, through Roads and Maritime Services (RMS), provides a contribution to work on the regional road network. The RMS advised Council of notional amounts at the beginning of the financial year. These amounts have now been confirmed.

This report outlines the annual contribution to maintenance, renewal and capital work under these programs, being a total of \$972,000 under the Regional Roads Block Grant Agreement 2017-18 and \$145,000 under the Regional Roads Repair Program for 2017-18.

The regional roads within Eurobodalla include Cullendulla Drive, Beach Road, George Bass Drive (Beach Road to North Head Drive), North Head Drive, Hector McWilliam Drive, Dalmeny Drive and Mort Avenue, and Bermagui Road.

The capital improvement project under the Repair Program 2017-18 will involve the replacement and strengthening of the road pavement south-east of the new Hanging Rock roundabout.

The grant funds available under this program have been accepted.

RECOMMENDATION

THAT Council endorse action taken to accept the offer from the Roads and Maritime Services for \$972,000 under the Regional Roads Block Grant Program and \$145,000 under the Regional Roads Repair Program.

BACKGROUND

Council receives an annual allocation of funding under the Regional Roads Block Grant Program and Regional Road Repair Program to support the regional road network in New South Wales as a contribution toward the annual maintenance, renewal and capital upgrade works on the regional road network.

CONSIDERATIONS

The RMS has confirmed the annual allocations under these programs as being a total of \$972,000 under the Regional Roads Block Grant Agreement 2017-18 and \$145,000 under the Regional Roads Repair Program for 2017-18.

IR18/023 FUNDING OFFER – 2017-18 BLOCK GRANT FOR REGIONAL ROADS

E14.8340

The table below provides a comparison between 2016-17 and the 2017-18 allocations under these programs.

Project Description	Allocation 2016-17	Allocation 2017-18	Difference (%)
Roads component	\$709,000	\$723,000	1.9
Traffic facilities component	\$144,000	\$147,000	2.0
Supplementary component	\$102,000	\$102,000	0.0
Total Block Grant amount	\$955,000	\$972,000	1.7

Council also received \$145,000 under the 2017-18 Regional Roads Repair Program. These funds are matched dollar for dollar from the supplementary component and part of the block grant allocation to facilitate major renewal or upgrade works to the regional road network.

The capital improvement project under the Repair Program 2017-18 will involve the replacement and strengthening of the road pavement south-east of the new Hanging Rock roundabout.

A letter has been written to the RMS accepting the grants offered under these programs for 2017-18. This report seeks endorsement of the action taken to accept this funding

Asset

The funding under the Regional Roads Programs is vital for sustaining these the regional road network in Eurobodalla and across New South Wales.

Financial

The Regional Roads Block Grant funding is an annual funding program that is identified within Council's Operational Plan 2017-18, Delivery Program 2017-21, asset management plans and long term financial plan.

The annual increase remains below the annual increases in costs of undertaking works.

Council continues to advocate through the NSW Roads and Transport Directorate, NSW Roads Congress and Australian Local Government Association Roads Congress for a more sustainable funding model for local and regional roads.

Council has however been successful in securing grant funding for discreet components of work on the Regional Road network under programs such as the NSW Fixing Country Roads Program. The funding secured and reported to Council previously for Cullendulla Drive is an example where Council has worked with the community to secure these additional funds to support works on the Regional Road network.

CONCLUSION

The annual grant funding from RMS for Regional Roads Block Grant Program and Regional Roads Repair program is welcomed. This grant has been formally accepted.

IR18/023 FUNDING OFFER – 2017-18 BLOCK GRANT FOR REGIONAL ROADS

E14.8340

This report recommends Council endorse the actions taken to accept this grant funding.

IR18/025 TENDER - MORUYA AIRPORT WATER AND SEWER WORKS

E17.1233

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services
Attachments: 1. Confidential - Confidential Attach - Moruya Airport Water and Sewer Works
Outcome: Sustainable Living
Focus Area: 4.1 Maximise the efficient use and reuse of our water resources
Delivery Program Link: 4.1.1 Provide a safe, reliable and sustainable town water supply and sewerage services
Operational Plan Link: 4.1.1.1 Build, renew, operate and maintain water supply systems

EXECUTIVE SUMMARY

This report outlines the evaluation of the offer submitted in response to Request for Tender No. 2018ISD042 Construction of Pressure Sewer and Water Trunk Mains and Associated Infrastructure at Preddeys Wharf, Moruya and provides a recommendation for the preferred tenderer.

The work covered by this proposed contract is essential to connect the proposed water and sewerage services at Moruya Airport to allow that development to proceed.

RECOMMENDATION

THAT

1. Council endorses the selection of the preferred tenderer listed for Request for Tender No. 2018ISD042 Construction of Pressure Sewer and Water Trunk Mains and Associated Infrastructure at Preddeys Wharf, Moruya within the confidential attachment; and
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderer, subject to the terms specified in the Request for Tender unless otherwise varied in accordance with this report.

BACKGROUND

A request for tender has been sought to engage a contractor to supply all materials and construct to completion, for a lump sum price (based on a Schedule of Rates), for the following works:

1. Preddeys Wharf Road (SPS MO12):

Underbore of new sewer and water mains between existing manhole (termination point of existing river underbores) at Preddeys Wharf to South Head Road, Moruya, complete with manhole removal, connection to existing underbores, installation of new thrust blocks, manholes, meter pit and offtake connection to sewage pump station SPS MO12

2. Bruce Cameron Drive:

Underbore of new sewer and water mains between existing manhole (termination point of existing river underbores) complete with manhole removal connection to existing

IR18/025 TENDER - MORUYA AIRPORT WATER AND SEWER WORKS

E17.1233

underbores and new thrust blocks, across Bruce Cameron Drive and terminating with two 90° bends and two flanged valves for future connection by Council

3. George Bass Drive:

Underbore of new water main across George Bass Drive terminating approximately 5m each side of the road shoulder with flanged valves for future connection by Council.

Request for tender RFT No. 2018ISD042 was advertised (Tenderlink) on 20 March 2018 with a closing date of 11 April 2018. An offer was received from the following tenderer and assessed in accordance with the Tender Evaluation Plan (TEP):

- RD Miller Pty Ltd.

A summary of the evaluation including scoring against the evaluation criteria and pricing is included as an attachment to this report.

CONSIDERATIONS

Legal

Request for Tender (RFT) No. 2018ISD042 was advertised in accordance with Local Government (General) Regulation 2005 REG 167 and Local Government Act 1993.

The tender was advertised on Council's noticeboard page, in the local newspaper, in the Sydney Morning Herald and at Council's Tenderlink web portal (www.tenderlink.com/eurobodalla).

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

The offer submitted by the preferred tenderer has been assessed as representing value for money for Council. This involved comparison of the submitted tender to estimates of cost for the work.

An assessment of non-price and essential criteria was also undertaken with the tenderer meeting the required standard.

IR18/025 TENDER - MORUYA AIRPORT WATER AND SEWER WORKS

E17.1233

The price criteria and its relative weighting is:

- | | |
|----------------------------|-----|
| 1. Assessed tender amount. | 70% |
|----------------------------|-----|

The non-price criteria and their relative weightings are:

- | | |
|------------------------------------------------------------------------------------------------------|-----|
| 2. Proposed project team & evidence of sufficient sewerage infrastructure rehabilitation experience; | 10% |
| 3. Proposed resources, plant & equipment, systems and products; | 10% |
| 4. Proposed methodology, including works program. | 10% |

The recommended tenderer met the mandatory criteria including:

- | | |
|------------------------------------------------------------------------------------------------|--|
| 5. Satisfactory past performance, including satisfactory WHS and environmental management, and | |
| 6. Satisfactory financial capacity. | |

Policy

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

Environmental

The provision of appropriate water and sewage services will enable the airport development to proceed whilst protecting the environment. The work will also allow the future connection of the existing development, enhancing environmental outcomes.

Economic Development Employment Potential

The work covered by this tender is essential to connect the Moruya Airport development to Council's water and sewerage systems. This work enables the Moruya Airport development to proceed in accord with the adopted airport masterplan.

The Moruya Airport development will enable additional economic activities with associated employment benefits for Eurobodalla and the broader region.

Financial

Tendered pricing is within current operational budget and has been verified acceptable compared to the estimated cost of the work.

Communication

Subject to Council considering this report at its meeting of 24 April 2018, and resolving to accept the tender, the community will be informed of the successful tender via Council's contract register found in Council's 'Public Access to Information' web link.

The community will be informed prior to the commencements of work.

IR18/025 TENDER - MORUYA AIRPORT WATER AND SEWER WORKS

E17.1233

CONCLUSION

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

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

CAR18/014 TENDER - MORUYA LIBRARY AND ARTS CENTRE NEW BUILDING AND REFURBISHMENT E16.0156

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

Attachments: 1. Confidential - Tender - Moruya Library and Arts Centre New Building and Refurbishment

Outcome: Celebrated Creativity, Culture and Learning

Focus Area: 2.1 Support and encourage the expression of our vibrant creative arts sector

Delivery Program Link: 2.1.2 Develop and promote the Moruya Library and Arts Centre Project

Operational Plan Link: 2.1.2.2 Develop a plan for ongoing operations of the Moruya Arts and Exhibition Space

EXECUTIVE SUMMARY

This report outlines the evaluation of offers submitted in response to Request for Tender No. 2018 ISD/026, 'Construction of Moruya Library and Basil Sellers Exhibition Centre'.

Tenders were called for the construction of Moruya Library and Basil Sellers Exhibition Centre (the Centre).

RFT No. 2018 ISD/026 was advertised on 30 January 2018 with a closing date of 27 February 2018.

Complying tenders were received from the following tenderers and assessed in accordance with the Tender Evaluation Plan:

- Camporeale holdings Pty Ltd.
- Cercol Construction Services Pty. Ltd.
- Cumnock Constructions Sustainability Pty Ltd.
- McMahon Services Australia Pty Ltd.
- Patterson Building Group Pty. Ltd.
- Project Coordination Pty Ltd.

RECOMMENDATION

THAT Council:

1. In accordance with clause 178(1)(b) of the *Local Government (General) Regulation 2005 (Regulation)*, declines to accept any of the tenders submitted in response to Request for Tender No. 2018 ISD/026, 'Construction of Moruya Library and Basil Sellers Exhibition Centre' (**RFT**);
2. In accordance with clause 178(3)(e) of the Regulation, resolves to enter into negotiations with the preferred tenderer (**Preferred Tenderer**) identified in the confidential attachment in respect of the matters described in the Report, with a view

**CAR18/014 TENDER - MORUYA LIBRARY AND ARTS CENTRE NEW BUILDING
AND REFURBISHMENT**

E16.0156

to entering into a contract with the Preferred Tenderer in relation to the subject matter of the RFT;

3. Authorises the General Manager to:

- (a) directly negotiate with the Preferred Tenderer in respect of the matters described in the Report, for the purposes of entering into a contract with that tenderer in relation to the subject matter of the RFT; and
- (b) execute any agreement arising from those direct negotiations.

BACKGROUND

A requirement exists for the provision of a contractor to construct the Centre.

Council have previously tendered for these services, however the tendered offers were considerably higher than the Pre-tender Estimate (PTE) and accordingly, Council was unable to demonstrate Value for Money.

Council subsequently re tendered the project, with the works divided between four milestones. Those being:

Milestone 1: Gallery and Library Extension Works

Milestone 2: Library Refurbishment Works

Milestone 3: Office Refurbishment Works

Milestone 4: External Deck and Landscape Works.

CONSIDERATIONS

Council can accept Milestone 1 only, or Milestone 1-2, 1-3 or 1-4, as outlined in the tender documents.

In order to ensure the best value for money, and the most effective outcome quantity surveyors were engaged at appropriate stages to ascertain costs to deliver the project.

Legal

Request for Tender (RFT) No 2018 ISD/026 was advertised in accordance with Local Government (General) Regulation 2005 REG 167 and Local Government Act 1993.

The tender was advertised on Council's noticeboard page, in two local newspapers, in the Sydney Morning Herald and at Council's Tenderlink web portal (www.tenderlink.com/eurobodalla) .

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

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

**CAR18/014 TENDER - MORUYA LIBRARY AND ARTS CENTRE NEW BUILDING
AND REFURBISHMENT**

E16.0156

Policy

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

Environmental

The construction of the new building will be undertaken in accordance with the relevant environmental requirements. The acid sulphate soils will be treated and disposed of on site.

Asset

The construction of the exhibition space and extension to the existing Moruya Library will add significant value and versatility to the facility, as well as add to the depreciation and whole of life costs to the centre. This will be factored in to depreciation, maintenance and utility budgets going forward.

Social Impact

The expansion of Moruya Library, incorporating an arts and cultural exhibition space, will have a significant positive impact, providing a modern purpose built facility, with increased community spaces for programs, meetings, activities, creative pursuits, exhibitions and events.

The new building will provide the place and space for learning, exhibitions and for community use. The Arts facility will cater for travelling exhibitions and will also create opportunities for local artists to showcase their works.

This space will attract exhibitions and visitors alike and add vibrancy to our community cultural life.

Economic Development Employment Potential

When completed, the Centre will provide economic opportunities for arts practitioners, tourism (eg, arts trails, creative workshops, commercial bookings for exhibition space), travelling exhibitions (eg, national touring programs), workshops, literary events as well as a comprehensive community program. Opportunities will also exist for increased volunteer participation, for both library and arts activities.

Financial

In addition to Council funding of \$800,000, the new Centre has received external funding of \$500,000 from the Australian government, \$200,000 from the NSW government and \$300,000 from the philanthropist, Mr Basil Sellers (\$50,000 for naming rights to the Centre and a \$250,000 donation).

Community and Stakeholder Engagement

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

**CAR18/014 TENDER - MORUYA LIBRARY AND ARTS CENTRE NEW BUILDING
AND REFURBISHMENT**

E16.0156

CONCLUSION

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

17. DEALING WITH MATTERS IN CLOSED SESSION

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

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

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

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

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

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

CONFLICT OF INTEREST

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

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

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

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

AGENCY ADVICE

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

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@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.