



AGENDA

Ordinary Meeting of Council

10 April 2018

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

ON TUESDAY 10 APRIL 2018

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 27 March 2018
- 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**
(Declarations also to be made prior to discussions on each item)
- 6. MAYORAL REPORTS**
Nil
- 7. NOTICES OF MOTION**
NOM18/004 Cat curfew 3
- 8. QUESTIONS ON NOTICE FROM COUNCILLORS**
Nil
- 9. PETITIONS**
Nil
- 10. GENERAL MANAGER'S REPORTS**
Nil

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Nil

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**DR CATHERINE DALE
GENERAL MANAGER**

NOM18/004 CAT CURFEW

E00.4623

Responsible Officer: Anthony Mayne - Councillor

Attachments: 1. RSPCA NSW Letter of Support

Councillor Anthony Mayne gave notice that at the Ordinary Meeting of Council on 27 March 2018, he will move the following motion. At that meeting this item was deferred.

MOTION

THAT Council advocate to the NSW Government to introduce a cat curfew and/or stricter requirements for cat containment.

BACKGROUND

The impact of cats on native fauna is well documented and on the 13 February 2018 a response to a question on notice (QON18/001) articulated the constructive actions Eurobodalla Shire Council is taking to address the impacts of domestic cats on native wildlife. Whilst Council is conducting a wide range and some excellent programs in this space there is a requirement for us to do more. More recently the RSPCA meet with Council and they have indicated support for a cat curfew also.

It is anticipated a cat curfew/containment provides environmental benefits where there is a reduction on native fauna predation by cats. The curtailing of cat movements will also potentially reduce stray and lost cats in the Eurobodalla by further enabling our Rangers to carry out their work.

The strengthening of improved cat management by the NSW Government via legislation or other appropriate mechanisms should be undertaken and this motion requires Council to lobby the NSW Government to introduce a cat curfew across NSW and/or stricter requirements for cats.

Additional information provided for the Ordinary Council Meeting on 10 April 2018 is provided below.

The change to the Animal Companion Act will empower the Council Rangers to more effectively carry out their work. The benefits of such legislation would encourage responsible cat ownership, reduce the number of unwanted cats being bred, allow for cats found in a public place or on private property to be seized by the Rangers, and assist with reuniting of lost cats with their owners.

Importantly, the cat curfew does not require cat owners to do anything complicated or expensive. Rather, it simply requires owners to ensure that their family cat is safely contained each night.

While cats are great companions, they are also natural predators and when they are left to roam at night they can do enormous damage to native wildlife, breed with stray and roaming cats, get into fights and be a nuisance to residents.

A letter of support from the RSPCA is attached.



3 April 2018

Deputy Mayor Anthony Mayne
Eurobodalla Shire Council
PO Box 99
MORUYA NSW 2537

Email: clranthony.mayne@esc.nsw.gov.au

RSPCA Letter of Support

The RSPCA encourages the containment of cats in an enclosed area (within the owner's property boundaries). Containment of cats can help to protect cats from disease and injury associated with fighting and accidents, increase the opportunity for owner-pet interaction and reduce the impact of hunting by cats and disturbance caused to neighbours¹.

Cat containment and cat curfews should be considered in the local context and the potential impact of owned domestic cats on wildlife populations should be assessed according to the specific area in which they live. Impacts on wildlife populations may vary depending on the nature of the area in which the cats are located. For example, owned cats living near wildlife reserves may be more likely to have an impact on wildlife populations compared to cats living in highly urbanised settings.

In the Australian Capital Territory, a cat containment area can be declared in a suburb, or area of a suburb, if there is a serious nature conservation threat as a result of cat activities². In Victoria, a number of council areas have cat curfews such as the Yarra range council, Mornington Peninsula shire and the Maroondah council which has a sunrise to sunset cat curfew. A 2009 Australian paper³ emphasises the need to assess impacts at the local level. The paper states that 'In built-up urban and suburban environments, it is likely that any direct impact of cats on native fauna will be secondary to the more dramatic effects of loss and modification of native vegetation by the suburbs themselves. However, in less disturbed areas adjoining reserves, national parks, or in remnants of native vegetation adjoining new residential developments, predation by domestic and stray cats on native species may be quite damaging.'

Owned domestic cat home-ranges should be taken into account when assessing potential wildlife impacts by cats in that local area. A recent 2017 Australian study determined a median home-range size of 1.042 hectares⁴.

Where cats are contained, steps must be taken to ensure that adequate exercise and environmental enrichment (complexity) are available to provide physical and psychological stimulation.

¹ RSPCA policy A. RSPCA Australia knowledgebase

² <https://www.tccs.act.gov.au/city-living/pets/cats/cat-containment>

³ Dickman, Christopher R., "House cats as predators in the Australian environment: impacts and management" (2009). Human-Wildlife Interactions. Paper 27.

⁴ Roetman et al. (2017) Cat Tracker South Australia: understanding pet cats through citizen science.

The Royal Society
for the Prevention of
Cruelty to Animals
New South Wales

ABN 87 000 001 641

Authority to Fundraise
No CFN11744

Administration

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Yagoona, NSW, 2199

P: (02) 9770 7555
F: (02) 9782 4445
E: mail@rspcansw.org.au
W: rspcansw.org.au

Animal Care Services

Blue Mountains
121-125 Mont Street
Katoomba, NSW, 2780
P: (02) 4782 2674

Broken Hill
South Road
Broken Hill, NSW, 2880
P: (08) 8087 7753

Central Coast
Lot 458 Reeves Road
Somersby, NSW, 2250
P: (02) 4372 2044

Coffs Harbour
Downsett Drive
Coffs Harbour, NSW, 2450
P: (02) 6661 3311

Hunter Region
6-10 Burlington Place
Rutherford, NSW, 2320
P: (02) 4939 1555

Illawarra
54 Industrial Road
Unanderra, NSW, 2526
P: (02) 4271 3410

Orange
71 William Street
Orange, NSW, 2800
P: (02) 6362 6171

Port Macquarie
10 Karungi Crescent
Port Macquarie, NSW, 2444
P: (02) 6681 0380

RSPCA Care Centre House Hill
House Hill Town Centre
Windsor Road
House Hill, NSW, 2155
P: (02) 8883 0622

RSPCA Care Centre Tuggerah
Tuggerah Homemaker Centre
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and Wyong Road
Tuggerah, NSW, 2259
P: (02) 4351 3444

Shoalhaven
114 Flatrock Road
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201 Rookwood Road
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Tighes Hill Veterinary Hospital
75 Elizabeth Street
Tighes Hill, NSW, 2297
P: (02) 4927 6822



Access to an outdoor escape-proof enclosure/run is highly recommended as this can greatly increase the opportunity for activity and stimulation for contained cats. Ideally cats should be trained to be contained early. A leash and harness may be used to walk cats outside the owner's property under direct supervision to provide cats with supervised time off their property.

Evidence suggests that cats kept indoors only, without access to the outdoors are more likely to display behavioural problems⁵. From an animal welfare perspective it is therefore important for cat owners to take active steps to prevent behavioural issues that can be associated with containment and which may result in relinquishment or euthanasia.

Where cat containment or cat curfews are introduced, a phase-in period should be implemented to provide cats with an adjustment period and owners time to modify their properties as required.

Regards,

A handwritten signature in black ink, appearing to read "Steve Coleman".

Steve Coleman
CEO
RSPCA NSW

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for the Prevention of
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⁵ JL Stella and CC Croney (2016) Environmental aspects of domestic cat care and management: Implications for cat welfare. The Scientific World Journal, Article ID 6296315

⁶ CP Smith, V Taylor and C Nicol (1995) Environmental enrichment Information Resources for laboratory animals.

**PSR18/061 EXPRESSIONS OF INTEREST FOR DESIGN OF REGIONAL AQUATIC,
ARTS AND LEISURE CENTRE AT MACKAY PARK BATEMANS BAY E18.1480**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments: 1. Under Separate Cover - Confidential - Evaluation

Outcome: Vibrant & Diverse Economy

Focus Area: 5.1 Diversify the region's economy, attract investment and target new
and emerging employment sectors

Delivery Program Link: 5.1.3 Plan for the development of the Batemans Bay Mackay Park
Precinct

Operational Plan Link: 5.1.3.1 Finalise the master plan for Batemans Bay Mackay Park Precinct

EXECUTIVE SUMMARY

Council issued a Request for Expressions of Interest (EOI) for design/architecture firms or consortiums to design the Regional Aquatic, Arts and Leisure Centre at Mackay Park Batemans Bay. This is a significant project for Batemans Bay and Eurobodalla that is proposed to be funded through grants from the NSW and Australian Governments. Given the significance of the project, a two stage tender process was commenced. The first stage sought Expressions of Interest from any interested companies or consortiums, from which a number will be invited to proceed to a selective tender stage.

This report outlines the process undertaken to evaluate proposals submitted in response to the Request for Expression of Interest No. 2018/PLS034 and provides a recommendation for the preferred submitters to be invited to proceed to the selective tender stage.

RECOMMENDATION

THAT Council:

1. Endorses a selective tendering activity in accordance with the recommendations of the attached Confidential Mackay Park Expression of Interest No. 2018/PLS034 Evaluation Report.
2. Receives a further report following the selective tender process in order to make a determination on the tender.

BACKGROUND

The Batemans Bay community has long called for a new indoor aquatic centre and a purpose-built performing arts space in Batemans Bay. In 2016, Council engaged Otium Planning Group to prepare a concept plan and business case for such a development at Mackay Park in Batemans Bay.

At the Extraordinary Meeting of Council held on 29 August 2017, Council endorsed a concept plan option and business case for the development, for the purpose of seeking grant funding and informing the detailed design stage. A number of grant applications were subsequently

**PSR18/061 EXPRESSIONS OF INTEREST FOR DESIGN OF REGIONAL AQUATIC,
ARTS AND LEISURE CENTRE AT MACKAY PARK BATEMANS BAY E18.1480**

submitted to the NSW and Australian Governments to seek the necessary funds to construct the facility.

EOI No. 2018/PLS034 was advertised on 13 February 2018 with a closing date of 12 March 2018. Nine proposals were received from the following companies and assessed in accordance with the Tender Evaluation Plan dated 8 March 2018.

The evaluation of proposals is outlined in the Confidential Mackay Park EOI No. 2018/PLS034 Evaluation Report that is included as an attachment to this report.

Name

BKK Architects
Brewster Hjorth Architects
Cox Architecture Pty Limited
Fuse Architecture
Facility Design Group
Liquid Blue Pty Limited
Michael Davies Architecture
NBRS & Partners Pty Limited
Warren and Mahoney Architects Australia Pty Limited

CONSIDERATIONS

Legal

Request for Expressions of Interest No. 2018/PLS034 was advertised in accordance with Local Government (General) Regulation 2005 REG 167 and Local Government Act 1993.

The Request for Expressions of Interest was advertised on Council's noticeboard page in local newspapers, in the Sydney Morning Herald and at Council's Tenderlink web portal (www.tenderlink.com/eurobodalla)

Upon release of the Request for Expressions of Interest a Tender Evaluation Plan was distributed amongst the Tender Evaluation Panel. Declarations of Confidentiality and Interest Forms were completed and signed by the Panel members.

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.

Communication / Consultation

The tender Evaluation Panel included independent experts in tender processes, probity and major project assessment.

**PSR18/061 EXPRESSIONS OF INTEREST FOR DESIGN OF REGIONAL AQUATIC,
ARTS AND LEISURE CENTRE AT MACKAY PARK BATEMANS BAY**

E18.1480

In the preparation of the Request for Tender documents, Council collaborated with the Mackay Park Sunset Committee to develop a list of design principles to inform the detailed design of the proposed Regional Aquatic, Arts and Leisure Centre.

The community will be informed of the outcome following the selective tender process via Council's contract register found in Council's 'Public Access to Information' web link, through the project web page and through other communication and media forms.

CONCLUSION

The Request for Expression of Interest is the first of a two stage tender process that is being conducted in accordance with mandatory Council and Local Government requirements. The tender Evaluation Panel has assessed the Expressions of Interest submitted and recommends four submitters be invited to proceed to the selective tender stage. The four successful applicants will be asked to confirm their willingness to participate in the tender process prior to the release of tender documents. A fifth proposal is recommended to be included should one of the selected four choose not to proceed.

Following the selective tender process a further report will be submitted to Council to seek endorsement of a preferred tenderer for the awarding of a contract to deliver the services.

PSR18/062 ABORIGINAL CULTURAL HERITAGE REFORMS - DRAFT SUBMISSION E13.7352

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services
Attachments: 1. Draft submission
Outcome: Celebrated Creativity, Culture and Learning
Focus Area: 2.3 Embrace and celebrate local history, cultural heritage and diversity
Delivery Program Link: 2.3.2 Manage and promote our Heritage
Operational Plan Link: 2.3.2.4 Implement Heritage Strategy actions

EXECUTIVE SUMMARY

The purpose of this report is to present a draft submission to the proposal by the NSW Government to reform the Aboriginal cultural heritage system.

The proposed framework includes completely new legislation and a new administrative system which the government believes will respect Aboriginal cultural heritage, reduce red tape and balance the different needs of interest groups across the community.

The proposed framework and [Aboriginal Cultural Heritage Bill 2018](#) are currently on public exhibition for comment until 20 April 2018.

The proposed framework was forwarded to members of the Eurobodalla Aboriginal Advisory Committee and the Eurobodalla Heritage Advisory Committee however no feedback was received at the time of writing. Councillors were briefed on the draft Bill and proposed framework on 6 March 2018.

The draft submission has been prepared outlining a number of concerns with the proposed model, particularly with regard to the potential impact of the changes on the timely delivery of infrastructure and development and on potential compliance requirements. A copy of the draft submission is attached to this report.

RECOMMENDATION

THAT Council:

1. Endorse the draft submission attached to this report.
2. Forward the submission to the Office of Environment and Heritage for consideration in finalisation of the Aboriginal Cultural Heritage Bill 2018.

BACKGROUND

In September 2011, the State Government approved a process to develop options for the reform of Aboriginal heritage laws in NSW to improve the protection of Aboriginal culture and heritage in this state. Phase 1 of the process involved the release of an issues paper to promote discussion and a paper on reform milestones from 1969 to 2011. This was followed by state-wide public consultation.

PSR18/062 ABORIGINAL CULTURAL HERITAGE REFORMS - DRAFT SUBMISSION E13.7352

An Aboriginal Culture and Heritage (ACH) Reform Working Party, working with the Heritage Division of the NSW Office of Environment and Heritage, was formed to advise the Government on options for the protection and management of ACH in NSW.

Phase 2 responded to feedback by expanding the consultation process to provide more information to Aboriginal people about the existing legislative and administrative system. The Working Party then developed a set of draft recommendations which were submitted to the Government in December 2012.

Phase 3 commenced in October 2013 with the release of a proposed model in response to the ACH Working Party recommendations. A series of public workshops were held around the State to present the model and obtain feedback from stakeholders and other interested parties.

Council officers and members of the Eurobodalla Aboriginal Advisory Committee attended workshops during Phases 1 and 3, and the proposed model was discussed at meetings of both the Eurobodalla Aboriginal Advisory Committee and the Heritage Advisory Committee. A submission was endorsed by Council and forwarded to the ACH Working Party in March 2014.

On 11 September 2017, the Office for Environment and Heritage placed on public exhibition a new framework based on the draft legislation it had developed but did not release at that time. On 26 February 2018 the process entered a crucial phase with the release of the [Aboriginal Cultural Heritage Bill 2018](#) for public comment.

Councillors were briefed on the draft Bill and proposed framework on 6 March 2018. A number of concerns were raised and these have been included in the attached draft submission, which is due by 20 April 2018.

CONSIDERATIONS

The key elements of the proposed legal framework include:

1. A new Aboriginal Cultural Heritage Act and the transfer of legislation from the *National Parks and Wildlife Act 1974* to the new Act
2. A new definition for ACH to include tangible and intangible cultural heritage
3. Establishment of a new state-wide body of Aboriginal people - the Aboriginal Cultural Heritage Authority
4. Establishment of local ACH panels for consultation and decision-making on all ACH matters
5. Development of ACH maps by the local ACH consultation panels and ACH Authority
6. Replacement of Aboriginal Heritage Impact Permits with ACH Management Plans, to be negotiated between proponents and the local ACH consultation panels
7. New funding to support the proposed framework and the conservation of ACH.

The underlying principles of the reform, including the transfer of legislation from the *National Parks and Wildlife Act 1974* to a new (currently draft) Aboriginal Cultural Heritage Act 2018, are supported.

PSR18/062 ABORIGINAL CULTURAL HERITAGE REFORMS - DRAFT SUBMISSION E13.7352

The first part of the Act to come into force will establish the state-wide Aboriginal Cultural Heritage Authority. Over approximately three years the Authority will develop the regulations, policies and guidelines that will determine how the legislation will operate. This will involve further consultation by the ACH Authority on these matters with Aboriginal people, government agencies, industry bodies and other stakeholders. It will only be at the completion of this task that the rest of the Act will come into force and we can fully understand the impacts on planning and development, and on the timely delivery of infrastructure.

Impacts of the proposed model on Council

Council's current roles with regard to ACH are:

1. *Strategic Planning*
Council collaborates with local Aboriginal communities in developing Aboriginal Heritage Studies to identify cultural practices, beliefs, items and places in the Shire, and identifies of important items or places of Aboriginal heritage significance in planning documents.
2. *Development Assessment*
As part of Council's role in assessing development applications, where a proposed development will or may impact on identified ACH values, the *Environmental Planning and Assessment Act 1979* and Eurobodalla's LEPs outline various referral, notification and assessment requirements.
3. *Proponent*
Council plans, constructs and maintains infrastructure on behalf of the community. Where works are not exempt, Council is required to conduct due diligence and in some cases (after consultation with the Aboriginal community), apply to the Office of Environment and Heritage for an Aboriginal Heritage Impact Permit to allow works to proceed in an agreed manner.

In addition to the above, Council facilitates community development programs through the Eurobodalla Aboriginal Advisory Committee. The reform process does not relate to these community development functions of Council.

Under the proposed model, there will be changes to the three roles of Council listed above and the possible introduction of a fourth role. The following comments and concerns are raised with respect to the impact of the proposed changes on Council:

1. *Strategic Planning*
Local ACH Maps developed by local ACH consultation panels and approved by the nominated minister will inform Council's strategic planning into the future. This is supported as it will remove the onus on planners and proponents to perform Due Diligence assessments, enables early consideration of ACH issues and provides increased certainty around the level of investigation required when planning or developing.
2. *Development Assessment*
Where ACH may be impacted by a proposed development, proponents must contact the local ACH consultation panel and possibly negotiate a Management Plan prior to the lodgement of a development application (DA). These Management Plans will replace the current Aboriginal Heritage Impact Permits (AHIPs). The Management Plan must

PSR18/062 ABORIGINAL CULTURAL HERITAGE REFORMS - DRAFT SUBMISSION E13.7352

accompany the DA at lodgement and there will be no further referral or assessment role for Council. This is supported as it will remove the responsibility to consider any impacts on ACH from Council staff when assessing DAs and potentially have a positive impact on DA assessment times.

3. *Proponent*

The most significant changes for Council (and other proponents) relate to the processes to obtain approval to undertake works that may impact on ACH values. The need to negotiate Management Plans with local ACH consultation panels may conceivably result in delays in planning and delivering infrastructure. Mandatory timeframes for consultation will be essential.

4. *Compliance*

Investigative powers may be delegated to a government department or Council. There are concerns on this possibility as Council compliance officers are not trained or resourced to perform such duties.

These and other concerns are outlined in more detail in the draft submission attached to this report.

Legal

The Aboriginal Cultural Heritage Authority will be a statutory body under the proposed Aboriginal Cultural Heritage Act 2018.

Policy

The proposed model may have policy implications for Council, in particular with regard to strategic planning, development assessment, infrastructure delivery processes and compliance. The exact nature of these implications is not known at this stage and will become clear through the process of developing regulations and other guidance documents over the next three years.

Financial

Should Council be delegated certain compliance roles under the new Act there will be financial implications for Council.

Community and Stakeholder Engagement

In addition to community engagement activities undertaken by the NSW Government, Council had publicised the public exhibition of the reforms by way of a media release encouraging all members of the community to be aware of the proposed reforms, the public information sessions being conducted by the Office for Environment and Heritage and how they can make a submission. Council's Aboriginal Advisory Committee and Heritage Advisory Committee were also invited to provide feedback.

CONCLUSION

While Council supports and recognises the need for appropriate planning and management of ACH values a number of concerns have been raised due to the lack of detail in the proposed model. Council is mindful that it must be able to provide services and infrastructure to the community in a timely manner.

PSR18/062 ABORIGINAL CULTURAL HERITAGE REFORMS - DRAFT SUBMISSION E13.7352

A draft submission has been prepared on the draft Bill and proposed framework for managing Aboriginal cultural heritage in NSW. The draft submission is attached to this report for consideration by Council.

Proposal	Council Comment
1. Structural Reform	
Stand-alone legislation	Council supports the transfer of Aboriginal Cultural Heritage (ACH) from the <i>National Parks and Wildlife Act 1974</i> to a new Aboriginal Cultural Heritage Act as a more respectful placement of ACH legislation. The objects of the new Act signal a greater degree of respect for Aboriginal cultural heritage values.
New definitions for Aboriginal Cultural Heritage and related terms.	The broad definition that recognises the intangible as well as tangible cultural heritage values is supported as it better defines the Aboriginal cultural heritage. The definition of related terms better define the different forms of Aboriginal heritage and allow them to be considered and managed more appropriately.
2. The Proposed Framework In Practice – The Administrative Structure	
Aboriginal Cultural Heritage Authority (ACHA) made up of Aboriginal people appointed by the responsible minister.	Supported. Members of the ACHA, supported by local ACH Consultation Panels, will make decisions relating to the management and conservation of Aboriginal cultural heritage. This will put the responsibility and authority for the management and conservation of Aboriginal cultural heritage in the hands of the people to whom it belongs.
Local ACH Consultation Panels made up of Aboriginal people that will be the primary contact point for consultation and decision-making on all ACH matters to simplify the system.	Council generally supports a ‘one-stop-shop’ approach for consultation on ACH matters. This will simplify the system and ensure clarity of the process. Clarity on the roles, responsibilities, oversight and funding of the local ACH Consultation Panels will be essential, particularly with regard to the decision-making element. This is to ensure transparency and address any potential conflicts of interest. The membership and chairing of committees must ensure that any potential conflicts of interest or disagreements do not impede timely decision-making. When calculating the number of people and resources available to each panel, the ACH Authority must be aware that in a shire like the Eurobodalla there could be approximately 150-200 infrastructure projects and 120 development proposals per year which could potentially be referred to the ACH Consultation Panel. The panels must be adequately resourced to deliver timely responses to infrastructure and

Proposal	Council Comment
<p>ACH Consultation Panel boundaries are yet to be decided.</p> <p>ACH Consultation Panels will represent local Aboriginal communities and will be authorised to speak for country.</p>	<p>development proposals. Some of the infrastructure projects would be maintenance work and therefore Exempt.</p> <p>In terms of the boundaries of responsibility of local ACH Consultation Panels, local cultural issues need to be taken into consideration. While one committee per local government area may be useful for a consistent and efficient approach for proponents, in a larger local government area covering several Local Aboriginal Land Councils (LALC) areas, there may be different issues/areas of concern. As noted above, the membership and chairing of committees must be appropriate for timely decision-making and avoiding conflicts of interest.</p> <p>Supported. This issue has long been problematic in the Aboriginal community. The process of identifying those who speak for country must be carefully and appropriately conducted.</p>
<p>3. The Proposed Framework In Practice – Strategic planning and development assessment.</p>	
<p>ACH Maps</p> <ul style="list-style-type: none"> Developed by the ACHA and local ACH Consultation Panels and approved by the Minister to visually show areas of known or likely presence of ACH values. ACH Maps are to be prepared in accordance with clear guidelines developed by the ACHA and approved by the minister. 	<p>Supported. Council supports the use of evidence-based maps to indicate areas of ACH values. Areas not identified as having known or likely ACH value must be areas which would have development certainty, especially for infrastructure construction. This needs to be clear in the ACH Strategic Plans (see below).</p> <p>The development of the ACH map by the ACH Authority and approved by the minister is appropriate, as it will provide proponents an initial single point of information on ACH matters.</p> <p>Further:</p> <ul style="list-style-type: none"> Sufficient time must be given to the ACH Authority and ACH Consultation Panels to gather sufficient information to develop evidence-based maps. Specialist

Proposal	Council Comment
	<p>consultants (who are often in short supply) will be required to undertake research, consult with communities and prepare the maps. Identifying who speaks for country, explaining the new system to them and encouraging them to share their information will be an extended process.</p> <ul style="list-style-type: none"> • Eurobodalla Shire Council's experience is that attempting to map intangible values can be very problematic. • Land that has been heavily disturbed in the past, based on a robust definition of 'disturbed ground' that takes into account different depths of disturbance, should be excluded from the mapping of land with known or likely tangible ACH values. Council and other infrastructure service providers can provide good quality information for this purpose. Council would like all existing infrastructure easements mapped as exempt from assessment of ACH values. For example, existing water, sewer, telecommunications, stormwater, underground power, all roads gravel and sealed (including the formation), paths, bridges, wharves, jetties, footbridges and boat ramps. <p>While it is recognised that a mapping system is an attempt to offer certainty to the proponents of projects, the use of maps needs to be flexible to allow new information to be considered as it becomes available. The local knowledge-base for ACH is dynamic and evolves as further research and assessments are undertaken. In order to maintain a reasonable level of certainty for proponents, any new knowledge should be reflected in the maps through periodic and timely reviews.</p>
Extent of Assessment Process undertaken by proponents and ACH Consultation Panels will be site-specific in areas of known or likely cultural values.	<p>Supported.</p> <p>Council supports the Government's initiative to ensure that the level of investigation required fits the scale of the project and the likeliness of harm to ACH values. This has the potential to prevent minor development from being unduly delayed. The availability of suitably qualified consultants to conduct detailed assessment has also been a concern to Council and other proponents.</p>

Proposal	Council Comment
<p>Management Plans (where required) between proponents of a development and the ACH Consultation Panels will be site-specific in areas of known or likely cultural values.</p>	<p>Supported in principle.</p> <p>Proponents, including Council, require certainty in the Management Plans negotiation process in terms of maximum timeframes for consultation and agreement, likely outcomes (including the potential scope of any conservation measures) and the nature of dispute resolution processes. For Council, this will be essential in planning the timely delivery of infrastructure, particularly where s7.11 (formerly s94) development contributions or grant funds are being used. For grant funded projects, timeframes for delivery of works will apply in order to meet funding agreements.</p> <p>Given the large number of infrastructure projects, Council is concerned that a committee may not be able to process them all in a timely manner.</p>
<p>Mandatory Timeframes to be set for the negotiation of ACH Management Plans.</p>	<p>Supported.</p> <p>Council supports the introduction of mandatory timeframes to enable development to proceed in a timely manner.</p>
<p>ACH Strategic Plans</p> <ul style="list-style-type: none"> • Developed by the Local ACH Consultation Panels for their area and at their discretion. • Implemented by local ACH Consultation Panels after being approved by the ACH Authority. • ACH Strategic Plans will proactively identify priorities for the relevant area for the information of government agencies and infrastructure providers. 	<p>Supported.</p> <p>No objection is raised to the development of ACH Strategic Plans, however the concerns raised in relation to ACH Maps (i.e how they are used in planning and development) apply equally to the use of ACH Strategic Plans.</p> <p>ACH Strategic Plans should be employed to provide clarity and certainty in as many situations as possible. This is particularly important for:</p> <ul style="list-style-type: none"> • low-impact development (i.e. minimal excavation); • development in areas of low cultural values; and • development in 'disturbed' areas. <p>This should also include agreed procedures without referral in the case of unexpected finds. Much time can be taken on addressing and referring minor finds causing delays to even the most minor of works.</p>

Proposal	Council Comment
ACH Information System <ul style="list-style-type: none"> to hold all known and relevant ACH information in NSW capable of producing reports and maps to inform decisions with regard to ACH management controlled by the ACH Authority 	<p>Supported.</p> <p>Council supports the centralisation of information to create efficiencies for proponents. However, the concerns raised above with regard to the integrity of the ACH maps apply equally here. Listings in the ACH Register must be evidence-based.</p> <p>Access to site information should be free of charge and by website login to councils to better facilitate fast and efficient delivery of infrastructure and community facilities.</p>
4. Other processes - Resourcing the Structure	
ACH Fund <ul style="list-style-type: none"> Proponents will be able to contribute to the ACH Fund through Management Plans. The ACHA must develop a Funding Strategy and have it approved by the minister. 	<p>The relevant regulation has not been developed so there is currently minimal detail, however, contributions from proponents as part of a Management Plan should be marked for expenditure within the LGA in which it is collected.</p>
Planning Processes Council as a local strategic planning authority will be required to consult the local ACH Consultation Panels, Strategic Plans and ACH Maps when developing its own strategic plans. Council's role as a development consent authority will no longer involve the assessment of ACH values	<p>Supported.</p> <p>Council supports consultation between government bodies and local committees with responsibilities that may impact on its planning processes.</p> <p>Supported.</p> <p>Council currently assesses development applications (DAs) under the <i>Environment Planning and Assessment Act 1979</i> (EP&A Act) and the relevant local environmental plans (LEP). Under the current system, development that requires an Aboriginal Heritage Impact Permit (AHIP) is Integrated Development and requires referral to the relevant Government agency to undertake the assessment. Further, under <i>Eurobodalla Local Environmental Plan 2012</i>, there are considerations and notification requirements where a development will affect an Aboriginal place of heritage significance. Under the new framework, where a Management Plan has been made prior to the lodgement of a</p>

Proposal	Council Comment
<p>Council as a proponent under the new ACH framework will be required to consider potential ACH impacts early in the process of planning for the delivery of infrastructure.</p>	<p>development application. Council will have no assessment, notification or referral responsibilities with regard to ACH issues.</p> <p>As outlined elsewhere in this submission, there are some concerns about the impact of the proposed framework on Council as a proponent. Council previously expressed concern that the replacement of Aboriginal Heritage Impact Permits (AHIPs) with Management Plans will impact on Council's ability to deliver practical and affordable infrastructure to the Eurobodalla community in a timely manner.</p>

**IR18/020 FUNDING OFFER - BOATING NOW PROGRAM ROUND 2 - SOUTH
DURRAS AND NELLIGEN BOAT RAMP CAR PARKS**

E80.0448

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Outcome: Connected and Accessible Places

Focus Area: 7.4 Enhance connectivity into and out of eurobodalla through improved
air, road and marine transport links

Delivery Program Link: 7.4.3 Work in partnership to develop marine infrastructure

Operational Plan Link: 7.4.3.3 Maintain, renew and upgrade boating and marine infrastructure

EXECUTIVE SUMMARY

This report seeks Council's endorsement of the actions taken to accept grants received for Nelligen and South Durras boating infrastructure improvements.

NSW Government's Boating Now Program provided a \$70 million funding program to support initiatives that enhance the boating experience in NSW, including the delivery of recreational boating infrastructure across NSW waterways. The funding is provided over two rounds and Council was previously successful in Round 1 by securing funding for \$200,000 toward the boating car park upgrade to service Nelligen boat ramp.

Council sought grant funding under the NSW Government's Boating Now Round 2 Program in August 2017. Two applications were lodged to leverage funding allocated by Council in the 2017-21 Delivery Program for:

- the construction of a new boating car park to service the Nelligen boat ramp (\$160,000)
- the construction of a new boating car park and accessible toilet facility at the South Durras boat ramp (\$225,000).

Transport for NSW advised Council that both applications were successful in January 2018. Consistent with Council's adopted Delivery Program and Operational Plans, these grants have been accepted.

The scope of the works will allow enhanced boating facilities to be provided at both sites, building on the earlier improvement works completed by Council to enhance these popular recreational destinations.

RECOMMENDATION

THAT:

1. Council endorse the actions taken to accept the offer of grant funding under the NSW Government's Boating Now Program including:
 - i) the construction of a new boating car park to service the Nelligen boat ramp (\$160,000)
 - ii) the construction of a new boating car park and accessible toilet facility at the South Durras boat ramp (\$225,000).

**IR18/020 FUNDING OFFER - BOATING NOW PROGRAM ROUND 2 - SOUTH
DURRAS AND NELLIGEN BOAT RAMP CAR PARKS**

E80.0448

BACKGROUND

Council actively pursues grants to leverage Council funding to deliver improved boating facilities and associated marine infrastructure. Substantial improvements to the network of boating facilities have been achieved over the last ten years, recognising the value placed on this infrastructure by both our local community and visitors to our region.

The community's response to these improvements is reflected in our independently conducted community surveys as outlined below:

Source	Importance (out of 5)	Satisfaction (out of 5)	Difference
Micromex Survey 2012	4.13	3.28	0.85
Micromex Survey 2016	3.65	3.69	-0.04

The survey results show that the overall community satisfaction has increased between the two periods while the importance placed upon the facilities has reduced, and the gap between importance and satisfaction closed. This indicates our efforts combined with the NSW Government funding programs has delivered a positive outcome in terms of community perception through targeted and strategic infrastructure renewal and upgrades to our marine infrastructure.

Council's Delivery Program 2017-21 and Operational Plan 2017-18 includes the following actions:

Delivery Program 2017-21

7.4.3 Work in partnership to develop marine infrastructure

Operational Plan 2017-18

7.4.3.2 Seek additional funding for local boating and marine infrastructure

7.4.3.3 Maintain, renew and upgrade boating and marine infrastructure.

The priority works identified by Council include upgrading of the supporting infrastructure at both South Durras and Nelligen.

NSW Government's Boating Now Program provided a \$70 million funding program to support initiatives that enhance the boating experience in NSW, including the delivery of recreational boating infrastructure across NSW waterways. The funding is provided over two rounds and Council was successful in Round 1 by securing funding for \$200,000 toward the boating car park upgrade at Nelligen boat ramp.

Council submitted two funding applications under Round 2 of the program in August 2017, specifically for:

- the construction of a new boating car park to service the Nelligen west boat ramp (\$160,000)
- the construction of a new boating car park and accessible toilet facility at the South Durras boat ramp (\$225,000).

**IR18/020 FUNDING OFFER - BOATING NOW PROGRAM ROUND 2 - SOUTH
DURRAS AND NELLIGEN BOAT RAMP CAR PARKS**

E80.0448

Transport for NSW advised Council that both applications were successful in January 2018. Consistent with Council's adopted Delivery Program and Operational Plans, these grants have been accepted.

CONSIDERATIONS

The scope of the works will allow enhanced boating facilities to be provided at both sites, building on the earlier improvement works completed by Council to enhance these popular recreational destinations.

At Nelligen township, previous upgrades have included:

- upgrade of the river protection rockwall
- upgrade to the launching ramp
- provision of a floating pontoon
- provision of boat parking, car parking, kayak area
- foreshore upgrades including accessible pathway linkages from the town wharf to the businesses and public toilet.

Council has already purchased two vacant lots for the development of the first stages of the proposed boating car park and is currently negotiating the acquisition of a further two lots to accommodate future stages.

The demand for additional boat parking at Nelligen on the western side of the Clyde River is high, with boat and trailer combinations often spread across the natural foreshore areas and within the urban streets of Nelligen township. This level of activity reflects the strategic importance of Nelligen as an access point to the Clyde River for boating and fishing.

The boating facility at Nelligen township is the main boating access to the Clyde River west of the Batemans Bay bridge. The facilities in Nelligen attract users to the area and support local businesses, employment and tourism growth within the township and region.

At South Durras, the previous upgrades at Durras Lake have included:

- upgrade of the launching ramp (2017)
- construction of an accessible fishing platform (2017).

The proposed works will include a new accessible toilet (linked to the accessible fishing platform), upgraded drainage, car parking, boat parking, access for kayaks and foreshore protection measures.

Council has commenced the detailed design process to allow these projects to proceed over the 2017-18 and 2018-19 financial years. The final designs will be prepared working closely with the community and local boating community.

Asset

The constructed parking, boating and toilet facilities will be assets owned and maintained by Council. At South Durras, the proposed new parking will replace and enhance an existing facility.

**IR18/020 FUNDING OFFER - BOATING NOW PROGRAM ROUND 2 - SOUTH
DURRAS AND NELLIGEN BOAT RAMP CAR PARKS**

E80.0448

Suitable inclusions will be provided in future budgets and Council's long term financial plan for the ongoing maintenance and renewal of the new infrastructure.

Social Impact

Both of the projects will provide a positive impact on the local community, tourism and boaters alike by providing easily accessible parking options for those participating in water-based activities. The provision of formed and linemarked parking for boaters will reduce congestion, and improve safety, especially at weekends and during holiday periods.

The new upgrades will include accessibility improvements making the facilities more user friendly for our community.

Financial

Both projects have been accommodated for within the 2017-18 and 2018-19 budgets:

- Nelligen

Council funds	\$427,500
Round 1 Boating Now grant	\$200,000
Round 2 Boating Now grant	\$160,000

- South Durras

Council funds (2017-19)	\$257,749
Round 2 Boating Now grant	\$225,000.

Delivery of both projects and the execution of the funding agreements is currently scheduled for completion by the end of the 2018-19 financial year.

Community and Stakeholder Engagement

The projects will now move to the detailed design phase taking account of community and boating users' views.

The design for the proposed accessible toilet at South Durras is complete and engagement has commenced on this component of the project.

Community engagement has already commenced for the proposed boat parking area at South Durras. The community is seeking a solution that provides for the mix of users at Durras Lake in a manner cognisant of the location. A modified proposal is being developed working with the community and further engagement will be undertaken late in the 2017-18 financial year.

Similarly, the detailed design for the Nelligen boat car park will be developed and community engagement undertaken prior to commencement of work.

An engagement plan will be developed for each project consistent with Council's adopted community engagement framework. This will include involvement from both the Nelligen Progress Association and Durras Community Association.

**IR18/020 FUNDING OFFER - BOATING NOW PROGRAM ROUND 2 - SOUTH
DURRAS AND NELLIGEN BOAT RAMP CAR PARKS**

E80.0448

Once plans are finalised and construction dates set, the community will be kept informed of progress via Council's website.

CONCLUSION

Council has been offered a total of \$385,000 in funding under the NSW Government's Boating Now Round 2 Program to enhance boating infrastructure at South Durras and Nelligen boat ramps. The offer has been accepted for the following projects:

- the construction of a new boating car park to service the Nelligen west boat ramp (\$160,000)
- the construction of a new boating car park and accessible toilet facility at the South Durras boat ramp (\$225,000).

This report seeks Council's endorsement of the actions taken to accept the grants.

**IR18/021 FUNDING OFFER - AUSTRALIAN GOVERNMENT FEDERAL ELECTION
COMMITMENTS PROGRAM 2017-18**

E08.2547

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services
Attachments: Nil
Outcome: Connected and Accessible Places
Focus Area: 7.1 Work in partnership to provide an integrated transport network
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network
Operational Plan Link: 7.1.2.1 Provide a safe efficient and integrated transport network

EXECUTIVE SUMMARY

The purpose of this report is to advise Council of the provision of \$6.5 million in grant funding from the Australian Government to two major road upgrade projects on the local road network, and seek endorsement of the actions taken to accept the grant.

Leading into the last Australian Government elections, Council advocated strongly on behalf of the community for funding to be provided toward major upgrade projects on the local road network.

Council's advocacy has been strongly supported by the now local Member for Gilmore, Ann Sudmalis MP, leading to provision of funding under the Australian Government Federal Election Commitment Program as follows:

- \$3,000,000 for the Beach Road upgrade between Orient Street and the Princes Highway (also known as Vesper Street); and
- \$3,500,000 for a roundabout at the Tomakin Road and George Bass Drive intersection, Tomakin.

Council has since worked with the responsible administrative agency, the NSW Roads and Maritime Services (RMS), to facilitate the formal offer of grant funding to Council. This formal offer of funding was received from RMS on 14 February 2018.

The offer of funding has since been accepted and pre-construction planning activity is being commenced to allow delivery of the projects. It is intended that the works on Beach Road will be constructed by the end of the 2018-19 financial year, and the George Bass Drive/Tomakin Road roundabout project will be constructed by the end of 2019-20, subject to finalisation of environmental approvals and landowner agreements for both projects.

Once complete these major improvements will provide significant benefit to the community by improving road safety and road network capacity as well as reducing traffic congestion and travel times. The works on Beach Road also include increasing the capacity at the entrance to the MacKay Park precinct to facilitate development of this strategic site.

RECOMMENDATION

THAT:

1. Council endorse the actions taken to accept the offer of grant funding under the Australian Government Federal Election Commitment Program including:

**IR18/021 FUNDING OFFER - AUSTRALIAN GOVERNMENT FEDERAL ELECTION
COMMITMENTS PROGRAM 2017-18**

E08.2547

- i) the Beach Road upgrade between Orient Street and the Princes Highway (\$3,000,000)
 - ii) the construction of a new roundabout at the Tomakin Road and George Bass Drive intersection, Tomakin (\$3,500,000)
2. Council write to the local Federal Member for Gilmore, Ann Sudmalis MP, thanking her for the advocacy to secure the grant funding.

BACKGROUND

Council actively pursues grant funding from the NSW and Australian Governments to support delivery of our Eurobodalla Community Strategic Plan 2017 which includes:

7. Connected and Accessible Places

Our integrated accessible transport system grows to ensure social and economic needs are met now and in the future.

- i) Provide, maintain and renew local road network*
- ii) Advocate for improved integrated transport links and services.*

Council's adopted 2017-21 Delivery Program includes:

7.1 Work in partnership to provide an integrated transport network

7.1.1 Partner with peak bodies to advocate for improved and on-going funding programs for local transport infrastructure

7.1.2 Seek grant and other funds to sustain and improve the local and regional transport network.

The upgrade of Beach Road to increase capacity and improve road safety outcomes was identified in the strategic traffic studies adopted by the previous Council. Similarly, these studies identified the need to upgrade the George Bass Drive and Tomakin Road intersection, proposing a new roundabout.

To undertake works of this scale, Council needed to advocate strongly for grant funding to deliver these key infrastructure projects with minimal impact on our ratepayers. In the lead up to the last Federal Government election, these projects were put forward as candidates for funding by the Australian Government.

An election commitment was made by the then Australian Government to fund these works subject to being re-elected to Government.

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COMMITMENTS PROGRAM 2017-18**

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CONSIDERATIONS

Australian Government Federal Election Commitment Program

Since the election, Council has prepared and submitted the necessary detailed information to support the allocation of funding under the Australian Government Federal Election Commitment Program Funding.

RMS wrote to Council on 14 February 2018 with a formal offer of grant funding for a total of \$6.5 million. This grant offer has been formally accepted in writing.

This funding has been allocated specifically to increase traffic efficiency, reduce traffic congestion, improve traffic management, increase road, pedestrian and cycle safety, increase road capacity within Batemans Bay and surrounding suburbs up to Broulee and improve road network capacity within Eurobodalla Shire.

Beach Road Upgrade \$3.0 Million

This major improvement will provide significant benefit to the community by improving road safety and road network capacity as well as reducing traffic congestion and travel times. The works on Beach Road include increasing the capacity at the entrance to the Mackay Park precinct to facilitate development of this strategic site.

The project includes:

- an additional right turn lane on Beach Road for eastbound traffic at Orient Street to address road safety and provide capacity for right turn vehicles
- an additional left turn lane out of Beach Road onto the Princes Highway to provide additional capacity for left turn, through traffic to Mackay Park and right turn traffic manoeuvres
- provision of dual lanes exiting Mackay Park onto the Princes Highway to increase capacity from the Mackay Park precinct
- additional capacity at the existing Perry Street north leg of the Beach Road roundabout
- new medians and pathways on Beach Road with appropriate pedestrian control measures and refuges to improve pedestrian safety.

The Beach Road upgrade project must be completed by the end of the 2018-19 financial year.

Roundabout at Tomakin Road and George Bass Drive Intersection

This fully funded roundabout at Tomakin Road and George Bass Drive intersection project will improve road and pedestrian safety, increase traffic efficiency and road capacity and reduce congestion.

The project includes:

- construction of a new roundabout at the intersection of George Bass Drive and Tomakin Road

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COMMITMENTS PROGRAM 2017-18**

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- provision of a new fourth leg on the roundabout to Tomakin by connecting the new roundabout to Sunpatch Parade
- provision of suitable medians, associated pathway connections, pedestrian crossing points and lighting
- retention of the existing George Bass Drive and Ainslie Parade intersection.

The majority of works must be completed by the end of the 2018-19 financial year, with the final surfacing works due for completion by the end of 2019-20, subject to environmental approvals and resolution of land matters.

Legal

Both projects require land acquisition for the project to proceed. The affected landowners have been contacted with the view to securing a Permit to Enter to enable work. The formalisation of land acquisition for road widening purposes will be reported to Council under separate cover in the normal manner.

This will include road widening associated with Council's Visitor Information Centre on Beach Road.

Environmental

The projects will be undertaken following preparation of an appropriate Review of Environmental Factors for the work.

Asset

These two capital projects are consistent with Council's adopted Eurobodalla Community Strategic Plan 2017, Delivery Program 2017-21, Transport Asset Management Plan and Eurobodalla Pathways Strategy 2017.

The provision of grant funding allows these major capital projects to be delivered for the benefit of our community, visitors and business.

The works will involve appropriate strengthening of existing road pavements and the provision of new road pavements to replace existing road pavements, where required. This is a positive outcome in the short to medium term as it increases the level capital renewal activity and Council's ability to meet the Building and Infrastructure Asset Renewal ratio (one of the NSW Government's Fit for the Future ratios).

Future maintenance budgets will be adjusted to account for the increase in asset from the 2019-20 financial year onwards.

Social Impact

Improving our transport network has a positive effect on our community, providing benefits such as reduced road trauma, improved travel time and increased productivity.

The Beach Road Upgrade and Roundabout at Tomakin Road and George Bass Drive projects will provide improved traffic management, reduce travel time and improve road and pedestrian safety.

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Economic Development Employment Potential

These two projects are both enablers for the expected level of future development in Batemans Bay and environs.

The Beach Road upgrade works provide for the future development of:

- south Batemans Bay CBD
- consolidation of the Batemans Bay CBD north of Beach Road
- the Mackay Park precinct.

Similarly, the intersection upgrade at George Bass Drive and Tomakin Road provides increased capacity in the transport network to enable and support the projected land development at Broulee, Mossy Point, Tomakin, and Rosedale with allowance for the additional increases in traffic on both roads.

The expenditure of \$6.5 million in grant funds within Eurobodalla will also bring significant benefit to the local economy during the construction phases with procurement of materials, plant and equipment, and employment of local staff and contractors.

Financial

The Australian Government Federal Election Commitment Program for the Beach Road Upgrade and Roundabout at Tomakin Road and George Bass Drive intersection are fully funded.

The projects do not require allocation of Council funds except for future maintenance and renewal at the appropriate time.

Community and Stakeholder Engagement

Council will inform the community about these two projects through an appropriate communications plan. This will include, amongst other components, providing information on Council's website; writing to affected residents, business chambers, community associations and other stakeholders; personally meeting with affected landowners; advertising on Council's noticeboard page in two local newspapers; and suitable media releases.

CONCLUSION

Council has been successful in gaining \$3,000,000 for the Beach Road upgrade project and \$3,500,000 for the roundabout at Tomakin Road and George Bass Drive intersection under the Australian Government Federal Election Commitment Program funding.

These grants have been formally accepted in writing.

This report seeks council's endorsement of the action taken to secure and accept the grant funding.

IR18/022 LOCAL TRAFFIC COMMITTEE NO. 6 FOR 2017-18

E16.0002

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services
Attachments: Nil
Outcome: Connected and Accessible Places
Focus Area: 7.1 Work in partnership to provide an integrated transport network
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network
Operational Plan Link: 7.1.2.5 Coordinate the Local Traffic Committee

EXECUTIVE SUMMARY

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for the Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting of 8 March 2018 were as follows:

- Special Event – Capital Coast Triathlon Festival 2018, modified TCP & TMP
- Signage and Line marking – Carpark Upgrade within Corrigans Reserve, Batehaven
- Signage and Line marking – Shared Path along Bergalia Street, Moruya
- Signage – No Stopping on Bate Street at the Carpark Intersection near the Cheese Factory
- Traffic Management & Control Plan – RYDA Event Donnellys Drive North Moruya
- Special Event – ANZAC Day Marches, Various Locations
- Local Traffic Committee Meeting Dates for 2018 discussion.

RECOMMENDATION

THAT

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 4 of 2017-18 held on 17 November 2017 and Meeting No 5 of 2017-18 held on 15 December 2017 be received and noted.
2. Council Plan No. 3474 Set K Sheets 01 and 06 detailing the signage and line marking associated with a raised pedestrian crossing and accessible parking spaces on the carpark within Corrigans Reserve, Batehaven be approved.
3. Council Plan No. 4036 Set E Sheets 02 and 03 detailing the signage and line marking associated with the shared path, located on Bergalia Street Moruya, be approved.
4. The 'No Stopping' signs along Bate Street to the south of the intersection replacing the 'No Parking' signs, be approved.

IR18/022 LOCAL TRAFFIC COMMITTEE NO. 6 FOR 2017-18

E16.0002

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 6 for 2017-18 was held 8 March 2018 in Council's meeting room. The meeting was attended by Councillor Anthony Mayne (Chair), Danielle Brice (representative for the Hon Andrew Constance MP), Jesse Fogg (Roads and Maritime Services), Sergeant Angus Duncombe (NSW Police), Dave Hunter (Traffic Officer), Kate McDougall (Road Safety Officer) and Matt Cormick (Minute Taker).

APOLOGIES

Suketu Bhatt (Divisional Manager Technical Services).

DEPUTATIONS

Nil

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 5 for 2017-18 held on Friday 15 December 2017 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

There were no outstanding items discussed.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2018.RT.011 Signage and Line marking – Carpark Upgrade within Corrigans Reserve, Batehaven

Council has recently completed the reconstruction of a section of the carpark within Corrigans Reserve, Batehaven. This carpark area is on the eastern side of the reserve, between the regional playground and the beach.

Two rows of line marked 90 degree spaces for a total 88 vehicles (including 4 accessible spaces) have been provided. Additionally a raised and line marked pedestrian crossing is installed within this road related area.

The pedestrian crossing will reduce the risk to people walking from the playground and carpark across to the beach.

Council's Plan No. 3474 Set K Sheets 01 and 06 detailing the signage and line marking of a raised pedestrian crossing and accessible parking spaces on the carpark within Corrigans Reserve was reviewed by the Committee.

The representative for the Hon Andrew Constance asked if the number of accessible parks proposed in the plan is sufficient, particularly given the regional accessible playground. The Traffic Officer advised that generally a 1 in 50 ratio is acceptable and that there are 4 spaces within the 88 spaces. A review of the total spaces in the Corrigans Reserve will be undertaken and reported back to the Committee after the car park has been in operation for a period of time.

The representative for RMS suggested that consideration be given to removing the 25km/h speed sign from under the road hump warning sign. The Committee agreed that this sign be removed from the plan.

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E16.0002

The Traffic Officer highlighted that the road hump is white concrete and that perhaps a color other than white could be used for the pedestrian crossing line marking. The representative for RMS believed another color would be acceptable, subject to checking the appropriate standards and RMS guidelines.

Recommendation:

That Council Plan No. 3474 Set K Sheets 01 and 06 detailing the signage and line marking associated with a raised pedestrian crossing and accessible parking spaces on the carpark within Corrigans Reserve, Batehaven, be approved.

2018.RT.012 Signage and Line marking – Shared Path along Bergalia Street, Moruya

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 on Bergalia Street, Moruya from the Princes Highway through to Haslington Street successfully obtained \$115,000 grant funds, to be expended in 2017/18. Council has provided the matching funds.

Construction of this shared path has commenced. Council's Plan No.4036, Set E, Sheets 02 and 03 includes signage and line marking associated with the 2.5 metre wide shared path was reviewed by the Committee.

The Committee agreed that it would be a road safety benefit to install additional BB centerline marking and a give way sign at the intersection of Bergalia Street and John Street.

Recommendation:

That Council Plan No. 4036 Set E Sheets 02 and 03 detailing the signage and line marking associated with the shared path, located on Bergalia Street Moruya, be approved.

2018.RT.013 Signage – No Stopping on Bate Street at the Carpark Intersection near the Cheese Factory

The Tilba District Chamber of Commerce has raised a concern that vehicles are parking at the intersection of Bate Street and the recently reconstructed Council carpark, near the Cheese Factory and Blacksmiths Lane, requesting that consideration be given to signposting the area to prevent parking in this area.

Currently, 'No Parking' signs are installed along Bate Street, from the carpark entry through to Station Street to the south.

Replacing a section of the 'No Parking' signs in the area of the carpark and Blacksmith Lane with 'No Stopping' signs will assist in keeping the roads operational, particularly for passing traffic, and when a vehicle is stopped and waiting to turn right into the carpark.

Recommendation:

That the installation of 'No Stopping' signs along the western side of Bate Street, at the Council carpark and adjoining Blacksmith Lane intersection, replacing the 'No Parking' signs, be approved.

IR18/022 LOCAL TRAFFIC COMMITTEE NO. 6 FOR 2017-18

E16.0002

INFORMAL ITEMS FOR DISCUSSION

2018.SE.004 Special Event – Capital Coast Triathlon 2018

Traffic Management and Control Plans have been received for the running of the Capital Coast Triathlon Festival 2018 special event. This will be conducted in the vicinity of Tomakin, with the bike leg travelling along George Bass Drive from the Tomakin Social Club through to a turnaround point just north of Donnelly Drive, adjacent to the racetrack, on Saturday 7 April 2018. Submission to Council of an Event Management Plan special event application to Council is not required as it is not held on Council land, other than Road Reserves.

The Local Traffic Committee approved the Capital Coast Triathlon 2018 at the meeting held 15 December 2017, subject to additional documentation being submitted to the Local Traffic Committee's satisfaction.

The recommended changes included:

- a. The intersection of Train Street and George Bass Drive be closed.
- b. George Bass Drive be closed at the Annetts Parade intersection, for south bound traffic. No left turn onto George Bass Drive from Annetts Parade.
- c. The electronic Variable Message Signs be modified to clearly show two phases, before and during.
- d. A traffic control plan (TCP) showing the run routes be added, showing type and location of event warning signs and detailed traffic management of the route along George Bass Drive from Oceanview Way through to Barlings Beach Access Road.

Subsequently, amended Traffic Management and Control Plans were distributed to the Committee.

The Committee reviewed the documents and is satisfied that the changes adequately reflect the requirements of the Committee as outlined at its 15 December 2017 meeting.

The Chair enquired about the impact on local businesses or sporting events due to traffic changes. Committee members noted they have not received negative feedback from businesses or sporting organisations from the previous annual events.

2018.SE.004 Special Event – Traffic Management & Control Plan – RYDSA Event Donnelly Drive, North Moruya

Council has prepared a Traffic Management and Control plan for the running of the annual Rotary Youth Driver Awareness (RYDA) Program on 26 and 27 March 2018 using Donnelly Drive, Moruya.

The Rotary Club of Batemans Bay is again facilitating a two day event to be held around the Moruya Racecourse grounds for the ninth consecutive year. RYDA (Rotary Youth Driver Awareness) is aimed at educating Year 11 students about various road safety issues and students from all five high schools in the Eurobodalla Shire will be participating.

One module requires a practical demonstration of motor vehicle stopping distances on a bitumen surface whilst travelling at three different speeds.

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There will be six demonstrations per day each taking up to 30 minutes to complete. The demonstrations are conducted outside the Jockey Club on Donnelly Drive.

All demonstrations are conducted by a certified driving instructor and students observe the demonstration from behind a cordoned off observation area. NSW Police Officers are also present. For added effect, Council provides a portable Speed Advisory Sign.

Donnelly Drive is a *No Through Road* with traffic being predominantly residents and visitors to a small cluster of houses.

Closing the road for up to 30 minutes for each demonstration over a two day period will result in minimal disruption to the resident's lifestyle and/or business activities.

The Road Safety Officer reported that she will give a presentation at this year's RYDA event.

Committee members expressed interest in gaining more knowledge about the Driver Awareness Program. The Road Safety Officer agreed to investigate options for attending the event and will report back to the Committee members.

Recommendation:

That the 2018 Rotary Youth Driver Awareness Program to be conducted on Donnelly Drive, Moruya on 26 March to 27 March 2018 be approved, based upon the submitted Traffic Management and Control plan.

2018.SE.004 Special Event – ANZAC Day Marches, Various Locations

ANZAC Day marches will be conducted in the following locations on 25 April 2018:

- a. Batemans Bay
- b. Tomakin
- c. Moruya
- d. Tuross Head
- e. Narooma
- f. Bergalia
- g. Nelligen
- h. Central Tilba.

As the marches in Batemans Bay, Moruya and Narooma affect the major road networks, Traffic Management and Control plans are required.

Council will assist the event organisers to submit applications for Road Occupancy Licenses to RMS for the Moruya and Narooma marches, as they require the use of the Princes Highway.

Traffic Management and Control Plans were reviewed by the Committee.

Recommendation:

That the Traffic Management and Control plans for the ANZAC Day marches for Batemans Bay, Moruya and Narooma as submitted be approved, subject to approval by the NSW Police and

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lodgment of a Road Occupancy License to Roads and Maritime Services for the Moruya and Narooma events.

2018.IN.003 Local Traffic Committee Meeting Dates for 2018

Dates need to be determined for the monthly meetings of the Local Traffic Committee for the remainder of 2018. In 2017 the meetings of the Eurobodalla Local Traffic Committee were held generally on the third Thursday of each month.

The RMS representative informed the Committee that the Bega Shire Council LTC meetings are now held on the first Wednesday of each month. Coinciding the Eurobodalla Shire Council on the following day will assist the RMS representative, who travels from Wollongong.

It is therefore proposed to hold the committee meetings generally on the first Thursday of each month in 2018, as shown in the table below.

Recommendation:

That the following meeting dates be adopted for the Local Traffic Committee in 2017:

Meeting No.	Date
7-17/18	5 April 2018
8-17/18	3 May 2018
9-17/18	7 June 2018
1-18/19	5 July 2018
2-18/19	2 August 2018
3-18/19	6 September 2018
4-18/19	4 October 2018
5-18/19	8 November 2018
6-18/19	6 December 2018.

GENERAL BUSINESS

- The NSW Police representative advised the Committee he had received several concerns from residents on speed zones and sight lines at the Princes Highway and Sherringham Lane intersection. Speed zones are determined by the RMS. These issues will be addressed directly between the Police and RMS representative.
- The NSW Police representative relayed that the traffic control for the Queens Baton Relay Event was exceptional. He acknowledged the excellent management, planning and execution for the traffic control undertaken on the day by Council's works teams. He informed the Committee that the visiting NSW Chief Inspector, Paul Carratt, was extremely pleased with the way the event unfolded, rating it among the best in NSW. The Chair also acknowledged the excellent work of several Council staff, including the Traffic Officer, who designed the Traffic Control Plans and Council's Maintenance Coordinator, who oversaw the implementation of the Plans. The Road Safety Officer complemented the

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professionalism of the NSW Police during the event and highlighted the way the Police and Council staff cooperated to ensure the event was run safely and efficiently.

- The Chair advised the Committee that South East Australian Transport Strategy Inc. is lobbying the NSW and Australian Government for funding to allow the NSW Roads and Maritime Services to design and construct the proposed realignment of the Princes Highway at south Batemans Bay, incorporating the required Princes Highway and Glenella Road (South Batemans Bay Link Road) intersection. Until this time, Glenella Road remains closed just east of the intersection of Ridge Road.
- The Chair advised the Committee that he has received positive feedback from the Broulee and Mossy Point community regarding the works undertaken to improve the line of sight at the Annetts Parade/George Bass Drive intersection.

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 5 April 2018 in Council's Committee Room.

CCS18/015 LEASE MORUYA AIRPORT

E89.2941

Responsible Officer: Jeff Phillips - Acting Director Corporate and Commercial Services

Attachments: 1. Confidential - Proposed draft lease
2. Confidential - Confidential attachment

Outcome: Vibrant & Diverse Economy

Focus Area: 5.1 Diversify the region's economy, attract investment and target new and emerging employment sectors

Delivery Program Link: 5.1.1 Encourage and attract new business industry, investment and employment opportunities

Operational Plan Link: 5.1.1.4 Assist small business start-ups

EXECUTIVE SUMMARY

Subject to acceptance by Council, lease negotiations have been concluded with the operator of the seaplane business at Moruya Airport.

During negotiations Council has been very mindful of the potential benefits to the local economy of the lease proceeding.

This report recommends the lease be granted in accordance with the draft lease attached to this report.

RECOMMENDATION

THAT

1. Council take all necessary actions to grant a lease over part Lot 11 DP1229406 for a term of 50 years to the lessee named in the confidential attachments to report CCS18/015 subject to conditions as outlined in the attached draft lease and rent as outlined in the confidential attachment.
2. Consent be given to affix the Council Seal to the lease documentation and plan of subdivision.
3. Costs associated solely with this lease be borne by the lessee.

BACKGROUND

Council obtained grant funding from the NSW and Australian Government of \$7.1 million to deliver elements of the Moruya Airport Master Plan. Together, with Council's financial contribution, the \$9.6 million project will be able to commence shortly.

As part of the grant application process, in July 2015 Council sought expressions of interest from people interested in securing a lease. Following this process, the operators of the seaplane business expressed an interest in securing a lease. Because of the desire to stimulate activity at the airport, Council discussed generic lease terms and conditions with potential lessees and developed a template lease, which had conditions designed to stimulate investment.

CCS18/015 LEASE MORUYA AIRPORT

E89.2941

The generic lease includes longer lease periods that have previously been approved at the Airport.

The seaplane business has secured grant funding to assist in it's development. The potential lessee has been keen to enter into a lease for some time, however has been unable to do so due to the delay in Council being able to obtain Aboriginal Heritage approvals.

During recent negotiations Council has been very mindful of the potential benefits to the local economy of the lease proceeding and lease terms have been proposed with this in mind. A landlord without responsibilities for the local economy may have not have considered the same terms. Details of key terms discussed during negotiations are contained in the confidential attachment.

CONSIDERATIONS

Legal

The lease will be over part Lot 11 DP1229406 which is operational land and the subject of a Development Application to subdivide blocks for lease purposes.

Legal advice received indicates that Council has been very accommodating with the requested changes. For example, in the proposed lease, Council has agreed to amend various terms which are normally customary in similar leases.

The advice also notes that the 50-year term is lengthy by industry standards.

Policy

The Moruya Airport Master Plan was endorsed by Council in May 2015.

The seaplane business already plays a key role in supporting the Eurobodalla Destination Management Plan and is a sub-lessee in an existing hangar.

Economic Development Employment Potential

The seaplane business is significant and an attractive element of the local tourism economy, and as the first tenant in the newly developed area, it would be a major boost to the overall development.

Financial

The lease for the new site has been assessed by a registered valuer. Given there has been a lengthy period when Council has been unable to confirm a start date for construction, full rent will not be charged for a short initial period after the site becomes available.

In addition to the rent, the new lessee will pay Council rates.

Community and Stakeholder Engagement

In 2015, Council conducted an expression of interest process for people interested in securing leases at Moruya Airport. The Moruya Airport Master Plan was also placed on public exhibition prior to its endorsement.

Moruya Airport is operational land and there are no legal requirements for consultation in relation to this matter.

CCS18/015 LEASE MORUYA AIRPORT

E89.2941

CONCLUSION

This lease will be the first in the new development area that forms part of the Moruya Airport Master Plan and will stimulate interest in the development. It is considered appropriate to consider granting such a lease.

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.

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.

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.