

# EUROBODALLA SHIRE COUNCIL

## PUBLIC FORUM

### Ordinary Meeting of Council on 15 August 2023

Please refer to the minutes of the [Council Meeting](#) for outcomes of the agenda items.

Name	Agenda Item	Presentation Provided	Hybrid
Dr Michelle Hamrosi	NOM23/003 Heat Havens	Yes	In person
Kathryn Maxwell, SHASA	NOM23/003 Heat Havens	Yes	In person
Linda Leung	NOM23/003 Heat Havens	Yes	Zoom
Stephen Ranck	PET23/001 Petition to reopen the pedestrian track on the cliffside which connects Long Beach to Northcove	Yes	In person
Mike Thompson	GMR23/031 Review of Bay Pavilions	Yes	In person
Brett Stevenson, A Better Eurobodalla	GMR23/031 Review of Bay Pavilions	Yes	In person
Jeff de Jagger	GMR23/031 Review of Bay Pavilions	Yes	In person
Lei Parker	GMR23/031 Review of Bay Pavilions	Yes	In person
Bernie O'Neil	CAR 23/012 Aboriginal Advisory Committee Recommendation	Yes	In person
Paul Spooner	CAR23/012 Aboriginal Advisory Committee Recommendation	Yes	Read by staff member
Julie Janson	CAR23/012 Aboriginal Advisory Committee Recommendation	No	In person
Sandy Wilder	CAR23/012 Aboriginal Advisory Committee Recommendation	Yes	In person
Trish Hellier	CAR23/012 Aboriginal Advisory Committee Recommendation	Yes	Zoom

**Presentation to Council 15/08/2023 in support of NOM23/003 Heat Havens**

**Urgent Action Needed: Protecting Vulnerable Demographics from Heat Risk**

**By Dr Michelle Hamrosi**

**MOTION:**

**NOM23/003 HEAT HAVENS**

*Responsible Officer: David Grace - Councillor*

*Attachments: Nil*

*Councillor David Grace has given notice that at the Ordinary Meeting of Council on 15 August 2023, he will move the following motion.*

**MOTION**

*THAT a report be prepared for consideration by Council at its 21 November 2023 meeting on the need and suitability of council public facilities, including public halls, to be used as heat havens. The report is to provide discussion on options, costs, possible funding sources, and what facilities could be reasonably made available as heat havens for the future.*

Good morning Mayor, Councillors, General manager and executive members of council. Thank you to Councillor Grace for the motion NOM23/003 HEAT HAVENS that you have brought to council today.

As you know I am a GP, and the Community Engagement Officer for the Australian Breastfeeding Association's Community Protection for Infants and Young Children in Bushfire Project.

Heat poses significant health risks to both infants and pregnant women. Infants, with their underdeveloped thermoregulatory systems, are highly vulnerable to heat-related illnesses. Prolonged exposure to high temperatures can lead to dehydration, heat exhaustion, and even life-threatening heatstroke. Additionally, pregnant women are at an increased risk to overheating due to hormonal changes and increased metabolic rate during pregnancy. Heat stress in pregnant women can result in complications such as preterm labor, dehydration, and gestational hypertension. Moreover, excessive heat can contribute to an elevated core body temperature, potentially impacting foetal development and increasing the risk of birth defects.

Why does this matter for us?

All major health and medical organisations today recognise that the rapidly warming climate is the greatest threat to global public health. During Earth's hottest month on record, last month, António Guterres the U.N. chief issued a stark warning: "The era of global warming has ended; the era of global boiling has arrived."

We cannot ignore these clear and increasingly urgent warnings.

In my work, I regularly encounter impoverished families within our local community. A substantial number of these households reside in socially challenged accommodations, characterised by inadequate airflow, absence of air conditioning or cooling mechanisms, and constrained avenues of transportation. Among them, certain individuals find themselves unhoused, ensnared within the harrowing cycle of domestic abuse, or grappling with the burden of mental afflictions. We know that climate change disproportionately affects these populations, exacerbating existing socio-economic disparities and increasing their exposure to extreme weather events and health risks.

I urge the council to review the suitability of our public facilities, such as community halls, as potential heat havens, emphasising the importance of designating a specific venue or space that is tailored to the requirements of families and caregivers with infants. When assessing suitability for evacuation centres, the unique needs of young children should guide part of the evaluation process. This should include assessing the presence of child-friendly areas or dedicated spaces for families with infants, as well as scrutinising safety elements like road access, gates, stairs, and balconies. Our project is happy to provide evaluation checklists that can specifically help in this process.

Furthermore, I emphasise the immediate need for collaboration between the council and pertinent agencies to effectively communicate up-to-date and tailored emergency information to diverse vulnerable demographics. My team is currently in the final phases of crafting targeted health advisory resources, specifically tailored for very young children and expectant mothers in the context of heatwaves. We are eager to share these resources with you. Our assessment reveals that existing messaging tends to be overly general, and if extrapolated to the context of infants, could inadvertently pose risks.

Lastly, I invite you to extend the scope of your motion today to encompass the development of a comprehensive heatwave plan by the council. This strategic initiative will guarantee a thoughtful, all-encompassing, and integrated response. The Victorian state government has created [resources](#) to help local councils do this. Many councils across Victoria and now rolling out their own heatwave plans.

In conclusion, I would like to thank you for the opportunity to emphasise the importance of mitigating the health risks associated with heat, particularly for our most vulnerable demographics – infants and pregnant women. By designating public facilities as heat havens, tailoring emergency communications for these groups, and formulating a comprehensive heatwave plan, we demonstrate our proactive stance in addressing this critical issue. Thank you for your consideration and dedication to a resilient and healthier future.

#### References:

Washington Post, “We are living through Earth’s hottest month on record, scientists say” published July 20th 2023

[https://www.washingtonpost.com/weather/2023/07/20/earth-hottest-month-july-climate/?itid=lk\\_inline\\_manual\\_2](https://www.washingtonpost.com/weather/2023/07/20/earth-hottest-month-july-climate/?itid=lk_inline_manual_2)

Victoria heat wave planning guide: <https://www.health.vic.gov.au/publications/heatwave-planning-guide-development-of-heatwave-plans-in-local-councils-in-victoria>

Direct link to pdf:

<https://content.health.vic.gov.au/sites/default/files/migrated/files/collections/policies-and-guidelines/p/planning-guide---pdf.pdf>

**NOM 23/003 – 15 August 2023**

The Southcoast Health and Sustainability Alliance (SHASA) supports Councillor David Grace's motion that a report be prepared for consideration by Council at its 21 November 2023 meeting on the need and suitability of council public facilities, including public halls, to be used as heat havens. The report is to provide discussion on options, costs, possible funding sources and what facilities could be reasonably made available as heat havens in the future.

SHASA also strongly believes that the Eurobodalla Shire Council should also prepare a Heatwave Plan before the 2023/24 bushfire/heatwave season.

A key goal of SHASA is to undertake practical projects to achieve a more resilient community in the Eurobodalla. As noted in my recent presentation to Council, over the last 4 years, SHASA has been working to establish a network of heatwave havens across the Eurobodalla as part of our Eurobodalla Haven Strategy. Using grant funding we have been running heatwave and bushfire haven projects to upgrade community-owned facilities with energy systems that can continue to operate when the mains power goes down and with temperature and air quality controls to deal with extreme heat and smoke. The two main benefits of these projects have been reduced ongoing operational costs for the community organisations who own these facilities and a safe refuge for the more vulnerable members of our community during extreme weather events.

To date SHASA has received funding for six havens, four of which have been completed and two are well underway:

- Anglican Parish Moruya Red Door Hall
- Moruya Pre School Kindergarten
- CWA Moruya
- CWA Narooma
- Úniting Church Batemans Bay (still to be completed)
- Tilba Halls (still to be completed)

The Anglican Parish Red Door Hall was the first haven to be completed. It was operational during the Black Summer Bushfires and it saved lives.

SHASA recently had a very successful opening for Stage 1 and 2 of the Uniting Church Haven on 4 August this year and there will be an opening for CWA Narooma Haven later this year in October or November.

In 2022 as part of our Eurobodalla Haven Strategy SHASA, in consultation with the owners of other community facilities and Council, developed detailed business cases for a further 17 havens. 11 of these were community-owned and 6 were Council-owned.

The South Durras Progress Hall, the Bodalla Memorial Hall, the Tomakin Community Hall, Kyla Park Hall at Tuross Head and Dalmeny Hall are all owned by Council and were included in SHASA's Eurobodalla Haven Strategy because there are no suitable community-owned facility at these locations.

- the Bodalla Memorial Hall business case includes solar panels, battery storage and a generator, LED lighting, Hepa filters, air conditioning and a water tank (cost

\$119,500).

- the Dalmeny Community Hall business case includes solar panels, battery storage and a generator, LED lighting, Hepa filters and an EV charger (cost \$48,300)
- the Durras Progress Hall, business case includes solar panels, battery storage and a generator, LED lighting, Hepa filters, air conditioning and an EV charger (cost \$81,000).
- the Kyla Park Hall business case includes battery storage and a generator, Hepa filters and LED lighting (cost \$54,400).
- the Tomakin Community Hall business case includes solar panels, battery storage, a generator, LED lighting, Hepa filters and a water tank (cost \$55,820).
- The Malua Bay Community Centre business case includes solar panels, battery storage and a generator, LED lighting, Hepa filters and an EV charger (cost \$64,100).

SHASA's work to date provides a solid foundation for progressing the establishment of additional havens across the Eurobodalla and we are keen to collaborate with Council to submit a National Emergency Management Agency Disaster Ready Fund application to upgrade these Council halls so they can operate as heatwave as well as bushfire havens.

Reconstruction NSW has told SHASA that they see heatwave havens as a priority for the Eurobodalla and they are very supportive of our Eurobodalla Haven Strategy, but Council support and engagement is vital to secure funding to fully implement this strategy.

As stressed in my previous presentation to Council, we are now heading into a super El Nino and we have just had the driest June/July on record. Around the globe temperatures are soaring and crippling heatwaves have hit Asia, America and Europe. The impact of the coming summer's heat on Australia is likely to be severe and we need to be prepared.

Given the seriousness and urgency of the situation, SHASA considers that an interim option Council may want to consider for this summer would be the use community clubs, as a means to bolster emergency preparedness for the coming season. A number of clubs in the Eurobodalla provided a network of impromptu evacuation hubs during the Black Summer fires. These clubs were far better serviced than the formal evacuation centres having seating, air conditioning, refrigeration, commercial kitchens and hygienic bathroom facilities. The ACT government has just introduced legislative changes to enable community clubs to open their doors as refuges to keep Canberrans safe during extreme heat and smoke events. SHASA therefore recommends that the Council engage in discussions with our clubs to see if they are willing to operate as heatwave havens and that Council also advocates to the NSW government to seek the legislative changes required to enable the clubs to do so.

We have seen across Europe and the US cooling centres being set up to help their communities survive the heat. Lets get these Council heatwave havens operational as soon as possible.

Thank you again for the opportunity to present today in support of the Notice of Motion 23/003. Thank you Councillor David Grace for putting up the Heatwave Motion.

## Nestwell presentation in support of NOM23/003 HEAT HAVENS

15<sup>th</sup> August 2023

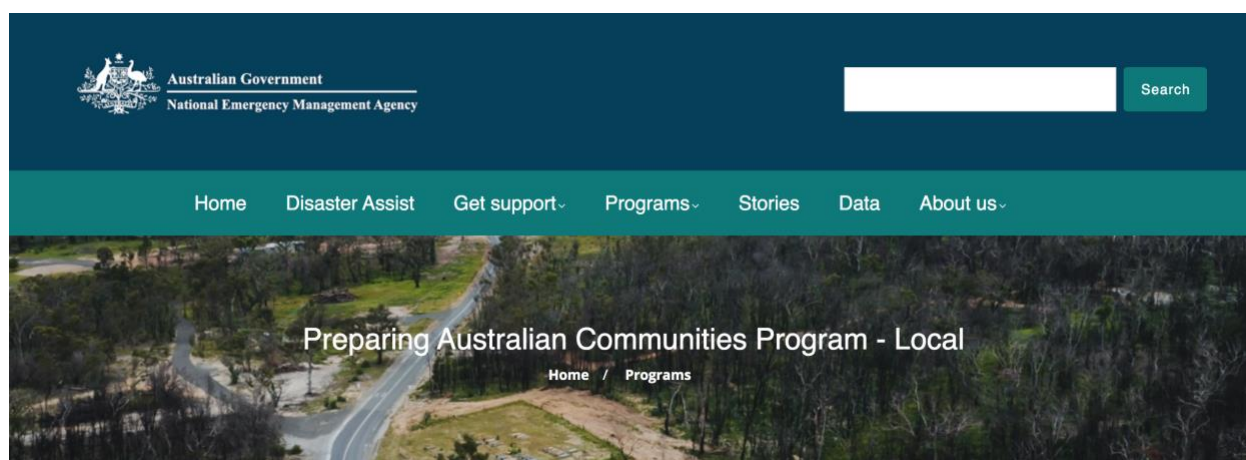
By Associate Professor Linda Leung, University of Technology Sydney and  
director of Little Owl Ethical Tech

[linda@littleowl.xyz](mailto:linda@littleowl.xyz)

0403 300 134

Councillors and staff of Eurobodalla Shire Council, thank you for the opportunity to speak in support of the motion proposed by Councillor Grace.

Today, I am presenting on behalf of Nestwell, an emergency accommodation portal currently being developed with funding from the federal Department of Industry's Preparing Australian Communities program.



This is the same program that is funding the Australian Breastfeeding Association's project on Community Protection for Infant and Young Children in Bushfire Emergencies.

### Why is a report needed?

The motion to commission a report into the establishment of heat havens is not only supported but a matter of urgency as we prepare for another hot and uncertain summer. We have valuable data about people's lived experience of Black Summer, but there is still much work to be done in translating lessons learnt and research recommendations into real world implementations that radically improve our disaster preparedness and resilience.

### What is Nestwell about?

The focus of Nestwell is facilitating emergency accommodation supply and demand during a natural disaster. That means being able to effectively register and coordinate a wide range of types of community-offered accommodation in preparation for an

emergency as well as in response to an emergency, and enable the tailored searching of those offerings to address the diverse needs of those in the community.

### **What problems does Nestwell solve?**

Based on the stakeholder consultations that we have conducted, secondary research we have done and empirical data we have collected, we know that:

- Evacuation centres were not always suitable for those who ended up there
- They were intended for those who were ordered to evacuate, but also ended up with people who felt unsafe to stay where they were and voluntarily left
- It was therefore hard to triage and prioritise certain groups, because only those who were ordered to evacuate met the criteria for being placed in emergency hotel and motel accommodation
- At the same time, there was an outpouring of community offerings of accommodation, but there was no central point of coordination for this.

### **What's Nestwell got to do with heat havens?**

Heat havens are a type of alternative accommodation providing respite from dangerous conditions, utilising existing community resources. In other words, they repurpose community spaces, and harness them for something they weren't necessarily intended for.

That's very much at the heart of share economy and circular economy principles, of extracting value out of under-utilised resources.

Similarly, Nestwell is concerned with alternative types of emergency accommodation that go beyond evacuation centres, hotels and motels. Our systems for setting up evacuation centres, and placing evacuees in hotel and motel accommodation during emergencies is already well-established. What is not known or measured (but we know is there), are less formal types of "accommodation" or spaces that could be turned into accommodation or havens during an emergency. I'm talking about people's spare rooms, garages, sheds, granny flats, caravans, backyards, land, buses, train carriages, as well as offices, childcare centres, schools, doctors surgeries and so on. How do we map this unused capacity and mobilise it in times of emergency to assist in the triaging process of those affected and take the pressure off evacuation centres?

### **What can Nestwell contribute to a report on heat havens?**

For any report on heat havens, Nestwell can contribute anonymised data on:

- The experience of those who worked in and relied on evacuation centres during Black Summer
- The factors leading people to turn up to evacuation centres
- The factors which kept people out of evacuation centres
- The most likely places people chose to shelter if they had to leave their property
- Whether people were satisfied with the type of accommodation they chose and if they would do the same in a similar future scenario



- Those who hosted evacuees and their experience.

We are currently collecting this data through an online survey:

[survey.nestwell.com.au](https://survey.nestwell.com.au)

And doing follow-up interviews and user testing with those who are happy to be contacted.

Councillors, I hope you will support this motion and the opportunity to investigate the scope and potential of heat havens as additional and alternative forms of shelter to evacuation centres in response to natural disasters.

Mayor Matt Hatcher and Councillors, my name is Stephen Ranck, Vice President of the Maloneys Beach Residents Association (MBRA). I am speaking to the petition sponsored by the MBRA in conjunction with the Long Beach Community Association. Thank you for giving us your attention.

We are asking Council to reopen the pedestrian track on the cliffside connecting Long Beach to the Northcove cliff path. The path or track then continues along the cliff to finish at Maloneys Beach.

Council has removed the stairs that allowed access from the cliff to Long Beach below. Some 49 stairs were taken out and it is this small section that we are asking you to renew following all due processes and considering all possible options for its reinstatement.

The stairway that now no longer exists had served our communities since 1987. And the track itself was probably established long before European settlement. These stairs were heavily trafficked in summer, and continuously used year around. In the process of gaining signatures to the petition, people have wanted to raise the following points:

1. Between Long Beach and Maloneys Beach there is a beautiful walk along the Northcove cliff with views of the bay and the Toll Gates. It is well used and well loved as are other similar walks along the Eurobodalla coast. The stairway provided a starting point from Long Beach for this walk. It was a local and tourist asset that is now gone.
2. Located near the middle of the cliff path is a large block of Moruya granite set in concrete. It serves as a bench for walkers to rest on and admire our coastal beauty. It is engraved as Loma's Seat, with esc (Eurobodalla Shire Council) 2006 inscribed below. This indicates that at least in the past Council recognised and supported the value of this pathway connecting the two communities.
3. For Long Beach residents and visitors, it has provided a scenic walking connection to the Murramarang National Park walk.
4. From the cliffside, the stairway provided quick pedestrian access to the beach at Long Beach. This included its potential use as a last resort fire escape in a bushfire emergency. The value of this fire escape was noted after the 2019-2020 fires at a meeting held for residents at the Long Beach Rural Fire Brigade shed and attended by the former mayor and other politicians. Residents raised concerns about the single road exit for Northcove Road and were told something to the effect: You have the little track down to Long Beach if the road is cut off.
5. Already a real estate agent has told one Northcove household that their home value has dropped as a result of the lack of beach access. And holiday rentals on Northcove can no longer advise clients they have this quick walking access to Long Beach.

6. Many residents have noted that there was no consultation with the community before Council acted and have wondered if some compromise might not have been possible with community consultation.

A number of us used *Snap Send Solve* to report concerns about the closure of the track and had a Council reply acknowledging, "that this may cause inconvenience...".

For many, this is not an inconvenience, it is an impossibility with regard to walking to Long Beach. The alternative pedestrian access requires walking some or all of Northcove Road to the T intersection with Long Beach Road. Northcove road has a total length of two kilometres. From the T intersection, the altitude has risen to about 46 metres. One then follows Long Beach Road downhill for close to a kilometre or more depending on where on the beach one settles.

The trip back is a long, steep climb uphill to the T junction and variable thereafter. As I speak to you now in winter, this pedestrian journey is not possible for small children and all others with limitations to their walking abilities.

In the summer heat, it becomes a four kilometre round trip for those centrally located on Northcove Road. Such a walk will be an impossibility for many more residents, our visitors and tourists. It will be extremely unpleasant for the few fit enough to do it in summer heat.

Inevitably the result will be more traffic and parking congestion at Long Beach because people will have to drive to get there. Whereas the alternative going along the path and now defunct stairs is some 4 to 500 metres from the centre of the cliff path. And for homes nearer the stairs, it was just five minutes walking to the beach using a stairway that was much less than half the altitude of the kilometres long roadway.

Clearly we have lost a valuable pedestrian connection between our two communities. A number of our members have stated a willingness to volunteer help however they can to fix this.

Humbly, we ask you please, to consider a resolution to place reopening this stairway into Council's operational plans and budget.

Thank you.

Submitted by Stephen Ranck on behalf of the Maloneys Beach Residents Association in conjunction with the Long Beach Community Association



## SOUTH COAST FOREST

... connecting to East Gippsland & Australian Alps



Planet Earth has just experienced its hottest days on record and experts say it's only going to get hotter. As catastrophic forest fires are forecast to increase in frequency and intensity, we *also* face reduced rainfall. Climate change induced catastrophic heat-waves, logging and catastrophic fire are killing people and our precious vulnerable wildlife.

During the Black Summer Fires, south of Bermagui our last known South Coast colony of 60 Koalas were only saved by a change in wind direction. Greater Gliders are being logged to death (*ACF Tour 24-Jun-23 witnessed unattended fire & logged hollows*). These iconic threatened species warn us of far broader NSW Forest Biodiversity degradation and loss. Global carbon emissions must reduce by 2030. Locals have democratic responsibility for State Forest carbon emissions from logging within our LGA boundary. Yet our over-arching **Eurobodalla2040 Community Strategic Plan (CSP) leaves State Forest unaccountable.**

The 'Eden Woodchip Hub' (EWH) is South East NSW's largest source of carbon pollution. We can promote EWH as one of Australia's best "low hanging fruit" opportunities to save jobs, money, wildlife ... and cut unsustainable carbon emissions *before* 2030. Frontier Economics confirmed savings by ending this native forest logging, in favour of plantations.

Environment Minister Tanya Plibersek's first address to Federal Parliament, encouraged Australians to "think big". World Heritage was the opportunity she cited. "Alps-to-Coast" (A2C) is our opportunity to connect career opportunities built on cultural knowledge & climate science. A2C connects The Australian Alps 'National Heritage Parks', through Victoria's East Gippsland Forests, to the NSW South Coast Forest and South Pacific.

Locals and visitors are uniting to protect their South Coast's unique natural and cultural heritage. '**Social License**' Vision events increase public education & support. Career pathways evolve annually as UN/Governments update **Gov.au Climate Action Plans**. **South Coast Forest** connects into an **Australian 'Alps-to-Coast' World Heritage Plan**.

Under NSW native title legislation, Aboriginal Traditional Owners & LALCs can jointly acquire State Forest lands and convert them into Aboriginal-owned National Parks controlled by majority Aboriginal Boards. This is how Gulaga and Biamanga National Parks were created. The NSW Treasury pays these Aboriginal-owned and controlled National Parks Boards millions of dollars rent per annum, which they can spend on additional land acquisition and/or local Aboriginal community services. Their NP Leases are re-negotiated every five years. Aboriginal employment and management are two of these NP Boards highest priorities. Significant new mutually beneficial opportunities exist in Eurobodalla. Nature.Net is organising a **South Coast Forest Festival @ Batemans Bay Pavilions 25-Jan-25** (tbc). [Mike@Nature.Net.au](mailto:Mike@Nature.Net.au) since 2000



# The Sydney Morning Herald

AUGUST 12, 2023

SATURDAY  
INDEPENDENT. ALWAYS.

## REFERENDUM

# NSW Liberal leader backs Voice, at odds with Dutton

## EXCLUSIVE

**Max Maddison**  
State political reporter

NSW Liberal leader Mark Speakman says he will vote in favour of enshrining a Voice to parliament in the Constitution, saying the “disastrous outcomes” facing First Nation communities requires elevating the advisory body into the nation’s founding document.

Directly contradicting his federal leader Peter Dutton, the Cambridge-educated silk who served as the state’s attorney-general for six years said he did not see the constitutional amendment as racist, it did not present a significant legal risk, nor an impediment to “timely and flexible” decision-making.

“My view is that this is an enhancement of liberal democracy. This doesn’t detract from liberal democracy. You’re not creating special rights for classes. Instead, you’re creating an advisory body to advise on behalf of the most disadvantaged section of society,” Speakman said.

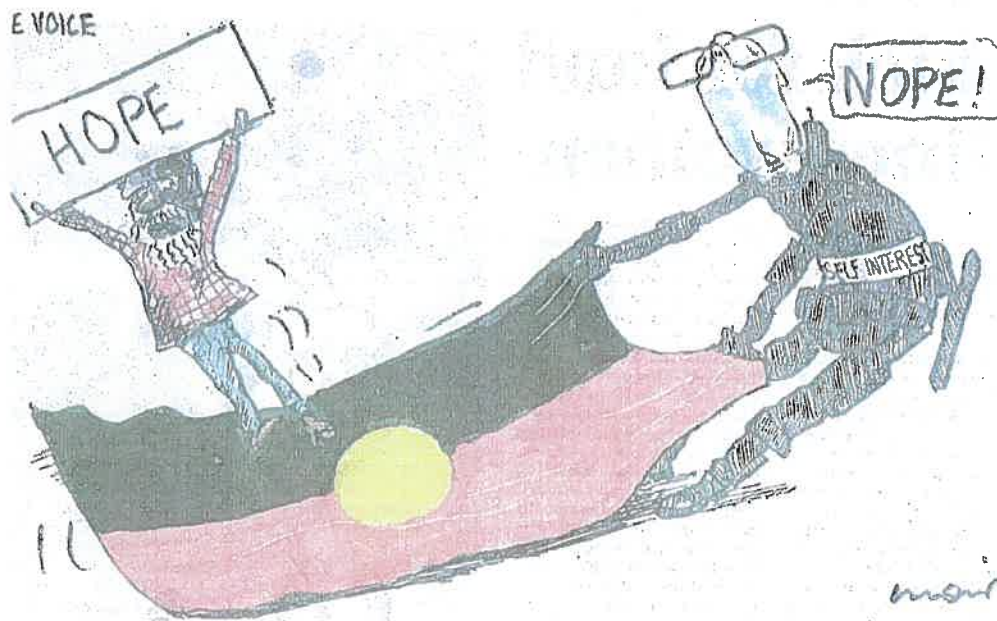
The enormity of the disparity between outcomes for Indigenous and non-Indigenous Australians meant elevating the Voice into the constitution offered a better chance of closing the gap, Speakman said.

“Some of the statistics are extraordinary: the most incarcerated group in the world; if you’re a young Aboriginal male, you’re more likely to end up in jail than go to university. If you’re an Indigenous woman in NSW, you are more than 30 times as likely to be in hospital because of domestic violence than a non-Indigenous woman,” he said. “This is not just a matter of tweaking outcomes – these are disastrous outcomes. And that’s why it’s got to be elevated to the Constitution and not just left as a legislative body.”

Four months after being elected leader by the Liberal party room, Speakman said he consulted and considered the available information in deciding to support the referendum.



**Liberal leader Mark Speakman.** Photo: James Brickwood



E VOICE

11

## **A Better Eurobodalla (ABE) Presentation to the Eurobodalla Shire Council Public Forum on Tuesday 15<sup>th</sup> August 2023 – GMR23/031 Review of Bay Pavilions**

Good Afternoon,

Thank you for the opportunity to present to Council. I present as Co-convenor of A Better Eurobodalla (ABE), a community forum working to achieve open, accountable and responsive government in Eurobodalla.

My focus today is on agenda item GMR 23/031- Review of Bay Pavilions. ABE, along with other concerned members of the community, have taken a sustained interest in the Pavilions project, with a particular focus on its long term financial implications for Eurobodalla ratepayers.

While the 30 page consultant's report provides a useful snapshot of the current financial problems facing the Pavilions, it does little to illuminate HOW we arrived at this parlous state or WHAT we should do to respond effectively. The report is more notable for what it omits than what it includes.

It is remarkable that the report lists only 8 "stakeholders", with community members not represented. All of the chosen "stakeholders" either work in Council or are contracted by Council. It is therefore an internally commissioned, driven and focussed report. There is no acknowledgement that the Eurobodalla community are in fact the "stakeholders" who will be paying the wages and footing the bills for ongoing financial losses of this project.

Given the constricted pool of "stakeholders", it is perplexing that the consultants failed to interview the 2 current Councillors who served through the entirety of the project. The only Councillor included is our current Mayor, who was elected at the tail end of this sorry saga.

Based on the limited project information contained in the report, the impression given is that it proceeded smoothly until operations commenced, when it was realised that there were financial problems. This is misleading, as the project exhibited cost blowouts and ongoing design modifications from its origins in dubious Commonwealth and State grant funding, with construction costs rising from \$46 million to around \$70 million – another inconvenient but important truth missing from this report. This alarming trend generated significant public disquiet, with questions and information requests being put to Council by individuals and community groups (including ABE) throughout the project. None of these community enquiries or concerns are acknowledged in the report.

It is possible that some of this community input may have been included in the "approximately 200 documents" given to the consultants, but (because the report

does not include a full documentation list) it is impossible to ascertain whether these submissions have been ignored or excluded. This key omission also diminishes confidence in the eight findings which state “*No evidence provided for review*”, as it is impossible to ascertain what evidence was actually submitted to the consultant.

It is notable that the only business case ever publicly released for the Pavilions was a 2017 DRAFT document which specifically stated that it did not include depreciation impacts and should not be used for grant application purposes, yet this is precisely what subsequently occurred. This key governance failure is not acknowledged in the report. In fact, the Eurobodalla community is still in the dark about the updated business case utilised by Council and shared with the consultants to prepare this current report. Every community request for key information or updated assumptions around the project was rejected under the guise of “commercial in confidence”, even when this was clearly not applicable. This is another key failure ignored by the report – the words “commercial in confidence” are absent from both the report and accompanying agenda paper tabled today.

It is especially puzzling that Councillor Mayne was not consulted for this report, as he was one of the 3 Councillors who asked well-informed and now vindicated key questions at critical junctures during the project, and yet the consultants did not meet with him. The key documents listed make no mention of the official video footage of Council meetings when important community-driven questions from these Councillors were actively blocked or ignored by senior Council staff. Once again, the question arises - have these critical governance failures been just ignored? Their omission from the report tacitly implies that these officially documented public failures of process do not warrant acknowledgement or require any updated governance practices – they have just been “disappeared” into the past.

For those who may say that these past events should be ignored as we look to the future, I offer the timeless advice :

“Those who cannot remember the past are condemned to repeat it.”

Any record of the Bay Pavilions project which chooses not to “remember” and acknowledge these key failures of Council staff and governance processes cannot be a credible basis to guide and inform the improvements required to ensure they will not be repeated in the future.

Past actions and failures of Council cannot be ignored or excused simply because some Council staff have moved on, since many of the senior staff present during this governance debacle are still present. Council as a legal entity is morally and legally bound to take responsibility and be accountable for its decisions and behaviour, both current and past. The requirements of the NSW Model Code of Conduct set minimum conduct standards for Council officials. They are required to :

- understand and comply with the standards of conduct expected of them;
- fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence; and
- act in a way that enhances public confidence in local government.

Council's non-transparent conduct during the Pavilions project was not consistent with these goals.

Mayor Hatcher recently said :

*“Transparency is critical for community confidence. There are important lessons to be learned from this review and decisions to be made based on the recommendations in the report.”*

ABE wholeheartedly agrees with him, and believes that the Pavilions fiasco is an object lesson of the financial and social damage done when a Council fails to be open, honest and transparent with their community.

The NSW Office of Local Government (OLG) guidelines state that Councillors *“are expected to represent the views of the community while making decisions in their interests; demonstrate conduct that the community expects and deserves; and plan and oversee the running of a significant and complex business.”*

It is clear that the conduct exhibited by Council throughout the Bay Pavilions project was frequently at odds with each of these requirements, and therefore constitutes a serious and systemic failure of governance which must be addressed.

Today's agenda paper recommendation to *“receive and note”* the report with *“consideration”* being given to vaguely worded changes to Council processes at an unspecified point in the future is not commensurate with the nature and scale of the problems revealed.

ABE therefore urges Councillors as a matter of urgency to direct senior staff to prepare and publicly circulate a concrete set of draft proposals which:

- i) address the key governance issues contributing to the systemic failures evident in the Bay Pavilions project, and
- ii) significantly reduce the Pavilion's recurrent financial burden on Eurobodalla ratepayers.

The review report makes it clear that significant decisions of great consequence for the Eurobodalla community must soon be made about future management of the Pavilions. The community's confidence in Council's ability and willingness to effectively and transparently make these decisions has been severely damaged by past events, and will be irretrievably broken if they are excluded from undertaking a meaningful role in this process.



To chart a successful course into the future, we need to understand and acknowledge how we arrived where we are today.

Thank you for your attention,

Dr Brett Stevenson

Co-Convenor, A Better Eurobodalla

15 August 20123

Public Forum Submission by Jeff de Jager regarding -

### **GMR23/031 - Bay Pavilions Financial Performance Review**

A big thankyou to the Mayor and General Manager for initiating the KPMG review into the operation of the Batemans Bay Pavilions – it finally has put some light on the behind the scenes apparent deliberate obfuscations and prevarications that have bewildered many in the community over the past 7 years.

Over those years, community members made many unsuccessful attempts to Council to release actual factual information about the Pav project and its genesis, the purchase of the Batemans Bay Bowling Club site. These requests for information were largely ignored and so were many community generated warnings about costs, design and operational matters, along with suggestions and recommendations for improvements. Subjects covered in these community inputs included comparisons of reticulation and filtration systems and their relative energy consumptions: such information was easily requested and obtained by community members from independent professional specialists but unwelcome within Council.

Anyhow, at last we are now aware that the costs associated with owning and operating the Pav are indeed crippling - the \$4.6 million figure exceeds many of the feared outcomes that members of the community believed may have been enough to have Council consider an increase in rates in order to cover them. To date, thankfully, those fears for increased rates appear likely not to be realised in the near future.

One of the largest components of the high costs is depreciation. This cost was not included in the 2017 consultant's business case but its non-inclusion was clearly identified and was the subject of a disclosure. It was also disclosed by the consultant that their assumptions and calculations were based on a very limited study by an Adelaide university of a handful of aquatic centres. Those red lights exhibited by the consultant appear to have been ignored along with pleas from community members as early as the Extraordinary Council meeting held on 29 August 2017 – six years ago.

What was the rush to proceed without full and proper information? Was it really to get the grants as we were told? Or was there some other motivation? Who knows?

While the terms of reference for the KPMG review have focussed mainly on the Pav's actual costs and how they compare with the so-called business case, it has nevertheless highlighted the seemingly selective information at times used by staff to inform Councillors and the inexplicable lack of or inadequate referrals of the project's status to Council's own Audit Risk and Improvement Committee.

The KPMG review also lists as "Stakeholders Consulted" six council-related people and two executives employed by the Pav's management contractor. Only two of the council-related Directors mentioned were employed over the duration of the project and furthermore, strangely, significantly missing from this list are past Mayors, past and present Councillors and the past General Manager and involved Directors who participated in the decision making process over the years. It is not known what, if any, information from council's files was made known to KPMG in addition to data relative to operating costs.

To be sure the review's findings do highlight the nature of the unacceptable level of costs and will be useful in determining what has to be done. The review also has called attention to the need for improvements within Council's management - including the enhancement of the role of the Audit Risk and Improvement Committee – and none of these needs for improvement should be ignored.

The limited ability though, for KPMG to consult with past decision makers (and indeed interested community members) is typical of some of the limitations imposed by some in Council in the conduct of the Pav project. In my view, the big limitation of the review is that it was unable to determine the sources and reasons for the past decision making that has now resulted in the current calamitous financial position. It follows that, without such full knowledge, learnings and warnings to prevent such mistakes being made again in the future will not be available.

In closing, I remind you, Councillors, that the KPMG review findings are just that – that is, they are findings, not informed recommendations. It is up to Council today to adopt those findings and, please, I urge you to go further to ensure further reviews and any necessary changes are implemented above and beyond the single recommendation in GMR23/031 before you “THAT Council receive and note the Bay Pavilions Financial Performance Review, Final Report, 27 June 2023”.

Jeff de Jager

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Presentation - GMR23/031 REVIEW OF BAY PAVILIONS – Lei Parker

August 15<sup>th</sup> 2023 – Public Forum.

Councillors,

I would like to address you today on the issue of the Batemans Bay Aquatic and Performance Centre.

From Council's own reports I would like to present some background first:

A site, identified as a regionally significant provided a strategic opportunity to create recreational and cultural facilities hub to benefit the Shire. A Sunset Committee was established with Council taking note of their valuable input into the process.

There was significant consultation with the community to define a development direction.

The consultant provided professional, independent, statistically reliable recommendation on the best way forward for the community and Council referring to statistically and demographically reliable survey data to establish market demand, user trends and inform development options

Following the creation of development concept plans for the site, the plans were publicly exhibited. The Council endorsed it's preferred option.

The consultant also provided a business plan. It was evident that given the significant estimated capital cost Council would need to secure funding from a range of sources.

With development likely to be staged over a number of years in line with capital availability, priority needs and optimum operating financial performance, there was time and opportunity to also plan and attract investment to the project.

As a next step in the project, Council needed to develop a more detailed, design, funding and investment strategy.

Council policy requires that the whole of life cost be considered before accepting any new asset. This includes ongoing maintenance costs and replacement costs.

The key findings of the report and business planning results indicated a significant community benefit of developing the facilities however, this would come at a cost to the community now and into the future.

To understand the extent of the cost, significant, further detail, design work needs to be done to enable a more robust funding and financing strategy to be developed by Council.

### **Councillors, the above is NOT about Mackay Park**

**It is in fact paraphrasing a REPORT TO ORDINARY MEETING OF EUROBODALLA SHIRE COUNCIL HELD ON TUESDAY 27 AUGUST 2013 which moved, and adopted, that Council:**

*“Receive and note the Hanging Rock Master Plan and Business Plan that included an arts space and aquatic centre”.*

What happened to this project? Council sat on its hands. Why? There were political aspirations, there was an upcoming hush-hush opportunity to buy the old Bowling Club site, the Batemans Bay pool had end of life issues, and staff had their own vision of what might be, A Gateway Vision, if only money could be found.

Sometime later, after the 27<sup>th</sup> August 2013 approved motion, it is understood that the next batch of Councillors were advised, during briefings, around the Mackay Park business plan, that Hanging Rock would have less exposure as a venue and, as such, the projected revenues would be well below financial viability.

Moving on to Mackay Park, its double speak, its lack of transparency, a poor paper trail, a business plan with questionable income and expenditure projections.

The initial business plan for a \$46m facility, warned:

*It should be noted that the financial model does not incorporate sensitivity analysis or depreciation at this stage. This will be done after the base case assumptions and preferred design option have been approved by Council. Further, once the preferred design option and financial modelling has been approved and finalised, an assessment of the economic impact of the facility **should** be undertaken by Council to support any applications for external funding.*

But what did council do?

It used the business case, against advice, to apply for funding from NSW Sport. That application was turned down because the facility had no sporting component and was joined to a theatre.

It also applied for funding from the Federal government Regional Growth Fund. This funding stream was found by the Auditor General to be compromised in its processes.

In the media release from Ann Sudmalis she was very clear...  
 “Eurobodalla Shire Council have been invited to submit **their full Business Case** for assessment under the Australian Government’s highly anticipated \$272.2 million Regional Growth Fund.”

The Mayor, in her own media release said at the time “I’m certain Council’s strong and affordable business case that focuses on meeting the broadest community needs and our commitment to the project have impressed the Federal government.”

Council did not provide a FULL Business case or even the flawed one as was required, but were, never the less, awarded the \$25m grant two days before a Federal election was called.

As it was, the promise was only that, an unfunded promise, but it was honoured when Labor won the seat of Gilmore, though they did not call for a FULL business case.

An FOI request to determine what business case had been provided to NSW Sport saw Council blocking attempts and then refusing to reveal, while being told to provide. After several attempts and an *NSW Civil and Administrative Tribunal (NCAT)* directive to Council to desist the heavily [redacted application was released](#) that revealed Council had used the Otium Business Case contrary to advice from Otium, given that the preferred option and, therefore, financial modelling had not been approved

by Council and finalised, nor had there been a transparent assessment of the economic impact of the facility on the community as per:

*Further, once the preferred design option and financial modelling has been approved and finalised, an assessment of the economic impact of the facility **should** be undertaken by Council to support any applications for external funding.*

**The Councillors of the day were clearly advised of the above by way of a Public Access Presentation by myself on Tuesday Oct 23rd 2018. They ignored it.**

Next came the gifting of \$26.5m from the State Government that included \$8m that was pork barrelled for the Theatre. That funding required no business case and therefore required no scrutiny.

The Councillors had been clearly advised that \$33m of their \$51.5m in grants had come from political pork barrelling. They didn't care. It was money for nothing. But it turns out that, like a gifted Rolls Royce, such an "gift" comes with a substantial future costs.

The report before you today clearly reveals there was little if any evidence of consideration of this ongoing burden. Right from the start, decades before, political aspirants made promises that glittered and seduced and never bothered to reveal the cost it would bring to future generations. "Vote for me and I will deliver glittering prizes".

In looking at the archive of *The Beagle* there are 150 specific articles on Mackay Park going back to 2016. Most of them place a spotlight on the failures of consultation, the unwillingness to release information, the audacious ignorance of public analysis made of the business case, the pork barrelling, the manipulations, and the warnings around the failures to prove the viability of the project, especially after it went from a \$46m build to \$70m.

A copy of most of those articles were emailed to councillors to ensure they were being given additional information outside of the information that were receiving at briefings.

Some Councillors chose to block these emails while others chose to denigrate the messenger, being *The Beagle*, referring to it as a *rag of a blog*, in an

attempt to discredit it, and the warnings it offered.

I welcome the KPMG report that reveals much of what the councillors were being repeatedly informed by their own community outside of the briefings they received behind firmly closed doors.

Council had publicly stated: “Council's independent Audit, Risk and Improvement Committee has been briefed on the financial details of the project throughout the process.”

Reading the first line of the Findings it appears that this was not the case.

## Findings – Bay Pavilions Timeline and Key Documents

### FINDINGS

- No detailed meeting minutes for ARIC were available and/or documented to form part of this review. There were no meeting minutes provided to this review that indicate the ARIC was briefed on or approved any version of the business case or financial model at the time of development.
- During the ARIC meeting on 3 March 2021, there were mentions of an updated business case which had not yet been made public. It was unclear whether the ARIC had seen an updated funding model but it was noted that “Councillors and Audit Committee have been briefed on the budget impacts”.
- No evidence was provided for this review showing detailed, critical Council discussion of key documents and information, particularly relating to the ongoing financial impacts of operating the facility. In some cases the facility was discussed in closed sessions of Council meetings or in confidential briefings, for which minutes were not available.
- No evidence was provided for this review showing Council was provided with a copy of the OLG assessment of the facility, which noted that Council must be satisfied with community demand for the facility and be satisfied in its ability to subsidise losses from the General Fund.
- It was, however, clear that in March 2020 Council was provided with an externally prepared document forecasting a loss of \$2,588,333 in the first year of operations (the 2020 Operating and Management Model Review)<sup>1</sup>.
- In July 2021, Council was provided with a document<sup>2</sup> forecasting a loss of \$3,440,626 in the first year of operation, and used this document to endorse the selection of a third party operator for the facility. A review of the preferred operator's budget against the March 2020 Operating and Management Model Review was not included in the briefing based on information provided. This is despite the \$808,140 increase in the operating loss for the first-year of operation.

Council were later advised, in this chamber, that the Audit, Risk and Improvement Committee was not fully briefed on the finances of the project as they could not be provided with all financials due to “commercial in confidence”.

In fact, in this chamber, on July the 28th 2020, Council Phil Constable, a member of that committee, asked for a deferral of the vote to proceed with the project and commit Council to pay \$19 million to address for the financial shortfall.

He moved a motion for deferral so that the Audit, Risk and Improvement Committee could be briefed, and their informed advice received.

That motion was voted down.



It was on July the 28th 2020 that the councillors voted 6-3 to endorse the preferred tenderer for the \$70 million Mackay Park project and, in doing so, endorse committing \$19 million of ratepayers money to prop up the \$51 million they had in State and Federal Grants.

The motion came via a 160 word Mayoral Report that was given to Councillors at the last minute. This saw a fifteen minute break for them to digest the report and then come back to the chamber to vote on it.

The motion, in part, was very clear:

Do you endorse the preferred tenderer and do you commit \$70 million (including \$19 million of ratepayers money)?

YES or NO

Innes, Brown, Thomson, Nathan, Tait and Pollock all said YES.

McGinlay, Mayne and Constable said NO.

In order to vote it was essential that Councillors were fully informed. One area where they needed to be certain was that the Office of Local Government was satisfied with the proposed project.

General Manager Dale admitted in writing that material correspondence, received on July 13<sup>th</sup>, 2020, was NOT given to councillors in the leadup to their crucial vote on committing \$19 million to the Mackay Park project.

The OLG correspondence stated, in part:

OLG's assessment concluded that Council's review meets the relevant criteria of the Guidelines.

OLG notes that, factoring in all costs, the built facility is projected to operate at a loss for the first 10 years of operation. Council must be satisfied of the community demand for the facility, as proposed, and the ability to subsidise the facility from the General Fund. Council should also consider the potential adverse effect of the current COVID-19 pandemic on the projected revenue of both the built facility and Council.

It is also of concern that, while the top line of the above OLG correspondence was reported to the Councillors via the Council meeting agenda of July 28<sup>th</sup>,

2020, the second (and quite concerning) paragraph above was not conveyed.

Had the councillors been given a copy of the letter, held by the General Manager for two weeks prior to July 28<sup>th</sup> they would have also read the following:

While Council has generally satisfied the OLG's capital expenditure criteria, it is important to note that this response should not be construed as an endorsement or approval of Council's proposal.

**But all they saw of the letter was a single sentence extract.**

REPORT TO ORDINARY MEETING OF EUROBODALLA SHIRE COUNCIL  
HELD ON TUESDAY 28 JULY 2020

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PSR20/015 BATEMANS BAY REGIONAL AQUATIC, ARTS AND LEISURE CENTRE

S023-  
T00024

The Office of Local Government (OLG) has assessed Eurobodalla Shire Council's review for compliance with OLG *Capital Expenditure Guidelines* (Guidelines), issued under section 23A of the *Local Government Act 1993*.

The Guidelines seek to ensure that a council's review of a proposed capital expenditure project is consistent and transparent, that the merits of capital projects can be compared, and that resource allocation can be made on an informed basis by the council.

OLG's assessment concluded that Council's review meets the relevant criteria of the Guidelines.

**Community and Stakeholder Engagement**

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

The opinion offered by the OLG in their **full letter** of Review WAS indeed material to the information required by the councillors in order to assist them to make their decision to commit \$19 million of ratepayers money to the Mackay Park project.

The OLG, in their letter, clearly indicated they perceived a risk, yet that opinion was not given to the councillors, or to Council's Audit and Risk Committee by General Manager Dale, as confirmed in the letter to *The Beagle* editor dated 11 November 2020.

Had the OLG letter not been accessed via a GIPA request the councillors would still be none the wiser of its contents.

During debate of July 28th 2020, the Councillors initially considered that they had been **fully advised** of everything they needed to know in order to vote.

Clr Nathan said during the debate *“We as the elected body have been thoroughly briefed.”*

**Note that whilst she said this the OLG letter was only known to one or two executive, and NOT councillors.**

Clr Pollock added during debate *“There is nothing more to be placed to the Audit and Risk Committee for them to make a more informed decision than they have already provided”.*

Yet the Audit and Risk Committee **had not** been provided the OLG letter either.

Councillor Pollock offered during Council debate of 28th July 2020 (1.54.39 timestamp <https://webcast.esc.nsw.gov.au/archive/video20-0728.php#placeholder> ) that the project had gained the greatest level of government support of any programme put forward by Eurobodalla Council.

He then asserts *“None of that happens without significant scrutiny from all of those sources”.*

But now we know that the FULL business case was never provided to the Federal Government and it was not scrutinised by the State Government following the announcement of Andrew Constance and Gladys Berejiklian

We also know that the Council’s Audit and Risk committee were in the dark on financial detail and were not as informed, as suggested during debate, as the KPMG reports.

- c) It is unclear what the role of the Audit, Risk and Improvement Committee (ARIC) was in the process. It appears that only 3 out of 5 key financial documents were presented to both Council and ARIC, with ARIC presentations lagging Council presentations by anywhere between 3 and 18 months. Minuted discussion related to ARIC’s considerations of these documents was not provided for this review.

During debate, and prior to the final vote, then Mayor Innes said:

*“Ultimately, what the community knows is what the community knows. What*

*concerns me is what you, myself and my fellow councillors know. Because we are the ones who need to have all the information in front of us to make a decision on behalf of those who have democratically elected us to make decisions on their behalf"*

The KPMG report is scathing. It reveals an litany of process failures and each of these failures are there in detail.

Innes said that "*councillors need to have all the information in front of us*"  
.....

But what if the information wasn't all there, as appears to be the case. What if the financials were never independently scrutinised? What if the financial information and assumptions failed the Pub Test.

Most Councillors chose to be cloth-eared to the concerns being raised, instead choosing to remain within their own echo chamber?

The KPMG report gives the Council of the day, in my opinion, of an F-scorecard in regards to the project.

I endorse the recommendations of the General Manager to establish a Projects Management Office. There is little doubt that the plethora of failures we now have on record would not have happened if the administration that brought us to this point had been held to account by those we elected.

Some tried, but the majority won the day and delivered the legacy to the term of councillors we now have.

In turn the burden of *The Pav* will be passed as a baton to the next term of Councillors, and the next, and the next.

Hopefully, with the right leadership in place, the community will embrace the facility, and with sensible management overheads can be reduced without reducing delivery.

**A Better Eurobodalla (ABE) presentation to  
Eurobodalla Shire Council public forum  
on CAR23/012 Aboriginal Advisory Committee Recommendation  
15 August 2023**

I am presenting today as the Co-convenor of A Better Eurobodalla (ABE), a community forum working to achieve open, accountable and responsive government in Eurobodalla.

ABE has applied our principles of good governance to the following Aboriginal Advisory Committee Recommendation (ESC CAR23/012):

‘We the members of the Aboriginal Advisory Committee recommend that the Eurobodalla Shire Council supports a ‘yes’ vote in the referendum for an Aboriginal and Torres Strait Islander Voice to Parliament. Also, that the Council advises all residents of Eurobodalla Shire about this decision and advertises this decision in signs on the council’s properties’.

The governance aspects that I will discuss this morning relate to

- the role of the ESC Aboriginal Advisory Committee and its relationship with council, and
- the role of local government in relation to national or federal issues.

As background, the statement by the nine chief ministers of Australia supporting the constitutionally enshrined voice to Parliament, noted the following principles put forward by the referendum working group for the Voice, that it:

- provides independent advice to the parliament and government
- is chosen by First Nations people based on the wishes of local communities
- is representative of Aboriginal and Torres Strait Islander communities

- Is empowering, community-led, inclusive, respectful, culturally informed and gender balanced and includes youth
- is accountable and transparent
- works alongside existing organisations and traditional structures
- does not have a program delivery function and
- does not have a veto power.

The Eurobodalla Shire Council Aboriginal Advisory Committee is one of the seven advisory committees to council. Its Terms of Reference include that:

‘The role of the committee is to promote Aboriginal Culture within the Eurobodalla Shire and to advise and make recommendations to Council on matters relating to Aboriginal people.’

The Objectives of the Committee include ‘To advise and liaise with Council regarding issues impacting on local Aboriginal communities’.

In August 2018 the Australian Local Government Association made a Submission to the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Peoples.

That submission included that

‘Local governments across Australia are very supportive of constitutional recognition of Aboriginal and Torres Strait Islander Peoples. At the National General Assembly of Local Government (NGA) held in June this year over 800 representatives of local governments voted on motions of national importance to local governments. One of these motions was that the National General Assembly endorses the constitutional acknowledgement of Indigenous Australians as the first peoples of this land.’

These statements and positions firmly place this issue in the realm of local government across Australia.

More recently at the ALGA June 2023 meeting attended by our Mayor, the resolution (Motion number 95) was carried that:

‘This National General Assembly acknowledges the Australian Government’s support of constitutional recognition for Aboriginal and Torres Strait Islanders through a Voice to Parliament and recognises what the Uluru Statement and the Voice to Parliament

will mean for Australia's First Nations peoples and the broader Australian community.'

Arguments put against local government taking a position on the Voice include that this is a political issue and that it is a federal issue and therefore not the business of local government.

Whether it is liked by individuals or not, local government is part of the political domain. People stand to be elected on positions that they take publicly, whether they are part of a recognised political party or as independents. They are voted in to represent their constituents. This is political.

Somewhat ironically this issue of the Voice to Parliament sits more comfortably outside traditional political processes. As we know it comes from the Uluru Statement from the Heart – a non-partisan document. While there has been opportunistic politicisation of the Voice, it has not emerged from a political party but from Australia's First Nations peoples.

In Eurobodalla, and particularly in this place, the First Nation's voice comes through the Aboriginal Advisory Committee. That message to Council is to support a 'yes' vote in the referendum for an Aboriginal and Torres Strait Islander Voice to Parliament

Twelve months ago, on 26 August 2022 Mayor Hatcher gave us some very relevant words. I quote:

'Some members of the community want us to have an opinion and stand up to advocate strongly, while others think we should stay in our lane and just deal in roads, rates, and rubbish. A quick look around local social media makes this contrast clear.

The councillors and I were elected as advocates to the Council on behalf of community. But we also see our role involves lobbying the state and federal government on issues you want to see changed. I believe our Council is more than roads, rates, and rubbish.

When there's a housing crisis, when there's potholes on the Princes Highway and when someone wants a speed limit lowered, we are contacted. We are looked to when everything goes wrong and asked to fix things even if it's not something that local councils do. Just because it's not something we do, doesn't mean we can't fight for it to happen.

I believe it's my role, and that of Council, to show leadership on issues beyond local government. Anywhere there's an opportunity to make life better for our residents, we should and will step in.

Our advocacy shines a light on state and federal issues.'

In recent times the local government sector has made resolutions to Australian Government on matters including: climate change and adaptation; transition to net zero; coastal adaptation planning; housing and emergency response and resilience.

So, to engage in and impact on national or federal issues is an intrinsic and important role of local government as the level of government closest to the people who it serves.

In December 2022 thirty-eight mayors from across Australia issued a joint statement in support of the upcoming referendum for constitutional recognition of Indigenous Australians. That statement included that:

'Local government must play an important role in holding civic forums, promoting dialogue, and providing a platform for Indigenous voices to be heard in the debate. We believe that a successful referendum can be a unifying achievement for Australia.'

In Eurobodalla, the 2466 people who identified as Aboriginal or Torres Strait Islanders in the 2021 census represent 6.1% of our population, compared to 3.4% across NSW and 3.2% across Australia.

From the ESC Aboriginal Action Plan 2020-2024

'Council acknowledges, respects and works with the traditional custodians of the land, and sees our relationship with Aboriginal people as an important step in building community strength and resilience. The benefits of strong relationships between Aboriginal and non-Aboriginal people include: • mutual understanding of the culture and heritage • building trust between Aboriginal and non-Aboriginal people • increased sense of wellbeing and community resilience • acknowledgement and healing of past traumas • collaboration and meaningful interactions for consultation, and • nurturing future relationships.'



This resolution gives this council the opportunity to live up to those goals.

Bernie O'Neil  
Co-convenor  
A Better Eurobodalla  
15 August 2023

**CAR23/012 Aboriginal Advisory Committee Recommendation:  
- Supporting The First Peoples Voice Referendum –**

**Walawani: Mayor and Councillors,**

Today, I stand before you to lend my voice in support of a rare opportunity for our nation, an opportunity that echoes the values of inclusion, fairness, and unity that our local community aspires to uphold. I speak on behalf of the Eurobodalla for Yes movement, aligning our vision with the unanimous recommendation from the Aboriginal Advisory Committee. Together, we have a chance to contribute to a more just and compassionate Australia by supporting the First Peoples Voice Referendum.

The Eurobodalla Shire, rich with a cultural history stretching back over 60,000 years, serves as a testament to the resilience and enduring spirit of the First Peoples. The local Voice to Council established through the Aboriginal Advisory Committee has paved the way for us to understand the importance of genuine representation. Just as this local initiative has strengthened our community, so too can a national Voice to Parliament uplift our entire nation.

**Why does Australia need a Voice to Parliament?**

This referendum is not merely a historical gesture; it is a pivotal step towards reconciliation, a means to correct past injustices, and a way to address the ongoing traumas that First Peoples endure. The stark disparities in life expectancy, the heartbreaking prevalence of youth suicides, the disproportionate representation of our young ones in detention, and the higher child mortality rates remind us that there is much work to be done.

By supporting a YES vote in the upcoming referendum, we are rectifying a historical wrong - a unique opportunity to acknowledge that First Peoples existed in this country prior to the establishment of Australia as a nation. In the 1976 referendum First Peoples were counted, in 2023 they are seeking to be heard on the decisions that impact their lives, creating a more just and inclusive society.

## Why should Councillors vote to support this motion?

Some may argue that this is a matter for the Federal Government, but I ask you to see the bigger picture. As leaders in our community, you have been elected to represent all of us. By voting YES today, you are not only demonstrating leadership but showing genuine support for the First Peoples of the Eurobodalla Shire.

The First Peoples of this Shire need a Voice to Parliament just as they need a Voice to Council. This is why the Aboriginal Advisory Committee has unanimously recommended to Council that it publicly supports a YES vote in the coming referendum.

I ask you to consider a powerful addition to the recommendation: *“That our Mayor, representing our united voice, reach out to all other Mayors and Councils across Australia, encouraging them to join us with a similar motion of support for the establishment of a Voice to Parliament.”* Together, we can be a beacon of democracy, unity, and respect that our nation needs. Importantly, this motion will cost Council nothing but will have a profound effect on the discussion in our community and beyond.

In closing, I thank you for considering this crucial decision. By voting YES today, you are not just supporting the First Peoples of the Shire; you are making sure that the Eurobodalla Shire Council stands on the right side of history. Together, let us shape a future where every voice is heard, where every life is valued, and where our collective strength propels us towards a brighter tomorrow. And, Councillors, as elected representatives you know – **It’s always better to vote Yes than No.**

Thank you.

Paul Spooner

For Eurobodalla for Yes

Council Public Forum 15th August 2023  
re the recommendation of the Aboriginal Advisory Committee

I speak to you today as leaders in our Eurobodalla community, about the recommendation from council's Aboriginal Advisory committee to support a yes vote in the coming referendum and the committee's request to inform our community.

This is a significant opportunity in our history.

As Australians we are on a journey of healing from a colonialist past, gradually waking up to the injustices of what happened here to First Nations peoples with British settlement. We are starting also to realise that we have much to learn from traditional knowledges that existed and that thrived here for so long... these oldest continuous cultures on the earth.

Growing up on a small family farm south of Cobargo I knew nothing of this history. My first connections with Aboriginal people were as a teenager when I went bean picking to earn pocket money on neighbours farms. The other bean pickers were Aboriginal guys from Wallaga Lake. We worked alongside each other in the rows of beans. .. back aching work!

I was at high school in Bega then and few Aboriginal young people were coming to school. I knew so little of what had happened ... didn't even know to ask why.

There was then little available information then about what had happened to Australia's first peoples and simliarly, little information as to other socially set up differences like sexism and class differences that cause people to hurt each other.

When I left home to train as a teacher I remember looking to understand more about how society is set up with power imbalances. . I remember trying to figure out racism and learning about the Nazi holocaust. As a new teacher I was trying to understand why some families in my preschool were so poor. Years later I began learning about the horrific mistreatments of our First Nations peoples in Australia: the stolen lands and livelihoods, children taken away, peoples forbidden to speak their own languages and so much more.

It seems to me now that it has taken SO long for us to right the wrongs of this horrendous history and what has been lost like the knowledges enabling survival in many different environments! I am saddened to have been part of society that's done this.

So now I think .... What's in it for us as a society to recognise our first peoples in this way they are asking for by giving their communities' representatives opportunity to comment about laws which are being made about them?

Some other wins for our humanity..

One hundred and 20 or so years ago our parliament made a laws thay gave women the vote. It is hard today to imagine that I wouldn't be able to vote. There *is* still a lots of sexism ... and things have changed and women have stepped up and make significant contributions to our society. Think the Matildas today for example!

Likewise the sky didn't fall in when gay marriage became legal. When we address inequality and injustice we become a more connected and socially richer society.

In Australia we are proud of being a multicultural country. We have certainly benefitted from that diversity. Surely it is time now to also treasure the knowledges of our first peoples and in doing that take important steps in a long overdue healing journey?

We are learning more about how traditional owners cared for country: a more integrated sense of what *country* can mean - the lands and waters and all the creatures.

I appreciate the things we are learning now from these oldest continuous cultures on earth and the skilled and creative contributions that so many First Nations folks bring to our lives - in music and art, in sport, science, law, journalism, medicine and so many fields. Think Bangarra

Dance company, William Barton blending didgeridoo and classical music, Rachel Perkins film maker, Cathy Freeman, Geoffrey Gurrumul Yunupingu the amazing blind singer from Elcho Island and Yothu Yindi singing Treaty.

Many brilliant contributions to Australian society. Yet .. still many people are hurting because of the disconnections. In the Uluru Statement one of the heartbreaks is about the numbers of Indigenous young people in gaol. Part the statement reads "*Proportionally we are most incarcerated people on the planet. We are not an innately criminal people*"

Aboriginal and Torres Strait Islander people are asking for a chance to be heard, their thinking to be listened to when laws are being made about their communities.

Why should council endorse this request to support and advocate for a YES vote? It is an opportunity to show ethical leadership and caring to our community.

We have this opportunity to contribute to healing in our country. I ask you - please, open your hearts - help our country on a healing journey and agree to this request from your advisory committee and be part of the really generous offer to walk together as in the invitation in the Uluru Statement.

Our human minds are amazing when we connect with respect. The more diverse people we connect with the richer our decision making will be.

Let us as the Eurobodalla community play our part by getting our community members thinking here about what is fair.

## References

### Books

*The Voice to Parliament: All the detail you need.* by Thomas Mayo and Kerry O'Brien

*Everything You Need to Know About the Uluru Statement from the Heart* by Megan Davis and George Williams

### Short Youtubes

Redfern speech 1992 by Paul Keating <https://www.youtube.com/watch?v=LAFaHP6w6tE>

*Got a Story to Tell* ya <https://www.youtube.com/watch?v=5gF6DqYH6FE> 1 minute video

Thomas Mayo reading The Uluru Statement

<https://australiainstitute.org.au/event/the-voice-to-parliament-handbook-with-thomas-mayo-and-kerry-obrien/>

### Map

AIATSIS Map of Australia <https://1.bp.blogspot.com/-7SQbZrMW0Xs/VRos883FvQI/AAAAAAAAcaY/YACxVglrxLI/s1600/Australia.jpg>

Good afternoon Mayor, Councillors, General Manager, Staff, Gallery and those comfortable live streaming from home my name is Patricia Hellier

I would like to address item number CAR23/012 Aboriginal Advisory Committee Recommendation

Councillors I am not here today to endorse or support the 'YES' or the 'NO' vote, nor should I.

In ALL the years I have been involved with Council I have never seen such a request put forward to any group of Councillors for any referendum. I firmly believe it is not the role of Councillors to show support or try to sway one way or the other in any proposed referendum.

I also believe that it is not appropriate for signs be placed on the Council own properties to do so I believe would set a precedent for future NSW and Federal Elections.

I would also like to remind the Councillors at no stage during the 2021 Council election were you elected on an issue to support any referendum,

How people VOTE is their individual choice.

Patricia Hellier