



AGENDA

Ordinary Meeting of Council

24 June 2025

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Eurobodalla Shire Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act, to the best of their skill and judgement. The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

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

ON TUESDAY 24 JUNE 2025

COMMENCING AT 12:30 PM

AGENDA

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

- 1. WELCOME**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
- 3. APOLOGIES**
Nil
- 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
4.1 Ordinary Meeting held on 27 May 2025
- 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**
(Declarations also to be made prior to discussions on each item)
- 6. PUBLIC FORUM**
- 7. MAYORAL REPORTS**
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- 8. NOTICES OF MOTION**
Nil
- 9. QUESTIONS ON NOTICE FROM COUNCILLORS**
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- 10. PETITIONS**
Nil

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MARK FERGUSON
GENERAL MANAGER

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MR25/002 RAISING THE ALARM ON RURAL FIRE SERVICE FLEET - PARLIAMENT LISTENS TO COUNCILS

Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to seek approval to formally advocate for the swift adoption of the recommendations resulting from the parliamentary “Inquiry into the assets, premises and funding of the New South Wales (NSW) Rural Fire Services (RFS)”.

The Public Accounts Committee heard that councils across New South Wales are responsible for assets and infrastructure they do not control, manage or, in some cases, even access. Councils are legally required to own red fleet fire fighting vehicles that are exclusively operated by the RFS. They are expected to account for them in financial statements, maintain them, and manage associated audit obligations, all without having meaningful operational oversight.

The key recommendations resulting from this Inquiry includes:

- **Transferring legal ownership** of red fleet assets to the RFS
- **Amending the Act** to clarify that responsibility for maintenance and repairs rests with the NSW RFS
- **Clarifying in the Act** that the NSW RFS holds primary responsibility for bushfire mitigation and hazard reduction
- **Assigning future responsibility** for provision of new premises to the NSW RFS

The Eurobodalla Shire Council (the Council) submission supported the objective of the Bill to vest ownership of RFS assets in the Commissioner. The Council urged the Parliamentary Accounts Committee to determine that vesting these assets in the NSW Government is both appropriate and necessary. This measure would relieve local councils of a significant financial burden and ensure that responsibility for these resources rests with the organisation that controls and operates them.

The RFS can no longer maintain the position that it merely delivers firefighting services on behalf of local councils, as may have been the case prior to 2001. The ongoing vesting of RFS assets—which are becoming increasingly expensive to purchase and construct—continues to impose a significant and unsustainable financial burden on councils and, ultimately, on ratepayers.

This burden risks leading to rate increases for residents, including the approximately 900 RFS volunteers in the Eurobodalla Shire who already face the same financial pressures as the broader community. These volunteers generously give their time to protect their communities and should not be indirectly penalised through increased local rates resulting from asset ownership responsibilities that rightfully belong with the State.

The Council considers this action an important opportunity to visibly reinforce our consistent advocacy for the best interests of our community.

**MR25/002 RAISING THE ALARM ON RURAL FIRE SERVICE FLEET - PARLIAMENT
LISTENS TO COUNCILS**

RECOMMENDATION

THAT Council:

1. Advocate to the NSW Premier and the Minister for Local Government to implement as soon as possible the recommendations of the parliamentary inquiry into NSW RFS funding, assets and premises.

REPORT

In NSW, bush firefighting and mitigation—commonly referred to as "bush fire response"—was traditionally managed at the local level by landowners and local councils. Local councils held a key responsibility in overseeing firefighting services, resources, and infrastructure. This role was formally recognised in the Municipal Institutions Act of 1858, which empowered municipalities to create by-laws aimed at preventing and extinguishing fires.

The Rural Fires Amendment (Red Fleet) Bill 2023 [NSW] introduced by the Hon A J Marshall, MP sought to address the inconsistencies of compliance with the Act and the significant financial implications of vesting assets in councils.

The current situation stems from arrangements established when the *Bush Fires Act 1949* was enacted. However, NSW has changed significantly since then. Over the past 75 years, RFS has evolved into a multi-faceted organisation that responds to a wide range of incidents and plays a key administrative role in various aspects of community interaction. These developments have outgrown the original framework, which imposed responsibilities on councils under very different circumstances.

The key issue is that councils have limited control over the acquisition, utilization, maintenance, and eventual disposal of RFS assets. However, they are still expected to account for these assets on their balance sheet and profit and loss statements, either through direct maintenance expenses or depreciation costs.

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QON25/002 VIRTUAL FENCE

S028-T00001; S010-T00015

Responsible Officer: Mark Ferguson - General Manager

Attachments: Nil

The following question on notice was received from Councillor Anthony Mayne:

Question

Could Council provide an update on the status of each of the three Virtual Fence trials currently being undertaken or completed within the Shire? Specifically, could the report include the:

- location and length of each trial,
- percentage change in wildlife vehicle collisions (or related data),
- cost of each trial (including installation and maintenance),
- management and operational responsibilities associated with each trial?

Eurobodalla Shire Council has taken a leadership role in trialling this road safety innovation and has been approached by multiple Councils who are also interested in this project. Having been a member of the South East Australian Transport Strategy group and also chaired the Roads Traffic Committee for 8 years, I have seen a groundswell of community interest in our Shire's road safety initiative.

To further facilitate the sharing of knowledge derived from 3 trials now underway in our Shire, Our Council is well placed to host a virtual symposium about the Virtual Fence project. The Symposium would enable the sharing of valuable insights, learnings and field knowledge to interested Councils across Australia and thereby potentially contribute to the reduction in roadkills and related vehicle accidents. Such a Symposium is a cost effective way to share knowledge, conduct virtual site visits of trial areas and to facilitate a Q&A session.

At the 2024 ALGA National Conference, ESC successfully moved a motion advocating to the Federal Government for funding for this project so that more trials could be undertaken across the country. It is clear that this area of road safety requires ongoing research and development. Our Council recognises that more research is required. I remain passionate about road safety and commend Council and its staff members on their efforts to reduce wildlife vehicle collisions and the associated risks to both wildlife and motorists.

Response

Council has supported virtual fence trials at three locations across the Eurobodalla Shire: Cullendulla Drive at Long Beach, Dunns Creek Road between Mogo and Tomakin, and more recently, Tomakin Road. These trials are part of Council's ongoing efforts to reduce wildlife vehicle collisions and improve safety for motorists through the implementation of innovative road safety technologies.

The virtual fence system operates by using devices that emit a combination of audible alerts and flashing LED lights when triggered by approaching vehicle headlights. The devices are placed at 25 metre intervals on alternating sides of the road, forming a "virtual fence" that alerts animals to approaching vehicles. The system has been found to be most effective in areas with speed limits of 80 kilometres per hour or less.

QON25/002 VIRTUAL FENCE

**S028-T00001;
S010-T00015**

The first trial installation of 1.1 kilometres was conducted along Cullendulla Drive at Long Beach. The results were very encouraging, with a noticeable reduction in wildlife fatalities and a positive response from the community. This trial formed the basis for an expanded program. In 2024, an additional 1.8 kilometres of virtual fencing was installed along the worst section of the identified hotspot on Dunns Creek Road, Mogo. Prior to the installation, this stretch of road had recorded multiple wildlife strikes weekly, including a peak of five strikes in a single week in June 2023. Following installation, only a handful of animals have been struck, representing a significant reduction and clear improvement in both wildlife protection and road safety.

Encouraged by the effectiveness of the initial Dunns Creek Road section, Council proceeded to install a further 2.7 kilometres of virtual fencing, completing the coverage of the hotspot area. This final section was installed several months ago, and early results continue to show strong performance. Council has received extensive and positive feedback from the community. Prior to the installation of the final section, Council officers undertook a door-knock of all adjacent private properties along the road. Every resident spoken to reported visible reductions in roadkill, with several noting that neither they nor members of their households had struck any wildlife since the fencing was installed. Council's road crews have also corroborated this feedback.

WIRES (NSW Wildlife Information, Rescue and Education Service Inc.) has also reported a noticeable decrease in call-outs to the areas where virtual fencing has been installed, further supporting the effectiveness of this intervention.

In addition to the works on Dunns Creek Road, Council has recently installed 3 kilometres of virtual fencing along Tomakin Road. Although this installation is more recent, the early indicators are promising, and similar trends in reduced wildlife strikes are being observed.

Council continues to receive enquiries from other councils and wildlife organisations regarding the virtual fencing initiative. The success of these trials has positioned Eurobodalla Shire Council as a national leader in the use of virtual fencing as a road safety and environmental protection measure.

Funding and support for these initiatives have been provided not only from Council's own resources but also through contributions from several organisations, including the Great Eastern Ranges (a community conservation organisation), the World Wide Fund for Nature, the Coastwatchers Association Inc., and WIRES. Council has established an annual budget allocation for the purpose of continuing the rollout of this program. This funding is used both to expand the initiative to additional high-risk areas and to attract further grant funding.

While the results to date have been highly encouraging, they are largely based on anecdotal and observational data. Formal evaluation is limited by the absence of comprehensive wildlife vehicle strike data. WIRES does collect call-out information; however, this data is not made available to Council and does not capture all incidents. To address this gap, Council is actively advocating for a university or other qualified research institution to undertake a formal study of virtual fencing outcomes, with the aim of generating robust data that can inform future planning, funding applications, and broader sector adoption.

Council's virtual fencing program is delivering clear benefits in reducing wildlife vehicle collisions and enhancing community road safety. With strong community support, consistent

QON25/002 VIRTUAL FENCE

**S028-T00001;
S010-T00015**

positive observations from operational staff, and increasing interest from other councils and stakeholders, Council is committed to the ongoing development of this initiative. Additional trials, combined with improved data collection and external research partnerships, will further enhance Council's understanding of the effectiveness of virtual fencing and its potential to be implemented more widely across the region.

RECOMMENDATION

THAT:

1. the response to the questions regarding Council's virtual fence program raised by Councillor Anthony Mayne be received and noted.
2. Council supports the development of an online symposium to share its experience with virtual fencing, including potential stakeholder presentations, a site visit, and opportunities for collaboration.
3. Council thanks the dedication and commitment of Council staff, in particular the professionalism demonstrated by Courtney Fink in her role as the Natural Resources Supervisor and project lead.

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GMR25/003 LGNSW MEMBERSHIP AND CONFERENCE ATTENDANCE

Responsible Officer: Mark Ferguson - General Manager

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.3 Advocate and collaborate to advance the region and address local issues

Operational Plan Link: 5.2.3.2 Actively participate in Local Government NSW and other sector organisations

EXECUTIVE SUMMARY

This report seeks Council endorsement of Council's 2025–2026 membership of Local Government NSW (LGNSW), at a cost of \$60,750.89.

Council's membership provides access to critical advocacy, sector support, and enables voting rights at the LGNSW Annual Conference, scheduled for November 2025.

It is recommended that Council nominate the Mayor and two Councillors to attend the conference as voting delegates, with registration and travel costs to be covered under the adopted Councillor Professional Development, Expenses and Facilities Policy.

RECOMMENDATION

THAT Council:

1. Endorses payment of the \$60,750.89 invoice to LGNSW for the 2025–2026 membership.
2. Nominates Mayor Mathew Hatcher, and two Councillors to be nominated by Council to attend the LGNSW Annual Conference as voting delegates on behalf of Council.

BACKGROUND

Local Government NSW (LGNSW) is one of the key representative bodies for councils in New South Wales. Council maintains annual membership to ensure continued access to policy support, advocacy, training opportunities, and voting rights at the LGNSW Annual Conference.

The 2025 Conference, to be held from Sunday 23 to Tuesday 25 November, provides a platform for councils to debate sector issues, submit motions, and participate in professional development. Attendance by elected representatives aligns with Council's Councillor Professional Development, Expenses and Facilities Policy. The proposed 2025–2026 membership fee of \$60,750.89 has been incorporated into Council's draft Operational Plan budget, which is scheduled for adoption at this meeting and ensures Council remains an active and informed participant in the local government sector.

Policy

Attendance at the LGNSW Annual Conference by elected representatives is consistent with Council's Councillor Professional Development, Expenses and Facilities Policy, which supports Councillor training, development, and involvement in key sector forums.

GMR25/003 LGNSW MEMBERSHIP AND CONFERENCE ATTENDANCE**Financial**

The total LGNSW membership cost of \$60,750.89 is included in the draft 2025–2026 Operational Budget, which is scheduled for adoption at this meeting. Future registration and associated travel costs for the Mayor and nominated Councillors will also be managed within approved allocations under the Councillor Professional Development, Expenses and Facilities Policy.

CONCLUSION

Council's ongoing membership of Local Government NSW supports active engagement in sector advocacy, policy development, and professional development opportunities. The 2025–2026 membership fee of \$60,750.89 is within the draft budget and ensures Council retains its voting rights at the upcoming LGNSW Annual Conference, to be held from 23 to 25 November 2025. It is recommended that Council endorse payment of the invoice and formally nominate the Mayor and two Councillors to attend the conference as voting delegates, with associated costs to be managed in accordance with Council's Councillor Professional Development, Expenses and Facilities Policy.

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GMR25/004 VISITOR ECONOMY ADVISORY COMMITTEE

Responsible Officer: Mark Ferguson - General Manager

Attachments: 1. Visitor Economy Advisory Committee - Terms of Reference
2. Visitor Economy Advisory Committee - Operating Model

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 Implement effective governance and long-term planning

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

EXECUTIVE SUMMARY

A key recommendation of the Eurobodalla Destination Action Plan (endorsed by Council in December 2023, PSR23/045) was the establishment of an industry-led advisory group to support Council's visitor economy activities.

Council sought expressions of interest in August 2024 for membership of a visitor economy industry working group. The working group's purpose was to develop an operating model and terms of reference for an industry-led advisory group.

15 applications for the working group were received and ranked against assessment criteria. Seven applicants were selected for the group, along with an ex-officio representative of Destination NSW Southern. The tourism manager and chief operating officer are also ex-officio members.

The working group has met six times since forming in November 2024, and determined a preference for the industry-led group to act in an advisory capacity, similar to Council's other advisory committees.

Noting that a merit-based expression of interest process was used to assess applicants in August last year, it is also recommended the current working group membership of seven community members representing the tourism industry continue as the advisory committee members for the duration of this term of Council.

The purpose of this report is to approve the establishment of a Visitor Economy Advisory Group and the terms of reference and operating model, and to recommend appointment of the community members of the working group to the advisory committee for the duration of the Council term.

RECOMMENDATION

THAT Council:

1. Approve the establishment of a Visitor Economy Advisory Committee for the duration of the term of this Council.
2. Endorse the terms of reference and operational model for the Visitor Economy Advisory Committee as attached.
3. Appoint the seven industry representatives on the working group to the Visitor Economy Advisory Committee.

GMR25/004 VISITOR ECONOMY ADVISORY COMMITTEE

4. Nominate a councillor to join the committee, along with an alternate delegate.

BACKGROUND

A robust advisory committee framework strengthens governance and leadership by providing clear and transparent processes for the community to advise Council on particular areas.

Through the development of the Eurobodalla Destination Action Plan, the tourism industry supported the reinstatement of an industry-led tourism advisory group. To support the industry in this endeavour, a working group was formed to consider a draft operational model and terms of reference for an industry-led group, for consideration by Council.

CONSIDERATIONS

The working group has met six times and agreed on draft terms of reference and an operational model for Council's consideration. The group has determined they will act in an advisory capacity, similar to Council's other advisory committees.

The draft operating model developed by the group outlines matters specific to the visitor economy advisory committee, including managing conflicts of interest.

A mission statement has been developed:

To provide expert guidance and support in realising the goals of the EDAP 2023-2028, ensuring the visitor economy remains dynamic, sustainable, and responsive to emerging trends.

The advisory committee's purpose is to work collaboratively with Council to advise on, support and help implement key priorities from the EDAP 2023-28. They will also play a key role in raising awareness of the value of tourism within the industry and the broader community.

The working group has identified the following key responsibilities for the advisory committee:

- Leading and coordinating industry development and engagement programs in collaboration with Council staff, including regular training, capacity-building opportunities, and networking events for tourism and hospitality operators
- Advising on initiatives that enhance the visitor experience, support destination servicing, and encourage innovation in tourism products and infrastructure
- Encouraging collaborative action to increase visitor spend and improve visitation patterns in ways that avoid peak-period pressures and preserve the region's lifestyle, culture, and environment

The group is advisory in nature, not managerial. Members are expected to be actively involved in the visitor economy and contribute local knowledge, industry experience, and forward-thinking ideas to help shape practical, tangible outcomes aligned with the EDAP.

The recommended composition of the advisory committee includes the seven members of the working group. These people have already been assessed via a merit-based recruitment following a widely advertised expression of interest that attracted 15 applications. The working group's three ex-officio members (Destination NSW Southern representative, the tourism manager and chief operating officer) are also recommended to continue on the advisory committee. It is recommended that one councillor and an alternate delegate should be nominated to join the committee.

GMR25/004 VISITOR ECONOMY ADVISORY COMMITTEE

The chair is elected by the group and should be a community member to preserve the industry-led focus of the committee.

Community members of the working group are:

- Garry Sullivan, Chair: manager Beachcomber Holiday Park
- Mark Berry: owner/manager The Bower at Broulee
- Sally Bouckley: director Southbound Escapes
- Jamie Clout: president Batemans Bay Mountain Bike Club
- Claire McAsh: finance and customer success manager, Oceanfarmr
- Chris Tague: co-founder Crank It Up festival, manager, Mogo Wildlife Park
- Martin Wisata: director Rocky Trail Destination

Policy

Council's adopted Eurobodalla Destination Action Plan 2023-28 (Action 1.5) recommends the establishment of an industry-led group "which can provide advice to Council on the implementation of the EDAP as well as other matters relating to the visitor economy".

Community and Stakeholder Engagement

The community was informed about the opportunity to submit an expression of interest to join the working group through Council's tourism, business, and community newsletters, contact with local business chambers and community associations, and through direct contact with the members of the EDAP industry advisory group.

CONCLUSION

Council's advisory committees provide advice to the Council on a range of issues and offer a valuable opportunity for information exchange with our community.

The establishment of a Visitor Economy Advisory Committee aligns with a key recommendation of Council's adopted Eurobodalla Destination Action Plan and follows the creation of a working group to establish terms of reference and an operating model for the committee.

GMR25/004 VISITOR ECONOMY ADVISORY COMMITTEE

ATTACHMENT 1 VISITOR ECONOMY ADVISORY COMMITTEE - TERMS OF
REFERENCE

Visitor Economy Advisory Committee

Terms of Reference

June 2025

GMR25/004 VISITOR ECONOMY ADVISORY COMMITTEE

ATTACHMENT 1 VISITOR ECONOMY ADVISORY COMMITTEE - TERMS OF REFERENCE

TERMS OF REFERENCE**Purpose of the Visitor Economy Advisory Committee**

The purpose of the committee is to work collaboratively with Council to advise on, support, and help implement key priorities from the Eurobodalla Destination Action Plan 2023–2028 (EDAP).

The committee also plays a vital role in raising awareness of the value of tourism—both within industry and across the wider community—by championing sustainable practices and visitor experiences that enhance the region’s appeal.

Title and Delegations

- The committee shall be referred to as the Visitor Economy Advisory Committee.
- The committee shall function as a non-delegated advisory committee of Council. Refer to Council’s Guidelines for Meeting Practice – Advisory Committees for further detail.

Objectives

The committee serves as a strategic, industry-led advisory body that works in partnership with Council to grow the value of the visitor economy through considered and sustainable development.

The committee provides a vital link between Council, local operators, and stakeholders by offering practical insight, coordinating engagement, and identifying opportunities that deliver positive, long-term outcomes for both visitors and the community.

Key responsibilities include:

- **Leading and coordinating industry development and engagement programs in collaboration with Council staff**, including regular training, capacity-building opportunities, and networking events for tourism and hospitality operators.
- **Advising on initiatives that enhance the visitor experience**, support destination servicing, and encourage innovation in tourism products and infrastructure.
- **Encouraging collaborative action** to increase visitor spend and improve visitation patterns in ways that avoid peak-period pressures and preserve the region’s lifestyle, culture, and environment.

Membership of the Committee

- Community members and the nominated councillor will have voting rights.
- The Chairperson is a community member and has voting rights. The Chair is elected by the committee.
- Ex-officio members do not have voting rights.

Composition

- Seven skills-based industry representatives
- One ex-officio representative Destination Southern NSW
- One Councillor representative, plus one designated alternate (selected by Council)
- Two ex-officio Council staff (Chief Operating Officer and Visitor Economy Manager)

GMR25/004 VISITOR ECONOMY ADVISORY COMMITTEE

ATTACHMENT 1 VISITOR ECONOMY ADVISORY COMMITTEE - TERMS OF
REFERENCE

General meetings

- The committee is to meet a minimum 4 times per annum.
- In the event the Chairperson is absent from a meeting, an alternate Chair may be nominated by the Chair or the committee.

Delegations of Committee

To advise Council. Refer to the Council's Guidelines for Meeting Practice – Advisory Committees for further detail about delegations.

Contact Officer

The Visitor Economy Manager is the committee's contact officer.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

Governance

The Committee is governed by the Guidelines for Meeting Practice – Advisory Committees, adopted by Council on 17 December 2024.

GMR25/004 VISITOR ECONOMY ADVISORY COMMITTEE

ATTACHMENT 1 VISITOR ECONOMY ADVISORY COMMITTEE - TERMS OF
REFERENCE

APPENDIX 1 - WEBSITES

Eurobodalla Shire Council's Code of Meeting Practice

<https://www.esc.nsw.gov.au/council/governance/council-policies>

Division of Local Government Model Code of Conduct for Local Councils in NSW

<https://www.esc.nsw.gov.au/council/governance/council-policies>

Strategies

[Destination Action Plan 2023-2028](#)

Visitor Economy Advisory Committee DRAFT Operational Model

June 2025

DRAFT OPERATIONAL MODEL

Purpose

The purpose of the Visitor Economy Advisory Committee is to work collaboratively with Council to advise on, support, and help implement key priorities from the Eurobodalla Destination Action Plan 2023–2028 (EDAP). The committee also plays a vital role in raising awareness of the value of tourism—both within industry and across the wider community—by championing sustainable practices and visitor experiences that enhance the region’s appeal.

Mission statement

To provide expert guidance and support in realising the goals of the EDAP 2023–2028, ensuring the visitor economy remains dynamic, sustainable, and responsive to emerging trends.

Scope and role

The advisory committee serves as a strategic, industry-led advisory body that works in partnership with Council to grow the value of the visitor economy through considered and sustainable development. The committee provides a vital link between Council, local operators, and stakeholders by offering practical insight, coordinating engagement, and identifying opportunities that deliver positive, long-term outcomes for both visitors and the community.

Key responsibilities include:

- **Leading and coordinating industry development and engagement programs in collaboration with Council staff**, including regular training, capacity-building opportunities, and networking events for tourism and hospitality operators
- **Advising on initiatives that enhance the visitor experience**, support destination servicing, and encourage innovation in tourism products and infrastructure
- **Encouraging collaborative action** to increase visitor spend and improve visitation patterns in ways that avoid peak-period pressures and preserve the region’s lifestyle, culture, and environment.

The committee is advisory in nature, not managerial. Members are expected to be actively involved in the visitor economy and contribute local knowledge, industry experience, and forward-thinking ideas to help shape practical, tangible outcomes aligned with the EDAP.

Meeting procedures

- Members will be expected to meet a minimum of four times per annum.
- The group will act in an advisory capacity.

Meeting expectations

- Members are to advise and make recommendations to Council on matters relating to the visitor economy, particularly tourism and events.
- They should give advice to the best of their knowledge and ability that will help achieve the priorities and actions of the EDAP 2023-2028.
- Members should facilitate in a timely way any tasks allocated to and accepted by them.

- Members are expected to behave in a manner that respects the interests and viewpoints of other members.
- Members must be willing to abide by the terms of reference for the advisory committee.

Communication

- A WhatsApp group facilitates informal communication among industry members.
- Meeting agendas and notes will be compiled and distributed by Council staff.
- Regular updates from the group will be shared with the industry via Council's tourism and other relevant newsletters.

Strategic planning

- A core objective is to inform the implementation of the EDAP 2023-2028 and to advise and support Council regarding emerging visitor economy issues and opportunities relevant to the priorities and actions of the EDAP.
- The selection criteria for members are related to their strategic expertise and skills relevant to the implementation of the EDAP.
- Members are expected to give advice that will help achieve the priorities and actions of the EDAP.

Risk management

- Members are required to declare any potential or actual conflicts of interests on matters that are brought before the committee.
- Potential for conflicts of interest due to members' active involvement in the local tourism industry was identified by members. Suggestions for managing conflict risk included operating at a higher, strategic level rather than a detailed level, the group having no direct control of budget but making recommendations, and ensuring high transparency regarding the setup and ongoing operations, including membership and recommendations. Conflicts of interest was a discussion point for the Terms of Reference.

Ethical standards

- All members will abide by Council's Code of Meeting Practice and Code of Conduct.
- The selection criteria require potential members to be of generally good character, with no notable history of criminal conviction, business impropriety or financial misconduct.

Diversity and inclusion

- Representatives are selected on a skills basis, addressing the need for specific knowledge and expertise across various areas of the visitor economy.
- There is potential for two to three positions being reserved for sub-regional representation, ensuring geographic representation across the LGA.
- Applications for membership will be advertised.

Review and evaluation

- The advisory committee will regularly review and evaluate this operational model to ensure it remains relevant and effective.

- A clear measurement and evaluation framework will be developed to determine the performance and success of the committee and guide decision-making.
- The committee will provide an activity report to Council annually.

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PER25/012 BROU WASTE MANAGEMENT FACILITY ENVIRONMENT IMPACT STATEMENT (EIS) - REQUEST FOR TENDER (RFT 2425-157) S031-T00017

Responsible Officer: Gary Bruce - Director of Planning and Environment

Attachments: 1. Confidential - Brou Waste Management Facility EIS - Request for Tender 2425-157

Community Goal: 1 Our sustainable shire celebrates our natural environment and outdoor lifestyles

Community Strategy: 1.1 Move together for a sustainable future

Delivery Program Link: 1.1.3 Facilitate waste management services guided by the strategy and asset management plan

Operational Plan Link: 1.1.3.1 Build, renew, operate and maintain waste landfill sites and transfer stations

EXECUTIVE SUMMARY

An Environmental Impact Statement (EIS) is required following Council's endorsement of Planning Proposal 23 to amend the zone boundary to facilitate the expansion of the Brou Waste Management Facility located at Lot 1 DP 1205476, Princes Highway Bodalla. This report outlines the evaluation of offers submitted in response to the Brou Waste Management Facility Expansion – Environmental Impact Assessment Request for Tender (RFT 2425-157).

Brou Waste Management Facility Expansion – EIS (RFT 2425-157) was advertised from 4 February to 26 February 2025. Offers were received from the following tenderers and assessed in accordance with the Tender Evaluation Plan.

The purpose of this report is to advise Council of the tenders received and to make recommendation for the award of the Brou Waste Management Facility Expansion – Environmental Impact Assessment tender to the preferred contractor. A confidential attachment is included for councillors' information only pursuant to Section 10A(2) of the *Local Government Act 1993*.

RECOMMENDATION

THAT:

1. Council accepts the selection of the preferred tenderer recommended in confidential attachment in response to RFT 2425-157 Brou Waste Management Facility Expansion – Environmental Impact Assessment; and
2. Council enter a contractual arrangement with the preferred tenderer, subject to the terms specified in RFT 2425-157 unless otherwise varied in accordance with this report.
3. Council delegate to the General Manager the function of finalising and entering the contract with the successful tenderer in accordance with tender documents forming RFT 2425-157 Brou Waste Management Facility Expansion – Environmental Impact Assessment.

PER25/012 BROU WASTE MANAGEMENT FACILITY ENVIRONMENT IMPACT STATEMENT (EIS) - REQUEST FOR TENDER (RFT 2425-157) S031-T00017

BACKGROUND

Council sought tenders under RFT 2425-157 Brou Waste Management Facility Expansion – Environmental Impact Assessment for a suitably experienced and capable environmental consultant to prepare an Environmental Impact Statement (EIS) and manage the development application (DA) process for the expansion of the Brou WMF.

The project's planning phase required the rezoning of land via Planning Proposal 23, followed by preparation of an EIS and submission of a DA under Part 4 of the Environmental Planning and Assessment Act 1979.

A report was presented to the Ordinary Meeting of Council on 18 June 2024, seeking amendment of the zone boundary to facilitate the Brou Waste Management Facility Expansion (Min. No: 24/71):

THAT:

- 1. Council endorses the draft Planning Proposal 23 for submission to the Department of Planning, Housing and Infrastructure for a Gateway Determination.*
- 2. upon receipt of the Gateway Determination, the draft Planning Proposal be placed on public exhibition.*
- 3. a further report to be presented to Council following the public consultation period.*

Council endorsed the planning proposal and it was forwarded to the NSW Department of Planning and Environment. A Gateway Determination was issued in August 2024 with Council nominated as the local planning authority.

After the receipt of the Gateway Determination, the Planning Proposal was publicly exhibited from 11 September to 9 October 2024, A report providing the outcomes of the public consultation was presented to the Council Meeting of 25 February 2025 (Min. 25/6):

THAT Council

- 1. Resolves to make the amendment to the Eurobodalla Local Environmental Plan 2012 to facilitate the expansion to the Brou Waste Management Facility) located at Lot 1 DP 1205476, Princes Highway Bodalla.*
- 2. Notify in writing the people who have made a submission to the proposal and inform them of Council's decision.*

The next step is to undertake an environmental assessment to support a DA seeking approval to proceed with the construction of a new landfill cell. This briefing outlines the evaluation of the offers in response to RFT No. 2425-157 and the recommendation for the preferred tenderer.

If a decision on the preferred tenderer and engagement of a contractor for the required services is not made, the project will experience further delays and contribute to an increased risk that the project will not be completed in accordance with the funding deed and project timelines.

A summary of the evaluation including each tenderer's scoring against the evaluation criteria is provided in the Confidential Attachment to this report.

PER25/012 BROU WASTE MANAGEMENT FACILITY ENVIRONMENT IMPACT STATEMENT (EIS) - REQUEST FOR TENDER (RFT 2425-157) S031-T00017

CONSIDERATIONS

Legal

The Request for Tender (RFT 2425-157) was advertised in accordance with Local Government (General) Regulation 2021 clause 167 and Local Government Act 1993. The tender was published via the NSW e-Tendering platform, TenderLink, using an open tender method.

Prior to the commencement of the evaluation process, a formal Tender Evaluation Plan (TEP) was developed and distributed to all members of the Tender Evaluation Committee (TEC). Each TEC member completed and signed a Declaration of Confidentiality and Conflicts of Interest to uphold probity and transparency throughout the assessment.

The offer submitted by the preferred tenderer has been assessed as representing the best value for money for Council. It was the highest scoring tender, meets all mandatory criteria, and they have delivered similar services satisfactorily. This report includes a Confidential Attachment which details the preferred tenderer/s and assessment criteria.

Policy

The procurement activity for which this report applies, has been conducted in accordance with Council's Procurement Policy, Code of Practice – Procurement, Code of Practice – Tendering, the Local Government Procurement Guidelines, Local Government (General) Regulation 2021 and the Local Government Act 1993.

Environmental

The Environmental Impact Assessment must address the requirements of the Secretary's Environmental Assessment Requirements (SEAR's) which outlines the specific environmental matters in accordance with NSW and Australian Government legislative requirements that must be addressed prior to receiving approval for the development.

Asset

The project will result in the expansion of a Council managed asset.

Social Impact

The project will enhance the management of waste operations and maximise the available life of the waste facility to meet the current and long-term needs of the community and improve disaster resilience and recovery.

Economic Development Employment Potential

The proposed expansion will extend the life of the waste management facility, enabling the continued operation of an essential service for local and regional communities and retaining jobs within the local area.

Financial

Council received \$1,060,000 through the NSW Government's Bushfire Recovery Program for Council Landfills to support this project. Council's contribution is \$300,000, and this will be financed from Council's waste fund reserves.

PER25/012 BROU WASTE MANAGEMENT FACILITY ENVIRONMENT IMPACT STATEMENT (EIS) - REQUEST FOR TENDER (RFT 2425-157) S031-T00017

Consultation

NSW Public Works Advisory are managing the bushfire recovery project on behalf of Council in consultation with the Environmental Protection Authority. Internal stakeholders and subject matter experts were consulted.

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 a hard copy of the register is on display in the foyer of Council's Administrative building.

CONCLUSION

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

The preferred tender as identified in the Confidential Attachment is recommended for the award of the contract for the Brou Waste Management Facility - Environmental Impact Assessment (RFT 2425-157).

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**PER25/013 CLIMATE AND ENVIRONMENT ADVISORY COMMITTEE -
REPRESENTATIVES**

S012-T00025

Responsible Officer: Gary Bruce - Director of Planning and Environment

Attachments: 1. Terms of Reference
2. Confidential - Representatives' Submissions
3. Confidential - Assessment Sheets for Representatives

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 Implement effective governance and long-term planning

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

EXECUTIVE SUMMARY

Council's advisory committees provide advice to the Council on a range of issues and offer a valuable opportunity for information exchange within our community.

Council sought expressions of interest from community members for membership on the Climate and Environment Advisory Committee (Committee) from 27 March to 25 May 2024.

During this time, Council received 13 applications, reflecting the positive role and reputation of the committee and the community's interest in participating and sharing their experience and perspectives.

This Committee was formed from the amalgamation of the Coastal and Environment Management Advisory Committee and the Climate Change Advisory Committee. The amalgamation and the updated Terms of Reference were adopted by Council on 25 March 2025 (Min No: 25/38):

THAT:

1. *Council endorses the amalgamation of the Coastal and Environment Management Advisory Committee and the Climate Change Advisory Committee to form a single advisory committee termed the Climate and Environment Advisory Committee.*
2. *Council endorses the updated Terms of Reference for the Climate and Environment Advisory Committee.*
3. *The previous nominations of Clr Winslade and Clr Turner be accepted for representation on the Climate and Environment Advisory Committee.*

The purpose of this report is to inform Council of the nominations received for the Climate and Environment Advisory Committee and to appoint representatives to this Committee.

RECOMMENDATION

THAT Council appoint eight persons chosen by the assessing panel as community representatives to the Climate and Environment Advisory Committee as contained in the Confidential Attachment.

**PER25/013 CLIMATE AND ENVIRONMENT ADVISORY COMMITTEE -
REPRESENTATIVES**

S012-T00025

BACKGROUND

A robust advisory committee framework strengthens governance and leadership by providing clear and transparent processes for the community to advise Council on particular areas.

At its meeting on 17 December 2024, Council adopted the Terms of Reference and the Guidelines for Meeting Practice – Advisory Committee (Min No: 24/181) and endorsed advertising for community representatives for the Coastal and Environment Management Advisory Committee and also for the Climate Change Advisory Committee. However, an internal review looked at the representation on both of these committees and as they closely aligned and had parallel actions in terms of:

- Biodiversity
- Natural hazards and resilience planning
- Climate change adaptation

Both committees would be seeking members with similar expertise or experience in any of climate change mitigation and adaptation, biodiversity and ecosystem management, flood and coastal management (natural hazards) or other themes from the Climate Action Plan.

Duplication between the two committees was evident in terms of focus and actions arising.

The Coastal and Environment Management Advisory Committee and the Climate Change Advisory Committee were then amalgamated to form the Climate and Environment Advisory Committee and the Terms of Reference be updated accordingly. The report concerning the amalgamation and updated Terms of Reference was adopted at the Ordinary Meeting of Council on 25 March 2025 (Min No: 25/38).

Following the amalgamation of the Climate and Environment Advisory Committee, expressions of interest were sought for community representatives from 27 March to 25 May 2025 and 13 applications were received.

These submissions were subsequently assessed and a field of 8 representatives were selected.

CONSIDERATIONS

The primary objective of the Coastal and Environment Management Advisory Committee is to provide advice to Council on matters of coastal and floodplain hazards, climate change adaptation and biodiversity.

The current Terms of Reference allows for eight community representatives. Recommendations for these representatives are included in the confidential attachments together with the assessment of applicants for these positions.

Advisory committees are an important way that Council engages with its community and stakeholders. Committee members contribute their experience and knowledge and provide advice, feedback, innovation and recommendations to Council. In Council's Community Engagement Framework advisory committees are considered to be one of the highest levels of engagement and a way of partnering with the community.

**PER25/013 CLIMATE AND ENVIRONMENT ADVISORY COMMITTEE -
REPRESENTATIVES**

S012-T00025

Policy

The Terms of Reference outline the role of a committee and the term of the community representatives will be in line with the term for the elected representatives ie., until September 2028.

The Terms of Reference for the Climate and Environment Advisory Committee were adopted on 25 March 2025 (Min No: 25/38).

Social Impact

The Climate and Environment Advisory Committee provides a conduit between our community and Council. Having these representatives on the Committee enables an exchange of information between our community and the Committee.

Community and Stakeholder Engagement

The community was informed about the opportunity to submit an expression of interest to join the advisory committees in a number of ways including:

- Council's website and Facebook page
- media release distributed to local media as well as to community and business organisations, and
- through letters, emails and phone calls to members of the previous advisory committees.

CONCLUSION

Council's advisory committees provide advice to the Council on a range of issues and offer a valuable opportunity for information exchange with our community.

The input from the Climate and Environment Advisory Committee will be an invaluable resource to Council in terms of:

- Providing specialist advice on environmental planning and management matters
- Assist with implementation of the Climate Action Plan, Coastal and Floodplain Management Programs, and other environmental plans, particularly with community engagement and communication linkages
- Advise and assist with advocacy
- Support grant applications
- Assist with upcoming projects, and
- Providing the opportunity to engage with our community.

PER25/013 CLIMATE AND ENVIRONMENT ADVISORY COMMITTEE -
REPRESENTATIVES

ATTACHMENT 1 TERMS OF REFERENCE

Climate and Environment Advisory Committee

TERMS OF REFERENCE

Date: 13.3.2025

PER25/013 CLIMATE AND ENVIRONMENT ADVISORY COMMITTEE -
REPRESENTATIVESATTACHMENT 1 TERMS OF REFERENCE

Purpose of the Climate and Environment Advisory Committee

The committee will inform and provide advice to Council on environmental planning and management matters including but not limited to coastal hazards, climate change, floodplain risk and biodiversity matters.

In addition, the Committee will assist and provide input to Council on effective implementation of the Climate Action Plan, Coastal and Floodplain Management Programs and other environmental plans, in partnership with the community.

Where a legislative requirement exists, the Committee will provide input to Council's land use planning documents as an advisory committee.

Delegations of Committee

The Advisory Committee cannot require Council to adopt a policy, position or recommendation approved by the Advisory Committee.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager, as provided in the Local Government Act 1993.

Neither the Advisory Committee nor any of its members can direct any Council staff member in their duties.

Objectives

To provide sound advice to Council on matters of environmental management including but not limited to climate change mitigation and adaptation, coastal planning, biodiversity, urban greening initiatives, water-sensitive urban design and floodplain risk management

As per the Floodplain Development Manual 2023, the Committee will provide technical and community advice on matters related to Council's floodplain risk management projects.

Group members will:

- provide a communication linkage between Council and the community
- provide specialist advice and/or specialist contacts
- advise on how to work with, and overcome, barriers to implementation
- advise and assist with advocating to the NSW and Australian Governments
- assist with funding opportunities and grant applications.

Composition (who is to attend)

The Committee shall consist of the following voting representatives:

- Two councillors,
- A chair/ or alternating chairs consisting of one or both Councillors
- Eight community members, representative of groups with interest and knowledge related to climate change; coastal; floodplain; environmental and biodiversity management. These members are to be selected by Council from nominations

PER25/013 CLIMATE AND ENVIRONMENT ADVISORY COMMITTEE -
REPRESENTATIVES

ATTACHMENT 1 TERMS OF REFERENCE

The Committee may also choose to have the following participants as required but they will not have voting rights:

- a) Council staff
- b) Representatives from other councils if required
- c) State or Australian agency representatives as required.

Contact Officer

The Council's Natural Resource and Sustainability Coordinator or other member of the Strategic Planning Division

Variation to Terms of Reference

The Terms of Reference may be added to, repealed, or amended by Resolution of the Council in consultation with the group.

Governance

The Committee will meet up to four times a year and no less than twice, with dates to be confirmed by the Chair.

Meetings will be held at Council's Administrative Centre on Vulcan Street Moruya (unless otherwise advised), with accommodations made to allow for a hybrid / online arrangement where in-person attendance is not possible.

See also Council's [Guidelines for Meeting Practice – Advisory Committees](#)

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FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028;
S004-T00029**

Responsible Officer: Stephanie Speedy - Director Finance and Corporate Services

Attachments: 1. Under Separate Cover - Final Delivery Program 2025-29
2. Under Separate Cover - Final Operational Plan 2025-26
3. Under Separate Cover - Final Resourcing Strategy
4. Under Separate Cover - Final Fees and Charges

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 Implement effective governance and long-term planning

Operational Plan Link: 5.2.2.2 Review and prepare Council's plans and reports under the Integrated Planning and Reporting Framework

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the adoption of Council's Delivery Program 2025-29, Resourcing Strategy 2025-35 and Operational Plan 2025-26 (incorporating the Revenue Policy and Fees and Charges 2025-26) and the making of the general rates, special rate (environmental levy), water, sewer, waste, stormwater and liquid trade waste charges 2025-26, including the Fees and Charges 2025-26.

Under NSW Integrated Planning and Reporting legislation, councils are required to prepare a Community Strategic Plan, Resourcing Strategy, Delivery Program and annual Operational Plan for each term of council. Council endorsed its revised community strategic plan – Eurobodalla Shire Community Strategic Plan 2042 (2025 Revision) (CSP) on behalf of the community at the Ordinary Meeting of Council on 25 February 2025.

The Delivery Program 2025-29 sets out the activities that Council aims to deliver during their term in response to the Community Strategic Plan. The Operational Plan 2025-26 is Council's workplan and shows the actions, key projects, capital works and infrastructure renewals and maintenance that is planned to be delivered in the year ahead.

The document suite was exhibited for 28 days, from 30 April to 27 May 2025.

Seven submissions were received from the community and considered in the preparation of the final version of the plans. The submissions and proposed responses were provided to all councillors.

The General Rate income will increase by 4.1% being made up of IPART's core rate peg amount of 4.0% plus the population growth factor of 0.1% for 2025-26.

RECOMMENDATION

THAT:

1. Council make the annual Ordinary Rates and Special Rate (Environmental Levy) for 2025-26 in accordance with the core rate peg set by IPART, being 4.0% plus 0.1% population growth factor, as contained in the tables in the report.

FCS25/035	ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26	S004-T00028; S004-T00029
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2. Council make each annual charge for water, sewer, waste, stormwater and liquid trade waste for 2025-26 in accordance with the Revenue Policy and the charges as contained in the tables in the report.
3. Council make each fee and charge for 2025-26 in accordance with the Revenue Policy and Fees and Charges 2025-26 as attached to the report.
4. Council adopt the Delivery Program 2025-29 attached to the report as per the statutory requirements with implementation to commence 1 July 2025.
5. Council adopt the Resourcing Strategy 2025-35 attached to the report as per the statutory requirements with implementation to commence 1 July 2025.
6. Council adopt the Operational Plan 2025-26 (incorporating the Revenue Policy and Fees and Charges 2025-26) attached to the report as per the statutory requirements with implementation to commence 1 July 2025.
7. Council approves a budget allocation of \$100,000 in the 2025-26 capital works budget for the development approval of the new animal shelter. This adjustment and any associated funding will be reflected in the September Quarterly Budget Review.
8. Council thanks the community members who made a submission and provide them with a response.

BACKGROUND

The *Local Government Act 1993* requires all NSW councils to prepare a suite of Integrated Planning and Reporting documents, comprising a Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan.

The Community Strategic Plan is the highest-level plan that Council prepares and is a whole of community plan, reviewed and developed in partnership with the community.

It identifies and articulates the community's long-term aspirations, priorities, and vision for a ten-year plus timeframe. Council's community strategic plan – Eurobodalla Shire Community Strategic Plan 2042 was endorsed on 25 February 2025.

The Delivery Program covers a four-year period and details the activities that Council will deliver and the strategies it will implement to respond to the Community Strategic Plan during their term.

The Operational Plan is an annual plan that is developed. It details the actions to be undertaken during the next financial year to work towards the objectives of the Delivery Program and Community Strategic Plan and includes the annual budget, Revenue Policy and fees and charges for the year ahead.

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

**FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING
STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26,
INCLUDING MAKING OF THE RATES FOR 2025-26**

**S004-T00028;
S004-T00029**

CONSIDERATIONS

Community Strategic Plan

Council's CSP was revised during 2024. The revision was informed by an extensive community awareness and engagement campaign that received over 2,700 contributions and included a public exhibition period. The revised CSP was endorsed by Council on behalf of the community at the Ordinary Meeting of Council on 25 February 2025.

The CSP contains a vision statement, and goals for the future under five theme areas.

Vision:

From our beaches to our bushlands, rivers and mountains... Our Eurobodalla is a place of inclusive communities embracing sustainable lifestyles. Our future balances our natural assets and thriving economy.

Our community is resilient and collaborative, and this underpins all that we do.

Themes:

1. Our community – Eurobodalla welcomes, celebrates and supports everyone.
2. Our economy – We have a strong economy with learning, employment and business opportunities.
3. Our environment – We sustain our shire by balancing growth and protecting our natural environment.
4. Our infrastructure – Our community has reliable and safe infrastructure networks and community facilities.
5. Our civic leadership – We are an engaged community with progressive leadership.

The CSP includes 17 supporting strategies to guide efforts towards these goals.

The draft Delivery Program 2025-29 outlines Council's commitment to work towards the CSP. It proposes four key priorities and seven major infrastructure projects of focus, along with 55 activities that will drive efforts this term.

The four key priorities areas of focus include:

- Housing diversity, affordability and liveability.
- Connections between towns and villages.
- Financial stewardship.
- Climate action and sustainability.

The seven major infrastructure projects include:

- Furthering coastal management works.
- Finalising the grant funded Moruya Housing Infrastructure project.
- Completing roundabouts at key intersections on George Bass Drive.

FCS25/035	ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26	S004-T00028; S004-T00029
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- Commissioning the Eurobodalla Southern Water Supply Storage
- Completing works to deliver a State Emergency Services facility at the Eurobodalla Regional Co-Located Emergency Services Precinct.
- Replacement of the animal shelter and introducing recycled water for use in the Narooma area are also put forward to progress to shovel ready projects to seek funding for construction.

The 55 activities guide how all Council services and efforts will be delivered over the program period.

Delivery Program

The exhibited version of the draft Delivery Program 2025-29 was updated for minor editorial amendments made to phrasing, punctuation and format to improve the quality and clarity of the documents and for pagination considerations.

Operational Plan

The draft Operational Plan 2025-26 sets out a workplan for the next 12 months and includes 181 individual actions for projects and activities for Council to undertake during 2025-26. The draft plan includes a detailed annual budget and Revenue Policy that outlines proposed changes to rates and annual charges and proposed fees and charges for 2025-26 (included as separate document).

The budget included in the draft Operational Plan 2025-26 has been developed around key themes of stability and stewardship. The budget assumes that Council's core service delivery will remain the same and the activities and actions for these integrated plans reflect this assumption, noting Council's transition out of some community care services.

The Revenue Policy, incorporated into the budget, and disclosed in the draft Operational Plan 2025-26 outlines the proposed rates, levies and annual charges, pricing policies and proposed borrowings for 2025-26. All of Council's fees and charges for specific services that are not subject to statutory control are reviewed on annual basis. Council's proposed fees and charges for the 2025-26 year are included the draft Fees and Charges 2025-26.

The exhibited version was updated for minor editorial amendments made to phrasing, punctuation and format to improve the quality and clarity of the documents and for pagination considerations in addition to the following:

- Removed
 - 1.4.2.1 Continue to work with stakeholder to support carers and NDIS participants in the community.
- Additions
 - 1.2.3.3 Provide social support to older isolated clients in the community working alongside other stakeholders.

FCS25/035	ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26	S004-T00028; S004-T00029
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- 1.2.3.4 *Finalise expenditure relating to ceasing the provision of Disability services, Aged Care Packages and Seniors respite services.

*In May 2025, Council agreed to transition out of services relating to Disability Services, Aged Care Packages and Seniors Respite Services. Services to clients will cease on 30 June 2025, with the shutdown of other aspects of the business to be completed during the first quarter of 2025-26. Costs associated with the cessation of services will continue to be incurred after 1 July 2025 and will be updated during the Quarterly Budget Review process.

- An asterix has been placed against item 1.3.4.4 *Continue work to replace Eurobodalla's animal shelter/pound.

*The construction of a new animal shelter will replace the existing shelter that has been in use for approximately 33 years. The existing shelter requires constant maintenance due to its age and to comply with the standards required by the NSW Department of Primary Industries and the RSPCA. Currently, Council has resolved to seek grant funding of \$3 million to support construction of the project.

During 2025-26 Council will seek Development Application approval (estimated to take 12 months) and a budget variation will be sought through the September 2025 Quarterly Budget Review to fund this work that is a precursor for the application of any grant funds. Council staff are preparing a comprehensive report outlining design, construction and budget information and are due to report back to Council prior to December 2025. Following this detail, construction of the Animal Shelter with funding options will be considered for inclusion in the 2026-27 Operational Plan.

Resourcing Strategy

The draft Resourcing Strategy 2025-35 includes the draft Long-Term Financial Plan 2025-35, the draft Asset Management Plan and Strategy 2025-35, and the draft Workforce Management Strategy 2025-29. The strategy outlines how Council plans to allocate its financial, people, and asset resources to work towards achieving its other integrated plans.

Council's draft 10-year Long Term Financial Plan 2025-35 forms part of the draft Resourcing Strategy 2025-35 and has been updated to include the annual estimates for the 2025-26 financial year and 10 year forward projections based on current market expectations and long term forecasted capital expenditure and funding.

Council is forecasting an overall improvement in the consolidated operating result from a \$1.5 million deficit in the first year to a \$6.3 million surplus in the last year of the plan. For general fund however the operating deficit reduces only slightly to a \$6.6 million deficit in the final year representing an unsustainable trend.

Higher levels of unrestricted cash are forecast in the draft Long Term Financial Plan 2025-35. This is reflective of actions undertaken including no new general fund borrowings and an approach to grant funding that supports identified priority works and services.

FCS25/035	ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26	S004-T00028; S004-T00029
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The draft Long Term Financial Plan 2025-35 has been updated for the March Quarterly Budget Statement review which was accepted by Council whilst the plan was on exhibition. The unrestricted cash in General Fund reduced by \$1m between the December and March Quarterly Budget Statement Review. Flow-on effects to future years are minimal, with a variance of less than 1% between exhibited closing cash balances and updated.

The draft Asset Management Plan and Strategy 2025-35 establishes a robust framework and methodology for systematically managing the asset portfolio to guide the planning, construction, maintenance and operation of infrastructure to provide services to the community.

The draft Workforce Management Strategy 2025-29 addresses key workforce challenges for Council whilst embracing inclusion, diversity, wellbeing and safety. The strategy aligns with the evolving local government sector and is guided by the four pillars of best practice.

The exhibited version of the Resourcing Strategy 2025-35 saw an obsolete strategy being removed and was updated for minor editorial amendments made to phrasing, punctuation and format to improve the quality and clarity of the documents and for pagination considerations.

Updates to the exhibited Fees and Charges 2025-26 and Revenue Policy section of the Operational Plan 2025-26 are considered in the financial section of this report.

IPR Framework and Policy

Section 403 of the *Local Government Act 1993* requires Council to have a long-term strategy for the provision of the resources required to perform its functions and implement its plans.

Section 404 of the *Local Government Act 1993* requires Council to have a Delivery Program detailing activities to be undertaken by Council to respond to strategies identified in the CSP, within the resources available under the Resourcing Strategy.

Section 405 of the *Local Government Act 1993* requires Council to adopt an Operational Plan before the beginning of each financial year that details the activities to be engaged in by the Council during the year as part of the Delivery Program.

The Operational Plan must include a statement of Council's revenue policy for the year covered by the Plan. The revenue policy must include the statements and particulars required by legislation.

The Office of Local Government's Integrated Planning and Reporting Manual and Guidelines are comprehensive tools that have been used in the preparation of these integrated plans. The guidelines have been followed that require Council to exhibit their Delivery Program, Operational Plan and Resourcing Strategy for no less than 28 days and submissions considered before final versions of the plans are presented to Council, for adoption, prior to 30 June 2025.

Financial

Under Section 535 of the Act, a Council resolution is required to make a rate or charge.

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

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028;
S004-T00029**

General Revenue Increase

The General Rate income will increase by 4.1% being made up of IPART's core rate peg amount of 4.0% plus the population growth factor of 0.1% for 2025-26.

In accordance with Section 494 of the *Local Government Act 1993*, it is recommended that Council makes the following Ordinary Rates for 2025-26:

Ordinary Rate Name	Rate (cents in \$)	Base Charge (\$)	Base Charge as a % of total Ordinary Rate
Residential	0.1202	624.00	49.96
Business	0.6059	624.00	14.16
Farmland	0.0823	624.00	32.44
Business Inactive	0.1202		

Special Rate (Environmental Levy)

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

The Environmental Levy will increase by 4.1% which is made up of IPART's core rate peg amount of 4.0% plus the population growth factor of 0.1% for 2025-26.

In accordance with Section 495 of the *Local Government Act 1993*, it is recommended that Council makes the following Special Rate (Environmental Levy) for 2025-26:

Category	Rate (cents in \$)	Base charge (\$)	Base Charge as a % of total Environmental Levy
Environmental Levy	0.004605	24.50	49.81

Interest Charges on Overdue Rates and Charges

The Minister for Local Government has determined the maximum rate of interest that may be charged on overdue rates and charges for 2025-26 will be 10.5%.

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

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

Waste Management Charges

Council provides a waste management and collection service to the community. Waste management charges are designed to recover costs from people who benefit from the availability and/or use of Council's waste management services. Waste collection charges will increase by 4.1%.

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

In accordance with Sections 496 and 501 of the *Local Government Act 1993*, it is recommended that Council makes the following Waste Management Charges for 2025-26:

Waste Management Charges	Charge (\$)
Domestic waste availability charge	22.75
Domestic waste collection service charge	283.85
+Additional service 240L recycling bin	83.20
+Additional service 240L garden organics bin	83.20
Waste management charge (Section 501)	64.50

Stormwater Charges

In 2006-07, Council introduced a Stormwater Charge on all developed urban properties. In accordance with Section 496A of the *Local Government Act 1993*, it is recommended that Council makes the following Stormwater Charges for 2025-26:

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

Water Access Charges

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

The water access charge will increase by 3.85%. The water consumption charge will increase by 2.44%.

In accordance with Sections 501, 502 and 552 of the *Local Government Act 1993*, it is recommended that Council makes the following Water Charges for 2025-26:

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

Water Access	Charge (\$)
Minimum single residential – metered, unmetered, strata unit	405.00
Minimum dual occupancy / secondary dwelling	648.00

Business, Multi Residential (non-strata flats) and Mixed-Use (residential/business)		
Water meter size (mm)	Capacity factor	Charge (\$)
20	1.0	405.00
25	1.6	648.00
32	2.6	1,053.00
40	4.0	1,620.00
50	6.3	2,551.00
65	10.6	4,293.00
80	16.0	6,480.00
100	25.0	10,125.00
Vacant unmetered	1.0	405.00

Water Consumption	Usage Charge (\$)
Residential and business	4.20 per kL
A minimum charge of \$10.00 applies to all accounts 0-2 kL	

Sewer Access Charges

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

The sewer access charge will increase by 4.42%. The sewerage usage charge will increase by 4.44%.

In accordance with Sections 501, 502 and 552 of the *Local Government Act 1993*, it is recommended that Council makes the following Sewer Charges for 2025-26:

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

Sewer Access	Charge (\$)
Residential general service – metered, unmetered, strata unit	1,180.00
Turlinjah general service (85%)	1,003.00
Dual occupancy / secondary dwelling	1,888.00

Business, Multi Residential (non-strata flats) and Mixed-Use (residential/business)		
Water meter size (mm)	Capacity factor	Charge (\$)
20	1.0	1,180.00
25	1.6	1,888.00
32	2.6	3,068.00
40	4.0	4,720.00
50	6.3	7,434.00
65	10.6	12,508.00
80	16.0	18,880.00
100	25.0	29,500.00
Vacant unmetered	1.0	1,180.00
Business strata unit	1.0	1,180.00

Sewerage Usage	Usage Charge (\$)
Business	2.35 per kL

Liquid Trade Waste Charges

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

The liquid trade waste annual fee will increase by 4.17%. The liquid trade waste compliant discharge will increase by 2.86%.

In accordance with Sections 501 and 502 of the *Local Government Act 1993*, it is recommended that Council makes the following Liquid Trade Waste Charges for 2025-26:

Liquid trade waste annual fee	125.00
Compliant Discharge	1.80/kL
Non-Compliant Discharge (without appropriate treatment)	17.50/kL

Proposed Amendments

The following changes have been made to the exhibited draft Fees and Charges 2025-26:

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

- **Strategic land use planning:** Category 2 fees previously referred to as ‘Medium’ have been updated to ‘Standard’ to align with the *Local Environmental Plan Making Guidelines 2023*.
- **Base unit fee:** The base unit fee for 2025-26 has been determined as per Schedule 4 of the *Environment Planning and Assessment Regulation 2021*. The fee is set at \$113.90 and applies to various town planning fees.
- **Community garden annual fee:** The annual fee for the community garden of \$626 is proposed to be removed.

Policy

The plans have been prepared in accordance with the *Local Government Act 1993* and guided by the comprehensive tools contained in the Office of Local Government’s Integrated Planning and Reporting Handbook and Integrated Planning and Reporting Guidelines.

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

Community and Stakeholder Engagement

Council sought community feedback on the draft Delivery Program 2025-29, draft Resourcing Strategy 2025-35, and draft Operational Plan 2025-26 (incorporating the Revenue Policy and draft Fees and Charges 2025-26).

The documents were endorsed for public exhibition from 30 April to 27 May 2025, Council continued to engage the community during this period by:

- Informing the community about the public exhibition and inviting the community to provide feedback on the plans.
- Making the plans available on Council’s website.
- Providing hard copies at Council’s administration building and Libraries.
- Council hosted three community information sessions regarding the documents, these were held in Narooma, Moruya and Batemans Bay.
- Information sessions were advertised on Council’s own platforms and promoted through media releases.

Seven public submissions were received during the exhibition period, these have been provided to councillors for consideration. Submitters have received a letter of acknowledgment and will receive a response to their submission following the outcomes of this report.

The table below provides a summary of the issues raised in the submissions and the proposed Council response.

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

Item No.	Items raised	Proposed response
1	<p>Budget questions and proposed changes (<i>referenced across three submissions</i>)</p> <p>1.1 Recommendation for clear links between the stated community and council priorities and the budget</p> <p>1.2 Clarification requested around budget by service area and employee costs.</p> <p>1.3 Clarification sought around capital expenditure and employee costs being included in column 2 “operating expenses”</p> <p>1.4 Clarification sought around a spend of \$250K to upgrade tennis court lighting</p> <p>1.5 Clarification around the deficit in the</p>	<ul style="list-style-type: none"> While some priorities—such as housing affordability and health services—fall outside Council’s direct control, we remain committed to strong advocacy at both State and Federal levels. The Draft Delivery Program 2025-29 (DP) outlines Council’s strategic response to community needs over a four-year period, while the Draft Operational Plan 2025-26 (OP) serves as the annual work plan, detailing the specific actions and associated budget allocations for the year. These documents are designed to be read together. The Budget per service table on page 75 of the draft Operational Plan presents income, expenditure, and net spend for each of Council’s services. Employee expenses are not listed as a standalone service; they are a category of expenditure distributed across the various services shown in the table. The estimated expenditure for 2025-26 is operating expenditure of \$152 million and capital expenditure of \$62 million. Council is responsible for maintaining and renewing approximately \$2.1 billion of community infrastructure. As outlined in the Long-Term Financial Plan, Council operates within limited resources and has adopted a Finance Strategy focused on achieving and maintaining financial resilience. The total capital expenditure for 2025–26 is significantly lower than in previous years, primarily due to the completion of one-off capital works such as the Eurobodalla Southern Storage project. Capital expenditure is reported separately in Column 4 (“Capital Spend”) of the Budget per service table on page 75 and detailed on pages 76–80 of the Operational Plan. This completion of works on the tennis court lighting at Hanging Rock is occurring in the current financial year and should be concluded next financial year. The funding allocation remains in this financial year 24/25 Council’s consolidated operating result before capital grants and contributions for the year ending 30 June 2024 was a deficit of \$8.84 million—an unfavourable variance compared to the original budgeted deficit of \$6.85 million. While not separately reported in the financial statements, the general fund’s operating result before capital grants and

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

Item No.	Items raised	Proposed response
	<p>General Fund</p> <p>1.6 Clarification around how the budget reset was applied</p> <p>1.7 Where the emergency services levy is included in the budget</p> <p>1.8 Where the \$40m borrowed for the Southern Water Storage Project is reflected in budget figures</p>	<p>contributions was a deficit of \$14.4 million. This figure reflects the annual operating performance and includes non-cash items such as depreciation. Looking ahead, Council is forecasting an improvement in the consolidated operating result—from a \$1.5 million deficit in the first year to a \$6.3 million surplus in the final year of the plan. However, the general funds’ deficit is projected to reduce only slightly to \$6.6 million, indicating an unsustainable trend. The Finance Strategy includes actions aimed at improving the general fund’s operating performance.</p> <ul style="list-style-type: none"> • The 10% ongoing cash savings target from the budget reset has been applied in the development of the 2025–26 budget. This includes efficiency measures across departments and a review of discretionary spending. • Council does not collect an Emergency Services Levy from the community. Instead, Council pays an annual levy to the State Government as a contribution toward emergency services within the local government area. The annual contribution for 2025-26 is estimated to be \$1.5 million and this is included in the “Other Costs (incl materials & contracts)” line item of the Budget per Fund table on page 72 of the Operational Plan. • The \$40 million loan borrowing for the Southern Water Storage project was approved at the Ordinary Council Meeting on 25 March 2025. The loan will be drawn down in the 2024–25 financial year. Loan repayments and interest are included in the “Water Fund” column of the 2025–26 Budget by Fund table on page 72 of the draft Operational Plan.
2	Concern regarding the 4.1% rate rise (referenced in one submission)	<ul style="list-style-type: none"> • Council’s ability to raise revenue from General Rates (and the Environmental Levy) is constrained by rate pegging, as determined by the Independent Pricing and Regulatory Tribunal (IPART). For 2025–26, the approved rate peg for Eurobodalla is 4.1%, comprising a core increase of 4.0% and a 0.1% population growth factor. Details on other rates and annual charges are outlined in the Revenue Policy, beginning on page 84 of the Operational Plan.
3	Concerns relating to rubbish during peak season (referenced	<ul style="list-style-type: none"> • Council's waste services engage a contractor (Cleanaway) to collect the public litter from parks and reserves. The collections are scheduled, and the schedule is increased

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

Item No.	Items raised	Proposed response
	<i>in one submission)</i>	<p>during peak times of the year which include Christmas time through to Easter. Over the Christmas/New Year period a second collection is scheduled to try and cater for the increase of visitors to areas like the Batemans Bay foreshore areas and Corrigan's Beach. Council has a team of staff that are on call for these peak periods and that check public amenities and public place bins to also ensure that any issues are dealt with in a timely manner.</p> <ul style="list-style-type: none"> • Council's Parks and Gardens crews also increase the litter picking schedule over these peak periods to cater for any additional rubbish to try and prevent windblown litter. • At most boat ramps throughout the Eurobodalla, there are public litter bins to cater for any fishing waste. Council also provide RigCycle collection containers at all three waste facilities for residents to drop off fishing waste. Council encourages all residents and visitors to take ownership of their own production of waste and dispose of it in their household bins when they can or avoid purchasing products that produce a lot of waste through excessive packaging.
4	<p>Roads (across 2 submissions)</p> <p>4.1 Concern about the state of roads and potholes</p> <p>4.2 Question about the cost of reopening northern Congo Road.</p>	<ul style="list-style-type: none"> • Potholes and roads continue to be assessed and addressed in line with our road maintenance inspection schedule and policy. • Council staff continue to investigate next steps regarding Congo Road matters. Bringing a report to Council so a definitive way forward can be approved is a priority. There is no budgetary impact in the 2025-26 Operational Plan as no decision has yet been made by Council.
5	<p>Concerns raised about hazard reduction and emergency preparedness (referenced in one submission)</p>	<ul style="list-style-type: none"> • Council continues to work with the Rural Fire Service (RFS) and maintains councils reserves as mandated by the bushfire management committee (chaired by RFS). • Council two weeks of free green waste disposal to assist community with emergency preparedness. The OP also includes six generators to be installed in community facilities in the case that emergency shelter is required.
6	<p>Community connections and Pathway Strategy</p>	<ul style="list-style-type: none"> • The review of the Pathways Strategy was not finalised in 24/25 and will be reviewed in 2025/26, during this time the community will have an opportunity to provide suggestions and feedback during its public consultation phase.

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

Item No.	Items raised	Proposed response
	<p><i>(referenced in three submissions)</i></p> <p>6.1 Why the Pathway Strategy was not reviewed in 2024/25</p> <p>6.2 Question in relation to sections of the North Cove Road footpath</p> <p>6.3 Questions around the walkway steps linking Long Beach and Maloney's beach.</p> <p>6.4 Request for prioritisation of the Durras Village for consideration</p>	<ul style="list-style-type: none"> The link between identified numbers in the North River road Footpath has been identified as a high priority in existing pathways strategy 2017. This year (24/25), Enabling works (Utility relocation) is planned for the missing section of path between 24 and 70 North Cove Drive, Long Beach. Works should commence in the coming weeks. In 2025/26 the footpath will be constructed. An onsite meeting has been held and community members advised that replacing the steps in close proximity to the original location is unsafe and would require a review of environmental factors due to the requirement to remove multiple trees. The options for alternative access will be investigated in 2025-26 period. Contact details for divisional manager Carlyle Ginger to be provided to the submitter. The request for prioritisation of Durras for the pathway Strategy has been forwarded to relevant divisional manager Vivian Straw, his details will be provided to the submitter.
7	<p>Request for removal of the Annual Community Gardens fee</p> <p><i>(one submission, referenced across a further submission)</i></p>	<ul style="list-style-type: none"> The draft 2025-26 Fees & Charges on exhibition included an annual fee for Community Gardens of \$626. There are three community gardens in the Shire. Council values the use of appropriate open space for community gardening for its contribution to the health and wellbeing of the wider community and for the creation of a sustainable living environment. Council recognises the community gardens are a worthwhile endeavour and will remove the community gardens fee from 1 July 2025.
8	<p>Request for Council to make funds available for the proposed new animal shelter and inclusion in the Delivery program and Operational Plan (one</p>	<ul style="list-style-type: none"> Council has currently resolved to seek grant funding and prepare a Development Application for the project. The 2025-26 Operational Plan has an action to continue work to replace Eurobodalla's animal shelter/pound. A budget is proposed to be included in the September 2025 Quarterly Budget Review to support this application process which is a precursor for the application of any grant funding. Prior to December 2025, Council will receive a comprehensive report outlining design, construction and budget information. Funding options will also be considered

FCS25/035 ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26 **S004-T00028; S004-T00029**

Item No.	Items raised	Proposed response
	submission)	for inclusion in the 2026-27 Operational Plan.
10	<p>Community facilities:</p> <p>10.1 Request for funding for toilets and signage at Durras</p> <p>10.2 Request to address issues with the carpark at Durras</p> <p>10.3 Request to upgrade the community hall at Durras</p> <p>10.4 Request to progress works at play areas and playgrounds at Durras</p> <p>10.5 Request for pet and human water bubbler at Hanging Rock</p>	<ul style="list-style-type: none"> • Relevant Council staff have been working closely with relevant members of the Durras Community Association to progress all the issues raised. • In relation to the carpark our Infrastructure team have attended onsite and are currently looking at the asset and assessing the work that is required as per roads maintenance policy. • The dishwasher for the community hall at Durras is being purchased and should be installed shortly. The windows and acoustics require further work as this is an older building and any works need to be completed following assessments of hazardous material typical for buildings of this period and in line with requirements for heritage listed properties. • Drainage issues for the playground and nature play area at Durras will be addressed this financial year - weather permitting. Funds have been allocated for this project. • Council is investigating our current options for a human and pet bubbler and consideration is being given to available water mains.

CONCLUSION

The draft Delivery Program 2025-29, the draft Operational Plan 2025-26 incorporating the Revenue Policy 2025-26, the draft Resourcing Strategy 2025-35 and the draft Schedule of Fees and Charges were exhibited for 28 days, from 30 April to 27 May 2025.

Seven submissions were received from the community and provided to all councillors.

The work plan included in the draft Operational Plan 2025-26 has been developed around key themes of stability and stewardship. The plan assumes that Council's core service delivery will remain the same and the activities and actions for these integrated plans reflect this

FCS25/035	ADOPTION OF THE DELIVERY PROGRAM 2025-29, RESOURCING STRATEGY 2025-35 AND OPERATIONAL PLAN 2025-26, INCLUDING MAKING OF THE RATES FOR 2025-26	S004-T00028; S004-T00029
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assumption, noting Council's decision made in May to transition out of some community care services.

The document suite as required under the *Local Government Act 1993* is presented to Council for adoption, following this, for implementation from 1 July 2025.

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**FCS25/036 2025-26 DETERMINATION OF THE LOCAL GOVERNMENT
REMUNERATION TRIBUNAL**

S012-T00010

Responsible Officer: Stephanie Speedy - Director Finance and Corporate Services

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 Implement effective governance and long-term planning

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

EXECUTIVE SUMMARY

Pursuant to section 241 of the *NSW Local Government Act 1993* (NSW) (LGA) the Local Government Remuneration Tribunal (Tribunal) is required to make an annual determination by 1 May of each year on the fees payable to mayors and councillors, which has now occurred.

The level of fees paid is determined by the category that a council fits within. In 2023, the Tribunal undertook a review of the categories which resulted in Eurobodalla being classified as a 'Regional Centre'.

In its determination, the Tribunal has awarded a 3% increase to mayors and councillors in each category effective 1 July 2025. The Tribunal noted the submission of Local Government NSW and individual member councils, which informed its view as to the quantum of this year's increase.

RECOMMENDATION

THAT Council make a determination that the maximum 2025-26 annual Councillor and Mayoral Fees be set in accordance with Council's classification as a Regional Centre.

BACKGROUND

The Local Government Remuneration Tribunal is constituted under the *NSW 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.

Section 239 of the LGA requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. A review of categories was last carried out by the Tribunal in 2023. The Tribunal will next consider the model, criteria for each group, and the allocation of councils in the 2026 review.

The Tribunal noted that it considered a wide range of economic data as part of its Determination and that it would review, as part of its next 2026 Determination, the categorisation of councils.

The Tribunal also noted that while many submissions advocated for the reform of the fee structure payable to mayors and councillors in NSW, it was unable to do so without reform to the Act. It also noted that it was bound to consider the categorisation of councils based on the criteria set out in section 240 of the Act and that while other factors may be relevant in

**FCS25/036 2025-26 DETERMINATION OF THE LOCAL GOVERNMENT
REMUNERATION TRIBUNAL**

S012-T00010

informing the Tribunal’s view as to the appropriateness of a particular category, it was unable to consider them without legislative reforms.

The Tribunal’s 2025 Annual Determination can be viewed at:

[LGRT-2025-Annual-Determination.pdf](#)

CONSIDERATIONS

Categorisation of Councils

The Local Government Remuneration Tribunal is required under section 239 of the *Local Government Act 1993* to determine the categories of councils and mayoral offices at least once every three years. The Tribunal undertook a review of the categories as part of its 2023 determination. Eurobodalla was categorised in 2023 as a Regional Centre.

Fees for Councillors and the Mayor

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

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

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

The 2025-26 fees for a council classified as a Regional Centre are shown below.

	Councillor Annual Fee		Mayoral Annual Fee	
	Minimum	Maximum	Minimum	Maximum
Regional Centre 2024-25	\$15,370	\$27,050	\$31,980	\$66,800
Regional Centre 2025-26	\$15,830	\$27,860	\$32,940	\$68,800

Financial

It has been common practice at Eurobodalla Shire Council for councillors and the mayor to be paid at the maximum fee within the assigned category. The Mayoral Fee is paid in addition to the fee paid to the mayor as a councillor.

Council’s 2025-26 budget can accommodate the increase and current allocation for the councillor and mayor’s fee is \$318,006. A September budget variation of \$1,534 will be required if Council adopt the increase to the maximum as prescribed by the Tribunal.

If Council does not fix a fee, Council must pay the minimum fee determined by the Tribunal in the relevant category.

CONCLUSION

The Local Government Remuneration Tribunal has determined an increase to the mayoral and councillor fees of 3% for the 2025-26 financial year, with effect from 1 July 2025.

**FCS25/036 2025-26 DETERMINATION OF THE LOCAL GOVERNMENT
REMUNERATION TRIBUNAL**

S012-T00010

Under the provisions of the *Local Government Act 1993*, councils are required to fix and pay an annual fee based on the Tribunal's determination. Eurobodalla Shire Council is classified as a Regional Centre council. Historically, councillors and the mayor have been paid at the maximum fee within the assigned category.

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FCS25/037 POLICY REVIEW - DRAFT INVESTMENT POLICY

S004-T00060

Responsible Officer: Stephanie Speedy - Director Finance and Corporate Services

Attachments: 1. Draft Investment Policy

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.1 Provide strong corporate and financial management that is ethical, fair, transparent and accountable

Operational Plan Link: 5.3.1.1 - Provide sound and strategic financial management and reporting guided by the Finance Strategy

EXECUTIVE SUMMARY

The Investment Policy outlines the guidelines and principles that must be followed when investing Council funds with external institutions. It provides a framework aimed at maximising returns while ensuring compliance with legal requirements and maintaining appropriate levels of risk and security for Council's investments.

The draft policy was presented to the Audit, Risk and Improvement Committee (ARIC) on 11 June 2025 for comment. ARIC's feedback included a recommendation to add a "reporting and reviewing of investments" section to the policy, along with details on when and how Council will seek investment advice. It is recommended the draft policy be placed on public exhibition before being presented to Council for formal adoption, ensuring that input from both Council's ARIC and the community is incorporated.

RECOMMENDATION

THAT:

1. Council endorse the public exhibition of the draft Investment Policy for a period of 28 days.
2. Following the exhibition period, the draft Policy and any public submissions will be presented to Council for consideration.

BACKGROUND

Council's current Investment Policy was adopted at the Ordinary Meeting of Council on 9 August 2022. The policy stipulates that it must be reviewed at least every four years and amended as required, with any amendments to be approved by a resolution of Council. Since its adoption, no legislative changes have occurred.

At the Ordinary Meeting of Council on 16 April 2024, Council resolved that a report be prepared to allow consideration of the current investment strategy and related policy. [Minutes of Ordinary Meeting - Tuesday, 16 April 2024](#)

In response, consultation was undertaken with Council's investment advisor and TCorp (State's central borrowing authority) to assist in developing a revised draft Investment Policy. Further research included a review of investment policies from other NSW councils and the Office of Local Government's Investment Policy Guidelines. These guidelines support councils in

FCS25/037 POLICY REVIEW - DRAFT INVESTMENT POLICY

S004-T00060

managing surplus funds prudently and in accordance with legislative and risk management requirements.

A link to the OLG investment Policy Guidelines is available below:

[OLG Investment Policy Guidelines \(May 2010\)](#)

The draft Investment Policy incorporates several important updates aimed at improving flexibility, risk management, and alignment with sustainability principles. The key changes are as follows:

1. Updated Investment Parameters
Investment parameters have been revised to allow greater flexibility and the potential for increased returns by enabling investments in lower-rated institutions, while still maintaining appropriate credit risk limitations.
2. Introduction of Tenor Limits
Tenor (term) limits have been introduced within the investment parameters. The previous policy did not specify any limits on the duration of investments.
3. Sustainable Investment Focus
The previous 'fossil fuel free' target has been replaced with a broader preference for sustainable investing, incorporating the three pillars of sustainability: Environmental, Social, and Governance (ESG).
4. Policy Review Frequency
The review period has been updated from every four years to: *"will be reviewed at least on an annual basis and amended as required."*
5. General Improvements
Minor formatting changes, improvements for ease of reading, and other editorial corrections have been made throughout the document.

CONSIDERATIONS

This policy ensures Eurobodalla Shire Council's compliance with:

- Local Government Act 1993 (NSW)
- Local Government (General) Regulation 2021
- Ministerial Investment Order
- The Trustee Amendment (Discretionary Investments) Act 1997 – Section 14
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Office of Local Government (OLG) Investment Policy Guidelines

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council will place the draft policy on public exhibition for a period of not less than 28 days, from 26 June to 23 July 2025.

FCS25/037 POLICY REVIEW - DRAFT INVESTMENT POLICY

S004-T00060

Informing the community about the public exhibition and inviting the community to provide feedback on the policy will be achieved using Council's own platforms. Details on making a submission can be found on Council's ['Have your say'](#) webpage.

CONCLUSION

The draft Investment Policy reflects Council's commitment to responsible financial management by incorporating updated investment parameters, enhanced risk controls, and a broader focus on sustainable investing. These changes align with best practices and regulatory requirements, ensuring that Council's investment activities continue to support long-term financial sustainability.

Placing the draft policy on public exhibition provides an opportunity for community feedback and transparency in the policy development process. Following the exhibition period, any submissions received will be considered before the policy is presented to Council for formal adoption.



Policy

Policy title	Investment Policy
Responsible manager(s)	Chief Financial Officer
Contact officer(s)	Chief Financial Officer
Directorate	Finance and Corporate Services
Approval date	
Outcome area	5. Our engaged community with progressive leadership
Strategy	5.3 Work together to achieve our collective vision
Delivery Program	5.3.1 Provide strong corporate and financial management that is ethical, fair, transparent and accountable
Operational Plan	5.3.1.1 Provide sound and strategic financial management and reporting

Purpose

Eurobodalla Shire Council's policy is designed to ensure that Council's investments reflect the preference to reduce risk and comply with current Office of Local Government (OLG) Investment Policy Guidelines, 'best practice' and the current Ministerial Order.

Both the policy and investing practices of Council must comply with Section 625 of the *Local Government Act 1993*.

The Ministerial Investment Order as at 12 January 2011 was current at the date of adopting this policy and is included in this document (see [Appendix 1](#)).

In formulating this policy, Council has considered the 'Investment Policy Guidelines' issued by the OLG in May 2010. The guidelines are non-binding, however, are considered best practice and should be integrated into the established investment policy.

Policy aims

This policy provides a framework for investing Council funds to maximise return on investment, whilst considering legal requirements, risk and security of Council's investments.

The policy aims to ensure:

- Legal and statutory requirements are met.
- Investments are allocated appropriately to ensure there is sufficient liquidity to meet anticipated cash flow requirements, including maintaining sufficient working capital funds to carry out Council's strategic plan (outlined in the delivery program and operational plan).
- To generate income that meets, or exceeds performance benchmarks in line with the Council's risk tolerance.

Policy statement

1	Application This policy applies to the investment of Eurobodalla Shire Council's surplus funds.
2	Legislation All investments are to comply with the following: <ul style="list-style-type: none"> • Local Government Act 1993 • Local Government (General) Regulation 2021



Policy

	<ul style="list-style-type: none"> Ministerial Investment Order – 12 January 2011 The Trustee Amendment (Discretionary Investments) Act 1997 – Section 14 Local Government Code of Accounting Practice and Financial Reporting Australian Accounting Standards OLG Investment Policy Guidelines; and OLG Circulars
3	<p>Delegation of Authority</p> <p>Authority for implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the Local Government Act 1993.</p> <p>The General Manager may in turn delegate the day-to-day management of Council's Investment to the Responsible Accounting Officer or senior staff, subject to regular reviews.</p> <p>Officers' delegated authority to manage Council's investments shall be recorded and required to acknowledge they have received a copy of this policy and understand their obligations in this role.</p>
4	<p>Prudent Person Standard</p> <p>The investment will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.</p>
5	<p>Ethics and Conflicts of Interest</p> <p>Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager. Independent advisors are also required to declare that they have no actual or perceived conflicts of interest.</p>
6	<p>Approved Investment</p> <p>Investments are limited to those allowed by the most current Ministerial investment Order that has been issued by the NSW Minister for Local Government.</p> <p>Council will seek out sustainable investment options that align with the investment policy objectives, risk parameters and legislation. The rate of return should be at least equal to comparable investments. Sustainable investments can refer to the issuer of the investment, or the investment product. Where possible, sustainable investments should be endorsed by an accredited environmentally and socially responsible industry body or institution.</p>
7	<p>Risk Management</p> <p>All investments entail some risk. Generally, the higher the anticipated rate of return of an investment, the higher the risk and variability of investment returns. Investing should produce a diversified portfolio that reflects reasonable market return.</p> <p>The Ministerial Order has identified the types of investments Council is allowed to invest money in. This is the basis for a cautious approach to investing of Councils surplus funds. The Ministerial Order can be found at attachment A.</p>



Policy

	<p>The following criteria is to be considered when investing Council funds:</p> <ul style="list-style-type: none">• Preservation of Capital – the requirement for preventing losses in an investment portfolio’s total value (considering the time value of money).• Diversification – limiting the amounts invested with a particular financial institution or government authority to reduce credit risk.• Credit risk - the risk that the investment counterparty will not complete their obligations particular to a financial instrument, resulting in financial loss to Council.• Market risk – the risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices.• Liquidity risk – the risk that Council will not be able to pay its debts as and when they fall due.• Maturity risk – the risk relating to the length of term to maturity of the investment. The larger the term, the greater the length of exposure and risk to market volatilities.																																								
7.1	<p>Investment Parameters</p> <p>Council seeks to minimise risk by investing funds within the parameters outlined below:</p> <table><tr><th>S&P Long Term Category</th><th>Maximum % of Portfolio</th><th>Counterparty Limit*</th><th>Maximum Tenor (years)</th></tr><tr><td>TCorp</td><td>100%</td><td>100%</td><td>N/A</td></tr><tr><td>AAA</td><td>100%</td><td>100%</td><td>N/A</td></tr><tr><td>AA+ to AA-</td><td>100%</td><td>50%</td><td>5.0</td></tr><tr><td>A+ to A</td><td>100%</td><td>40%</td><td>5.0</td></tr><tr><td>A-</td><td>40%</td><td>30%</td><td>5.0</td></tr><tr><td>BBB+</td><td>30%</td><td>20%</td><td>5.0</td></tr><tr><td>BBB</td><td></td><td>10%</td><td>3.0</td></tr><tr><td>BBB- & below: local ADIs</td><td></td><td>5%</td><td>1.0</td></tr><tr><td>BBB- & below: other</td><td>5%</td><td>\$250k</td><td>1.0</td></tr></table> <p>*Counterparty limit refers to the maximum exposure to individual counterparties/financial institutions.</p>	S&P Long Term Category	Maximum % of Portfolio	Counterparty Limit*	Maximum Tenor (years)	TCorp	100%	100%	N/A	AAA	100%	100%	N/A	AA+ to AA-	100%	50%	5.0	A+ to A	100%	40%	5.0	A-	40%	30%	5.0	BBB+	30%	20%	5.0	BBB		10%	3.0	BBB- & below: local ADIs		5%	1.0	BBB- & below: other	5%	\$250k	1.0
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BBB- & below: other	5%	\$250k	1.0																																						
8	<p>Benchmarking</p> <p>The performance of Council’s investments will be assessed against the AusBond Bank Bill Index (Net of Fees and Expenses). Funds invested in TCorp IM Managed Funds will be assessed against the fund’s internal benchmark.</p>																																								
9	<p>Unacceptable investments</p> <p>Any investment that falls outside the Minister’s order or not included in this policy. All investments must be denominated in Australian Dollars and comply with the Minister’s determination.</p>																																								
10	<p>Safe custody arrangements</p> <p>Where necessary, investments may be held in safe custody on Council’s behalf, as long as the following criteria are met:</p> <ul style="list-style-type: none">• Council must retain beneficial ownership of all investments																																								



Policy

	<ul style="list-style-type: none"> Adequate documentation is provided, verifying the existence of the investments at inception, in regular statements and for audit The Custodian conducts regular reconciliation of records with relevant registries and/or clearing systems; and The Institution or Custodian recording and holding the assets will be: <ul style="list-style-type: none"> The Custodian nominated by TCorp IM for its Funds Austraclear; or An investment-grade institution by Standard and Poor's, Moody's, or Fitch rating; or An institution with adequate insurance, including professional indemnity insurance and other insurances considered prudent and appropriate to cover its liabilities under any agreement
11	<p>Other Forms of Investment</p> <p>Internal loans are acceptable subject to any legal requirements noting that Ministerial approval is, at the time of adopting this policy, required for internal investing/borrowing arrangements to or from externally restricted funds, however such arrangements must not compromise liquidity or compliance with industry standards for financial ratios.</p> <p>Separate Council policies address interest-free loans to community groups and similar entities.</p>

Review

In accordance with the OLG Investment Policy Guidelines, this policy will be reviewed annually or as needed should:

- Legislation require it.
- Council's functions, structure or activities change.

Definitions

Word/Term	Definition
Act	<i>Local Government Act 1993</i>
Council funds	Surplus monies that are invested by Council in accordance with s625 <i>Local Government Act 1993</i> .
Credit Risk	The risk of ultimately not being able to redeem the funds.
Interest risk	The potential for investment losses via the decline in value of the investment that can be triggered by unexpected fluctuations in interest rates.
Investments	Money that is not, for the time being, required by the council for any other purpose
OLG	Office of Local Government
Prudent Person	A prudent person is expected to act with considerable duty of care, not as an average person would act, but as a wise, cautious and judicious person would.
TCorp	New South Wales Treasury Corporation



Policy

Governance

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

Related legislation and policies

Name	Link
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182
Local Government (General) Regulation 2021	https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0460
Trustee Amendment (Discretionary Investments) Act 1997	www.legislation.nsw.gov.au/sessionalview/sessional/act/1997-102.pdf
Ministerial Investment Order 12 January 2011 Appendix A	www.olg.nsw.gov.au/sites/default/files/OLG%20-%20Code%20Update%2025%20-%20Appendices.pdf
OLG Local Government Code of Accounting Practice and Financial Reporting 2009	Financial Reporting - Office of Local Government NSW
OLG Investment Policy Guidelines	www.olg.nsw.gov.au/sites/default/files/Investment-Policy-Guidelines-May-2010.pdf

Related external references

Name	Link
Office of Local Government (OLG)	www.olg.nsw.gov.au/

Supporting documents

Name	Link
OLG Circular re: Revised Ministerial Order (17 Feb 2011)	www.olg.nsw.gov.au/sites/default/files/11-01_0.pdf

Change history

Version	Approval date	Approved by	Minute	File	Change
1	22 Sep 2011	Council		E05.9513 E06.0355	Policy commenced
2	10 Sep 2013	Council	13/272	E05.9513 E06.0355 E13.7095	Report O13/56 Updated formatting, review date, references and links
3	12 May 2015	Council	15/31	E05.9513 E06.0355	Report FBD 15/034 - updated to reflect changes in banking
4	13 Jun 2017	Council	17/181	E05.9513 E06.0355 E16.0297	Reviewed, minor formatting updates
5	12 Dec 2017	Council	17/393	E00.4623	Investment review



Policy

6	27 Mar 2018	Council	18/6	E00.4623	Report CCS18/012 – amended policy adopted
7	31 July 2018	Council	18/030	E00.4623	Report CCS18/030 – amended policy adopted
8	TBA	Council	TBA	TBA	Reviewed and updated

Internal use

Responsible officer		Chief Financial Officer		Approved by	Council
File no	E06.0355 E05.9513	Council report	TBA	Approved date	TBA
Min no	TBA	Review date	May 2022	Pages	8



APPENDIX 1 – Ministerial Investment Order 12 Jan 2011

LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER
(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation;

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.


All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12th day of January 2011


 Hon BARBARA PERRY MP
 Minister for Local Government

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FCS25/038 UNRECOVERABLE DEBT WRITE-OFFS

S011-T00001

Responsible Officer: Stephanie Speedy - Director Finance and Corporate Services
Attachments: 1. Confidential - Unrecoverable Debt Write-Offs
Community Goal: 5 Our engaged community with progressive leadership
Community Strategy: 5.3 Work together to achieve our collective vision
Delivery Program Link: 5.3.1 Provide strong corporate and financial management that is ethical, fair, transparent and accountable
Operational Plan Link: 5.3.1.2 Collect rates and charges

EXECUTIVE SUMMARY

This report is seeking approval to write off sundry debts that have been deemed unrecoverable to the value of \$589,727.89. Details regarding the four debts proposed to be written off are provided in the confidential attachment.

RECOMMENDATION

THAT Council approve the write-off of unrecoverable sundry debts as outlined in the confidential attachment to this report.

BACKGROUND

Council is responsible for the collection of monies raised through rates and charges, it is also responsible for issuing invoices for various sundry fees and charges raised as Debtor accounts.

Unlike rates that are secured against the rated property, sundry debts are unsecured, despite Council's robust collection processes, some sundry debts cannot be collected, the uncollectable debts then require writing off.

Clause 213(3) of the *Local Government (General) Regulation 2021* requires that a debt can only be written off either by resolution of the Council or by order in writing of the Council's General Manager.

Council's General Manager is delegated to write-off debts to a maximum of \$10,000. Each of the debts requiring write-off exceed \$10,000. As at May 2025 the total debt proposed to be written off is \$589,727.89.

All possible debt recovery action has been pursued through Council's debt recovery agency Recoveries and Reconstruction and these debts are now considered unrecoverable.

CONSIDERATIONS

Three of the four unsecured debts are in excess of six years old and pursuant to Section 14 of the *Limitation Act 1969*, Council cannot proceed any further with debts that are more than six years old.

The remaining unsecured debt is less than six years old, however the company is in liquidation and Council's Debt Recovery Agency has recommended write-off for the reasons outlined in the confidential attachment.

FCS25/038 UNRECOVERABLE DEBT WRITE-OFFS

S011-T00001

Policy

Commercial debt recovery has been pursued in accordance with Council's Debt Recovery Policy and Debt Recovery Code of Practice.

- [Debt Recovery Policy](#)
- [Debt-Recovery-Code-of-Practice](#)

Financial

The impact of the write-offs is to reduce the provision for doubtful debts as Council has previously accrued the amounts. Writing off these unrecoverable debts will remove them from the accounts receivable system.

The write-offs will have no impact on Council's net financial position for the year as the amounts have already been provided for in previous years.

CONCLUSION

That Council approve the proposed write-offs that are deemed unrecoverable, totalling \$589,727.89. As the amounts have already been provided for in previous years, the write-offs will have no impact on Council's net financial position for the 2024/25 financial year.

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FCS25/039 INVESTMENTS MADE AS AT 31 MAY 2025

**S011-T00006,
S012-T00025**

Responsible Officer: Stephanie Speedy - Director Finance and Corporate Services

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.1 Provide strong corporate and financial management that is ethical, fair, transparent and accountable

Operational Plan Link: 5.3.1.1 Provide sound and strategic financial management and reporting

EXECUTIVE SUMMARY

The purpose of this report is to:

- certify that Council's investments in financial instruments have been made in accordance with legislation and policy requirements
- provide information and details of investments
- raise other matters relevant to investing.

RECOMMENDATION

THAT the certification of investments as of 31 May 2025, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2021*, be received.

CONSIDERATIONS

Policy

Council's investment policy is divided into two categories of risk, credit risk (risk of not being able to redeem funds) and liquidity risk (risk of loss due to the need to redeem funds earlier than the investment term). Council's portfolio is 100% invested in bank deposits, maintaining a low liquidity risk across all credit risk categories.

As at 31 May 2025, the portfolio is compliant with Council's Investment Policy adopted by Council on 9 August 2022 (Minute 22/190). A summary of holdings by risk category is summarised below in Table 1.

FCS25/039 INVESTMENTS MADE AS AT 31 MAY 2025

**S011-T00006,
S012-T00025**

Table 1 – Policy Risk Categories

S&P Long Term Category	S&P Short Term Category	Policy Risk Category	Current Holdings	Maximum Holdings
AAA (Government Guaranteed Deposits)	A-1+	Remote Risk	1.46%	100%
AAA to AA	A-1+	Near Risk Free	49.54%	100%
A	A-1 to A-2	Near Risk Free	*49.00%	40%
BBB+	A-2	Some Limited Risk	0.00%	30%

*25.07% of the portfolio is held with Bendigo Bank and Bank of Queensland. In April 2024, these two institutions were upgraded from an S&P Global long-term rating of BBB+ to A- and therefore now reported in the 'A' category of the policy. The current investment policy has been reviewed and a revised draft is being presented to Council at the June meeting. For further details please refer to report FCS25/032.

Financial

Investment holdings summary

Table 2 provides a summary of cash and investment balances as at 31 May 2025. Fossil fuel free refers to institutions that have no exposure or no longer directly finance projects in the fossil fuel industry but still have some exposure from historical funding.

Table 2 – Investment holdings by category

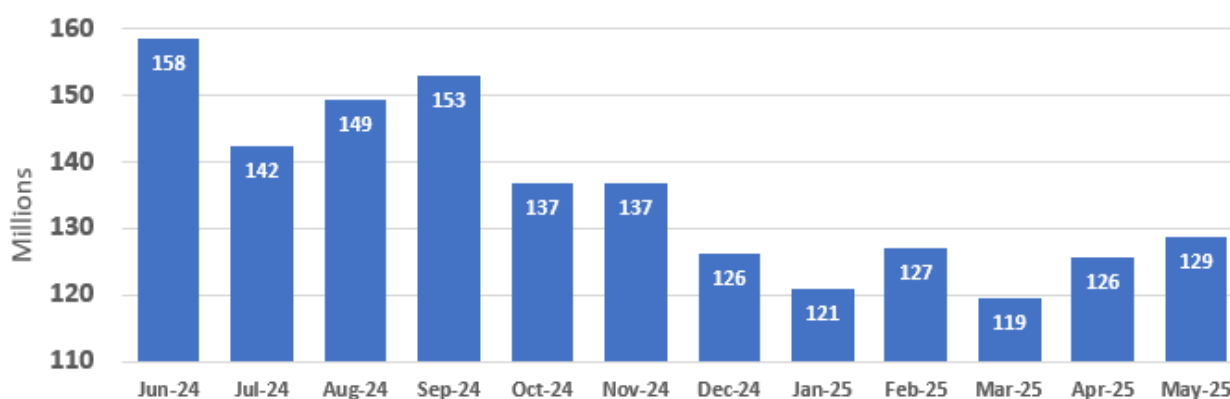
Category	(\$)	% of Portfolio
At Call Deposit	9,640,229	8.06%
Term Deposits – Government Guaranteed	1,750,000	1.46%
Term Deposits – Fossil Fuel Free Institutions	50,000,000	41.78%
Term Deposits	58,280,000	48.70%
Total Investments	119,670,229	
Cash at Bank (Operating Account)	8,888,525	
Total Cash and Investments	128,558,754	

FCS25/039 INVESTMENTS MADE AS AT 31 MAY 2025

**S011-T00006,
S012-T00025**

Cash and investments increased by \$3m in May 2025, primarily due to the collection of the 4th rates instalment and water usage charges. Graph 1 displays Council's cash and investments balance over a 12-month period.

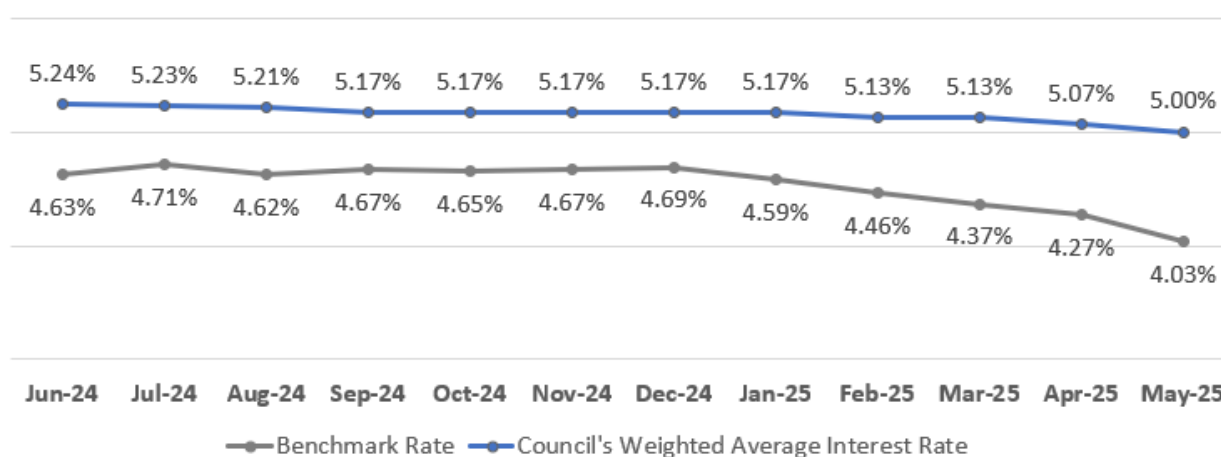
Graph 1 – Total Cash and Investment Balances (12 months)



Performance

The weighted average monthly return on Council's investments for May 2025 is 5.00%, surpassing the Council policy benchmark of 4.03%, calculated using the bank bill swap rate (BBSW) 3-month average plus 0.25%. Graph 2 compares Council's weighted average return to the benchmark rate over a 12-month period.

Graph 2 – Investment performance over 12 months



CONCLUSION

Pursuant to provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2021*, I hereby certify that these investments have been made in accordance with the *Local Government Act 1993* and related regulations.

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IR25/006 POLICY REVIEW FOR PUBLIC EXHIBITION - WATER AND SEWERAGE S004-T00060

Responsible Officer: Graham Attenborough - Director Infrastructure Services

Attachments: 1. Draft Water and Sewerage Rural and Trunk Mains Connections Policy
2. Draft Water Supply and Sewerage Headworks Charges Policy

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 Implement effective governance and long-term planning

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

EXECUTIVE SUMMARY

Council has reviewed its policies for the water and sewerage services we provide to the community. The following two policies have been updated:

- Water and Sewer Rural and Trunk Main Connections
- Water Supply and Sewer Headworks Charges.

Another ten water and sewerage policies were reviewed, but without any material changes.

The draft policies are recommended to be placed on public exhibition before being presented to Council for adoption.

RECOMMENDATION

THAT:

1. Council agrees to place the following draft policies on public exhibition for 28 days to receive feedback from the community:
 - a. Water and Sewer Rural and Trunk Main Connections
 - b. Water Supply and Sewerage Headworks Charges.
2. Following the exhibition period, Council will consider any submissions from the community prior to adoption of the policies.

BACKGROUND

Water and Sewerage Rural and Trunk Main Connections

Council's Integrated Water Cycle Management Strategy identifies level of service targets that Council aims to achieve in the delivery of its water supply and sewerage services. Key performance objectives include adequate water quality, maximum and minimum water supply pressures, sewer odour complaints, response times and durations of interruptions.

This policy helps ensure that Council's ability to meet its level of service obligations is not compromised by allowing connections to water and sewer services in low density areas, which inherently have long pipe sections, dead ends and excessive detention periods which can result in the aforementioned performance issues.

IR25/006 POLICY REVIEW FOR PUBLIC EXHIBITION - WATER AND SEWERAGE S004-T00060

Water Supply and Sewerage Headworks Charges

This policy describes how water supply and headworks charges will be calculated for new infrastructure, based on the equivalent tenements (ET) method.

New infrastructure required to service development is funded by the developer through direct construction costs and headworks charges. That is, the developer funds the construction of new assets required to service their development and contributes to capacity upgrades of the existing system to accommodate the additional demand of development.

Section 64 of the *Local Government Act 1993* provides that Council may require a contribution from developers towards the cost of water and sewer works where Council has developed a Development Servicing Plan in accordance with the Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (Department of Climate Change, Energy, Environment and Water).

Council's Development Servicing Plans (2020) for Water Supply and Sewerage Services defines the charges to be applied to developers for the increase in demand or loading that an average residential dwelling or house, otherwise known as an 'equivalent tenement' (ET), will have on Council's water and sewerage infrastructure. Headworks charges (other than for an average residential dwelling) are determined by assessing the demands on Council's water supply and sewerage infrastructure of that development and comparing them with an ET. Development is therefore assessed in numbers of ET, and water and sewer headworks charges are levied according to that.

CONSIDERATIONS

Water and Sewerage Rural and Trunk Main Connections

The previous Policy was ambiguous in terms of when a rural property could connect to a reticulated water main, being where a reticulated water supply main exists at the property frontage. This administrative change provides clarity and aligns with Section 552 of the *Local Government Act* and therefore Council's position on when it can apply a water charge, being when any property (boundary) is within 225 metres of a Council water pipe.

Council has only received a small number of requests for connections from rural properties and as such it is not considered that this will have a significant impact on overall service levels. Connection is also subject to payment of water connection and water supply head works charges.

Some minor simplification of language to improve clarity for the audience is also proposed.

Water Supply and Sewerage Headworks Charges

The policy has been reviewed and some minor changes are recommended at this time. This includes clarification for developments that have significantly underestimated usage, that headworks charges may be re-calculated and retrospectively charged.

Some minor simplification of language to improve clarity for the audience is also proposed.

IR25/006 POLICY REVIEW FOR PUBLIC EXHIBITION - WATER AND SEWERAGE S004-T00060

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council will place the draft policies on public exhibition for a period of not less than 28 days commencing on 28 May 2025 until 25 June 2025 on Council's website at [Public exhibition | Eurobodalla Council](#)

CONCLUSION

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



Policy

Policy title	Water and Sewerage Rural and Trunk Mains Connections
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewerage
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Our sustainable shire celebrates our natural environment and outdoor lifestyles
Strategy	1.4 Work together in the management and use of our valuable resources
Delivery Program	1.4.1 Provide safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy
Operational Plan	1.4.1.2 Operate and maintain the town water supply stream 1.4.1.4 Operate and maintain sewerage system

Purpose

Council's Integrated Water Cycle Management Strategy identifies level of service targets that Council aims to achieve in the delivery of its water supply and sewerage services. Key performance objectives include adequate water quality, maximum and minimum water supply pressures, sewer odour complaints, response times and durations of interruptions.

This policy helps ensure that Council's ability to meet its level of service obligations is not compromised by allowing connections to water and sewer services in low density areas, i.e. rural properties, or from water trunk mains.

Rural Water Connections

Council supplies water that is treated to a standard that meets the Australian Drinking Water Guidelines, including disinfecting the water to destroy any pathogenic (disease causing) organisms that may have been present in the water source. To protect against recontamination in the distribution and reticulation network, Council chlorinates the water to maintain disinfection residual.

Good design, management and integrity of distribution and reticulation systems are essential for maintaining water quality. Stagnation and chlorine decay can occur in poorly designed and operated systems. Unless there is sufficient turnover of water in the network, there is a risk that disinfection capacity will be depleted, and reinfection may occur. This is particularly a problem in reticulation systems that contain sections with long detention periods such as long sections of pipe servicing few customers and dead ends. The risk exists for many properties in the Shire which are left vacant for extended periods of time.

Due to the low density of rural properties, it is not possible to provide water services from a reticulation system without relatively long sections of pipe, dead ends and excessive detention periods. Therefore, there is a risk that Council would be unable to meet drinking water quality standards for many rural customers.



Policy

As Council would be unable to guarantee level of service obligations, Council does not permit all rural properties to be connected to reticulated potable water supply systems, however there are exceptions for rural customers whose property is relatively close to the water pipe.

Trunk Water Main Connections

Trunk water supply pipelines deliver bulk water from one part of the system to another, often aided by pumping. As such, trunk mains are larger in diameter than reticulation mains, are not networked and have fluctuating pressures. Trunk mains are considered part of the distribution system, which is designed to accommodate the peak day demand within the water supply system. Response and repair times failures can therefore be up to several days depending on the season, which far exceeds Council's level of service obligation.

Council is not able to meet level of service obligations for customers serviced from trunk mains for the following reasons:

- Excessive pressure fluctuations caused by pumps starting and stopping, which lead to level of service complaints.
- Excessive response and repair times due to larger diameter pipes and location.
- Long pipelines without networking meaning that service interruptions can disrupt excessive numbers of customers per incident.

As Council is unable to guarantee level of service obligations, Council does not permit properties to be connected to water supply trunk mains. See below for exceptions.

Rural Sewer Connections

Due to the low density of rural properties, a reticulated sewer system servicing rural properties will contain either:

- Long sections of gravity pipe and transfer pumping stations that service few properties, or
- Long sections of pressure sewer pipelines.

It is not usually possible to provide a viable service to rural customers as operations, maintenance and asset renewal costs will far exceed the income from contributing properties. Long sections of sewer rising main or pressure sewer results in anaerobic sewage conditions which create odour and maintenance issues, and a reduced asset life of the downstream sewerage system.

As Council is not able to provide a viable sewer service or meet level of service obligations, Council does not permit rural properties to be connected to Council's sewerage systems.

Policy aims

This policy aims to:

- Ensure that Council's ability to meet service level obligations is not compromised by providing water and sewer services in low density areas or from water trunk mains
- Ensure consistency and fairness in the way the Council deals with rural property owners
- Ensure compliance with legislative requirements under the *Local Government Act 1993*
- Make the Council's policies and requirements for rural and trunk main connections readily accessible and understandable to the public.



Policy

Policy statement

1	Application This policy applies to water supply and sewerage systems within the Eurobodalla Local Government Area (LGA).
2	Legislation Eurobodalla Shire Council will comply with the Local Government Act 1993 No 30 - NSW Legislation

Implementation

Requirements		Responsibility
1	Rural Water and Sewer Connections <ul style="list-style-type: none"> Connections to Council's water supply or sewerage systems of lots within land use zones RU1 Primary Production or RU4 Primary Production Small Lots shall not be permitted except as outlined in point 3. Requests for connection to Council's water supply and/or sewerage systems of lots within land use zone E4 will be considered on merit. 	Council officers
2	Distribution Mains Service connections to trunk water mains will not be permitted.	Council officers
3	Exceptions Connections to the existing reticulated water supply system of lots within land use zones RU1, RU4 or E4 will be permitted where a reticulated water supply main exists within 225 metres of the property boundary, subject to payment of water connection and water supply head works charges. This exception shall not be applied to sewer services or trunk water main connections.	Council officers
4	Staff Under supervision, relevant Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received appropriate training to do so.	Council officers
5	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
6	Consultation Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions	As applicable

IR25/006 POLICY REVIEW FOR PUBLIC EXHIBITION - WATER AND SEWERAGE

ATTACHMENT 1 DRAFT WATER AND SEWERAGE RURAL AND TRUNK MAINS
CONNECTIONS POLICY

Policy

	regarding this policy are invited for consideration during the exhibition period.	
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Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages water and sewer rural and trunk main connections.

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

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

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

Governance

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

Related legislation and policies

Name	Link
Council's Water and Sewer Connections Policy	ECM_4625961_Water-and-Sewer-Connections-policy.pdf
Local Government Act 1993	Local Government Act 1993 No 30 - NSW Legislation

Related external references

Name	Link
Office of Local Government	Home - Office of Local Government NSW

Supporting documents

Name	Link
Integrated Water Cycle Management Strategy	Plans and strategies Eurobodalla Council

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	16 Dec 2008	Council	08/386	E06.0113	Policy commenced
2	10 Dec 2013	Council	13/272	E06.0113 E06.0374 E13.7095	Reviewed and updated at start of new Council term

IR25/006 POLICY REVIEW FOR PUBLIC EXHIBITION - WATER AND SEWERAGE

ATTACHMENT 1 DRAFT WATER AND SEWERAGE RURAL AND TRUNK MAINS
CONNECTIONS POLICY

Policy

3	09 May 2017	Council	17/120	E06.0113 E06.0374 E16.0297	Reviewed and updated at start of new Council term
4	22 Nov 2022	Council	22/313	S004-T00060	Reviewed and updated at start of new Council term
5	TBA	Council	TBA	S004-T00060	Reviewed and updated Report TBA

Internal use

Responsible officer		Director Infrastructure Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	S004-T00060	Review date	June 2025	Pages	5



Policy

Policy title	Water Supply and Sewerage Headworks Charges
Responsible manager(s)	Director Infrastructure Services
Contact officer(s)	Division Manager Water and Sewerage
Directorate	Infrastructure Services
Approval date	
Outcome area	1. Our sustainable shire celebrates our natural environment and outdoor lifestyles
Strategy	1.4 Work together in the management and use of our valuable resources
Delivery Program link	1.4.1 Provide a safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy
Operational Plan link	1.4.1.1 Deliver programmed capital works (build and renewals) for the water supply network 1.4.1.3 Deliver programmed capital works (build and renewals) for the sewerage network

Purpose

This policy describes how water supply and headworks charges will be calculated for new infrastructure, based on the equivalent tenements (ET) method.

Provision of existing water and sewer services, including operations and maintenance activities, asset renewals and level of service upgrades is funded by income derived from existing consumers through water and sewer availability and usage charges.

New infrastructure required to service development is funded by the developer through direct construction costs and headworks charges. That is, the developer funds the construction of new assets required to service their development, and contributes to capacity upgrades of the existing system to accommodate the additional demand of development.

Section 64 of the *Local Government Act 1993* provides that Council may require a contribution from developers towards the cost of water and sewer works where Council has developed a Development Servicing Plan in accordance with the Developer Charges Guidelines for Water Supply, Sewerage and Stormwater (NSW Office of Water).

Council's Development Servicing Plans (2020) for Water Supply and Sewerage Services defines the charges to be applied to developers for the increase in demand or loading that an average residential dwelling or house, otherwise known as an 'equivalent tenement' (ET), will have on Council's water and sewer infrastructure. Headworks charges (other than for an average residential dwelling) are determined by assessing the demands on Council's water supply and sewerage infrastructure of that development and comparing them with an ET. Development is therefore assessed in numbers of ET, and water and sewer headworks charges are levied according to that.

It is therefore important to define the demand of an equivalent tenement to enable an assessment of the impact of different types of development. This policy establishes the water and sewer demands of an equivalent tenement for the local area to be used in the determination of headworks charges, and defines the equivalent tenement demands to be used when assessing common types of development.



Policy

Policy aims

- Promote an integrated framework for determining water and sewer headworks charges
- Ensure consistency and fairness in the manner in which the Council deals with developers and ratepayers
- Ensure compliance with legislative requirements under the *Local Government Act 1993*
- Promote awareness of the requirements of the Act with respect to the construction of works for developers
- Make the Council's policies and requirements for water and sewer headworks charges readily accessible and understandable to the public.

Policy details

1	Application This policy applies to all new developments in accordance with Council's Water Supply Services and Sewerage Services Development Servicing Plans.
2	Legislation This policy ensures Eurobodalla Shire Council's compliance with Section 64 of the Local Government Act 1993 No 30 - NSW Legislation

Implementation

Requirements		Responsibility																		
1	Local Equivalent Tenement Demands The local Equivalent Tenement demands to be used in the determination of headworks charges are: <ul style="list-style-type: none"> • For water - 180 kilolitres/ET annual demand or 1500 litres/ET peak day demand • For sewer - 120 kilolitres/ET annual demand or 900 litres/ET peak day demand 	Development Assessment officers																		
2	Vacant Land The following equivalent tenements shall be used for subdivision of land in which additional vacant lots are created: <table border="1"> <thead> <tr> <th>Category</th><th>Water ET</th><th>Sewer ET</th></tr> </thead> <tbody> <tr> <td>Small Residential Lot (<500m²)</td><td>0.8</td><td>1.0</td></tr> <tr> <td>Standard Residential Lot (500m²-2000m²)</td><td>1.0</td><td>1.0</td></tr> <tr> <td>Large residential Lot (>2000m²)</td><td>1.2</td><td>1.0</td></tr> <tr> <td>Commercial Lot</td><td>1.0</td><td>1.0</td></tr> <tr> <td>Industrial Lot</td><td>1.0</td><td>1.0</td></tr> </tbody> </table>	Category	Water ET	Sewer ET	Small Residential Lot (<500m ²)	0.8	1.0	Standard Residential Lot (500m ² -2000m ²)	1.0	1.0	Large residential Lot (>2000m ²)	1.2	1.0	Commercial Lot	1.0	1.0	Industrial Lot	1.0	1.0	Development Assessment officers
Category	Water ET	Sewer ET																		
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Industrial Lot	1.0	1.0																		



Policy

3	Multi-Residential Development (Units) The following equivalent tenements shall be used for multi-residential developments: <table border="1"> <thead> <tr> <th>Category</th><th>Water ET</th><th>Sewer ET</th></tr> </thead> <tbody> <tr> <td>1 bedroom</td><td>0.4</td><td>0.5</td></tr> <tr> <td>2 bedrooms</td><td>0.6</td><td>0.75</td></tr> <tr> <td>3 bedrooms</td><td>0.8</td><td>1.0</td></tr> </tbody> </table>	Category	Water ET	Sewer ET	1 bedroom	0.4	0.5	2 bedrooms	0.6	0.75	3 bedrooms	0.8	1.0	Development Assessment officers												
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4	Multi-Residential Development (Duplex/Dual Occupancy) Where there is a potential for the property to be subdivided to create multiple lots with a residence on each lot, the equivalent tenements shall be calculated in accordance with Clause 2 Vacant Land. Where the lot size or layout is such that the property cannot be further subdivided, the equivalent tenements shall be calculated in accordance with Clause 3 Multi-Residential Development (Units).	Development Assessment officers																								
5	Multi-Residential Development (Secondary Dwellings) Development Consents involving the construction of a secondary dwelling where the floor area of the secondary dwelling is not more than 60 square metres shall be exempt from Headworks Charges. Development Consents involving the construction of a secondary dwelling where the floor area of the secondary dwelling is greater than 60 square metres shall be calculated in accordance with Clause 3 Multi-Residential Development (Units).	Development Assessment officers																								
6	Accommodation The following equivalent tenements shall be used for accommodation providing developments: <table border="1"> <thead> <tr> <th>Category</th><th>Water ET</th><th>Sewer ET</th></tr> </thead> <tbody> <tr> <td>Motel / Hotel (per room)</td><td>0.3</td><td>0.4</td></tr> <tr> <td>Bed and Breakfast / Guest House (per room)</td><td>0.3</td><td>0.4</td></tr> <tr> <td>Caravan Park (per short-term site)</td><td>0.3</td><td>0.4</td></tr> <tr> <td>Caravan Park (per permanent site)</td><td>0.6</td><td>0.75</td></tr> <tr> <td>Backpackers / Hostel (per bed)</td><td>0.15</td><td>0.2</td></tr> <tr> <td>Caretakers Residence</td><td>1</td><td>1</td></tr> <tr> <td>Serviced Apartments (use multi-residential development)</td><td></td><td></td></tr> </tbody> </table>	Category	Water ET	Sewer ET	Motel / Hotel (per room)	0.3	0.4	Bed and Breakfast / Guest House (per room)	0.3	0.4	Caravan Park (per short-term site)	0.3	0.4	Caravan Park (per permanent site)	0.6	0.75	Backpackers / Hostel (per bed)	0.15	0.2	Caretakers Residence	1	1	Serviced Apartments (use multi-residential development)			Development Assessment officers
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7	Residential Care The following equivalent tenements shall be used for residential care developments: <table border="1"> <thead> <tr> <th>Category</th><th>Water ET</th><th>Sewer ET</th></tr> </thead> <tbody> <tr> <td>Nursing Home (per bed)</td><td>0.4</td><td>0.5</td></tr> <tr> <td>Self-Care Retirement unit (1 bedroom)</td><td>0.4</td><td>0.5</td></tr> <tr> <td>Self-Care Retirement unit (2 bedroom)</td><td>0.6</td><td>0.75</td></tr> <tr> <td>Self-Care Retirement unit (3 bedroom)</td><td>0.8</td><td>1.0</td></tr> </tbody> </table>	Category	Water ET	Sewer ET	Nursing Home (per bed)	0.4	0.5	Self-Care Retirement unit (1 bedroom)	0.4	0.5	Self-Care Retirement unit (2 bedroom)	0.6	0.75	Self-Care Retirement unit (3 bedroom)	0.8	1.0	Development Assessment officers									
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Policy

8	Commercial and Industrial Commercial and Industrial development will be assessed by following the NSW Water Directorate's <i>Section 64 Determinations of Equivalent Tenements Guidelines</i> which provides Council with a basis for determining Equivalent Tenement (ET) loadings for different types of development. A copy of the Water Directorate guidelines is available for download from Council's website.	Development Assessment officers
9	Staff Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so. The Director of Infrastructure Services or Divisional Manager Water and Sewerage may vary the equivalent tenement determination for a particular development if, in their opinion, application of the NSW Water Directorate Guidelines does not produce assessed demands that are consistent with the estimated actual demands of the proposed development. The alternative methodology for assessing the particular development shall be clearly explained and recorded in the relevant development application and property file. Within 24 months of the payment of the charges for developments that have significantly overestimated or underestimated usage, headworks charges may be re-calculated and retrospectively charged, after consultation with the owner.	Development Assessment officers Director Infrastructure Services/ Division Manager Water and Sewerage
10	Headworks Charges Headworks charges payable are determined by multiplying the assessed loadings in numbers of ET for each development by the relevant Headworks Development Contributions charge in Council's Fees and Charges published annually as part of the Operational Plan.	Development Assessment officers and Developers
11	Concerns Public concerns communicated to Council regarding this policy will be recorded in Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. They will be used to analyse the history of concerns and determine follow up actions.	Council officers
12	Consultation Consultation regarding this policy will occur as relevant with key stakeholders and may include legislative bodies, other relevant legislation, industry guidelines, and public comment. Public submissions regarding this policy are invited for consideration during the policy exhibition period.	As required

Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary when legislation requires it; or Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages Water and Sewer Headworks Charges.

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



Policy

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

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

Governance

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

Related legislation and policies

Name	Link
Related Council Policy or Code of Practice	Council policies and codes Eurobodalla Council
Local Government Act 1993	Local Government Act 1993 No 30 - NSW Legislation

Related external references

Name	Link
Office of Local Government	Home - Office of Local Government NSW

Supporting documents

Name	Link
NSW Water Directorate Section 64 Determinations of Equivalent Tenements Guidelines	Water NSW
Council Development Servicing Plans - Water Supply and Sewerage	Microsoft Word - Eurobodalla DSP Rev 5 Final adopted 250820.docx

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	22 Sep 2009	Council	09/291	E09.3418 E06.0113 E06.0374	Policy adopted
2	10 Sep 2013	Council	13/272	E13.7095 E06.0113 E06.0374	Reviewed and updated
3	26 Sep 2017	Council	17/317	E16.0297 E06.0113 E06.0374	Reviewed and updated at start of new Council term
4	22 Nov 2022	Council	22/313	S004-T00060	Reviewed and updated at start of new Council term
5	TBC	Council	TBA	S004-T00060	Reviewed and updated Report TBA



Policy

Internal use

Responsible officer		Director Infrastructure Services		Approved by	Council
Minute	TBA	Report	TBA	Effective date	TBA
File	S004-T00060	Review date	June 2025	Pages	6

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IR25/008 MAINTENANCE OF UNSEALED ROADS

S028-T00009

Responsible Officer: Graham Attenborough - Director Infrastructure Services

Attachments: 1. Maintenance Grading Schedule for Unsealed Roads 2025-26

Community Goal: 4 Our connected community through reliable and safe infrastructure networks

Community Strategy: 4.1 Provide integrated and active transport networks to enable a connected and accessible Eurobodalla

Delivery Program Link: 4.1.3 Provide safe and reliable local and urban roads, guided by the asset management plan

Operational Plan Link: 4.1.3.1 Deliver the annual maintenance program for local and urban roads

EXECUTIVE SUMMARY

Each year a schedule of works is prepared for the maintenance grading of unsealed roads.

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

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

Once the 2025-26 Maintenance Grading Schedule is adopted by Council, the Grading Schedule will be placed on our website for the community's information.

RECOMMENDATION

THAT Council:

1. Adopts the Maintenance Grading Schedule for unsealed roads for the 2025-26 financial year as attached to this report.
2. Notes that in the future, the Maintenance Grading Schedule will no longer be submitted for adoption but that the relevant Policy will be updated to define how the level of service is determined.
3. Notes that the Maintenance Grading Schedule will continue to be made available on Council's website.

BACKGROUND

Each year a schedule of works is formulated for the maintenance grading of unsealed roads.

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

The proposed schedule for maintenance grading of unsealed roads is provided as an attachment to this report.

IR25/008 MAINTENANCE OF UNSEALED ROADS

S028-T00009

CONSIDERATIONS**Maintenance Grading Schedule for Unsealed Roads**

There are approximately 471km of unsealed roads across our Shire and just less than 400km are maintained by Council.

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

The schedule continues on from the end of the 2024-25 work program. A budget of \$753,797 has been allocated for the 2025-26 program. Some lower order roads will be inspected to ascertain if a second grade is appropriate, however higher use roads, as well as roads identified as bus routes, will typically have two grades yearly. Decisions with regards to the required maintenance include:

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

Council is forecast to spend \$780,000 on maintenance grading in 2024-25, having overspent the budget by about \$46,000 (6%) because of a number of factors including the extent of work that was actually needed to be undertaken to achieve the standards expected.

It is forecast that about 400km of unsealed roads have been maintained in the 2024-25 financial year, being 98% of the planned program.

The proposed Maintenance Grading Schedule for 2025-26 is attached.

Legal

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

Policy

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

Asset

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

Social Impact

The provision of roads of reasonable standard is essential to the wellbeing of our community, particularly as we are so heavily dependent on road transport.

IR25/008 MAINTENANCE OF UNSEALED ROADS

S028-T00009

Economic Development Employment Potential

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

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

Financial

The 2025-26 Operational Plan provides a budget of \$753,797 for maintenance grading.

Community and Stakeholder Engagement

The Maintenance Grading Schedule will be placed on Council's website for the information of the community. The grading schedule will display roads to be graded by road name and locality, with the current month's roads to be graded listed under Current Works. Specific dates will not be provided for the grading schedule given the likelihood of unforeseen events necessitating changes to the timing of the service delivery.

CONCLUSION

The proposed 2025-26 Maintenance Grading Schedule for unsealed roads is vital to sustain our local road network. Once adopted, the Maintenance Grading Schedule will be placed on Council's website.

Grading schedule for unsealed roads 2025-26



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

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

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

Road	Locality	Location Grade Starts	Location Grade Ends	Length of Grade (km)	Number of Grades
Alcheringa Lane	Bingie	End of Sealed Section	End of Maintained Section	0.7	1
Araluen Road	Deua River Valley	ESC Boundary - Pidgeon Gully	Seal at I Ridge Road	31.6	1
Araluen Road	Deua River Valley	NPWS boundary at #2857	Seal at I Ridge Road	17.8	1
Barlings Beach Access Rd	Guerilla Bay	George Bass Drive	Barlings Beach	0.3	1
Beashels Lane	Bergalia	Bergalia Link Road	Gate at no. 180 Beashels Lane	1.8	1
Belowra Road	Nerrigundah	Byrnes Street	Wolla Creek Firetrail	43.2	1
Bevian Road	Rosedale	Seal at George Bass Drive	Driveway at #73	0.7	1
Bevian Road Southern Access	Tomakin	Driveway at #246	George Bass Drive	0.2	1
Big Rock Road	Bodalla	Reservoir	Princes Highway	1.1	1
Bimbimble Lane	Bimbimble	Bimbimble Road	Road End	0.4	1
Bingie Road	Bingie	Kelly Road	Eurobodalla National Park Boundary	0.5	1
Black Flat Road	Currowan	Kings Highway	The River Road	10.2	1
Bolaro Mtn Rd	Nelligen	Runnyford Road	2.5km from Runnyford Road	2.6	1
Borang Lake Road	Bodalla	Horse Island Road	End of Maintained Section	1.5	1
Box Cutting Rd	Kianga	Kianga Forest Road	Wagonga Scenic Drive	2.2	1
Brierley Avenue	Moruya	End of Sealed Section	End of Maintained Section	0.9	1
Brou Lake Road	Bodalla	Brou Tip	Eurobodalla National Park Boundary	1.4	1
Buckenbowra Road	Mogo	Park Street	Mullendaree Creek Causeway	11.1	1
Bumbo Bridge Access Road	Bodalla	Bumbo Road	Redex Road	0.3	1
Bumbo Road	Bodalla	End of Sealed Section	Crapp's Bridge	4.3	1
Burri Road	Rosedale	End of Sealed Section	Bevian Road	1.2	1
Bushland Road	Moruya	End of Sealed Section	Road End	0.4	1

IR25/008 MAINTENANCE OF UNSEALED ROADS

ATTACHMENT 1 MAINTENANCE GRADING SCHEDULE FOR UNSEALED ROADS 2025-26

Road	Locality	Location Grade Starts	Location Grade Ends	Length of Grade (km)	Number of Grades
Byrnes Street	Nerrigundah	Belowra Road	Belowra Road	0.2	1
Cadgee Mountain Road	Nerrigundah	Nerrigundah Mountain Road	Eurobodalla Road	2.4	2
Clouts Road	Mogendoura	Larrys Mountain Road	End of Maintained Section	2.7	1
Coila Creek Road	Coila	Seal at Princes Highway	End of Maintained Section	1.1	1
Comerang Farm Road	Bodalla	Eurobodalla Road	Widgett Road	1.2	1
Comerang Forest Road	Bodalla	Eurobodalla Road	End of Maintained Section	2.8	1
Congo Road	Congo	Seal at Congo Creek	Seal at Congo	0.7	1
Coopers Island Road	Bodalla	Princes Highway	Road End	0.8	1
Donalds Creek Road	Wampan	Wampan Road	Donalds Creek	8.6	1
Donovan Creek Road	Benandarah	Old Princes Highway	Forest Boundary	1.3	1
Dwyers Creek Road	Moruya	End of Sealed Section	Spring Creek Road	0.3	1
Egans Road	Runnyford	Runnyford Road	End of Maintained Section	2.7	1
Eurobodalla Road	Nerrigundah	Dust seal East of Sinclairs Bridge	Reedy Creek Road	16.1	2
Goldfields Drive	Jeremadra	Old Mossy Point Road	Jeremadra Grove	2.2	1
Guthrie Street	Moruya	Princes Highway	Main Street	0.6	1
Handkerchief Beach Carpark	Narooma			0.1	1
Hanns Road	Buckenbowra	Quart Pot Road	Old Bolaro Road	5.5	1
Hawdons Road	Mogendoura	Cattle Grid	Mogo State Forest Boundary	2.8	1
Haxstead Road	Central Tilba	Cattle Grid	Little Lake Cemetery Road	0.2	1
Horse Island Road	Bodalla	Potato Point Road	Horse Island Bridge	3.8	1
I Ridge Road	Kiora	Horse Island Bridge	End of Maintained Section (just past #105)	1.4	1
Jeremadra Grove	Jeremadra	Goldfields Drive	End of Maintained Section	1.7	1
Kianga Forest Road	Kianga	Princes Highway	Buckeridge Lookout	5.3	1
Larrys Mountain Road	Mogendoura	End of Sealed Section	Araluen Road	7.0	2
Lattas Point Road	Batemans Bay	End of Sealed Section	Lattas Point oyster sheds	4.0	2
Little Lake Cemetery Rd	Central Tilba	Haxstead Road	Little Lake Cemetery Reserve	1.1	1
Main Street	Moruya	Guthrie Street	End of Maintained Section	0.1	1
Malabar Drive	Moruya	End of Sealed Section	End of Maintained Section	0.7	1
Maulbrooks Road	Mogendoura	Driveway at #282	Seal at #153	4.0	1
Meadows Road	Mogendoura	End of Sealed Section	End of Maintained Section	0.6	1
Meads Lane	Tilba Tilba	Meads Road	Road End	0.2	1

IR25/008 MAINTENANCE OF UNSEALED ROADS

ATTACHMENT 1 MAINTENANCE GRADING SCHEDULE FOR UNSEALED ROADS 2025-

26

Road	Locality	Location Grade Starts	Location Grade Ends	Length of Grade (km)	Number of Grades
Meads Road	Tilba Tilba	Princes Highway	Meads Lane	1.1	1
Meringo Road	Meringo	Bingie Road	End of Sealed Section	1.6	2
Moruya Reservoir Road	Moruya	End of Sealed Section	Reservoir	0.8	1
Mount Dromedary Trail	Tilba Tilba	Reservoir	The Avenue	0.9	1
Mount Dromedary Trail (north)	Narooma	Punkalla Tilba Road	Gulaga National Park boundary	3.7	1
Mullimburra Point Road	Bingie	Seal at dogleg	Pinnacles Close	0.7	1
Munjeroo Lane	Bingie	End of Sealed Section	End of Maintained Section	0.2	1
Mymossa Road	Wampan	Donalds Creek Road	End of Maintained Section	1.1	1
Mystery Bay Camping Ground Carpark	Mystery Bay	Mystery Bay Loop Road	End of Maintained Section	0.1	1
Nangudga Beach Road	Narooma	Princes Highway	Road End	0.6	1
Nelligen Creek Road	Nelligen	Old Bolaro Road	End of Maintained Section (#140)	1.4	1
Nerrigundah Mtn Road	Nerrigundah	Seal East of Cadgee Mountain Road	Nerrigundah Cemetery	3.3	2
Noads Drive	Moruya	Noads Place Intersection	Congo Road Intersection	1.0	2
Noggarula Drive	Bergalia	Princes Highway	Road End	1.5	1
Old Bolaro Road	Buckenbowra	Misty Mountain Road	Seal at Kings Highway	7.5	1
Old Highway	Corruna	Seal North of Ridge Road	Seal at Corruna Bridge	2.3	2
Old Mill Road	Turlinjah	Dust seal at Princes Highway	Bodalla State Forest Boundary	1.3	1
Old Mossy Point Road	Jeremadra	End of Sealed Section	End of Maintained Section	0.6	1
Old Nelligen Road	Benandarah	Seal at Kings Highway	Second creek crossing at Bridge Creek	5.0	1
Old South Coast Road	Narooma	Seal at #136	End of Maintained Section	0.3	2
Onslow Close	Jeremadra	Old Mossy Point Road	End of Maintained Section	0.4	1
Paradise Road	Nelligen	Old Bolaro Road	End of Maintained Section	2.3	1
Patons Road	Moruya	Dwyers Creek Road	Creek Crossing	1.3	1
Pedro Point Road	Moruya Heads	End of Sealed Section	Pedro Point Reserve	1.2	1
Percy Davis Drive	Moruya	End of Sealed Section	East Boundary at #280	0.8	1
Phyllis Price Drive	Moruya	End of Sealed Section	Road End	2.8	1
Pinnacles Close	Bingie	Mullimburra Point Road	Road End	0.2	1
Priory Lane	Bingie	End of Sealed Section	End of Maintained Section	0.6	1
Punkalla Tilba Road	Narooma	1st House North of Forest (#1044)	Last House (#518)	7.6	2
Quartpot Road	Buckenbowra	Buckenbowra Road	Hanns Road	13.9	1

IR25/008 MAINTENANCE OF UNSEALED ROADS

ATTACHMENT 1 MAINTENANCE GRADING SCHEDULE FOR UNSEALED ROADS 2025-

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Road	Locality	Location Grade Starts	Location Grade Ends	Length of Grade (km)	Number of Grades
Redex Road	Bodalla	Bumbo Road	Bridge	0.1	1
Reedy Creek Road	Dignams Creek	#304	Boundary Bridge	20.6	1
Ridge Road	Central Tilba	Boundary Bridge	Punkalla Tilba Road	1.8	2
Rifle Range Pit Road	Kianga	Riverview Road	Gravel Pit	0.9	1
Ringlands Road	Narooma	Flying Fox Road	#40	0.4	1
Riverview Road	North Narooma	End of Seal at #360	End of Maintained Section (Paradise Point)	0.9	1
Rotary Drive	Batemans Bay	Seal off Kings Highway	Holmes Lookout	1.1	1
Runnyford Road	Mogo	Seal at Nelligen	Seal at Princes Highway	21.1	1
Ryans Creek Reserve Road	Moruya	Riverside Carpark	End of Maintained Section	1.0	1
Shingle Hut Road	Narooma	Wild Horse Creek Road	End of Maintained Section (#80)	1.0	1
Short Street	Mogo	Creek Street (unformed)	Mogo State Forest Boundary	0.3	1
Spring Creek Road	Moruya	Dwyers Creek Road	Donkey Hill Road	0.2	1
Sproxtons Road	Benandarah	Old Nelligen Road	Timber Barge Lane	0.4	1
Stewarts Road	Kiora	Araluen Road	End of Maintained Section (#116)	1.1	1
Sunnyside Road	Central Tilba	Victoria Creek Road	Mystery Bay Road	2.6	2
The Ridge Road	Batemans Bay	Catalina Reservoir Road	Catalina Reservoir Road	4.5	1
The River Road	Currowan	End of Sealed Section	Seal at Currowan Causeway	11.7	2
The Western Distributor	Currowan	Kings Highway	Eurobodalla Shire Boundary	1.6	1
Timber Barge Lane	Benandarah	Sproxtons Road	End of Maintained Section	0.3	1
Turnbills Lane	Moruya	End of Sealed Section	Hawdon Street	0.5	2
Wagonga Scenic Drive	Kianga	Wagonga Picnic Area	End of Sealed Section (#117)	13.7	1
Wampan Road	Wampan	End of Sealed Section	Wampan Creek Bridge	1.3	1
Western Boundary Rd	Turlinjah	End of Sealed Section	Bodalla State Forest Boundary	1.1	1
Widgett Road	Bodalla	Comerang Farm Road	End of Maintained Section	1.3	1
Wild Horse Creek Road	Narooma	Punkalla Tilba Road	Shingle Hut Road	0.2	1
Woila Creek Firetrail	Belowra	Belowra Road	End of Maintained Section	4.9	1
Wonga Road	Narooma	Old South Coast Road	Old Highway	1.3	2
Youngs Road	Akolele	Bermagui Road	Gate at no. 110	1.2	1

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IR25/009 LOCAL TRAFFIC COMMITTEE NO.7 FOR 2024-25

S030-T00018

Responsible Officer: Graham Attenborough - Director Infrastructure Services

Attachments: 1. Under Separate Cover - LTC No. 7 for 2024-25 - Minutes and attachments

Community Goal: 4 Our connected community through reliable and safe infrastructure networks

Community Strategy: 4.1 Provide integrated and active transport networks to enable a connected and accessible Eurobodalla

Delivery Program Link: 4.1.1 Plan for an integrated and active local transport network, guided by the NSW Government's Future Transport 2056 Strategy

Operational Plan Link: 4.1.1.3 Coordinate the Local Traffic Committee

EXECUTIVE SUMMARY

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

Recommendations arising from the Local Traffic Committee Meeting No. 7 held 8 May 2025 are as follows:

RECOMMENDATION

THAT Council approves the following acts for determination from Local Traffic Committee No. 7:

- **2025.RT.023 - On Street Parking Pacific Street, Batemans Bay – 2 Hour Timed Parking**

That Council Plan 5490-V-01 plan to install signs for two hour timed on street parking in Pacific Street, Batemans Bay, be approved.

- **2025.RT.024 - Wallarah Street, Surfside – Give Way Sign and Line Marking**

That Council Plan 5490-W-01 to install Give Way signage and Line Marking for Wallarah Street, Surfside, be approved.

- **8.1 2025.RT.024 - Driftwood Shores, Anderson Avenue, Tuross Head**

That submitted Plan U18465-B-51 to install Give Way signage and associated Line Marking for Stage 1 of Driftwood Shores subdivision, Tuross Head, be approved.

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 7 for 2024-25 was held on 8 May 2025. The meeting was attended by Councillor Laurence Babington (Chair), Daniel Weekes (Traffic Coordinator), Thomas Franzen (ESC Division Manager, Technical Services), Donna Binns (Transport for NSW), Kelly-Ann Marshall (ESC Surveillance Officer) Senior Sgt Angus Duncombe (NSW Police), Katherine Buttsworth (ESC Road Safety Officer), and Alyshia Peters (ESC Asset Inspector).

IR25/009 LOCAL TRAFFIC COMMITTEE NO.7 FOR 2024-25

S030-T00018

APOLOGIES

Geoff Armstrong (ESC Design Coordinator), Scott McNairn (ESC Events Coordinator), Brad Ross (Transport for NSW), Member for Bega Representative, Chief Inspector John Sheehan (NSW Police), James Thompson (ESC Transport and Stormwater Engineer), Senior Sgt Scott Britt (NSW Police), Saurav Subedi (ESC A/g Maintenance Planning Officer).

CONCLUSION

The minutes of the Eurobodalla Local Traffic Committee Meeting No. 7 for 2024-25 are attached to this report and provide further background for the recommendations

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CAR25/006 PUBLIC ART POLICY

T0034-S002

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

Attachments: 1. Public Art Policy 2025
2. Public Art Code of Practice 2025

Community Goal: 3 Our region of vibrant places and spaces

Community Strategy: 3.3 Embrace and value our creative arts

Delivery Program Link: 3.3.1 Showcase public art, as guided by the Public Art Strategy

Operational Plan Link: 3.3.1.2 Provide advocacy and education in relation to current public art practice

EXECUTIVE SUMMARY

The purpose of this report is to advise Council of the review of the Public Art Policy and seek endorsement for the revised draft policy to be placed on public exhibition for a period of 28 days.

At the Council meeting of 17 December 2024 Council resolved via minute 24/187 to defer forming the Public Art Advisory Committee.

Given the deferment of forming the Public Art Advisory Committee (PAAC) the Public Art Policy has been updated to reflect this change, including removing reference to the PAAC and outlining a alternate process.

The update is required to provide the community and staff with clarity in relation to public art proposals on council managed property.

At the end of the public exhibition period, the Draft Policy will be presented to Council for consideration to adopt, along with a report to consider any submissions received during the exhibition period.

RECOMMENDATION

THAT Council:

1. Endorse the public exhibition of the revised draft Public Art Policy for a period of 28 days.
2. Bring the draft policy and any submissions back to Council, following the exhibition period, for consideration and adoption.

BACKGROUND

At the Council meeting of 17 December 2024 Council resolved via minute 24/187 in relation to appointing delegates to its Advisory committees the following:

THAT Council appoint delegates/Chairs/alternatives as follows to the advisory committees:

1. Councillor Schutz as Chair and Councillor Winslade as alternative on the Disability Inclusion Advisory Committee.
2. Councillor Johnson as delegate and Councillor Babington as alternative on the Eurobodalla Aboriginal Advisory Committee.
3. Councillor Johnson as delegate and Councillor Schutz as alternative on the Heritage Advisory Committee.

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4. Councillor Turner as Chair and Councillor Winslade as alternative on the Climate Change Advisory Committee.
5. Councillor Winslade and as Chair and Councillor Turner as delegate on the Coastal and Environmental Management Advisory Committee.
6. THAT Council defer forming the Public Art Advisory Committee.

Given the deferment of forming the Public Art Advisory Committee (PAAC) the Policy has been updated to reflect this change, including removing references to the PAAC, and altered to realign processes.

The update is required to provide the community and staff with clarity in relation to public art proposals on council managed property as sculptural gifts continue to be presented to Council.

CONSIDERATIONS

Council has been fortunate to be offered a range of sculptures in recent years and have also received applications for the installation of other forms of public art such as murals and mosaics, for example.

Council currently has some applications for public art projects that are partially implemented, with concepts being finalized or funding being achieved prior to final approval from Council.

It is important to ensure that the community and staff have a clear and current process to guide expectations and decision making.

Council is a member the National Association for the Visual Arts (NAVA) to ensure Council is supporting best practice in dealing ethically and fairly with all artists including First Nations artists. All agreements have been developed with regard to copyright, fairness and Indigenous Cultural and Intellectual Property.

Asset

Any public art gifts or commissions have a process that is implemented, including reporting the item/s to the Assets team to include on Councils asset register and ensuring adequate insurance, installation and maintenance processes are in place.

A primary consideration for the acceptance of public art gifts is safety to ensure pieces are placed within the right context, are robust enough for a range of weather conditions and have structural integrity and are generally safe for the community.

Over time the artwork will be monitored for deterioration and any safety issues. Public artworks can be decommissioned or moved to another place, if required, at the discretion of Council.

Social Impact

Public art helps the community in many ways. It supports aesthetics and a sense of beauty and interest to everyday spaces whilst encouraging social interaction and a sense of community. Art projects can make places feel safer and more welcoming.

Public art has the power to boost the local economy by attracting tourists and new businesses and employing artists and installers.

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Importantly public art is free and accessible to those in the community and promotes cultural understanding via appreciation of different cultures and perspectives. It has important role to play in placemaking.

Engaging with public art can also reduce anxiety and social isolation and support the community with a sense of wellbeing and pride of place.

Financial

There are generally costs associated with the installation of public art. Council has allocated a small budget for both installation and maintenance of sculptures. However, the Council may need to monitor and adjust budgets if the rate of public art gifting and maintenance costs increase.

Community and Stakeholder Engagement

We will inform the community through providing information on Council's website; posting on Council's Facebook; and distributing a media release.

We will consult with the community by seeking feedback through a 28 day Public Exhibition where the draft Public Art policy will be on Council's website, at the Batemans Bay, Moruya and Narooma libraries and Moruya customer service centre.

If endorsed for exhibition, Council will place the draft policy on public exhibition for a period of not less than 28 days, from 26 June 2025 until 25 July 2025.

CONCLUSION

The purpose of this report is to advise Council of the review of the Public Art Policy and seek endorsement for the revised draft policy to be placed on public exhibition for a period of 28 days.

If endorsed, at the end of the public exhibition period, the draft policy will be presented to Council for consideration to adopt, along with a report to consider any submissions received during the exhibition period.

**POLICY**

Policy name	Public Art Policy
Responsible manager(s)	Divisional Manager Community Development and Participation
Contact officer(s)	Coordinator Creative Arts Development
Directorate	Community, Arts and Recreation Services
Approval date	11 October 2022
Outcome area	3 Our region of vibrant places and space
Strategy	3.3 Embrace and value our creative arts
Delivery program	3.3.2 Develop and promote creative arts activities and industries, as guided by the Creative Arts and Public Art Strategies
Operational plan	3.3.2.1 Provide opportunities for the community to participate in creative arts

Purpose

The purpose of this Policy is to encourage, promote, guide, facilitate and assist with the planning, development, procurement, implementation and care of public art in Eurobodalla. Moreover, the policy supports the important role public art plays in a lively, representative cultural identity, the visitor economy and supporting the wellbeing of the community.

Policy aims:

The policy aims to guide Council to:

- Encourage art in public places in Eurobodalla.
- Raise the profile, recognition, understanding and appreciation of public art and its development.
- Aspire to install public art that complements and enhances the natural and built environments of Eurobodalla and reflects its unique character, history, values and aspirations.
- Guide and facilitate a coordinated and strategically planned approach to the development and management of public art in Eurobodalla.
- Consider public art in Council's strategic directions, policies and planning controls.
- Encourage the production and installation of high quality, innovative public art that is meaningful, relevant, diverse in character and aesthetically pleasing.
- Provide for public art in Eurobodalla that is adequately resourced and effectively managed.
- Ensure that public art in Eurobodalla is appropriately preserved, conserved and where necessary, restored.
- Appropriately acknowledge and record public art in a public art register that is established and maintained.
- Ensure that public art in Eurobodalla is sustainable in social, cultural, environmental and economic terms.
- Promotes engagement in the arts to support recovery from recent disasters including bushfire, Covid 19 and floods.
- Considers public safety as a priority when considering cultural gifting, donations, commissioning or purchasing artworks.



Policy statement

1	<p>Application</p> <p>This policy applies to the whole Eurobodalla community.</p> <p>For the purpose of this policy, roadside memorials, the naming of parks, reserves, sports fields and memorial seats are not included.</p>
2	<p>Public Domain</p> <p>This Policy applies to public art located in the public domain under the care and control of Council</p>
3	<p>Public Art</p> <p>Public art enhances the quality of public domains such as business precincts, parks and community spaces by making them more attractive.</p> <p>Public art also contributes to the cultural legacy for the future.</p> <p>The fabrication of site-specific public art is the ideal mechanism to increase amenity usage, attractiveness and vitality, animate spaces and provide innovative solutions for functional requirements.</p> <p>Council also acknowledges from time-to-time cultural gifts will be offered for donation that are not site specific. Acceptance of these will be through a review of the aims of this policy including safety, maintenance requirements and value to the community.</p> <p>Public art also includes a range of other designed features in the public arena such as street furniture, decorative pavement, ephemeral (non-permanent) pieces and lighting treatments as examples.</p>
4	<p>Culture and Community</p> <p>Permanent and transitory or ephemeral public art works reinforce and highlight cultural traditions, heritage and reflect the community's temperament and distinctive qualities. Public art has the capacity to engage community members, excite, amuse, challenge; foster public discourse, humour and reinvigorate a community's sense of place, pride, identity and connection and therefore contribute to our community's resilience and recovery. Public Art also has a role to play in supporting the local economy and visitor attraction.</p>

Implementation

Requirements		Responsibility
1	<p>Strategy</p> <p>A Public Art Strategy has been adopted by Council, which provides the strategic directions and framework for the ongoing development and integration of public art into the public domain.</p> <p>The Public Art Strategy has been adopted to support the development of public art in our local government area for use by the range of stakeholders that may integrate public art into a range of community and environmental contexts.</p> <p>The Public Art Strategy is guided by six principles:</p> <ol style="list-style-type: none"> 1. Public art will create a dialogue about the destination and locality of Eurobodalla 	Coordinator Creative Arts Development

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	<ol style="list-style-type: none"> 2. Art will support a culture of imagination and engagement about lived and remembered experience 3. Art will partner with urban design, landscape and architectural design and construction 4. Innovative, contemporary thinking will guide public art in in Eurobodalla 5. Support for creatives and creative industries will underpin art development 6. Artworks will be well managed, safe, durable and easy to maintain. <p>The Public Art Strategy can be accessed via this link: Public-Art-Strategy.pdf (nsw.gov.au)</p>	
2	<p>Code of Practice</p> <p>This policy will be implemented by following Council's Public Art Policy Code of Practice. This is a document that provides the framework and requirements for the process for the development of public art in the shire.</p>	Coordinator Creative Arts Development
3	<p>Staff</p> <p>Under supervision, applicable council staff will be responsible for ensuring that policies are implemented appropriately within their work area.</p>	Council Officers
4	<p>Public Art Requests</p> <p>All requests for placement of public art in the public domain will be reviewed by Creative Arts Services. Significant public artworks will require endorsement by Director Community Arts and Recreation and the General Manager.</p> <p>The Moruya Library and Arts Centre has Deductible Gift Recipient status and can accept donations of work via the Cultural Gifts Program. All such donations will be assessed by Creative Arts Services against the criteria set out in the Public Art Code of Practice.</p>	Coordinator Creative Arts Development
5	<p>Installation</p> <p>When Council receives offers of public art as a gift to the community there is also a requirement to install and/or light the artwork. Installation and lighting costs will need to be considered as a part of the 'gift' by the donor. Council will cover the cost of engineering advice to confirm installation requirements are to standard and the artwork is structurally sound. The cost of installation will be determined on a case-by-case basis. Installation requirements will be included in recommendations to the Director Community Arts and Recreation and the General Manager.</p>	Coordinator Creative Arts Development
6	<p>Concerns</p> <p>Concerns received regarding this policy will be recorded on council's Customer Service Request (CSR) or records system and handled in accordance with council's Customer Service Requests Policy. They will be</p>	Council Officers

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	used to analyse the history of concerns and to help determine follow up actions.	
7	Complaints Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with council's Complaints Policy.	Public Officer
8	Consultation Consultation regarding this policy will occur as relevant and may include legislative bodies, other relevant legislation, industry guidelines, Council staff and public comment.	As applicable

Review

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages Public Art. The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner.

Note: The next general local government election is expected to be held in September 2028

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

Performance indicator	Data source(s)
Strategic Directions	Public Art Strategy
Community Concerns	Council records
Customer Feedback Survey Responses	Surveys
The effectiveness of the policy will be measured by; <ul style="list-style-type: none"> • Level of awareness of and implementation of the policy by community and staff. • Satisfaction in the project implementation of the process. • Evaluation of individual projects. • Public sentiment about public art in the Shire • Internal review by staff. 	Coordinator Creative Arts Development

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**Governance**

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

Related legislation and policies

Name	Link
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/

Related external references

Name	Link
Division of Local Government	www.dlg.nsw.gov.au/

Definitions

Word/Term	Definition
Public Art	For the purpose of this policy, the term public art includes but is not limited by any or the combination of the following public arts practices:
Traditional Arts Practices	Sculpture, painting, billboards, murals, screens, photography, mosaic installations, soundscapes, street art.
Multi-media	Works using digital imagery, film, video, photography and cybernetics.
Landscape design	Interpretations through land art, landscape as earthworks, and designed landscape as installations.
Functional design	Architectural forms, facades, furniture, textiles, carpets, door handles, glass features, paving, pathways, floors, walls, windows, doors, stairways, fencing, bollards and street furniture, exercise equipment and playgrounds.
Signage	Works using graphics, lighting design, re –interpreted industrial artefacts and designs
Ephemeral Art	An experience constructed by artists making site-responsive milieus. Transient works captivated in memories of the experience. (kinetic art, performance, fluid works, lighting design, temporary installations, flash mob, chalk art).
Memorials	Something designed to preserve or commemorate the <u>memory</u> of a person, anniversary, etc., as a monument or event.
Monuments	Something erected in memory of a person, event, etc., as a building, pillar, or statue.

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	26 Apr 2006	Council	06/84	96.0152	Policy commenced - Cultural Plan 2006-2010
2	22 Sep 2009	Council	09/291	E09.3418 E96.0152	Policy retained, report G09.99

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3	27 Aug 2013	Council	13/246	E13.7095 E96.0152	Updated Policy Template, updated review date. Report O13/131.
4	27 June 2017	Council	17/214	E16.0297 E96.0152	Reviewed and readopted at start of new council term.
5	11 October 2022	Council	22/166	E96.0152	Reviewed and readopted at start of new council term.
6	TBA	Council	TBA	TBA	TBA

Internal use

Responsible officer		Divisional Manager Community, Arts & Recreation services		Approved by	Council
Min no	22/166	Report no	GMR22/100	Effective date	11 Oct 2022
File no	E96.0152	Review date	Sep 2020	Pages	6



CODE OF PRACTICE

Code name	Public Art
Responsible manager(s)	Divisional Manager Community Development and Participation
Contact officer(s)	Coordinator Creative Arts Development
Directorate	Community, Arts and Recreation Services
Reviewed	2025

Purpose

Eurobodalla Shire Council aims to develop an innovative collection of public art that reflects our Shire's distinct characteristics, natural and built environments, social histories, humour, diversity and soul. The purpose of the Public Art Code of Practice is to support Council's vision and provides a structure for planning and decision making in commissioning or acquiring public art.

Code Details

1	<p>Application</p> <p>The Public Art Code of Practice sets out the criteria and conditions for evaluation, approval, acceptance, procurement, management, preservation and decommissioning of all public art, in keeping with Council's Public Art Policy (2022).</p> <p>This code relates to works of art intended for display in the public domain. The acquisition or commissioning of indoor works is guided by the Art Acquisition Policy and Code of Practice.</p>
2	<p>Legislation</p> <p>This Code is established under the Local Government Act 1993.</p>
3.1	<p>Aims</p> <p>The Public Art Code of Practice aims to:</p> <ul style="list-style-type: none"> • Ensure that Council's planning and decision making in the commissioning or acquiring of public art is suitably resourced and managed with provision for the ongoing care and maintenance and where necessary, removal of the artwork. • Assist in the development and implementation of successful public art initiatives, ensuring a high level of professional excellence with a strong regard for community safety. • Confirm that funding sources are secure prior to commencement of the project. • Provide the criteria by which Council can evaluate public art proposals within Eurobodalla.



	<ul style="list-style-type: none"> • Aspire to install public art that enhances public spaces and reflects Eurobodalla's character, natural and built environments, social histories, cultural diversity and distinctive character and is both relevant and appropriate to its proposed location. • Adhere to the guidelines set out in the Public Art Strategy which provides a framework for the development of a distinctive collection of works that promotes Eurobodalla. • Provide the guidelines for the sustainable, best practice management and care of Council's collection of public art. • Encourage the commissioning of purpose-designed public art within Eurobodalla from experienced professional local and other invited artists. • Ensure that the impact of the artwork on the community is taken into account in the design and consultation process.
3.2	<p>Definitions</p> <p><i>Public art:</i> Works of art that are accessible to all and have been planned and executed with the specific intention of being sited or staged outdoors in the public domain. Public art can be permanent or temporary, of any artistic discipline or medium including, but not limited to, traditional arts practices, multi-media works, landscape design, functional design, signage, performance and music. Public art can be standalone works or form part of greater infrastructure such as street scaping, street furniture or lighting.</p> <p><i>Public domain:</i> Public land and waterways, private land accessible by the general public and other private land where artwork will be visible from public land.</p> <p><i>Significant Public Art:</i> A public artwork may be considered significant if the cost of purchase or commission values is over \$50,000</p>
3.3	<p>Role of public art</p> <p>Public artworks reinforce and highlight cultural traditions and heritage and can serve to reflect the community's character and distinctive qualities. Public art has the capacity to engage the community, foster public discourse, excite, amuse, challenge and reinvigorate a sense of place, pride, identity and connection.</p> <p>Public art enhances the quality of the public domain such as business precincts, parks and community spaces. It is a mechanism to animate spaces, increase amenity usage, attractiveness and vitality, as well as provide innovative solutions for functional requirements such as seating and play equipment.</p> <p>Public art also contributes to the local economy by activating spaces and attracting visitation.</p>



3.4	<p>What Council will consider</p> <p>Council will support public artwork that:</p> <ul style="list-style-type: none"> • has been assessed by Creative Arts Services against the criteria laid out in 3.7 • is structurally and conceptually sound • does not require an unacceptable or unnecessary high level of ongoing maintenance • represents no physical, financial or other risk to the community • is appropriately located.
3.5	<p>How Council can acquire public art.</p> <p>Council can acquire public art by means of purchase, commission, donation, bequest or award.</p> <p>Council is not bound to accept any donation, bequest or gift of artwork as per section 3.12 of this Code.</p>
3.6	<p>Managing the Public Art Policy</p> <p>Council's Creative Arts Services will be responsible for coordinating management responsibilities associated with the implementation and review of the Public Art Policy. Management of this policy will be undertaken in consultation with all relevant stakeholders.</p>
3.7	<p>Criteria for the assessment of public artwork</p> <p>Public Artworks considered for acquisition will be assessed by Creative Arts Services by the following criteria:</p> <ul style="list-style-type: none"> • Excellence – does the artwork display quality of design, execution, articulation of concept and innovation? • Originality – are the ideas within the artwork unique or does the artist bring a fresh approach to established themes? • Inclusiveness – is the artwork inclusive and represent the diversity of community members? • Appeal – does the artwork respect our Shire's cultural and social sensibilities? • Provenance – Is the artwork an important piece by an artist of prominence? • Value – is the artwork affordable and does it represent value for investment? • Longevity – what are the display or maintenance requirements? • Safety – does the artwork fall within the accepted Council safety standard? • Location – Will the artwork be appropriately located? • Condition – Is the artwork display ready, or will it require a level of management or restoration? • Installation – What are the costs of install and other display considerations such as lighting and landscaping.



3.8	<p>Funding public art proposals</p> <p>Council will provide a leadership role in identifying opportunities and funding for public art in Eurobodalla. The funding of public art will take into consideration the ongoing costs associated with maintenance and management.</p> <p>Any proposed public art project will require a budget. The budget should detail all required resources and ongoing associated costs and include any expectation for Council to contribute funds or in-kind support.</p> <p>All artist fees must be negotiated with the artist(s). Rates of payment should be guided by the National Association for the Visual Arts (NAVA).</p> <p>Developers, private sector or community groups proposing projects in the public domain must provide evidence of adequate funding sources to ensure successful completion of the work.</p>
3.9	<p>Process of developing public art in Eurobodalla</p> <p>The process of developing public art for a community often involves a partnership or collaboration. For the following potential stakeholders their associated roles and responsibilities have been defined:</p> <p>Council</p> <p>The role of Council is to:</p> <ul style="list-style-type: none"> • promote the role and value of public art to the community • promote the public art of Eurobodalla • advocate for and facilitate the development of public art • provide leadership in the development of public art • develop and review plans, policies and strategies for public art. • provide expert cultural and artistic advice regarding public art proposals in accordance with the assessment criteria contained in section 3.7 of this Code • maintain public art and the public art register • assess for Native Title • approve siting • ensure safety as a priority when acquiring public art. <p>The Artist</p> <p>The role and responsibilities of the artist will be clearly defined during the establishment of each project brief. Primarily the role of the artist will be to:</p> <ul style="list-style-type: none"> • respond to issues defined in the brief, such as interpreting history or responding to local community values • be available as required to assist with community consultation processes. • liaise with engineers and fabricators in the design and costing of the artwork • consider risk management and assessment issues • manage fabrication and installation with subcontractors



	<ul style="list-style-type: none"> • work in collaboration with other artists or design professionals, such as architects • develop a maintenance plan for the artwork and undertake project evaluation • comply with any requirements of Council. <p>Developers, private sector and community groups</p> <p>The role of developers, private entities or community groups proposing public artworks is to:</p> <ul style="list-style-type: none"> • adhere to the process of developing public art as laid out in the Public Art Code of Practice • show evidence of public consultation as part of the submission • show evidence of appropriate funding for the project • consider sustainability, risk management and public safety • provide installation specifications • develop a maintenance plan for the artwork and undertake project evaluation • work in partnership with Council and comply with Council requirements.
3.10	<p>The commissioning process</p> <p>Public art commissions may be initiated through either an Expression of Interest (EOI) process or a direct commission. An EOI is a process where artists submit proposals, typically resulting in a shortlist from which a final artist is selected. In contrast, a direct commission involves the commissioner inviting a specific artist to undertake the project. While an EOI process is generally preferred, circumstances such as timelines constraints, specific funding requirements, or the need for particular expertise may necessitate a direct commission.</p> <p>Artists commissioned by Council to undertake significant public artworks must be appointed through an EOI process.</p> <p>Should Council initiate a commission of a public artwork, this document provides a framework for assessing public art proposals. In developing this document, Council has adopted best practice approaches that are implemented by local governments across Australia.</p> <p>In determining appropriate public art for Eurobodalla, Council will implement the following process which applies to works of significance through open competition commissions as well as direct commissions. The guidelines for commissioning public art will also be implemented by Creative Arts Services when evaluating and assessing public art gift proposals.</p> <p>Project initiation and development</p> <p>All public art concepts and proposals are to be outlined in a project brief that clearly defines the scope and objectives of the project. This process applies to both community and Council-generated initiatives.</p>



The brief will need to demonstrate how the proposed project will achieve successful outcomes for all stakeholders, including Council and or proponent, the artist and the community.

Specifically, this stage of the public art commissioning process will involve the following steps:

- Determine public art opportunities, project motivation and desired outcomes.
- Consider how the proposed commission will be in keeping with the Public Art Policy's guiding principles.
- Consider the influence of policy and legislative requirements and any issues that may impact on the artist's brief and the project.
- Resolve project theme and parameters, budget, site, management issues, risk management issues, timeframes and planning and approval processes.
- Ensure consultation with all key stakeholders.
- If significant community consultation and engagement is required the relevant process will be clearly defined in the project brief.

Selecting an artist through an EOI process

Expressions of interest will be advertised through the media, online, and other relevant networks. All interested artists will be required to submit an expression of interest addressing the criteria outlined in the project brief. Artists may also be required to submit a list of images of their work.

Short listing may result in a number of artists being interviewed. Alternatively, the number of artists to participate in the concept stage may be selected directly therefore bypassing the interview stage. Depending on the scope of the project, two or three artists will be selected to go onto the concept design stage. Artists will be required to present their concept design to Creative Arts Services who will review all designs and select the final public artwork.

Selecting and artist by direct commission

When selecting an artist by direct commission the following criteria should be considered:

- artistic merit
- relevance to site or community
- past experience
- technical skill.

Public artwork concept development

This stage involves the successful artists to develop a model of their proposed design. It is a requirement for the artists involved to present a design model or drawings for evaluation and consideration.

A community consultation process will be undertaken to gain a perspective of how the stakeholders relate to the project.



In assessing the concept, Creative Arts Services will convene a panel of subject matter experts—which may include public art specialists, engineering and technical professionals, and community representatives as appropriate to the context—to ensure that the successful proposal:

- has a high standard of design, technical and structural execution
- does not propose onerous maintenance or risk management issues and has a proposed maintenance schedule for the work
- does not pose any long-term conservation issues
- best meets the requirements outlined in the project brief
- meets relevant building and safety standards
- meets the requirements of the proposed project budget
- will meet the specified timeframe
- is assessed on the guiding principles in this code
- is appropriately located to present the work to its full potential
- considers access and equity issues
- considers environmental impact
- considers maintenance and lifespan as part of the design process
- considers the use of local, sustainably produced materials that promote the regionally distinctive qualities of Eurobodalla and Council's commitment to sustainable practice
- understands that Council will require agreement on a decommissioning schedule for the work.

Once the preferred public art concept has been selected, the preferred artist will be endorsed. Once endorsed it is imperative that the sufficient resources for fabrication and instalment of the work are in place prior to the project commencing. The successful artist will be offered a contract agreement.

Implementation

The final stage of the commissioning process involves construction, project installation, completion and handover. Fabrication of the public art proposal will be monitored by a relevant Council officer. The artist will be required to submit a maintenance plan.

Commissioning contract

A Public Art Commission contract will outline the specific terms and conditions of the project between the stakeholders.

Construction and Fabrication

An open and collaborative communication process will be encouraged between all parties during the fabrication stage and in the lead up to installation. The artist will be responsible for ensuring construction complies with all relevant standards and Council policies.



Installation

Installation of the public art will be determined at the commission contract stage. It may be the responsibility of the artist and or Council to install the artwork. Responsibility for installation and maintenance will be determined at the project brief development stage.

Commissioning process for community or developer-initiated public art

For public art proposals initiated by a community member or group, or by a developer, the commissioning process is outlined below.

Presentation of initial concept

Before designing or commissioning any proposed public artwork, proponents should complete a [Public art submission form](#) for assessment. The submission should include:

- details of the proposed work, inclusive of sketch designs, suggested location, materials to be used, artists and key personnel
- a rationale for the work, its significance to the nominated location and relevance to the Council's Public Art Strategy
- a demonstration of excellence in arts practice
- how it meets the assessment criteria and guiding principles
- a project budget.
- a maintenance schedule and costs
- installation requirements
- Council's role in the project.

Creative Arts Services will review the concept and provide feedback to the proponent. A [Public art submission form](#) is available from Council's website.

Presentation of detailed plans

After considering feedback from Creative Arts Services, the proponent should develop detailed plans for further assessment. Creative Arts Services will review the detailed plans against assessment criteria in 3.7 and make a recommendation to the Director of Community Arts and Recreation on whether to accept the public art. In the case of a significant proposal, the General Manager will review and approve the recommendation under delegated authority.

Where the public art is proposed in conjunction with the development of land, proponents are advised to obtain acceptance of the public art prior to lodging a development application for the associated development. This will ensure there are no delays to the assessment of the development application relating to Council's acceptance or otherwise of the public art component of the development.



3.11	<p>The consultation process</p> <p>The consultation process is considered an integral part of the development of significant public art. It is the ideal vehicle for identifying significant sites and cultural and historical relevance. It is essential that all projects have clear objectives and comprehensive design parameters are formulated.</p> <p>Evidence of consultation will be required for both Council commissions and developer or community-initiated public artworks. Consultations can be coordinated through informal group activities or more formally in public meetings. In addition to consulting with the broader community, it is important to ensure other professionals such as Council planners, engineers, designers, arts workers and other appropriate staff are involved in the preparation. Consultation with appropriate funding bodies, commercial or private stakeholders, arts and cultural organisations and research of appropriate websites are also encouraged. Should the proposed public artwork deal with Aboriginal cultural material, heritage, or practices Aboriginal people must be consulted and represented in the development of a project. It is desirable to start with the local land councils, whose members consist of the local Aboriginal people. Local land councils also have elected representatives, whose role it is to serve their communities' interests. Guidance sought from community Elders and the Aboriginal Advisory Committee is also encouraged.</p>
3.12	<p>Gifts monuments and memorials</p> <p>Gifts of memorials and monuments are not covered by the Public Art Policy or Code of Practice and will be referred to Recreation Services. Where a memorial or monument has a public art component it will be assessed against the criteria outlined in section 3.7 of this code and the processes outlined in this Code of Practice.</p> <p>Council will not accept any artwork that is encumbered by restrictions or conditions.</p> <p>Should Council agree to accept a gift of Public Art, Council will take care of ongoing maintenance, insurance and decommissioning should it be required.</p> <p>Creative Arts Services will not review proposals for memorial seats, naming of parks, reserves or sport fields. These will be assessed in accordance with their respective policies.</p>
3.13	<p>Acquisition of public art through award</p> <p>Council may acquire public artwork through an art prize. In this case the cash amount of the prize will be clearly stated in the terms and conditions of the competition. The prize will represent the full price of the winning artwork.</p> <p>The winning artwork will become the property of Council, who will take responsibility for conservation, insurance and de-commissioning if required.</p>



	<p>Where a community group initiates an art prize or award with the intention of donating selected artworks to Council for installation on Council-managed land, the group must apply the selection criteria outlined in Section 3.7 as the basis for judging. As part of the donation process, the group must also provide evidence that these criteria guided the selection of the artwork.</p> <p>All artworks donated to Council must be unconditional—that is, free from any restrictions or conditions regarding display, placement, ongoing maintenance, interpretation, or other management considerations. Artworks that do not meet the required criteria or are subject to conditions may not be accepted into the Council art collection.</p>
3.14	<p>Contract of acquisition</p> <p>Whether by purchase, commission, donation or award a contract of acquisition will be administered, acknowledging acquisition. The contract will include permission to reproduce the work for educational or promotional purposes.</p>
3.15	<p>Managing the public art collection</p> <p>The Coordinator Creative Arts Development will manage the collection on behalf of Council through the directorate of Community, Arts and Recreation.</p> <p>All works within the collection will be catalogued as part of the acquisition process. Information to be recorded includes, where applicable:</p> <ul style="list-style-type: none"> • title • artist • medium • artist statement • year of creation • date of acquisition • circumstances of acquisition • price paid • valuation for insurance for works over \$5,000 • provenance • artist information • condition and restoration information • maintenance or display notes • location. <p>A collection audit will be undertaken every three years. Artwork condition notes will be taken for each artwork at this time and entered into the collection catalogue.</p>



3.16	<p>Decommissioning public art</p> <p>Decommissioning refers to the process undertaken to remove a work of art from public display or from a public collection.</p> <p>In the event of necessary removal or relocation of art works, Council will endeavour to consult, negotiate and form an agreement of action with the author(s) of the artwork prior to its installation. The agreement will be based on the best method of addressing issues for potential decommission. The issue of decommissioning will appear in all relevant contracts.</p> <p>Where an artwork has been donated through the Cultural Gifts Program, it may not be returned to the donor or their family, as the donor has already received a tax deduction in exchange for the gift.</p> <p>Council will undertake a review of its public artwork assets every 10 years to assess the value and asset life. The decision to decommission public artwork will be informed by the asset management and maintenance framework relevant to each public artwork.</p> <p>In order to determine the need to decommission public art works Council will consider the following checklist.</p> <p>The condition of the work</p> <p>A work may be considered for removal from public display when its condition has deteriorated or damage to the extent that:</p> <ul style="list-style-type: none"> • It can no longer be considered as the original work of art. • It is beyond restoration, or the cost of restoration is excessive in relation to the value of the work. • The cost of ongoing maintenance is prohibitive. <p>Legal risk and moral right considerations</p> <ul style="list-style-type: none"> • The work has deteriorated and represents an unacceptable level of risk or danger to the public. • The artist raises concerns regarding the work. • Changes to environment impact on the integrity of the work, affecting the artist's original intent or moral rights. • The work of art has design faults, either on a material or workmanship basis. • There is significant change in the function of the public space that would compromise the integrity, original intention or role of the artwork in its current location. • There is proposed re-development of the area, and it is not appropriate to include the artwork.
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**Artistic considerations**

- The artistic merit of the work falls below the general level of the collection of public artworks.
- The public artwork is no longer considered to be a significant example of the artist's work.
- The public artwork lowers the level of quality or representation of its specific area.
- Council wishes to replace the work with a more significant work by the same, or another artist.
- The public artwork is duplicated within the collection.
- A shift in public attitude deems the work inappropriate, dated or offensive.

Implementation

Requirements		Responsibility
1	Code of Practice This Code of practice implements Council's Public Art Policy.	Divisional Manager, Community Development and Participation
2	Staff Under supervision, relevant Council staff will be responsible for ensuring that policies and codes are implemented appropriately within their work area, after they have received relevant training to do so.	Divisional Manager, Community Development and Participation
3	Complaints and requests Concerns received regarding public art will be recorded on Council's records system and handled in accordance with Council's Customer Service Policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.	Divisional Manager, Community Development and Participation
4	Complaints Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with Council's Complaints Policy.	Public Officer
5	Consultation Consultation that may occur in relation to this policy will involve key stakeholders and the community.	Coordinator Creative Arts Development



Review

This Code will be reviewed in line with any reviews of the Public Art Policy. This Code may also be reviewed and updated as necessary if legislation requires it, when Council's functions, structure or activities change or when technological advances or new systems change the way that Council manages public art. Reviews of the effectiveness of this Code could include the following:

Performance indicator	Data source(s)
Number of applications	Council records
Customer feedback survey responses, complaints	Surveys
Breaches of policy, code or guidelines	Council records
Internal or external audit	Audit findings

Governance

This Code should be read in conjunction with any related legislation, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Public Art Policy	www.esc.nsw.gov.au
Public Art Strategy	
Local Government Act 1993 and Regulation (General) 2005	Local Government Act 1993 Local Government Regulation (General) 2005

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au

Supporting documents

Name	Link

Change history

Version	Approval date	Approved by	Change

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CAR25/007 ABORIGINAL ADVISORY COMMITTEE - REPRESENTATIVES

OP0108-S001

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

Attachments: 1. Aboriginal Advisory Committee Dec 2024 - Terms of Reference
2. Confidential - Aboriginal Advisory Committee - Assessments for representation

Community Goal: 2 Our community that welcomes, celebrates, and supports everyone

Community Strategy: 2.1 Acknowledge our beginnings, embrace our diversity

Delivery Program Link: 2.1.1 Acknowledge and involve the traditional custodians of Eurobodalla and deliver the outcomes of the Aboriginal Action Plan

Operational Plan Link: 2.1.1.1 Coordinate the Aboriginal Advisory Committee and associated projects

EXECUTIVE SUMMARY

Council's advisory committees provide advice to the Council on a range of issues and offer a valuable opportunity for information exchange within our community.

Council sought expressions of interest from community members for membership on the Aboriginal Advisory Committee (Committee) from 27 March until 25 May 2025.

Council received eleven (11) applications, reflecting the positive role and reputation of the committee and the community's interest in participating and sharing their experience and perspectives.

As per the adopted Terms of Reference, Council seeks up to seven (7) community members in addition to other regular representatives from other local Aboriginal representative groups.

The purpose of this report is to inform Council of the nominations received for the Aboriginal Advisory Committee and to appoint representatives.

RECOMMENDATION

THAT Council:

1. Appoints seven (7) persons as community representatives to the Aboriginal Advisory Committee as recommended in the Confidential Attachment.

BACKGROUND

A robust advisory committee framework strengthens governance and leadership by providing clear and transparent processes for the community to advise Council on particular areas.

At its meeting on 17 December 2024, Council adopted the Terms of Reference and the Guidelines for Meeting Practice – Advisory Committee (Min No: 24/181) and endorsed advertising for community representatives for the Aboriginal Advisory Committee (Min No: 24/189).

The Terms of Reference outline the role of a committee and the term of the community representatives will be in line with the term for the elected representatives, being until September 2028.

CAR25/007 ABORIGINAL ADVISORY COMMITTEE - REPRESENTATIVES

OP0108-S001

Expressions of interest were sought for community representatives from 27 March and closed on 25 May 2025. During this time, eleven (11) nominations were received.

In line with the adopted Terms of Reference, the nominations were assessed, with seven (7) recommended, as per the confidential attachment.

CONSIDERATIONS

The role of the Aboriginal Advisory 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 committee also provides feedback:

- To inform development, implementation and review of Council's corporate plans.
- To assist Council with joint projects and information sharing.
- To advise and liaise with Council regarding issues impacting on local Aboriginal communities.

The composition of this Committee includes:

- Local Aboriginal Land Council (LALC) nominees, one from each group (6), plus 1 alternate designated representative from each LALC.
- 1 Gulaga Joint Board Management Chairperson or nominee.
- 1 Eurobodalla Indigenous Interagency chairperson or nominee
- Up to 7 community members will be selected by Council that will ensure all sectors and geographic regions of the Aboriginal community are represented.
- Aboriginal youth representative/s drawn from Eurobodalla Shire Council's Youth Committee and/or other sources.
- One Councillor representative, plus one designated alternate (selected by Council).
- Director – Community, Arts and Recreation Services or nominee/s (non-voting).

It is important to note that Council has supported one of the committee members to be elected to be the Chairperson. Councillors (representative and alternate) are voting members of the committee.

Bayungawaraga Lore Council put in a formal request to Council for inclusion of a representative to Council's advisory committees. Three nominations (3) from this group were received, with these submissions assessed by the panel, as per the confidential attachment.

Advisory committees are an important way that Council engages with its community and stakeholders. Committee members contribute their experience and knowledge and provide advice, feedback, innovation and recommendations to Council. In Council's Community Engagement Framework advisory committees are considered to be one of the highest levels of engagement and a way of partnering with the community.

The confidential attachment recommends seven (7) people for appointment by Council.

CAR25/007 ABORIGINAL ADVISORY COMMITTEE - REPRESENTATIVES

OP0108-S001

Social Impact

The Aboriginal Advisory Committee provides a conduit between our community and Council.

Having local Aboriginal community members on the committee enables an exchange of information from our local community to bring awareness about social needs and varied perspectives. The committee seeks to acknowledge the diverse opinions of the community and respect the knowledge of those with commitment and engagement with local Aboriginal matters.

The committee provides a unique opportunity to build genuine, respectful and reciprocal relationships between Aboriginal people and Council to achieve better community outcomes.

Community and Stakeholder Engagement

The community was informed about the opportunity to submit an expression of interest to join the advisory committees in a number of ways including:

- Council's website and Facebook page and other social media,
- media release distributed to local media as well as to community and business organisations, and
- through letters, emails and phone calls to members of the current advisory committees.

CONCLUSION

Council's advisory committees provide advice to the Council on a range of issues and offer a valuable opportunity for information exchange with our community.

Council values the input from the Aboriginal Advisory Committee as well as the opportunity to engage with our community.

Aboriginal Advisory Committee

Terms of Reference

December 2024

CAR25/007 ABORIGINAL ADVISORY COMMITTEE - REPRESENTATIVES

ATTACHMENT 1 ABORIGINAL ADVISORY COMMITTEE DEC 2024 - TERMS OF REFERENCE

TERMS OF REFERENCE**Purpose of the Aboriginal Advisory Committee**

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.

Title and Delegations

- The committee shall be referred to as the Aboriginal Advisory Committee.
- The committee shall function as a non-delegated advisory committee of Council.

Objectives

To inform development, implementation and review of Council's corporate plans.

To assist Council with joint projects and information sharing.

To advise and liaise with Council regarding issues impacting on local Aboriginal communities.

Membership of the Committee

A quorum of the committee shall be 5 and members will have voting rights. The Chairperson has voting rights. Eurobodalla Shire Council staff do not have voting rights.

Composition

- Local Aboriginal Land Council (LALC) nominees, one from each group (6), plus 1 alternate designated representative from each LALC.
- 1 Gulaga Joint Board Management Chairperson or nominee.
- 1 Eurobodalla Indigenous Interagency chairperson or nominee
- Up to 7 community members will be selected by Council that will ensure all sectors and geographic regions of the Aboriginal community are represented.
- Aboriginal youth representative/s drawn from Eurobodalla Shire Council's Youth Committee and/or other sources.
- One Councillor representative, plus one designated alternate (selected by Council).
- Director – Community, Arts and Recreation Services or nominee/s (non-voting).

General meetings

- The Chairperson will be an Aboriginal Community member voted in by the Aboriginal Advisory Committee at the beginning of each term. An alternate Chair may be nominated by the Chair, or committee at the meeting, in the event of the Chairperson being absent.
- The committee is to meet a minimum 4 times per annum.

Delegations of Committee

To advise Council.

Contact Officer

Contact officer for the committee is the Coordinator, Community Development and Youth.

CAR25/007 ABORIGINAL ADVISORY COMMITTEE - REPRESENTATIVES

ATTACHMENT 1 ABORIGINAL ADVISORY COMMITTEE DEC 2024 - TERMS OF
REFERENCE

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

Governance

The Committee is governed by the Guidelines for meeting practice – Advisory Committee, adopted by Council on 17 December 2024.

CAR25/007 ABORIGINAL ADVISORY COMMITTEE - REPRESENTATIVES

ATTACHMENT 1 ABORIGINAL ADVISORY COMMITTEE DEC 2024 - TERMS OF
REFERENCE

APPENDIX 1 - WEBSITES

Eurobodalla Shire Council

<http://www.esc.nsw.gov.au/>

Eurobodalla Shire Council's Code of Meeting Practice

<https://www.esc.nsw.gov.au/council/governance/council-policies>

Division of Local Government Model Code of Conduct for Local Councils in NSW

<https://www.esc.nsw.gov.au/council/governance/council-policies>

Strategies

<https://www.esc.nsw.gov.au/council/plans-and-reporting/plans-and-strategies>

Plans

https://www.esc.nsw.gov.au/_data/assets/pdf_file/0006/161916/Aboriginal-Action-Plan-2020-2024-web-version.pdf

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**CAR25/008 DISABILITY INCLUSION ADVISORY COMMITTEE -
REPRESENTATIVES**

S003-T00035

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

Attachments: 1. Disability Inclusion Advisory Committee - Terms of Reference
2. Confidential - Disability Inclusion Advisory Committee - Assessments for representation

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.2 Implement effective governance and long-term planning

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

EXECUTIVE SUMMARY

Council's advisory committees provide advice to the Council on a range of issues and offer a valuable opportunity for information exchange with our community.

Council sought expressions of interest from community members for membership on the Disability Inclusion Advisory Committee from 27 March to 25 May 2024.

Council received six (6) applications, including five during the exhibition period and one late submission that was accepted for consideration. This level of interest reflects the positive role and reputation of the committee and the community's interest in participating in and sharing their experience and perspectives.

The Committee's Terms of Reference were adopted on 17 December 2024 (Min No: 24/181)
24/181 MOTION Councillor Schutz/Councillor Babington

THAT Council adopt the committee's Terms of Reference and Guidelines for Meeting Practice – Advisory Committee attached to this report.

The purpose of this report is to inform Council of the nominations received for the Disability Inclusion Advisory Committee and to appoint representatives.

RECOMMENDATION

THAT Council:

1. Appoints six (6) persons as community representatives to the Disability Inclusion Advisory Committee as recommended in the Confidential Attachment.

BACKGROUND

A robust advisory committee framework strengthens governance and leadership by providing clear and transparent processes for the community to advise Council on particular areas.

At its meeting on 17 December 2024, Council endorsed as follows:

24/181 MOTION Councillor Schutz/Councillor Babington

THAT Council adopt the committee's terms of reference and Guidelines for Meeting Practice – Advisory Committee attached to this report.

24/189 MOTION Councillor Schutz/Councillor Constable

**CAR25/008 DISABILITY INCLUSION ADVISORY COMMITTEE -
REPRESENTATIVES**

S003-T00035

THAT Council advertise for community representatives on the Disability Inclusion Advisory Committee.

The Terms of Reference along with the Guidelines for meeting practice were also adopted by Council on 17 December 2024 (Min No: 24/181). The Terms of Reference outline the role of each committee. The term of the appointment of the community representatives will be in line with the term for the elected representatives, being until September 2028.

An expression of interest process was available through Council's website, for community representatives from 27 March until 25 May 2025. During this period, a media release, Facebook post and radio interview were undertaken. During this time, five nominations were received, as well as a late submission after the submission period.

In line with the Terms of Reference, the nominations were assessed, with six (6) recommended, as per the confidential attachment.

Advisory committees are an important way that Council engages with its community and stakeholders. Committee members contribute their experience and knowledge and provide advice, feedback and recommendations to Council.

CONSIDERATIONS

The Disability Inclusion Advisory Committee advises Council on matters affecting people with disability.

The Committee supports delivery of Council's Disability Inclusion Action Plan and helps Council review and identify disability access and equity issues. This includes providing relevant information and resources to the public.

The composition of this committee includes up to eight (8) community representatives who have a lived experience of disability or have specialist knowledge or interest in disability services. Up to three (3) of the community positions may be filled by individuals who work in a disability related area.

Bayungawaraga Lore Council put in a formal request to Council for inclusion of a representative to Council's advisory committees. However, no representative from this group subsequently nominated to be on the Disability Advisory Committee. If one of the members decides to submit a nomination at a later date, this request can be revisited.

Advisory committees are an important way that Council engages with its community and stakeholders. Committee members contribute their experience and knowledge and provide advice, feedback, innovation and recommendations to Council.

In Council's Community Engagement Framework advisory committees are considered to be one of the highest levels of engagement and a way of partnering with the community.

The confidential attachment recommends six (6) people for appointment by Council.

Social Impact

The Disability Inclusion Advisory Committee provides a conduit between our community and Council.

**CAR25/008 DISABILITY INCLUSION ADVISORY COMMITTEE -
REPRESENTATIVES**

S003-T00035

Having community members with lived experience of disability on the committee enables an exchange of information from our local community to bring awareness about social needs and varied perspectives. The committee seeks to acknowledge the diverse opinions of the community and respect the knowledge of those with commitment and engagement with local disability matters and issues.

Policy

The provision of a Disability Advisory Committee is an action of Council's Disability Action Plan, which is required under the Disability Inclusion Act 2014 (NSW).

The Terms of Reference for the Disability Inclusion Advisory Committee were adopted on 17 December 2024.

Community and Stakeholder Engagement

Advisory committees are an important way that Council engages with its community and stakeholders. Committee members contribute their experience and knowledge and provide advice, feedback and recommendations to Council.

In Council's Community Engagement Framework advisory committees are considered to be one of the highest levels of engagement and a way of partnering with the community. Council looks to its advisory committees for advice and innovation in formulating solutions.

An expression of interest process was available through Council's website, for community representatives from 27 March until 23 April 2025. This was extended to 25 May 2025.

The community was informed about the opportunity to submit an expression of interest to join the advisory committees in a number of ways including:

- Council's website and Facebook page
- media release distributed to local media as well as to community and business organisations, and
- through letters, emails and phone calls to members of the current advisory committees.

CONCLUSION

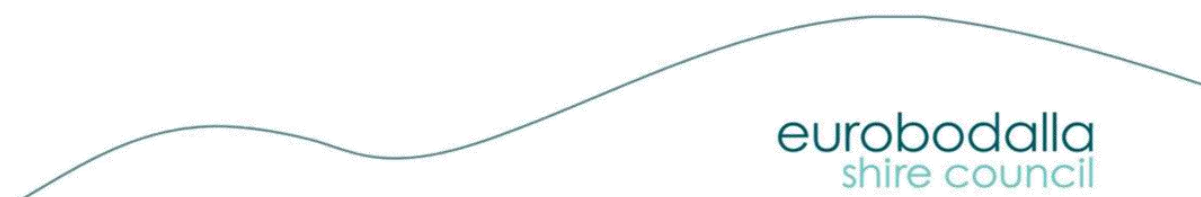
Council's advisory committees provide advice to the Council on a range of issues and offer a valuable opportunity for information exchange with our community.

Council values the input from the Disability Inclusion Advisory Committee as well as the opportunity to engage with our community.

Disability Inclusion Advisory Committee

Terms of Reference

December 2024



CAR25/008 DISABILITY INCLUSION ADVISORY COMMITTEE - REPRESENTATIVES

ATTACHMENT 1 DISABILITY INCLUSION ADVISORY COMMITTEE - TERMS OF REFERENCE

TERMS OF REFERENCE**Purpose of the Disability Inclusion Advisory Committee**

To seek opportunities to improve access to Council facilities and services and, with Council's support, to raise awareness of issues facing people with disability and to advocate for people with disability living in and visiting Eurobodalla.

Objectives

- To provide input to the Disability Inclusion Action Plan prior to its final consideration by Council.
- To assist Council with the implementation of the Disability Inclusion Action Plan.
- To assist Council in the review and identification of Council's current and future disability access and equity issues, including the provision of information and resources to the public.

Title and Delegations

- The committee shall be referred to as the Disability Inclusion Advisory Committee.
- The committee shall function as a non-delegated advisory committee of Council.

Composition

The committee shall consist of the following voting members:

- Up to eight (8) community representatives who have a disability or have specialist knowledge or interest in disability issues (selected by Council from nominations).
Up to three (3) of the community positions may be filled by individuals who work in a disability related area.
- One Councillor, plus one designated alternate (selected by Council).

Council staff (selected by Director - Community, Arts and Recreation Services) – will provide technical advice and guidance but will not have voting rights on the committee.

Delegations of Committee

To advise Council.

Contact Officer

Contact officer for the committee is Director – Community, Arts and Recreation Services.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

Governance

The Committee is governed by the Guidelines for meeting practice – Advisory Committee, adopted by Council on 17 December 2024.

APPENDIX 1 - WEBSITES

Eurobodalla Shire Council

<http://www.esc.nsw.gov.au/>

Eurobodalla Shire Council's Code of Meeting Practice

<https://www.esc.nsw.gov.au/council/governance/council-policies>

Division of Local Government Model Code of Conduct for Local Councils in NSW

<https://www.esc.nsw.gov.au/council/governance/council-policies>

Strategies

<https://www.esc.nsw.gov.au/council/plans-and-reporting/plans-and-strategies>

17. DEALING WITH MATTERS IN CLOSED SESSION

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

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

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

In accordance with Section 10A(4) of the *Local Government Act 1993*, a council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

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

CONFLICT OF INTEREST

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

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

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

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

AGENCY ADVICE

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

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@esc.nsw.gov.au	www.esc.nsw.gov.au
ICAC	8281 5999	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
The Office of Local Government	4428 4100	olg@olg.nsw.gov.au	www.olg.nsw.gov.au
NSW Ombudsman	1800 451 524	info@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.