

# **AGENDA**

**Ordinary Meeting of Council**

**8 June 2021**



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

**ON TUESDAY 8 JUNE 2021**

**COMMENCING AT 11.00AM**

**AGENDA**

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

- |   |                 |
|---|-----------------|
| <b>1. WELCOME</b>   |                 |
| <b>2. ACKNOWLEDGEMENT OF COUNTRY</b>  |                 |
| <b>3. APOLOGIES</b><br>Nil  |                 |
| <b>4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b><br>4.1 Ordinary Meeting held on 25 May 2021                               |                 |
| <b>5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA</b><br>(Declarations also to be made prior to discussions on each item) |                 |
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| <b>6. MAYORAL REPORTS</b><br>Nil  |                 |
| <b>7. NOTICES OF MOTION</b><br>Nil  |                 |
| <b>8. QUESTIONS ON NOTICE FROM COUNCILLORS</b><br>Nil   |                 |
| <b>9. PETITIONS</b><br>PET21/002 Coopers Island Road .....  | 3               |
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	Nil	
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**DR CATHERINE DALE**  
**GENERAL MANAGER**

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**PET21/002 COOPERS ISLAND ROAD**

S012-T00029

Responsible Officer: Anthony Mayne - Councillor

Attachments: 1. Confidential - Petition

Councillor Anthony Mayne has given notice that at the Ordinary Meeting of Council on Tuesday 8 June 2021, he will move the following motion.

**MOTION**

THAT the petition be considered as part of report GMR21/029 Coopers Island Road Bodalla.

**BACKGROUND**

The petition was submitted for consideration to keep Coopers Island Road open to the public.

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**GMR21/029 COOPERS ISLAND ROAD BODALLA**

**S028-T00001**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Confidential - Attachment A: Owners details  
2. Attachment B: Map

Outcome: 6 Responsible and Balanced Development

Focus Area: 6.2 Ensure development is sustainable, and reflects community values and the desired local setting

Delivery Program Link: 6.2.2 Provide receptive and responsive development assessment services

Operational Plan Link: 6.2.2.1 Assess and determine development applications

**EXECUTIVE SUMMARY**

Coopers Island Road is a public road which dissects private property, Lot 2 DP 12290, where a Wagyu beef farm operates. This public road is also used by the public as a means to access the Recreational Fishing Haven for fishing and kayaking.

Historically, the area adjacent to Coopers Island Road has been visited by fishers and campers via the public road, who have parked cars, launched kayaks and small craft, and fished from the creek bank, the causeway and the bridge over Bowns Creek.

The property owners of Lot 2 DP 12290 (owners), have raised the issue of conflicts of use between their Wagyu beef production operation and recreational users, and part of their concern with visitation on the property is the risk of biosecurity breaches which could compromise the beef production method and adversely impact the agricultural enterprise.

Additional issues have also been raised which are outlined in this report.

Council staff have undertaken several site visits and have had many discussions with the owners and other stakeholders to better understand the issues and find an acceptable solution. Several Councillors have also visited the site to familiarize themselves with the site.

The property owners have requested that Council sell the road reserve to them and close the road to the public.

Councillors have received all submissions and correspondence to assist in their determination of this matter.

The options before Council are:

To close and sell Coopers Island Road to the property owners of Lot 2 DP 12290 as listed in the confidential attachment (Attachment A) subject to section 38B of the *Roads Act*.

or

Not to close or sell Coopers Island Road and retain it as a public road.

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**GMR21/029 COOPERS ISLAND ROAD BODALLA**

**S028-T00001**

**RECOMMENDATION**

THAT:

Council considers the following options:

**Option 1:**

THAT:

1. Council gives notice of its proposal to close Coopers Island Road in accordance with section 38B of the *Roads Act 1993*.
2. A further report be provided to Council on any public submissions and formal objections received in response to the public notification of the proposal.
3. The General Manager be authorised to negotiate and report to the Council on the terms on which the owner of Lot 2 DP 12290 adjoining Coopers Island Road would be willing to purchase the land comprising the road in the event that the Council decides to close the road after considering public submissions, addressing any formal objections and concluding any Land and Environment Court proceedings relating to the proposed closure of the road.
4. Council thank all submitters for their input.

**Option 2:**

THAT Council:

1. Does not close or sell Coopers Island Road to the property owner of Lot 2 DP 12290 as noted in the confidential attachment.
2. Allocates up to \$40,000 from the 2020-21 budget to realign the road back onto the road reserve and other associated works to improve safety and the operational management of the property to ensure minimising conflict between livestock and road users.
3. Write to the owners of Lot 2 DP 12290 requesting that the gate and fence near the causeway across the road reserve be removed within 28 days from the date of the letter or after such time has elapsed, Council remove such.
4. Thank all submitters for their input.

**BACKGROUND**

Coopers Island Road was converted to a public road in the 1930s and is currently a public road. The road is used by the owners to access their property and has been used by the public to access the Tuross Lake system for recreational fishing.

The current owners purchased the property on 24 October 2017 and the use of the farm has changed from a dairy farm to Wagyu beef. The land includes all parcels on either side of the roadway and the island at the end of the causeway.

Recreational fishers park near the causeway to fish from the causeway, bank and bridge and to launch kayaks into the waterway. This provides access to a long arm of the Tuross Lake system.

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The Department of Primary Industries (Fisheries) has designated the Tuross River and estuary (Lake) as a Recreational Fishing Haven (RFH). The waterway adjacent to Coopers Island Road is part of this designated RFH. RFH, areas largely free of commercial fishing, were created along the NSW coast to provide better angling opportunities for recreational fishers. Money raised from the NSW Recreational Fishing Fee enabled a \$20 million buyout to create the areas. These havens also promote tourism and create employment in the local area.

The property owners have erected fencing to prevent stock from entering Bowns Creek and enable unhindered stock and stock truck movements. Further, they have also erected a gate across the public road to stop cattle potentially jumping the cattle grid and exiting onto the Princes Highway, which occurred in one instance.

The fencing erected by the property owner near the causeway is not on the road reserve boundary, is narrower than the road reserve near the causeway and presents a barrier across the road reserve. The physical road is partially outside of the public road reserve. This may cause the public to inadvertently park on private lands in some circumstances.

This at times is causing significant issues between the public and the owners. The issue of the fence and gate is discussed later in this report.

The property owner has raised the conflict between the recreational fishing activities and the operation of their farm. This includes concerns that Wagyu beef production requires adherence to biosecurity controls, and part of their concern with visitation on the property is the risk of biosecurity breaches which could compromise the beef production method and adversely impact the agricultural enterprise.

The property owner has also raised issues of anti-social behavior whilst some members of the public have been visiting the site, which has also been raised with the local Police.

It is noted that it is common across Eurobodalla, for public roads to run through farming properties with land either side of the public road.

## **CONSIDERATIONS**

The owners have requested to close the public road reserve and purchase that land from Council. This is the key consideration for Council determination.

There are numerous issues that have been raised by the property owners and the individuals and groups who have objected to the potential sale. Councillors have received all submissions and correspondence including legal advice to inform them of the views of all parties. The key issues are outlined below.

## **ISSUES**

### ***Road closure or sale***

The owner's solicitors have stated that:

*Council now has the power under the Roads Act 1993 to close a public road. Section 38A of that Act enables a council to close a "council public road" for which it is the roads authority under certain conditions.*

Some of the conditions for closure include:



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**GMR21/029 COOPERS ISLAND ROAD BODALLA**

**S028-T00001**

- The road is not reasonably required as a road for public use (whether for present or future needs), and
- The road is not required to provide continuity for an existing road network.

The owners consider that the closure of Coopers Island Road satisfies these requirements.

In addition, it is the owner's view that there is an overriding public benefit in closing the road, despite its current use by the public. The overriding public benefit is in the reduced cost to Council in maintaining the road and associated infrastructure, and avoidance of the risk for which Council is liable under its duty of care to the users of the road.

***Public anti-social behavior***

Council has received complaints from the owners who advise they are suffering significant stress from conflict with visitors, including trespass, blockage of the roadway and vandalism.

Council acknowledges the difficulties faced by the landowners and farm workers regarding the alleged behavior of some members of the public.

***Conducting the Wagyu beef business***

The owners operate a Wagyu beef cattle grazing enterprise on their property. The owners maintain that public access along Coopers Island Road is a potential biosecurity issue, compromising their Wagyu beef export business.

The owners have also raised several issues including that visitors fish from the bridge preventing access by trucks, leave rubbish, damage infrastructure, impede stock movements and interfere with farm operations.

Currently there is potential conflict with the movement of cattle. The owners maintain that cattle will not cross the causeway if people are in their line of sight, affecting the mustering of stock between paddocks.

The owners have advised Council that in their view any public visitation to Coopers Island Road is incompatible with farming activities, will affect the landowners' legislated responsibility to protect the riparian zone from damage, and will encourage conflict between the property owners/workers and visitors to the area.

It should be noted that the management of a Wagyu beef enterprise is operationally different to the previous owners dairy business.

***Saltmarsh issues***

The owners claim that access to the waterway could conflict with the environment and would potentially damage the saltmarsh near the bank. It is noted that the likely areas for access are unlikely to impact the saltmarsh as the designated saltmarsh areas are not in the vicinity of this access.

***Width of the Road reserve and maintenance of the road***

The road reserve is 10 metres wide and the owners claim that it does not meet the road standards. The owners have also raised the issue of road maintenance.

Council staff consider that the road reserve is fit for purpose, considering its usage. Vehicles can turn around within a 10 metre road reserve. At present this is restricted due to the

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fencing, erected without Council approval by the property owner, that does not align with the road reserve.

Maintenance has not been able to be carried out since April 2019 because the turning space for graders has been restricted due to the fencing near the causeway. Maintenance crews will be ready to undertake maintenance works as soon as a way forward is implemented that permits the required movements by the grader.

***Traffic Audit***

A Traffic Audit was commissioned by the property owners which resulting in a number of recommendations:

Amongst other matters, the report recommends “No Stopping” signs along the full length of the road and “No Fishing signs” on the bridge and causeway.

The road audit also maintains that there are a number of risks associated with the council road.

As previously stated, maintenance has not been carried out recently due to access issues. Coopers Island Road will be graded to the standard of other rural gravel roads. The design suggested by the Traffic Audit is not typical of a rural gravel road.

Council staff have identified some safety issues that will be implemented if Council determines not to close and sell Coopers Island Road.

***Fencing the Road reserve and property boundaries***

The attached survey plans (Attachment B) obtained and provided by the property owners indicate the boundary of the road reserve and the lots they own, and the location of the current fencing and physical road. The fencing generally follows the road reserve except near the causeway.

In October 2019, Council wrote to the owners requesting the fencing near the causeway be removed as it had been erected across/on the public road reserve, and because the position of the fencing creates a danger for visitors attempting to park in the road reserve, effectively limiting access to the waterway. The fencing has not yet been removed.

***Application to erect a public gate***

The owners have also requested formal approval for a public gate on Coopers Island Road near the Princes Highway. The owners have fenced the farming property along the full length of Coopers Island Road and the Princes Highway.

The owners maintain that cattle could jump the cattle grid and for safety reasons the gate is required.

The gate on Coopers Island Road, while not locked, still requires a public gate permit under the *Roads Act*. The owners were advised by Council in October 2019 to apply to Council as the roads authority for a permit to authorize the gate. A public gate permit application was received on 17 February 2021.

Legal advice has been sought by Council regarding issues raised by the owners. Council has received the following information:

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Section 128 of the *Road Act 1993* states that:

*'(1) A roads authority may permit the occupier of any land through which an **unfenced public road passes** to erect a gate across the road at any place at which the road intersects a boundary fence'.*

Therefore, as the road has been fenced, Council is not permitted to approve a public gate, should Coopers Island Road remain a Council road. The owners will be advised of this most recent legal advice obtained by Council.

***Representation to Council by the community and other interested parties***

Council has received several representations and a petition from members of the community and fishing clubs wishing to access Bowns Creek for the purpose of recreational fishing. Some of the issues raised include:

- the inability to park in the road reserve due to the location of the fencing,
- the gate across the road
- the 'private property' sign near to the Princes Highway.

These complaints have been investigated and confirm that visitors are unable to park near the causeway in the road reserve because the public road reserve has been fenced off.

The private property sign near the highway is located on private property, however this sign could be misleading to people as they might think that the entire property including the road is private property.

Several associations and individuals have contacted Council regarding the importance to them of maintaining access via Coopers Island Road to Bowns Creek.

***Public Safety Issues***

While it is not illegal to fish off a bridge, the narrowness of the bridge (4.2M) could raise safety issues with cattle and machinery/vehicles crossing the bridge while people are also on the bridge. Safety issues have been raised by the landowners on several occasions. Ongoing fishing off the bridge, if supported, will need to be managed with education and signage.

Council staff have considered the safety issues involved and the necessary measures that could be implemented, including signage.

***Public access to Crown Waterways over Council owned or Crown Roads***

Representation has been received from the Office of the NSW Crown Land Commissioner on 31 May 2021 regarding public access to Crown Waterways over Council owned or Crown Roads which states: *'Please be advised that the Commissioner is of the view that, as a matter of principle, it is of the utmost importance to retain public access to Crown Waterways over Council owned or Crown Roads, and that those roads should not be privatised to exclude that public access'.*

The NSW Crown Land Commissioner provides independent advice to Crown land users, stakeholders, the community and Government regarding the management of Crown land.

As part of any application to close the road, the Crown Land department would be notified of the application so the formal departmental view can be considered by Council.

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**S028-T00001**

**Legal**

A summary of the key legal issues are as follows:

In regard to the standard of the road, Coopers Island Road is considered to be suitable for the level of traffic utilising the road. The standard of construction is consistent with many unsealed rural roads across Eurobodalla. While the road narrows to a single lane across the causeway and bridge, this is similar to many structures across Eurobodalla.

The bridge, causeway and culvert are classified as part of the public road under the *Roads Act* 1993. There is no specific provision of the *Roads Act* or any regulation under the *Roads Act* which provides that a person may not stand or fish off a single lane road.

In response to people fishing from the bridge, there is no provision in the *Roads Act* or any other legislation giving the landowner rights to use the road in connection with farming activities that are superior to those of other members of the public, including fishers.

The rural zoning of the farmland does not preclude fishers or other members of the public accessing Bowns Creek via Coopers Island Road. The landowner, the fishers and the public alike, must obey the relevant road rules made under the *Roads Act* and any signs or notices that may be erected by Council with respect to the use of the road.

These rules make it clear that the users of public roads must behave in a way that accommodates the rights of all other users of the road, subject to any specific requirement to the contrary in the legislation.

Hence, the landowner must accommodate the fishers' right to use the road to gain access to, and to stop and fish on or near, the crossing, and, similarly, the fishers and the public must accommodate the landowner's right to pass along the road, move machinery along the road and drive stock along the road.

Due to safety concerns of multiple users of the bridge, Council may restrict fishing off the timber bridge by placing signs on that structure as outlined below.

The following provisions of the *Roads Regulation* 2018 are relevant:

*'41 Behaving unsafely on bridges and tunnels*

*A person must not do anything that—*

- (a) endangers the stability or structural integrity of a bridge or tunnel, or*
- (b) interferes with the safe and efficient operation of a bridge or tunnel.*

*45 Fishing from bridges*

*(1) A roads authority may prohibit fishing from a bridge, or any part of a bridge, by means of notices conspicuously displayed on or adjacent to the bridge.*

*(2) A person must not fish from a bridge in contravention of any such notice.*

*Other sections that are relevant are:*

- *a person must not unreasonably obstruct the path of any driver or another pedestrian (rule 326),*
- *a pedestrian must not travel past a no pedestrians sign (rule 228).*

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In regard to the gate, as previously stated Council may only approve a public gate across Coopers Island Road where the roadway is unfenced.

Given that the owner has now fenced both sides of Coopers Island Road, Council is unable to approve a public gate across Coopers Island Road. Council should therefore give the landowner the opportunity to remove the gate.

***Right to Farm Act***

Council has sought advice regarding the application of the *Right to Farm Act 2019*, in these circumstances in response to views expressed by the owners. The legal advice to Council is as follows:

*'The Right to Farm Act does not grant any right to the landowner to use the road for farming activities free from alleged interference by the fishers or the public.'*

*'There is nothing in the Roads Act or any other legislation giving the landowner rights to use the road in connection with farming activities that are superior to those of other members of the public, including the fishers.'*

It should be noted that the property owners may have a different interpretation of the legal matters listed above.

**Environmental**

Fishers can currently legally fish from the causeway, bridge, public area of the bank and can launch kayaks and small craft directly from the causeway or public area of the bank.

The saltmarshes are unlikely to be impacted as access to the waterway is on the northern side of the causeway or from the causeway structure itself.

**Asset**

The public road currently consists of the causeway and the bridge and the road reserves.

Maintenance of the road and the bridge over Bowns Creek by Council is approximately \$4000 to \$6000 annually. If the road reserve is sold, maintenance and replacement costs will be borne by the owners. The replacement value of the assets are \$389,000.

**Social Impact**

The withdrawal of access to recreational fishing from this site may have a negative impact on the community. Council recognizes the desire in the community to maintain access to Bowns Creek via Coopers Island Road.

The sale or closure of Coopers Island Road would permanently prevent public fishing access to Bowns Creek.

**Economic**

The owners manage a significant agriculture enterprise. It is understood that the issues associated with the road and public access to the property has had a substantial impact on this enterprise. This could continue to jeopardize its future economic viability.

The business contributes to the local economy through the purchase of goods and services.

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**GMR21/029 COOPERS ISLAND ROAD BODALLA**

**S028-T00001**

**Policy**

ICAC Direct Dealing guidelines provide guidance on when transactions can be undertaken without undertaking an open market process. In this case, the only possible purchaser of the road that resolves the land use conflicts is the adjoining landowner. Therefore, following this public Council report, if Council resolve to sell the road, direct negotiation which ensures value for money is obtained, is appropriate

**Financial**

For Council to realign the road back onto the road reserve with appropriate fencing, signage and other works the approximate cost is \$40,000. This work is outlined under the Options section of the report. This funding will need to be sourced from the current budget.

**OPTIONS**

Council staff have reviewed all submissions and have met with the owners on many occasions. A range of options have been canvassed and are listed below:

***Exchange of land as a solution to the parking issue***

Staff have reviewed all the issues raised by all parties, with a view to developing a mutually acceptable outcome which created opportunities for public parking, while at the same time allowed farm activities to be performed unhindered.

Staff have discussed with the owners the opportunity to swap the unused part of the road reserve for the exchange of a small portion of land near the causeway to enable unrestricted stock and stock truck movements and some parking for the public.

This proposal will also assist with access for the maintenance of Coopers Island Road and the bridge.

The owner has indicated that the unused part of the road reserve is of no value to them and hence further discussions have not been pursued.

***Signage***

In the interest of public safety in a public road reserve, if the road remains public, it is proposed to erect some additional signage which may be regulatory or advisory:

Signs that would be considered include:

- Give way sign at Princess Highway
- No stopping on causeway (at approach to the causeway)
- No fishing from the timber bridge (at approach to the timber bridge)
- Parking and no parking signs (subject to Council traffic committee)
- No through Road
- Unsuitable for trailers
- Truck and Cattle icon (beware of cattle/ heavy machinery on causeway and bridge).
- Guideposts
- Other signs as appropriate.

It should be noted that Council does not determine speed zones on public roads. This is the role of Transport for NSW and it does not have speeds on unsealed roads. Drivers are required under the road rules to drive to the conditions.

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**GMR21/029 COOPERS ISLAND ROAD BODALLA**

**S028-T00001**

***Cattle movements along the roadway or paddocks and causeway***

Currently there is potential conflict with the movement of cattle. The owners maintain that cattle will not cross the causeway if people are in their line of sight, affecting the mustering of stock between paddocks.

Should Council resolve to not sell/or close the road, a possible solution to this issue is for the public to go to their cars when the farmer alerts them to the fact that cattle are going to be crossing the causeway. This requires co-operation from all parties.

A realignment of the road reserve would enable both access to the waterway for recreational fishers, and unfettered operation of the agricultural activities, while also allowing for Council maintenance works to be conducted.

Considering the position of the owners who wish to purchase Coopers Island Road and the fishers and the public who wish to continue to access Bowns Creek from Coopers Island Road, a resolution by Council is required to authorize the sale or no sale of Coopers Island Road.

The options before Council are:

To close and sell Coopers Island Road to the land owners of Lot 2 DP 12290 as listed in the confidential attachment (Attachment A) subject to section 38B of the *Roads Act*.

or

Not to close or sell Coopers Island Road and retain it as a public road.

**Community and Stakeholder Engagement**

Council staff have undertaken several site visits and have had many discussions with the property owners and other stakeholders to better understand the issues and find an acceptable solution.

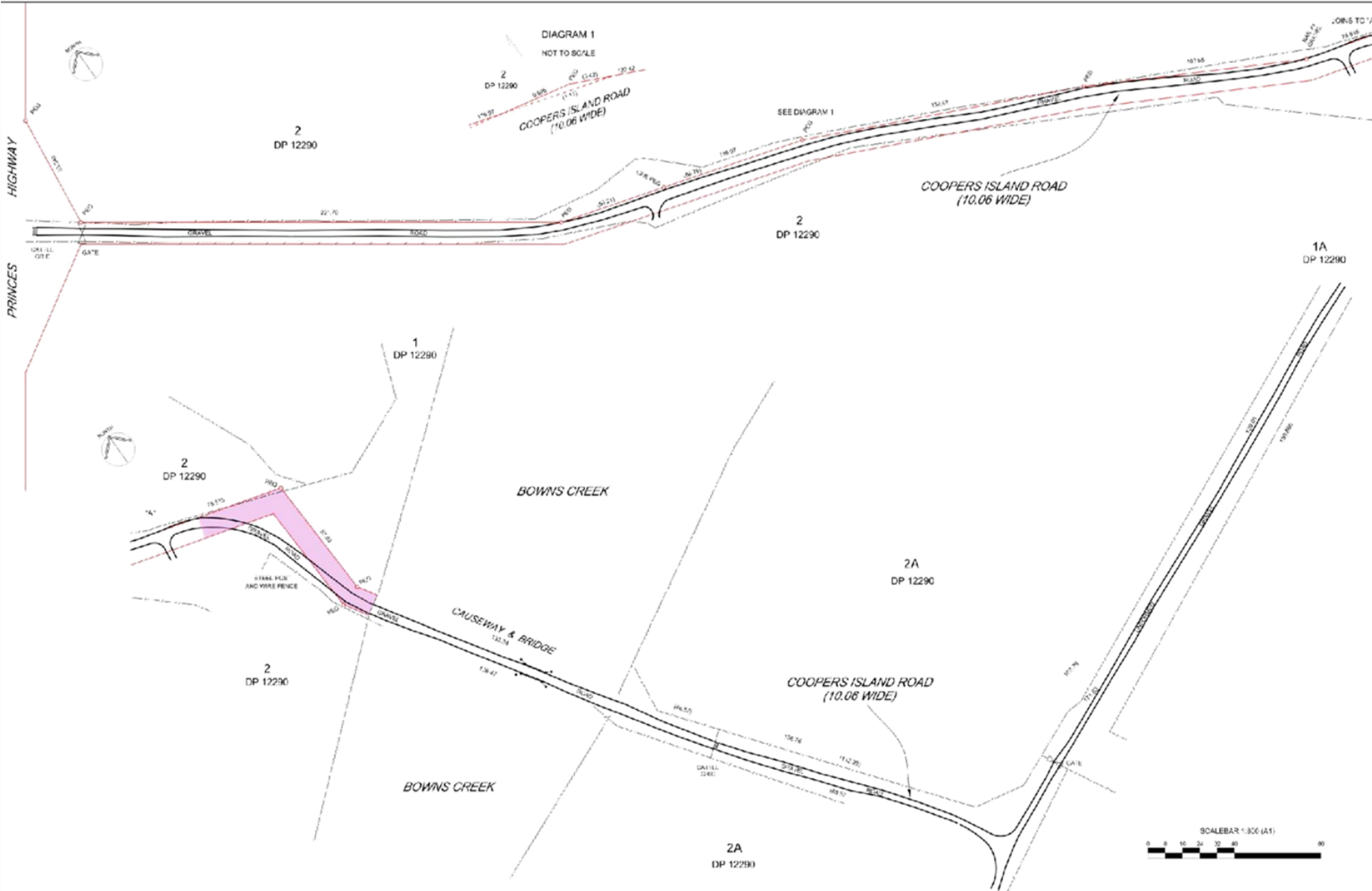
Council issued a media release on 18 February 2021 regarding this issue.

A petition was received to Council on 27 May 2021 to retain Coopers Island Road. A petition is included in the agenda for consideration as a submission to this issue.

**CONCLUSION**

This report has outlined the key issues raised by the owners to purchase the road and close the road to the public.

It is recommended that Council determine to either sell Coopers Island Road or not to sell Coopers Island Road. If Coopers Island Road is not sold, then funds should be allocated to realign the road back onto the road reserve and other associated works and to facilitate access to Bowns Creek whilst minimizing conflict between livestock and road users.



AMENDMENT DETAILS	DATE	DATE: 15/12/2019	LEGEND	REDUCTION RATIO	PLAN SHOWING POSITION OF BOUNDARY MARKS PLACED	DRAWING: 15441-1
		DATE: 15/12/2019	POST AND WIRE FENCE	HORIZONTAL: 1:800 OR AS SHOWN	NAME: 15441-1	SHEET OF SHEETS 1 of 1
		DATE: 15/12/2019	EDGE OF ROAD		ADDRESS: COOPERS ISLAND ROAD, BODALLA NSW 2545	
		DATE: 15/12/2019			CLIENT: ANDREW & JADE HART	



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**GMR21/025 2021-22 DETERMINATION OF THE LOCAL GOVERNMENT  
REMUNERATION TRIBUNAL**

**S012-  
T00010**

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: 9.1.2 Implement effective governance

Operational Plan Link: 9.1.2.3 Assist the Councillors in meeting their statutory obligations and roles

### **EXECUTIVE SUMMARY**

The Local Government Remuneration Tribunal (the Tribunal) has set the mayoral and councillor fees for the 2021-22 financial year, with effect from 1 July 2021, and has determined that an increase of 2% should apply.

### **RECOMMENDATION**

THAT Council:

1. Make a determination in regard to the Remuneration Tribunal's determination of a 2% increase in fees for Councillors and the additional Mayoral allowance.
2. Note that the maximum fees for Regional Rural councils for 2021-22, including the full Tribunal determination, are set at \$20,690 for Councillors and \$45,140 for the additional Mayoral allowance.

### **BACKGROUND**

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

The Tribunal's Annual Report and Determinations can be viewed at:

[www.remtribunals.nsw.gov.au/local-government/current-lgrt-determinations](http://www.remtribunals.nsw.gov.au/local-government/current-lgrt-determinations)

### **CONSIDERATIONS**

#### Categorisation of Councils

The Local Government Remuneration Tribunal is required under section 239 of the *Local Government Act 1993* to determine the categories of councils and mayoral offices at least once every three years. In 2020 the Tribunal undertook a significant review of the categories and the allocation of councils into each category. The next review will be undertaken in 2023.

Eurobodalla Shire Council continues to be classified as a Regional Rural council.

**GMR21/025 2021-22 DETERMINATION OF THE LOCAL GOVERNMENT  
REMUNERATION TRIBUNAL**

**S012-  
T00010**

Fees for Councillors and the Mayor

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

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

The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and finds that the full increase of 2% available to it is warranted.

The fees for a Regional Rural council for 2021-22 are determined as follows:

	Councillor Annual Fee		Mayoral Annual Fee	
	Minimum	Maximum	Minimum	Maximum
<b>Regional Rural</b>	\$9,370	\$20,690	\$19,970	\$45,140

It should be noted that the Local Government Remuneration Tribunal determined a zero increase in 2020-21 financial year.

**Financial**

The 2% determination will require a minor variation to the September quarterly review 2021 of \$1,092.

**CONCLUSION**

The Local Government Remuneration Tribunal has determined an increase to the minimum and maximum mayoral and councillor fees of 2% for the 2021-22 financial year, with effect from 1 July 2021.

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

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**GMR21/026 NSW GOVERNMENT FUNDING FOR COMMUNITY AND ECONOMIC  
RESILIENCE - ACCEPTANCE OF FUNDING**

**S014-  
T00027**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 9 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 \$5.25M in grant funding towards the construction of the Batemans Bay Coastal Headlands Walking Trail and Observation Point Viewing Platform from the NSW Government under the Bushfire Local Economic Recovery Fund, administered by the Department of Regional NSW.

The Bushfire Local Economic Recovery Fund formed part of the \$4.4 billion bushfire support program co-funded by the Commonwealth and NSW Governments.

Stage 1 – Early Projects Round was designed to support tourism, industry recovery and local economies through increased visitation by funding priority projects identified in the Regional Economic Development Strategy.

### **RECOMMENDATION**

THAT Council endorse the actions taken to accept the funding offer of \$5.25M from the Australian and NSW Governments towards the Batemans Bay Coastal Headlands Walking Trail and Observation Point Viewing Platform.

### **BACKGROUND**

The Bushfire Local Economic Recovery funding was targeted at disaster declared Local Government Areas (LGAs) impacted by bushfires to provide funding for ‘fast tracked’ regionally significant projects.

The NSW Government announced the selection of the Coastal Walk as one of the 71 projects approved in Stage 1 in November 2020.

The Coastal Headland Walking Trail masterplan was first endorsed by Council’s Planning and Strategy Committee in December 2010, but suitable funding had not previously been provided.

### **CONSIDERATIONS**

#### **Strategic Alignment**

This project has been identified as a sustainability project in the **Eurobodalla Nature Based Tourism Strategy** as an ideal central location for many formal and informal trails and tracks, for bike riding, walking, trail riding etc., but some prioritised improvement would substantively increase their visitor appeal.

**GMR21/026 NSW GOVERNMENT FUNDING FOR COMMUNITY AND ECONOMIC  
RESILIENCE - ACCEPTANCE OF FUNDING**

**S014-  
T00027**

The ***Far South Coast Regional Economic Development Strategy 2018-2022*** bushfire recovery edition listed early stage priority actions which included the following project of relevance to Eurobodalla:

*‘development of products such as.....Batemans Bay Coastal Headland Walk to effectively leverage the Region’s natural assets’.*

The ***Eurobodalla Destination Action Plan 2018-2022*** identified the potential for walking trail development to enhance and better position Eurobodalla as a significant nature-based tourism destination on the South Coast and aligns with:

The ***NSW Visitor Economy Industry Action Plan 2030*** to grow visitation, revitalise destinations and increase visitor spend:

- Focus 4 - Support, bolster and encourage the visitor economy
- Focus 5 - Invest in infrastructure
- Focus 6 - Make opportunities to support growth

Specifically, in relation to this Plan, the Coastal Walk will provide a quality visitor experience and capitalise on the opportunities presented by the unique Aboriginal culture, nature and heritage of the Batemans Bay region.

Marketing and supporting interpretive materials will help attract visitors and allow them to appreciate the spectacular natural and cultural heritage of the region throughout the year.

During the construction of the Coastal Walk there will be direct job creation with ongoing direct operational job creation. Indirect job creation will be in the hospitality, retail and tourism fields.

**Economic Development Employment Potential**

The project aligns closely with the ***South Coast Destination Management Plan 2013-2020***. Specific objectives the viewing platform aligns with include:

Number	Objective
S2.1	Continue to recognise the importance of the natural environment to the ongoing sustainability of the visitor economy of the South Coast Region.
S2.2	Encourage development that is innovative, sustainable and compatible with the branding and character of the Region.
S5.7	Identify relevant funding opportunities to support product and experienced development
S6.1	Identify priorities for tourism related infrastructure development projects and work cooperatively with relevant support agencies to advise and progress funding and project submissions

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**GMR21/026 NSW GOVERNMENT FUNDING FOR COMMUNITY AND ECONOMIC  
RESILIENCE - ACCEPTANCE OF FUNDING**

**S014-  
T00027**

**Legal**

The detailed survey and design will assess any potential impacts on adjoining lands. Any matters where private property is affected will be reported back to Council.

All necessary permits will be sought from various NSW Government agencies prior to proceeding with works (for example, NSW Crown Lands).

**Financial**

Council is not required to provide any further allocation of co-funding is for this project.

**CONCLUSION**

Council has been offered \$5.25M in funding under NSW Bushfire Local Economic Recovery Fund (Stage 1) administered by the Department of Regional NSW. This grant funding is welcomed and will be formally accepted.

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**GMR21/027 NSW GOVERNMENT FUNDING FOR BUSHFIRE RECOVERY AND  
RESILIENCE - ACCEPTANCE OF FUNDING**

**S014-  
T00026**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 9 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 \$250,000 in grant funding from the NSW Government under the Bushfire Community Recovery and Resilience Fund (Stream 2) administered by Resilience NSW. The funding has been allocated towards:

1. Moruya Airport Master planning - \$90,000
2. Tilba Bushfire Plan - \$60,000
3. Eurobodalla Regional Botanic Gardens Revegetation program - \$100,000

The Bushfire Community Recovery and Resilience Fund formed part of the \$4.4 billion bushfire support program co-funded by the Commonwealth and NSW Governments. BCRRF Stage 2 was designed to promote community wellbeing and build disaster resilience.

### **RECOMMENDATION**

THAT Council endorse the actions taken to accept the funding offer of \$250,000 from the NSW Government under the Bushfire Community Recovery and Resilience administered by Resilience NSW, towards the Airport Master Planning, Tilba Bushfire Plan and Botanic Gardens Revegetation.

### **BACKGROUND**

The Bushfire Local Economic Recovery funding was targeted at disaster declared Local Government Areas (LGAs) impacted by bushfires to provide funding for community recovery and resilience projects.

The NSW Government announced the selection of these three projects as part of the 173 community projects approved in Stage 2 in April 2021.

These projects were identified as areas of need that had not been addressed through other funding sources.

### **CONSIDERATIONS**

#### **1. Moruya Airport Master planning - \$90,000**

Moruya airport was integral to the firefighting over the summer bushfire period. The water bombing planes used it as a base for operations, and they filled up with water from the

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**GMR21/027 NSW GOVERNMENT FUNDING FOR BUSHFIRE RECOVERY AND  
RESILIENCE - ACCEPTANCE OF FUNDING**

**S014-  
T00026**

adjacent Moruya River. These operations were conducted, virtually non-stop over our 100 days of fire, with the site being used for both fire fighting planes and helicopters.

The funding will ensure Moruya airport's future resilience and ensure compliance with changes to the regulatory and operating environment, as a result of changes to MOS139 which affects operations and changes to the way transport security is managed.

**2. Tilba Bushfire Plan - \$60,000**

During the 2019-20 bushfires, Central Tilba and Tilba Tilba came under threat from bushfire. The unique timber character of Central Tilba is also its nemesis in terms of vulnerability of the village to bushfire. The Eurobodalla Bushfire Risk Management Committee has listed the villages of Central Tilba and Tilba Tilba as priorities 1 and 2 within Eurobodalla for the development of Community Protection Plans.

These funds will be wholly dedicated to undertake a wholistic review of all timber structures in the villages of Central Tilba and Tilba Tilba to provide recommendations for on-property changes to increase the resilience of these unique National Trust heritage villages to the threat of bushfire. Whilst these plans will address the village as a whole, the primary risk is on-property, with the potential of fire in one building likely to result in the loss of multiple heritage structures.

**3. Eurobodalla Regional Botanic Gardens Revegetation program - \$100,000**

These funds will be wholly dedicated to the engagement of a full time horticulturalist to manage the regrowth of the native vegetation of the gardens following the 2019-20 black summer bushfires. The funds will actively support the very practical aspects of trying to rebuild the landscape, the integrity of the native flora and the practical business of the botanic gardens.

**Strategic Alignment**

Each of the project areas are of strategic importance to council in terms of economic development, visitor attraction and adding to the unique flavour of Eurobodalla.

**Financial**

Council is not required to provide any further allocation of co-funding is for this project.

**CONCLUSION**

Council has been offered \$250,000 in funding from the NSW Government under Bushfire Community Recovery and Resilience Fund (Stream 2), administered by Resilience NSW. This grant funding is welcomed and will be formally accepted.

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**GMR21/028 NSW GOVERNMENT FUNDING FOR PUBLIC SPACES - ACCEPTANCE  
OF FUNDING**

**S014-  
T00027**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 9 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 \$511,942 grant funding towards the construction of a Forest Sensory Playspace at the Eurobodalla Regional Botanic Gardens from the NSW Government Department of Planning Industry and Environment administered by the Public Spaces Division, Open Space team.

### **RECOMMENDATION**

THAT Council endorse the actions taken to accept the funding offer of \$511,942 from the Department of Planning, Industry and Environment towards the Forest Sensory playspace at the Eurobodalla Regional Botanic Gardens.

### **BACKGROUND**

The Everyone Can Play program aims to create inclusive playspace areas for everyone.

The December 2020 Round of this program encouraged submissions from bushfire affected regions to apply to become a Demonstration Project to work with designers to create an innovative space to demonstrate best practice inclusive playspaces.

Council's proposal was successful in being selected as a demonstration project.

### **CONSIDERATIONS**

The project within the Eurobodalla Regional Botanic Gardens (ERBG) will provide a forest sensory playspace and will be an environment that leads to a greater appreciation and connection with our natural world. A place of new experiences, enticing visitors to slow down and interact with the surroundings in a meaningful way. A place of stimulation and relaxation where senses are reawakened and given the opportunity to see, hear, touch, smell and taste in new and heightened ways.

At ERBG our new Forest Sensory playspace will be designed to delight, challenge and most importantly engage the senses of all that choose to take its paths, regardless of culture, age or ability.

### **Financial**

These funds, along with \$60,000 in other funded works will contribute to an overall \$571,942 inclusive project linking the playspace, sensory garden and children's walk.



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**GMR21/028 NSW GOVERNMENT FUNDING FOR PUBLIC SPACES - ACCEPTANCE  
OF FUNDING**

**S014-  
T00027**

**CONCLUSION**

Council has been offered \$511,942 in funding under NSW Department of Planning, Industry and Environment administered by the Public Spaces Division, Open Space team. This grant funding from the NSW Government is welcomed and will be formally accepted.

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**IR21/015    FIXING LOCAL ROADS GRANTS PROGRAM - ACCEPTANCE OF  
FUNDING**

**S030-T00022**

Responsible Officer:    Warren Sharpe OAM - Director Infrastructure Services  
Attachments:            Nil  
Outcome:                7 Connected and Accessible Places  
Focus Area:              7.1 Work in partnership to provide an integrated transport network  
Delivery Program Link: 7.1.1 Advocate for improved transport links, services and infrastructure  
Operational Plan Link: 7.1.1.2 Seek grant and other funding to sustain and improve the local  
and regional transport network

**EXECUTIVE SUMMARY**

Fixing Local Roads is an initiative funded by the NSW Government which is specifically designed to help regional and rural councils carry out vital repair work and reduce the maintenance backlog for local roads.

Council applied for Round 2 of the NSW Government's \$500 million Fixing Local Roads Program. Council submitted a total of sixteen applications for grant funding on 23 December 2020 and were successful in securing grant funding of \$537,000 for two projects, being Peninsula Drive Surfside and Wallarah Street Surfside.

The Round 2 funding total of \$150 million will fund 108 road projects across 94 regional NSW councils.

The grant has been formally accepted and this report seeks a resolution formally endorsing the actions taken.

**RECOMMENDATION**

THAT:

1. Council endorse the actions taken to accept grant funds offered under the NSW Government Fixing Local Roads Program as follows:
  - i) Pavement renewal - Peninsula Drive, North Batemans Bay      \$273,750
  - ii) Pavement renewal - Wallarah Street, Surfside                      \$263,750
2. Council note the matching funding is funded from the 2021-22 pavement rehabilitation programs in the amounts specified in the grant applications as follows:
  - i) Pavement rehabilitation - Peninsula Drive, North Batemans Bay \$91,250
  - ii) Pavement rehabilitation - Wallarah Street, Surfside                      \$87,750
3. Letters of appreciation be sent to the Hon. Andrew Constance MP Member for Bega and Minister for Transport and Infrastructure, and the Hon Paul Toole MP, Minister for Regional Transport and Roads for their support in securing these grants for the Eurobodalla community.

**IR21/015    FIXING LOCAL ROADS GRANTS PROGRAM - ACCEPTANCE OF  
FUNDING**

**S030-  
T00022**

**BACKGROUND**

Council advocated directly and through the NSW Roads & Transport Directorate for the creation of the \$500m Fixing Local Roads Program.

Through this program, the NSW Government recognises that well maintained roads play a vital role in regional communities and support growth and development opportunities. The program will mean people have smoother, safer trips to school, to work and across the region.

The grants made available under the Fixing Local Roads Program provide a major boost to deal with the backlog of road works. These works will contribute to the safety and performance of the road network, as well as the amenity of our urban landscape. All projects will be completed in the 2021-2022 financial year to ensure local communities see the benefits as quickly as possible.

Council was successful in Round 1 2020-21 of the Fixing Local Roads grants and gained \$3,125,000 for nine projects with co-funding matched by council.

A total of sixteen applications under this program were submitted on 23 December 2020 and reported in the six monthly review of the Delivery Program and Operational Plan.

**CONSIDERATIONS**

Funding for two of the road projects were successful in securing funding under the NSW Government Fixing Local Roads Program.

The successful grants were announced by Minister for Regional Transport and Roads the Hon. Paul Toole MP on 20 April 2021.

The table below outlines this funding:

<b>Project</b>	<b>Council</b>	<b>Grant</b>	<b>Total cost per project</b>
i) Peninsula Drive, North Batemans Bay	\$91,250	\$273,500	\$365,000
ii) Wallarah Street, Surfside	\$87,750	\$263,500	\$351,250
<b>Total Funds</b>	<b>\$179,000</b>	<b>\$537,000</b>	<b>\$716,250</b>

These works will be delivered by 30 June 2022 as part of the transport program.

The additional NSW Government funding boosts Council's ability to address the decline in road pavement condition. These works will contribute to the safety and performance of the road network, as well as the amenity of our urban landscape.

The grant funds will also provide a boost to local employment through the delivery of the works using a mix of Council teams, local contractors, suppliers, plant and labour hire.

**Legal**

These works contribute significantly to improving the road pavements across Eurobodalla. This improves road safety and lowers the risk of potential claims against Council.

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**IR21/015    FIXING LOCAL ROADS GRANTS PROGRAM - ACCEPTANCE OF  
FUNDING**

**S030-  
T00022**

**Asset**

These grants allow the renewal of existing road pavements in declining condition. This assists Council meet the asset renewal ratio as reported to the Office of Local Government.

**Social Impact**

The projects will deliver safer roads for the community.

**Economic Development Employment Potential**

The funding for these works supports local employment during this difficult period of recovery and COVID-19. Where practicable, the work will be undertaken using local people, ensuring the benefit of the grant funding is circulated within the local economy.

**Financial**

Council has received \$537,000 in grant funding which will be matched by \$179,000 in Council funds from the annual pavement rehabilitation program.

These grants have a positive impact on Council's overall financial sustainability.

**Community and Stakeholder Engagement**

The community will be informed through provision of information on Council's website; writing to residents, stakeholders, community groups; advertising on Council's noticeboard page in two local newspapers; and where road closures may be required, distributing a media release.

**CONCLUSION**

This report recommends that the action taken to accept the grant funding offered for the two projects under Round 2 of the NSW Government Fixing Local Roads Program be endorsed.

The ongoing support of the Hon. Andrew Constance MP Member for Bega and Minister for Transport and Infrastructure, and the Hon Paul Toole MP, Minister for Regional Transport and Roads through the Fixing Local Roads Program is appreciated.

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**IR21/016    FIXING COUNTRY BRIDGES GRANTS PROGRAM - ACCEPTANCE OF  
FUNDING**

**S028-T00009  
S014-T00007**

Responsible Officer:    Warren Sharpe OAM - Director Infrastructure Services

Attachments:            Nil

Focus Area:              7 Connected and Accessible Places

Delivery Program Link: 7.1 Work in partnership to provide an integrated transport network

Operational Plan Link: 7.1.1 Advocate for improved transport links, services and infrastructure

### **EXECUTIVE SUMMARY**

Applications for funding were made to the NSW Government's Fixing Country Bridges Grants Program to replace timber road bridges during 2020.

Council has been successful in obtaining grant finding totalling \$7,116,900. This funding will be matched with \$1,000,000 from Council's Bridge Renewal funding over the 2021-22 and 2022-23 financial years, bringing the total budget to replace the 8 bridges to \$8,116,900.

This funding allows Council to replace another eight timber bridges with new more resilient bridges in bushfires and floods. This is a positive step forward and further strengthens the resilience of Council's local road network which is so vital for access for our community every day, and during and after natural disasters.

The offer of funding has been formally accepted and the report to follow will seek Council's endorsement of the actions taken.

### **RECOMMENDATION**

THAT:

1. Council endorse the actions taken to accept the funding offer of \$7,116,900 under the NSW Government's Fixing Country Bridges grant to replace 8 of the shire's bridges.
2. Council note the matching funding as per the grant allocations of \$1,000,000 is funded from Council's Bridge Renewal budget over the 2021-22 and 2022-23 financial years.
3. Letters of appreciation be sent to the Hon. Paul O'Toole MP – Minister for Regional Transport and Roads and Hon. Andrew Constance MP – Minister for Transport.

### **BACKGROUND**

NSW Government's Fixing Country Bridges (FCB) Program aims to create a new legacy for the NSW local road network, enabling councils to replace hundreds of timber bridges in poor condition with concrete bridges which will better connect regional and rural communities.

The NSW Government Fixing Country Bridges Program, together with the Fixing Local Roads Program will contribute \$1 billion to support local government across NSW to effectively manage their respective road and timber bridge assets.

**IR21/016 FIXING COUNTRY BRIDGES GRANTS PROGRAM - ACCEPTANCE OF FUNDING**

**S028-T00009  
S014-T00007**

Council has advocated pro-actively for the introduction of these new funding programs working through the NSW Roads and Transport Directorate and the NSW Roads Congress, underpinned by the evidenced based research undertaken by IPWEA NSW.

Local councils in regional NSW currently maintain more than 1,800 timber bridges across NSW, some of which are over 100 years old. The program aims to reduce the maintenance and renewal burden on councils and improve accessibility for local and regional communities.

Bridges play a vital role in regional NSW, supporting growth and development, as well as providing access to critical services such as access to hospitals and schools. These benefits and connections stimulate the economy and promote the social wellbeing of our communities.

Many communities across Eurobodalla were isolated after the 2019-20 summer bushfires damaged and destroyed eighteen (18) timber bridges. The initial priority was to restore access. Following this, temporary repairs were undertaken including building sidetracks where needed and possible.

Major flooding events since the bushfires have added to the challenges, with Bradburys bridge damaged to the extent that it too required replacement (now complete). Temporary side tracks were also washed away on several occasions.

The replacement of the nineteen disaster affected timber bridges is already substantially advanced with fifteen of the nineteen damaged bridges expected to be fully complete by 30 June 2021, and the remaining four expected to be completed by 31 December 2021. Funding for that work was made available under the Natural Disaster Relief and Recovery Arrangements.

Council pursued further funding under the Fixing Country Bridges Program to replace another eight (8) existing timber bridge replacements to improve community resilience to natural disasters, improve safe load carrying capacity and reduce the risk to the community.

**CONSIDERATIONS**

Council continues to work pro-actively to deliver on the following actions in the Delivery Program 2017-21 and Operational Plan 2020-21:

7.1	<i>Work in partnership to provide an integrated transport network.</i>
7.1.1.	<i>Advocate for improved transport links, services and infrastructure.</i>
7.1.1.2	<i>Seek grant and other funding to sustain and improve the local and regional transport network.</i>

A grant application was made on 9 October 2020 for 2021-23 financial years. Approval of the grant was received on 20 April 2021. The bridges approved under this program are:

<b>Fixing Country Bridges Grant Funding Allocations</b>	<b>Grant funded amount</b>	<b>Council Contribution amount</b>
Clarksons Bridge, Wagonga Scenic Drive Narooma	\$600,150	\$100,000
Cobra Bridge, Wagonga Scenic Drive	\$407,650	\$100,000

**IR21/016 FIXING COUNTRY BRIDGES GRANTS PROGRAM - ACCEPTANCE OF FUNDING**

**S028-T00009  
S014-T00007**

Narooma		
Cowdroys Bridge, Wagonga Scenic Drive Narooma	\$407,650	\$100,000
Grumleys Bridge, Wagonga Scenic Drive Narooma	\$600,150	\$100,000
Potato Point Bridge, (Blackfellows Point Road Bridge) Tuross Head Street Potato Point	\$600,150	\$100,000
Punkalla Creek Bridge, Wagonga Scenic Drive Narooma	\$1,145,750	\$100,000
Silo Farm Bridge, Comerang Forest Road Bodalla	\$2,297,750	\$400,000
Tilba Tilba Bridge, Corkhill Drive Tilba Tilba	\$1,057,650	Nil
<b>Total</b>	<b>\$7,116,900</b>	<b>\$1,000,000</b>

To facilitate wider collaboration in delivery of the Fixing Country Bridges program in south east New South Wales, Council has entered into a Memorandum of Understanding (MOU) with Bega Valley Shire Council, Shoalhaven City Council, Queanbeyan-Palerang Regional Council and Snowy Monaro Regional Councils. This MOU is the first to be implemented in NSW under the Fixing Country Bridges program.

The MOU allows joint procurement of the modular components for the first twenty bridges funded under the Fixing Country Bridges program in south east NSW, whilst retaining flexibility in delivery and responsibility with each Council for its own bridges. Procurement will be via Local Government Procurement, further leveraging value for money in the current market context.

In Eurobodalla, the first six bridges listed in the table above, will be delivered in the 2021-22 financial year, with remaining two delivered in 2022-23 financial year.

Works are scheduled to commence in the second half of 2021-22 and all bridge projects are scheduled to be completed before the 30 June 2023 subject to all necessary Government agency permits and approvals.

### **Legal**

The detailed survey and design will assess any potential impacts on adjoining lands. Any matters where private property is affected will be reported back to Council.

All necessary permits will be sought from various NSW Government agencies prior to proceeding with works (for example, NSW Fisheries permit).

### **Asset**

The lessons from the 2019-20 Black Summer bushfires and subsequent floods demonstrated the need to improve the resilience of our timber bridges. The replacement of the bridges with more resilient concrete bridges, addresses this issue, reduces risk to the community and removes constraints of loads able to be safely transported across these structures.

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**IR21/016    FIXING COUNTRY BRIDGES GRANTS PROGRAM - ACCEPTANCE OF  
FUNDING**

**S028-T00009  
S014-T00007**

**Social Impact**

Ensuring our communities have far more resilient bridge structures, reduces the risk to the community. It also allows improved access for first responders during the response phase of natural disasters.

The replacement of the eight timber bridges will improve flood access, meaning our community will be less isolated during natural disasters.

Perhaps the largest benefit will be to farmers on the Tuross River. Currently Silo Farm bridge on Comerang Forest Road goes underwater regularly, resulting in dairy farmers being unable to get their milk to market. This bridge will be lifted to provide a similar flood access to the remaining road network in that area (and similar to Tyrone Bridge).

These positive actions using the lessons learnt from the bushfires and floods, is a positive step forward in terms of community well-being.

**Economic Development Employment Potential**

The proposed construction of the eight bridges offers the opportunity for greater involvement of the local business and contracting community when requests for quotes are called.

There will be a positive impact on employment during the two year construction period.

The improved flood resilience will assist farmers maintain greater access to market, improving overall farming capacity and outputs from our region.

**Financial**

Council has been successful in obtaining funding of \$7,116,900. This grant requires matching funding of \$1,000,000 from Council's Bridge Renewal budgets for 2021-22 (\$600,000) and 2022-23 (\$400,000) financial years. It is proposed that Council's contributions come from the annual bridge renewal budgets in each of those years. There is sufficient funding to cover this matching component.

**Community and Stakeholder Engagement**

Council will engage directly with nearby residents and affected businesses when preparing to undertake the bridge replacement projects. There will also be appropriate media releases and notification to emergency services and bus companies regularly using these roads. Where practicable, the new bridges will be built alongside the existing bridges to mitigate impacts during construction.

Information regarding the project will be provided on Council's website and on Council's noticeboard page in the local media.



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**IR21/016    FIXING COUNTRY BRIDGES GRANTS PROGRAM - ACCEPTANCE OF  
                 FUNDING**

**S028-T00009  
S014-T00007**

**CONCLUSION**

Council has been successful in obtaining grant finding totalling \$7,116,900. This funding will be matched with \$1,000,000 utilising part of Council's Bridge Renewal budgets for 2021-22 (\$600,000) and 2022-23 (\$400,000) financial years, bringing the total budget to replace eight (8) bridges to \$8,116,900.

The grant has been formally accepted. This report seeks Council's endorsement of the actions taken to accept the grant, noting the source of matching contributions in funding from Council.

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**IR21/017 LOCAL TRAFFIC COMMITTEE NO 8 FOR 2020-21**

**S030-T00018**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services  
Attachments: Nil  
Outcome: 7 Connected and Accessible Places  
Focus Area: 7.1 Work in partnership to provide an integrated transport network  
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network  
Operational Plan Link: 7.1.2.4 Coordinate the Local Traffic Committee

**EXECUTIVE SUMMARY**

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for review. The main issues covered at the Eurobodalla Local Traffic Committee meeting, held 6 May 2021, are as follows:

- Signage – ‘No Stopping’ Willcocks Avenue, Narooma
- Signage and Line marking – Accessible Parking at northern end of Commercial Lane, Batemans Bay
- Signage – ‘Timed Bus Zone School Days’ Eastaway Avenue cul-de-sac, North Narooma
- Signage – Modify ‘No Stopping Police Vehicles Excepted’ to include ‘And Taxi’ George Bass Drive, Catalina
- Signage – Change ‘No Parking’ to ‘1P’ Flora Crescent, Batemans Bay
- Special Event Application – Rally of the Bay
- Special Event Application – Narooma Forest Rally
- Next Exit Music Festival, Mackay Park, Batemans Bay.

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**IR21/017 LOCAL TRAFFIC COMMITTEE NO 8 FOR 2020-21**

**S030-T00018**

**RECOMMENDATION**

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 8 for 2020-21 be received and noted.
2. Council Plan No. 5156 Set BB Sheet 30 detailing the 'No Stopping' signage adjacent to Narooma Plaza on Willcocks Avenue, Narooma be approved.
3. Council Plan No. 5156 Set BP Sheet 13 detailing signage and line marking for two accessible carparking spaces within the northern end of the public off-street carpark on Commercial Lane, Batemans Bay be approved.
4. Council Plan No. 5156 Set AH Sheet 08 detailing the timed 'Bus Zone 8.30-9.00am and 3.00-3.30pm School Days' signage at the cul-de-sac on Eastaway Avenue, North Narooma be approved.
5. The 'No Stopping Police Vehicles Excepted' signage located just south of Joes Creek Bridge on George Bass Drive, Catalina be modified to include 'And Taxi' be approved.
6. The 'No Parking' space located at the south east corner of Flora Crescent, Batemans Bay be changed to '1P 8.30am to 6pm Mon-Fri and 8.30am to 12.30pm Sat' be approved.

**BACKGROUND**

The Eurobodalla Local Traffic Committee Meeting No 8 for 2020-21 was held on 6 May 2021. The meeting was attended by Senior Constable Scott Britt (NSW Police), Michael Travers (Transport for NSW), Danielle Brice (representative for the Hon Andrew Constance MP), Dave Hunter (Traffic Coordinator and Chair), Daniel Week (Maintenance Planning Officer) and Duncan McLaughlin (Acting Road Safety Officer and Minute taker)

**APOLOGIES**

Councillor Anthony Mayne (Chair).

**DEPUTATIONS**

Nil.

**MINUTES OF PREVIOUS MEETING**

The minutes of the Eurobodalla Local Traffic Committee Meeting No 7 for 2020-21 held on 1 April 2021 were confirmed and accepted.

**OUTSTANDING ITEMS FROM PREVIOUS MEETING**

Nil.

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

**2021.RT.021 Signage – 'No Stopping' Willcocks Avenue, Narooma**

A customer request has been received to make a length of Willcocks Avenue adjacent to Narooma Plaza, Narooma No Stopping.

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**IR21/017 LOCAL TRAFFIC COMMITTEE NO 8 FOR 2020-21**

**S030-T00018**

The customer has provided feedback that at busy times traffic turning right into the plaza carpark can cause traffic to back up as far as the traffic signals if cars are parked on the side of the road.

There are two entry/exit driveways into the plaza carpark at about 65m and 95m from the signalised intersection with Princes Highway. The existing 'No Stopping' signage on the northern side of Willcocks Avenue extends about 25m down from the Princes Highway kerb apex.

Willcocks Avenue is 11m wide. Extending 'No Stopping' signage a further 85m down Willcocks Avenue past the two plaza carpark driveways will allow through vehicles to pass vehicles turning right. This will reduce traffic queuing as well as reduce the risk of rear end collisions.

Plan No. 5156 Set BB Sheet 30 detailing the 'No Stopping' signage adjacent to Narooma Plaza on Willcocks Avenue, was reviewed by the Committee.

Recommendation:

That Council Plan No. 5156 Set BB Sheet 30 detailing the 'No Stopping' signage adjacent to Narooma Plaza on Willcocks Avenue, Narooma be approved.

**2021.RT.022 Signage and Line marking –Accessible Parking at northern end of Commercial Lane, Batemans Bay**

The public off-street carpark on Commercial Lane has many businesses that operate from Orient Street and generally have rear (non-vehicular) access to this public carpark. At the northern end, an exception is several shops that have private parking that gain access from the public carpark via a kerb layback.

An owner of one of these shops has reported vehicles often park at the driveway layback and sometimes block the whole access.

The private parking can accommodate 4 cars and is also used to load or unload goods using larger vehicles. The driveway layback is 6.5m wide (this is wider than normally required for this type of access).

A single accessible parking space is currently located at the northern corner near the private carpark. The total distance from the edge of the private carpark layback to the accessible parking space end space is 11.7m.

This section of public parking will be reconfigured. An additional one accessible car space and one general car space can be provided as well as ensuring the access to the private carpark is kept clear.

The clear access way will double up as the accessible parking shared (yellow hatch) space. This will be 3.9m wide which is appropriate for this level of access to service the private carpark.

Additional line marking to define the property boundary and separate pedestrians and parked cars will also be installed.

Plan No. 5156 Set BP Sheet 13 detailing signage and line marking for two accessible carparking spaces within the northern end of the public off-street carpark on Commercial Lane, was reviewed by the Committee.

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**IR21/017 LOCAL TRAFFIC COMMITTEE NO 8 FOR 2020-21**

**S030-T00018**

Recommendation:

That Council Plan No. 5156 Set BP Sheet 13 detailing signage and line marking for two accessible carparking spaces within the northern end of the public off-street carpark on Commercial Lane, Batemans Bay be approved.

**2021.RT.023 Signage – ‘Timed Bus Zone School Days’ Eastaway Avenue cul-de-sac, North Narooma**

The local school bus company have concerns that on several occasions there have been many cars parked around the cul-de-sac at the end of Eastaway Avenue.

This area is used as a school bus turnaround and the bus company reported that on one occasion the driver had to reverse the bus 600 metres to exit the street.

It appears this cul-de-sac is a meeting point for walkers that access the surrounding bushland. There is ample room to park on the non-residential side of the street to the north of the cul-de-sac.

Installing Bus Zone signage to keep the area clear on school mornings and afternoons will allow buses to safely exit Eastaway Avenue in a forward direction. The times will be 8.30-9.30am and 3.00-3.30pm.

Council Plan No. 5156 Set AH Sheet 08 detailing the timed ‘Bus Zone School Days’ signage at the cul-de-sac on Eastaway Avenue, was reviewed by the Committee.

Recommendation:

That Council Plan No. 5156 Set AH Sheet 08 detailing the timed ‘Bus Zone 8.30-9.00am and 3.00-3.30pm School Days’ signage at the cul-de-sac on Eastaway Avenue, North Narooma be approved.

**2021.RT.024 Signage – Modify ‘No Stopping Police Vehicles Excepted’ to include ‘And Taxi’ George Bass Drive, Catalina**

The local taxi company has concerns that they cannot stop at the ‘0’ measure kilometre sign on the south bound lane of George Bass Drive located just south of Joes Creek Bridge.

Taxis are required to utilise this road section under NSW Point to Point Transport Regulations.

This section of road is designated as no stopping except for police vehicles and was installed so that on large BMX event days, pedestrians alighting vehicles do not walk across this busy regional road.

The total no stopping zone is about 500m long. The section where the ‘0’ measure kilometre sign is located at the northern most end and is about 50m long. This northern section will include the text ‘And Taxi’ so that the company can meet their contractual business obligations with TfNSW.

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**S030-T00018**

Recommendation:

That the 'No Stopping Police Vehicles Excepted' signage located just south of Joes Creek Bridge on George Bass Drive, Catalina be modified to include 'And Taxi' be approved.

**2021.RT.025 Signage – Change 'No Parking' to '1P' Flora Crescent, Batemans Bay**

A customer request has been received to change the 'No Parking' zone to '1P 8.30am to 6pm Mon-Fri and 8.30am to 12.30pm Sat' on the south east corner of Flora Crescent, Batemans Bay.

This single parking space adjoins a roundabout with 'No Stopping' signed back to the roundabout (to the east) and '1P 8.30am to 6pm Mon-Fri and 8.30am to 12.30pm Sat' (to the west).

This 'No Parking' space was installed when a supermarket entry/exit door adjoined and shopping trolleys sometimes crashed into parked cars.

A camping shop now adjoins the parking space and there is no reason for the 'No Parking' to remain.

Recommendation:

That the 'No Parking' space located at the south east corner of Flora Crescent, Batemans Bay be changed to '1P 8.30am to 6pm Mon-Fri and 8.30am to 12.30pm Sat' be approved.

**INFORMAL ITEMS FOR DISCUSSION**

**2021.SE.007 Special Event Application – Rally of the Bay**

A special Event Application including Traffic Management and Control Plan documentation has been received for the Rally of the Bay car rally to be conducted within State Forests and on Council roads, located from the south west to the north west of Batemans Bay, on Saturday 17 July 2021.

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

Council public roads which are proposed to be closed under race conditions within Eurobodalla are:

- Runnyford Road from Saltwater Road north to Bolaro Mountain Road
- Buckenbowra Road from west side of Mogo Village to Bolaro Mountain Road
- Bolaro Mountain Road from Buckenbowra Road to Sugarloaf Road
- Ross Ridge Road from Buckenbowra Road to Quart Pot Road
- The Ridge Road from Dog Trap Road to Glenella Road
- Glenella Road from The Ridge Road to Princes Highway.

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

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

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Due to recent bushfires and floods some of the roads may not be suitable and Council's maintenance team are in contact with the organizer to determine final routes on Council roads.

Consultation is underway between the event organiser and rural property owners. Letters will be sent to all affected residences and a copy of this letter along with other relevant documents including the Traffic Management and Control Plans and a map were reviewed by the Committee.

***Advice from Director Infrastructure Services:***

*Some of these roads have again been adversely impacted by the recent March and May 2021 floods. These roads will be re-inspected. Where practicable, repairs will be undertaken to the nominated roads. Where this is not practicable within the timeframes available, the rally organizer will be advised to modify the proposed roads to be used. The rally organizer will also be advised to inspect all roads for suitability prior to running the event.*

**Recommendation:**

That the Rally of the Bay, to be conducted in the forests from the south west to the north west of Batemans Bay on Saturday 17 July 2021 based on the submitted Traffic Management and Control Plans be approved.

**2021.SE.008 Special Event Application – Narooma Forest Rally**

A special event application has been received for the Narooma Forest Rally car rally to be conducted within state forests to the west of Narooma on Saturday 14 August 2021.

This proposed car rally has been conducted successfully in previous years. The service area will be located at Nata Oval with the HQ and Finish at Bill Smyth Oval and no special traffic management arrangement are required in this area.

No Council public roads are proposed to be closed. The competition sections of the rally are to be solely on State Forest roads.

The Traffic Management and route map were reviewed by the Committee.

**Recommendation:**

That the Narooma Forest Rally to be held on Saturday 14 August 2021, to be conducted on State Forest roads, based upon the submitted Traffic Management Plans be approved.

**2021.SE.009 Special Event Application – Next Exit Music Festival, Mackay Park, Batemans Bay**

A promotion company is holding a live music event titled Next Exit Festival at Mackay Park, Batemans Bay on Friday 28 May 2021, starting at 3pm and finishing at 7pm.

This festival which celebrates the road less travelled, aims to promote visitation to some of the regional areas in NSW most impacted by the bushfires and COVID-19.

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The inaugural 2021 tour will give regional Australians a special opportunity to experience some of the best Australian music talent, whilst supporting local artisanal craftspeople and small businesses by showcasing food, beverage and other products made in the regions.

The festival will place an emphasis on engaging local businesses to partake in the event, thereby driving economic activity and will collaborate with each host region to highlight an important community cause.

Minimal traffic disruption anticipated around Mackay Park as general parking will not be allowed. Public transport options utilising local bus companies was considered by the organiser. They submitted that based on pre-sale tickets of around 1800, it is expected the event will see about 2500 people attending and the CBD and surrounding streets will provide adequate parking.

The Traffic Control Plan was reviewed by the Committee.

This plan showed an assumed drop off and pick up lane with complex traffic management on Princes Highway (Vesper Street) adjoining Mackay including stop / slow at the traffic signals at Beach Road intersection.

The committee agreed that this complex Traffic Control Plan is not appropriate. A less complex plan utilising traffic cones separating the wide left lane on Princes Highway adjoining Mackay, south of the traffic signals within a temporary 40km/h speed zone would allow drop offs and pick ups without the need for stop/slow could be considered.

Note: since the meeting, the Transport for NSW representative has consulted with a colleague and determine that a drop off and pick up lane is not appropriate on the Princes Highway.

The event organiser subsequently submitted a modified Traffic Management Plan that was reviewed by the Committee.

Recommendation:

That the Next Exit Music Festival to be held on Friday 28 May 2021 at Mackay Park, Batemans Bay based on the submitted Traffic Control Plan be approved.

**GENERAL BUSINESS**

Nil.

**NEXT MEETING**

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 3 June 2021 in Council's Glass Meeting Room commencing at 9am (dependent on COVID-19 protocol at that time).



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## **15. 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.

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## 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.



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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.