



# **AGENDA**

**Ordinary Meeting of Council**

**23 June 2015**



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

**ON TUESDAY 23 JUNE 2015**

**COMMENCING AT 10.00AM**

**AGENDA**

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

- 1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY & EVACUATION MESSAGE**
- 2. APOLOGIES**  
Nil
- 3. PUBLIC FORUM (AGENDA ITEMS ONLY)**
- 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
  - 4.1 Ordinary Meeting held on 9 June 2015
  - 4.2 Extraordinary Meeting held on 9 June 2015
- 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**  
(Declarations also to be made prior to discussions on each item)

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- 6. MAYORAL REPORTS**
- 7. NOTICES OF MOTION**  
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- 8. QUESTIONS ON NOTICE FROM COUNCILLORS**  
Nil
- 9. PETITIONS**  
Nil

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**DR CATHERINE DALE**  
**GENERAL MANAGER**



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**NOM15/004      OFFICE OF THE NSW SMALL BUSINESS COMMISSIONER - REGIONAL  
ACTIVATION PROGRAM**

E88.0056

Councillor Neil Burnside has given notice that at the Ordinary Meeting of Council on 23 June 2015, he will move the following motion.

**MOTION**

THAT Council accepts the offer from the NSW Small Business Commissioner to take part in their Regional Activation Program.

**BACKGROUND**

Council is a founding signatory to the Small Business Friendly Charter, an initiative of the NSW Office of Small Business(the Office).

Council is also an active supporter of other activities of the Office including the Small Business Bus and Small Biz connect – services which provide free business advice to local businesses.

The NSW Small Business Commissioner, Robyn Hobbs OAM, visited Eurobodalla on 3 June 2015. The Commissioner met representatives of small businesses, Chambers of Commerce and Council's Tourism and Business Advisory Committees. She concluded her visit by meeting the General Manager, Councillor Burnside and senior staff.

The Commissioner invited Council to partner with her office to deliver their Regional Activation Program in Eurobodalla. Eurobodalla would be one of only three areas included in this phase of the program.

Participation in the NSW Small Business Commissioner's Regional Activation Program will:

- Deliver additional skills development workshops to the area, expanding the valuable service Council already provides
- Deliver a multi-agency stakeholder engagement day where state and federal agencies will come to Eurobodalla to engage with small business and address issues raised
- Promote the NSW government's excellent small business services to encourage greater take up of these services
- Reinforce Council's commitment to the small business sector

There will be a small cost to council to cover some venue hire and catering which can be accommodated within existing budgets.

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**GMR15/012 AUDIT COMMITTEE ANNUAL REPORT**

**E05.9354**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Audit Committee Annual Report

Focus Area: Support Services

Delivery Program Link: SS1.2 Maintain a sound governance framework within which Council operates

Operational Plan Link: SS1.2.2 Ensure transparency in council dealings

**EXECUTIVE SUMMARY**

The Audit Committee, a committee of Council, is required under its Council approved terms of reference to report to the Council, at least annually, on its oversight role of the internal audit function. This report is presented to advise Council on what the Audit Committee have been reviewing over the last 12 months.

**RECOMMENDATION**

THAT the Audit Committee annual report be received and noted.

**BACKGROUND**

The Audit Committee plays a pivotal role in the governance framework providing Council with independent oversight and monitoring of Council's audit processes, including the internal control activities.

Since its inception in 2008, the Audit Committee has undergone organic growth to its current structure. The Audit Committee achieves its independence by having a majority of independent members external to Council and its operations, three independent members and two councillors.

**CONCLUSION**

The Audit Committee's annual report from the Chair, Mr Ken Mitchell, is attached.

Audit Committee - Annual Report to Council

June 2015

### **Executive Summary**

The Audit Committee, a committee of Council, is required under its Council approved terms of reference to report to the Council, at least annually, on its oversight role of the internal audit function. This report is presented to advise Council on what the Audit Committee have been reviewing over the last 12 months.

### **Recommendation**

That the Audit Committee annual report be received and noted.

### **Background**

The Audit Committee plays a pivotal role in the governance framework providing Council with independent oversight and monitoring of Council's audit processes, including the internal control activities. Since its inception in 2008, the Audit Committee has undergone organic growth to its current structure. The Audit Committee achieves its independence by having a majority of independent members external to Council and its operations - 3 independent members (Mark Barraclough, Sharlene Cohen and Ken Mitchell) and 2 Councillors (Neil Burnside and Peter Schwarz).

The Audit Committee meets four times a year however, the review of documents and financial issues is carried out between scheduled meetings.

Members of the Audit Committee now have access to Council iPads for confidential documents.

As Council would be aware, the resignation of one independent member from the Audit Committee late in 2014 (Andrew Topp), necessitated the advertising, selection and placement of a new committee member (Sharlene Cowen). It is essential new ideas and enquiries are brought to the table and the committee consider that a rolling committee is best so all the knowledge gained does not leave at the same time. I will be resigning from the Audit Committee at the end of the calendar year and planned succession will be implemented by the Council (appoint new independent member) and the Audit Committee (appoint chair).

### **Considerations**

Over the past year the Audit Committee have reviewed the:

1. 2014 Audit Report from Pitcher Partners (external auditor).
  - An unqualified audit
  - Meets all legislative report requirements
2. Year End Budget Review for the Year Ended 30 June 2014
  - Accorded with external audit report
3. Batemans Bay Beach Resort
  - Financial Performance 2013-14
  - Management Tender (Pro Management)
  - Quarterly review of BBBR improvement program

Audit Committee - Annual Report to Council

June 2015

- The BBBR has systems and procedures in place for rectification of past problems and soundly managed maintenance and improvement program for the future.
- 4. Camping Ground Tender (at beach front BBBR) (Pro Management)
- 5. Draft Delivery Program (4 years budget)/Operational Plan (budget for next year, first of the 4 years).
- 6. Investments
  - Investment Policy review
  - Monthly Investments
    - The money is safe. All investments are term deposits with investments with Government and financial institutions.
    - No CDO's. Since the onset of the GFC, with all principal and interest received to date the total loss is only about \$1m, but with more to come (3 legal matters outstanding) it is likely that the final position will be about break even. This is a very positive post-GFC recovery by Council.
- 7. Internal Audit reports from InConsult (internal auditor)
- 8. Quarterly review of Income from hire of Council facilities
- 9. Service reviews
  - Library service review
  - Visitor information
- 10. Audit Committee Terms of Reference
  - Modified to formally reflect third independent member (2 councillors and 3 independents).

In particular I wish to highlight the following 2 aspects of the Audit Committee's activities.

Firstly, Batemans Bay Beach Report (BBBR)

- This is a Council owned and controlled business that has received close scrutiny from the Audit Committee over the past 4 years.
- Historically there have been problems, but BBBR is now a business that is well managed, well maintained and run on a sound commercial basis by a professional tourist park management company.
- Problems arose more than a decade ago when BBBR underwent a major redevelopment that, despite the best of intentions, eventually left Council with the legacy of a very large debt with large annual interest costs. Council is still progressively repaying the principal and interest.
- The now soundly run BBBR should see the debt discharged in the coming years. It is envisaged that net proceeds generated each year from there on will be a positive cash flow to Council for the then foreseeable future.
- It is therefore the view of the Audit Committee that BBBR continue to run under the current contract management and Council review arrangements.
- The Audit Committee have used the BBBR to convey a pivotal business lesson for Council. The key lesson for Council from all the experiences associated with the history of BBBR is that any and all proposed ventures requiring significant

Audit Committee - Annual Report to Council

June 2015

investment by Council be well considered and incorporate sound business planning and management.

Secondly, Internal Auditors process by InConsult

The internal audit program that is currently being carried out by InConsult has allowed the Audit Committee to review the activities undertaken in the daily operation of council's financial management. This has proven to be beneficial to the committee as it clearly identifies deficiency and opportunity in areas of operation. Recommendations and outcomes are reported to the Audit Committee on each area audited. Procurement (18 findings), Waste Contract (10 findings) and Property (15 findings) have been audited, presented and reviewed at Audit Committee meetings.

The Audit Committee's program of prioritised risk analysis has been developed and applied by InConsult with their experienced professional auditors applying leading best practice audit standards. Whilst not intended to be a check of every record, these internal audits are well targeted systematic checks of internal controls with sound methodology, invasive sampling as deemed appropriate by their audit staff, reporting to the Audit Committee with clear presentation of detailed findings and monitoring of Councils response.

Consequently the Audit Committee have put in place checks and balances with the auditing of Council's internal controls to a far greater level of independence, objectivity and best practice industry standard than ever previously undertaken by Council.

It is reassuring to note that nothing untoward has been uncovered to date and that the Councils books and internal controls are the best scrutinised that they have ever been.

- By council staff.
- By the external auditors (Pitcher Partners).
- By the internal auditors (InConsult).
- By senior Council staff.
- By the Audit Committee.
- By Councillors.

Nevertheless, during the forthcoming year the Committee will progressively review various areas to further strengthen Council's financial governance - including aspects of Council's anti-fraud practices so that they are on the leading edge of best practice. This is all part of the continual improvement process and approach by the Audit Committee.

The Audit Committee will also:

- Oversee the implementation of the Special Rate Variation (SRV) in accordance with the process and procedures as proposed and approved by Council and scrutinised and approved by iPart, to ensure that funds are used as specified.
- Oversee the process, preparation and implementation of the initial and ongoing Fit for the Future requirements.
- Oversee the forthcoming Audit Committee's program of prioritised risk analysis by the internal auditor (InConsult) including Debtors, Contract Management, Plant &

Audit Committee - Annual Report to Council

June 2015

Fleet Management, Asset Maintenance, Risk and Insurance, Recruitment, Sewer and Water Operations, System and network administration, and Building Certification.

- Review processes and procedures that aim to reduce costs and increase revenue.

### **Conclusion**

I consider that the presence of the Audit Committee adds value to Council and strengthens a culture of sound financial governance that is increasingly transparent and accountable. Similarly the systems, checks and balances within Council seem to be working well and the additional internal audits have reinforced the adherence to procedures and policies.

It should be noted that each individual person on the Audit Committee makes a strong contribution and cooperates with a culture of cooperation that proactively contributes to reform via continual improvement of Council from within - for the betterment of both the community and council – and we do this wherever possible as every member of our community expects us to do.

I acknowledge and thank my fellow committee members for their dedication and efforts during this past year.

I believe it is recognised within Council that the Audit Committee plays a pivotal role in the management of Council's financial requirements and expectations.

It is recommended that the annual report tabled by the Audit Committee be received and noted.

Ken Mitchell

Chair ESC Audit Committee

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**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - Delivery Program 2013-17 and Operational Plan 2015-16  
2. Confidential - Submissions to Delivery Program 2013-17 and Operational Plan 2015-16.

Focus Area: Collaborative Communities

Delivery Program Link: C2.1 Coordinate the delivery of the Integrated Planning and Reporting Framework across the organisation

Operational Plan Link: C2.1.1 Prepare the Council's Delivery Plan and Operational Plan

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek adoption of Council's revised Delivery Program 2013-17, Operational Plan 2015-16, incorporating the Budget, Fees and Charges, and the making of the rates, water, sewer, waste, stormwater and liquid trade waste charges.

The revised Delivery Program 2013-17 and draft Operational Plan 2015-16 focus on building a sustainable future for Eurobodalla and delivering key services, key projects, capital works and infrastructure maintenance to support economic development and employment growth.

The revised Delivery Program 2013-17 and Operational Plan 2015-16 include a permanent rate variation of 6.5% (including 2.4% rate peg and cumulative for three years) on the general rate approved by the Independent Pricing and Regulatory Tribunal (IPART) on 19 May 2015.

The annual Ordinary Rates for 2015-16 are in accordance with the special rate variation limit set by IPART of 6.37%, being a 6.5% increase in ordinary rates and 2.4% increase in the Environmental levy, as contained in the table in the report. This will be spent on a community and transport infrastructure program, as advertised during the rate variation consultation process.

The revised Delivery Program 2013-17 sets out the activities that Council aims to deliver in its current four year term and the measures used to track their progress. The draft Operational Plan 2015-16 shows the services, key projects, capital works and infrastructure renewals and maintenance that Council plans to deliver in the year ahead. Both plans include budgets and timeframes. The aim is to meet the needs of our community in a financially responsible way while focusing on building a sustainable future for Eurobodalla.

The plans were exhibited for 28 days from the 29 April to 27 May 2015. During this time Council received four submissions. These were considered. No amendments are recommended to the Operational Plan 2015-16, as the projects requested are in current or future year programs.

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**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

The revised Delivery Program 2013-17 and Operational Plan 2015-16 was originally exhibited with both base and special rate variation budgets and program information identified separately. The rate variation was approved on 19 May 2015 by IPART, and approved by Council on 26 May 2015. The final Delivery Program 2013-17 and Operational Plan 2015-16 has therefore been updated.

This year, and running concurrently with the public exhibition of these documents, Council has also progressed its Fit for the Future proposal. The NSW Government has required all councils in NSW to prepare a proposal by 30 June 2015 that sets out a five year plan and longer term to be financially sustainable, provide effective infrastructure and services, and become more efficient.

To meet the Fit for the Future criteria, all councils in NSW have been asked to develop strategies that address the financial issues facing the local government sector around managing an environment where revenue is reducing, costs are rising, demand for services is increasing and there is an infrastructure backlog. Eurobodalla's geography and our three towns presents an additional challenge, when compared to some other councils with a similar population base and rate revenue, of managing multiple libraries, swimming pools, sports grounds, community halls, parks and playgrounds.

The revised Delivery Program 2013-17 and draft Operational Plan 2015-16 explains the significant savings that Council has made in recent years and how we will continue to focus on improving efficiency. The focus is on reducing costs by continuing to improve our procurement and asset management practices, productivity, regularly reviewing our service delivery and safety practices, using better work practices and technologies, and collaborating with neighboring councils, the ACT, NSW and Commonwealth Governments, and building regional partnerships.

The Operational Plan 2015-16 incorporates strategies and actions from the Fit for the Future Improvement Proposal, ensuring the plans are aligned. The Fit for the Future submission identifies challenges and opportunities, and provides clear, balanced and achievable short and long term solutions. In the years ahead, Council will work with the community to determine how we continue to live within our means and optimise the levels of service and infrastructure delivered.

The revised 2013-17 Delivery Program and draft Operational Plan 2015-16 have taken into account economic, environmental and social considerations, balancing short term priorities with longer term needs, and have been developed through consulting with our community. They demonstrate that Council is committed, continuing to listen to the community and building a sustainable future.



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**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

**RECOMMENDATION**

THAT:

1. Council makes the annual Ordinary Rates for 2015-16 in accordance with the special rate variation limit set by IPART which is 6.37%, being a 6.5% increase in ordinary rates and 2.4% increase in the Environmental levy, as contained in the table in the report.
2. Council make each annual charge for water, sewer, waste, stormwater and liquid trade waste for 2015-16 in accordance with the exhibited Revenue Policy and Fees and Charges as contained in the tables in the report.
3. Council make each fee and charge for 2015-2016 in accordance with the exhibited Revenue Policy and Fees and Charges as attached to the report.
4. Council adopt the revised Delivery Program 2013-17 and Operational Plan 2015-16 attached to the report as per the statutory requirements and implement them from 1 July 2015.
5. Council create an internally restricted fund to account for and monitor the use of the rate variation funds.
6. Council thank the community members who made a submission and provide them with a response.

**BACKGROUND**

At its meeting on 28 April 2015, Council resolved to place the revised Delivery Program 2013-17, draft Operational Plan 2015-16, incorporating the Budget, Capital Works Program, Statement of Revenue Policy and Fees and Charges for 2015-16 on public exhibition for 28 days. At the close of the exhibition period there were four submissions made. A summary of the submissions is provided under the Community Engagement section of this report.

A Council briefing on the submissions received to the exhibition occurred on 2 June 2015, to seek comment from Council and to address any questions regarding the documents prior to adoption.

Given the statutory requirements for Council to endorse its budget by 30 June 2015, the exhibited Delivery Program 2013-17, draft Operational Plan 2015-16, incorporating the Budget, Capital Works program, Statement of Revenue Policy and Fees and Charges for 2015-16 is reported to Council for adoption with only some minor amendments as outlined in this report.

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**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

**CONSIDERATIONS**

The Delivery Program 2013-17 and draft Operational Plan 2015-16 has been developed with the aim of building a sustainable future, in line with the Fit for the Future local government reform process. Our Delivery Program and Operational Plan will enhance Council's ability to obtain vital Fit for the Future incentives while maintaining our focus on meeting identified community needs and aspirations.

**Special Rate Variation**

Council submitted a rate variation application to IPART on 16 February 2015. Council was notified that this application was successful on 19 May 2015.

At its meeting on 26 May 2015 Council resolved to implement the Independent Pricing and Regulatory Tribunal's (IPART) approved Special Rate Variation of 6.5% per annum (including the rate peg amount) to its general rate income for a period of three years, commencing 2015-16, with the increase to remain permanently in the rate base.

IPART has approved a rate variation of 6.37% on the notional income of Council. Our notional income is made up of the ordinary General Rate and the Environment Levy. The ordinary rate will increase by 6.5% whilst the Environment Levy will increase by the rate peg amount of 2.4%. The variance between the General Rate (6.5%) and Environment Levy (2.4%) equals the IPART rate variation determination of 6.37%.

The income received from the increase on General Rates will fund the community and transport infrastructure program, as outlined during the consultation process. At its meeting on 10 February 2015 to approve the submission of a rate variation application to IPART, Council resolved to restrict funds as they become available to infrastructure renewals. This will ensure the funds continue to be allocated to infrastructure projects and assist Council to remain Fit for the Future.

**Asset**

The revised Delivery Program 2013-17 and draft Operational Plan 2015-16 has a strong focus on sustaining community infrastructure through the renewal of assets, particularly short lived assets. Council will meet short term demand for infrastructure renewal through the community and transport infrastructure program of works provided by the rate variation. This will be critical to maintain the current level of service to the community and protect long lived assets, such as road pavements, from premature failure.

The revised Delivery Program 2013-17 and draft Operational Plan 2015-16 also includes new infrastructure projects to meet demand from growth and progressively address network deficiencies. These works are, in some cases, part funded by grants. This includes shared pathways, bridges and boating facilities.

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**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

Council will continue to work with peak bodies to advocate to the NSW and Australian governments for enhanced funding models to better support regional communities across NSW.

**Social Impact**

The Community Strategic Plan (CSP) provides an overarching framework for all other Council plans and policies. The purpose of the CSP is to identify the community's priorities and aspirations for the future and plan strategies to achieve them. The Delivery Program 2013-17 and Operational Plan 2015-16 are Council's response to the Community Strategic Plan and provide a range of programs, services and infrastructure projects to meet identified community needs.

**Economic Development Employment Proposal**

The revised Delivery Program 2013-17 and draft Operational Plan 2015-16 focus on building a sustainable future for Eurobodalla and delivering key services, key projects, capital works and infrastructure maintenance to support economic development and employment growth.

Attracting people to live, work, invest and visit Eurobodalla will be supported by the Integrated Economic Growth and Development Strategy, which will include a focus on providing, renewing and maintaining assets and infrastructure, managing environmental change, planning for sustainable development and growth in population, business and tourism.

The revised Delivery Program 2013-17 and draft Operational Plan 2015-16 sets out the activities that support Council's role in helping to grow the local economy and employment potential.

The activities will support Council to:

- advocate for funding for major projects, and legislation to support growth
- provide and maintain public infrastructure
- promote tourism and provide visitor services
- promote and support business investment and employment growth
- partner with business and industry to attract funding and investment
- provide support services, networking and training opportunities
- partner with industry to develop opportunities for job growth
- provide opportunities for cadetships, apprenticeships and work experience.

**Community Engagement**

Council seeks the community's views through formal and informal engagements and considers these views in the context of the legal, financial and policy environment of the Australian and NSW Governments.

In line with Council's Community Engagement Policy (2013), plans for engaging the community about the revised Delivery Program 2013-17 and draft Operational Plan and budget 2015-16

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**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

were based on the Public Participation Spectrum that is advocated by the International Association for Public Participation (IAP2).

The revised Delivery Program 2013-17 and draft Operational Plan 2015-16 are assessed as having a high level of impact to all of Eurobodalla because they:

- propose how shire-wide activities and services will be delivered
- may have significant impact on the whole or a large part of Eurobodalla
- may have a high degree of community interest
- require significant expenditure and may require significant reallocation of resources.

The goals for engaging the community on the revised Delivery Program 2013-17 and draft Operational Plan 2015-16 were to:

- give the community the opportunity to review the program and plan, and to provide their feedback to Council through a 28 day public exhibition, noting that the 28 day period meets Council's legal timeframes which requires this to be endorsed by 30 June 2015
- provide the community with information and opportunities to ask questions and provide feedback and suggestions about the revised Delivery Program 2013-17 and draft Operational Plan 2015-16.

Previous community engagement activities have been considered in the development of the revised Delivery Program 2013-17 and draft Operational Plan 2015-16 including:

- the rate variation consultation process
- previous year's public exhibition of the revised Delivery Program 2013-17 including special rate variation works
- related policies and strategies that have been developed and implemented.

Council engaged the community from 29 April 2015 to 27 May 2015 by:

- making the Delivery Program 2013-17 and draft Operational Plan and budget 2015-16 available for the community to read on Council's website, in Eurobodalla's three libraries, and at the Customer Service Centre in Moruya
- informing the community about the public exhibition and inviting the community to have their say through information on Council's website, Eurobodalla News - Council's online newsletter, social media, media release and advertisement in local newspapers
- Council considers submissions received and refers all community submissions to Council for consideration, prior to any final decisions being made about the Delivery Program 2013-17 and draft Operational Plan and budget 2015-16
- involving the community through an open invitation to attend the following information sessions and provide feedback
  1. Batemans Bay Library Wednesday 13 May 6pm to 7.30pm (18 attendees)
  2. Moruya Markets Saturday 16 May 9am to 12pm (informal)
  3. Narooma Library Monday 18 May 6pm to 7.30pm (11 attendees).

The plans were exhibited for 28 days from the 29 April to 27 May 2015. During this time Council received four submissions. These were considered. No amendments are recommended to the Operational Plan 2015-16, as the projects requested are in current or future year programs.

**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

Submission	Response
Request allocation of funding to complete final section of Durras shared pathway and offer financial contribution to assist.	Supported. Funding allocated in current year. No edits required to the Delivery Program 2013-17 and Operational Plan 2015-16.
Request allocation of funding to regenerate and improve Toragy Headland in Moruya Heads	Supported in principle. Council will assist group to develop scope of works and source grant funding. No Funding allocated. No edits required to the Delivery Program 2013-17 and Operational Plan 2015-16.
Submission raised a number of issues outside scope of plans. Questioned funding allocation and frequency of maintenance to Araluen Road.	Majority of issues raised outside the scope of the plans. Response provided. Renewal works to sections of Araluen Road included in current plan. No edits required to the Delivery Program 2013-17 and Operational Plan 2015-16.
Submission raised a number of issues: 1) Requests inclusion of additional years in Delivery Program budgets 2) Requests work on Spine Road commence in 2015-16	Response provided where required. 1) Budgets align with Delivery Program Period and include additional year to show rate variation impacts. This format is in line with IPR Guidelines. 2) Clarified timing of works. No edits required to the Delivery Program 2013-17 and Operational Plan 2015-16.

**Legal**

Integrated Planning and Reporting is a requirement of the Local Government Act 1993.

The Office of Local Government's Integrated Planning and Reporting Manual and Integrated Planning and Reporting Guidelines are comprehensive tools which have been used in the development of the revised Delivery Program 2013-17 and draft Operational Plan 2015-16. Section 404 of the Local Government Act, 1993 requires Council to have a Delivery Program to implement the strategies established in its Community Strategic Plan, within the resources available as identified under the Resourcing Strategy.

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

Section 553 of the Local Government Act 1993 requires a Council resolution to make a rate or charge.

**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

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

*Ministerial Advice on General Revenue Increase*

IPART approved an increase of 6.5% in the amount that Council can generate from general-purpose rate income in 2015-2016.

In accordance with Section 494 of the Local Government Act 1993, it is recommended that Council makes the following Ordinary Rates for 2015-2016:

Ordinary Rate Name	Rate (cents in \$0)	Base Charge	% of total Rate
<b>Residential</b>	0.2371	432.00	49.60
<b>Business</b>	0.8988	432.00	13.84
<b>Farmland</b>	0.1781	432.00	31.90
<b>Business Inactive</b>	0.2371		

*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 2015-2016 will be 8.5%.

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

*Domestic Waste Management Charges*

Council provides a waste collection and management service to the community. Waste management charges are designed to recover costs from people who actually benefit from the availability or the use of Council's waste management system.

In accordance with Section 496 of the Local Government Act 1993, it is recommended that Council makes and levies the following Domestic Waste Management Charges for 2015-2016:

Domestic Waste Charge	Total Charge (\$)
<b>Domestic waste availability charge</b>	17.10
<b>Domestic waste collection service charge</b>	228.10
<b>+Additional service 240L recycling bin</b>	62.25
<b>+Additional service 240L garden organics bin</b>	62.25
<b>Waste management charge</b>	48.30

*Stormwater Management Service Charges*

In 2006-2007 Council introduced a Stormwater Charge on all developed urban properties. A special 'Stormwater Fund' was established as part of the General Fund to record and report the income and expenditure related to this charge.

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OPERATIONAL PLAN 2015-16**

**E12.6254**

In accordance with Section 496A of the Local Government Act 1993, it is recommended that Council makes the following Stormwater Management Service Charges for 2015-2016:

Stormwater Management Service Charge	Total Charge (\$)
<b>Land categorised as residential</b>	25
<b>Residential strata (per lot)</b>	12.50
<b>Land categorised as business</b>	25 (for land up to 1050 square metres) 50 (for land 1051 to 2100 square metres) 75 (for land 2101 to 3150 square metres) 100 (for land greater than 3150 square metres) The charge for business strata is for the business divided by the number of units

**Environment**

In 1996-1997 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.

In accordance with Section 495 of the Local Government Act 1993, it is recommended that Council makes the following environmental levy for 2015-2016:

Category	Rate (cents in \$)	Base charge	% of total rates
<b>Environmental levy</b>	0.009898	17.95	48.25

**Water**

Supplying water to the community is one of the major activities of Council. To pay for this supply, Council collects revenue from the people who benefit from the availability and use of the water supply. All consumers are charged a fixed availability charge and a water consumption charge. The charges have been balanced to maintain best practice established by the NSW Office of Water.

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**E12.6254**

In accordance with Section 552 and 502 of the Local Government Act 1993, it is recommended that Council makes the following water charges for 2015-2016:

<b>Water Availability</b>	<b>Charge (\$)</b>
<b>Residential connection – metered, unmetered, strata unit</b>	<b>289</b>
<b>Business and multi residential (non-strata flats)</b>	
<b>Meter size (mm)</b>	<b>Charge(\$)</b>
<b>20</b>	<b>289</b>
<b>25</b>	<b>462</b>
<b>32</b>	<b>751</b>
<b>40</b>	<b>1,156</b>
<b>50</b>	<b>1,820</b>
<b>80</b>	<b>4,624</b>
<b>100</b>	<b>7,225</b>

<b>Water Consumption</b>		
<b>Category</b>	<b>Usage charge</b>	<b>Charge (\$)</b>
<b>Residential and business</b>	<b>Meter size</b>	<b>3.48per kL</b>
<b>A service fee of \$10 applies to all accounts 0-2kL</b>		

**Sewer**

Council is responsible for the sewerage services within the Shire. Sewerage charges collect revenue from the people who actually benefit from the availability or use of Council's sewerage system.

In accordance with Section 552 and 502 of the Local Government Act 1993, it is recommended that Council makes the following sewer charges for 2015-2016:

Residential	Charge(\$)	
General Service – metered, unmetered, strata unit	886	
Turlinjah general service (85%)	753	
Dual occupancy single meter (assessed at a single 25mm availability charge)	1417	
Business and Multi Residential (non-strata flats) Availability		
Water meter size (mm)	Availability factor	Charge (\$)
20	1.0	886
25	1.6	1,417
32	2.6	2,303
40	4.0	3,544
50	6.3	5,581
80	16.0	14,176



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<b>100</b>	25.0	22,150
<b>vacant</b>	1.0	886
<b>strata</b>	1.0	886

<b>Category</b>	<b>Usage charge</b>	<b>Charge (\$)</b>
<b>Business</b>	meter size	1.75 per kL

**Special Sewer Charges**

Special sewer charges were introduced for Bodalla urban residential and business areas at the rate of \$200 per assessment in 2008-2009 in order to contribute toward the cost of survey investigation and design. It was planned that once commissioned the full sewer charge would be introduced.

In accordance with Section 552 and 501 of the Local Government Act 1993, it is recommended that Council makes the following Special Sewer charges for 2015-2016:

<b>Category</b>	<b>Charge (\$)</b>
<b>Residential general service</b>	886
<b>Bodalla sewer</b>	200
<b>Business</b>	Meter size
<b>Business</b>	Trade waste

**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.

In accordance with Section 552 and 502 of the Local Government Act 1993, it is recommended that Council makes the following liquid trade waste charges for 2015-2016:

<b>Liquid trade waste annual fee</b>	<b>\$94.50</b>
<b>Liquid trade waste annual fee (large discharger)</b>	<b>\$507.00</b>
<b>Discharge</b>	<b>\$1.40/kL</b>
<b>Discharge (without appropriate treatment)</b>	<b>\$13.00/kL</b>

**Council Amendments**

During the exhibition period, internal review and additional information coming available has identified the need to make some changes to the draft Delivery Program and Operational Plan.

*Delivery Program 2013-17 /Operational Plan and Budget 2015-16*

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**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
OPERATIONAL PLAN 2015-16**

**E12.6254**

- Inclusion of detailed information relating to Council's Fit for the Future Improvement Proposal. This includes Council's 2015-16 Improvement Action Plan which commits Council to additional projects within current resourcing constraints.
- Removal of all reference to 'base case' scenario following approval of the rate variation.
- External grant funds have been secured for the replacement of Candlagan Creek bridge. This releases \$950,000 of rate variation funds to be directed to other renewal priorities. A program of works will be reported and determined by Council at a later date.
- Some external funding has been secured for Nelson Parade Tuross Head boardwalk and viewing platform. This has enabled shared pathway works in Bridge Avenue Tuross Head to be included in the 2015-16 Operational Plan.
- A budget of \$35,000 has been added to meet Council's obligation for Caravan Park licensing required by the Local Government Act.
- Additional renewal spend of \$560,000 from 2016-17 onwards funded from the rate variation. The rate variation covers the impact of the pausing of indexation on Financial Assistance Grants. These funds will be allocated to renewal programs.

*Fees and Charges*

- Reinstatement of Water fee – 20mm connection reduced fee of \$250 under special conditions.
- Section 603 certificates (statutory fee) – circular released stating fee to be \$75. Advertised at \$70.

The Delivery Program and the Operational Plan have been revised to reflect the above changes.

Additional minor editorial amendments to the plan have also been made to phrasing, punctuation, and so forth, as a result of further proofreading to improve the quality of the documents presented.

**Financial**

The Delivery Program must inform and be informed by the Resourcing Strategy which includes the 10 year Long Term Financial Plan (LTFP), Asset Management Strategy (and Asset Plans) and four year Work Force Management Plan . Financial estimates of the income and expenditure for the four year period are included in the Delivery Program in line with the activities. Budget forecasting outside of this four year period is provided by the LTFP.

The Operational Plan must include a detailed budget for the activities to be undertaken in that year.

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**GMR15/013 ADOPTION OF REVISED DELIVERY PROGRAM 2013-17 AND  
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**CONCLUSION**

Council is required to adopt the revised Delivery Program 2013-17, draft Operational Plan 2015-16 incorporating the Budget, Capital Works Program, Statement of Revenue Policy and Fees and Charges by 30 June 2015. All draft documents will be updated and uploaded to Council's website following any resolutions from 23 June 2015 Council meeting that impact the documents.

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**GMR15/014 FIT FOR THE FUTURE - COUNCIL'S IMPROVEMENT PROPOSAL**

**E12.6443**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - Draft - Council's Improvement Proposal - June 2015

Focus Area: Collaborative Communities

Delivery Program Link: C1.2 Manage the organisation to effectively and efficiently meet our statutory obligations

Operational Plan Link: C1.2.1 Respond to legislative and policy requirements set by the Department of Local Government

### **EXECUTIVE SUMMARY**

The purpose of this report is to outline Council's Fit for the Future Improvement Proposal and seek Council approval to submit the proposal to the Independent Pricing and Regulatory Tribunal (IPART).

Council welcomes the NSW Government's Fit for the Future program and sees it as an opportunity to clearly articulate its plan for the future. Under the program, Council has been identified as having the scale and capacity to continue as a stand alone council under the program and is required to assess performance against the seven Fit for the Future benchmarks.

Council's 2016-17 forecast reflects our continued efforts to strengthen our financial position and shows we will meet five of the seven benchmarks required to be Fit for the Future prior to implementing an Improvement Action Plan.

Implementation of our Improvement Action Plan will result in Council achieving IPART's assessment criteria for all ratios in 2019-20 by showing progressive improvement in the Building and Infrastructure Asset Renewal and Infrastructure Backlog Ratios.

How our community will benefit from what we deliver in a financially responsible way has been considered in every step of our Fit for the Future proposal. Council's Improvement Proposal builds on the work that has already been completed in recent years to improve our position. This has placed Eurobodalla in a robust position to meet all the benchmarks without proposing significant cuts to service and infrastructure.

Fit for the Future is an opportunity to review our operations and how we consult and engage with our community in determining our future. Collaboration will be key to ensuring community infrastructure and services are financially sustainable and meet the stated needs of our community, now and into the future.

Council's Improvement Proposal clearly explains how its successful implementation will positively influence our ability to maintain and improve Council's performance against all seven Fit for the Future benchmarks, realise efficiency savings, productivity improvements and redirect funds to address the Building and Infrastructure Asset Renewal and Infrastructure Backlog Ratios. This will ensure we will improve performance within five years and meet all benchmarks within 10 years.

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**GMR15/014 FIT FOR THE FUTURE - COUNCIL'S IMPROVEMENT PROPOSAL**

**E12.6443**

In implementing our Improvement Action Plan, Council will:

- support economic growth and development through a new Integrated Economic Growth and Development Strategy
- collaborate with our community to review services as part of the Integrated Planning and Reporting process
- implement a prioritised renewals funding strategy to improve performance against the Building and Infrastructure Asset Renewal and Infrastructure Backlog ratios
- redirect surplus funds into a new restricted infrastructure renewals fund and an increased, targeted renewals program.
- strengthen and diversify Council's revenue streams to continue to meet the Own Source Revenue Ratio and achieve modest operating surpluses to be redirected into infrastructure renewal
- further increase our capacity and focus on long term planning and organisational sustainability
- invest in improved community relationships through the development of a robust community engagement framework.
- advocate for improved funding and financing arrangements, to meet community service and infrastructure needs.

In many areas, Eurobodalla's Fit for the Future Improvement Proposal does not represent a significant change in direction for our community, as many of the strategies Council already has in place are on track with the NSW Government's recommendations for how councils can deliver the services and infrastructure their communities need in a financially sustainable way.

Council's Improvement Proposal will however, be an important catalyst for us to reset our conversations with our community, our partners in the South East Joint Organisation, key stakeholders and other levels of government and enable us to work collaboratively to deliver projects that will contribute to a financially sustainable future for Eurobodalla.

Council's Improvement Proposal will ensure that we retain scale and capacity, strengthen sustainability and deliver value for our community, while meeting or exceeding the Fit for the Future benchmarks.

**RECOMMENDATION**

THAT Council:

1. Endorse Council's Fit for the Future Improvement Proposal for submission to the Independent Pricing and Regulatory Tribunal (IPART).
2. Approve the creation of an internally restricted Infrastructure renewal fund

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**GMR15/014 FIT FOR THE FUTURE - COUNCIL'S IMPROVEMENT PROPOSAL**

**E12.6443**

**BACKGROUND**

**The NSW Government's Fit For The Future Program**

The NSW Government, in recognition of the financial challenges that face the local government sector, has been working with NSW councils since 2011 to address how to plan for a sustainable future. Part of this review was through the Local Government Acts Taskforce and the establishment of an Independent Local Government Review Panel (ILGRP) to review the structure, form and performance of local government in NSW. The panel assessed 152 local government councils in NSW to determine their ability to be financially sustainable now and into the future.

In September 2014, the NSW Government released the Fit for the Future program in response to the findings of the independent review. The program includes benchmarks to help councils assess their financial sustainability and give communities further assurance that their councils' finances are being well managed.

The NSW Government requires councils to show how they are working towards long term financial sustainability. The benchmarks are to be achieved or show improvement over a five year period, with all addressed within a reasonable timeframe.

The NSW Government adopted the Independent Panel's assessment in regard to the scale and capacity of councils in relation to potential mergers or as participants of Joint Organisations. Through this process, Eurobodalla was identified as one of 38 NSW councils that have the scale and capacity to continue as an independent organisation without amalgamation or boundary adjustments. As such, the NSW Government requires Council to complete Fit for the Future Improvement Proposal: (Template 2).

The NSW Government has announced that IPART and an independent advisor (Mr. John Comrie) will act as the Expert Advisory Panel to review local councils' Fit for the Future submissions and make recommendations to the NSW Government. IPART released the final methodology for assessment of Fit for the Future proposals on Friday 5 June 2015. Council's submission is in accordance with the requirements and performance criteria outlined within the final methodology.

**Assessment methodology for Council Fit for the Future proposals**

The adopted methodology addresses the following four criteria:

- **Scale and capacity** – demonstrating strong organisational and regional capacity to mobilise resources to engage effectively across community, industry and government.
- **Sustainability** – generating sufficient funds over the long term to provide the agreed level and scope of services and infrastructure for communities as identified through the Integrated Planning and Reporting (IPR) process.
- **Effective infrastructure and service management** – maximising return on resources and minimising unnecessary burden on the community and business, while working strategically to leverage economies of scale and meet the needs of communities as identified in the IPR process.
- **Efficiency** – efficient service and infrastructure delivery, achieving value for money for current and future ratepayers.

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**GMR15/014 FIT FOR THE FUTURE - COUNCIL'S IMPROVEMENT PROPOSAL**

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**How prepared is Council for Fit for the Future?**

Since 2009, Eurobodalla has been extensively engaging with our community as evidenced in the development of our first Community Strategic Plan. This process enabled our community to provide feedback on the services and infrastructure it expects Council to deliver both now and into the future.

The Community Strategic Plan was reviewed with the community in 2012. Since then we have continued to ask for feedback through the annual exhibition of our plans and budgets, and with regular opportunities for feedback on our strategies, proposals and policies.

Independent statistically reliable community surveys are conducted as part of the Integrated Planning and Reporting process. The most recent results<sup>1</sup> indicate that 82% of residents surveyed are very satisfied to somewhat satisfied with Council's performance and that 89% of residents are very satisfied to somewhat satisfied with the level of service and facilities provided by Council.

Council has recently reviewed its Resourcing Strategy, which includes the Long Term Financial Plan, Workforce Strategy and Asset Management Plans. This has enabled Council to assess its current resources, financial position and asset conditions. As a result, Council made a successful application to Independent Pricing and Regulatory Tribunal (IPART) for a rate variation of 6.5% to the general rate, including rate peg, cumulative for a three year period. Council's application identified that a rate variation is a financially responsible way to fund the increasing costs of infrastructure renewal and maintenance works and to support economic growth and deliver social benefits.

Council has an ongoing organisational service review program to ensure that Council's services are efficient, effective and meet community needs.

Outcomes of the completed reviews and other continuous improvement programs and strategies have informed the development of Council's Delivery Program 2013-17, Operational Plan and Budget 2015-16 and Fit for the Future Improvement Proposal.

Council is also facilitating an internal, independently chaired audit committee and associated audit program to monitor ongoing efficiencies and the implementation of the Long Term Financial Plan. The committee will play a key role in monitoring compliance with the rate variation requirements.

Some key indicators of our current position include:

- 82% of residents are very satisfied or somewhat satisfied with Council's performance. This result is significantly higher than the NSW Regional Benchmark (Micromex 2014).
- 89% of residents are very satisfied to somewhat satisfied with the level of service and facilities provided by Council (Micromex 2014).
- Over 70% of councils in New South Wales have higher employee costs, as a percentage of total expenditure, than Eurobodalla (NSW Government Data).
- Eurobodalla is below the state and Group 4 average for employee costs as a percentage of total expenditure (NSW Government Data).

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<sup>1</sup> Micromex Research, Special Rate Variation, November 2014, pp 7-8

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- The NSW Department of Planning Development performance monitoring showed that Eurobodalla's volume and value of development was higher than the Group 4 average for similar sized councils (NSW Department of Planning).
- Eurobodalla's average development assessment determination time was below the Group 4 and State average, and the number of applications determined per assessment officer was above the Group 4 and State average (NSW Department Planning).

This foundation has supported the preparation of Council's Improvement Proposal.

**CONSIDERATIONS**

**Council's Improvement Proposal**

Council has prepared a detailed Improvement Proposal which outlines its current position and a comprehensive Improvement Action Plan that will assist Council to meet all seven benchmarks within 10 years.

The starting point for all Fit for the Future proposals is the Independent Panel's final report. For Eurobodalla, the panel's recommendation is 'no change', as Council has been assessed as having sufficient scale and capacity to operate as a stand alone council. Bega Valley and Shoalhaven Councils have also not been identified by the NSW Government for merger or boundary change options. In line with the panel's recommendations Council will explore opportunities and work collaboratively with our neighbouring Councils as an active member of the South East Joint Organisation.

Given the panel's recommendation, Council is required to submit a Council Improvement Proposal (Template 2).



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The Improvement Proposal template shows Council's current performance against the seven Fit for the Future benchmarks as outlined below:

Measure	Benchmark	IPART's Assessment Criteria
<b>SUSTAINABILITY</b>		
<b>Operating performance ratio</b> Indicates Council's capacity to meet ongoing operating expenditure requirements.	Greater than or breakeven average over 3 years	Must meet within 5 years
<b>Own Source revenue</b> Councils with higher own source revenue have greater ability to control their own operating performance and financial sustainability.	Greater than 60% average over 3 years	Must meet within 5 years
<b>Building &amp; Infrastructure Asset Renewal ratio</b> Measures whether a council's assets are deteriorating faster than they are being renewed – indicator of whether a council's infrastructure backlog is likely to increase.	Greater than 100 average over 3 years	Meet or improve within 5 years
<b>INFRASTRUCTURE AND SERVICE MANAGEMENT</b>		
<b>Infrastructure backlog</b> Measures how effectively the council is managing its infrastructure. Increasing backlogs may affect the council's ability to provide services and remain sustainable.	Less than 2%	Meet or improve/inform within 5 years
<b>Asset maintenance</b> Measures whether the council is spending enough on maintaining its assets to avoid increasing its infrastructure backlog.	Greater than 100% average over 3 years	Meet or improve/inform within 5 years
<b>Debt service</b> Indicates whether the council is using debt wisely to share the life-long cost of assets and avoid excessive rate increases.	Greater than 0% and less than or equal to 20% average over 3 years	Meet within 5 years
<b>EFFICIENCY</b>		
<b>Real operating expenditure per capita</b> Indicates how well the council is utilising economies of scale and managing service levels to achieve efficiencies.	A decrease in Real Operating Expenditure per capital over time	Must demonstrate operational savings (net of IPR supported service improvements) over 5 years

**GMR15/014 FIT FOR THE FUTURE - COUNCIL'S IMPROVEMENT PROPOSAL**

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**Addressing the Improvement Proposal template**

The following is a high level summation of Council's response to each section. The full Improvement Proposal provides significantly more detail and includes financial modelling and detailed strategies to ensure Council meets all seven benchmarks within 10 years.

**Section 1** - Examines the key aspects of Council's performance against the key indicators for scale and capacity.

**Section 2** - Provides an overview of the characteristics of the Eurobodalla, in relation to geographic spread, principle industries, demographics and historical context and the key challenges in relation to strengths, weaknesses, opportunities and threats, as well as water utility performance.

The template includes the following table, which details Council's starting position as at 2013-14 and where Council was forecast to be in 2016-17 prior to the implementation of Council's Improvement Action Plan. These results are based on performance against the benchmarks.

<b>Sustainability</b>				
<b>Measure (benchmark)</b>	<b>2013-14 Result</b>	<b>Meets benchmark?</b>	<b>2016-17 Forecast</b>	<b>Meets benchmark?</b>
<b>Operating Performance Ratio</b> ( <i>greater than or equal to break-even average over 3 years</i> )	-0.0004	✗	-0.02	✗
<b>Own Source Revenue Ratio</b> ( <i>greater than 60% average over 3 years</i> )	69.49%	✓	69.45%	✓
<b>Building and Infrastructure Asset Renewal Ratio</b> ( <i>greater than 100% average over 3 years</i> )	62.4%	✗	108.50%	✓
<b>Infrastructure and service management</b>				
<b>Measure (benchmark)</b>	<b>2013-14 Result</b>	<b>Meets benchmark?</b>	<b>2016-17 Forecast</b>	<b>Meets benchmark?</b>
<b>Infrastructure Backlog Ratio</b> ( <i>less than 2%</i> )	14.62%	✗	13.15%	✗
<b>Asset Maintenance Ratio</b> ( <i>greater than 100% average over 3 years</i> )	68.58%	✗	100.00%	✓
<b>Debt Service Ratio</b> ( <i>greater than 0% and less than or equal to 20% average over 3 years</i> )	8.21%	✓	8.36%	✓
<b>Efficiency</b>				
<b>Measure (benchmark)</b>	<b>2013-14 Result</b>	<b>Meets benchmark?</b>	<b>2016-17 Forecast</b>	<b>Meets benchmark?</b>
<b>Real Operating Expenditure per Capita</b> ( <i>decrease over time</i> )	1.41 Decreasing	✓	1.38 Decreasing	✓

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**Section 3** outlines how Council will improve performance against the seven benchmarks as shown below:

**Operating Performance Ratio**

Council will meet the operating ratio by 2019-20 without the need to employ further strategies.

**Own Source Revenue Ratio**

Council currently meets the Own Source Revenue Ratio. Council's Long Term Financial Plan forecasts show that we will continue to meet this ratio in future years without the need to employ further strategies.

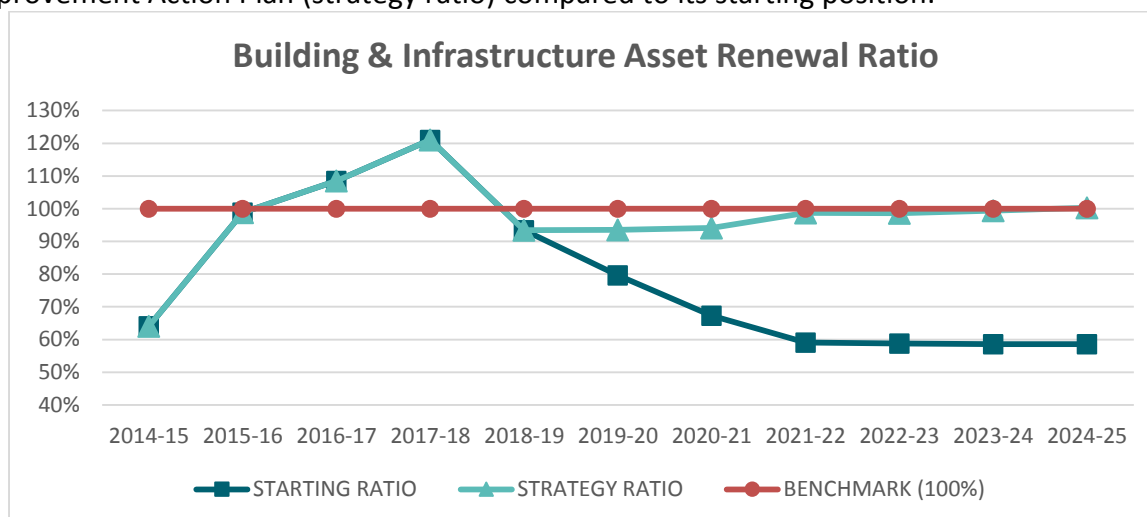
**Building and Infrastructure Asset Renewal Ratio**

Council does not meet the ratio in 2019-20, however it does show progressive improvement and meets the assessment criteria which is to meet or improve within five years.

Council's program of community and transport infrastructure works to be delivered as a result of the rate variation and an increased focus on renewals will contribute significantly to improving performance against this ratio in the next three years.

An increased focus and spend on renewals from 2019-20 as a result of key strategies will see Council meet the ratio in full within 10 years and continue to do so on an ongoing basis, ensuring long term infrastructure sustainability balanced with community benefit.

The graph below highlights Council's forecast over the next 10 years after implementation of its Improvement Action Plan (strategy ratio) compared to its starting position:



**Infrastructure Backlog Ratio**

Council does not meet the Infrastructure Backlog Ratio in 2019-20, however it does show progressive improvement and meets IPART's assessment criteria of meet or improve/inform within five years.

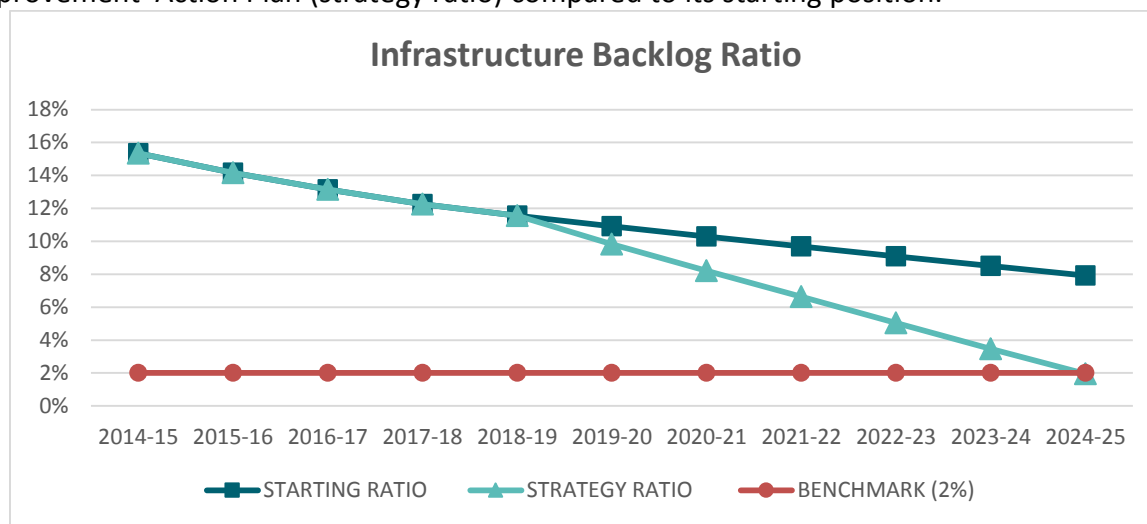
Council's program of community and transport infrastructure works to be delivered as a result of the rate variation and an ongoing focus on renewal will contribute to a steady improvement in performance against this ratio in the next five years.

**GMR15/014 FIT FOR THE FUTURE - COUNCIL'S IMPROVEMENT PROPOSAL**

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It is expected that ongoing revaluation of asset classes and depreciation models will contribute to improvement in performance as data becomes more reliable. An increased focus and spend on renewals from 2019-20 as a result of key strategies will see Council meet the ratio in full within 10 years and continue to do so on an ongoing basis, ensuring a real reduction in the Infrastructure Backlog over time.

The graph below shows Council's forecast over the next 10 years after implementation of its Improvement Action Plan (strategy ratio) compared to its starting position:



**Asset Maintenance Ratio**

Council currently meets the Asset Maintenance Ratio. Continued implementation of Council's Asset Management Plans and funding of routine maintenance operations will ensure that we continue to meet this ratio in future years.

**Debt Service Ratio**

Council currently meets the Debt Service Ratio and while there is a significant increase in borrowings to fund the program of community and transport infrastructure under the rate variation and expected 40% debt financing of increased renewal program to achieve benchmarks. We will continue to meet this ratio in future years.

**Efficiency ratio**

Council currently meets the Fit for the Future efficiency benchmark and is forecast to continue to meet this ratio in future years.

**Section 3** also outlines Council's Improvement Action Plan, which aims to maximise community benefit through phased implementation.

The scope of Council's Improvement Action Plan is to:

- ensure community benefit
- ensure community and key stakeholder involvement
- maintain scale and capacity
- drive social and economic growth
- address the Building and Infrastructure Asset Renewal and Infrastructure Backlog Ratios
- maintain and improve performance against all other Fit for the Future ratios.

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Council's Improvement Action Plan spans 2015-16 and 2016-17. Key strategies planned to be undertaken during this period include the development of the Integrated Economic Growth and Development Strategy, the establishment of an agreed range of services and service delivery levels with our community and a review of our Integrated Planning and Reporting framework, Information Technology Strategy, Recreation and Open Space Strategy, Pathways Strategy, Organisational Financial Strategy and Asset Management plans. These actions will significantly influence the direction of our Fit for the Future road map.

**How was the Action Plan developed?**

A collaborative working group was established led by Council's General Manager, and involved the Executive Leadership Team and key staff. The working group reviewed existing strategies, consultation outcomes and data that would inform the development of Council's Improvement Action Plan including:

- 2013-14 performance against the Fit for the Future benchmarks
- 2016-17 forecast performance against the Fit for the Future benchmarks
- actions underway during the current 2014-15 year and planned for the 2015-16 year that would impact forecasts
- extensive community consultation outcomes from the last five years of Council's Integrated Planning and Reporting process and key infrastructure strategy development.

**Timeframe to meet**

The principle Fit for the Future benchmarks that Council's Improvement Action Plan addresses are the Building and Infrastructure Asset Renewal and Infrastructure Backlog Ratios.

Council plans to improve these two ratios by year five and meet by year 10, and make incremental savings and improvements in the Operating Performance Ratio to ensure measured progress. This aligns with Council's Integrated Planning and Reporting framework and Long Term Financial Plan and ensures that the community benefits are balanced and maintained into the future.

Council's timeframe to improve the Building and Infrastructure Asset Renewal and Infrastructure Backlog Ratios meets IPART's assessment criteria as outlined in the final methodology. In determining a 'reasonable' timeframe to meet the Building and Infrastructure Asset Renewal and Infrastructure Backlog Ratios in full, Council considered financial sustainability, infrastructure asset planning and most importantly, how the timing of implementation would impact our community.

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**Section 4** - outlines how Council will meet all seven assessment criteria by 2019-20, as measured against the assessment criteria defined in the final methodology and detailed in the table below.

Measure Assessment Criteria	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	Meets Criteria?
<b>Operating Performance Ratio*</b> Must meet within 5 years	-0.02	-0.02	-0.02	0.01	0.02	0.02	✓ Meet
<b>Own Source Revenue Ratio*</b> Meet or improve within 5 years	69.25%	69.72%	69.51%	70.87%	72.90%	74.99%	✓ Meet
<b>Building and Infrastructure Asset Renewal Ratio*</b> Meet or improve within 5 years	64.11%	98.77%	108.50%	121.03%	93.44%	93.55%	✓ Improving
<b>Infrastructure Backlog Ratio</b> Meet or improve/inform within 5 years	15.34%	14.16%	13.15%	12.26%	11.55%	9.82%	✓ Improving
<b>Asset Maintenance Ratio*</b> Meet or improve/inform within 5 years	83.87%	85.84%	100.00%	100.00%	100.00%	100.00%	✓ Meet
<b>Debt Service Ratio*</b> Meet within 5 years	6.93%	7.49%	8.14%	8.93%	9.65%	10.15%	✓ Meet
<b>Real Operating Expenditure per capita</b> Must demonstrate operational savings (net of IPR supported service improvements) over 5 years	1.48	1.37	1.37	1.36	1.36	1.36	✓ Meet

\* Ratios calculated on an average over three years.

Council has developed realistic, achievable and quantifiable actions to achieve all benchmarks within a 10 year timeframe and achieve the core objectives of:

- Consistent improved performance against the Building and Infrastructure Asset Renewal and Infrastructure Backlog Ratios to meet the benchmark within 10 years
- Improved Operating Performance Ratio to achieve modest surpluses each year so that funds can be directed to infrastructure renewal works
- Sustained performance against the remaining four Fit for the Future Benchmarks
- Ongoing consideration of community benefit.

The specific actions that support these objectives and ensure we remain Fit for the Future in the long term are:

- Achieve and maintain an additional operating expenditure reduction of \$285,000 (0.8%) from 2015-16 onwards
- Increase in modelled rates growth to 0.5%. This is a slight increase on current conservative modelling of 0.2%, from 2016-17 onwards
- Ongoing energy efficiency savings of \$130,000 per year from 2018-19 onwards
- Achieve and maintain increase in user fees and charges of \$81,000 (0.8%) from 2016-17 onwards

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**E12.6443**

- Increase in waste fees and charges to ensure full cost recovery and return approximately \$0.9million in additional income each year from 2019-20
- Adjustment to Waste capital program funding by reducing loan funding from 100% to 50% for major capital projects. This will save \$620,000 in borrowing costs over the next five years
- Additional spend on targeted infrastructure renewal program commencing 2019-20 as outlined in the table below, funded through the Infrastructure Renewal Fund (60%) and additional loan funding (40%).

Year	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Additional Renewal Spend	\$6 million	\$5.7 million	\$5.8 million	\$6.25 million	\$6.25 million	\$6.25 million

The strategies and actions outlined in Sections 3 of Council's Improvement Proposal will build on this solid foundation and strengthen Council's position.

Following the implementation of Council's Improvement Action Plan all seven Fit for the Future benchmarks will be achieved within 10 years. The table below compares Council's 2013-14 starting position as per the OLG Self Assessment tool and Council's 2024-25 forecast position where it meets all seven benchmarks as a result of the implementation of the Improvement Action Plan.

Sustainability				
Measure (benchmark)	2013-14 Result	Meets benchmark?	2024-25 Forecast	Meets benchmark?
<b>Operating Performance Ratio</b> ( <i>greater than or equal to break-even average over 3 years</i> )	-0.0004	✗	0.02	✓
<b>Own Source Revenue Ratio</b> ( <i>greater than 60% average over 3 years</i> )	69.49%	✓	76.59%	✓
<b>Building and Infrastructure Asset Renewal Ratio</b> ( <i>greater than 100% average over 3 years</i> )	62.4%	✗	100.25%	✓
Infrastructure and service management				
Measure (benchmark)	2013-14 Result	Meets benchmark?	2024-25 Forecast	Meets benchmark?
<b>Infrastructure Backlog Ratio</b> ( <i>less than 2%</i> )	14.62%	✗	1.94%	✓
<b>Asset Maintenance Ratio</b> ( <i>greater than 100% average over 3 years</i> )	68.58%	✗	100.00%	✓
<b>Debt Service Ratio</b> ( <i>greater than 0% and less than or equal to 20% average over 3 years</i> )	8.21%	✓	9.81%	✓
Efficiency				
Measure (benchmark)	2013-14 Result	Meets benchmark?	2024-25 Forecast	Meets benchmark?
<b>Real Operating Expenditure per Capita</b> ( <i>decrease over time</i> )	1.41 Decreasing	✓	1.33 Decreasing	✓

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**Section 5 outlines how Council's plan will be implemented**

This section details overall responsibility for the implementation of Council's Improvement Action Plan.

Council's Improvement Action Plan items will be reported in Council's six monthly progress reports and Annual Report as part of the legislated Integrated Planning and Reporting process.

**Legal**

Eurobodalla Shire Council is required to submit a Fit for the Future proposal to the NSW Government by 30 June 2015.

**Community Engagement**

The Community Strategic Plan commenced in 2010 and was reviewed with the community in 2012. Since then, we have continued to seek feedback through the annual exhibition of our plans and budgets, and with regular opportunities for feedback on our strategies, proposals and policies as outlined in the table below. As part of the Integrated Planning and Reporting process, Council has undertaken independent statistically reliable community surveys. The most recent results<sup>2</sup> indicate that 82% of residents surveyed are very satisfied to somewhat satisfied with Council's performance and that 89% of residents are very satisfied to somewhat satisfied with the level of service and facilities provided by Council.

Council has embraced the opportunities offered by Integrated Planning and Reporting to genuinely engage the community in a vision for the future, foster greater awareness of Council's services, ensure alignment of service planning and delivery with community needs and expectations, highlight the financial and asset challenges facing the organisation and finally, develop a solution to meet community expectations and move towards financial sustainability in the future.

The information gained from these consultations has and will continue to inform our actions towards becoming financially sustainable.

Timing	Community engagement method	Reach
September 2010	State of the Shire report public exhibition	Shire wide
October 2010 to November 2011	Community strategic plan engagement	Total: over 3,000 residents and ratepayers
	Community visioning survey	517 participants
	Focus groups	98 participants
	Community summit	99 participants
	Community survey	1,401 responses
November 2011 to January 2012	Resourcing Options Paper and Delivery Program Information Paper	
	Long Term Resource Planning Community	733 participants

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<sup>2</sup> Micromex Research, Special Rate Variation, November 2014, pp 7-8



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Timing	Community engagement method	Reach
	Survey	
	Focus Groups	17 participants
March 2012	Council Performance and Planning for the Future focus groups	3 focus groups with 33 participants
May 2012 to June 2012	Delivery Program 2012-16 and Operational Plan 2012-13 public exhibition	Shire wide
July 2012	Community satisfaction and service delivery survey	400 participants
September 2012	Community satisfaction and service delivery focus groups	4 focus groups with 25 participants
February 2013 to April 2013	Community Strategic Plan Review and Levels of Service discussion paper public exhibition	Shire wide
	Community satisfaction survey	400 participants
	Resourcing Strategy Levels of Service focus groups	4 focus groups with 28 participants
May 2013 to June 2013	Delivery Program 2013-17 and Operational Plan 2013-14 public exhibition	Shire wide
May 2014 to June 2014	Delivery Program 2013-17 and Operational Plan 2014-15 public exhibition	Shire wide
September 2014 to November 2014: Funding our Future phase 1, inform and involve	Mail out	21,700 rate payers
	Community survey	602 participants
	Public information sessions	<100 participants
	Telephone hotline	<70 contacts
	Dedicated website	1,180 visits
December 2014 to January 2015: Funding out Future phase 2, inform and consult	Revised Delivery Program 2013-17 including Special Rate Variation public exhibition	Shire wide
	Mail out	21,700 ratepayers
	Telephone hotline	<30 contacts

Council used the detailed consultation processes outlined above to form the basis for our Fit for the Future Improvement Proposal.

Following the release of the Fit for the Future package, Council developed a dedicated web page which was progressively updated to keep our community informed about the program.

The community was invited to attend three information sessions, in Batemans Bay, Moruya and Narooma, about Council's revised Delivery Program 2013-17 and Draft Operational Plan and Budget 2015-16, at which Council's framework for the Fit for the Future Improvement Proposal was discussed.

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However, in regard to Council's proposal it should be noted that a clear direction from IPART was, *"....a Council Improvement Proposal, where the Independent Local Government Review Panel recommended that a council already had sufficient scale and capacity, would require more limited consultation, if any. Generally, the nature and extent of the consultation should be commensurate with the significance of the changes involved in the proposal and the possible impacts on the community We also considered the resources of the council in assessing consultation<sup>3</sup>.*

Our pathway to become Fit for the Future in the next ten years will continue to involve further conversations with our community as we work together to refine and implement our Council Improvement Action Plan to continue to build a financially sustainable future for Eurobodalla.

The four yearly review of the Community Strategic Plan which is due to commence later in 2015 will be the start of this next phase of community conversations. Other strategies that will also include significant community engagement include the review of the Recreation and Open Space Strategy and the Integrated Growth and Development Strategy.

At its meeting on 16 June 2015, Council's Independent Audit Committee resolved to support Council's Improvement Proposal and were satisfied that due process has been followed.

Council's submission must be lodged with IPART by 30 June 2015. Members of the community are invited to lodge a submission with IPART ([www.ipart.nsw.gov.au](http://www.ipart.nsw.gov.au)) from 1 July 2015 to 31 July 2015 on their council's proposal.

## **CONCLUSION**

In September 2014, the NSW Government released its Fit for the Future program, requiring all NSW councils to review current and future operations against seven financial sustainability benchmarks.

Council has continued to strengthen its financial position since the Independent Review was undertaken, welcoming the Fit for the Future process as an opportunity to set a clear action plan for the future.

Council's 2016-17 forecast reflects our continued efforts to strengthen our financial position and shows we will meet five of the seven benchmarks required to be Fit for the Future prior to implementing an Improvement Action Plan. Council will meet all seven IPART's assessment criteria at year five, and will meet all seven benchmarks in full through phased improvement within 10 years.

Council will focus on improving the Building and Infrastructure Asset Renewal and Infrastructure Backlog Ratios, as well as maintaining performance against the other five ratios. To support this, Council will increase spending on infrastructure renewals, with funds restricted for this purpose and used as required.

Council's Improvement Action Plan includes strategies and actions that are realistic, achievable and quantifiable, with actions incorporated into Council's Operational Plan 2015-16. A key strategy is the development and implementation of an Integrated Growth and Development

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<sup>3</sup> IPART Methodology for Assessment of Council Fit for the Future Proposal, June 2015, pp. 51

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Strategy. The strategy will increase the regional focus on economic and population growth and development, with an emphasis on supporting business and tourism.

Council's Improvement Proposal builds on the work undertaken in recent years to improve our position. The Proposal considers service and infrastructure provision, financial sustainability and community benefit, with the resulting strategies and actions enabling a balanced response that ensures Council is Fit for the Future.

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**PSR15/019 PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN  
AMENDMENTS FOR LAND AT BROULEE**

**E15.9218.R**

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: 1. Draft Planning Proposal - Broulee

Focus Area: Sustainable Communities

Delivery Program Link: S7.2 Maintain, update and communicate planning information and issues

Operational Plan Link: S7.2.3 Monitor, report and communicate and implement changes relating to land use planning

**EXECUTIVE SUMMARY**

Land zoned for residential development at Broulee has remained undeveloped for decades. In 2005, vegetation on the land was declared an Endangered Ecological Community by the NSW Government's Scientific Committee. In order to facilitate development in certain areas with environmental sensitivities, the NSW Government incorporated a voluntary Biodiversity Certification (biocertification) process in the Threatened Species Conservation Act 1995.

Council and the affected land owners at Broulee agreed to undertake a biocertification process in order to provide for clearing and development of the zoned land, to be offset by the protection and management of conservation areas in the locality that contain the same type of endangered vegetation community (Bangalay Sand Forest).

Biocertification of the subject land was conferred by the Minister for the Environment on 19 September 2014. A condition of biocertification was the rezoning of a strip of land along George Bass Drive and Broulee Road from the R2 Low Density Residential zone to the E2 Environmental Conservation zone.

Since biocertification was conferred, Council has been working closely with the land owners to develop a draft concept master plan for development of the land. This has led to a number of other proposed amendments to the Eurobodalla Local Environmental Plan 2012 (LEP) and corresponding amendments to the Residential Zones Development Control Plan (DCP). The additional amendments to the LEP include the rezoning of additional land from the R2 Low Density Residential zone to the R3 Medium Density Residential zone and decreasing the minimum lot size for the land from 550m<sup>2</sup> to 450m<sup>2</sup>. Changes to the DCP include limiting the number of lots below 550m<sup>2</sup> to 50% of total lots and development of a perimeter road, shared pathway, parking area or the like along the E2 Environmental Conservation zone.

The purpose of the amendments are to:

- comply with the Biocertification Agreement
- ensure development has minimal impacts on areas required to be protected
- increase housing diversity in Broulee
- promote economic growth and
- facilitate the orderly and economic development of the land.

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**PSR15/019 PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN  
AMENDMENTS FOR LAND AT BROULEE**

**E15.9218.R**

To progress a Local Environmental Plan amendment, Council must consider and resolve to prepare a Planning Proposal that is submitted to the Department of Planning and Environment for a Gateway Determination. An amendment may only proceed (or not) according to the Gateway Determination given.

The purpose of this report is to advise Council of the amendments proposed to the Eurobodalla Local Environmental Plan 2012 as outlined in the Planning Proposal attached to this report and to seek a resolution to endorse the Planning Proposal and forward it to the Department of Planning and Environment for a Gateway Determination. Consequent amendments to the Residential Zones Development Control Plan, if endorsed by Council, would be publicly exhibited concurrently with the planning proposal.

**RECOMMENDATION**

THAT Council

1. Endorse the attached Planning Proposal to amend Eurobodalla Local Environmental Plan 2012 pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 to rezone land at Broulee from the R2 Low Density Residential zone to the E2 Environmental Conservation zone and the R3 Medium Density Residential zone and to amend the Lot Size Map and Height of Buildings Map accordingly.
2. Endorse the amendments to the Residential Zones Development Control Plan contained in the attachment to the Planning Proposal.
3. Forward the Planning Proposal to the Minister for Planning for a Gateway Determination pursuant to Section 56 of the Environmental Planning and Assessment Act 1979.
4. Following the receipt of a Gateway Determination, consult with the community and relevant government agencies as required by the Gateway Determination.
5. Consult with the community on the proposed DCP amendments concurrently with the consultation of the Planning Proposal.
6. Receive a report back on the Planning Proposal if a written objection is received during consultation with the community as per the requirements of Section 57 of the Environmental Planning and Assessment Act 1979.

**BACKGROUND**

Land at Broulee between existing residential areas and George Bass Drive has been zoned for residential development for over 30 years. The zoning history of the subject land is as follows:

- Zoned 1(b) Non-Urban "Future Urban in Principle" under Interim Development Order (IDO) 3 in 1976
- Rezoned 2(b) Residential Low Medium Density under IDO 3 in 1984 (LEP 44)
- Rezoned to 2(g) Residential General and 2(t) Residential Tourism in 1999 (Urban LEP 1999)

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**PSR15/019 PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN  
AMENDMENTS FOR LAND AT BROULEE**

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Despite the long-term nature of the urban zoning of the land, development has been unable to be progressed (until recently) due to the listing of the Bangalay Sand Forest as an Endangered Ecological Community under the NSW Governments Threatened Species Conservation Act 1995.

To address development pressures in areas like Broulee, the NSW Government introduced Biodiversity Certification as a mechanism under the Threatened Species Conservation Act to consider the environmental issues at a strategic level. Council and the affected land owners agreed to undertake a Biocertification Strategy in 2010, with funding from the Office of Environment and Heritage and the Department of Planning and Environment.

A Broulee Biocertification Agreement was conferred upon the land by the Minister for the Environment on 19 September 2014. The Biocertification Agreement specifically requires Council to rezone a strip of land along George Bass Drive and Broulee Road to the E2 Environmental Conservation zone in order to ensure retention of a biocorridor for threatened fauna, including the Yellow-bellied Glider.

Since the Biocertification Agreement was conferred, Council has been working closely with the land owners in the certified development area to develop a concept master plan, amendments to the Residential Zones DCP and a planning proposal to amend ELEP 2012, all aimed at facilitating positive development outcomes for the land owners, the environment and the broader community.

**CONSIDERATIONS**

To facilitate best practice development and positive outcomes for the Broulee community and the local economy, including long-term management of the biocorridor and greater housing diversity, amendments are proposed to ELEP 2012 and to the Residential Zones DCP, including:

LEP Amendments

- rezoning the biocorridor along George Bass Drive and Broulee Road to the E2 Environmental Conservation zone in accordance with the Biocertification Agreement.
- rezoning additional land to the R3 Medium Density Residential zone in close proximity to the land zoned B2 Local Centre and along the biocorridor.
- reducing the minimum lot size for all of the residential land from 550m<sup>2</sup> to 450m<sup>2</sup>
- deleting the minimum lot size control for the biocorridor land and
- ensuring all residential land has an 8.5m maximum building height control.

DCP Amendments

- provisions to ensure separation of new development from vegetation in the biocorridor
- requiring development in the R3 zone to facilitate conservation outcomes in the biocorridor
- minimise new lot boundaries and fences within the biocorridor
- requiring a maximum 50% of lots to be less than 550m<sup>2</sup>

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**PSR15/019 PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN  
AMENDMENTS FOR LAND AT BROULEE**

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- requiring a maximum 50% of medium density dwellings to be in the form of residential flat buildings
- encouraging retention of habitat trees in development area where possible
- requiring development to be consistent with a comprehensive master plan for water, sewer and stormwater.

Together, the above amendments provide for development that complies with the Biocertification Agreement, minimises impacts on retained conservation values and facilitates increased housing diversity in a manner that will be generally consistent with the direction for Broulee outlined in the Eurobodalla Settlement Strategy (as a coastal village).

The development will facilitate around 500 new dwellings of various forms (Broulee currently contains 1,200 dwellings) and will increase the population of Broulee from 2,300 to 3,700.

The proposed medium density development, along the E2 Environmental Conservation zone, provides for a form of development that will facilitate ongoing management of the conservation corridor. One way to achieve this, is through the use of community title subdivision, though there are other ways. In the community title approach, the conservation corridor is held in common ownership and management of the land is the joint responsibility of all owners in the community title development. Management requirements are set out in an adopted community management plan and funded through body corporate fees, in the same way as landscaped areas, driveways and car parking areas are jointly managed and funded. It is likely that the management requirements for the conservation corridor will include weed management, pest animal management and bushfire management. The likely cost to future owners/managers of the conservation are unknown at this stage as it depends on the type of ownership/management proposed, the area of land to be managed, the current condition of the vegetation and the proposed management techniques.

**Legal**

An element of the Planning Proposal satisfies a condition of the Biocertification Agreement conferred upon the land by the Minister for the Environment. The Planning Proposal process will comply with the requirements of the Environmental Planning and Assessment Act 1979.

**Policy**

The Planning Proposal has been prepared in accordance with the Department of Planning and Environment's guidelines for preparing planning proposals and Local Environmental Plan amendments.

The Planning Proposal outlines how the proposed amendments are consistent with the South Coast Regional Strategy, the South Coast Regional Conservation Plan, the Eurobodalla Community Strategic Plan and the Eurobodalla Settlement Strategy. In particular, the Proposal is consistent with the policy framework by:

- protecting an identified habitat corridor
- providing a mix of housing opportunities
- supporting economic activity and growth

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**PSR15/019 PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN  
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- facilitating development within an existing settlement and
- retaining the character of Broulee as a coastal village.

**Environmental**

The significant environmental issues with the land have now been resolved through the conferring of a biocertification agreement upon the land. The Planning Proposal is consistent with the biocertification agreement and the proposed amendments to the DCP support ongoing management of the conservation corridor required to be retained.

The proposal reduces bushfire risk to existing residential development in Broulee and includes measures to also reduce bushfire risk to new development. Prior to development of the land, an assessment of the potential impact on Aboriginal heritage will need to be undertaken. In addition, a comprehensive stormwater master plan will need to be prepared to address potential stormwater issues such as ponding and runoff in heavy rainfall events.

**Asset**

Future development of the land will impact on various Council assets including road, water and sewer infrastructure, open space areas, and community and recreation facilities. An increased density of development in existing urban areas supports the provision and maintenance of infrastructure.

As is the usual case with this kind of development, contributions will be required towards the cost of upgrading infrastructure to meet the demand generated by the development.

**Social Impact**

Increasing housing choice in Broulee will potentially result in more affordable housing options and therefore greater social diversity. Communities with a mix of residents in terms of age, family type and income, are generally considered to be more tolerant and inclusive communities.

**Economic Development Employment Potential**

Facilitating development of the land will provide a boost to the local economy, particularly in the construction industry. Further, increasing the density of housing, particularly in close proximity to the B2 Local Centre zone, will increase the viability of commercial activities on that land and support the provision of other services.

**Financial**

Additional development of land in Broulee will increase the rate base to support ongoing funding of community services and infrastructure maintenance.

**Community Engagement**

The concept master plan addresses issues raised by the Broulee community in submissions made during consultations associated with the biocertification strategy. Some submissions acknowledged that the subject land had been zoned for development for many years and should be able to be developed.



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Positive benefits of development of the land identified in these submissions included:

- increased population supports growth in services (such as schools, medical facilities, small businesses, etc) in the local area
- more development assists in provision of affordable housing in the local area
- more development provides employment opportunities, particularly in the construction industry
- development of the land minimises the bushfire risk to existing dwellings in Broulee (through the removal of vegetation in the development area).

Other submissions raised concerns about the possible transformation of the Broulee village that might result from development of the land. Such changes may include:

- urbanisation of the village
- increase in population, traffic and noise
- impact on existing facilities (from over-use)
- loss of bushland and bush tracks
- loss of wind and noise buffer (from George Bass Drive).

The proposed amendments address the issues raised in previous consultations by providing a balance between facilitating additional development that can support conservation measures, minimising overdevelopment and increasing housing choice in the Broulee area.

Further engagement with the community will be undertaken on the Planning Proposal following the receipt of a Gateway Determination, including:

- placing a notice in the local newspaper
- providing exhibition material at Council's libraries and at the Administration Centre
- providing exhibition material on Council's website and
- informing adjoining land owners in writing.

The Gateway Determination will confirm the consultation requirements and any written referrals to government agencies.

## **CONCLUSION**

Council is required to prepare a planning proposal to amend the Eurobodalla LEP 2012 to rezone a corridor along George Bass Drive and Broulee Road to the E2 Environmental Conservation zone. This is a condition of the Biocertification Agreement conferred upon the land.

Council has also been working with the land owners in the certified development area on a concept master plan for the land which has led to a number of other proposed LEP amendments along with proposed amendments to the Residential Zones DCP.

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**PSR15/019 PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN  
AMENDMENTS FOR LAND AT BROULEE**

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All of the amendments have been packaged into one Planning Proposal and associated DCP amendments for Council's consideration prior to seeking a Gateway Determination and subsequent community consultation.

The Planning Proposal provides for a level of development that will support economic growth and employment, particularly for local businesses and services, with potential social benefits from a mix of housing types, and protects the local environment in accordance with the requirements of the Biocertification Agreement conferred upon the land.

# Planning Proposal

Amendment to ELEM 2012 Land Zoning Map, Height of Buildings Map and Lot Size Map for land at  
Broulee

**ELEM 2012 Amendment No. 11**

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## INTRODUCTION

The planning proposal explains the intended effect of, and justification for the proposed amendment to *Eurobodalla Local Environmental Plan (ELEP 2012)* to rezone land at Broulee and to make consequent amendments to the height of buildings and minimum lot size standards for the land.

The subject land is generally bounded by George Bass Drive, Train and Broulee Streets and existing residential development at Broulee and consists of the following lots:

- Lot 1 DP 825610, George Bass Drive, Broulee
- Lot 9 DP 1068530, Adams Way, Broulee
- Lot 3 DP 633700, Broulee Road, Broulee
- Lot 20 DP 1174639, Train Street, Broulee
- Lot 13 DP 1136019, Heath Street, Broulee
- Lot 63 DP 1202934, Heath Street, Broulee
- Lot 50 DP 837279, Broulee Road, Broulee
- Lot 89 DP 1093710, 75 Clarke Street, Broulee

The land is depicted in **Part 4 – Figures 1 and 2**.

The subject land is currently undeveloped and is subject to a Biocertification Agreement pursuant to the Threatened Species Conservation Act 1995.

The proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and the relevant Department of Planning and Environment Guidelines, including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

Council is seeking to progress this planning proposal through the gateway determination process as an amendment to *ELEP 2012*.

The proposal is supported by draft amendments to Eurobodalla's Residential Zones Development Control Plan, including a concept master plan for development of the subject land.

## PART 1: OBJECTIVES or INTENDED OUTCOMES

The objective of this planning proposal is to enable the development of the land for residential purposes and to protect an identified conservation area in accordance with the Biocertification Agreement for the land.

## PART 2: EXPLANATION of PROVISIONS

The objective of the Planning Proposal will be achieved by a site specific amendment of the Eurobodalla LEP 2012:

- to rezone part of the land from the R2 Low Density Residential zone to the E2 Environmental Conservation zone through an amendment to the EEP 2012 Land Zoning Map Sheets LZN\_011B and LZN\_012A;
- to rezone part of the land from the R2 Low Density Residential zone to the R3 Medium Density Residential zone through an amendment to the EEP 2012 Land Zoning Map Sheets LZN\_011B and LZN\_012A;
- to remove the maximum building height standard for that part of the land proposed to be zoned E2 Environmental Conservation through an amendment to the EEP 2012 Height of Buildings Map Sheets LZN\_011B and LZN\_012A;
- to remove the minimum lot size standard for that part of the land proposed to be zoned E2 Environmental Conservation through an amendment to the EEP 2012 Lot Size Map Sheets LZN\_011B and LZN\_012A; and
- to change the minimum lot size standard for that part of the land zoned R2 Low Density Residential and R3 Medium Density Residential from 550m<sup>2</sup> to 450m<sup>2</sup> through an amendment to the EEP 2012 Lot Size Map Sheets LZN\_011B and LZN\_012A.

The map amendments are described in **Part 4 – Figures 3 to 5**.

## PART 3: JUSTIFICATION for PROPOSAL

In accordance with the department of Planning's *'Guide to Preparing Planning Proposals'*, this section provides a response to the following issues:

- Section A- Need for the planning proposal
- Section B- Relationship to strategic planning framework
- Section C- Environmental, social and economic impact; and
- Section D- State and Commonwealth interests

### Section A- NEED for the PLANNING PROPOSAL

#### **1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is, in part, the direct result of the Broulee Biocertification Agreement conferred upon the land by the Minister for the Environment on 19 September 2014. This relates to the rezoning of the strip of land along George Bass Drive and Broulee Road to the E2 Environmental Conservation zone.

The rezoning of a portion of the land to the R3 Medium Density Residential zone, and the reduction of the minimum lot size for all of the residential land from 550m<sup>2</sup> to 450m<sup>2</sup>, are not the direct result of a strategic study or report, however they do reflect a need across the Eurobodalla Shire to increase housing diversity and density, particularly for medium density and other smaller housing options. The Eurobodalla Residential and Rural Residential Land Supply Report 2013/14 shows that 81% of all dwellings in the Shire are detached dwellings. In Broulee, 78% of all dwellings (excluding the Banksia Retirement Village) are detached dwellings. The South Coast Regional Strategy requires Councils to *“plan for a range of housing types of appropriate densities, location and suitability, capable of adapting and responding to the ageing population”*.

The majority of the proposed R3 Medium Density Residential zone is in close proximity to land zoned B2 Local Centre, schools and open space, and is therefore well located for higher density housing. Approximately one-third of the proposed medium density zone is within 400m of the commercial zone, which is commonly considered a walkable distance. Two-thirds of the proposed medium density zone is within 800m of the commercial zone, which is commonly considered a good distance to encourage cycling. The remaining third of the proposed medium density zone extends up to 1.2km from the B2 Local Centre zone. It is noted that the subject land is flat which facilitates walking and cycling for longer distances than normally expected.

Notwithstanding the distance from local services for some of the proposed medium density zone, the proposed rezoning is considered appropriate as it serves the purpose of achieving a housing form that supports the conservation of the proposed E2 zoned land. The land owners have indicated that they are considering a community title approach to development of this land where the E2 land is held as common property and managed by the community association. A strata title approach could also be used.

This planning proposal is accompanied by proposed amendments to the Residential Zones Development Control Plan to guide the development of the land. The proposed amendments include provisions requiring development adjoining the proposed E2 Environmental Conservation zone to facilitate the ongoing management and conservation of the E2 land, and to provide a mix of lot sizes and housing forms. The proposed DCP amendments have been developed by Council in consultation with the land owners and will be exhibited concurrently with this planning proposal. The proposed DCP amendments are provided in Attachment 1 to this planning proposal.

**2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The proposed rezoning of the identified conservation area to the E2 Environmental Conservation zone is a requirement of the Broulee Biocertification Agreement for the land. The changes to the height of buildings and lot size standards are consequential to this rezoning and ensure consistency with the standards that apply to other land zoned E2 in the Shire.

The proposed rezoning of part of the land to the R3 Medium Density Residential zone and the reduction of the minimum lot size for all of the residential land to 450m<sup>2</sup> both facilitate a greater mix of housing opportunities in the development area.

An alternative to the proposed rezoning of part of the land to the R3 zone would be to add additional residential development type uses to the current R2 zone (either for all R2 zoned land or as additional permitted uses on the subject land), however this would be inconsistent with the current approach to residential zones and land uses across the Shire (being the identification of separate low and medium density residential areas) and is therefore not considered appropriate.

**3. *Is there net community benefit?***

The proposed rezoning of the identified conservation corridor to the E2 Environmental Conservation zone ensures that a wildlife corridor is retained through the subject land and assists in offsetting the loss of endangered native vegetation within the development area in accordance with the Broulee Biocertification Agreement. Rezoning land adjoining the conservation corridor to the R3 Medium Density Residential zone facilitates a development form that supports conservation of the proposed E2 zoned land.

As noted above, the proposed rezoning of part of the land to the R3 Medium Density Residential zone and the reduction of the minimum lot size for the residential land to 450m<sup>2</sup> facilitates a greater mix of housing opportunities in the development area. That part of the R3 Medium Density Residential zone near the B2 Local Centre zone will help to improve the viability of the centre by increasing population in close proximity.

While the proposed increase in R3 zoned land and decrease in minimum lot size result in an increased development yield for the subject land, the extent of that increase is proposed to be limited through new provisions in the Residential Zones Development Control Plan. The provisions, included in Attachment 1, limit the number of smaller lots to 50% of the total number of new lots and the number of dwellings in a residential flat building to 50% of the total number of dwellings in the



R3 zoned area. These provisions encourage a greater mix of housing types in the development area.

The total development yield for the subject area is estimated to be 500 dwellings. Within the current urban area of Broulee there are 1041 dwellings plus 120 units in the Banksia Retirement Village (there are also 58 currently vacant residential lots in Broulee). Therefore, full development of Broulee, including the subject land, would see the total number of dwelling increase by 40% to approximately 1700. In terms of population, using the average household size of 2.2 persons, full development would result in an increase from 2300 to 3700 persons. This is not considered an overdevelopment of the subject area.

The planning proposal enables development of land that has long been identified for residential purposes, facilitating economic development through the building and development industry and increasing social diversity through a greater mix of housing types. It is considered that the planning proposal results in a net benefit to the Eurobodalla community.

#### Section B- RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK

##### ***4. Is the planning proposal consistent with the objectives and action contained within the applicable regional or sub-regional strategy?***

###### South Coast Regional Strategy

The South Coast Regional Strategy (SCRS) 2006-2031 is applicable to the subject land. In preparing planning proposals, the SCRS requires Council to:

- Consider the South Coast Regional Conservation Plan (SCRCP) to guide implementation of conservation outcomes.
- Protect regionally significant habitat corridors.
- Plan for a greater housing mix to meet the needs of future households.

The SCRCP recognises the endangered ecological community of the Bangalay Sand Forest that exists on the subject land and the wildlife corridors that cross the land. The SCRCP also outlines how biodiversity conservation can be addressed in the planning system, including through the use of Biodiversity Certification (Biocertification) and Biodiversity banking (BioBanking).

The planning proposal is consistent with the SCRS in the following ways:

- The proposal protects an “indicative habitat corridor” identified on Map 2 of the SCRS and as shown in the SCRCP.

- The proposal is consistent with the Biocertification Agreement conferred on the land, which was developed having regard to the SCRCP.
- The proposal facilitates a greater mix of housing opportunities.

**5. *Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?***

Eurobodalla Community Strategic Plan- 'One Community'

The planning proposal is consistent with the Eurobodalla Community Strategic Plan- One Community. It provides for appropriate growth within an existing settlement, thus aligning with the Community Strategic Plan objectives as follows:

- Objective 3.1 Encourage respectful planning, balanced growth and good design
- Objective 3.2 Respond to our changing environment
- Objective 3.3 Value, protect and enhance our natural environment

Eurobodalla Settlement Strategy

The Eurobodalla Settlement Strategy (ESS), adopted in 2006, is an urban containment strategy and states that "settlements are contained within existing settlement boundaries and separation between settlements is maintained to ensure settlement character is protected and urban sprawl is avoided".

The ESS acknowledges the need to protect threatened species and endangered ecological communities and identifies biodiversity certification as a means to facilitate appropriate development through a strategic assessment approach. In particular, the ESS identifies the yellow-bellied glider as species listed as "vulnerable", for which Council has adopted the "Conservation of the Yellow-bellied Glider in the Broulee Coastal Plain Policy".

The ESS identifies Broulee as a "coastal village" which is planned for a population of up to 3000 persons. The proposed development potentially increases the population of Broulee to approximately 3700 persons (at full development and assuming no change to current average household size). While this potential population is greater than 3000 persons, it is considered that Broulee will remain within the Settlement Strategy's definition of a coastal village.

The proposal is consistent with the Eurobodalla Settlement Strategy in the following ways:

- The proposal facilitates development of land zoned for urban purposes within the existing settlement boundaries of Broulee.
- The proposal retains Broulee as a coastal village.

- The proposal is consistent with a Biocertification Strategy prepared for the subject land.
- The proposal protects threatened species and endangered ecological communities through retention of a corridor for the Yellow-bellied glider, in accordance with the Biocertification Agreement.

**6. Is the planning proposal consistent with applicable state environmental planning policies?**

An assessment of relevant SEPPs against the planning proposal is provided in the table below.

SEPP	Relevance	Consistency and implications
SEPP 71 Coastal Protection	Aims to protect and preserve coastal environments	<b>Consistent.</b> The subject site is within the Coastal Zone, but is not in a sensitive coastal location. Subject to further consideration of stormwater issues, through the preparation of a stormwater masterplan prior to development, the proposal is unlikely to have any detrimental impacts on coastal processes.
Lower South Coast No. 2, 1992	This Deemed SEPP is relevant to all planning proposals.	<b>Consistent</b> The planning proposal is consistent with the objectives in the Deemed SEPP relating to natural areas and residential development in that it: <ul style="list-style-type: none"> <li>• protects urban bushland in accordance with the Biocertification Agreement for the land; and</li> <li>• provides for a wide range of housing types and densities compatible with the environmental capacity of the area.</li> </ul>

**7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

An assessment of relevant s. 117 Directions against the planning proposal is provided in the table below.

Ministerial Direction	Aim of the Direction	Consistency and Implications
2.1 Environmental Protection Zones	To protect and conserve environmentally sensitive areas.	<b>Consistent.</b> The planning proposal is consistent with the Biocertification Agreement conferred on the land.
2.2 Coastal Protection	To implement the principles of the NSW Coastal Policy	<b>Consistent.</b> The subject site is within the Coastal Zone, but is not in a sensitive coastal location. Subject to further consideration of stormwater issues, through the preparation of a stormwater masterplan prior to development, the proposal is unlikely to have any detrimental impacts on coastal processes.
3.1 Residential Zones	To encourage a variety and choice of housing types, to make efficient use of existing infrastructure and services and to minimise the impact of residential development on the environment and resource lands.	<b>Consistent.</b> The planning proposal facilitates a diversity of housing opportunities on the subject land, through the use of the R2 Low Density Residential and R3 Medium Density Residential zones and through a reduction in the minimum lot size. The planning proposal is supported by proposed amendments to the Residential Zones Development Control Plan that encourages a mix of lot sizes and housing forms.
3.4 Integrating Land Use and Transport	To ensure that urban development improves access to housing, jobs and services, increases transport choice, reduces travel demand, supports viable public transport and provides for the efficient movement of freight.	<b>Consistent.</b> The planning proposal facilitates increased urban densities in close proximity to services, including schools, open space and retail shops. The structure plan proposed to be included in the Residential Zones DCP (to be exhibited concurrently with the planning proposal) provides for logical and direct connections through the subject land, facilitating pedestrian, cycle and public transport movements.
4.3 Flood Prone Land	To ensure development of flood prone land is consistent with NSW Government Guidelines and that LEP provisions	<b>Not Applicable.</b> The subject land is not identified as flood prone, however ponding of water can occur in heavy rainfall events. This issue can be resolved

	are commensurate with flood hazard.	through road and stormwater design.
4.4 Bushfire	To protect life, property and the environment from the effects of bushfire and to promote the sound management of bushfire prone land.	<b>Consistent.</b> The retention of a conservation corridor along the George Bass Drive and Broulee Road edges of the subject land will result in some future residential lots being classed as bushfire prone. However, in accordance with the Biocertification Strategy, provisions are to be included in a Development Control Plan (DCP), such as the use of perimeter roads, to minimise the risk to life and property. Draft amendments to the Residential Zones DCP including such provisions will be exhibited with the planning proposal. Consultation with the RFS will be required and it is anticipated that any proposed future development of the land will be able to comply with the requirements of <i>Planning for Bush Fire Protection 2006</i> .
5.1 Implementation of Regional Strategies	To ensure planning proposals are consistent with the relevant regional strategy.	<b>Consistent.</b> The proposal is consistent with the South Coast Regional Strategy. Refer to point 4 above for further discussion.

#### Section C- ENVIRONMENTAL, SOCIAL and ECONOMIC IMPACT

In the process of formulating the Broulee Biocertification Strategy, the Broulee community were engaged and comments sought on a draft Strategy. There were a mix of views expressed in submissions received from the community, addressing environmental, social and economic impacts.

Some submissions acknowledged that the subject land had been zoned for development for many years and should be able to be developed. Positive benefits of development of the land identified in these submissions included:

- Increased population supports growth in services (such as schools, medical facilities, small businesses, etc) in the local area;
- More development assists in provision of affordable housing in the local area;

- More development provides employment opportunities, particularly in the construction industry;
- Development of the land minimises the bushfire risk to existing dwellings in Broulee (through the removal of vegetation in the development area).

Other submissions raised concerns about the possible transformation of the Broulee village that might result from development of the land. Such changes may include:

- Urbanisation of the village;
- Increase in population, traffic and noise;
- Impact on existing facilities (from over-use)
- Loss of bushland and bush tracks
- Loss of wind and noise buffer (from George Bass Drive)

The above summary of views from the existing Broulee community have been considered in the drafting of this planning proposal and the DCP amendments supporting it. The discussion below responds more specifically to the environmental, social and economic impacts of the planning proposal.

**8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

The subject land has been certified for development through a biodiversity certification process in accordance with the Threatened Species Conservation Act 1995. The Biocertification Agreement conferred by the Minister for the Environment authorises the removal of vegetation listed as an endangered ecological community within the identified development area on the grounds that sufficient offset areas will be provided and protected in perpetuity.

The planning proposal implements a requirement of the Biocertification Agreement by proposing to rezone an identified conservation corridor to the E2 Environmental Conservation zone. The planning proposal also proposes an increased residential density through the use of the R3 Medium Density Residential zone along the E2 corridor to achieve a housing form and density that supports the ongoing management of the corridor.

The planning proposal is supported by draft amendments to the Residential Zones DCP, including provisions for a perimeter road, shared pathway, open car parking area, or the like, to be provided along the full length of the conservation area. This will further minimise potential impacts of development on the conservation area.

**9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

Bushfire

The removal of the bulk of vegetation within the development area minimises the risk to bushfire for many existing residential lots in Broulee. However, the retention of a conservation corridor along the George Bass Drive and Broulee Road edges of the subject land will result in some future residential lots being classed as bushfire prone. The planning proposal is supported by draft amendments to the Residential Zones DCP, including provisions for a perimeter road, shared pathway, open car parking area, or the like, to be provided along the full length of the conservation area. This will assist in minimising the risk to life and property from bushfire. Detailed assessment of proposed development in accordance with *Planning for Bush Fire Protection 2006* will be undertaken at the development application stage.

Heritage and Aboriginal Archaeological Assessment

There are no heritage items on the subject land. The land immediately to the south contains a heritage item, being an Aboriginal Canoe Tree. Numerous aboriginal objects or places have been recorded in the vicinity of the subject land. Given the undeveloped nature of the land, it is likely that further Aboriginal objects or places may be found on the land. Prior to any development being permitted, Aboriginal Heritage Impact Permits would be required, in accordance with the requirements of the National Parks and Wildlife Act 1974. Such development is Integrated Development under the Environmental Planning and Assessment Act 1979. Consultation with the National Parks and Wildlife Service will be undertaken as part of exhibition of this planning proposal.

Flooding and Stormwater

The subject land is not identified as flood prone, however ponding of water can occur in heavy rainfall events. This issue can be resolved through road and stormwater design.

**10. How has the planning proposal adequately addressed any social and economic effects?**

Economic Impact

The subject land has been zoned for residential development for many decades, however development has been unable to be progressed due to the listing of an endangered ecological community on the land. To facilitate development a Biocertification Strategy was undertaken and a Biocertification Agreement has now been conferred upon the land.



The planning proposal implements a requirement of the Broulee Biocertification Agreement and proposes zoning and lot size changes that will facilitate development activity in a form that is both suitable for the land and will result in greater housing diversity for Broulee. Increased densities will support commercial activity in the local business zoned land.

Significant construction activity in the development area that will be enabled by this planning proposal will be a boost to economic development in the Shire.

#### Social Impact

Broulee currently provides approximately 1200 dwellings (including dwellings within the Banksia Retirement Village). The majority of dwellings are detached dwellings on lots ranging generally between 600m<sup>2</sup> and 850m<sup>2</sup>. Most lots appear to be over 700m<sup>2</sup> in size however the more recent subdivisions include many smaller lots. With the exception of the Banksia Retirement Village, most medium density housing in Broulee is relatively older stock.

It is estimated that the development yield in the subject development area is approximately 500 dwellings. With an increase in the area of R3 Medium Density Residential zoning, some of these new dwellings will be in the form of multi-dwelling housing or residential flat buildings. This will provide greater housing diversity in Broulee. A mix of housing types in the development area will be facilitated through provisions proposed to be included in the Residential Zones Development Control Plan.

Greater housing diversity provides increased choice for people in terms of the cost and type of housing available in a local area. This can facilitate a more diverse resident population, which has the potential to foster a more healthy and sustainable community.

### **Section D- STATE and COMMONWEALTH INTERESTS**

#### ***11. Is there adequate public infrastructure for the planning proposal?***

Access – The subject land can be serviced by roads from a number of locations, including Train Street, Broulee Road, Heath Street and Adams Way. However, upgrades of key intersections will likely be required as a result of the development. A Traffic and Transport Study of the impact of full development of the subject land will be required to be undertaken prior to any further development of the land to determine the extent of traffic infrastructure upgrades that will be required. A Section 94 Contributions Plan or Voluntary Planning Agreement may also need to be prepared to fund the required infrastructure upgrades.



Water and Sewer – The subject land can be serviced by water and sewer, however the scale of the development will warrant a significant upgrade of the local sewerage system. The development will contribute to this upgrade through Section 64 Contributions (headworks charges). A master plan demonstrating suitable arrangements for servicing the land will be required prior to any development.

Stormwater – As noted above, there are some issues with ponding of water that need to be addressed through road and stormwater design prior to any development taking place.

***12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

While no formal consultation has yet taken place with public authorities about this planning proposal, consultations with the Office of Environment and Heritage and the Rural Fire Service have been ongoing over many years with regard to the Biocertification process that has led to this planning proposal being prepared.

It is anticipated that the gateway determination will require consultation with the following agencies:

- Office of Environment and Heritage
- NSW Rural Fire Service
- NSW National Parks and Wildlife Service

This is a detailed plat map of a portion of the City of St. Louis, Missouri. The map shows a grid of streets and numerous lots, many of which are numbered. A large, irregularly shaped area is highlighted with a thick red border, encompassing several lots and a significant portion of the map. This red-outlined area includes lots such as 1081741, 245167, 1068530, 1130019, 1079356, 1300010, 1300011, 1300012, 1300013, 1300014, 1300015, 1300016, 1300017, 1300018, 1300019, 1300020, 1300021, 1300022, 1300023, 1300024, 1300025, 1300026, 1300027, 1300028, 1300029, 1300030, 1300031, 1300032, 1300033, 1300034, 1300035, 1300036, 1300037, 1300038, 1300039, 1300040, 1300041, 1300042, 1300043, 1300044, 1300045, 1300046, 1300047, 1300048, 1300049, 1300050, 1300051, 1300052, 1300053, 1300054, 1300055, 1300056, 1300057, 1300058, 1300059, 1300060, 1300061, 1300062, 1300063, 1300064, 1300065, 1300066, 1300067, 1300068, 1300069, 1300070, 1300071, 1300072, 1300073, 1300074, 1300075, 1300076, 1300077, 1300078, 1300079, 1300080, 1300081, 1300082, 1300083, 1300084, 1300085, 1300086, 1300087, 1300088, 1300089, 1300090, 1300091, 1300092, 1300093, 1300094, 1300095, 1300096, 1300097, 1300098, 1300099, 1300100. The map also shows other streets like 1081741, 245167, 1068530, 1130019, 1079356, 1300010, 1300011, 1300012, 1300013, 1300014, 1300015, 1300016, 1300017, 1300018, 1300019, 1300020, 1300021, 1300022, 1300023, 1300024, 1300025, 1300026, 1300027, 1300028, 1300029, 1300030, 1300031, 1300032, 1300033, 1300034, 1300035, 1300036, 1300037, 1300038, 1300039, 1300040, 1300041, 1300042, 1300043, 1300044, 1300045, 1300046, 1300047, 1300048, 1300049, 1300050, 1300051, 1300052, 1300053, 1300054, 1300055, 1300056, 1300057, 1300058, 1300059, 1300060, 1300061, 1300062, 1300063, 1300064, 1300065, 1300066, 1300067, 1300068, 1300069, 1300070, 1300071, 1300072, 1300073, 1300074, 1300075, 1300076, 1300077, 1300078, 1300079, 1300080, 1300081, 1300082, 1300083, 1300084, 1300085, 1300086, 1300087, 1300088, 1300089, 1300090, 1300091, 1300092, 1300093, 1300094, 1300095, 1300096, 1300097, 1300098, 1300099, 1300100. The map also shows other streets like 1081741, 245167, 1068530, 1130019, 1079356, 1300010, 1300011, 1300012, 1300013, 1300014, 1300015, 1300016, 1300017, 1300018, 1300019, 1300020, 1300021, 1300022, 1300023, 1300024, 1300025, 1300026, 1300027, 1300028, 1300029, 1300030, 1300031, 1300032, 1300033, 1300034, 1300035, 1300036, 1300037, 1300038, 1300039, 1300040, 1300041, 1300042, 1300043, 1300044, 1300045, 1300046, 1300047, 1300048, 1300049, 1300050, 1300051, 1300052, 1300053, 1300054, 1300055, 1300056, 1300057, 1300058, 1300059, 1300060, 1300061, 1300062, 1300063, 1300064, 1300065, 1300066, 1300067, 1300068, 1300069, 1300070, 1300071, 1300072, 1300073, 1300074, 1300075, 1300076, 1300077, 1300078, 1300079, 1300080, 1300081, 1300082, 1300083, 1300084, 1300085, 1300086, 1300087, 1300088, 1300089, 1300090, 1300091, 1300092, 1300093, 1300094, 1300095, 1300096, 1300097, 1300098, 1300099, 1300100. The map also shows other streets like 1081741, 245167, 1068530, 1130019, 1079356, 1300010, 1300011, 1300012, 1300013, 1300014, 1300015, 1300016, 1300017, 1300018, 1300019, 1300020, 1300021, 1300022, 1300023, 1300024, 1300025, 1300026, 1300027, 1300028, 1300029, 1300030, 1300031, 1300032, 1300033, 1300034, 1300035, 1300036, 1300037, 1300038, 1300039, 1300040, 1300041, 1300042, 1300043, 1300044, 1300045, 1300046, 1300047, 1300048, 1300049, 1300050, 1300051, 1300052, 1300053, 1300054, 1300055, 1300056, 1300057, 1300058, 1300059, 1300060, 1300061, 1300062, 1300063, 1300064, 1300065, 1300066, 1300067, 1300068, 1300069, 1300070, 1300071, 1300072, 1300073, 1300074, 1300075, 1300076, 1300077, 1300078, 1300079, 1300080, 1300081, 1300082, 1300083, 1300084, 1300085, 1300086, 1300087, 1300088, 1300089, 1300090, 1300091, 1300092, 1300093, 1300094, 1300095, 1300096, 1300097, 1300098, 1300099, 1300100. The map also shows other streets like 1081741, 245167, 1068530, 1130019, 1079356, 1300010, 1300011, 1300012, 1300013, 1300014, 1300015, 1300016, 1300017, 1300018, 1300019, 1300020, 1300021, 1300022, 1300023, 1300024, 1300025, 1300026, 1300027, 1300028, 1300029, 1300030, 1300031, 1300032, 1300033, 1300034, 1300035, 1300036, 1300037, 1300038, 1300039, 1300040, 1300041, 1300042, 1300043, 1300044, 1300045, 1300046, 1300047, 1300048, 1300049, 1300050, 1300051, 1300052, 1300053, 1300054, 1300055, 1300056, 1300057, 1300058,

**Figure 1: The subject land**



Figure 2: Aerial image of the subject land



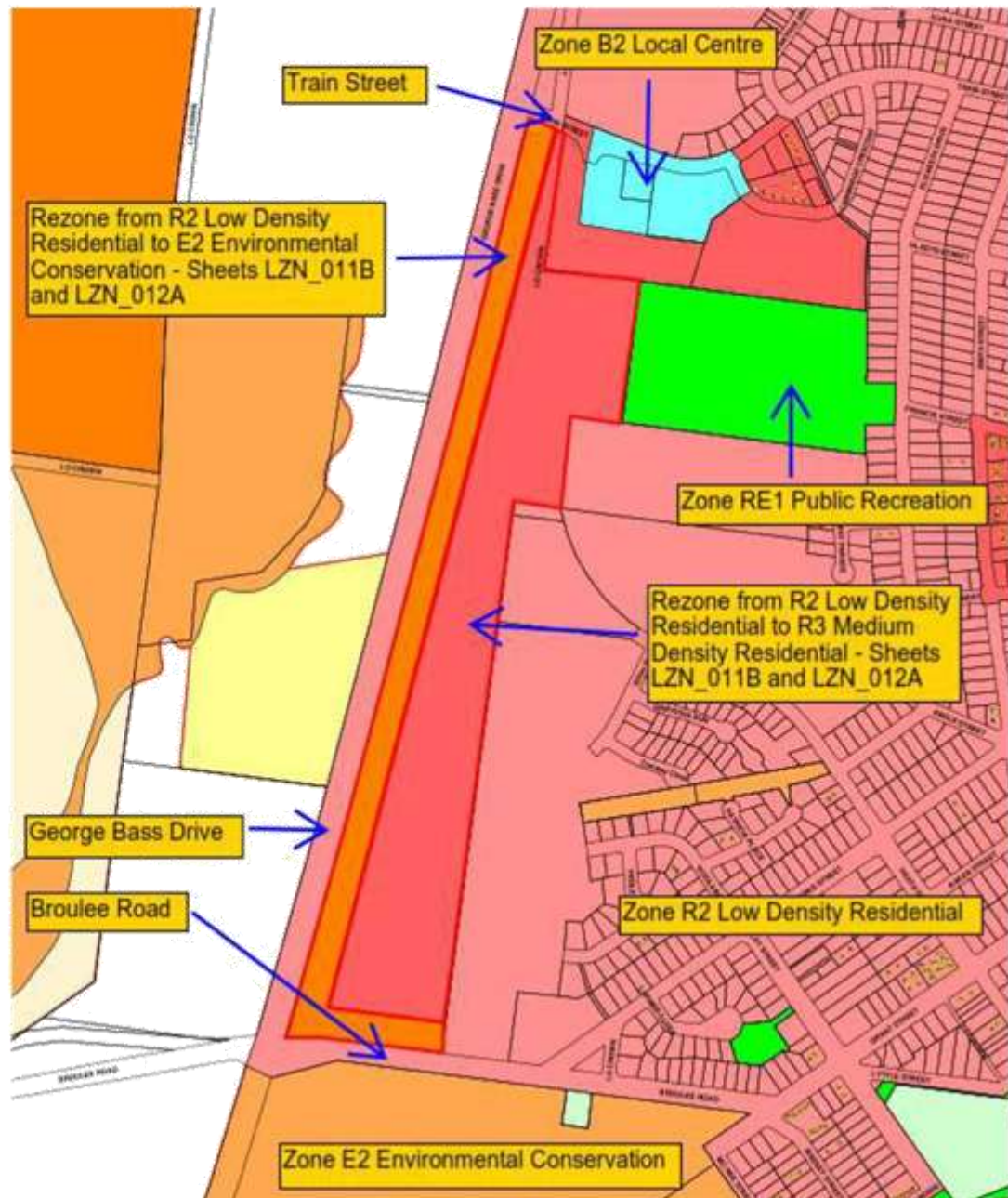


Figure 3: Proposed change to ELP 2012 Land Zoning Map

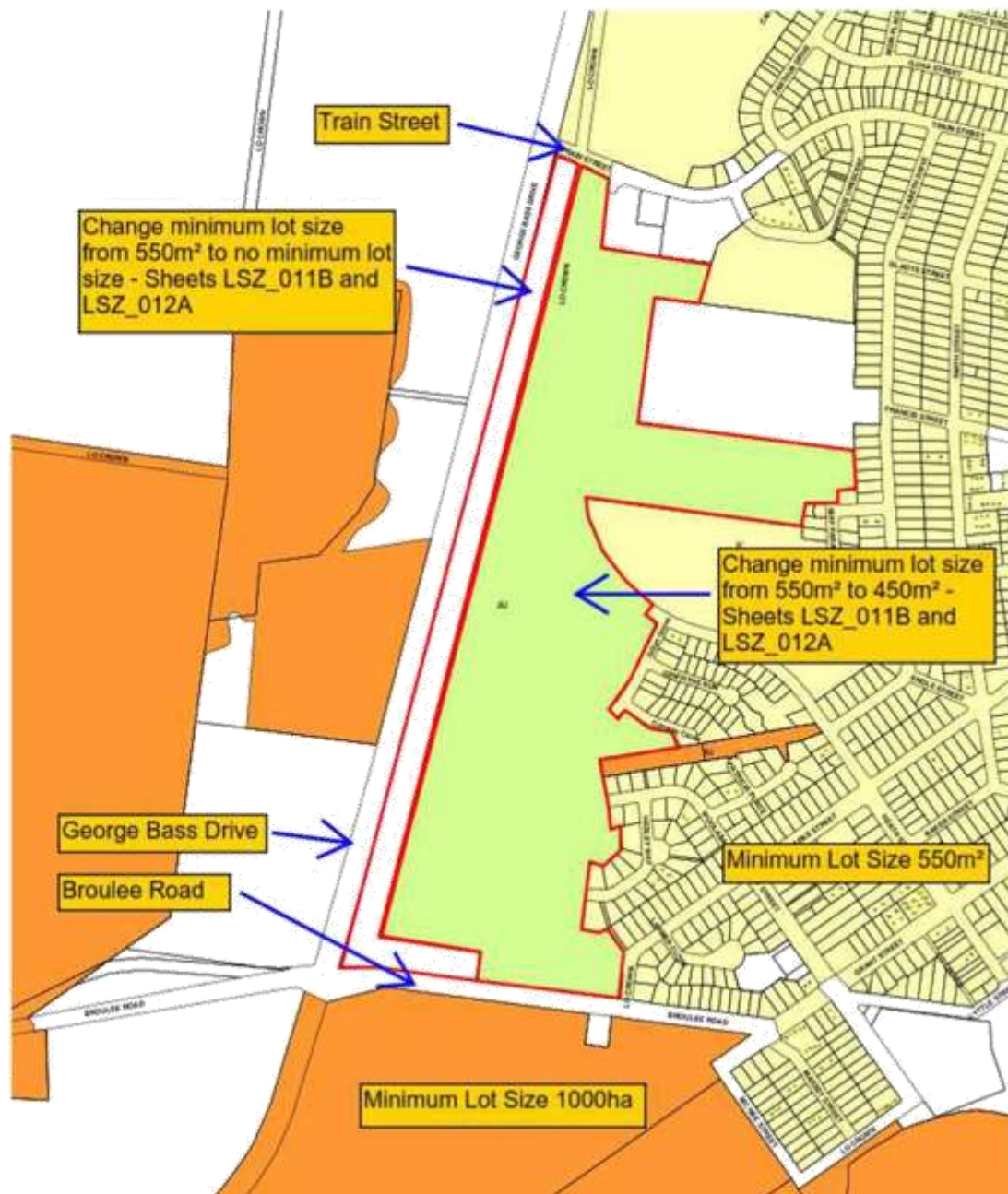


Figure 4: Proposed change to ELP 2012 Lot Size Map



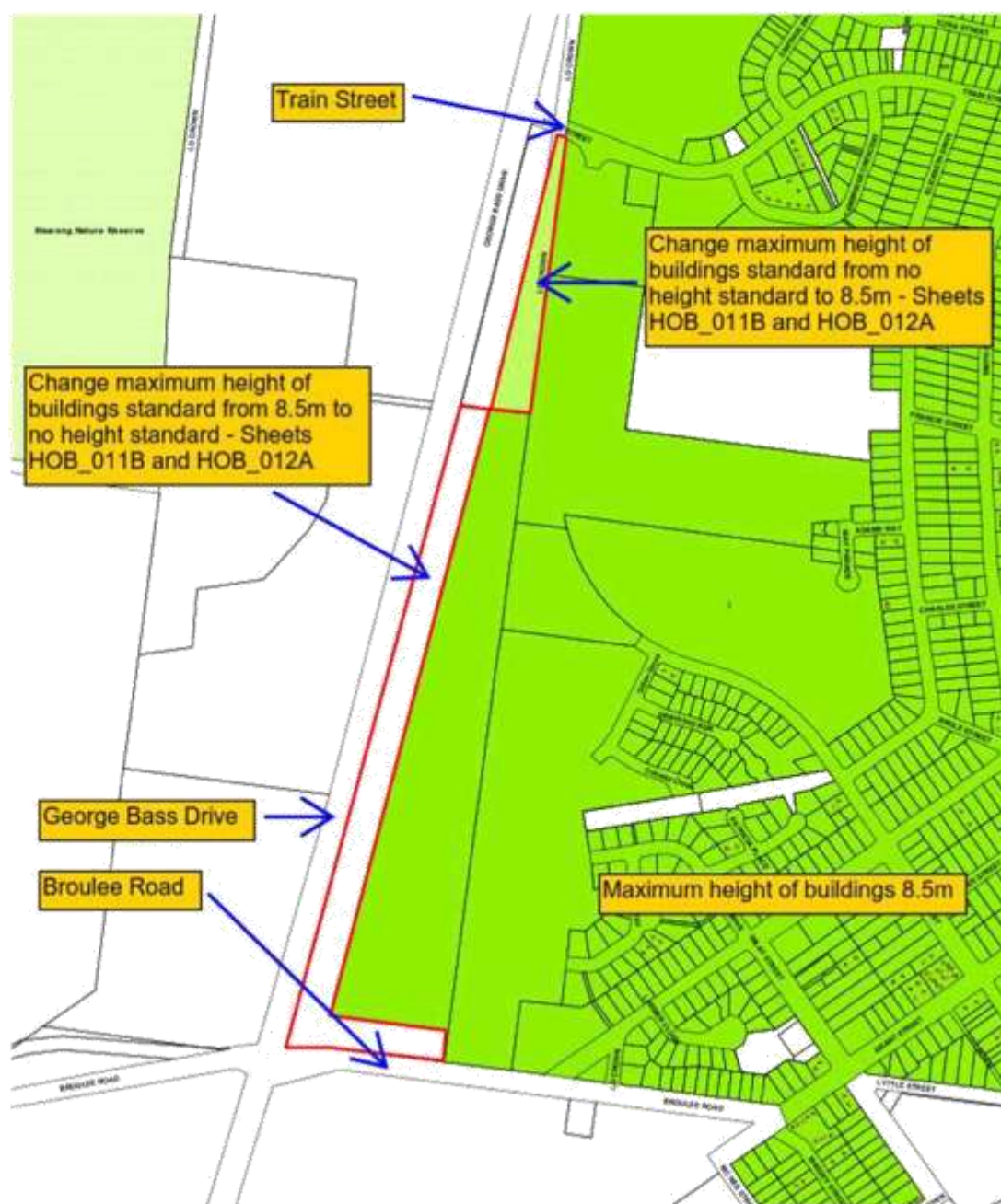


Figure 5: Proposed change to ELEV 2012 Height of Buildings Map

## PART 5- COMMUNITY CONSULTATION

In accordance with Section 57(2) of the Environmental Planning and Assessment Act 1979, this planning proposal must be approved prior to community consultation being undertaken by the local authority. The planning proposal is intended to be exhibited for a 28 day period.

Consultation on the proposed rezoning, minimum lot size and maximum building height amendments will be to inform and receive feedback from interested stakeholders. To engage the local community the following will be undertaken:

- Notice in the local newspaper;
- Exhibition material and relevant consultation documents to be made available at the libraries and Council's Administration Building;
- Consultation documents to be made available on the Council's website; and
- Letters advising adjoining landowners on the proposed rezoning and minimum lot size amendment and other stakeholders that Council deem relevant to this proposal.

Additional consultation measures may be determined appropriate and added to the above as part of the gateway determination.

At the close of the consultation process, Council officers will consider all submissions received and present a report to Council for their endorsement of the proposed lot size amendment before proceeding to finalisation of the proposal.

## PART 6- PROJECT TIMELINE

Anticipated commencement date (date of Gateway determination)	July 2015
Anticipated timeframe for the completion of technical information (if required)	N/A
Timeframe for government agency consultation	August 2015
Commencement and completion dates for public exhibition period	August 2015
Timeframe for the consideration of submissions	September 2015
Timeframe for consideration of a proposal post exhibition	October 2015
Date of submission to the Department to finalise the LEP	November 2015
Anticipated date the RPA will make the plan (if delegated)	N/A
Anticipated date the RPA will forward to the department for notification	January 2016

## ATTACHMENT 1: PROPOSED AMENDMENTS TO RESIDENTIAL ZONES DCP

The following new provisions are proposed to be included in the Residential Zones DCP.

### 3.2 Subdivision and development of certain land at Broulee

**Note:** This section applies to the land identified in Map 10 in Schedule 1 of this Plan in addition to all other relevant provisions of this Plan.

**Intent:**

- To ensure that development of land at Broulee is consistent with the Broulee Biocertification Strategy and provides for a diversity of housing opportunities.

**Development Controls:**

Performance Criteria	Acceptable Solution
<b>P1</b> Development of the subject land is designed to be generally consistent with the Broulee Concept Master Plan included in Schedule 4 of this Plan.	<b>A1</b> The subdivision layout and road network shall include, for the full length of the conservation corridor along George Bass Drive and Broulee Road, one or a combination of the following: <ul style="list-style-type: none"> <li>• A perimeter road</li> <li>• A shared cycle/pathway</li> <li>• Open car parking areas</li> </ul> to ensure adequate separation between residential development and the conservation area for bushfire protection and to minimise environmental impacts.
<b>P2</b> Development adjoining land zoned E2 Environmental Conservation facilitates the ongoing management and conservation of the E2 land.	<b>A2</b> Where a development site contains land zoned both R3 Medium Density Residential and E2 Environmental Conservation, subdivision by community title is encouraged to facilitate ongoing management and conservation of the E2 land.
<b>P3</b> Subdivision and development of the subject land minimises the creation of new lot boundaries or fences within the E2 Environmental Conservation zone.	<b>A3</b> No new lot boundaries (with the exception of boundaries of common property in a strata or community title scheme) or fences shall be created or provided within the E2 Environmental Conservation zone.
<b>P4</b> The subdivision layout provides for a mix of lot sizes throughout the development area.	<b>A4</b> No more than 50% of the lots in the development area shall be less than 550m <sup>2</sup> in size.
<b>P5</b> A mix of development forms shall be provided in the R3 zoned land, including residential flat buildings, multi-unit housing and small lot housing.	<b>A5</b> No more than 50% of the dwellings provided in the R3 zoned land shall be in the form of residential flat buildings.



### 6.3 Retention of habitat features on certain land at Broulee

**Note:** This section applies to the land identified in Map 10 in Schedule 1 of this Plan in addition to all other relevant provisions of this Plan.

**Intent:**

- To ensure that development of land at Broulee is consistent with the Broulee Biodiversity Certification Strategy and facilitates, where possible the retention of habitat trees.

**Development Control:**

- P1** Within the development area there is no requirement to retain existing habitat features. However, in designing subdivision layouts and medium density developments, Council encourages, where possible and feasible, the retention of some habitat features, including hollow bearing trees.

### 7.4 Water, sewer and stormwater management on certain land at Broulee

**Note:** This section applies to the land identified in Map 10 in Schedule 1 of this Plan in addition to all other relevant provisions of this Plan.

**Intent:**

- To ensure a coordinated approach to water, sewer and stormwater management across the subject land.

**Development Control:**

- P1** Development of the subject land is consistent with comprehensive master plans endorsed by Council that address water and sewer reticulation and stormwater management.



4. Broulee Concept Master Plan



**LEGEND**

- Future Shops
- Schools
- Open space
- Possible Future Open Space (area to be determined)
- Biodiversity Conservation Area
- Potential Medium Density Residential
- Major Access Points (to be upgraded)
- Entrance points to Banksia Village and Captain Oldrey Park
- New Roads
- Pedestrian/Cycle Links / Car Parking

**Disclaimer:** This plan is a concept only and is subject to detailed studies and design work being undertaken prior to development. In particular, a traffic study is required to determine the infrastructure requirements within and external to the development area. Detailed concept plans for servicing the development area with sewer, water and stormwater infrastructure are also required prior to any further subdivision of the land.

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**PSR15/020 RURAL LANDS STRATEGY TIMEFRAME AND COMMUNITY  
ENGAGEMENT PLAN**

**E12.6191**

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: 1. Community Engagement Plan

Focus Area: Sustainable Communities

Delivery Program Link: S7.1 Review and prepare planning strategies, policies and studies

Operational Plan Link: S7.1.1 Rural Lands Strategy

**EXECUTIVE SUMMARY**

Council is now in the final stage of the Rural Lands Strategy project, being the preparation of a draft Strategy for community consultation prior to adoption of a final Strategy. Council resolved on 14 April 2015 to engage consultant Garret Barry Planning Services to prepare the Strategy.

An inception meeting was held with the Rural Lands Strategy Steering Committee on 12 May 2015. At the meeting, the consultant presented a draft Community Engagement Plan for feedback. The draft Plan contained a timetable for completion of the Strategy in early 2016. Following discussion on the timetable, Committee members supported a motion recommending that the final draft of the Strategy be presented to Council's final meeting of 2015.

The Community Engagement Plan presented by the consultant, was consistent with the Community Engagement Strategy endorsed by Council and the Steering Committee at the beginning of the project. However, members of the Committee suggested alternative proposals for community engagement. These have been considered by Council staff and the consultant, and a modified Community Engagement Plan that enables the Rural Lands Strategy to be completed by December 2015, is now being presented to Council for consideration.

**RECOMMENDATION**

THAT Council

1. Endorse the attached Community Engagement Plan for the Rural Lands Strategy.
2. Note that the timetable proposes the presentation of a final Strategy for adoption at the final Ordinary Council Meeting of 2015 to be held on 8 December 2015.
3. Note the following key changes to the project in order to achieve the amended timeframe:
  - reduction in planned Steering Committee meetings from five to four
  - a maximum five week public exhibition period and a reduction in the number of planned engagement activities from eight to six.

**BACKGROUND**

Council commenced development of a Rural Lands Strategy in mid 2012 with the first Steering Committee Meeting held on 23 August 2012. The first stages of the project involved the

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**PSR15/020 RURAL LANDS STRATEGY TIMEFRAME AND COMMUNITY  
ENGAGEMENT PLAN**

**E12.6191**

adoption by the Steering Committee and Council of a Project Management Plan and a Community Engagement Strategy.

The project has closely followed the Project Management Plan and Community Engagement Strategy. However, changes have occurred to allow more flexibility and detailed engagement with the community.

At various times during the Strategy development process, the Steering Committee or Council, have requested or agreed to process changes that have resulted in delays to the project. The underlying principle has always been that it is better to take the time to get the Strategy right.

At 6 May 2014 Steering Committee Meeting, Council staff presented options to the Committee for speeding up the process to achieve an outcome in a quicker timeframe without affecting the quality of the product. The Committee rejected the proposal at that time, preferring to continue with the process as outlined in the adopted Project Management Plan.

On 14 April 2015, Council engaged Garret Barry Planning Services to undertake the final stage of the project, being the drafting of a Rural Lands Strategy, community engagement on that draft and finalisation of the Strategy, having regard to issues raised during community engagement. The consultant was appointed on the basis of a proposal that anticipated completion and exhibition of a draft Strategy by the end of 2015, with adoption of a final Strategy by Council in early 2016.

An inception meeting for the final stage of the project was held with the Steering Committee on 12 May 2015. At the meeting, the consultant presented a draft Community Engagement Plan consistent with the framework outlined in the Community Engagement Strategy adopted by Council at the commencement of the overall project. The consultant also presented a timeframe for the project consistent with the brief issued for the final stage of the project.

At this meeting, members of the Committee requested efforts be made to ensure the project is completed by the end of 2015. Committee members also provided feedback on the proposed community engagement activities presented by the consultant and suggested alternative approaches for consideration.

Council staff have worked with the consultant to consider the alternative community engagement techniques suggested by the Committee and to compress the timeframe to achieve completion of the Rural Lands Strategy in 2015.

**CONSIDERATIONS**

On order to meet the amended timeframe and achieve presentation of a final Strategy to Council in December 2015, some changes to the intended program are required. The key changes are:

- reduction in planned Steering Committee meetings from five to four including three Steering Committee Meetings and Council briefings on the same day; and
- a maximum five week public exhibition period and a reduction in the number of exhibition events from eight to six.

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**PSR15/020 RURAL LANDS STRATEGY TIMEFRAME AND COMMUNITY  
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**Legal**

The Rural Lands Strategy will continue to be prepared in a manner that ensures all relevant statutory requirements are appropriately addressed, including the Standard Instrument for Local Environmental Plans.

**Policy**

The Rural Lands Strategy will continue to be prepared in a manner that addresses the provisions of State and local policies and strategies, including the South Coast Regional Strategy and relevant guidelines and practice notes issued by the Department of Planning and Environment.

**Financial**

The Rural Lands Strategy will continue to be prepared within the existing budget allocation.

**Community Engagement**

The attached Community Engagement Plan outlines the approach to engagement on a draft Rural Lands Strategy, including:

- Steering Committee Meetings and Council briefings
- holding a Rural Producers' Economic Workshop
- two market days (at farmers' markets)
- three community meetings
- advertising exhibition events in local media
- use of Council's website
- use of existing email groups

**CONCLUSION**

The Rural Lands Strategy project has now reached the final stage and when complete, will be presented to Council for adoption. The Rural Lands Strategy will, among other matters, inform amendments to the Eurobodalla Local Environmental Plan 2012 for rural land in Eurobodalla.

A Community Engagement Plan has been prepared by the consultant preparing the strategy, in consultation with Council staff and the Rural Lands Steering Committee. The Community Engagement Plan includes a timeframe for the project that will provide the potential for the adoption of a Strategy by the end of 2015.

## **Eurobodalla Shire Council Rural Land Strategy 2015**

# **Community Engagement Plan**

This Community Engagement Plan has been prepared in accordance with the Eurobodalla Rural Land Strategy - Community Engagement Strategy and Project Brief as adopted by Council, and is based on feedback from the Rural Lands Steering Committee on a Draft Community Engagement Plan.

The Community Engagement Plan will be managed by Garret Barry and Stig Virtanen. Garret and Stig have collaborated on and jointly conducted many effective community consultations.

This Community Engagement Plan is based on the concepts in the IAP2 Stakeholder Engagement Spectrum - Inform, Consult, Involve and Collaborate.

The Rural Land Strategy Community Engagement Strategy as adopted by Council sets out the broad framework for community engagement. Our proposal presents a methodology within that adopted framework.

## **ENGAGEMENT MECHANISMS**

### **Steering Committee Meetings**

The Terms of Reference for the Eurobodalla Rural Land Strategy Steering Committee states that the overall role of the Committee is to assist Council with the preparation of the Eurobodalla Rural Lands Strategy.

For the current stage of the Strategy preparation, the Steering Committee is available to provide input (technical and/or local knowledge) into the development of the Policy Direction and Rural Lands Strategy documents and recommendations for finalisation following exhibition.

To facilitate the Committee to meet its obligations we will attend five Steering Committee meetings (including the Inception Meeting which has already been held). We propose an agenda and workshop format for each meeting.

The format for Committee meeting presentations is one where we:

- present our findings;
- explore principal issues;
- effect an analysis of issues; and
- discuss strategic options.

Committee and Council feedback and comments will be documented and included in meeting outcome reports.

As we approach the final draft of the Strategy, any changes made (or not made) to the draft strategies as a result of consultation with the Committee and Council will be documented and the rationale for any strategy change/no change explained.

In addition, we will maintain on-going communication with the Steering Committee throughout the project including:



## **Eurobodalla Shire Council Rural Land Strategy 2015**

- planning and preparations for public consultation forums; and
- regular progress reporting.

### **Councillor Briefings**

Councillor briefings as required by the Consultant Brief will be held 3 times during the preparation of the Rural Lands Strategy – at the preliminary work stage, at draft strategy stage and at the final strategy stage. Each briefing will immediately follow a Steering Committee Meeting.

All comments on and changes to draft strategies and briefing content as a result of Council briefings will be documented and the rationale for any change explained.

### **Liaison with the Project Manager**

We will work closely with the Project Manager. Garret Barry will be the principal liaison between the consultant planning team and the Project Manager.

We will seek sign off by the Project Manager on the following before proceeding:

- all publicity;
- workshop dates, structure and participant lists;
- any formal interviews that may be deemed necessary;
- discussion papers; and
- progress reports and draft strategy documents.



## **Eurobodalla Shire Council Rural Land Strategy 2015**

### **DRAFT RURAL STRATEGY EXHIBITION EVENTS**

#### **Rural Producers Economic Workshop**

A specialist workshop targeting the commercial level primary producers will be held during the public exhibition period. Roland Breckwoldt will facilitate this session. He has a good affinity with farmers and other primary producers and will draw out a more detailed portrait of where those currently driving the traditional rural economy of the Shire see the direction and challenges.

This workshop will be targeting traditional and boutique/emerging producers, and the industries or agencies that service this sector – such as stock and station agents, Department of Agriculture, Local Land Services, real estate agents, NSW farmers. Notwithstanding the above, the workshop will be advertised and open to all participants.

A summary report on the workshop will be published.

Council's adopted Community Engagement Strategy requires two other categories of exhibition events – Producers' Forums and Regional Information Sessions.

#### **Market days (Producers' Forums)**

These 2 events will coincide with the farmers' markets at Central Tilba and Moruya. They will include a number of display boards with information about the Draft Strategy. Participants will be provided with an information sheet and feedback will be obtained face to face and using a feedback form.

The Producers' Forums will be less formal than the Regional Information Sessions as there will not be any formal presentations as planned for the Regional Information Sessions. Engagement will principally be via display material and face to face contact with project consultants and Council staff who will be present to accept feedback and answer questions during and after each market.

Steering Committee members will be invited to participate. All feedback received will be documented.

#### **Community Meetings (Regional Information Sessions)**

These will be conducted in the following 3 localities:

- Nelligen;
- Moruya; and
- Narooma

**A mixed 'open house' and 'presentation' format is proposed** for each locality.

Open house community engagement sessions will provide information, a forum for understanding people's concerns and discussing issues, as well as opportunities for follow up or feedback. We will include display information and presentation material complimented by printed handout materials and the presence of Council and consultant staff and Steering Committee members to meet with and answer people's questions one-on-one.

## **Eurobodalla Shire Council Rural Land Strategy 2015**

At a pre-advertised time, a presentation of the Draft Strategy will be delivered by the consultant with a question and answer session to follow. Following the question and answer session, the format will return to an open house style.

Each participant will be met and greeted by Council or Consultant staff on arrival and be given a briefing on the format of the session and encouraged to participate and contribute comments in the way they find most suitable.

### **What can be expected at the sessions?**

Think of it like a 'Field Day' or 'Trade Show'. There will be four 'stations' at each venue. Everyone can choose which station to visit (none, one or all). They are:

- GRAFFITI WALL – write thoughts up on the wall in response to the posted questions.
- MAPPING/DISPLAY AREA – draw/comment on the maps/displays (e.g. on planning and land use issues), check out the information provided.
- PRESENTATION/ Q&A – at each session there will be a presentation at a prescheduled time.
- CUP OF TEA – have a cup of tea and chat with the consultants and staff.

### **Ongoing Engagement with Land Owners**

Council will continue to engage with land owners using established email groups for regular updates. Existing email groups will be updated and added to during the course of the project.

### **Review Feedback**

All feedback received will be documented, reviewed and presented to the Steering Committee and Council using the following format:

Submission From	Matters Raised	Consultant Response	Change/No Change to Draft Strategy

## Eurobodalla Shire Council Rural Land Strategy 2015

### Engagement Techniques for Specific Target Groups

Target Group	Engagement Methodology
<b>Steering Committee</b>	Present a progress report to each meeting of the Steering Committee.
<b>Producers</b>	As per the Community Engagement Strategy and above methodology. In addition we propose to engage producers through associations such as SAGE, South Coast Producers Association, NSW Farmers, and Southern NSW Harvest. A Rural Producers' Economic Workshop, as described above, will be held.
<b>Land Owners</b>	Land owners will be engaged through the 3 Community Meetings. Ongoing communication via established email groups.
<b>Wider Community</b>	The wider community will be consulted using the techniques described above. Principally: <ul style="list-style-type: none"> <li>• Consultation notes and Steering Committee minutes to be available on the project web site;</li> <li>• Community meetings;</li> <li>• Market days;</li> <li>• A range of media;</li> <li>• Social media/online comment option; and</li> <li>• Electronic distribution of updates to email database.</li> </ul>
<b>Councillors</b>	Formal briefings of the full Council are proposed at the three milestones: <ul style="list-style-type: none"> <li>• Preliminary work report;</li> <li>• Pre-exhibition strategy draft; and</li> <li>• Final strategy.</li> </ul>

### Use of Media and Online Communications

We note that a Rural Lands Strategy website is currently maintained by the Eurobodalla Shire Council. As has been the practice up to this point in the project we will continue to provide information about the strategy, regular reports on progress and copies of reports to Council to upload onto the website.

While the current website allows for only limited interaction, we propose to explore the option of enabling the website to accept, make comments and provide input online on specific matters.

We will also build up a database of stakeholder email addresses for digital communication by Council during the project.

We will explore with Council the potential of using social media to reach a wider community sample.

All media placements will be through Council's media officer or an agreed delegated Council Officer.

The following media will be targeted:

### **Eurobodalla Shire Council Rural Land Strategy 2015**

- Batemans Bay Post/Eurobodalla Examiner;
- Eurobodalla Shire Independent;
- South East Town and County Magazine;
- Eurobodalla Online News;
- Living in Eurobodalla;
- Narooma News;
- The Tuross Giant; and
- ABC South East.

We plan to use these for:

- Articles about the project – when there is progress worthy to report.
- Public notices/media releases about meetings and workshops
- Public notices/media releases about public exhibitions and comments.

## Eurobodalla Shire Council Rural Land Strategy 2015

### Community Engagement Plan Timeline

Stage	Task	Date (TBC)	Comment
<b>Literature Review</b>	Review literature relevant to the project	May 2015	Completed
<b>Meet Project Manager</b>	Meet Manager and assemble Council data	4 May	Completed
<b>Inception</b>	Steering Committee (SC) Meeting	21 May	Completed
<b>Consultation with SC / Council</b>	SC Meeting Council Briefing	21 July	Preliminary works report briefing and discussion
<b>Strategy Development</b>	SC Meeting Council Briefing	1 September	Consider exhibition of draft Strategy.
	Council meeting to endorse Draft Strategy for public exhibition	8 September	Meeting to approve exhibition of draft Strategy.
<b>Community Engagement 14 Sept- 16 Oct</b>	Market Day: SAGE Market Moruya	Tue 21 Sept 3 pm - 6.30 pm	During and after markets
	Community Meeting: Nelligen	Wed 22 Sept 3.30–7.30pm	Venue to be determined
	Market Day: Central Tilba Farmers Market	Sat 26 Sept 8 am -1 pm	During and after markets
	Rural Producers' Economic Workshop: Moruya	Sat 26 Sept. 4pm to 7 pm	Venue to be determined
	Community Meeting: Narooma	Wed 30 Sept 3.30pm–7.30pm	Venue to be determined
	Community Meeting: Moruya	Wed 7 Oct 3.30pm-7.30pm	Venue to be determined
<b>Strategy Completion</b>	Review submissions and amend strategy	14 Sept to 23 October	
	SC Meeting	26 October	Consideration of submissions and results of engagement events
	SC Meeting Council briefing	17 November	Draft Strategy Report considered by SC and Council.
	Council meeting to consider adoption of Strategy	8 December	Presentation of final to Council for adoption

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**PSR15/021 GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY E15.9191;  
E00.4896**

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: 1. Grey-headed Flying-foxes - residents concerns  
2. Map of Proposed Emergency Management Actions

Focus Area: Sustainable Communities

Delivery Program Link: S6.4 Encourage and support community sustainability and environmental projects

Operational Plan Link: S6.4.1 Provide environmental and sustainability advice and education

### **EXECUTIVE SUMMARY**

Grey-headed Flying-fox is a native species and is listed as threatened by both the NSW and Australian Governments, Council must comply with the legal requirements related to the protection of the species.

Councillors requested a report following the briefing on the Grey-Headed Flying-foxes on 5 May 2015 and the Mayoral minute (15/89) of 9 June 2015 THAT:

1. *Council receive a report at its meeting on 23 June 2015, making recommendations to Council on the potential to undertake emergency management actions and to prepare a Grey-Headed Flying-Foxes Camp Management Plan.*

Grey-headed Flying-foxes (Flying-foxes) have become an annual fixture at the Water Gardens in Batemans Bay. When Flying-fox numbers increase, their occupation extends into vegetation that is adjacent to or amongst residential homes, community facilities and businesses. The impact of their natural behaviours cause serious distress to some residents and community members.

Council has worked with the NSW Office of Environment and Heritage (OEH) to manage this situation, by visiting and providing advice and material on the Flying-foxes to residents and the broader community, mapping sites of high concern, collating the impacts of the animals on residents and researching Flying-fox management information and its effectiveness. A resident meeting was also conducted on the 2 June 2015 to relay the information on the Flying-foxes to the community and further hear their concerns.

This report presents the short and long term actions that may assist in managing the Flying-fox camp at the Water Gardens. The potential short term actions, are emergency management works such as pruning or removal of trees overhanging affected homes, in accordance with licence requirements under the NSW *Threatened Species Conservation Act 1995*.

Longer term actions include the potential development of a Camp Management Plan that would document the management options, risks, costs, likely effectiveness and community opinion in accordance with the NSW Flying-fox Camp Management Policy.

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**PSR15/021 GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY E15.9191;  
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Any short and long term actions require approval from the NSW Office of Environment and Heritage and Australian Government. Approval of the proposed Water Gardens Camp Management Plan would enable those actions identified in the Plan to be implemented using the lowest form of intervention required and covers those activities via a licence for a five year period. The Plan would also form the major component of Council referral to the Australian Government, Department of Environment for their approval.

**RECOMMENDATION**

THAT

1. Council undertake emergency management actions subject to the consent of landowners up to a total budget of \$36,000.
2. Council appoint a consultant to prepare a Water Gardens Grey Headed Flying-fox Camp Management Plan for the Water Gardens with a projected budget of \$50 000.
3. Council allocate a budget \$8,600 for staff support to manage and oversee the emergency management actions and a Water Gardens Flying-fox Camp Management Plan.
4. A budget variation of \$84,600 be processed as part of the September quarterly review, based upon identified savings or reallocation of resources.

**BACKGROUND**

The Grey-Headed Flying-fox camp is located in the Water Gardens, Batemans Bay and community concerns have been raised with the view to seeking assistance from Council in managing the issues associated with the camp in an urban area. The Flying-fox camp covers an area of approximately 9.85ha, of which 60% is managed by Council with the remaining 40% in private ownership.

Due to the camp's proximity to residents and businesses in the Batemans Bay area, complaints have been received about the noise associated with movement of the Flying-foxes particularly on their leaving at sunset and returning to the camp around dawn and disturbances during the day, the offensive odour and the mess created by faecal droppings. In addition there are concerns about the potential health risks and the loss of lifestyle amenity associated with the camp.

The Grey-headed Flying-fox species is endemic to Australia, with distribution ranging from Bundaberg, Queensland to Melbourne, Victoria. The species range extends from the coast to the western slopes of New South Wales and there are some reports of their presence in South Australia.

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**PSR15/021 GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY E15.9191;  
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The known camps have experienced a northern contraction of about 300 kilometres. In the late 1800s and early 1900s, specimens were recorded from far north Queensland. In 1920 there were camp sites occupied permanently or regularly around Rockhampton however these camps are no longer found. The Flying-foxes have expanded in the south of their range as evidenced by the permanent colonies in Melbourne. It has been hypothesised that the northern contraction and the southern expansion may relate to temperature changes over the last 30 years. It may also be the adaptability of the Flying-fox to access a wide range of food resources found in the southern range.

The Grey-headed Flying-fox is listed as a vulnerable species in both NSW and Australian Government legislation. The Flying-fox population has declined by around 30% from more than 560,000 animals in 1989 to approximately 400,000 at the time of listing as a vulnerable species in 2001. This decline is the basis for the vulnerable species classification.

The Flying-fox is a highly mobile species and their migratory patterns are associated with native flowering and fruiting food resources and seasonal conditions. They generally inhabit the wetter, lower-lying coastal regions of Australia and it appears that they are increasingly forming camps in urbanised areas due to reduced food resources and habitat forcing them to roost and rest across a broader geographical region. The number of Flying-foxes in the Water Gardens camp and the length of time it is occupied is variable. Generally the Flying-foxes move south annually in spring and summer and return north to coastal northern NSW and Queensland in winter.

The decline in Flying-foxes may not be obvious in some places as their natural habitat is lost through clearing, these animals become more concentrated in localised areas where feeding and roosting habitat is still available. Farmers are also finding increasing numbers of Flying-foxes in their fruit crops even though the overall population numbers are declining. Also, as Flying-foxes move along the east coast of Australia in response to feeding resources there may be large influxes of animals at certain times of the year, for example when a favoured eucalypt species is flowering.

In Eurobodalla there are also identified Flying-fox camps located at South Head, Moruya and Ringlands Estate, Narooma. Catalina occasionally supports a camp which may be an overflow from the Water Gardens. In Shoalhaven, there is a regular camp at Cockwhy Creek. However this report focuses on the Water Gardens, Batemans Bay Flying-fox camp only.

Any management of the Flying-fox requires approvals as they are protected in NSW under the *National Parks and Wildlife Act 1974*, the *Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).



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**PSR15/021 GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY E15.9191;  
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Council staff have been working collaboratively with the OEH. Technical support and assistance has been forthcoming from OEH in the form of threatened species expertise, community engagement and legislative requirements. The actions to date have included:

- establishment of single contacts in Council and the OEH
- provision of fact sheets and information on Council's website, media releases and mail outs to residents
- research of flying-fox management in localities across Australia
- mapping of community concerns
- contacting and meeting landholders/residents affected by Flying-foxes
- identification of potential emergency management actions
- seeking local, State and Australian government support for managing flying-foxes

At the Ordinary Meeting of Council on 9 June 2015, the following resolution was adopted (15/89):

**THAT:**

1. *Council receive a report at its meeting on 23 June 2015, making recommendations to Council on the potential to undertake emergency management actions and to prepare a Grey-Headed Flying-Foxes Camp Management Plan.*
2. *Council support the Mayor:*
  - *Raising the issues and need for NSW and Australian Governments' financial assistance at the Country Mayors meeting being held on 12 June 2015;*
  - *Seeking a meeting of a delegation of Mayors with the NSW Minister for the Environment;*
  - *Seeking the support of our local Member for Bega, the Hon. Andrew Constance MP and Member for Eden-Monaro, Dr Peter Hendy MP.*
3. *Council continue to work with the Office of Environment and Heritage on potential financial assistance for the preparation of the Grey-Headed Flying-Foxes Camp Management Plan.*
4. *Council review the Water Gardens area maintenance requirements, costs of maintaining the grounds and infrastructure, site usage, benefits and alternative arrangements.*

**CONSIDERATIONS**

There are two options before Council in regard to short and longer term management of the Flying-fox camp in the Water Gardens Batemans Bay in accordance with legislative requirements.

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1. Emergency management actions

Council can apply to the OEH to undertake pruning/trimming of vegetation and limited removal of vegetation to create a buffer for the residential properties abutting the Water Gardens. The works may provide some relief to residents by removing opportunities for the Flying-foxes to roost in limbs overhanging residential properties.

This work requires a section 91 licence under the *Threatened Species Conservation Act 1995* issued by the NSW Office of Environment and Heritage. In addition, as the majority of works are located on private lands, consent and support of the land owners is required. Consultation with the potentially affected residents would be undertaken to determine if they support the trimming and removal of nominated vegetation. The cost of the emergency management actions could be potentially borne by Council and could be preferably undertaken when the Flying-foxes are not utilising these roosting sites, generally in the cooler months.

The estimated cost associated with the implementation of emergency management actions is in the vicinity of \$26,000 to \$36,000. This does not include any contingencies for managing subsidiary issues that may arise by undertaking the emergency management actions. As any reduction of the roosting habitat may cause the Flying-foxes to seek alternative sites or encourage overcrowding in the existing camp.

2. Water Gardens Flying-fox Camp Management Plan

The OEH released a policy and template on Flying-fox Camp Management in 2015 which sets the framework of managing Flying-fox populations in NSW. It provides information on the conservation status of Flying-foxes, sets out the legislative and licensing rules that apply, and provides advice and guidance to assist the community, land managers and government to work together to manage Flying-fox camps.

The development of a Plan provides the opportunity to consider the land on which the Flying-fox camp resides as a whole and enables the community to review, discuss and identify longer term management options. The approach is based on a hierarchy of options where the lowest form of intervention is utilised with options to move through to higher levels of intervention.

This approach consists of three levels of actions:

1. Routine camp management actions (Level 1 actions) such as removal of tree limbs or whole trees that are a genuine safety risk, weed removal, mowing trimming of understorey, minor habitat augmentation.
2. Creation of buffers (Level 2 actions) such as increasing the distance between the camp and neighbouring properties
3. Camp disturbance or dispersal (Level 3 actions).

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The Plan would provide a range of options and strategies for management of the Water Gardens Flying-fox camp in accordance with the requirements of the NSW Government Flying-fox Management Plan template which ensures consistency with NSW and Australian Government obligations and policies. This would include items such as:

- camp area and history
- classification of land (private and public)
- identification of Flying-fox issues
- community considerations and opinion
- management responses to date
- stakeholders identified
- legislative requirements and assessment of impacts
- ecological considerations
- camp management actions and strategies including costs and likely effectiveness.

The Plan requires approval and licensing from the OEH and is issued for five years for camp management actions under the Plan.

The cost of developing a Camp Management Plan would be borne by Council with potential financial support from the OEH. Other land managers may also provide support financially and/or in-kind. Any affected land manager must also consent to any endorsed activities or works on their land identified in a Camp Management Plan. Any activities associated with implementing the Plan would also require funds and are not the subject of this report. The funding of actions arising from the Plan will need to be considered once the Plan is completed.

The estimated cost for the preparation of a Camp Management Plan is \$40,000 to \$50,000 dependent on the requirements of the brief such as degree of consultation, formation of a steering group, level of actions to investigate and consideration of managing potential new camp sites.

Research shows that dispersal attempts of camps in 17 cases across the country, has largely been unsuccessful in 16 cases and is often abandoned due to cost and the creation of new or additional camps causing the same community issues at a different location/s. (source: *Draft Cannes Reserve Flying-fox camp management plan 2015-2020, Pittwater Council*).

The implementation of a Camp Management Plan can be expensive and the implementation of any actions associated with managing the Flying-fox camp may impact on the community's lifestyle, have uncertain outcomes including failure, relocate the Flying-foxes to another sensitive location, cause community debate and division, and impact on animal health and conservation of the Grey-headed Flying-fox species.

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### **Legal**

The Grey-headed Flying-fox is listed as a vulnerable species under both the NSW *Threatened Species Conservation Act 1995* and the Commonwealth *Environment Protection and Biodiversity Act 1999* and accordingly any impact on the Flying-fox requires approval of both the NSW and Australian Governments. Flying-foxes are protected under the *National Parks and Wildlife Act 1974*.

The Australian Government, Department of the Environment, released a draft policy statement in December 2014 which provides a framework for assessment of impacts on the Flying-foxes and the approval process for any actions associated with managing the Flying-foxes. The draft policy states that the intention is to ensure that there are no significant impacts on the Flying-foxes due to actions to manage their camps. The policy describes which actions at camps are likely to have a significant impact and provides suggested best practice mitigation standards to avoid significant impacts. The Water Gardens, Batemans Bay is identified by the Australian Government as a nationally important camp for Flying-foxes (ie camps that have contained  $\geq 10,000$  Flying-foxes in more than one year in the last ten years or have been occupied by more than 2,500 Flying-foxes permanently or seasonally every year for the last ten years).

The NSW Government released a draft Flying-fox Camp Management Policy in 2014 and thereafter the Flying-fox Camp Management Policy and Camp Management Plan template in February 2015. This provides guidelines for compilation of a Camp Management Plan that can facilitate licensing of camp management actions for a five year period. The policy provides the framework within which the NSW Office of Environment and Heritage will make regulatory decisions and the guidelines for land managers to consider in the development of a Plan. The NSW Office of Environment and Heritage also works with the Australian Government to streamline the regulatory approach.

Any emergency management actions require a section 91 licence under the *Threatened Species Conservation Act 1995*, which is issued by the NSW Office of Environment and Heritage.

### **Environmental**

Grey-Headed Flying-foxes are nocturnal, resting during the day in communal camps or roosts. Camps vary in size from a few individuals to hundreds of thousands, fluctuating in response to local food availability and seasons. Camps are generally located in coastal regions of eastern Australia in gullies, close to a water source, in vegetation with a dense canopy or closed understorey and within 20 kilometres of food supply.

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Flying-foxes play a vital role in forest ecosystems as they pollinate flowers and disperse seeds as they forage on the nectar and pollen of many species. The numbers of Flying-foxes have declined over recent times, due to habitat clearance, natural events (such as heat waves) and culling. The decline of the species qualified it for listing as a vulnerable species under NSW and Australian environmental law. Modelling identified that the species was likely to be extinct in less than 100 years due to the high levels of death associated with human interactions.

In September 2014 there were some 262 known Flying-fox camps in NSW. In 2013 the National Flying-fox Monitoring Program commenced and establishes a benchmark of the size of the Flying-fox populations and trends in subsequent years. This work will enable governments to better understand the conservation status and enhance management options.

The Water Gardens Grey-Headed Flying-Fox camp is part of the monitoring program and census data has been collected since 2012 with the numbers fluctuating from zero to 500 to 30,000. The census is undertaken on specific days to deliver an accurate estimation of the entire population across NSW, Queensland and Victoria. It was only days after the February estimate of 1,500 animals at the Water Gardens was taken, that Flying-foxes began arriving in large numbers. Estimates outside the census suggest that the numbers in March and April 2015 are the highest ever noted at the Water Gardens camp.

### **Social Impact**

Conflict arises when Flying-fox camp numbers are high and close to the residential and business properties. When the camp is relatively small, neighbours have tolerated the camp but with the sudden and large influx of Flying-foxes, the impacts are greatly increased. The negative impact on the community for those residing next to or near the Water Gardens is noted in 23 recent formal complaints (at 9 June 2015) and informally via councillors and the media.

The issues for residents and the community in the main include:

- excessive noise impacting on the local residents particularly on sleep requirements
- odour entering local residents' homes
- faecal droppings on vehicles, washing, roofs and impact on water quality in water tanks and swimming pools
- perceived health risks associated with potential transmission of Hendra virus, Australian Bat Lyssavirus and Menangle virus
- reduced lifestyle amenity from noise, odour, faecal drop and defoliation of vegetation
- general well-being of residents (irritability, sleep deprivation, lack of control)
- vegetation damage caused by roosting Flying-foxes
- perceived lack of management or care for the local residents and businesses by Council and government authorities.

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**PSR15/021 GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY E15.9191;  
E00.4896**

Council received four formal submissions relating to the importance of Flying-foxes to ecological functions, the positive impact on tourism and concerns that incorrect information on Flying-foxes has been relayed within the community. There is also concern that any actions at the Water Gardens site may create other issues elsewhere with the relocation of a camp/s in another urbanised area. Anecdotal evidence has indicated that the Flying-foxes have provided tourism interest with the leaving and arrival of the Flying-foxes for feeding and roosting at sunset and dawn. Similarly concerns were raised at the resident meeting of 2 June 2015 that tourism may be negatively impacted by the Flying-fox camp.

Information on the concerns raised and the potential management options identified by some residents at the meeting of the 2 June 2015, is contained in the attachment to this report.

If Council chooses to proceed with a Camp Management Plan, further community consultation would be required with the affected residents as well as the broader community.

**Financial**

All work up to date has been borne by Council with existing resources and support from the OEH.

There are three levels of costs presented, which include:

1. Option 1: Emergency management actions up to \$36,000
2. Option 2: Water Gardens Flying-fox Camp Management Plan up to \$50,000
3. Management and coordination costs associated with Option 1 and 2 above up to \$8,600.

Option 1: Emergency Management Actions

Council with the OEH, have undertaken preliminary survey works and identified potential sites for the trimming or pruning of overhanging vegetation and some tree removal to create a buffer for residents next to the Water Gardens area.

Note that the majority of work is on private property and would require consent of the land owner/s. Also consultation and agreement with the affected residents would be required to ensure there is consensus and that the proposed works are supported. Approvals and licensing would be required from the NSW Government.

Works should be conducted when the Flying-foxes have moved, at night or when there are minimal animals on site minimising impacts on the animals and required by OEH.

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**PSR15/021 GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY E15.9191;  
E00.4896**

Table 1: Emergency Management Actions for the Water Gardens Flying-fox Camp

Land tenure	Description of works
Council near South Street	Prune Casuarina branches and Pittosporum
Private property near Crown Street	Remove and prune wattles and Casuarinas
NSW Land and Housing near High Street	Remove Robinia
BBLALC buffer near Short Street	Pruning of Eucalypts
BBLALC property near Short Street	Removal of Grevillea around house
BBLALC around dwellings near Short Street	Pruning of Eucalyptus species and some tree removal
	Management of works, approvals, consultation with land managers/owners and affected residents.

BBLALC = Batemans Bay Local Aboriginal Land Council.

A map showing the location of the proposed emergency management actions is included in the attachment to this report.

Option 2: Water Gardens Camp Management Plan

Council will require a consultant to prepare the Plan inclusive of community consultation and appropriate approvals as outlined under the heading Considerations.

The OEH have offered an amount of \$10,000 to financially support the cost associated with the preparation of the Plan.

The cost estimate of between \$40,000 to \$50,000 to prepare the Plan is based on information from other councils and assessments for similar works. This includes the consideration of the level of information and work required along with management of a proposed brief and associated costs.

If Council wishes to proceed with Option 1 and/or 2, the works required would be outsourced and overseen by Council staff with the assistance of OEH.

Additional funds would be required to enable the Council administration and management of overseeing the emergency management works and the Camp Management Plan of \$6,600 to \$8,600. This includes consultation with landholders and affected residents, agreed work plans, identification and overseeing of suitable contractors for the emergency management actions. The preparation and distribution of a brief requesting quotes related to the engagement of a suitably qualified consultant to undertake a Camp Management Plan. Coordination and management of the appointed consultant.

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<b>PSR15/021 GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY</b>	<b>E15.9191; E00.4896</b>
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If Council wishes to proceed with Option 1 and/or 2, appropriate budget allocations will be required.

Option 1: Undertake emergency management actions where the estimate for works is between \$26,000 and \$36,000 GST exclusive.

Option 2: Commission works to undertake a Water Gardens Camp Management Plan where the estimates are between \$30,000 to \$40,000 GST exclusive.

Management and coordination costs: \$8,600 GST exclusive.

The total cost to Council for all identified options and associated management is \$84,600.

Note, this is an estimate only and does not include the cost to implement actions that arise from the preparation of the Camp Management Plan.

It should also be noted that there is no budget allocation for this work or its associated costs. Council will therefore need to fund the works via identified savings or reallocation of resources. This is recommended to occur as part of the September quarterly review process.

### **Community Engagement**

Council and the OEH have responded to the concerns and distress of the local residents, within the resources available. Dedicated staff for both Council and the OEH have been established for the community. Personal or group meetings and site visits have been undertaken as well as telephone conversations and correspondence with individuals or small groups. Specific information has been developed with the aid of residents, and distributed to residents and businesses in the Water Gardens vicinity. Community information has also been included on Council's website and in media releases. All community data has been collated, which assists in identifying of 'hot-spots' and potential emergency management actions.

The land on which the Flying-foxes in the Water Gardens, Batemans Bay reside and camp, encompasses a number of land managers/owners and therefore any proposed actions and Plan would require their support and consent.

Consultation with affected residents would also be undertaken in an attempt to establish agreement and general consensus with those where emergency management works are proposed and with the Camp Management Plan if these items were to proceed.

If Council were to undertake a Camp Management Plan consultation would be required with residents and businesses near the Water Gardens, and with the broader community. The Plan would call for stakeholder consultation and it is recommended that a minimum of two community workshops be conducted. A steering group could be established to oversee the project brief and works. This group should consist of stakeholders being invited such as representatives from:

- Eurobodalla Shire Council – Mayor and relevant staff
- Local resident/s or land holder/s near the Water Gardens
- Local business person near the Water Gardens
- Batemans Bay Chamber of Commerce



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**PSR15/021 GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY E15.9191;  
E00.4896**

- Batemans Bay Local Aboriginal Land Council
- Department of the Environment (Cmwth)
- NSW Office of Environment and Heritage
- Crown Lands Division of NSW Trade and Investment
- NSW Land and Housing Corporation
- NSW Department of Health
- Veterinarian expert
- Flying-fox experts who have considerable experience in the ecology, biology and other relocation attempts
- WIRES – NSW Wildlife Information, Rescue and Education Service
- Consultant firm engaged for the project

A residents meeting conducted on 2 June 2015 to discuss possible means to manage the impacts of the Flying-fox camp. The information presented was based on councillor briefings of February 2014 and May 2015. Fifty six people attended, the majority of those being residents or owners of property adjacent to the Water Gardens.

Included as an attachment are the main items that were raised by individuals at the residents meeting.

### **CONCLUSION**

The Grey-headed Flying-foxes in the Water Gardens and in other localities across Eurobodalla, may create negative impacts for those who reside near the camps and there is also community support for the Flying-foxes. There is no readily available 'quick fix' to any community concerns, when dealing with the complexities of the Flying-fox behaviours, their unpredictable movements, habitat requirements and legal regulations. However this does not diminish the concerns of residents who live in the vicinity of the Water Gardens and the associated difficulties in dealing with the Flying-foxes.

Council has worked collaboratively with OEH in undertaking research on Flying-fox numbers and movements, identifying management actions across Australia, mapping community concerns, identification of emergency management actions, communications and consultation with the community. Additional further technical and financial support is being sought from the NSW and Australian Governments.

The short term actions include emergency management works to prune and remove the vegetation that is most impacting upon the residents near the Water Gardens. This work requires approval from the NSW government, the landholders and agreement from those affected residents.

The longer term action is the development of a Water Gardens Flying-fox Camp Management Plan which would encompass broad community consultation and review of the Water Gardens to develop levels of actions that would provide certainty to affected residents and landholders

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<b>PSR15/021</b>	<b>GREY-HEADED FLYING-FOXES - WATER GARDENS, BATEMANS BAY</b>	<b>E15.9191; E00.4896</b>
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as to what works could be undertaken. Any identified works associated with a Plan would require funding and further consideration by Council.

**Water Gardens Batemans Bay Flying Fox Meeting  
2 June 2015**

Below are the main issues that were raised by the community and noted

**Concerns**

**Odour**

- smell is overpowering, disgusting

**Noise**

- disruption to sleep
- can't leave windows open due to the noise and odour

**Health issues**

- asthma
- allergies
- Hendra and Lyssavirus
- associated with faecal droppings and potential for ingestion by children and vulnerable persons

**Loss of amenity**

- usage of property is diminished
- can't sit in outdoor areas
- can't hang washing outside
- have had to cease using a private swimming pool
- faecal drop on cars, boats, outdoor furniture, patio and balcony areas which require regular cleaning

**Financial costs to residents is increased due to living with flying-foxes**

- electricity usage increased by using dryers, air conditioners, maintenance costs, who pays
- unable to tenant out properties
- reduced property values

**Impact on tourism**

**Management Options raised:**

Financial assistance to residents: provide funding for additional electricity costs (usage of dryers) and water usage (cleaning of outdoor areas) incurred, double glazing windows to reduce noise, gurneys for cleaning down areas, purchase of cleaning products and tarps to cover areas exposed to faecal droppings.

Management of the Water Gardens: lack of general maintenance, history of site, ongoing and long term management, no signage, clean up the area and environmental weed control

Flying-fox dispersal: culling, move them on, learn to live with them

Flying- Fox Camp Management: look at encouragement of suitable site near Water Gardens  
for example area across the highway in the Bay.

### Map of Potential Emergency Management Actions



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**PSR15/022 ANNUAL HERITAGE REPORT 2014-2015**

**E07.1407**

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: 1. Eurobodalla Annual Heritage Report 2014-2015  
2. Eurobodalla Heritage Wrap 2014-2015

Focus Area: Sustainable Communities

Delivery Program Link: S7.3 Manage and promote our Aboriginal and Non-Aboriginal Heritage

Operational Plan Link: S7.3.1 Coordinate the Heritage Advisory Committee

### **EXECUTIVE SUMMARY**

This report seeks adoption of the Eurobodalla Annual Heritage Report 2014-2015. Adoption of the report is a compulsory requirement of the 2014 heritage grant funding agreement with the Heritage Division of the NSW Office of Environment and Heritage.

The Annual Heritage Report lists the achievements of Council's heritage program for 2014-15 against the Eurobodalla Heritage Strategy 2014-17, including:

- Dairy industry heritage exhibition;
- Local environmental plan heritage amendments;
- Heritage tourism map; and
- Council's heritage web page upgrade.

The Strategy also included financial assistance to owners of heritage listed items through the Local Heritage Places Grants.

Copies of the Annual Heritage Report to the Heritage Division for 2014-15 and the Eurobodalla Heritage Wrap 2014-15 including the Local Heritage Places Grants allocations are attached to this report.

### **RECOMMENDATION**

THAT:

1. Council endorse the Eurobodalla Annual Heritage Report 2014-15.
2. The Eurobodalla Annual Heritage Report 2014-15 be forwarded to the Heritage Division in accordance with the conditions of the funding agreements.
3. Council thank the members of the 2012-15 Heritage Advisory Committee for their contribution to heritage management in the Eurobodalla Shire.

### **BACKGROUND**

#### Annual Heritage Report 2014-2015

On 11 February 2014 Council adopted the Eurobodalla Heritage Strategy 2014-17 to guide heritage management in the Eurobodalla Shire and to secure funding from the NSW Office of Environment and Heritage (OEH). Accordingly, funding was made available to Council for the financial year 2014-15. A condition of the grant funding is that a report on the use of the funds

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**PSR15/022 ANNUAL HERITAGE REPORT 2014-2015**

**E07.1407**

against the Eurobodalla Heritage Strategy 2014-17 be adopted by Council and submitted to the Heritage Division of the OEH annually.

The Annual Heritage Report 2014-15 has been prepared in accordance with the Heritage Division guidelines and provides an overview of the achievements and challenges of implementing the Eurobodalla Heritage Strategy 2014-17. Some of the key achievements of the heritage management program in 2014-15 are listed in this report.

Heritage Advisory Committee

Since 2000 Council has convened a Heritage Advisory Committee (HAC) for the purpose of involving the community in the management of Eurobodalla's heritage. The current committee was established for the period 2012-15 and is made up of:

<u>Organisation</u>	<u>Current Representative</u>
Councillors:	Clr Fergus Thomson (chair) Clr Liz Innes
Community Representatives:	Catherine Lawler Norm Hoyer Christine Adams
Moruya & District Historical Society:	Brian Harris
Narooma Historical Society:	Laurelle Pacey
Clyde River & Bateman's Bay Historical Society:	Ewan Morrison

Committee members have been proactive in developing the Eurobodalla Heritage Strategy 2014-2017 and in working towards the achievement of the tasks in the strategy.

Expressions of interest for membership of the Heritage Advisory Committee for 2015-18 have been sought and will be reported to Council in due course.

**PROJECTS**

Dairy Industry Heritage Exhibition

To meet community expectations arising from Section 6 - Educational and Promotional Programs of Council's Heritage Strategy, Council has been collecting oral histories and developing a photographic portfolio of the dairy industry in the Eurobodalla. An audio visual presentation was developed to preserve the stories of the people and places that made this rural industry.

The video was launched with a corresponding photographic exhibition of the old farm buildings that made up our dairying heritage. The exhibition and screening celebrated History Week in September 2014. Fifty works were exhibited with 18 works and 30 DVDs sold to the public.

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**PSR15/022 ANNUAL HERITAGE REPORT 2014-2015**

**E07.1407**

Amendments to local environmental plans

A key deliverable of the Heritage Strategy 2014-17 (Section 2) was that the recommendations of the Community Based Heritage Study (CBHS) are included in our LEPs. The CBHS 2011 was adopted by Council on 22 November 2011. A planning proposal to amend that *Eurobodalla Local Environmental Plan 2012* and the *Eurobodalla Rural Local Environmental Plan 1987* to include the new items and areas was adopted and 73 items, places and areas were listed as being of heritage significance to the community.

Eurobodalla Shire now has 388 items, places and areas listed. This is a credit to the dedication of the volunteers who worked to collect the relevant information and gather the histories of our past and provides a valuable drawcard for visitors to the area.

Heritage Tourism Map

The Heritage Advisory Committee has worked closely with Council staff to develop a heritage-focussed tourist map and website to fulfil Task 27 of Section 6 - Educational and Promotional Programs of Council's Heritage Strategy. The project was to develop digital and printed heritage tourism maps in collaboration with Council's tourism staff and community groups.

Council's Heritage webpage

Section 6 of Council's Heritage Strategy will also be met by the upgrade of Council's Culture and Heritage web pages. The web site is now more informative, easier to use, searchable and combines the Aboriginal and non-Aboriginal sections in the spirit of social inclusion. The ongoing addition of visual material will also put the Eurobodalla's heritage on show for researchers and those planning holidays. A link to Council's tourism website has also been added.

**Legal**

Submission of the Annual Heritage Report 2014-2015 meets Council's contractual responsibility under the funding agreement.

**Policy**

Projects listed in the report achieve several of the tasks identified in the Eurobodalla Heritage Strategy 2014-2017.

**Economic Development Employment Potential**

The Local Heritage Places Grant Programs enables property owners to carry out construction works. These works contribute to the local economy through the employment of skilled trades people.

**Financial**

Local Heritage Places Grants

The Local Heritage Places Grants program for 2014-15 was jointly funded by Council and the Heritage Division on a \$1 for \$2 basis with Council providing \$8,500 to qualify for \$4,250 from the Heritage Division. The availability of the fund was advertised to the public and invitations to apply were sent directly to eligible property owners.



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**PSR15/022 ANNUAL HERITAGE REPORT 2014-2015**

**E07.1407**

Five applications were received from Moruya, Bodalla, Narooma and the Tilba district. Each proposal was assessed by Council's Heritage Advisor and Strategy & Heritage Planner against Heritage Division guidelines. The successful projects were selected by the Heritage Advisory Committee and are listed in Attachment 2.

Heritage Advisory Service

The Heritage Advisory Service was jointly funded by Council and the Heritage Division on a \$1 for \$3 basis with Council providing \$14,000 to qualify for \$4,666 from the Heritage Division. The service provides specialist heritage advice to Council staff and to owners of listed heritage items. The latter service is provided to property owners free from charge.

This advice is invaluable in managing the Shire's heritage and continues to provide excellent value for money for Council and the community. The service was promoted to the public and has been well used by the community. Details of this service for 2014-2015 may be found in the Attachment 2.

**CONCLUSION**

On 27 April 2015, the Minister for Heritage approved ongoing funding to support the shire's heritage management for the financial year 2015-16. The Annual Heritage Report 2014-15 must be adopted by Council to continue to secure the funding.

Council's continued support for heritage management, promotion and protection for 2014-2017 and beyond will ensure the continuation of best practice heritage management in the Eurobodalla.



Your council name: Eurobodalla Shire Council

## NSW Heritage Grants

### Local Government Heritage Management Program

#### Template for Heritage Strategy Annual Report 2014–2015

I confirm that the total expenditure for the heritage advisor service during 2014-2015 (which includes an estimate for the June 2015 visit ) was \$ 18,666.00 ex GST.

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#### Background

A requirement of the NSW Heritage Grants Local Government Heritage Advisor Program is that each council must prepare, adopt and implement a three-year heritage strategy for 2013–2014 to 2016–2017. This strategy must be based on the Heritage Council of NSW and Office of Environment and Heritage publication [\*Recommendations for local council heritage management\*](#).

#### Local government heritage advisor annual reporting requirements for 2014–15

As part of the funding agreement for your heritage advisor, council must prepare and submit an annual report on the implementation of your council's heritage strategy to the heritage branch of your local council by 15 May each year. Generally this report will be prepared by your council's heritage advisor and heritage officer.

#### All councils to use this template for Heritage Strategy Annual Report

The 2014–15 heritage strategy annual report template outcomes and indicators are based on a standardised heritage strategy developed from the publication [\*Recommendations for local council heritage management\*](#).

Councils must use this reporting template to summarise achievements throughout the year. You should complete this locked word document template electronically by inserting your responses as follows:

1. Fill in the key performance indicator data in the **grey areas** for each heritage strategy recommendation.
2. Using this data, complete the **grey areas** for all four evaluation questions for each outcome.
3. If you would like to include extra information about and for your Council, please add your comments in the 'optional comments' **grey area**.

**Please do not alter or change the template.** This template is a locked word document.

The Heritage Council of NSW will collate this data into an annual report as part of the NSW Heritage Grants Local Government Heritage Management Program. This report will be made available on the Heritage Council of NSW website [Local Government Heritage Management](#) information page and program evaluation page.

### Lodging your heritage strategy annual report for 2014–15

As per the heritage advisor agreement, a copy of this annual report must be lodged with your council for adoption and lodged with the Heritage Council of NSW.

## Recommendation 1

**Establish a heritage committee to deal with heritage matters in your area**

### Outcome 1 (Caring for our heritage)

**Increased community participation, awareness and appreciation of heritage in the local area.**

#### Key Performance Indicators

Heritage committee established	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Heritage committee constituted under S377 of Local Government Act	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>Optional comments</i> The Heritage Advisory Committee (HAC) is composed of representatives from the three historical societies within ESC area, a representative of the Eurobodalla Aboriginal Advisory Committee, additional community representatives and nominated Councillors. Council staff and Heritage Advisor also attend.
Heritage policy written and adopted by Council	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed 11 February 2014 Date/s reviewed and updated N/A <i>Optional comments</i> The Heritage Strategy was written with input from the HAC.

Heritage committee advice/input to council decision making	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> #5 of pieces of advice/input to Council decision making  <i>Optional comments</i> The HAC advised Council on the allocation of heritage grants and various nominations for heritage listing. The committee also provided advice on the naming of three historic bridges within the shire. They have also commented on the draft Quarry Park Landscape plan and are currently contributing to the heritage tourist map that is being prepared by Council.
Local heritage consultants directory established	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>Optional comments</i> Inquiries are directed to the Heritage Division website, however most local heritage consultants are well known.
Local services and suppliers directory established	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>Optional comments</i> Developing a services and suppliers directory is part of Council's three year heritage strategy

### Evaluation: (social, environmental, economic)

Please add your commentary after each question

1. What do the Key performance indicators (KPIs) tell you about this outcome? The HAC plays an active and valuable role within the community and in assisting Council to undertake important aspects of its cultural roles.
2. What were the key results or achievements for this year? Progressing the development of the Eurobodalla Heritage Map. Also, members of the committee have been working closely with the Narooma community to conserve the Wagonga and Corunna Cemeteries.
3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. There were no disappointments, the committee has functioned very effectively for many years.
4. What will you do next year? Continue to promote heritage within the community and organise a tour of cemeteries within the shire to maintain focus on their conservation and sensitive management.

## Recommendation 2

Identify the heritage items in your area and list them in your local environmental plan.

## Outcome 2 (Knowing and valuing our heritage)

Increased knowledge and proactive management of heritage in your local area.

### Key Performance Indicators

Community based heritage study completed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed 2011 Date/s reviewed and updated 2014 # 83 of heritage items recommended for inclusion in your Local Environmental Plan (LEP) heritage schedule <i>Optional comments</i> The 2011 study recommended a total of 83 additional places for inclusion, although not all were listed.
Aboriginal heritage study completed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed 2008 Date/s reviewed and updated N/A <i>Optional comments</i>
No. of heritage items included in existing LEP heritage schedule	# 388 of heritage items included in LEP heritage schedule Date completed 2012 Date/s reviewed and updated 2014 <i>Optional comments</i> The 2011 study deleted four items that had lost their significance and added approximately 74 items that had been nominated and assessed as being above threshold
Council has gazetted a principal LEP with model heritage provisions in accordance with Standard Instrument (LEPs) Order	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date gazetted 20 July 2012 <i>Optional comments</i> The clauses mirror those of the standard instrument
Statement of significance for all heritage items in existing LEP	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed 1997

	<p>Date/s reviewed and updated 2014</p> <p><i>Optional comments</i></p>
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**Evaluation:** (social, environmental, economic)

Please add your commentary after each question

1. What do the KPIs tell you about this outcome? Eurobodalla's heritage is well represented in the LEP.
  2. What were the key results or achievements for this year? The gazettal on 4 November 2014 of new heritage items and places. Information from the heritage inventory is now available on line via the NSW Heritage Division website.
  3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. Lack of sufficient GIS resources slowed the generation of heritage maps for the LEPs. We were able to employ the limited resources of the NSW Planning Department
  4. What will you do next year? Information on listed places, such as amended property data, will be updated regularly.
-

### Recommendation 3

**Appoint a heritage and urban design advisor to assist the council, the community and owners of listed heritage items.**

### Outcome 3 (Caring for our heritage)

**Increased community participation and proactive heritage and urban design management in your local area.**

#### Key Performance Indicators

Site visits	# 44 of heritage site visits undertaken  <i>Optional comments</i> The heritage adviser attended the shire offices on 12 occasions and undertook 44 site visits on those days
Heritage/urban design advice given	# 47 of heritage/urban design advice given  <i>Optional comments</i> This included advice to property owners, staff and community members on specific matters
Pre Development application (DA) advice given on heritage/urban design issues	# 7 of pre DA advice given on heritage/urban design issues  <i>Optional comments</i> Mainly subdivisions
Advice to Council DAs provided on heritage/urban design projects	# 27 of advice to Council DAs provided on heritage/urban design projects  <i>Optional comments</i> This included advice to property owners, staff and community members on specific matters

### Evaluation: (social, environmental, economic)

Please add your commentary after each question

1. What do the KPIs tell you about this outcome? An important role of the adviser is meeting people on site and providing heritage advice face to face.
2. What were the key results or achievements for this year? The adviser has worked in a very positive manner with owners of heritage properties
3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. Nil
4. What will you do next year? Continue the role and include heritage training for staff.



## Recommendation 4

Manage local heritage in a positive manner

### Outcome 4 (Caring for our heritage)

Proactive heritage and urban design management in your local area.

#### Key Performance Indicators

Heritage Development Control Plan (DCP)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed 2010 Date/s reviewed and updated 30 March 2012 <i>Optional comments</i> Nelligen Village, Bodalla Village and Tilba Villages and Conservation Area DCPs.
Urban design DCP	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed 2010 Date/s reviewed and updated 2012 <i>Optional comments</i> Village main street studies have been prepared and are being used as urban design guidelines in the relevant areas.
Waive or reduce DA fees	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>Optional comments</i> Council waives the advertising fees on applications for development on heritage properties.
Adopt a flexible approach to planning and building requirements	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>Optional comments</i> Staff actively employ the clause 5.10(3) of the LEP where appropriate in order to save property owners having to lodge DAs for works that would otherwise be exempt.

### Evaluation: (social, environmental, economic)

Please add your commentary after each question

1. What do the KPIs tell you about this outcome? Council has planning tools available for the some of the shire's significant areas.
2. What were the key results or achievements for this year? Much of the heritage related development takes place in the Tilba Conservation Area, for which the DCP is working well.

3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. Nil
  4. What will you do next year? Consider progressing the village main street studies to assist planning and development.
-

## Recommendation 5

**Introduce a local heritage incentives fund to provide small grants to encourage local heritage projects**

## Outcome 5 (Caring for our heritage)

**Increased community participation and proactive conservation and management of heritage in your local area.**

### Key Performance Indicators

Local heritage fund operational	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  <i>Optional comments</i> The Local Heritage Places Grants operate annually to assist property owners to preserve the area's heritage.
Heritage projects funded with this years funding	# Five of heritage projects funded this financial year
Total project value	Total \$ 44,051 project value
Total local heritage fund contribution	Total \$ 12,750 contributed by local heritage fund
Total owner contribution to project	Total \$ 31,301 contributed by local heritage owner to heritage project
**Heritage projects that contribute to local tourism	# Two of heritage projects that contribute to local tourism  <i>Optional comments</i> The restored cheese room is to be part of a tourism business. 84 Princes Hwy reinforces Bodalla as an historic village.
**Projects created paid employment	# Seven of jobs created  <i>Optional comments</i> Some projects were done partly by the owner.
**Projects created volunteer opportunities	# 0 of volunteer hours contributed  <i>Optional comments</i>

**\*\* These indicators are important NSW Government indicators related to tourism, jobs and employment creation and **must** be completed.**

## Evaluation: (social, environmental, economic)

Please add your commentary after each question

1. What do the KPIs tell you about this outcome? The grant program continues to stimulate the local economy with both short and long term benefits that extend beyond the individual place.
  2. What were the key results or achievements for this year? All projects had excellent outcomes. 84 Princes Highway, Bodalla is highly visible and adds enormously to the historic character of the village. Restoration of the Anglican Hall has important benefits for the Moruya community.
  3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. It was unfortunate that there were insufficient funds to assist all applicants.
  4. What will you do next year? The grant program will prioritise projects that enhance tourism and historic streetscapes.
-

## Recommendation 6

Run a heritage main street program

### Outcome 6 (Caring for our heritage)

Council, owners and the community actively participate in attractive and well managed heritage main streets

#### Key Performance Indicators

Heritage main street committee operational	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>Optional comments</i>
Heritage main street study completed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed 2010 Date/s reviewed and updated <i>Optional comments</i> Studies for Bodalla and Nelligen were completed 2010
Heritage main street study recommendations implemented	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Date completed <i>Optional comments</i> The studies have been incorporated into development control plans.
Heritage main street program expanded to other main streets in local government areas (LGA)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>Optional comments</i>

### Evaluation: (social, environmental, economic)

Please add your commentary after each question

1. What do the KPIs tell you about this outcome? The shire's main heritage streets have been addressed.
2. What were the key results or achievements for this year? Continued improvements to the Nelligen & Bodalla streetscapes.
3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. Nil
4. What will you do next year? continue to ensure that future development of the identified is consistent with the adopted main street studies.

## Recommendation 7

### Present educational and promotional programs

## Outcome 7 (Valuing our heritage)

Increased awareness and appreciation of heritage by the Council, owners and the community in your local area.

### Key Performance Indicators

Heritage information available for LGA (e.g. brochures, website, guidelines etc)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  Date/s originally set up 2005  Date/s reviewed and updated 2014  <i>Optional comments</i> Abundant information is available, including brochures, web based information, tourist information services, historical societies etc.
Heritage promotional events held  (e.g. National Trust Heritage Festival, local heritage festivals, heritage awards scheme, main street festivals etc)	# Four of heritage events held in last financial year  <i>Optional comments</i> Dairy Industry Heritage photographic exhibition, National Trust heritage festival, Narooma Oyster festival, Tilba festival
Local/regional heritage tourism strategy completed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  Date completed 2011  Date/s reviewed and updated  <i>Optional comments</i> As part of ESC's main Tourism Strategy, Eurobodalla Destination Management Plan 2011-2020.
Heritage trail completed	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  Date completed On track to be completed by 30 June 2015.  Date/s reviewed and updated  <i>Optional comments</i> The whole of shire heritage map is being prepared as part of a set of maps that will link to additional web based information
Heritage training for staff	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  # staff attended training  <i>Optional comments</i>

Heritage training for Councillors	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> # Councillors attended training <i>Optional comments</i> It is timely to conduct a workshop for Councillors and the community now that the heritage schedule has been gazetted.
Heritage training/workshops for heritage owners	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> # of owners attended training <i>Optional comments</i> It is timely to conduct a workshop for Councillors and the community now that the heritage schedule has been gazetted.
Heritage training /workshops for local professionals	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> # of local professionals attended training <i>Optional comments</i>

### Evaluation: (social, environmental, economic)

Please add your commentary after each question

1. What do the KPIs tell you about this outcome? Heritage Tourism is an important part of the shire's economy and is being further promoted. There is an opportunity to educate councillors, staff and the community on heritage matters.
2. What were the key results or achievements for this year? Completion of the Dairy Industry Heritage project and the heritage tourism map.
3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. Nil
4. What will you do next year? Conduct heritage training workshops for staff and discuss same with Councillors. Upgrade web based information to support the heritage map.

## Recommendation 8

**Set a good example to the community by properly managing places owned or operated by the Council**

### Outcome 8 (Caring for our heritage)

**Council proactively conserves and manages its heritage assets.**

#### Key Performance Indicators

Council has a asset management plans with action plans for heritage assets	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>Optional comments</i> Moruya Showground, Mechanic's Institute Hall and Quarry Park
CMPs/CMS prepared for state significant heritage assets	# 0 of CMPs/CMS prepared for state significant items this financial year <i>Optional comments</i> Mechanic's Institute Hall CMP is still applicable.
Annual works budget secured for heritage asset maintenance and repairs	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>Optional comments</i> Funds are allocated as part of Council's regular property maintenance budget.

### Evaluation: (social, environmental, economic)

Please add your commentary after each question

1. What do the KPIs tell you about this outcome? Council is looking after its key heritage assets
2. What were the key results or achievements for this year? Preparation and adoption of the Draft Quarry Park landscape plan. The local quarry system is considered to be of state significance.
3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. Nil
4. What will you do next year? Develop an interpretation plan for Tuross following demolition of Tuross Hall.



## Recommendation 9

Promote sustainable development as a tool for heritage conservation

### Outcome 9 (Caring for our heritage)

Proactive heritage and sustainable development in your local area

#### Key Performance Indicators

Heritage Development Application approvals for adaptive reuse works	# Seven of adaptive reuse DA approvals <i>Optional comments</i> The major adaptation is Mountain View Farm that is being developed as a commercial retreat.
Development Application approvals for regeneration and urban design works	# Nine of urban design /regeneration DA approvals <i>Optional comments</i> Mostly to do with subdivision of land parcels that are within a conservation area or contain a heritage item.
Heritage Development application approvals for infill and/or additions works	# 13 of infill/additions DA approvals <i>Optional comments</i> Mainly dwellings.
Pre- DA advice and advice given on sustainable and energy efficient modifications (power, water, waste, carbon neutral)	# 0 of pre-DA advice and advice given on sustainable and energy efficient modifications <i>Optional comments</i>
Sustainability and heritage awareness courses for councillors, council staff, heritage owners and community	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> # of people who attended training <i>Optional comments</i>

### Evaluation: (social, environmental, economic)

Please add your commentary after each question

1. What do the KPIs tell you about this outcome? Historic buildings and streetscapes are being revitalised, showing an appreciation of local heritage within the community.
2. What were the key results or achievements for this year? The success of the grants program in enabling the reuse of existing buildings, such as at Mountain View Farm.
3. Were there any challenges or disappointments that had a major effect on your results? Briefly describe and show what action has been taken to address this. Work is generally sympathetic with heritage values

4. What will you do next year? Encourage owners to consider sustainability where the opportunity arises.
- 

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Every effort has been made to ensure that the information in this document is accurate at the time of publication. However, as appropriate, readers should obtain independent advice before making any decision based on this information.

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OEH 2015/0167

March 2015

## EUROBODALLA HERITAGE WRAP

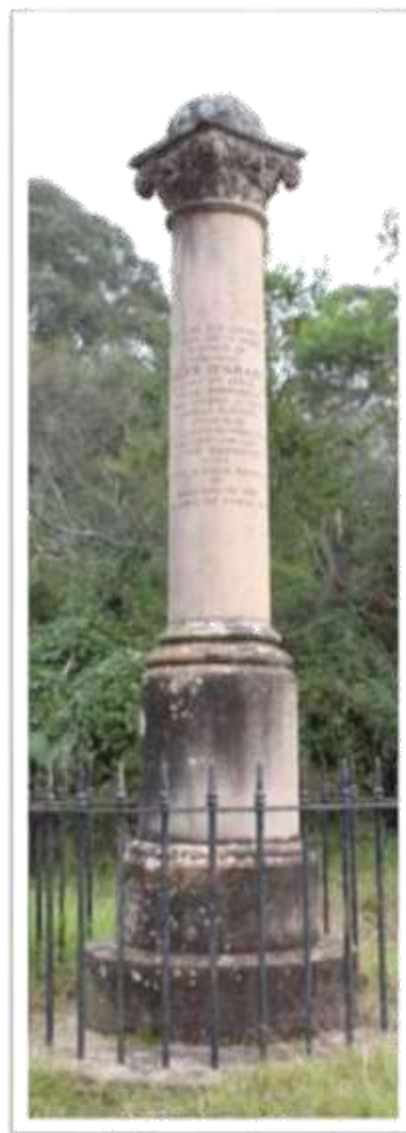
2014- 2015

### Heritage Map

The Heritage Advisory Committee, the Heritage Advisor and Council staff planned and prepared text and guidelines for a tourist map that will focus on the shire's rich heritage. Council's Tourism Marketing Coordinator provided graphic design and invaluable advice during the project. The heritage map joins a suite of such maps that foster tourism and its associated economy. The map has a link to our tourism website and museums where more detailed information will be available.

### Annual Heritage Report

As a requirement for continued funding from the Heritage Division of the NSW Office of Environment and Heritage we have prepared the annual heritage report that summarises expenditure, programs and heritage advice provided over the year.



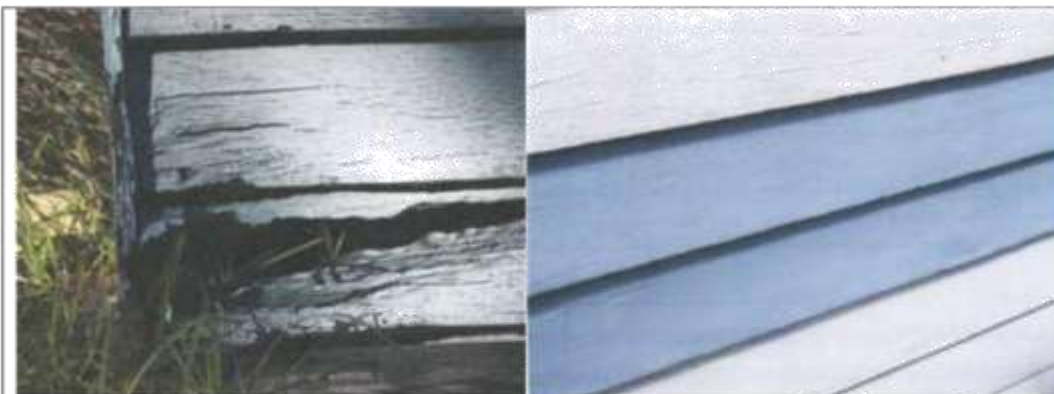
### Local Heritage Places Grants

In 2014, 10 applicants sought \$30,358 to undertake a total of \$178,453 worth of work under the 2014–15 Local Heritage Places Grants (LHPG). Unfortunately, there was only a total of \$12,750 available in the fund. In general this was allocated to private individuals or community organisations to repair decaying fabric or structural failure. Some applications failed because of a lack of preparation or inadequate quotes. Two worthwhile applications were for commercial buildings but this class of building was a lower priority for funding in the 2014–15 round. Priorities for 2015–16 target works to listed buildings, and places in conservation areas, that enhance the streetscape and hence tourism.



### Former Doctor's residence Bodalla

The fund contributed to restoration work to the front of the building, greatly improving its appearance from the Princes Highway and contributing to Bodalla's ongoing improvements



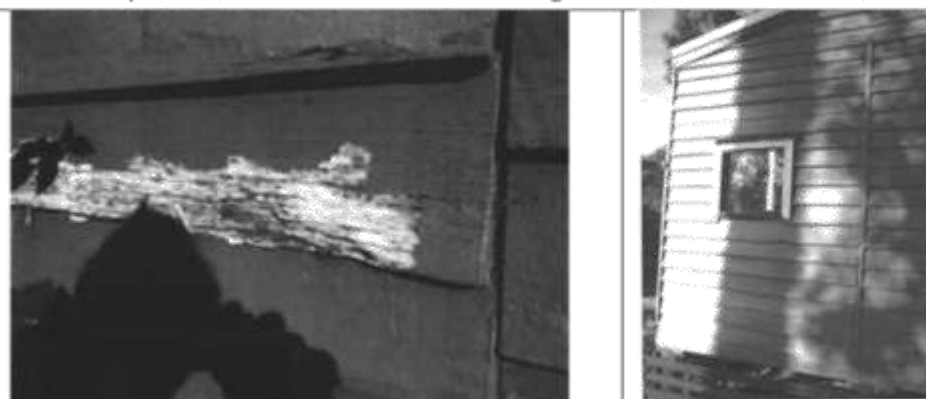
**Nobby's Boatshed Fosters Bay Narooma**

The fund contributed to restoration works to 'Nobby's Boatshed' This is the first allocation of conservation funding to the boatsheds, which are important not only historically and aesthetically, but are an increasingly important attraction in the town.



**Mountain View Farm, Tilba Tilba**

The historic cheese room underwent extensive restoration to enable it to be adaptively reused as part of a future retreat that will bring additional income into the area.



**13 Albert Street**

Relocated from Granite Town to Moruya Heads many years ago, the cottage is one of only a few surviving buildings from this very significant quarrying phase. The fund made a small contribution to the building's conservation in recognition of its significance.





**The Anglican Church Hall** in Moruya is well used by the wider community. The fund contributed to urgent restumping and painting.

### **Working with the community**

#### Wagonga Cemetery

The community have had a formal survey done of the site and undertaken preliminary work consistent with a management plan prepared by the Heritage Adviser during the previous year.

#### Batemans Bay Cemetery

The Heritage Adviser met with a community representative for the historic Catholic and Presbyterian cemeteries in Batemans Bay and recommended a plan of management be prepared similar to the one done for Wagonga Cemetery. As a follow-on from the meeting the Heritage Adviser is coordinating a tour of specific cemeteries to be undertaken in late July 2015 to look at management issues.



Historic Catholic cemetery Bateman's Bay. 2015

#### Dairy Photo Exhibition

This highly successful exhibition of photos taken by Andrew Metcalf gained wide public support and again brought attention to the Shire's rich dairying heritage.



Photo by Andrew Metcalf

### **Heritage Advisory Committee**

The Heritage Advisory Committee (HAC) meets every few months and brings together members from the three historical societies and other community members to consider issues of heritage policy, grant priorities and heritage related matters. This effective group not only builds capacity within the community, but is able to feed matters of concern into Council's process.

The Eurobodalla Heritage Strategy 2014-2017 is largely a product of the input from the HAC. The committee, together with the Heritage Advisor and Council staff has now gone on to complete one of the major tasks of the strategy, being the development of the heritage tourism map.

### **Heritage advice**

A wide range of advice was provided by the Heritage Advisor to Council staff, property owners/managers and developers addressing matters such the conservation of significant building fabric and sympathetic ways of achieving alterations and additions.

Anglian Church Moruya – landscaping

Catholic Church Moruya – guttering and drainage

Vivien Cottage Moruya – guttering and re-levelling

Anglican Church Bodalla –significance of setting

90 Sherringham Lane Tilba – demolition of dairy

Mountain View Farm Tilba – DA for 2 cabins

4 Bate Street – Tilba – advice on colours

Old Gundary Hotel Moruya – Advice to new owners

Tuross interpretation – advice to staff

Henkley, Tilba – restoration of shed

Uniting Church Narooma - works to manse

Kinema theatre Narooma – works to entry

Adelaide Hotel – impact of extension options

1 Jersey Rd – DA

57 Punkalla Rd –DA

249 Punkalla Rd – DA

Tilba Tilba silo – colours

Moruya Catholic Primary – Pre DA

Mylott's Bakery



Subdivision DA

Nelligen Church former - Carport DA

258 Corkhill Rd – DA

Tuross House – pre purchase heritage advice

Bodalla Arms Hotel - Colours

Vulcan St barber shop – DA

Narooma School of Arts - Review Heritage Impact Statement

244 Sherringham Lane – subdivision advice

Nelligen Ferry Masters cottage – general advice

Rosedale Cabins – DA

10 Beach Road Batemans Bay – DA

Spinnaker Place subdivision – DA

Ferry Ramps Bateman's Bay – advice

Old Steampacket Hotel Nelligen - advice

34 – 36 Sydney St Mogo – 2 Lot sub-division

Commonwealth Bank Moruya – DA

Interpretation plaques Tilba - advice

Telecommunications Monopole Benandarah –DA

14 Latimer's Rd

1 Whiffens Lane Tilba – new building.



4 Bate Street Central Tilba, May 2015

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**PSR15/023 SUBMISSION TO NSW ENVIRONMENT PROTECTION AUTHORITY  
(EPA) ON DRAFT ENVIRONMENTAL GUIDELINES SOLID WASTE  
LANDFILLS**

**E98.2417**

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: 1. Submission to the NSW Environment Protection Authority (EPA) on  
draft Environmental Guidelines Solid Waste Landfills

Focus Area: Sustainable Communities

Delivery Program Link: S5.1 Provide and renew waste infrastructure

Operational Plan Link: S5.1.1 Deliver capital and renewal works program

### **EXECUTIVE SUMMARY**

The NSW Environment Protection Authority (EPA) released the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) on 17 March 2015. These draft guidelines will supersede the existing EPA Environmental Guidelines: Solid Waste Landfills of 1996. Submissions to the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) will be accepted until 30 June 2015.

Council recognises the need to apply a best practice approach to the development and operation of landfills and supports the introduction of the Environmental Guidelines Solid Waste Landfills (Second edition, 2015).

The following issues have been identified within the submission:

- Siting restrictions
- Construction Quality Assurance procedures
- Performance based assessment of flexible membrane liners and geonets
- Fire prevention
- Waste acceptance and security procedures
- Final capping requirements
- Construction Quality Assurance Plan

It is recommended a submission in support of the proposed guidelines, but raising the above issues, be lodged with the EPA.

### **RECOMMENDATION**

THAT Council lodge the submission attached to this report on the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) with the NSW Environment Protection Authority.

### **BACKGROUND**

The NSW Environment Protection Authority (EPA) released the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) on 17 March 2015. These draft guidelines will

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**PSR15/023 SUBMISSION TO NSW ENVIRONMENT PROTECTION AUTHORITY  
(EPA) ON DRAFT ENVIRONMENTAL GUIDELINES SOLID WASTE  
LANDFILLS**

**E98.2417**

supersede the existing EPA Environmental Guidelines: Solid Waste Landfills of 1996. Submissions to the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) will be accepted until 30 June 2015.

The draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) have been reviewed and a submission to the EPA is included with this report.

**CONSIDERATIONS**

The draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) will provide a more prescriptive approach to environmental management of solid waste landfills.

The EPA has been requested to clarify the application of the proposed guidelines to existing landfills. This is in response to the suggestion that they will form the basis of EPA operating licences.

The following issues and concerns have been identified within the submission:

- **Siting restrictions**  
The new guidelines introduce siting restrictions that if applied to existing licences could result in the loss of opportunity to extend or create new landfill cells.
- **Construction Quality Assurance procedures**  
These procedures are prescriptive and could require costly process to request a variation and may hinder innovation.
- **Performance based assessment of flexible membrane liners and geonet**  
It is suggested that rather than dictate the product to be used a performance based testing approach be applied.
- **Fire prevention**  
The level of equipment and training should be related to the capacity and location of the site. The level outlined in the new guidelines would introduce a training and testing regime with an increased equipment requirement in excess of Council's existing procedures.
- **Waste acceptance and security procedures**  
Council has not reached the waste acceptance threshold of 25,000 tonnes. Clarification is required to ensure this threshold does not include virgin excavated material (VENM). The new guidelines indicate that on reaching the threshold additional fencing may be required and also allocation of a staff member, other than the compactor driver, to monitor the tipping face.
- **Final capping requirements**  
To comply with this guideline Council would need to embark on a rolling program of design, approvals and construction. The submission suggests this be amended to an either/or approach to provide an option related to tonnes as opposed to timeframes.
- **Construction Quality Assurance Plan**

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<b>PSR15/023</b>	<b>SUBMISSION TO NSW ENVIRONMENT PROTECTION AUTHORITY (EPA) ON DRAFT ENVIRONMENTAL GUIDELINES SOLID WASTE LANDFILLS</b>	<b>E98.2417</b>
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The guidelines suggest the level of experience required to deliver the technical reports pre construction. If these are met, it should be sufficient that a qualified civil engineer deliver the project and the Construction Quality Assurance Plan.

**Environmental**

The draft Environmental Guidelines Solid Waste Landfills (Second edition 2015) set new and stricter parameters for operating landfills in NSW.

**Asset**

Council's existing landfills have operated under the existing EPA Environmental Guidelines: Solid Waste Landfills of 1996. It is expected that future expansion and new cells in Council's landfills will comply with the new guidelines, where required, once they are adopted by the EPA.

**Financial**

The future design and construction of landfills, inclusive of new cells, will include the appropriate environmental controls. The cost of minimising risk to the environment and the community is reflected in and recovered by, the tipping fee charged.

**CONCLUSION**

The NSW Environment Protection Authority (EPA) released the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) on 17 March 2015. These guidelines should be supported by Council as guidelines and not the basis for amendments to EPA operating licences for existing landfills. It is recommended Council lodge the submission included in this report with the EPA.

The NSW Environment Protection Authority (EPA) has released the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) for comments which must be received by 30 June 2015.

Eurobodalla Shire Council has reviewed the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015).

Council supports the aspects of the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015), that will minimise risk to the environment and community. The introduction of the guidelines in their current form as a basis for the existing EPA operating licence is not supported.

Council's submission will seek to clarify some aspects and provide feedback on issues that are too prescriptive with a view to confirming these guidelines.

The following quote was on the lead page for the Webinar held by the Waste Management Association of Australia on 29 May 2015:

*Steve Beaman, EPA's Director of Waste and Resource Recovery said on their release "These new guidelines set new and stricter parameters to ensure that landfills operating in NSW are managed in ways that minimise any risks to the environment and local communities. They cover design and construction of landfills and form the basis for EPA operating licence conditions, such as cell design, water and gas controls and site security, as well as odour, dust and noise controls."*

EPA staff, during a Webinar held by the Waste Management Association of Australia on 29 May 2015, indicated that these are guidelines and issues relating to existing landfills will be managed on a risk based approach. Council is seeking confirmation that the proposed guidelines will not be the basis of amended EPA operating licences for existing landfills, and only apply to further expansion or new cells.

This submission also provides comment on proposed changes for specific areas of concern. The following comments are under the headings as listed in the document.

### **Siting restrictions**

There appears to be little recognition of existing landfills and this approach varies from the first edition of the guidelines. The new guidelines siting restrictions will be an issue for a number of councils including Eurobodalla's Surf Beach landfill. It is important that this issue remains a guideline and is not introduced into the licence. The location of the landfill and its proximity to adjoining developments cannot be varied and should not result in the loss of opportunity to create extension or new landfill cells. EPA staff, during a Webinar held by the Waste Management Association of Australia on 29 May 2015, indicated that this is not an issue for the site licence rather a development assessment issue.

### **Preparation of technical reports**

It is proposed that Construction Quality Assurance procedures meet the minimum standards of these guidelines. The proposed guidelines are prescriptive and justification of departures from the guidelines will be a costly process. It is suggested that the document be revised to reflect a best practice approach. A defined outcome, rather than dictating the inputs will make the guidelines a more workable document.

If these guidelines are in force for the next 20 years there may be many opportunities including advancements in technology that will need to be introduced.

### **Minimum standards for landfills**

#### **1.2 Flexible membrane liners**

Recommend remove – “consist of a thin plastic film, minimum 2m thick, manufactured from highly density polyethylene” as the next dot point outlines the required performance and this may be achieved by another type of liner.

#### **1.7 Geonets**

This needs to be amended to an industry standard and performance based testing. It was suggested, by a representative of industry, that there is only one supplier of the material prescribed in the guidelines.

#### **6.5 Fire prevention**

This guideline provides practices for fire prevention that are supported. Council’s Pollution Incident Response Management Plan, for other than a very small fire that can be handled with a fire extinguisher, smothered with soil or possibly the water cart, directs the site supervisor to call the NSW Rural Fire Brigade. Fire fighting is a specialised field and staff are not expected to have these skills and they are not trained in them. The level of equipment and training should be related to the capacity and location of the site.

#### **7. Waste acceptance and site security procedures**

The proposed guidelines suggest that a staff member, other than the compactor driver, should supervise tipping activities at the tipping face for sites over 25,000 tonnes of waste. For the purposes of these guidelines there needs to be further clarification of the 25,000 tonnes to define inclusions eg virgin excavated material (VENM).

If or when Eurobodalla reaches this threshold an additional staff member would be required to perform this function. Given the two landfill sites have designated community drop off areas, separated from the tipping face, there may be some argument against the necessity of an additional staff member.

The waste facilities may also be required to have additional fencing installed under the proposed guidelines, specifically around the active tipping face.

#### **9.1 Final capping requirements**

Eurobodalla Council is not currently working to achieve the following standard included in the proposed guidelines: Landfill cells or filling areas – particularly putrescible waste cells – should be filled, closed and capped within 2 years of the start of the filling.

To comply with this guideline Council would need to embark on a rolling program of design, approvals and construction. Given the volumes of waste received over a two year period this approach would increase the cost of landfill for Eurobodalla. It is suggested that this be amended to an either/or guideline and provide an option related to tonnes of waste received.

#### 11.1 Construction Quality Assurance Plan

It is recommended that the Construction Quality Assurance engineer should be a civil or geotechnical engineer with professional qualifications acceptable to Engineers Australia (or equivalent), should have at least 5 years of experience in landfill design and construction, and should be currently practising competently in this field.

Councils will be required to demonstrate that under these guidelines for “Preparation of technical reports”, the design, specifications, methods and Construction Quality Assurance procedures report has indicated how they meet the minimum standards of these guidelines. If this is the case and these initial phases of the project set the standards then it should be acceptable for the position of Construction Quality Assurance engineer to be held by a civil or geotechnical engineer with professional qualifications acceptable to Engineers Australia (or equivalent) and not necessarily having 5 years of experience in landfill design and construction. In a rural area it may not always be practical, affordable or possible to attract this specialised engineering service.

### Conclusion

Council recognises the need to apply a best practice approach to development and operation of landfills and supports the introduction of the Environmental Guidelines Solid Waste Landfills (Second edition, 2015).

Council is concerned that the proposals in the draft Environmental Guidelines Solid Waste Landfills (Second edition, 2015) could result in Eurobodalla Shire Council incurring unnecessary additional costs in some areas.

The proposed guidelines are put forward as minimum standards. There needs to be a mechanism for assessing deviations from the guidelines, as these will potentially replace the Landfill Environment Management Plans (LEMPs) that are specific to each landfill site. As guidelines they can be reflected in existing LEMPs and any prescribed amendments included in the operating licences.

It is requested the EPA provide some structure around receiving and assessing alternative suggestions to the guidelines.

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<b>PSR15/024</b>	<b>REQUEST FOR TENDER NO: 2015/PLS040 PROVISION OF ON-HIRE EMPLOYEE SERVICES</b>	<b>E15.9143</b>
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Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments:

1. Confidential - Evaluation Summary
2. Confidential - Evaluation Matrix - Youth
3. Confidential - Evaluation Matrix - Childrens Services
4. Confidential - Evaluation Matrix - Community Services
5. Confidential - Evaluation Matrix - W&S Labourer
6. Confidential - Evaluation Matrix - Plant Operator
7. Confidential - Evaluation Matrix - Waste
8. Confidential - Cost comparisons

Focus Area: Support Services

Delivery Program Link: SS2.1 Provide and manage frameworks for the development and maintenance of an effective and motivated workforce

Operational Plan Link: SS2.1.1 Coordinate the hiring, support and motivating of employees

## **EXECUTIVE SUMMARY**

This report outlines the evaluation of tenders submitted in response to Request for Tender No: 2015/PLS040 Provision of On-hire Employee Services and provides a recommendation for preferred source of service provider.

Council engages casual staff to comply with statutory requirements and to keep services in times of unexpected employee absence, planned leave, seasonal work and for projects where extra resources are required in the short term.

Tenders have been invited to provide on-hire employee services for nine classifications of casual staff for a three year period.

Following a review, it was determined that it was more efficient to utilise an external service provider to access casual staff within some service areas, while service areas such as administrative support, records and customer service source casual staff from an internal casual pool.

This report contains confidential attachments, pursuant to Section 10A(2) of the Local Government Act 1993.

## **RECOMMENDATION**

THAT a Deed of Agreement be completed that confirms the preferred tenderer ranked 1 as outlined in the confidential attachment to be the provider to Council for on-hire employee services for a three year period commencing on 1 July 2015.

## **BACKGROUND**

Council engages casual staff to comply with statutory requirements, ensure services continue to function and meet required service levels in times of unexpected employee absences and planned leave. They are also utilised to meet required staff levels to provide certain projects,



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**PSR15/024 REQUEST FOR TENDER NO: 2015/PLS040 PROVISION OF ON-HIRE  
EMPLOYEE SERVICES**

**E15.9143**

seasonal services or service levels such as the provision of child services during school holidays, delivery of grant funded projects and increased maintenance requirements in the lead up to peak tourism periods.

Council has historically accessed casual staff via a number of external providers and an informal internal casual pool. An internal review of the use of casual staff has been undertaken to determine the most cost effective and efficient means to provide and maintain access to a suitable pool of appropriately qualified, skilled and experienced casual staff.

The review addressed a number of factors including:

- areas where casual staff are required to be utilised
- frequency of utilisation
- type of skills and expertise required
- need for employment checks such as criminal record, vaccinations, pre-employment medical
- most cost effective means of providing casual staff.

As a result of the review, it was determined that the engagement of casual staff to support a number of service areas, could be more efficiently and cost effectively provided by an external service provider.

The following roles were chosen for inclusion in the tender, based on the outcomes of the review:

- Labourer
- Plant Operator
- Water & Sewer Assistant Operator
- Waste Plant Operator/Labourer
- Youth Café Assistant
- Youth Café Supervisor
- Childcare Assistant
- Community Services – Support Worker (Aged Services)
- Community Services – Support Worker (Disability Services).

Outside of these service areas, Council maintains and manages a suitable pool of casual staff in areas such as administrative support, records and customer service source casual staff from an internal casual pool which are recruited via Human Resources (HR).

To meet the procurement requirements and to ensure best value for council and the community, a formal tender process for the provision of on-hire employee services was undertaken.

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**PSR15/024 REQUEST FOR TENDER NO: 2015/PLS040 PROVISION OF ON-HIRE  
EMPLOYEE SERVICES**

**E15.9143**

Council advertised a request for tender for the Provision of On-Hire Employee Services (No. 2015/PLS040) from 31 March 2015 in National and local media, and via Tenderlink with a closing date of 22 April 2015.

**CONSIDERATIONS**

A total of 12 tenderers responded to the request for tender to provide on-hire services as follows:

- Brackenlea Holdings Pty Ltd (Butler HR)
- Campbell Page Ltd (Recruitflex)
- Face Mining Services PL (Face Contracting)
- Harry Schwarz Consulting Pty Ltd (HSC Recruitment)
- Illawarra Retirement Trust
- Just Better Care Canberra
- Karlka Recruiting Group (Habitat Recruiting)
- Marque Consulting Group Pty Ltd
- McArthur Management Pty Ltd
- Merimbula Home Nursing Service
- South Coast Recruitment Pty Ltd (Workforce Extensions Nowra)
- Tailored Workforce.

**Legal**

Request for tender No. 2015/PLS040) was advertised in accordance with Local Government (General) Regulation 2005 Reg 167 on 31 March 2015 in national and local media and at Council's Tenderlink web portal ( [www.tenderlink.com/eurobodalla](http://www.tenderlink.com/eurobodalla) ).

**Policy**

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

**Economic Development Employment Potential**

Casual employment with Council is one of several pathways to gaining experience and knowledge about Council's work by members of the community, and leads to a larger relevantly experienced talent pool that Council can draw upon in the future for either temporary or permanent appointments.

The use of casual staff also enables Council to access staff resources on an as-needs basis to ensure delivery and maintenance of services and works, that support our community and local economy.

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<b>PSR15/024</b>	<b>REQUEST FOR TENDER NO: 2015/PLS040 PROVISION OF ON-HIRE EMPLOYEE SERVICES</b>	<b>E15.9143</b>
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**Financial**

The successful tenderer's rates will provide savings relative to those rates by a variety of on-hire agencies. More importantly the tender outcome will lead to the completion of a Deed of Agreement that formalises all costs and conditions.

The Deed will also provide surety of both a supply of quality applicants and placements and costs, which is not present with current ad hoc on-hiring arrangements.

**CONCLUSION**

After evaluation of all tenders, it is recommended that a Deed of Agreement be completed that confirms the preferred tenderer, as outlined in the confidential attachment to be the provider to Council of on-hire employee services for a three year period commencing on 1 July 2015.

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**PSR15/025 APPOINT SOUTH REPRESENTATIVE TO COAST AND ENVIRONMENT MANAGEMENT  
ADVISORY COMMITTEE**

E09.3092

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: 1. Confidential - Confidential - Nominations for CEMAC  
2. CEMAC - Terms of Reference

**EXECUTIVE SUMMARY**

The Coast and Environment Management Advisory Committee (CEMAC) provides advice to Council about coastal, environmental and flood management matters.

The purpose of this report is to present nominees to fill a vacancy on the Eurobodalla Shire Coastal Management Advisory Committee.

Under the Committee rules, Council must call for Expressions of Interest (EOI) to fill any vacancies created through the loss or resignation of a representative.

The EOI has closed and two nominees are forwarded for consideration by Council for appointment to the CEMAC.

**RECOMMENDATION**

THAT:

1. Council make a determination to appoint a candidate from the list of nominees provided.
2. Appoint a successful candidate to the Coast and Environment Management Advisory Committee.
3. Notify the candidates, in writing, of the outcome of their application.

**ISSUES**

CEMAC provides feedback to Council about coastal, environmental and flood management, and includes representatives from community groups, tourism and business, government agencies and the scientific community. The Committee enables the community to contribute to decisions about coastal, environmental and flood management in Eurobodalla.

There is a vacancy on the Committee, for southern area community representative which applies to those persons living between Potato Point and Akolele. An Expression of Interest was sought to fill the position in accordance with the CEMAC Terms of Reference.

Council sought Expressions of Interest to fill the vacancy on the CEMAC through:

- advertising on the Council Notice Board for two consecutive weeks in September 2014. This was unsuccessful therefore a second expression of interest was called in April 2015.
- advertising on the Council Notice Board on Wednesday 1 April and Wednesday 8 April 2015
- posting on the Council website for both recruitment periods.

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**PSR15/025    APPOINT SOUTH REPRESENTATIVE TO COAST AND ENVIRONMENT    E09.3092**  
**MANAGEMENT ADVISORY COMMITTEE**

A total of one response was received before the closing date of 4pm Friday, 1 May 2015. One late nomination was received one week following the closing date.

Details of all nominations are contained within a separate confidential attachment.

**CONCLUSION**

The recruitment period for the Eurobodalla CEMAC is concluded.

A list of suitable candidates is available to fill the vacant position.

# Coastal and Environmental Management Advisory Committee

## Terms of Reference

September 2014



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### **Introduction and Background**

The Community Strategic Plan 'One Community' identifies our community and environment are in harmony and we use and manage our resources wisely

The Delivery Program identifies the need to plan for and manage our biodiversity and coastal environments.

The Operational Plan further identifies that our Natural Environment Planning service provides strategic policy and planning which enhances natural resources and responds to constraints and opportunities associated with the natural environment to maintain Council's statutory obligations.

### **Purpose of the Coastal and Environmental Management Advisory Committee**

The Coastal and Environmental Management Advisory Committee will assist Council to manage coastal assets of environmental, cultural and economic value. The Committee will provide a link to the local community that will seek to identify the environmental values held by the community and assist Council to balance these values with sustaining development that will accommodate growth of the local economy.

Current projections for climate change indicate the impacts from natural hazards such as coastal erosion, flooding and bushfires will exacerbate over the next century. Biodiversity and other aspects of the natural environment will need to adapt to different conditions under climate change. The Coastal and Environmental Management Advisory Committee will inform Eurobodalla Shire Council in the development of planning strategies that will progress climate change adaptation for the coast, floodplains, biodiversity and natural landscapes of the local area.

### **Title and Delegations**

The Committee shall be referred to as the Coastal and Environmental Management Advisory Committee of Eurobodalla Shire Council.

The Committee will function as a non-delegated advisory and working group.

### **Objectives**

Provide advice relating to the management of the coast, floodplains, biodiversity and natural landscapes of the Eurobodalla Shire.

### **Terms of Reference**

The terms of reference for the Coastal and Environmental Management Advisory Committee are:

- Advise on integrated planning and management of the coast, floodplains, biodiversity and natural landscapes
- Provide advice in accordance to the principals of Ecologically Sustainable Development and relevant Federal, State and Local Government Policy and Legislation
- Inform the development and adoption of Coastal Zone Management and Floodplain Management Plans for the Eurobodalla Shire;



- Inform the development and review of natural resource management plans
- Incorporate the latest knowledge of climate change into coastal, floodplain and natural landscape planning to assist Council with the integration of adaptation strategies into planning policies and instruments;
- Provide and review scientific advice and integrate this knowledge into the preparation and review of natural resource management plans;
- Facilitate broader community participation in coastal, floodplain and natural resource management through informing and liaising with member community groups;
- Foster opportunities for joint projects, information sharing and grant funding to facilitate comprehensive and cost effective coastal, floodplain and natural resource management;
- Monitor State and Federal Government natural resource management direction and advise Council on appropriate response;
- Make recommendations for Council consideration.

#### **Tenure of Committee**

In the case of a Councillor, as determined by Council each year in accordance with the provisions of the Local Government Act;

In the case of community representatives, the tenure of membership will be three years. Members may renominate for further terms;

A member absent from three consecutive meetings without acceptable apology will be replaced (see 8.5)

#### **Composition**

*The Committee shall consist of the following voting Community representatives*

- **Two Councillors** (chosen by Council)
- **Ten (10) community members** who have been nominated by a community or business group preferably with wide membership (Appendix 1)
- **One (1) representative** forwarded by the **Aboriginal Heritage Advisory Committee**
- **Two (2) Science professionals** preferably with a speciality in coastal geomorphology, flooding and climate change.

#### *Council:*

Staff from Council, State Government Agencies and Bega Valley Shire Council will attend to provide technical advice and guidance. Council and Agency Staff will not have voting rights on the committee.

A full outline of the composition of the Committee is provided in Table (1) in Appendix1.

### **Selection Criteria**

Expressions of Interest to participate on the Coastal and Environmental Management Advisory Committee will be called for through the Council notices posted in the local media and Council's web site.

Nominations must be received in writing before the due date nominated within the Expression of Interest.

Nominations for membership of the Coastal and Environmental Management Advisory Committee will be assessed against the following selection criteria:

- Community delegates must be nominated by a community group, consortium of community groups or a peak body preferably with wide membership or representation;
- Commercial delegates must be nominated by a peak body or a consortium of organisations preferably with a wide membership or representation;
- Community and commercial delegates must reside in the Eurobodalla;
- Key operation and membership of community and commercial groups must be within the Eurobodalla Shire;
- Scientific representatives must have a speciality in disciplines related to the coast, floodplains, biodiversity, natural resource management or climate change.
- Nominees must be willing to abide by the terms of reference for the committee.

Final determination for appointment to the Committee shall be made by Council.

### **Committee Code of Conduct**

Give advice to the best of their knowledge and ability that will help achieve the objectives of the committee;

Facilitate in a timely way any tasks allocated to and accepted by them;

Behave in a manner that respects the interests and viewpoints of other members;

Declare any potential or actual conflicts of interests on matters that are brought before the Committee;

All members will abide by Council's Code of Conduct and Council's Code of Conduct - Conduct Committee Guidelines and Council's Code of Meeting Practice.

A copy of the current Codes will be made available to each committee member following any updates or amendments made by the Council.

### **Responsibilities of Council**

Council will provide secretarial support, including minute taking and professional officer support as appropriate;

Pertinent matters will be referred to the Committee for its consideration and information will be provided on actions arising from adopted Committee recommendations;

The committee's ongoing role will be reviewed annually;

Council has the discretion to review the role, re-organise or disband the Committee.

### **General Meetings**

The Chairperson will be a Councillor elected by Council. An attending Councillor or a community representative nominated by the Committee at the meeting will Chair in the event of the Chairperson being absent;

The Committee will aim to meet four (4) times per year or on an as needs basis;

The Chairpersons of the Committee will be able to call special meetings of the Committee as necessary for the effective conduct of the Committee and establish limited working parties as required;

A quorum of the Committee shall be half plus one of the members with voting rights;

Replacement of members through resignation, expulsion or failure to attend meetings will be determined by the process outlined in (6.1);

If a member is no longer associated with their representative group they must resign from the Committee and be replaced by the process outlined in (6.1);

In the event of death, illness or unavoidable circumstances visited upon a member, the community group elected by Council to be represented on the Committee may forward another representative;

Each member is entitled to appoint another member of their group as proxy by notice given to the Chair no later than 24 hours before the time of the meeting to which the proxy is to be appointed;

Other interested individuals are welcome to attend meetings as observers but are recognised with the consent of the Chairperson and must not be in attendance for meetings considering confidential matters.

Pursuant to Section 10(2) of the Local Government Act 1993, the Chairperson of the Committee can exercise the power of expulsion of persons not recognised as being entitled to be present at a meeting of the Committee.

### **Meeting rules and practice**

Refer to the Code of Meeting Practice (10 September 2013).

#### **Variation to the Terms of Reference**

These 'Terms of Reference' may be added to, repealed or amended by resolution of the Council in consultation with the Committee.

#### **Contact Officer**

The contact officer for the Committee is the Coastal & Flood Management Planner.

#### **Council minute to establish the Coastal and Environmental Management Advisory committee**

*To be completed following consideration by Council.*

#### **Distribution of information**

Media releases are prepared by Strategic Services staff and approved by the relevant Director before being issued. All media releases are forwarded through Council's Media Officer. Individual Committee members may not issue a media release on behalf of the Committee without prior approval of the Committee and the General Manager.

# APPENDIX 1

Table (1): Composition of Eurobodalla Coastal and Environmental Management Committee

<b>Voting Committee Members</b>	<b>Number</b>
Councillors	2
Aboriginal Heritage Advisory Committee (1) Natural Resource Management (1) Primary Industry (1) Recreation (1) Business (1) Tourism (1) North - (North of Clyde River) (1) Batemans Bay (CBD to Malua Bay) (1) North Central (Rosedale to Moruya River) (1) South Central (South Head to Potato Point) (1) South (Dalmeny to Akolele) (1) Science (2)	13
<b>Non-Voting Members</b>	
<b>ESC Staff:</b> Strategic Planning Environmental Services Minute secretary Others as required	3
<b>Agency representatives (as required):</b> Environment & Planning - Environment & Heritage Environment & Planning – Planning NSW Environment & Planning – National Parks & Wildlife Department of Primary Industries – Fisheries Department of Primary Industries – Marine Estate Management Authority Department of Primary Industries – Crown Lands Division Forestry Corporation of NSW Roads & Maritime Services South East Local Land Services Bega Valley Shire Council Shoalhaven City Council	11
<b>TOTAL</b>	<b>29</b>

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**IR15/027 LOCAL TRAFFIC COMMITTEE MEETING NO 8 FOR 2014-15**

**E15.9002**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Strategic Objective: Productive

Delivery Program Link: P2.1 Undertake advocacy activities to further the development of transport infrastructure and support future growth

Operational Plan Link: P2.1.2 Coordinate the Local Traffic & Development Committees

**EXECUTIVE SUMMARY**

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for the Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting of 14 May 2015 were:

- Parking – Princes Highway, Bodalla
- Signage – Campbell Street, Moruya
- Signage - Annett Street, Mogo
- Signage and Linemarking – Wharf Road, Batemans Bay
- Signage and Linemarking – North Street, Batemans Bay

**RECOMMENDATION**

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 8 of 2014-15 held on 14 May 2015 be received and noted.
2. Council Plan No 5156 Set H Sheet 01 showing the proposed timed 'No Stopping' signage on Campbell Street, Moruya be approved.
3. Council Plan No 5156 Set S Sheet 01 showing the proposed extension to 'No Parking' signage on Annett Street, Mogo be approved.
4. Council Plan No 4135 Set D Sheet 7 showing the proposed signage and linemarking associated with the shared path, linking Korner's Park in Wharf Road and Old Punt Road, North Batemans Bay be approved.
5. Council Plan No 5073 Set B Sheet 4 showing the proposed signage and linemarking associated with the traffic signals at the intersection of North and Perry Streets, Batemans Bay be approved with the addition of right and left pavement arrows on the north bound lane in Perry Street.

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**IR15/027 LOCAL TRAFFIC COMMITTEE MEETING NO 8 FOR 2014-15**

**E15.9002**

**BACKGROUND**

The Eurobodalla Local Traffic Committee Meeting No 8 for 2014-15 was held on 14 May 2015 in Council's Committee Room. It was attended by Councillor Neil Burnside (Chairperson), Mrs Danielle Brice (representative for the Hon Andrew Constance MP), Karl Brough (Roads and Maritime Services), Constable Scott Britt (NSW Police Force), Heidi Hanes (Road Safety Officer), Dave Hunter (Traffic Officer) and Annette Thomas (Minute Secretary).

Apologies were received from Councillor Milton Leslight.

**MINUTES OF PREVIOUS MEETING**

The Minutes of the Eurobodalla Local Traffic Committee Meeting No 7 for 2014-15 held on Thursday 9 April 2015 were confirmed and accepted.

**OUTSTANDING ITEMS FROM PREVIOUS MEETING**

The Action Sheet outlining all of the committee's outstanding items was distributed to members. The following outstanding items were discussed:

**2015.RT.011 Parking – Princes Highway, Bodalla**

At the Local Traffic Committee Meeting on 11 December 2014 the following resolution was made:

*That Council consult with the affected owners, residents and business occupants on the Princes Highway side road, Bodalla regarding the proposed changes to regulatory parking.*

Council's Traffic Officer informed the committee that the proposal put to the business community was to extend the one hour parking restrictions along the Princes Highway, from the Bakehouse through to the Diary Shed. Feedback letters from 28 people were received and all were not in favour of extending the one hour parking.

A letter was received on 9 February 2015 by the original proponent of the one hour parking extension asking their request be withdrawn.

The feedback raised other issues, in particular the need for a speed zone reduction and the installation of a pedestrian facility on the Princes Highway. These matters are the jurisdiction of the NSW Roads & Maritime Services and are outside of matters dealt with by the Local Traffic Committee. A copy of all of the letters have been forwarded to RMS for their attention.

Limited parking for the hall uses was highlighted by some people, along with a request for signs directing drivers to the public parking located on the side road between the Church and the Diary Shed. It is proposed to improve signage to the parking on the side road by installation of signs on the highway.

Discussions have also been instigated with the NSW Roads and Maritime Services to determine if a suitable location can be found for a safe pedestrian refuge facility.

The RMS representative informed the committee that after receiving several requests from the community, a review of the speed zone was undertaken and completed in June 2014. It was determined that a speed reduction to 50kph was not warranted.

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**IR15/027 LOCAL TRAFFIC COMMITTEE MEETING NO 8 FOR 2014-15**

**E15.9002**

**2015.RT.015 Signage – Campbell Street, Moruya**

At the Local Traffic Committee Meeting on 12 February 2015 the following resolution was made:

*The Local Traffic Committee be requested to inspect Moruya Preschool on Campbell Street, at 8.45am on the morning of the next Traffic Committee meeting, to further consider parking in the vicinity of the preschool driveway.*

An inspection of the site was carried out by the committee at 8.45am on 14 May 2015. As well as the committee members, two representatives from the Moruya Preschool Management Committee were in attendance.

Impact of vehicles parking in the street and the effect on the operation of the preschool carpark were observed, including potential points of vehicle conflict. It was noted that there are many similar developments within the Shire with off street carparks accessing urban streets, with the situation covered by the road rules. There is no crash history at this site.

There is no off-street parking for the store and patrons regularly park on the street, either side of the preschool off street carpark entry/exit at drop-off/pick-up times.

It was agreed that 'No Stopping 8.30-9.30am and 2.30-3.30pm School Days' signs be installed either side of the preschool driveway. The location of the signs should be 6 metres from the edges of the entry/exit of the off street carpark. It was also discussed and agreed that Moruya Preschool be asked to remove foliage and adjust the Moruya Preschool sign height, both of which obstruct the view to the west of drivers and pedestrians, when vehicles exit the carpark.

The Committee requested that the adjoining resident and the shop owner as well as the preschool be notified that 'No Stopping' sign will be installed. Council Plan No 5156 Set H Sheet 01 showing the proposed timed 'No Stopping' signage on Campbell Street, Moruya was prepared after the meeting.

Recommendation:

That Council Plan No 5156 Set H Sheet 01 showing the proposed timed 'No Stopping' signage on Campbell Street, Moruya be approved.

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

**2015.RT.020 Signage - Annett Street, Mogo**

A request has been received from a business owner in Annett Street, Mogo to extend the 'No Parking' signage through to Charles Street. It was relayed that delivery vehicles block the street when cars are parked on both sides of the road.

At the moment the 'No Parking' signs are adjacent the first property off the Princes Highway on the southern side of the road, for a distance of 25 metres. It is proposed to extend the 'No Parking' signage past the next two properties for an additional distance of 75 metres.

Letters seeking feedback were posted to all of the property owners adjoining Annett Street. Council's Traffic Officer also walked the street and handed letters to all of the businesses. Many people opened the hand delivered letters and two people gave an opinion, one in favour and one against the proposed signage.



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**IR15/027 LOCAL TRAFFIC COMMITTEE MEETING NO 8 FOR 2014-15**

**E15.9002**

Two feedback letters were received and both were in favour of the extended parking. One of the feedback letters was from the business owner who requested the signage extension. She also made several other requests including no parking on the northern side, upgrading the road and making the nature strip safer.

Council's Traffic Officer has ascertained that there are several structures on the nature strip on the southern side of the street which impede pedestrians. The road reserve boundary has been pegged by Council's Registered Surveyor. Structures include a timber screen and flags secured by star pickets. The owners of the adjoining properties will be notified to arrange the relocation and/or removal of the structures.

The Committee reviewed Council Plan No 5156 Set S Sheet 01 showing the proposed extension to 'No Parking' signage on Annett Street, Mogo. The Committee supported the plan as presented.

Recommendation:

That Council Plan No 5156 Set S Sheet 01 showing the proposed extension to 'No Parking' signage on Annett Street, Mogo be approved.

**2015.RT.021 Signage and Linemarking – Wharf Road, Batemans Bay**

Each year Council nominates projects for consideration in the NSW Active Transport - Walking and Cycling Program. A proposal to build a section of shared path in North Batemans Bay, linking Korner's Park in Wharf Road to the Old Punt Road carpark and boat ramp was successful in being allocated \$41,000 of funds in 2014-15, with a requirement for Council to provide matching funds.

The middle section of the shared path will be located on the Princes Highway with the route under the northern abutment of the Batemans Bay Bridge. Construction and signage plans have been submitted to NSW Roads and Maritime Services, Wollongong Office and initial comments have been taken into account and plans amended accordingly.

The Committee reviewed Council Plan No 4135 Set D Sheet 7 showing the proposed signage and linemarking associated with the shared path, linking Korner's Park in Wharf Road and Old Punt Road, North Batemans Bay. The Committee supported the plan as presented.

Recommendation:

That Council Plan No 4135 Set D Sheet 7 showing the proposed signage and linemarking associated with the shared path, linking Korner's Park in Wharf Road and Old Punt Road, North Batemans Bay be approved.

**2015.RT.022 Signage and Linemarking –North Street, Batemans Bay**

Construction has commenced on the project to install traffic signals at the intersection of North and Perry Streets, Batemans Bay.

Funds of \$200,000 have been obtained from the NSW Roads and Maritime Services with Council providing matching funds. The new signage is expected to be installed in early June with the linemarking and traffic signals planned to be operational by the end of June 2015.

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**IR15/027 LOCAL TRAFFIC COMMITTEE MEETING NO 8 FOR 2014-15**

**E15.9002**

Most of the engineering works have been completed by Council's Works Division, including the provision of a north bound left turn lane in Perry Street, with associated pavement widening and upright kerb.

The Committee reviewed Council Plan No 5073 Set B Sheet 4 showing the proposed signage and linemarking associated with the traffic signals at the intersection of North and Perry Streets, Batemans Bay. The NSW Police representative requested that left and right pavement arrows be placed on the road north bound in Perry Street. The RMS representative commented that the extra arrows are not mandatory but they could be installed to reinforce the road rules. The Committee agreed and supported the plan with this addition.

Recommendation:

That Council Plan No 5073 Set B Sheet 4 showing the proposed signage and linemarking associated with the traffic signals at the intersection of North and Perry Streets, Batemans Bay be approved with the addition of right and left pavement arrows on the north bound lanes in Perry Street.

**NEXT MEETING**

The next meeting of the Eurobodalla Local Traffic Committee is to be held on Thursday 11 June 2015 in the Council's Glass Room commencing at 9.30am.

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**IR15/028 TENDER 2015-ISD-035 - BRIDGE PERFORMANCE TESTING**

**E12.6366**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Confidential - Tender Assessment

Strategic Objective: Productive Communities

Delivery Program Link: P2.1 Undertake advocacy activities to further the development of transport infrastructure and support future growth

Operational Plan Link: P2.1.1 Advocate for improved infrastructure and increased levels of funding

### **EXECUTIVE SUMMARY**

The performance testing of bridges on regional roads and Eurobodalla Road area will be undertaken by specialist consultants to ensure bridges have appropriate carrying capacity to meet industry needs and are safe for use by the travelling public.

Council was successful in securing two grants from NSW Government under the Fixing Country Roads Program in the combined amount of \$225,000, and this was previously reported to Council - Minute No 15/71 as follows:

*That Council endorse the actions taken to accept the following offers of funding from the NSW Government under the Fixing Country Roads Program to assess the condition, load and capacity assessment for:*

- 1. six bridges on regional roads being Tomaga River Bridge, Candlagan Creek Bridge, Garlandtown Bridge, Malabar Weir, Short Beach Creek Bridge and Kianga Creek Bridge - \$150,000*
- 2. four timber bridges in the Eurobodalla Road area being Crapps Bridge (Bumbo Road), Tyrone Bridge (Tuross River), Cemetery Bridge (Eurobodalla Road) and Silo Farm Bridge (Comerang Forest Road) - \$75,000.*

Council will manage the consultant undertaking the bridge performance testing program next financial year with works proposed to commence in July 2015.

Tenders were called for the performance testing of bridges and this report considers the tenders received and recommends acceptance of the preferred tenderer.

This report contains a confidential attachment, pursuant to Section 10A (2) of the Local Government Act 1993.

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**IR15/028 TENDER 2015-ISD-035 - BRIDGE PERFORMANCE TESTING**

**E12.6366**

**RECOMMENDATION**

THAT the tender from the tenderer ranked 1 in the confidential attachment to this report be accepted for bridge performance testing for:

1. Six bridges on regional roads being Tomaga River Bridge, Candlagan Creek Bridge, Garlandtown Bridge, Malabar Weir, Short Beach Creek Bridge and Kianga Creek Bridge
2. Four timber bridges in the Eurobodalla Road area being Crapps Bridge (Bumbo Road), Tyrone Bridge (Tuross River), Cemetery Bridge (Eurobodalla Road) and Silo Farm Bridge (Comerang Forest Road).

**BACKGROUND**

Tenders have been invited for a contract to undertake the performance testing of bridges located on regional roads between Batemans Bay and Narooma and Eurobodalla Road area located in the Bodalla region.

The following consulting firms have submitted tenders for the project:

1. Sterling Consultants Group
2. CARDNO
3. OPUS
4. SMEC
5. Nuttall
6. Integrity Testing Pty Ltd
7. Pitt & Sherry

Tenders for the performance testing of bridges on regional roads and Eurobodalla Road area were received and a tender assessment is summarised in the confidential attachment to this report.

**CONSIDERATIONS**

A Request for Tenders was advertised in the Sydney Morning Herald, the local newspaper and on the internet through Tenderlink.

Upon close of tenders on 14 April 2015, seven tenders were received and a formal tender evaluation process was carried out by Infrastructure Services team members and verified by the Senior Projects Engineer. The tenders received are on file E12.6366.

**Legal**

Request for Tender (RFT) No 2015-ISD-035 was advertised in accordance with Local Government (General) Regulation 2005 REG 167 on 24 March 2015 and closed on 14 April 2015.

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**IR15/028 TENDER 2015-ISD-035 - BRIDGE PERFORMANCE TESTING**

**E12.6366**

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

**Policy**

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

**Environmental**

The performance testing of bridges will comprise visual inspections, material testing and structural analysis involving computer modelling. These works will have a minor impact on the environment.

**Asset**

The performance testing of bridges is an important feature of the management of Council's bridge assets. The objective of the bridge performance testing is to ensure bridges have the appropriate carrying capacity to meet industry needs, support efficient freight transport and are safe for use by the travelling public.

Where bridge assets are found to be deficient through the performance testing, bridge upgrading works may need to be developed to meet community needs. This information would also inform future budgeting and grant applications.

**Social Impact**

The performance testing of bridges ensures the long term safe use of Council's road network by our community and visitors and efficient freight transport to our region.

**Economic Development Employment Potential**

The maintaining of bridges with appropriate carrying capacity is essential in supporting industry needs, time and cost savings and maintaining employment growth in our region.

The NSW Government is seeking to increase the amount of the network able to carry higher productivity vehicles.

The NSW Roads & Transport Directorate has prepared evidence based cases and worked with LGNSW and ALGA to advocate for improved funding from the NSW and Australian Governments.

In recognition, the NSW Government has introduced programs such as Fixing our Country Roads and the Australian Government has introduced the Bridge Renewal Programme. Council was successful in securing grant funding for Candlagan bridge replacement under these new programs.

**Communication / Consultation**

Users of Council bridges on regional roads and Eurobodalla roads will be advised of any road closures should they be required prior to inspecting and testing the bridges.

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**IR15/028 TENDER 2015-ISD-035 - BRIDGE PERFORMANCE TESTING**

**E12.6366**

**Financial**

The bridge performance testing on regional roads and Eurobodalla Road area will be fully funded from NSW Government Fixing Country Roads Program.

The funding has been provided through the Regional Road Bridges Program in the amount of \$150,000 and Eurobodalla Road Bridge Investigation Program in the amount of \$75,000.

The cost of the preferred tenderer is less than the funding amount provided under the bridge program funding. Testing will be completed under the proposed project brief. This testing may be extended to further load testing depending upon the initial findings.

Discussions with NSW Government will also be undertaken to consider increasing the number of bridges to be tested up to the total amount of grant funding.

**CONCLUSION**

The tender from the tenderer ranked 1 is considered the most suitable on a value for money basis for the performance testing of bridges on regional roads and Eurobodalla Road area within the Shire.

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**IR15/029 TENDER 2015-SD-045 - CONSTRUCTION OF CONCRETE BRIDGE AT  
CANDLAGAN CREEK, BROULEE**

**E15.9220**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Confidential - Tender Assessment

Strategic Objective: Productive Communities

Delivery Program Link: P2.2 Develop, renew and maintain the road network

Operational Plan Link: P2.2.1 Deliver capital and renewal works program

**EXECUTIVE SUMMARY**

The construction of a new concrete bridge at Candlagan Creek, Broulee will replace the existing concrete bridge in its current location. Works will also be undertaken adjacent to the bridge, including reconstruction of the bridge approach roads, footpaths and Mossy Point car parking area located on the north side of the bridge.

The existing concrete bridge has deteriorated beyond repair due to corrosion of the steel reinforcement in the bridge, known as 'concrete cancer'. The new concrete bridge will be designed in accordance with current standards and codes which will result in a durable higher load carrying capacity bridge designed for a 100 year lifespan.

Whilst the bridge is under construction, the bridge will be closed to all traffic. Pedestrian access will be maintained at all times across Candlagan Creek using a temporary footbridge suitable for disabled access.

Council was successful in securing a grant from the Federal Government under the Bridges Renewal Program in the amount of \$1,097,000 and was previously reported to Council - Minute No 15/013 as follows:

*That Council accept the grant funding offer of \$1,097,000 from the Australian Government's Department of Infrastructure and Regional Development under the Bridges Renewal Program Round One for Candlagan Creek Bridge Replacement.*

Council will manage the construction of the concrete bridge with works proposed to be completed before the commencement of the school holiday period in December 2015.

Tenders were called for the construction of the concrete bridge at Candlagan Creek, Broulee and this report considers the tenders received and recommends acceptance of the preferred tenderer.

This report contains a confidential attachment for Councillors' information only, pursuant to Section 10A (2) of the Local Government Act 1993.

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**IR15/029 TENDER 2015-ISD-045 - CONSTRUCTION OF CONCRETE BRIDGE AT  
CANDLAGAN CREEK, BROULEE**

**E15.9220**

**RECOMMENDATION**

THAT the tender from the tenderer ranked 1 in the confidential attachment to this report be accepted for construction of a concrete bridge at Candlagan Creek, Broulee.

**BACKGROUND**

Tenders have been invited for a contract to construct a concrete bridge at Candlagan Creek, Broulee.

The following contractors have submitted tenders for the project:

- Bridge and Civil
- Shumack
- Bridgeworks
- Abergeldie
- NELMAC Pty Ltd
- BSA

Three tenders were received after the close of tender and will not be considered further.

Tenders for the construction of a concrete bridge at Candlagan Creek, Broulee were received and a tender assessment is summarised in the confidential attachment to this report.

**CONSIDERATIONS**

A Request for Tenders was advertised in the Sydney Morning Herald, the local newspaper and on the internet through Tenderlink.

Upon close of tenders on 19 May 2015, six tenders were received and a formal tender evaluation process was carried out by Infrastructure Services team members and verified by the Senior Projects Engineer. The tenders received are on file E15.9220.

**Legal**

Request for Tender (RFT) No 2015-ISD-045 was advertised in accordance with Local Government (General) Regulation 2005 REG 167 on 28 April 2015 and closed on 19 May 2015.

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

**Policy**

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



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**IR15/029 TENDER 2015-ISD-045 - CONSTRUCTION OF CONCRETE BRIDGE AT  
CANDLAGAN CREEK, BROULEE**

**E15.9220**

**Environmental**

The construction of the concrete bridge at Candlagan Creek will be undertaken in accordance with environmental permits issued by NSW Department of Primary Industry.

Pre-construction meetings have been undertaken with representatives from NSW Fisheries, Batemans Marine Park and Environmental Protection Authority to ensure construction methods and environmental impacts are appropriately managed.

The contractor is required to perform the works in accord with these permits and approvals.

**Asset**

The overall project will see the existing concrete bridge, bridge approach roads and car parking area on the north side of the bridge replaced, providing a complete renewal of the existing assets.

This replacement removes a significant backlog in the bridge infrastructure assisting Council's long term financial sustainability.

**Social Impact**

The construction of the new bridge will involve the closure of approach roads to the bridge for the duration of the works. Pedestrian access however will be maintained for the entirety of the works by providing a pedestrian bridge suitable for wheelchair access.

**Economic Development Employment Potential**

Provision of high quality bridge assets helps support our tourism industry, aiding economic development and employment within the region.

**Communication/Consultation**

Local community representatives have been consulted regarding the project timeframe and impacts on the community. Meetings are planned with the local community group in Broulee to discuss the project and provide updates on progress. A project page has also been established on Council's website to inform the wider community about the project.

**Financial**

Council has received a grant in the amount of \$1,097,000 from the Australian Government's Department of Infrastructure and Regional Development under the Bridges Renewal Program Round One for Candlagan Creek Bridge Replacement. This funding was announced by Dr Peter Hendy MP, Member for Eden Monaro and accepted by Council on 14 April 2015 (Minute No 15/69).

The Hon Andrew Constance MP, Minister for Transport and Infrastructure, NSW Government has also made a public commitment of \$1,125,000 toward the project. The application for these funds is currently with Transport for NSW.

The cost of the bridge construction and associated works, including tying in the approach road and pathways will be covered by the grant. The small car park is also impacted by the change of

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<b>IR15/029</b>	<b>TENDER 2015-isd-045 - CONSTRUCTION OF CONCRETE BRIDGE AT CANDLAGAN CREEK, BROULEE</b>	<b>E15.9220</b>
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levels and will need to be reconstructed to complete the linkages with the new bridge and approaches.

The remaining funding for the project is being provided by Council in the 2015/16 Operations Plan.

**CONCLUSION**

The tender from the tenderer ranked 1 is considered the most suitable on a value for money basis for the construction of a concrete bridge at Candlagan Creek, Broulee.

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**IR15/030 TENDERS FOR THE CONSTRUCTION OF ROSEDALE SEWAGE  
PUMPING STATION AND TOMAKIN SEWAGE TREATMENT PLANT  
BALANCE TANK**

**E15.9154**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Focus Area: Sustainable Communities

Delivery Program Link: S1.1 Provide and renew sewer infrastructure

Operational Plan Link: S1.1.1 Deliver capital and renewal works program

### **EXECUTIVE SUMMARY**

Council has completed the investigation and design of the Rosedale and Guerilla Bay Sewerage Scheme and has allocated funds in the 2015-16 Operations Plan for the construction of the scheme.

Stage 1 of the work includes the construction of a balance tank at the Tomakin Sewage Treatment Plant to enable the plant to accommodate the additional peak flow and the construction of a sewage pumping station at George Bass Drive that will collect sewage from the existing Rosedale urban area and from future development of the Rosedale urban expansion zone.

Stage 2 of the work includes the installation of low pressure sewerage systems at Rosedale and Guerilla Bay and the construction of transfer mains to deliver sewage to the Rosedale Sewage Pumping Station and to the Tomakin Sewage Treatment Plant respectively.

A Request for Tenders was advertised for Stage 1 works during April 2015 and upon close of tenders six tenders were received. This report outlines the evaluation of the submitted tenders and provides a recommendation for Council's consideration.

As the project is eligible for financial assistance under the NSW Country Towns Water Supply and Sewerage Program, the State Government must endorse the tender recommendation and grant authority to proceed before a contract is awarded.

### **RECOMMENDATION**

THAT:

1. Subject to State Government approval to proceed, Council accepts the preferred tender for the Construction of Rosedale Sewage Pumping Station and Tomakin Balance Tank (RFT 1400306) as identified in the confidential attachment.
2. Council authorise the General Manager to approve variations of up to 5% of the Contract Price.

### **BACKGROUND**

Council proposes to sewer the villages of Rosedale and Guerilla Bay to improve the environmental and public health of those communities. The project is identified as a major

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**IR15/030 TENDERS FOR THE CONSTRUCTION OF ROSEDALE SEWAGE  
PUMPING STATION AND TOMAKIN SEWAGE TREATMENT PLANT  
BALANCE TANK**

**E15.9154**

project in Council's 2015-16 Operations Plan *SA00611 Rosedale and Guerilla Bay Sewerage Scheme* (page 47) and has budget allocations of \$5M in 2015-16 and \$2M in 2016/17.

Sewage collected from the Rosedale and Guerilla Bay Sewerage Scheme will be processed at the Tomakin Sewage Treatment Plant before being discharged to the environment under licence via an ocean outfall. The additional sewage load from the scheme and additional loads from growth within the catchment on the existing infrastructure have been assessed, including:

- the existing Rosedale and Guerilla Bay urban areas
- the future development of the Rosedale Urban Expansion Zone
- the planned diversion of sewage from the Malua Bay and Lilli Pilli suburbs from the Surf Beach Sewage Treatment Plant to the Tomakin Sewage Treatment Plant
- growth in the Tomakin, Mossy Point, Broulee and Mogo urban areas.

This assessment has identified the need for the following system upgrades to accommodate the projected sewage load:

- The provision of a new sewage pumping station to collect sewage from the existing Rosedale urban area and future development within the Rosedale Urban Expansion Zone (the proposed Rosedale Sewage Pumping Station).
- The construction of a balance tank at the inlet works of the Tomakin Sewage Treatment Plant to balance the peak flows arriving at the plant, ensuring that the hydraulic capacity of the plant is not exceeded.
- Augmentation of the Tomakin Sewage Treatment Plant to increase the hydraulic and treatment capacity.

The Rosedale Sewage Pumping Station and Tomakin Sewage Treatment Plant balance tank are required prior to the Rosedale and Guerilla Bay villages being serviced. These projects are separately identified as major projects in Council's 2015-16 Operations Plan - *SN015201 Rosedale Pump Station* and *SR035 Tomakin Treatment Works Upgrade Stage 1*, with budget allocations of \$1.45M and \$1.2M respectively.

The Tomakin Sewage Treatment Plant augmentation will be needed circa 2020 to accommodate further growth in the catchment. Council has allocated funds in the 2017-18 and 2018-19 financial years to prepare a detailed design.

A Request for Tenders for the construction of the Rosedale Sewage Pumping Station and Tomakin Sewage Treatment Plant balance tank projects (under a single contract) was advertised during April 2015. Upon close of tenders, submissions were received from the following contractors:

- Gongues Construction Pty Ltd
- Kerroc Constructions Pty Ltd
- McNamee Constructions Pty Ltd
- Poonindie Pty Ltd T/A TWS (Ted Wilson and Sons)
- Precision Civil Infrastructure Pty Ltd

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**IR15/030 TENDERS FOR THE CONSTRUCTION OF ROSEDALE SEWAGE  
PUMPING STATION AND TOMAKIN SEWAGE TREATMENT PLANT  
BALANCE TANK**

**E15.9154**

- R D Miller Pty Ltd

This report outlines the evaluation of the submitted tenders (included in a confidential attachment) and provides a recommendation for Council's consideration.

The contract period is 36 weeks from the Date of Contract, including six weeks allowance for pre-construction activities and four weeks allowance for post-construction documentation. The contract allows for extensions of time for inclement weather and other delays that are beyond the control of the contractor. Should a contract be awarded on 1 July 2015, it is anticipated that construction will be completed during March 2016.

Council has completed the investigation and design of the Rosedale and Guerilla Bay Sewerage Scheme and has allocated funds in the 2015-16 Operations Plan for the construction of the scheme. Tenders for the Rosedale and Guerilla Bay Pressure Sewerage System will be advertised once a contract for the Rosedale Sewage Pumping Station and Tomakin Sewage Treatment Plant balance tank has been awarded.

## **CONSIDERATIONS**

### **Legal**

A Request for Tenders RFT No 1400306 for the Rosedale Sewage Pumping Station and Tomakin Sewage Treatment Plant balance tank construction was advertised in accordance with Clause 176 of the Local Government (General) Regulation 2005.Policy

The Request for Tenders was carried out in accordance with the Local Government Act (1993), Local Government (General) Regulation 2005, the Local Government Procurement Guidelines, Council's Procurement Policy, and Council's Code of Practice – Procurement and Code of Practice – Tendering.

### **Environmental**

The Rosedale and Guerilla Bay Sewerage Scheme will significantly reduce the risk to environmental health by collecting and transporting sewage from the Rosedale and Guerilla Bay villages to the Tomakin Sewage Treatment Plant for treatment and disposal at a licenced facility.

### **Asset**

The Rosedale Regional Sewage Pumping Station has been designed to collect sewage from the existing Rosedale urban area and from approximately 65% of the Rosedale urban expansion area. The pumping station has been located and sized to replace three pumping stations proposed by developers, which will result in ongoing savings in operational costs. The pumping station has been designed to discharge into a common rising main associated with the future Malua Bay diversion, which will eliminate the need to duplicate pipelines.

### **Social Impact**

The Rosedale and Guerilla Bay Sewerage Scheme will significantly reduce the risk to public health by collecting and transporting sewage from the Rosedale and Guerilla Bay villages to the

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**IR15/030 TENDERS FOR THE CONSTRUCTION OF ROSEDALE SEWAGE  
PUMPING STATION AND TOMAKIN SEWAGE TREATMENT PLANT  
BALANCE TANK**

**E15.9154**

Tomakin sewage treatment plant for treatment and disposal at a licenced facility. Economic Development Employment Potential

The construction of a regional sewage pumping station at Rosedale and a balance tank at the Tomakin Sewage Treatment Plant will allow development within the Tomakin Sewage Treatment Plant catchment to proceed, including development of the Rosedale Urban Expansion Zone.

**Financial**

The Rosedale and Guerilla Bay Sewerage Scheme is eligible for financial assistance under the NSW Country Towns Water Supply and Sewerage Program. As the Rosedale Sewage Pumping Station and Tomakin Sewage Treatment Plant balance tank are needed to accommodate the additional sewer loads from the Rosedale and Guerilla Bay scheme, this project is also eligible for financial assistance. The amount of subsidy for these works is yet to be confirmed.

Council has allocated a total of \$2.65M for the two projects in the 2015-16 financial year.

**Community Engagement**

The Rosedale and Guerilla Bay communities have been kept informed of the progress of the sewerage scheme during the design phase via community representatives.

We will inform the community of the scheme's progress through the construction phase by providing information on a project page on Council's website and by distributing regular newsletters.

**CONCLUSION**

The Rosedale and Guerilla Bay Sewerage Scheme will provide environmental and public health benefits to the Rosedale and Guerilla Bay communities.

The Rosedale Sewage Pumping Station and Tomakin Sewage Treatment Plant balance tank are needed to enable the sewerage scheme to proceed. A Request for Tenders for construction of this infrastructure has been advertised and six tenders were received. Following a detailed assessment of tenders, it is recommended that Council accepts the preferred tender for the Construction of Rosedale Sewage Pumping Station and Tomakin Balance Tank (RFT 1400306) as identified in the confidential attachment.

The preferred tenderer has submitted a competitive price and has demonstrated extensive experience in delivering similar projects.

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**FBD15/047 LICENCE FOR KAYAKING ACTIVITIES**

**E07.1579;  
E07.1580**

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: Nil

Strategic Objective: Support Services

Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services

Operational Plan Link: SS3.3.4 Manage Council property to achieve best value to the community

**EXECUTIVE SUMMARY**

The Burley Griffin Canoe Club is an incorporated association and is a not-for-profit, community-based club that has been operating from Council controlled reserves for a number of years. The licences to Burley Griffin Canoe Club Inc to operate kayaking activities from within a number of Crown and Council reserves in the Shire expired on 30 April 2015. This report recommends that Council issue a licence for use of the Council reserves and as Trust Manager, issues a temporary licence for use of the Crown reserves.

**RECOMMENDATION**

THAT :

1. Council, as Trust Manager for the Eurobodalla (North) Reserve Trust, consent to the granting of a temporary licence to Burley Griffin Canoe Club Inc, in accordance with Section 108 of the Crown Lands Act 1989, for kayaking activities from Crown Reserve R61866 Nelligen and Crown Reserve R85999 Batemans Bay with a fee of \$464.00 plus GST per annum commencing 1 July 2015 and expiring on 30 June 2016.
2. A twelve month licence be granted to Burley Griffin Canoe Club Inc to undertake kayaking activities from Lot 112 DP 211965 Tomakin and Lot 4 DP 1090948 Moruya with a fee of \$464 plus GST per annum commencing 1 July 2015 and expiring on 30 June 2016.
3. A donation in the amount of the licence fees be made to Burley Griffin Canoe Club Inc in accordance with Council's "Financial Assistance (Donations and Grants)" Policy.

**BACKGROUND**

The Burley Griffin Canoe Club (the Club) is an incorporated association and is a not-for-profit, community-based club affiliated with Paddle NSW, the state organisation covering the activities of all NSW kayaking clubs.

The Club has been operating from Council controlled reserves in the Shire for approximately three years. Previously, local kayakers were members of the Bay Adventure Kayakers Club which merged with the Burley Griffin Canoe Club in April 2012.

At its meeting held on 18 March 2014 Council resolved:

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**FBD15/047 LICENCE FOR KAYAKING ACTIVITIES**

**E07.1579;  
E07.1580**

**THAT:**

1. *Council, as Trust Manager for the Eurobodalla (North) Reserve Trust, consent to the granting of a temporary licence to Burley Griffin Canoe Club Inc., in accordance with Section 108 of the Crown Lands Act 1989, for kayaking activities from Crown Reserve R61866 Nelligen and Crown Reserve R85999 Batemans Bay, with the exact location to be subject to negotiation with the General Manager, with a fee of \$499.40 including GST per annum commencing 1 May 2014 and expiring on 30 April 2015.*
2. *In accordance with Section 47A of the Local Government Act 1993 public notice be given of Council's intention to grant a twelve month licence (with four twelve-month options) to Burley Griffin Canoe Club Inc. to undertake kayaking activities from Lot 112 DP 211965 Tomakin and Lot 4 DP 1090948 Moruya.*
3. *If any submissions are received a report be presented to Council for further consideration.*
4. *If no submissions are received a twelve-month licence (with four twelve-month options) be granted to Burley Griffin Canoe Club Inc. to undertake kayaking activities from Lot 112 DP 211965 Tomakin and Lot 4 DP 1090948 Moruya with a fee of \$499.40 including GST commencing on 1 May 2014 and expiring on 30 April 2015.*
5. *A donation in the amount of the Licence fees be made to Burley Griffin Canoe Club Inc. in accordance with the Council's Finance Assistance (Donations and Grants) Policy.*

The intention to grant a twelve month licence with four twelve-month options was advertised in local newspapers with no submissions being received.

The licences expired on 30 April 2015 and the Club has requested a new licence for the Crown reserves and to take up the option for the licence over the Council reserves. The club were first written to three months prior to the licence expiration to determine whether a new licence was required, with their response recently received.



**FBD15/047 LICENCE FOR KAYAKING ACTIVITIES**

**E07.1579;  
E07.1580**

The licence areas are shown below.



**Crown Reserve R61866 Wharf Street, Nelligen (area principally used is the southern end)**



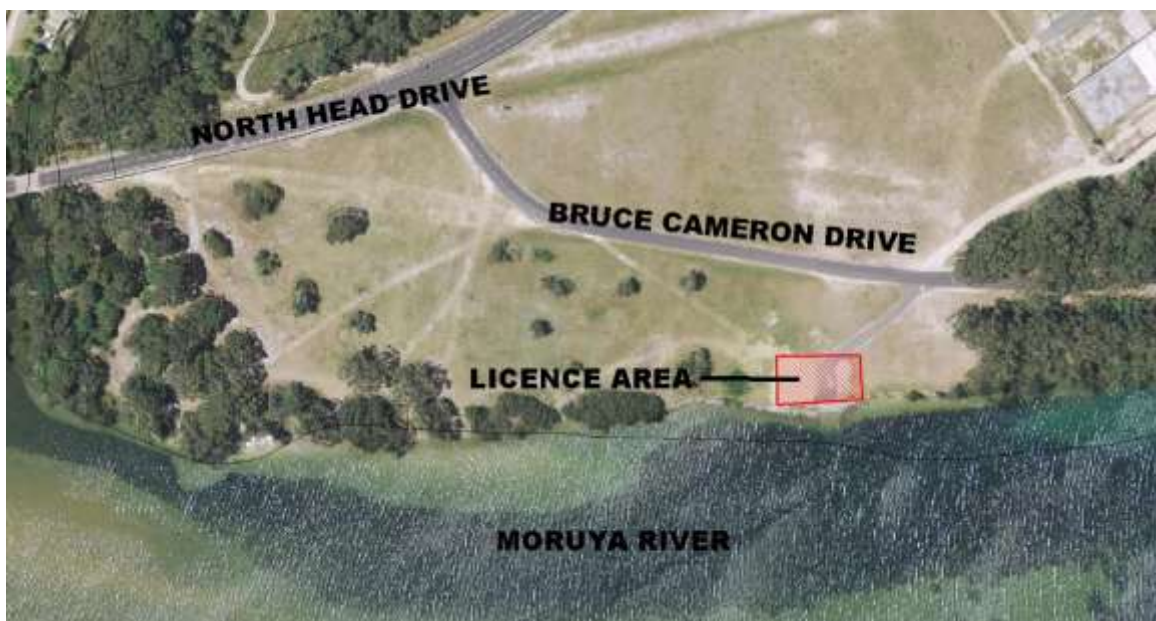
**Crown Reserve R85999 Old Punt Road, Batemans Bay**

**FBD15/047 LICENCE FOR KAYAKING ACTIVITIES**

**E07.1579;  
E07.1580**



**Lot 112 DP 211965, Jack Buckley Park, Sunpatch Parade, Tomakin**



**Lot 4 DP 1090948, Bruce Cameron Drive, Moruya**

**CONSIDERATIONS**

**Legal**

Council is the Trust Manager for the Eurobodalla (North) Reserve Trust and has been appointed to manage the affairs of Crown Reserve R61866 Nelligen and Crown Reserve R85999 Batemans Bay for public recreation. In accordance with Section 108 of the Crown Lands Act 1989 Council, as Trust Manager for the Reserves, can issue a temporary licence for a period not exceeding 12 months.

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**FBD15/047 LICENCE FOR KAYAKING ACTIVITIES**

**E07.1579;  
E07.1580**

Lot 112 DP 211965 Tomakin and Lot 4 DP 1090948 are Council reserves which are classified as community land. Council can only issue a licence for a period of five years or less including any options after giving public notice and considering any submissions. In accordance with Section 47A of the Local Government Act 1993, the intention to grant a twelve-month licence with four twelve-month options was advertised in local newspapers in March 2014 with no objections being received. Therefore a further twelve-month licence can be granted over these properties without the need to re-advertise.

**Policy**

In accordance with Council policy, public liability insurance in the amount of \$20 million will be required noting Council and the Minister administering the Crown Lands Act as interested parties.

**Asset**

The Club only uses the reserves for meeting then launching and retrieving their kayaks into and from the adjoining waterway. The impact on the reserves from the use by the Club is not significant.

**Social Impact**

The Club promotes the sport of kayaking for all ages including families throughout the Batemans Bay region and provides the opportunity for locals and Canberra based paddlers to enjoy this sporting activity in the Shire.

**Communication / Consultation**

In accordance with Section 47A of the Local Government Act 1993, the intention to grant licences over a five-year period for kayaking activities was advertised in the local newspapers in March 2014 with no objections being received.

**Economic Development Potential**

The portion of the club's membership that resides in Canberra stay overnight in Eurobodalla providing a year round boost to the local economy.

**Financial**

In accordance with Council's Financial Assistance (Donations and Grants) Policy the fee for the licences should be the statutory minimum charged by the Crown Lands Division of the Department of Primary Industries for Crown Licences, currently \$464.00 plus GST per annum.

As the Club is an incorporated not-for-profit group that meets the criteria set out in Council's Financial Assistance (Donations and Grants) Policy it would be appropriate for Council to make a donation in the amount of the licence fees to the Club.

**CONCLUSION**

The Club promotes the sport of kayaking for all ages including families throughout the Batemans Bay region. Granting of further licences is considered appropriate.

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**FBD15/048 OUTDOOR DINING LICENCES**

**E88.0056**

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: Nil

Focus Area: Productive Communities

Delivery Program Link: P1.1 Facilitate growth and development of our business community

Operational Plan Link: P1.1.2 Provide business support and development activities

**EXECUTIVE SUMMARY**

This report presents a proposal to promote the tourism product offer in Eurobodalla by encouraging greater use of outdoor dining as outdoor dining is attractive to residents and visitors.

It is proposed to achieve this by offering a three month 'payment holiday' trial for all businesses with existing or potentially new outdoor dining licences. The 'payment holiday' will operate from mid-July to mid-October 2015 and include the September school holidays and October long weekend.

This proposal will demonstrate Council's commitment to supporting business growth and encourage increased expenditure in cafes and restaurants.

Any outdoor dining requests received will still need approval as per Council's policy and the 'payment holiday' would only be available to those who are not in arrears with Council.

**RECOMMENDATION**

THAT:

1. Council waive the initial licence set up fee of \$127 for new outdoor dining licences taken out between 15 July and 15 October 2015.
2. Council waive three months rental fee for all outdoor dining licences commencing from the first payment due from 15 July 2015. This waiver is applicable only to licences where all existing payments are up to date.
3. A report be presented to Council at the conclusion of the 'payment holiday' on the results of this trial period.

**BACKGROUND**

Outdoor dining is attractive to local residents and visitors. Council currently issues licences for businesses to operate outdoor dining facilities on public land. Council's adopted Business Development Strategic Plan identifies the need for Eurobodalla to be, and be seen to be, open for business.

Undertaking a 'payment holiday' trial for new and existing licence holders will encourage an increase in the uptake of outdoor dining licences and improve the attractiveness of the region



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**FBD15/048 OUTDOOR DINING LICENCES**

**E88.0056**

for residents and visitors. Council will then review how successful the trial payment holiday period has been.

Any outdoor dining requests received will still need approval as per Council's policy.

**CONSIDERATIONS**

**Legal**

Some outdoor dining licences are on Crown Land and some on Council owned land. Council also has a Code under which licences are granted. The applicable licence fees are listed in Council's Fees and Charges.

**Policy**

Council's Business Development Strategic Plan, adopted in December 2014, identifies the need to establish a reputation for Eurobodalla as an innovative place that is open for business and to promote product development in the tourism industry. This initiative delivers on both these aims.

**Social Impact**

This initiative will increase the amenity of Eurobodalla's dining precincts for residents and visitors.

**Economic Development Employment Potential**

This initiative will add to the vibrancy of Eurobodalla as a place to visit and spend money in local cafes and restaurants.

Increased availability will grow the region's reputation for outdoor dining and provide ongoing benefits to cafes and restaurants.

**Financial**

This initiative will have a positive impact in the long term.

Total annual rental fees collected are around \$40,000 per annum so a three month 'payment holiday' would have a short term financial impact of \$10,000.

The payment holiday would only be available to those who are not in arrears with council.

**Risk**

There is a risk not all applicants will be eligible for a licence because their outdoor area does not meet the conditions of Council's policy. This risk will be managed through the communications about the offer.

**Community Engagement**

A media and communications campaign will be undertaken to promote this initiative.

**CONCLUSION**

It is considered that this proposal will be good for businesses and will promote the Eurobodalla as a place that is open for business.

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**CAR15/007 SELECTION OF NEW MEMBERS FOR DISABILITY ADVISORY  
COMMITTEE**

**E12.6216**

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

Attachments: 1. Disability Advisory Committee TOR  
2. Confidential - Disability Advisory Committee Nominations

Focus Area: Liveable Communities

Delivery Program Link: L2.4 Undertake advocacy activities to improve collaboration, service availability, development and funding

Operational Plan Link: L2.4.2 Coordinate Disability advisory committee and associated projects to implement Disability Action Plan

### **EXECUTIVE SUMMARY**

The Disability Advisory Committee (DAC) seeks 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 the visiting Eurobodalla.

The DAC recently advertised for additional community representatives to join the committee through an advertised Expression of Interest (EOI process). Five nominations were received, of which three are recommended for membership based on an assessment of their application against membership criteria.

This report seeks approval from Council for the acceptance of new Disability Advisory Committee members for the remainder of Council's current term (to September 2016).

### **RECOMMENDATION**

THAT the three recommended community members be elected to the Disability Advisory Committee for the remainder of Council's current term to September 2016, as per the confidential attachment.

### **BACKGROUND**

During May this year, Council sought expressions of interest from the community for vacancies arising on the Disability Advisory Committee (DAC).

The DAC Terms of Reference (attachment 1) state that the tenure of community members is four years in line with Council elections and allow for ten community members with voting rights. Members who were recruited in 2012 have recently resigned, leaving four positions vacant for the remainder of the Council term.

The Terms of Reference and the Disability Action Plan 2012-2017 (Policy area 4, Priority 8, Specific Action 1), state that one vacancy be designated as a health/community health representative, to enhance networks and improve partnerships in this area of support for

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**CAR15/007 SELECTION OF NEW MEMBERS FOR DISABILITY ADVISORY  
COMMITTEE**

**E12.6216**

people with disability. This vacancy is being recruited separately through a direct request to local Community Health staff.

Council received five nominations, a summary of which is provided as Attachment 2.

A selection panel was formed to review all nominations and recommend new committee members to Council.

**CONSIDERATIONS**

Four of the five applicants met the criteria outlined in the nomination form, having personal, lived experience of disability and the social, physical, employment and financial barriers often experienced by people with disability.

The panel recommended the three people with the highest scores against the agreed criteria. The selection committee are confident that the candidates recommended will provide the Disability Advisory Committee with a high level of personal knowledge of disability from lived experience and a commitment to improving disability access and equity issues.

**Social Impact**

The DAC provides an opportunity for community members to be actively involved in supporting and influencing planning, works and service delivery to people with disability in our community, bring lived experience and different perspectives to issues. This is valuable and has a positive impact on service delivery, particularly in a community where at least 19% of residents identify as living with a disability and 26% (double the state average) are over 65 years.

**Community Engagement**

We informed the community of the vacancies through providing information on Council's website, Online News and advertising in two local newspapers.

**CONCLUSION**

A selection panel has recommended three community members as representatives on Council's Disability Advisory Committee for the remainder of the current Council term, until September 2016. The three recommended community representatives have been assessed against an agreed criteria, based on their knowledge, skills and lived experience of disability matters.

# Disability Advisory Committee

## Terms of Reference

September 2014



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## **Introduction and Background**

The Community Strategic Plan 'One Community' identifies we are healthy and active and our community is a great place to live.

The Delivery Program identifies the need to provide programs, support and advocacy for older people, people with a disability and their carers.

The Operational Plan further identifies that our Community Care service works in partnership with State and Federal Governments, service providers and the community to deliver specialist services, including care services and community transport. Programs and activities are flexible and client centred, enabling older people, people with a disability and their carers to remain independent, live in their own home and access their community.

## **TERMS OF REFERENCE**

### **Purpose of the Disability Advisory Committee**

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.

### **Title and Delegations**

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

### **Objectives**

- To assist Council with the implementation of the Disability 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.
- To provide input to the Disability Action Plan prior to its final consideration by Council.

### **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.

### **Tenure to the Committee**

- Representatives to participate on the Disability Advisory Committee will be given formal notification by Council in writing.
- Councillor representatives, as determined by Council every two years.
- Community representatives, the tenure of membership will be four years in line with Council elections.
- A member absent from three consecutive meetings without acceptable apology will be replaced.
- Representatives must be willing to abide by the terms of reference for the committee.

### **Composition**

- Two Councillors (elected by Council).
- Ten community members who have a disability or have specialist knowledge or interest in disability issues (selected by Council from nominations).

Up to three of the community positions may be filled by individuals who work in a disability related area, one of whom should be a representative from Community Health Services. These members will be treated as individual members and as such must attend meetings themselves or send apologies. They will not be entitled to send alternate representatives from their organisation.

- Two Council staff (selected by the General Manager) – non voting.

### **Recruitment process**

Council will advertise positions on the committee through media and corporate communication channels.

### **Delegations of Committee**

To advise Council.

### **Reporting Hierarchy**

Minutes of each meeting will be distributed to Councillors through the councillor newsletter.

Recommendations and Council response will be communicated through the General Manager.

### **Contact Officer**

Contact officer for the committee is Manager, Community Care.

### **Responsibilities of Committee Members**

- To advise and make recommendations to Council on matters relating to disability access.
- To give advice to the best of their knowledge and ability that will help achieve the objectives of the committee.
- To provide general advice to the Director, Community, Arts and Recreation Services.
- Facilitate in a timely way any tasks allocated to and accepted by them.
- Behave in a manner that respects the interests and viewpoints of other members.
- To declare any potential or actual conflicts of interests on matters that are brought before the committee.
- All committee members will abide by the Council's Policy for Code of Meeting Practice and the Division of Local Government Model Code of Conduct for Local Councils in NSW.

### **Responsibilities of the Chairperson**

- To chair the meeting and exercise functions, as determined by the committee.
- To be the spokesperson for the committee, as directed by the committee.
- To advocate for the committee and represent its decisions.
- To sign off minutes endorsed by the committee.
- Extraordinary meetings may be called by the Chairperson.

### **Responsibilities of Council**

Council will provide secretarial support, including minute taking, and professional officer support, as appropriate.

Matters concerning Council activities that may affect people with a disability will be referred to the committee for its consideration.

The ongoing role of the committee will be reviewed annually. Relevant matters will be referred to the committee for consideration. Committee recommendations will be referred to Council for action.

Council at its discretion may review the role, structure re-organise or disband the committee.

### **General meetings**

- The Chairperson will be a Councillor elected by Council. A second Councillor or a staff representative nominated by the committee at the meeting will Chair in the event of the Chairperson being absent.
- The committee is to meet a minimum 4 times per annum.
- Replacement of members between terms will be nominated by vote of the committee.
- Other interested individuals may be invited to attend meetings as irregular observers, or be invited to present to the meeting, however they will only be recognised by consent of the Chairperson.
- The Chairperson of the committee will be able to call special meetings of the committee as necessary for the effective conduct of the committee and establish limited working parties as required.
- A quorum of the committee shall be a total of five members (committee members or councillors) with voting rights.
- Pursuant to Section 10(2) of the Local Government Act 1993, the Chairperson of the committee can exercise the power of expulsion of persons not recognised as being entitled to be present at a meeting of the Committee.

### **Distribution of Information**

Recommendations of the committee are to be reported to Council and minutes distributed to Councillors through the Councillor newsletter.

Media releases are approved by the Chairperson of the committee and distributed by Council according to Council's Media Policy.

The Chairperson is the spokesperson for the committee.

Individual committee members may not issue a media release on behalf of the committee.

### **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.

## **APPENDIX 1 - WEBSITES**

Eurobodalla Shire Council

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

Eurobodalla Shire Council's Code of Meeting Practice

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

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

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Strategies

<http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/strategies>

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**CAR15/008    CANCER INSTITUTE OF NSW SHADE GRANT FUNDING ACCEPTANCE    E96.0291**

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

Attachments: Nil

Focus Area: Liveable Communities

Delivery Program Link: L5.1 Implement Council's recreation and open space strategy, priority plans of management and master plans

Operational Plan Link: L5.1.2 Seek grant funding and partnership opportunities to develop community spaces

### **EXECUTIVE SUMMARY**

The Cancer Institute of NSW recently called for submissions for projects that would complement existing strategies in relation to reducing the risk of skin cancer to the general public and employees.

To further improve shade coverage and support renewal of shade structures at Moruya War Memorial Swimming Pool Council's submission requested support for the replacement of the shade cover. This will cover the large grandstand seating alongside the 25 metre pool, plus the installation of shade cover over the small grandstand setting alongside the toddler's pool.

The Cancer Institute of NSW has approved funding of \$20,889.00 for this purpose.

In order for the funds to be released, the funding agreement had to be signed and returned to the Institute by 5 June 2015 and the Mayor used his executive powers under Section 226 of Local Government Act to authorise the agreement.

### **RECOMMENDATION**

THAT Council endorse the use of the Mayor's executive powers under Section 226 of the Local Government Act to approve acceptance of \$20,889.00 Shade Cover Funding from the Cancer Institute of NSW.

### **BACKGROUND**

A recent risk assessment identified the existing shade structure alongside the 25 metre pool as due for replacement. The grandstand seating alongside the toddler's pool was in full sun, all day, as no shade structure is currently in place.

Pool management, pool staff, and members of the public had requested an increase in shade provision at the facility.

### **CONSIDERATIONS**

The replacement and installation of this shade cover will provide valuable shade space for patrons and spectators at the pool. The additional covering complements the existing skin cancer prevention strategies already undertaken within the pool complex, and supports the maintenance of a safe workplace for pool staff.

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**CAR15/008    CANCER INSTITUTE OF NSW SHADE GRANT FUNDING ACCEPTANCE    E96.0291**

**Social Impact**

Provision of extra shade at this facility will make the outdoor space more user friendly and more sun-safe, especially for spectators. The location of the shade will allow for close supervision of young children, in a sun safe environment.

**Financial**

The amount received will cover the cost of both installations based on quotes received specifically for this grant application.

**CONCLUSION**

The Cancer Institute funding will ensure council continues to work towards best practice in relation to the delivery of outdoor swimming pools and services in the Eurobodalla.



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## **17. DEALING WITH MATTERS IN CLOSED SESSION**

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

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

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

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

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## EUROBODALLA SHIRE COUNCIL

### ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

#### A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

#### ETHICAL DECISION MAKING

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

#### CONFLICT OF INTEREST

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

#### THE TEST FOR CONFLICT OF INTEREST

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

#### IDENTIFYING PROBLEMS

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

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

## AGENCY ADVICE

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

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@eurocoast.nsw.gov.au	www.esc.nsw.gov.au
ICAC	8281 5999	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Local Government Department	4428 4100	dlg@dlg.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	8286 1000 Toll Free 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

Reports to Committee are presented generally by 'exception' - that is, only those items that do not comply with legislation or policy, or are the subject of objection, are discussed in a report.

Reports address areas of business risk to assist decision making. Those areas include legal, policy, environment, asset, economic, strategic and financial.

### Reports may also include key planning or assessment phrases such as:

*Setback* Council's planning controls establish preferred standards of setback (eg 7.5m front; 1m side and rear);

*Envelope* taking into account the slope of a lot, defines the width and height of a building with preferred standard of 8.5m high;

*Footprint* the percentage of a lot taken up by a building on a site plan.

Acronym	Meaning	Description
ACR	Australian Capital Region	The political and strategic grouping of the ACT government and 17 adjacent councils.
AEP	Annual Exceedance Probability	For floods expressed as a % eg 1% = 1:100 year event. The NSW Flood Guidelines nominate types of development and controls.
AHD	Australian Height Datum	Floor levels for buildings set to remain at or above flood level (expressed as 'freeboard').
APZ	Asset Protection Zone	Area to be cleared and maintained around habitable buildings in bushfire prone areas.
AS	Australian Standard	Standards set by national body as minimum construction, service, system, planning or design requirements.

Acronym	Meaning	Description
BCA	Building Code of Australia	Prescribes minimum standards or performance base for building construction.
CAMP	Companion Animal Management Plan	Required by state law, plan nominating management of dogs and cats and areas for access for the exercise of dogs (eg beaches and reserves).
CC	Construction Certificate	Floor plans approved by council or private certifier in compliance with development conditions and BCA.
COPW	Condition of Public Works Report	Required by state law to define the condition of infrastructure assets, the cost to upgrade to defined standards, the current costs of maintenance and desired levels of maintenance.
CP	Cultural Plan	A cultural plan enables identification of cultural assets, identity and needs as well as providing a framework to develop cultural initiatives to increase opportunities for residents.
CSR	Complaint and Service Request	Requests received from public by phone, letter, email or Councillor to attend to certain works (eg pothole) or complain of certain service or offence (eg dogs barking).
DA	Development Application	Required by state law to assess suitability and impacts of a proposed development.
DAP	Disability Action Plan	Council plan outlining proposed works and services to upgrade facilities to progressively meet Disability Discrimination Act.
DCP	Development Control Plan	Local planning policy defining the characteristics sought in residential, commercial land.
DECCW	Department of Environment, Climate Change and Water (formerly EPA, NPWS, DEC)	State agencies (former Environment Protection and National Parks), DNR managing state lands and natural resources and regulating council activity or advising on development applications.
DWE	Department of Water and Energy	State agency managing funding and approvals for town and country water and sewer services and State energy requirements.
DoP	Department of Planning	State agency managing state lands and regulating council activity or advising on development applications or strategic planning.
DLG	Department of Local Government	State agency responsible for regulating local government.
DoL	Department of Lands	State agency managing state lands and advising on development applications or crown land management.
DoC	Department of Commerce	State agency (formerly Public Works) managing state public water, sewer and buildings infrastructure and advising/supervising on council infrastructure construction.

Acronym	Meaning	Description
DoH	Department of Health	State agency responsible for oversight of health care (community and hospital) programs. Also responsible for public warning of reportable health risks.
DOTAR	Department of Infrastructure, Transport and Regional Development and Local Government	Federal agency incorporating infrastructure, transport system, and assisting regions and local government.
EBP	Eurobodalla Bike Plan	Strategic Plan identifying priorities and localities for cycleways in the Shire.
EIS	Environmental Impact Statement	Required for designated and state developments researching and recommending solutions to social, economic and environmental impacts.
EMP	Estuary Management Plan	Community based plan, following scientific research of hydrology and hydraulics, recommending actions to preserve or enhance social, economic and environmental attributes of estuary
EMS	Environmental Management System	Plans prepared by council (such as waste management and strategic planning) around AS14000.
EOI	Expressions of Interest	Often called in advance of selecting tenders to ascertain capacity and cost of private sector performing tasks or projects on behalf of council.
EP&A	Environment Planning & Assessment Act	State law defining types of development on private and public lands, the assessment criteria and consent authorities.
ESC	Eurobodalla Shire Council	
ESD	Ecologically Sustainable Development	Global initiative recommending balance of social, economic and environmental values in accord with 7 ESD principles.
ESS	Eurobodalla Settlement Strategy	Council strategy prepared with assistance of government to identify best uses and re-uses of urban lands, the appropriate siting of private and public investment (eg institutions, employment areas or high density residential) based on current and planned infrastructure and land capacity.
ET	Equivalent Tenement	Basis of calculation of demand or impact of a single dwelling on water and sewer system.
FAG	Financial Assistance Grant	Federal general purpose grant direct to local government based on population and other 'disability' factors.

Acronym	Meaning	Description
FSR	Floor Space Ratio	A measure of bulk and scale, it is a calculation of the extent a building floor area takes up of an allotment.
GIS	Geographic Information System	Computer generated spatial mapping of land and attributes such as infrastructure, slope, zoning.
IPART	Independent Pricing & Regulatory Tribunal	State body that reviews statutory or government business regulatory frameworks and pricing levels.
IPWEA	Institute Public Works Engineers Australia	Professional association.
IWCMS	Integrated Water Cycle Management Strategy (or Plan)	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation to water, sewer and stormwater systems.
IWMS	Integrated Waste Management (Minimisation) Strategy	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation of waste (solids, effluent, contaminated, liquid trade waste).
LEP	Local Environment Plan	The statutory planning instrument defining the zones and objectives of urban and rural areas.
LGAct	Local Government Act	State law defining the role of Mayor, Councillors, staff, financing, approvals etc.
LGMA	Local Government Managers Australia	Professional association.
LGNSW	Local Government NSW	Representative advisory and advocacy group for councils in NSW.
MOU	Memorandum of Understanding	Agreement in principle between parties (eg council and agency) to achieve defined outcomes.
NPWS	National Parks & Wildlife Service	Now merged into DECCW.
NRM	Natural Resource Management	
NVC	Native Vegetation Act 2003	State law defining means of protection of threatened legislation and approval processes to clear land.
OC	Occupation Certificate	Issued by council or private certifier that building is safe to occupy and in compliance with development conditions and BCA.
OSMS	On site sewage management system	Includes septic tanks, aerated systems, biocycles etc.
PCA	Principal Certifying Authority	The person or organisation appointed by applicant to inspect and certify structures.

Acronym	Meaning	Description
PIA	Planning Institute of Australia	Professional association.
POEO	Protection of the Environment Operations Act	State law outlining standards for emissions and discharges and penalties for pollution.
PoM	Plan of Management (usually for community land)	Council plan nominating type of uses for community land and range of facilities progressively to be provided on land.
PPP	Public Private Partnerships	
PTS	Public Transport Strategy	Council strategy to initiate mechanisms to promote and facilitate public transport (bus, taxi, community transport, cycles) in design of subdivisions, developments and council works.
REF	Review of Environmental Factors	Council examination of risk and social, economic and environmental benefit of proposed works, assessed against state planning, environment and safety laws.
REP	Regional Environment Planning Policy	Outlines compulsory state planning objectives to be observed in development assessment and strategic planning.
RFS	Rural Fire Service	State agency responsible for providing equipment and training for volunteer firefighter brigades, and the assessment and approval of developments in bushfire prone lands.
RLF	Regional Leaders Forum	The group of mayors and general managers representing the councils in the ACR.
RMS	Roads & Maritime Service	State agency responsible for funding, construction and maintenance of state roads, the approval of council works on arterial roads and development applications.
S64	S64 Contributions Plan	Developer contributions plan to enable, with council and state funds, the augmentation of water, sewer and stormwater infrastructure.
S94 S94A	S94 Contributions Plan S94A Contributions Plan Levy Plan	Developer contributions to enable construction of public infrastructure and facilities such as roads, reserves, carparks, amenities etc.
SCG	Southern Councils Group	Political and strategic grouping of councils along the NSW south coast from Wollongong to the border, lobbying government for assistance (eg highways) and resourcing sharing initiatives.
SCRS	South Coast Regional Strategy	Regional Strategy prepared by DoP for ESC, BVSC and part SCC to guide new LEPs.

Acronym	Meaning	Description
SEA	Strategic Environment Assessment	Spatial assessment of environmental constraints of land considered in design and assessment of subdivision and infrastructure.  Scientific research behind assessment of capacity of land and waterways in rural residential and urban expansion lands to sustain human settlement.
SEPP	State Environmental Planning Policy	Outlines compulsory state planning objectives.
SNSWLHD	Southern NSW Local Health Districts	State board commissioned with oversight of health care in Highlands, Monaro and Far South Coast.
SoER	State of the Environment Report	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social, economic and environmental features of the Shire and appropriate responses to address or preserve those issues.
SP	Social Plan	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social framework of the community, their services and facilities and economic interactions.
.....SP	Structure Plan	Plan promoting landuses and siting of infrastructure and facilities in towns (eg, BBSP – Batemans Bay Structure Plan).
SRCMA	Southern Rivers Catchment Management Authority	State agency commissioned with assessment and monitoring of health and qualities of catchments from Wollongong to the border, and determine directions and priorities for public and private investment or assistance with grants.
STP	Sewer Treatment Plant	Primary, secondary and part tertiary treatment of sewage collected from sewers before discharge into EPA approved water ways or irrigation onto land.
TAMS	Total Asset Management System	Computer aided system recording condition and maintenance profiles of infrastructure and building assets.
TBL	Triple Bottom Line	Commercial term coined to encourage business to consider and disclose social and environmental risk, benefit and costs in the conduct of business to guide investors as to the long term sustainability and ethics of a business. Taken up by Council to record the basis of prioritisation, the review of condition, the monitor of progress and the financial disclosure of preventative or maintenance investment in council based social and environmental activities.
ToR	Terms of Reference	
TSC	Threatened Species Conservation Act 1995	State law governing the protection of nominated species and relevant assessment and development controls.



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Acronym	Meaning	Description
WCF	Water Cycle Fund	Combination of water, sewer and stormwater activities and their financing arrangements.
WSUD	Water Sensitive Urban Design	Principle behind the IWCMS and council development codes requiring new developments to reduce demand and waste on water resources through contemporary subdivision and building design.