

EUROBODALLA SHIRE COUNCIL

PUBLIC FORUM

All members of the community who have registered have been advised that they have a **maximum of five minutes** to put their case.

Ordinary Meeting of Council on 27 June 2017

Name	Subject/Comments
Public Forum – 10.00am	
Robert Bradley	GMR17/018 Delivery Program 2017-21 and Operational Plan 2017-18
Jim Bright	GMR17/020 Application for Leave of Absence
Danielle Brice	IR17/038 Eurobodalla Pathways Strategy 2017
Phillip Elton	IR17/038 Eurobodalla Pathways Strategy 2017

Eurobodalla Junior Tennis Committee
c/- PO Box 765
Moruya NSW 2537

15 June 2017

Dr Catherine Dale
CEO
Eurobodalla Shire Council
E: ceo@esc.nsw.gov.au

Ms Ann Nicholson
ESC Recreation Development Officer
ann.nicholson@eurocoast.nsw.gov.au

cc: Karen Tritton (Secretary – Eurobodalla District Tennis Association)

Dear Dr Dale and Ann

Re: Expressing concern over proposed hire fee increases for Council Tennis Courts

I write on behalf of the Eurobodalla Junior Tennis Committee but also as a member of Moruya Tennis Club to express concern over the Eurobodalla Shire Council's (ESC) planned increases in Tennis Court Hire Charges that I understand are due to come into effect on 1 July 2017.

We believe that the proposed schedule of fees will have a highly detrimental impact on tennis in the Eurobodalla and in particular will prove a major barrier to Junior Tennis participation. As Ann is aware from a study undertaken of tennis in the Eurobodalla released in September 2016 there has been a large drop-off in numbers during recent years and we are working to address this situation with all Clubs in the shire.

We respectfully suggest that now is not the time to be levying major increases in fees and that in fact this proposal firmly contradicts the Eurobodalla Shire Council's Youth Action Plan 2016-17.

As you would be aware the Eurobodalla population is well below the NSW State average for many population indicators and these State figures in themselves are far from being acceptable.

The Eurobodalla population has:

- Household Income 37% below the state average (\$53,000 vs \$80,000)
- Unemployment 22% higher than the state average (7.03% vs 5.5%)
- Youth Unemployment was 14.4% in 2011 (ABS) and 21.4% in 2014
- High levels of youth homelessness and disadvantage (3.6 per 1,000)
- Significantly higher levels of obesity or overweight than the state average (66% vs 61%)

These figures indicate that the Eurobodalla population needs to be encouraged to participate and nurtured rather than further barriers being imposed.

I draw your attention to the recent letter to ESC by Professional Tennis Coach, Richard Sellick which also highlights the likely impacts on Junior Tennis player numbers, in particular please see section 2: Junior Tournament Fees.

We further note the ESC Youth Action Plan (page 17) – **Priority Area: Young People Places, Spaces and Activities** and we seek to work collaboratively with you to help achieve Council's goals.

Your ESC Objective: Promote opportunities for young people to be engaged in an active, vibrant and inclusive lifestyle.

The Eurobodalla Junior Tennis community is prepared to work with Council to undertake the following actions.

Actions:

- Provide and promote social and recreation activities – through Tennis
- Provide support to young people to participate in local sporting activities – through Tennis coaching and play
- Working with Tennis Clubs to encourage youth (and all age group) participation

Dr Dale, we respectfully suggest that this presents the ESC with an excellent and timely opportunity to actively encourage greater participation in Tennis with the aim of increasing Physical Activity in the Eurobodalla. This will in turn create greater community participation leading to mental and physical health benefits which will ultimately place downward pressure on Council facilities, services and resources.

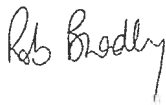
We request that the planned ESC Court Hire Charge increases not go ahead on 1 July 2017. Further, we request that a moratorium on Court Hire Charge increases be put in place for a period of 3 years during which time a full analysis can be conducted and a program be supported to enable to the ESC to achieve selected Youth Action goals through Tennis.

As a first step we suggest that a formal meeting be convened by the ESC CEO with invitations extended to a representative from the Eurobodalla District Tennis Association, Eurobodalla Junior Tennis Committee, a local Professional Tennis Coach (I recommend, Richard Sellick) and of course the ESC Recreation Development Officer.

I believe that I can speak for the Eurobodalla Tennis community in saying that we are prepared to stand shoulder to shoulder with Council in actively promoting the importance of physical activity in the region and to highlight the many benefits that participation and enjoyment that tennis provides.

I look forward to hearing back from you at your earliest opportunity and to working with you towards shared goals.

Kind regards



Rob Bradley
On behalf of
Eurobodalla Junior Tennis Committee
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PUBLIC FORUM PRESENTATION
27 JUNE 2017

My name is Jim Bright and I am a resident of Narooma.

On today's agenda is a recommendation from the General Manager for you to grant leave of absence to Cllr Nathan for the next four council meetings after today's meeting. This would mean that Cllr Nathan would not be at another council meeting until the first meeting in October.

I note that the recommendation that is contained in the agenda papers contains no details of the councillor's reasons for her proposed absence from council meetings and no explanation by the General Manager for her recommendation that you should approve the councillor's application.

As you might recall, there was considerable reporting in the local newspapers in September and October of last year of suggestions by the newly elected Cllr Nathan that she might possibly continue to spend considerable periods of time in France each year despite having been elected as a councillor for the next four years at last year's council elections.

I will therefore take the liberty of assuming for the moment that this is the reason for this application for leave for an extended period.

There is no doubt that councillors have the power under the Local Government Act to grant such an application. So, on this occasion at least, the question is not "can you legally do this" but "should you do it".

Given the substantial period of the proposed absence and given the public's existing knowledge of the situation, there would seem to be no basis at all for arguing that the reasons for the application should not be contained in the official report that is now before you and the community. I would therefore put it to you that you should not be taking a formal decision on this matter unless those details are formally provided to you.

In relation to the question of whether you should grant the application, hopefully the General Manager will have, by now, brought your attention to the relevant guidance which is available from the Office of Local Government. That guidance is contained in section 4.1.3 (page 27) of the 'Meetings Practice Note (Practice Note No. 16)' of August 2009.

For your convenience, and for the information of the general community, I will quote the following key parts of that particular guideline.

Committee "Leave of absence may be granted to councillors at the discretion of the council (s.234(1)(d) of the Act). It is expected that you will attend all council and relevant ~~council~~ meetings. However it is acknowledged that sometimes there are good reasons why you may miss a meeting." (The underlining is mine.)

"It would be wise to make the application in writing and state the reasons for the leave so that the council may consider it."

"You should not assume that the council will grant you leave. The council has

discretion whether or not to grant a leave of absence. It is expected in considering such an application, the council will act reasonably given that there are consequences for failing to attend council meetings. There may also be consequences in terms of the public's perception of both the council and the applicant."

So it's quite clear that all councillors are expected to attend all council meetings unless there is a "good reason" for not doing so. The relevant section of the LG Act clearly indicates that approval of an absence is discretionary and implicit in the existence of a discretion is that there will be some reasons that would not be acceptable.

So what types of reasons could be acceptable. In this quest, the Australian framework of employment conditions and entitlements probably provides a general guide to the types of paid absences that might be regarded as reasonable.

Absences such as for recreation and annual holidays are well met for our councillors with the scheduled two month break that occurs between early December and early February as well as the two shorter breaks for part of July and part of August. In total, this is of course well ahead of contemporary standard of around four weeks.

Other absences due to illness, medical treatment, child minding, caring responsibilities and other short unavoidable matters over which a councillor might not reasonable control would all seem to be situations in which it would be appropriate for the council to grant leave of absence.

In relation to the matter before you

If I was one of you, I would want the GM to establish if there is any level of precedence for this type and duration of approved absence. And if this particular application was to be approved, on what basis would any other councillor be knocked back for something similar?

Your responsibility today is to decide, in the public interest, whether an absence from now until until early October is appropriate. What might the reasonable community member believe is appropriate?

Of course, the LG Act does provide some degree of flexibility for ^acouncillors to still choose, at their own discretion, to be absent for up to two consecutive meetings even without a "good reason".

Given that this council's meeting program for 2017 has only one meeting scheduled in each of July and August, that situation would enable Cllr Nathan still to be absent from the shire for a not insubstantial period from late June to early September.

This is is a decision that you need to make, responsibly on behalf of the local community.

Thank you.

On behalf of the MSHC/P Committee we would like to request the following changes to the Eurobodalla Pathway Strategy, South Head - Congo Appendix page A1-24 (attached highlighted) and Draft Eurobodalla Pathways Strategy Submission Summary page 6 of 14

Under Comment

Paragraph 1: Change caravan to caravan park

Paragraph 5, 2nd sentence:

Change to "Council acknowledges the community support for this proposal" (deleting the word "some" because there has always been considerable community support as acknowledged by Council in the first sentence of this paragraph.)

Paragraph 6, 2nd sentence:

Please delete this sentence as it bears no relevance to the use of the off-road shared pathway which is used by children/family groups/walkers etc.

3rd sentence: change rad to road

Paragraph 7: delete this paragraph and replace with:

"The off road Moruya/ South Head pathway is included in this Eurobodalla Pathway Strategy 2017 but as a project to be reviewed in 5 years".

(The committee is concerned that the current wording may diminish the community support for an eventual off-road link between Moruya and South Head, noting that the off-road link has been on the Moruya Structure Plan adopted by Council 22 May 2007, map attached)

~~Shift of priority -~~

South Head - Congo

Existing Facilities

- South Head shared pathway from The Anchorage to Moruya Surf Club.
- On-road cycling from South Head to Moruya.

Comment

1. South Head has a number of attractions including the boat ramp, caravan, shop, popular beaches and surf club.
2. The community have worked pro-actively with Council, contributing funds and undertaking works to help provide a shared path from The Anchorage to the shop on Charles Moffitt Drive, South Head.
3. The shared pathway on South Head Road may be able to be extended to Halyard Drive. This would be subject to investigation of land acquisition and environmental approvals.
4. The extension of an off-road shared pathway along Pedro Point Road from the caravan park back to the existing pathway network at Charles Moffitt Drive, would connect this important tourism accommodation to the shop, and provide a pathway connection back to the patrolled swimming beach.
5. Completion of the shared pathway between South Head and Moruya township was advocated by residents during the public submission period. Council acknowledges there is some community support for this proposal. The construction of an off-road link will be a high cost relative to other projects due to the length, numerous physical, environmental and land tenure challenges, along with the construction of the actual pathway. This project would also mandatorily require a full environmental impact statement to cross the wetlands on the route.
6. South Head Road between Moruya and South Head has been constructed with wide sealed shoulders to improve the safety of on-road cycling with appropriate signposting added to highlight cyclists using the road. Many of these cyclists are road cyclists who tend to ride on the road regardless of the presence of an off-road pathway. Within the town limits where pedestrian movements are frequent, off-road shared pathways have already been constructed.
7. Due to the numerous other higher priority pathways across Eurobodalla, the high cost to achieve an off-road pathway and the anticipated low usage of this link by pedestrians, the pathway link between Moruya and South Head is not included within this Eurobodalla Pathway Strategy 2017. Grant opportunities will be focussed on other pathways within this strategy in preference to the link to South Head noting the pathway strategy includes \$11.7m of works, with a ten year funding projection from Council of \$3.5m. The Moruya to South Head off-road linkage will be reconsidered when the pathways strategy is next reviewed in five years.

Eurobodalla Pathway Strategy

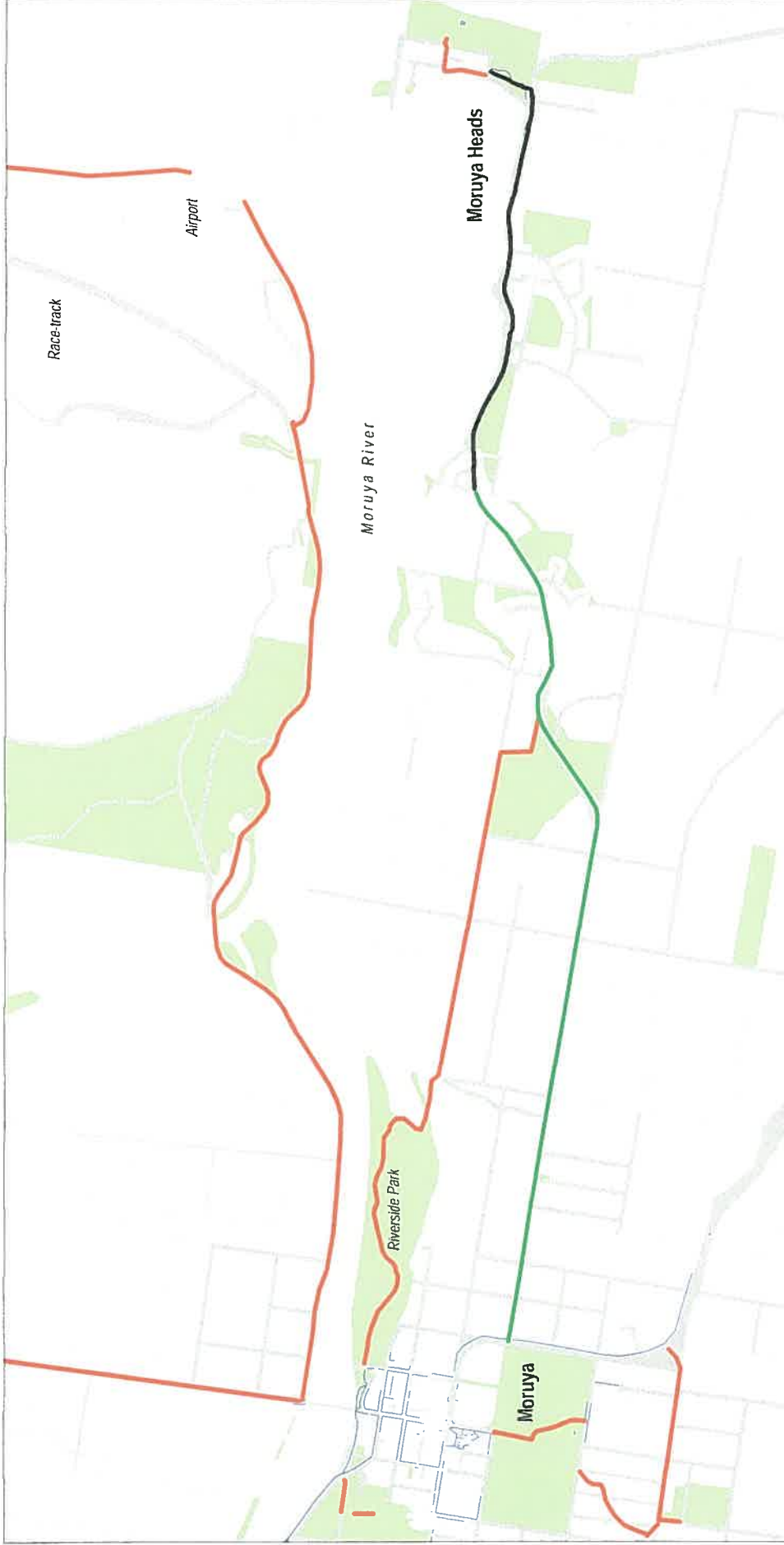
A1-25

Refer Appendix 3 for maps of existing and proposed pathways.

Recommendations (Map 18)

1. A shared pathway be provided along South Head Road, South Head from Halyard Drive to the Anchorage.
2. A shared pathway be provided along Pedro Point Road, South Head from the caravan park to Charles Moffitt Drive.

Moruya Plan



Existing and Proposed Cycleways

- Map Legend**
- Proposed cycleway - 20 year project
 - Proposed cycleway - 5 year project
 - Existing cycleway
 - Existing footpaths

Access & Circulation Directions

The following directions are provided to ensure that planning and design decisions concerning roads and streets throughout the town consider not just their functional efficiency in terms of vehicular movement, but also:

1. Ensure the main street continues to develop as a vibrant and busy primary centre, which is able to accommodate the full range of transport modes and provide a high level of pedestrian, retail and commercial amenity.
2. Ensure that the relationship between roads and their particular bush and coastal character is protected.
3. Complete the coastal cycleway linking Moruya to Moruya Heads.
4. Ensure that the traditional pattern of street and road types in Moruya is used as a key principle if/when developments or changes to streets and roads are proposed.
5. Continue the grid pattern/warped grid pattern based on topography to maintain the character of the country town.
6. Settlement entry roads will maintain their scenic values. Ensure new development cannot be seen from bush and coastal drives that at present has a natural character.
7. Recognise the importance of coastal foreshore roads for access and amenity to the water and coastal public open spaces.
8. Ensure roadway designworks incorporates space requirements and grades for bus stops.
9. Ensure bus stops provide an inviting, safe and convenient place for bus users to wait.
10. Integrate parking, bus transport, cycling and pedestrian information in signage within the town centre.
11. Enhance the north/south pedestrian link through the golf course by the addition of suitable trees and improvements to path alignment.
12. Install traffic calming measures in Shore Street (east) to slow traffic and reinforce the road hierarchy.
13. Undertake safety audits, as required, to ensure safe pedestrian movement through the town.
14. Implement Council's bike plan including long-term plans for a continuous riverside pathway linking Moruya Bridge to northern and southern headlands.



Tilba District Chamber of Commerce Inc. C/- Post Office Central Tilba NSW 2546
Email: tilbachamberofcommerce@bigpond.com ph: 4473 7226

27th June 2017

PRESENTATION TO COUNCIL – RE. PATHWAYS STRATEGY by
Phillip Elton –Vice President Tilba District Chamber of Commerce Inc.

The Tilba District Chamber of Commerce has for some time, been concerned about the existing pathway on the western side (high side) of Bate Street Central Tilba.

While the pathway on the eastern side has been improved to accommodate wheelchairs and disabled people along most of its length, the opposite side is extremely challenging, even for able bodied pedestrians.

The camber and gradient of the pathway make it difficult to traverse in parts and throws up a number of challenges for pedestrians, particularly for old or disabled people and parents pushing young children in strollers/prams.

There have been a number of incidents where people have slipped on parts of the pathway that slope steeply towards the roadway, including local pedestrians who are aware of the problem.

I have also been involved in such an incident where the young child I was pushing in a stroller, tumbled out on this same steeply sloping area of the pathway and even though I was aware of the issue, I was unable to control the pusher.

I have sketched a ‘mud’ map of the pathway in question, showing measurements of the fall, taken at each end of the existing pavers. You will notice that only one section of the pathway complies with the Australian Standard for pathways and driveways.

Disabled access is difficult and dangerous and does not ‘provide a safe and adequate pathway’.

As stated in the Draft Strategy, 35% of the local population is over 60 and with the increasing levels of service requirements to comply with the disability standards, the Chamber feels that this pathway needs urgent modifications to enable all local residents and visitors to safely and comfortably traverse both sides of the Bate Street.

The Draft Strategy also states that the population in the Eurobodalla triples every summer and many of these people come to visit Tilba. Tilba also attracts thousands of visitors during the busy Easter holidays, school holidays and long weekends and the Chamber feels that upgrading the pathway should be considered as a priority to ensure safety for all.

‘.....Southern gateway to the Eurobodalla Nature Coast...’



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20th September 2016

Dr Catherine Dale
General Manager
Eurobodalla Shire Council
PO Box 99
Moruya NSW 2537

Re. Review of Pathways Strategy

Dear Dr Dale,

I am writing on behalf of the Tilba District Chamber of Commerce about Council's Review of Pathways Strategy.

The draft Pathway Strategy appears to be very comprehensive and the path proposed for Central Tilba will be very welcome as the area is quite steep and would be difficult for older or disabled pedestrians. However, the Tilba Chamber has for some time, been concerned about the existing pathway on the western side (high side) of Bate Street Central Tilba.

While the pathway on the eastern side has been improved to accommodate wheelchairs and disabled people along most of its length, the opposite side is extremely challenging, even for able bodied pedestrians.

The camber and gradient of the pathway make it difficult to traverse in parts and throws up a number of challenges for old or disabled people and parents pushing young children in strollers/prams.

There was a recent incident where a young child fell out of a pusher, due to the path sloping down steeply and causing the adult male pushing the child to lose control, even though he is a local resident and aware of the hazards. A number of other incidents involving older and disabled people have occurred over the years, mostly due to slipping.

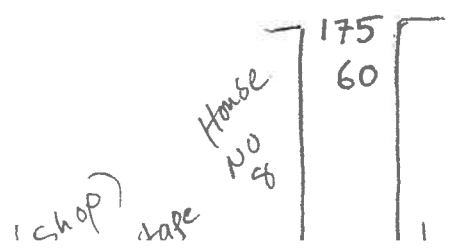
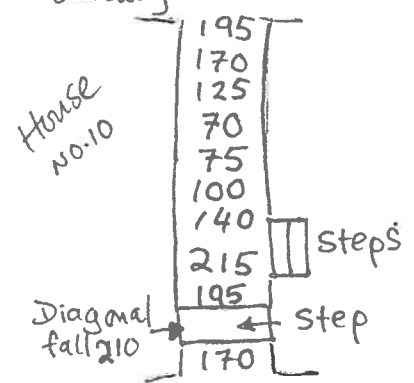
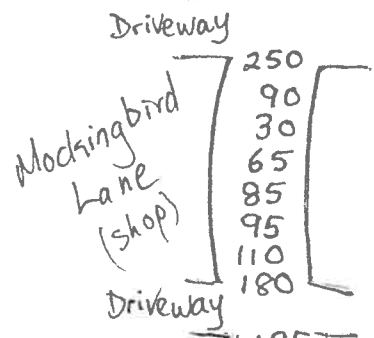
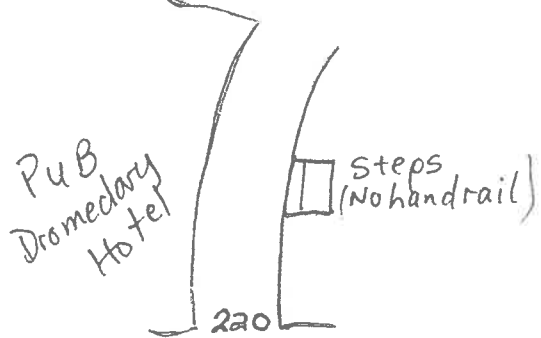
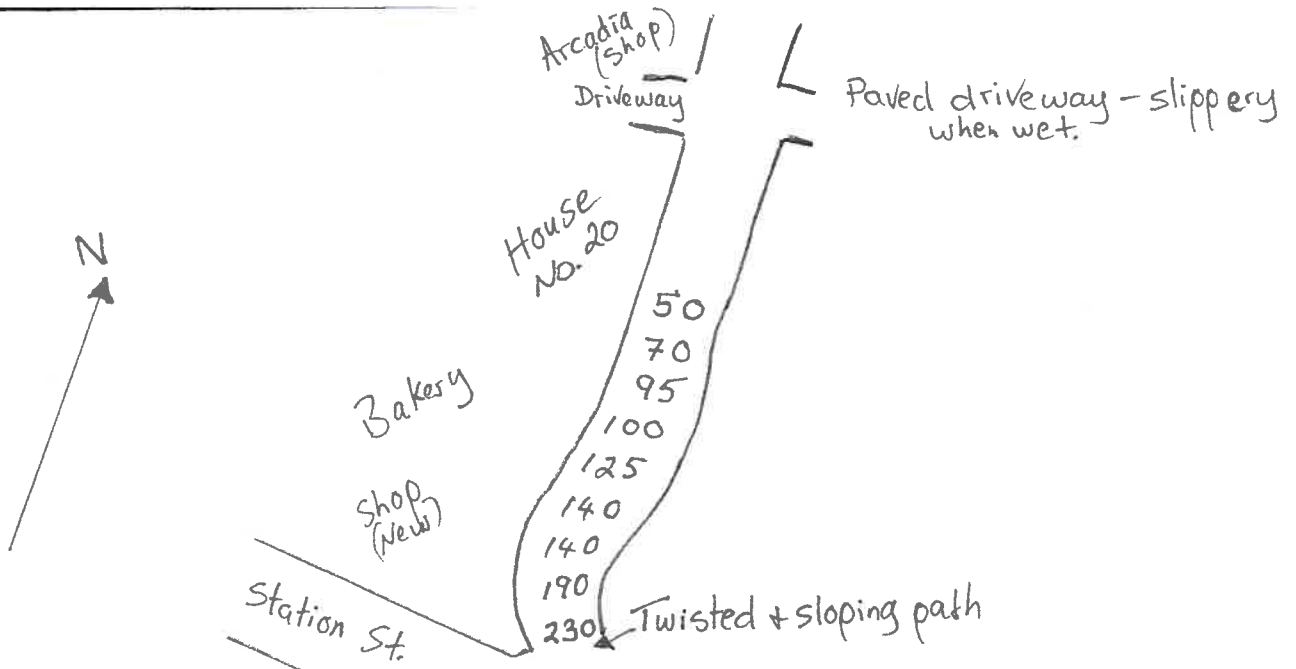
I have attached photos and a rough map of the pathway in question showing measurements of the fall, taken at each end of the existing pavers. As you will see, many parts of the pathway do not comply with Australian standards for pathways and driveways as well as disabled access and do not 'provide a safe and adequate pathway'.

As stated in the Draft Strategy, 35% of the local population is over 60 and with the increasing levels of service requirements to comply with the disability standards, the Chamber feels that this pathway needs urgent modifications to enable all visitors to safely and comfortably traverse both sides of the street.

The Draft Strategy also states that the population in the Eurobodalla triples every summer and many of these people come to visit Tilba. Tilba also attracts thousands of visitors during the busy Easter holidays, school holidays and long weekends and the Chamber feels that upgrading the pathway should be considered as a priority.

Yours sincerely,
Peita Wall
Secretary
Tilba District Chamber of Commerce Inc.

'.....Southern gateway to the Eurobodalla Nature Coast...'



BATE St.

A "Mud map" showing the fall in millimetres to the roadway - Western side of Bate St. Central Tilba. Measurements taken at each end of existing pavers.

To Post Office / General Store