



# **AGENDA**

**Ordinary Meeting of Council**

**8 March 2022**



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

**ON TUESDAY 8 MARCH 2022**

**COMMENCING AT 11.00AM**

**AGENDA**

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

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**DR CATHERINE DALE  
GENERAL MANAGER**

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**NOM22/001      ZOMBIE DEVELOPMENTS**

S012-T00026

Responsible Officer: Alison Worthington - Councillor

Attachments:            Nil

Councillor Alison Worthington has given notice that at the Ordinary Meeting of Council on Tuesday 8 March 2022, she will move the following motion.

**MOTION**

THAT Council write to the Minister for Planning, advocating for a comprehensive review of provisions within the Environmental Planning and Assessment Act related to the lapsing of development consents and specifically the community's concerns regarding subdivision approval commonly referred to as "zombie developments". That such review be undertaken in consultation with the community.

**BACKGROUND**

There has recently been discussion within our community, and within other communities across NSW, concerning old development approvals whose consent conditions remain active for decades despite a lack of significant commencement or completion of the development.

The consent continues to be lawful under the Environmental Planning and Assessment Act (EPA Act), enabling the development to proceed despite the approval being decades old.

These developments have been referred to as "zombie developments". A recent local example of this is the consent for a subdivision at Anderson Avenue in Tuross, also referred to as the Coila Lake development. This subdivision was approved in 1984 and because engineering construction work had been physically undertaken, in accordance with EPA Act the consent had not lapsed.

The lapsing of development consent is considered under section 4.53 of the EPA Act. I have included the relevant part of the section below for information:

*(4) Development consent for—*

- a. *the erection of a building, or*
- b. *the subdivision of land, or*
- c. *the carrying out of a work,*

*does not lapse if building, engineering or construction work relating to the building, subdivision or work is physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse under this section.*

The never ending life of these "zombie" consents creates concern within the community as the development is able to proceed without consideration of contemporary planning and environmental legislation, nor consideration of some community views, all of which may have changed significantly in the years or decades that have passed since the original approval was granted. To make matters more concerning and confusing for the public, there is potential for such developments to be modified, and in accordance with current legislation, to do so without reassessment of environmental issues.

The planning legislation and system is complex, making it difficult for our community to understand and rationalise what often occurs, even when it is in accordance with the law. Council must determine development applications and deal with planning matters in

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**NOM22/001 ZOMBIE DEVELOPMENTS**

**S012-  
T00026**

accordance with the law, even where there is strong community concern or opposition. It is clear that the current legal arrangements are creating significant concerns within the community.

In this case, the community expectation is that the planning law requires amendment so that we can trust that the best of contemporary planning and environmental legislation is applied to ALL development activity.

There are many arguments both for and against continuing to recognise development consents long after they are issued, and many legitimate reasons as to why a development may not proceed in a timely manner. Notwithstanding this, concern is being raised in our community about this issue, especially in the context of residential subdivisions that are many decades old. The power to amend the planning law to limit the lifetime of these old development consents rests with the NSW Government.

Given the above and noting that the issues are not confined to just the Eurobodalla, I believe that the NSW Government needs to undertake a comprehensive review of the lapsing of development consents and associated issues, to examine potential changes to the EPA Act and to do so in consultation with the community and other stakeholders.

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**QON22/001      INTERNATIONAL WOMEN'S DAY ACTIVITIES**

S012-T00024

Responsible Officer: Alison Worthington - Councillor

Attachments:      Nil

The following question on notice was received from Councillor Alison Worthington:

**Question**

Our Council meeting today is being held on International Women's Day, the theme of which is *"Gender equality today for a sustainable tomorrow"*.

Could staff please outline the programs, infrastructure and activities that Council provides to support gender equity and celebrate the achievements of women in our community?

**Response**

Council actively supports women the workforce, and in our community, reflected in a range of events and infrastructure. The following provides a summary of key actions taken most recently:

**Talk and Morning Tea at Batemans Bay Library** (10.30 – 11.30am) with best selling author, life coach, speaker and influencer Luna Gaia.

**#BreaktheBias @ the Bas** (4pm -6pm), where participants will hear from scientist, former NASA director and all-round trailblazer Professor Miriam Baltruck. Professor Baltruck will speak about her stellar career, including leading a NASA deep space mission. The event will include an opportunity to meet newly-elected female councillors and network.

**Music and Markets @ the Monarch Hotel** (5pm-9pm). Community members are encouraged to drop in to enjoy performances by local female musicians Val Moogz, Kara Coen and more. While enjoying the evening, people can browse a selection of fine arts, clothing and jewellery created by local female designers and artists.

The events at both the Bas and the Batemans Bay library are already full (65 @ Bas, 30 @ BBL) and as Public Health orders have changed this week we have extended participation (up to 90 at the Bas and up to 40 at the library) to meet demand.

In the past we have promoted projects such as the exhibition of 'Women of the Eurobodalla over the last 100 years' in partnership with the Moruya Historical Society, morning tea with the Mayor and General Manager with local young women and guest speakers.

**Employment**

Council has a Workforce Management Strategy and Equal Employment Opportunity (EEO) and Diversity Plan, which support equitable recruitment and employment at Council. Council will also be hosting its own inaugural Women in Local Government Alliance (WILGA) that will be meeting on Wednesday 9 March 2022. We have 35 staff that have expressed interest in participating. The group will work on activities that promote the advancement of women in the local government setting and explore a number of positive projects that promote career development and wellbeing.

**Sports and Recreation**

Council has actively pursued improvements for women in relation to recreation and sports participation. This includes:

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**QON22/001 INTERNATIONAL WOMEN'S DAY ACTIVITIES**

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- Commitment through the Eurobodalla Recreation & Open Space Strategy 2018 (Action E7) to build new female changing facilities at sporting amenity buildings at Bill Smyth Oval, Gundry Oval and Captain Oldrey Park to support the growth in female sport (AFL, soccer, hockey and netball).
- Construction of an extensive mountain bike network surrounding Mogo to support the rapid growth in female participation in the sport and subsequent events.
- Support and facilitate the free community access to Live Life, Get Active programs which have been predominantly supported by female participation. The Live Life, Get Active program also employed 4 local female trainers to run the free sessions.
- Hosting the South Coast Sports Conference in Oct 2022 which will include a focus on female participation.
- Promoting and partnering with Our Community to promote free *Growing Gender Equity Through Governance* capacity building training in the local community in February 2022. One Community will also be presenting at the South Coast Sports Conference.
- Partnering with Cricket NSW to develop the Eurobodalla Cricket Strategy. This strategy includes three actions specifically focused on female participation, which has led to the casual employment of a female development officer to deliver school clinics with support from Council.

Council will continue to seek ways to support and celebrate women and equity in the wider community going forward.

**RECOMMENDATION**

THAT the response to the question regarding International Women's Day activities raised by Councillor Alison Worthington be received and noted.



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**GMR22/023 NOMINATION TO BATEMANS MARINE PARK ADVISORY  
COMMITTEE**

**S012-  
T00025**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Marine Park Advisory Handbook

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.3 Advocate and collaborate to advance the region and address local issues

Operational Plan Link: 9.1.3.1 Actively participate in a Joint Organisation

**EXECUTIVE SUMMARY**

The purpose of this report is to nominate a local government representative and alternative representative to the Batemans Marine Park Advisory Committee for consideration by the Canberra Region Joint Organisation.

Council has been represented on the Batemans Marine Park Advisory Committee since its formation in 2006. The Department of Primary Industries (DPI) has notified the Canberra Region Joint Organisation (CRJO) that local government membership of the Batemans Marina Park Advisory Committee is due. Each marine park advisory committee will include one local government representative. Consistent with the NSW Government's formation of the joint organisation network to help drive better planning and service delivery in regional NSW, each Joint Organisation of Councils are invited to nominate a member and an alternate member.

The Canberra Region Joint Organisation is invited to nominate a local government representative to be appointed for the term of this Council. Nominations are invited for one member and one alternative member.

Given that this marine park encompasses all of the Council's coastline it is considered appropriate that a Councillor delegate and alternative delegate should be forwarded to the Canberra Region Joint Organisation for consideration of appointment on the Batemans Marine Park Advisory Committee

Marine park advisory committees will continue to play a key role in providing advice to inform the management of marine parks and the broader marine estate.

Advice from DPI has indicated that most local councils have appointed coastal and estuary management advisory committees to support development and implementation of coastal management programs in accordance with the NSW framework. These committees consist of all relevant stakeholders, and their business often overlaps with marine park management. Where possible, nomination of a local government representative with strong links to a coastal and estuary management committee is encouraged to support linkages between marine park management and the NSW coastal management program.

The Batemans Marine Park on the NSW south coast extends from the most northerly point of Murramarang Beach near Bawley Point to the southern side of Wallaga Lake entrance at Murunna Point.

The marine park includes:

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- approximately 850 km<sup>2</sup>, extending from the three-nautical-mile offshore limit of NSW waters to the mean high water mark within all rivers, estuaries, bays, lagoons, inlets, and saline and brackish coastal lakes (excluding Nargal Lake);
- offshore islands including Tollgate Islands and Montague Island.

The park was established in April 2006 and its zones and management rules commenced in June 2007. Changes to rules regarding fishing from some ocean beaches and headlands were introduced in June 2018.

The marine park [Zoning Map \(PDF, 3368.99 KB\)](#) and [User Guide \(PDF, 2029.36 KB\)](#) provide information about the current zoning arrangements and management rules in the park.

**RECOMMENDATION**

THAT Council nominates Councillor Alison Worthington and an alternative Councillor for consideration by Canberra Region Joint Organisation for appointment to the Batemans Marine Park Advisory Committee.

**BACKGROUND**

Since the commencement of the *Marine Estate Management Act 2014*, marine park advisory committees have operated as non-statutory advisory bodies. The NSW Government's response to the Independent Scientific Audit of Marine Parks included a commitment to revitalise local marine park advisory committees to give local communities a better say in decision making, and to better consider social and economic values. Marine park advisory committees have continued to provide the NSW Government with valuable advice as implementation of the marine estate reforms has progressed.

The role, establishment, membership, process for appointment and operational procedures of the advisory committees are set out in the Marine Parks Advisory Committee Handbook (2019 (attached)).

**CONSIDERATIONS**

Marine Park advisory committees provide a voice for local communities in the management of the NSW marine estate and local marine parks.

Marine park advisory committees advise the NSW Government, through the Marine Park Manager, on the management of the marine park, in particular including:

- the application of the Marine Estate Management Act 2014
- the development and implementation of management plans and rules for a marine park
- local environmental, social, cultural and economic values
- local threats, risks and opportunities
- spatial distribution of values and threats and appropriate spatial management
- emerging issues

Marine park advisory committees may also provide advice to the relevant Ministers responsible for the NSW marine estate, the Marine Estate Management Authority and/or the Marine Estate

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Expert Knowledge Panel on management of the broader marine estate and the system of marine protected areas within NSW.

Marine park advisory committee will:

- engage with local communities and stakeholders
- provide a forum for local communities to identify values, threats, issues and opportunities
- contribute valuable local knowledge to decision making processes
- provide feedback to the NSW Government to support continuous improvement.

**CONCLUSION**

The Batemans Marine Park is on the NSW south coast extends from the most northerly point of Murramarang Beach near Bawley Point to the southern side of Wallaga Lake entrance at Murunna Point. Given that this marine park encompasses all of the Eurobodalla Shire Council coast line and therefore it is considered appropriate that a Councillor delegate and alternative delegate should be forwarded to the Canberra Region Joint Organisation for consideration of appointment on the Batemans Marine Park Advisory Committee.



Department of  
Primary Industries

# Marine Park Advisory Committee Handbook

[www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)

**Published by the NSW Department of Primary Industries**

Marine Park Advisory Committee - Handbook

First published 2014, Updated Version 2.1 August 2019

**More information**

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (August 2019). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser.

Marine Park Advisory Committee Handbook

**Superseded documents**

This document replaces:

- Memorandum of Understanding between the Marine Parks Authority (MPA) and marine park advisory committees – March 2010
- Marine Parks Advisory Committees Handbook – November 2014 (INT16/65082)

**Revision History**

Version	Date Issued	Notes	By
1.0	9/1/2015		Manager Marine Operations
2.0	May 2019		Program Leader Marine Operations
2.1	26 August 2019		A/Program Leader Marine Operations

**Revision Date**

May 2021

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## 1. Purpose

The purpose of this document is to guide the establishment and operation of effective and collaborative marine park advisory committees. The NSW Government has identified these non-statutory committees as a priority to provide a voice for local communities in the management of the marine estate and local marine parks.

Any questions regarding this document and its interpretation should first be directed to the local Marine Park Manager. The Marine Park Manager will escalate any enquiries to the Program Leader Marine Operations where required.

## 2. Role

Marine park advisory committees provide a voice for local communities in the management of the NSW marine estate and local marine parks.

The NSW Government's response to the Report of the Independent Scientific Audit of Marine Parks in NSW (2013) and marine estate reform identified revitalising local marine park advisory committees as a specific aim.

Marine park advisory committees advise the NSW Government, through the Marine Park Manager, on the management of the marine park, in particular including:

- the application of the *Marine Estate Management Act 2014*
- the development and implementation of management plans and rules for a marine park
- local environmental, social, cultural and economic values
- local threats, risks and opportunities
- spatial distribution of values and threats and appropriate spatial management
- emerging issues

Marine park advisory committees may also provide advice to the relevant Ministers responsible for the NSW marine estate, the Marine Estate Management Authority and/or the Marine Estate Expert Knowledge Panel on management of the broader marine estate and the system of marine protected areas within NSW.

Marine park advisory committee will:

- engage with local communities and stakeholders
- provide a forum for local communities to identify values, threats, issues and opportunities
- contribute valuable local knowledge to decision making processes
- provide feedback to the NSW Government to support continuous improvement.

## 3. Establishment

Each marine park declared under the *Marine Estate Management Act 2014* will have a marine park advisory committee.



## 4. Membership

Each marine park advisory committee will include individuals with skills, expertise and knowledge in one or more of the following areas to ensure the wide range of community values can be considered:

1. Aboriginal culture
2. commercial fishing
3. local government
4. marine conservation
5. marine science
6. maritime industry (where present)
7. recreational boating
8. recreational fishing
9. recreational water use (other than expertise areas already listed)
10. tourism

Additional areas of expertise may be identified according to the local needs of each marine park with the approval of the Marine Estate Agency Steering Committee. No more than one representative will be appointed for each identified expertise area. The maximum membership of any marine park advisory committee will be twelve to ensure effective operation and productive discussion.

## 5. Call for nominations

The Marine Estate Agency Steering Committee will approve a call for nominations for members of an advisory committee.

All vacancies except for local government will be publicly advertised. For local government, each Joint Organisation of Councils (or Regional Organisation of Councils where Joint Organisations have not been declared) will be contacted directly in writing and invited to nominate a local government representative.

The public call for nominations can be sought in the following ways:

- Sending letters or emails to stakeholders and throughout local marine park networks
- Publishing a notice on the marine estate and DPI websites
- Placing an advertisement in local newsletters, newspapers or magazines and/or
- Any other means

## 6. Appointment

Nominations will be assessed by the Department of Primary Industries. Recommendations for appointment will first be made to the Marine Estate Agency Steering Committee for consideration and final recommendation to the Director General, Department of Primary Industries. Members will be appointed by the Director General, Department of Primary Industries (as lead agency for marine park management).

Marine Park Advisory Committee Handbook

People appointed to advisory committees must be suitably qualified and reflect the diversity of the NSW community. Above all, appointees must be committed to ethical practice, understand appropriate governance principles, have the capacity to think critically, be objective, and understand and manage conflicts of interest.

Appointments to advisory committees will be made on the basis of the following principles and selection criteria.

### **6.1 Merit**

Appointments will be made on demonstrated merit. In all cases, potential appointees will be considered against assessment criteria based on the skills, experience and knowledge required for the role.

### **6.2 Fairness**

The process used to assess potential appointees will be transparent, without bias, and open to qualified persons interested in seeking appointment. The same criteria will be used to assess all persons being considered for appointment at that time.

### **6.3 Diversity**

To the extent reasonable, appointments will reflect the diversity of the local community. Particular attention will be given to the representation of Aboriginal people, women, people with a disability, young people, and people from culturally and linguistically diverse backgrounds. Marine park advisory committees aim to reflect a broad range of stakeholder perspectives in line with the values of marine parks.

### **6.4 Integrity**

Only persons of sound reputation, who are prepared to discharge their responsibilities ethically, diligently and with only the public interest in mind will be appointed.

### **6.5 Appointment criteria**

- Demonstrated ability to act with integrity and exercise sound judgement.
- Active involvement in one of the expertise areas identified in section 4 above.
- Recognised as having well developed specialist skills, experience and knowledge in one of the identified expertise areas.
- Ability to liaise and engage with other members of the expertise area.
- Ability to communicate effectively and actively contribute at meetings and out of session. Access to email to facilitate timely and effective out of session discussions is preferred.
- Ability to prepare for meetings (including reading a variety of documents in advance and liaising with other stakeholders).

- Understanding of the key issues relating to the marine estate and marine parks in NSW.
- Understanding of the NSW Government's marine estate reforms and new approach to marine park planning
- Any other relevant selection criteria as determined by the Marine Estate Agency Steering Committee.

## 7. Term of appointment

Generally, each member will be appointed for a term not exceeding four years. Terms of individual members may be staggered to support committee continuity and knowledge exchange.

Upon the expiry of a term of service on a marine park advisory committee, members are eligible to apply for reappointment for further terms.

Once appointed, members will be given a copy of this handbook, which includes the Code of Conduct for Marine Park Advisory Committees.

Each member must acknowledge in writing their acceptance of these documents and declare any conflicts of interest before commencing as a committee member.

## 8. Alternate members

Each call for nominations will include a call for alternate members. One alternate member will be identified for each expertise group in section 4. Alternate members will be subject to the same appointment process as standing members (outlined in section 6) and may be appointed from the suitable pool of nominees for standing membership.

Where sufficient suitable nominations exist, a talent pool may be formed from those nominees not successful in gaining appointment but who wish to remain available should a vacancy occur.

In the absence of a standing member, the alternate for that expertise area may act in the place of the member. While acting in the place of a standing member, the alternate:

- has all of the functions of the member and is taken to be the member, and
- is entitled to be paid such allowances (See Section 18).

## 9. Appointment of the chair

A chair will be appointed from the standing members of each advisory committee. When the chair's role is vacant, advisory committee members will be asked to recommend a chair. A recommendation supported by a majority of votes cast at a meeting of the committee at which a quorum is present will be taken as the recommendation of the committee.

Persons appointed as chairs must have a demonstrated capacity to lead others, facilitate objective and constructive discussions, summarise complex information, and formulate advice in a professional and effective manner.

The Marine Estate Agency Steering Committee will consider the committee's recommendation for chair based on these criteria, and appoint a chair.

The term of the chair's appointment will be for the remaining term of their committee membership.

The Director General, Department of Primary Industries, may remove the chair at any time in accordance with section 10.

## 10. Vacancies

The expertise area of an appointed member becomes vacant if the member:

- dies, or
- completes a term of membership and is not re-appointed, or
- resigns the appointment in writing to the relevant Marine Park Manager, or
- is removed by the Director General, Department of Primary Industries.

The Director General, Department of Primary Industries may remove an appointed member or the chair from membership at any time. The Director General may remove a person if in his/her opinion the person:

- breaches the code of conduct for marine park advisory committees (Appendix A)
- becomes unable to adequately provide the skills and expertise the member was appointed for, or
- becomes unable to satisfy the appointment criteria in section 6.5, or
- fails to attend a meeting without providing an apology or valid reason, or ceases to actively contribute to the committee.

The Director General, Department of Primary Industries, may remove a member for any other valid reason. The Director General will seek advice from the Marine Estate Agency Steering Committee before a member is removed.

## 11. Meetings

The Marine Park Manager will work in conjunction with the chair to determine a schedule of meetings that is appropriate to the committee's role and local issues and priorities. More frequent meetings may be required when a draft management plan is being developed. Advisory committees aim to hold a minimum of two meetings per calendar year. However, out-of-session discussion is recognised as an important tool for effective time management, prompt response to emerging issues and continuous collaboration.

Members of advisory committees give up their time generously and voluntarily on top of work, family and personal commitments. All reasonable efforts should be made to schedule meetings at a time and place to facilitate attendance by a majority of members and make the most productive use of members' time. Meetings will generally be held in person, although where necessary meetings may also be held via teleconference or videoconference.

Not less than seven days' notice should be provided to committee members before each meeting. An agenda and any associated business papers should be provided not less than seven days prior to the meeting.

#### Marine Park Advisory Committee Handbook

Marine Park Managers or their representative(s) will attend each marine park advisory committee meeting and provide all administrative support.

Meeting procedures will be consistent with sound meeting practice and ensure that all members are given fair and equal opportunity to participate in the deliberations of the advisory committee.

During the meeting, the chair is responsible for:

- ensuring respectful and ethical conduct
- ensuring that members are clear about any issue or question before them
- maintaining order and giving everyone a reasonable opportunity to speak
- ensuring that deliberations are recorded to a satisfactory level, and that any resolutions or recommendations accurately reflect the majority view (for example by displaying drafted resolutions on a screen or whiteboard)
- interpreting and helping to clarify points of debate, moving the discussion forward and bringing discussion to a resolution
- facilitating reaching of consensus wherever possible.

Conventional rules of debate apply. All debate should be through the chair. The chair has the right to request any disruptive member to leave the meeting for a specified period. Disrespectful and aggressive conduct will not be tolerated. Repetitive disruption may lead to the person being asked to leave the remainder of the meeting, or a recommendation being made to the Director General, Department of Primary Industries for removal of the member from the committee.

Minutes of the meeting will be captured by the Marine Park Manager or their delegate and be available as a draft for members in a reasonable timeframe, typically two weeks. Outcomes and any actions must be recorded for each meeting. These minutes and all committee records may be requested under the provisions of the *Government Information (Public Access) Act 2009*. Minutes may be made publically available on the DPI or marine estate web sites.

## 12. Quorum

The quorum for a meeting of the Committee consists of a majority of its members as appointed at the time.

## 13. Observers

Requests from any community member or stakeholder group to attend a committee meeting as an observer will be at the discretion of the committee.

## 14. Recommendations and advice

The chair will aim to reach consensus on the recommendations and advice to be provided by the committee. A recommendation supported by a majority of votes cast at a meeting of the committee at which a quorum is present will be taken as the recommendation of the committee. However, advice provided by all committee members is valuable and conflicting

opinion and advice will be noted. Consensus is not essential and diverse stakeholder views are still valuable in guiding marine park management.

## 15. Conflict of Interest

Members are obliged to declare any conflicts of interests to the chair or Marine Park Manager both when appointed and as committee business arises.

Members declaring a conflict of interest may be asked by the chair to absent themselves from the meeting or refrain from debate while the issue is discussed.

If the chair declares a conflict of interest then an alternate chair will oversee the meeting during discussion of relevant matters.

Should any doubts exist about a declared conflict of interest and the advisory committee is unable to agree whether or not the particular member(s) should refrain from participating in discussions or consideration of the issue, the matter is to be referred to the Marine Park Manager for determination. The marine park advisory committee code of conduct (Appendix A) should be referred to for further guidance on conflicts of interest.

## 16. Public comment

Public comment includes public speaking engagements, comments on radio or television or to a journalist, views expressed in letters or opinions in newspapers or in books, journals, internet sites, social media and notices where the publication or circulation of the comment is publically available.

A view that is publically expressed by a committee member may be perceived or construed by the broader community as a view of the advisory committee or the Department of Primary Industries. A member of the committee must not at any time:

- initiate contact with the media on matters or issues that have been subject to discussion by the committee
- make public comment on behalf of the committee or the Department of Primary Industries
- make public comment on (including to the media or on social media) any matter or issue that has been subject to discussion by the committee
- share any committee records with the media or on social media.

All media enquiries must be directed to the chair or Marine Park Manager.

The chair is the only member of an advisory committee who is authorised to provide public comment on behalf of the advisory committee. The chair is only authorised to provide public comment after consultation with the Marine Park Manager and the Department of Primary Industries communications team.

## 17. Confidentiality

Marine park advisory committees will discuss a wide range of issues, many of which will be sensitive or contentious. To enable members to provide informed advice on a particular

matter, it will often be necessary to consider 'privileged' information. Such information should be treated with the utmost confidentiality and kept within the confines of the advisory committee.

Advisory committee members have a primary responsibility to the relevant advisory committee in regard to the confidentiality of matters discussed, irrespective of their affiliation with any other groups or organisations. However, they may report to the community on advisory committee matters where such information would normally be available to the public. More information regarding this can be found in the marine park advisory committee code of conduct (Appendix A).

## 18. Complaints

Complaints, disputes and grievances should always be handled in a timely and professional manner which is fair, courteous and respectful of privacy.

Complaints which are of a minor or personal nature should in the first instance be dealt with informally, through discussion with the chair or Marine Park Manager.

If this matter remains unresolved, the complainant may elect to make a formal complaint via the Department of Planning, Industry and Environment complaints process. This process is outlined at <https://www.industry.nsw.gov.au/policies/about-our-complaints-handling-process>.

## 19. Allowances

No sitting fees are paid for members of marine park advisory committees.

Members will be reimbursed for any out-of-pocket expenses for travel to and from meetings and other approved advisory committee activities. Anticipated expenses for official activities other than advisory committee meetings must have the prior approval of the Marine Park Manager. Advisory committee members must submit expense claims in a timely manner.

Where members are required to use their own vehicle to attend official advisory committee functions, they are entitled to receive an allowance for mileage at the NSW Government 'official business rate'.

All claims for reimbursement of actual costs should be lodged with the Marine Park Manager on the official form (Appendix B) and must be accompanied by receipts for the costs incurred. Any official air travel or accommodation will be arranged and paid for directly by the Department of Primary Industries.

## 20. Public notification of membership

Once the members have been appointed, the chair and membership list, including the name of each member and the relevant membership expertise area, will be published on the Department of Primary Industries web site.

## 21. Important Resources

Title	Location
Marine Estate Management Act 2014	<a href="https://www.legislation.nsw.gov.au/#/view/act/2014/72">https://www.legislation.nsw.gov.au/#/view/act/2014/72</a>
Complaints handling process	<a href="https://www.industry.nsw.gov.au/policies/about-our-complaints-handling-process">https://www.industry.nsw.gov.au/policies/about-our-complaints-handling-process</a>
Government response to the Report of the Independent Scientific Audit of Marine Parks in New South Wales 2013	<a href="https://www.marine.nsw.gov.au/__data/assets/pdf_file/0008/498617/Government-response-to-the-marine-parks-audit-a-new-approach.pdf">https://www.marine.nsw.gov.au/__data/assets/pdf_file/0008/498617/Government-response-to-the-marine-parks-audit-a-new-approach.pdf</a>
NSW Marine Estate Threat and Risk Assessment Report 2017	<a href="https://www.marine.nsw.gov.au/__data/assets/pdf_file/0010/736921/NSW-Marine-Estate-Threat-and-Risk-Assessment-Final-Report.pdf">https://www.marine.nsw.gov.au/__data/assets/pdf_file/0010/736921/NSW-Marine-Estate-Threat-and-Risk-Assessment-Final-Report.pdf</a>
NSW Marine Protected Areas Policy Statement 2017	<a href="https://www.marine.nsw.gov.au/__data/assets/pdf_file/0005/726728/Marine-protected-areas-policy-statement-.pdf">https://www.marine.nsw.gov.au/__data/assets/pdf_file/0005/726728/Marine-protected-areas-policy-statement-.pdf</a>
NSW Marine Estate Management Strategy 2018-2028	<a href="https://www.marine.nsw.gov.au/__data/assets/pdf_file/0007/815596/Marine-Estate-Management-Strategy-2018-2028.pdf">https://www.marine.nsw.gov.au/__data/assets/pdf_file/0007/815596/Marine-Estate-Management-Strategy-2018-2028.pdf</a>
Marine Parks Pilot Frequently Asked Questions 2018	<a href="https://www.marine.nsw.gov.au/__data/assets/pdf_file/0004/827554/FAQ-Batemans-Marine-Park-pilot.pdf">https://www.marine.nsw.gov.au/__data/assets/pdf_file/0004/827554/FAQ-Batemans-Marine-Park-pilot.pdf</a>



# Appendix A

## Marine Park Advisory Committee

### - Code of Conduct

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#### 1. Introduction

As public officials, members of committees have a particular obligation to act in the public interest. You are required to demonstrate standards of professional behaviour that will preserve public trust and deliver the best possible outcomes for the people of NSW.

All members of NSW Government boards and committees must:

- Comply with the Ethical Framework for the public sector set out in the *Government Sector Employment Act 2013*
- Comply with the board or committee's Code of Conduct
- Have a clear understanding of their public duty and legal responsibilities
- Act for a proper purpose and without exceeding their powers.

This Marine Park Advisory Committee Code of Conduct has been developed to assist you to understand your obligations and the NSW Government's expectations and requirements.

#### 2. Personal and professional behaviour

You are expected to always:

- act ethically and in the public interest
- act in a professional and non-political way while advising government
- use public resources efficiently and appropriately
- give accurate and impartial advice to government and, where applicable, implement its programs conscientiously
- follow relevant legislative, industrial and administrative requirements
- treat people with dignity and respect, and contribute to a positive and productive committee
- make sure people feel valued and are able to fully participate in the committee
- not discriminate against, harass or victimise anyone on any grounds including gender identity, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment, sexuality or political or religious conviction
- prevent bullying
- adhere to this code.

Bullying, harassment, intimidation, public criticism, defamation, abuse or aggression towards any individual committee member, community member or government employee will not be tolerated and will result in removal from the committee under section 10 of the Marine Park Advisory Committee Handbook.

### 3. Work health and safety

Committee members are considered workers for the purposes of the *Work Health and Safety (WHS) Act and Regulation 2011*. Getting our people home safe and well is a top priority for the Department of Planning, Industry and Environment, as is public safety. We will never ask you to put yourself at risk. We can only achieve a safe workplace with your help so we ask you to:

- be aware of, and implement, the safety systems and practices that help keep you and those around you safe and well
- notify the chair or Marine Park Manager as soon as you observe a safety risk
- report all workplace health and safety (WHS) incidents, including near misses, within 24 hours to the Marine Park Manager.

### 4. Conflicts of interest

A conflict of interest occurs where your private interests make it difficult for you to perform your duties impartially in the public interest. Conflicts are common and can arise, for example, from close personal relationships at work, family relationships, social friendships or animosities, and work you do outside of the committee, including employment, volunteering or any political activities.

Members of government committees are appointed for their expertise and skill in particular areas. As a consequence of their expertise in these areas, there may be the potential for conflicts of interest to arise between a member's duties to the committee, and his or her personal interests (or his or her duties towards others).

A conflict may be:

- *Actual conflict*: there is a direct conflict between your committee duties and responsibilities and your private interests.
- *Perceived conflict*: a person could reasonably perceive that your private interests are likely to improperly influence the performance of your official duties, whether or not this is the case.
- *Potential conflict*: you have a private interest that could conflict with your official duties in the future.

If a conflict of interest leads to partial decision making, it may constitute corrupt conduct. A conflict of interest, whether real, perceived or potential, may arise for example from:

- Other directorships or employment
- Professional and personal business interests and associations
- Investment interests or the investment interests of friends or relatives
- Family relationships
- Participation in party political activities
- Personal beliefs or attitudes that affect impartiality.

The above list is indicative only and there may be other situations that can lead to a real or perceived conflict of interest.

Conflicts must be declared so they can be managed in a careful and transparent way. A member has a duty to declare any private interest that may impinge on a committee decision. When an issue arises, the committee member must as soon as practicable disclose full and accurate details of the interest or issue to the committee. A member must disclose interests to the committee (which include positions and pecuniary interests) in corporations, partnerships or other businesses or organisations that may be relevant to the discussions of the committee. A member's interests include those of an associate or close relative. Disclosure must be made at the beginning of a member's term and during the term as matters arise. A register of such interests should be maintained by the committee and Marine Park Manager.

## 5. Official and confidential information

During your appointment or work you may have access to sensitive, personal and/or commercially confidential information. This information could relate to members of the community, the NSW Government or government employees. You are expected to protect the integrity and security of information and documents for which you are responsible and to adhere to the principles of the *Privacy and Personal Information Protection Act 1998*.

Members must not disclose official information or documents acquired as a consequence of their membership, other than as required by law, or when the member has been given proper authority to do so.

In short, this means that you:

- may not use information for any unofficial purpose outside the committee
- may use confidential or official information only in relation to your committee role and consistent with your obligation to act impartially
- must be cautious and use sound judgement when you discuss sensitive information with others
- may not use information gained in your capacity as a committee member for personal gain
- may disclose information that is normally available to members of the public
- must not improperly collect, use or disclose the personal information of individuals including community and staff members
- must not use information gained in the course of your committee role to cause harm or detriment to government or any person or organisation
- must safely and securely store any committee records, including emails and electronic information
- must not remove official information from government premises unless you need it for committee purposes
- must treat email and electronic records as carefully as hard copy information.

Misuse of official information or documents includes:

- speculation in shares, commodities, or property on the basis of confidential information about the affairs of a business or of proposed government actions
- seeking to take advantage of another person, for personal reasons, on the basis of information held in official records

- disclosing sensitive information to members of the public, political parties, clients, lobby groups, other public servants, other government organisations, or members of Parliament, without proper authority
- providing or trading confidential information for use by private investigators, banks, credit agencies or other external parties.

These requirements apply to any information you obtain during the course of your committee membership and continue after you complete your appointed term.

## 6. Intellectual property

Intellectual property includes rights relating to scientific discoveries, industrial designs, trademarks, service marks, commercial names and designations, inventions and activity in the industrial, scientific, literary or artistic fields.

All intellectual property created by you in the course of your committee role is the intellectual property of the Department of Primary Industries. You may therefore not sell or give away intellectual property created during or in connection with your appointment or engagement with the committee. You must provide the Department of Primary Industries with complete copies of any reports, documents or other materials created in the course of your advisory role or work.

## 7. Use of public resources

You are expected to be efficient in your use and management of public resources.

Furniture, equipment, staff and other resources may be provided to a committee to perform its functions and should be used only in relation to those functions and in accordance with any guidelines or rules about the use of those resources.

Department of Primary Industries communication devices, including internet access, may not be used to browse or download illegal, inappropriate or offensive material. When you use Department of Primary Industries technology, internet and email facilities, the use must be appropriate, lawful, efficient, proper and ethical.

## 8. Public comment

Public comment must only be made strictly in accordance with section 16 of the Marine Park Advisory Committee Handbook.

## 9. Alcohol and drugs

You must take responsibility for ensuring the health and safety of yourself and of others whilst participating as a committee member. In particular, you are responsible for ensuring that you do not, by the consumption of alcohol or other drugs, endanger your own safety or the safety of any other person, including the community.

Alcohol and other drugs includes alcohol based products, tobacco, illegal drugs, and medically prescribed and non-prescribed substances, which adversely affect your conduct or work performance.

Workplace means any place where committee activities are performed and includes government vehicles, off-site and field areas.

You must also not participate in any committee activities if you are under the influence of alcohol or other drugs likely to adversely affect your ability to fulfil your duties.

## 10. Allegations of impropriety

It is important that the conduct of committee members reflects the principles and ethical requirements set out in this code at all times. If allegations about inappropriate conduct are made or aired in the public domain which, if true, would constitute a breach of this code, the member concerned may be removed from the committee in accordance with section 10 of the Marine Park Advisory Committee Handbook.

Allegations made in the public domain include:

- being referred to in sworn evidence (either oral or written) in any court or tribunal proceeding
- being the subject of, or named as a person of interest in, any investigations by the Independent Commission Against Corruption
- being the subject of, or named as a person of interest in, any investigation by the NSW Ombudsman
- being the subject of, or named as a person of interest in, any investigation or proceedings by any other governmental or quasi-governmental body in any jurisdiction.

The member may resume his or her membership of the committee when the relevant court, tribunal or other body makes a finding of fact that the allegations are unfounded, or otherwise when the Director General, Department of Primary Industries, so determines.

## 11. Gifts and benefits

Members should be aware that it is illegal to seek, offer or receive money or gifts in order to obtain a benefit or favour. Members must also not accept gifts or benefits that could place them under an actual or perceived financial or moral obligation to another organisation or individual. Non-financial gifts or hospitality of modest value may be accepted in limited circumstances where the member's position will not be compromised.

If any gift or benefits is offered to or accepted by a committee member from any person or body with interest in marine park management, full and prompt disclosure must be made to the chair.

## **12. Breaches of the code**

Breaches of this code will result in removal of committee members in accordance with section 10 of the Marine Park Advisory Committee Handbook. Serious incidences of misconduct will be referred to the NSW Police or Independent Commission Against Corruption where appropriate.

## Appendix B

### Meeting expense claim form



#### Expense8 Claim Form for Meeting Expenses

Please complete this form to summarise your travel expenses if you are a member of an official Departmental Board or Committee and forward to your convenor.

If you are the convenor and require the Expense Management team to enter the claim, please email scanned copies of the form and supporting documents to [finance.support@industry.nsw.gov.au](mailto:finance.support@industry.nsw.gov.au)

MILEAGE CLAIMS	
Please attach a current copy of Comprehensive Car Insurance and Registration papers valid as at the date of travel	
Trip Details Segment – Only One Meeting per Claim Form is to be completed	
Member name <small>(as known by the department)</small>	
Address	
Trip Name <small>(Board or Committee)</small>	
Trip Reason <small>(Purpose of Meeting &amp; Coordinating agency)</small>	
Telephone	
Personnel number <small>Eg. 9xxxxxxx</small>	
Itinerary Segment – Mileage Details (note each segment of the trip must be logged separately)	
Vehicle registration	
Description (enter if different from above Trip Reason)	
Meeting Date	
Trip From	
Trip To	
Description	
Meeting Date	
Trip From	
Trip To	
Summary Segment	
Other Information/Comments	
TOTAL MILEAGE CLAIMED \$ _____ x _____ km	\$

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<b>OTHER EXPENSES</b>	
<b>Summary of costs</b>	
Taxi, train fares, parking, bus etc	\$
Airfares	\$
Accommodation	\$
Meal Actuals	\$
<b>TOTAL OTHER EXPENSES</b>	<b>\$</b>

<b>TOTAL MEETING EXPENSES</b>	<b>\$</b>
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<b>Submission</b>			
Board Member Signature		Date	

Attachments included:

Motor Vehicle Comprehensive Insurance and Registration Papers

Tax Compliant Invoices/receipts or Statutory Declaration

Please return the form including attachments to the meeting convenor.

<b>Approval</b>			
Authorised Delegate		Date	

**Sitting fees:**

Sitting fees must be claimed separately and submitted to [payroll.processing@industry.nsw.gov.au](mailto:payroll.processing@industry.nsw.gov.au) using a [Meeting sitting fee claim form](#).

Office use only – Convenor/Expense Management			
EXPENSE8 TRIP NUMBER CREATED	Description	GST Applicable	Amount
	Private vehicle use		\$
	Taxi, train fares, parking, bus etc		\$
	Airfares		\$
	Accommodation		\$
	Meal Actuals		\$



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**PSR22/001 DRAFT CLIMATE ACTION PLAN 2022- 2032**

**S010-T00037**

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

Attachments:

1. Minute No. 07/66 - Council meeting 27 March 2007
2. Minute No. 12/190 - Council meeting 24 July 2012
3. Under Separate Cover - Statewide Mutual Program - Climate Change Risk Assessment, 2020
4. Under Separate Cover - Eurobodalla Climate Action Plan 2022-32
5. Under Separate Cover - Eurobodalla Climate Action Plan: In-brief

Outcome: 4 Sustainable Living

Focus Area: 4.4 Work together to reduce our environmental footprint and develop a clean energy future

Delivery Program Link: 4.4.1 Plan for and work towards reducing Council's environmental footprint

Operational Plan Link: 4.4.1.2 Develop a Council Variable and Changing Climate Adaptation Strategy

### **EXECUTIVE SUMMARY**

The current Emissions Reduction Plan (ERP) 2017-2021 is due for review. The ERP has delivered strong results in reducing emissions and costs to Council and assisting the community in reducing emissions. The next version of this Plan will focus principally on climate adaptation and mitigation and is titled 'Eurobodalla Climate Action Plan 2022-2032' (CAP).

The draft CAP is fundamentally different in scope from previous Council greenhouse action and emission reduction plans in two important ways. First, it covers how we could reduce greenhouse gas emissions, and how we propose to prepare for and adapt to the expected impacts of climate change. Secondly, it includes not only a focus on Council's own operations but how we could further assist the broader community.

Council achieved the interim target of a 25% reduction in emissions by 2020, early in 2018, by achieving a 34% reduction compared to the 2005-2006 baseline. Council is also on track to meet its target of 100% renewable energy by 2030. Council will have saved over 49,000 tonnes of CO<sub>2</sub> emissions since 2017 and over \$1m per year in the process. New actions in the draft CAP could help Council capitalise on emerging opportunities for further energy and cost savings and improve Council and community climate resilience.

Proposed actions by Council may include:

- secure 100% renewable energy for Council operations
- develop and implement an Electric Vehicle Strategy
- review the Waste Strategy
- increase water security
- develop and implement a Biodiversity Strategy
- continue natural resource programs

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**PSR22/001 DRAFT CLIMATE ACTION PLAN 2022- 2032**

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- consider the impact of climate change on operations and plans
- facilitate improvements in the design of residential and commercial buildings
- design and implement programs for plantings and/or artificial shading of strategic urban streetscapes, Council carparks and playgrounds.

Council may also assist the community and business through: advocacy; support; facilitating a climate change advisory group to assist with funding opportunities, and collaboratively reducing emissions and climate risks. Proposed community support actions include:

- increase uptake of renewable energy and EVs in the community
- improve capacity for sustainable housing design for new and existing stock
- facilitate waste diversion and water efficiency
- address barriers to enable further investment in sustainability upgrades for business.

Significant savings to Council have already been achieved as a result of activities, and it is recommended to revise Council's targets and develop new actions for a 10-year Climate Action Plan, noting that the implementation of actions is dependent on funding and resourcing.

Recommended proposed targets for the draft Eurobodalla Climate Action Plan 2022-2032 are:

Council operations:

- reduce emissions from the 2005-06 baseline by 80% by 2030
- source 100% of Council's electricity demand from renewable energy by 2030
- net zero emissions by 2040.

Council also proposes to work to support the achievement by the wider community of a level of ambition at least equivalent to the targets adopted by the NSW Government:

- 50% reduction in emissions by 2030 for Eurobodalla
- net zero emissions by 2050 for Eurobodalla.

There is sufficient time for emerging opportunities to develop into practical and economically viable solutions before 2032 to make these targets achievable, and to potentially exceed these targets or meet them earlier. The draft CAP focuses on implementing high impact and cost-effective actions, considering the needs of the most vulnerable in our community and building climate resilience.

A range of internal and external stakeholders have been engaged in the development of the draft Climate Action Plan. The draft CAP will be placed on public exhibition for a period of 28 days to allow for further feedback from the community.

**RECOMMENDATION**

THAT:

1. The draft Climate Action Plan 2022-23 (CAP) be endorsed by Council for a 28 day period of public exhibition, during which submissions may be made to Council;
2. A further report, detailing the results of the public exhibition period, any submissions received, recommendations for improvements and a final CAP be presented to Council at the conclusion of the exhibition period.

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**BACKGROUND**

Council has been actively addressing climate change for over a decade. From 2007 to 2017, Council implemented two consecutive Greenhouse Action Plans (Minute No. 07/66) and (Minute No. 12/190) – refer to Attachment 1 and Attachment 2. From 2017-2021 an Emissions Reduction Plan was implemented as reported to Council on 26 October 2021 in the Emissions Reduction Plan and Sustainability Progress Report (PSR21/052 2020-21). As reported, Council continued to reduce Council emissions in 2020-2021 and cost savings, and 18 of the 21 new actions were completed.

Compared to the 2005-06 baseline, Council's:

- building emissions are down 47%
- street lighting emissions are down 42%
- landfill methane emissions are down by an estimated 20%.

Over time, Council has substantially reduced emissions and assisted our community to do the same primarily through education programs.

The draft Climate Action Plan is the next iteration to progress the Eurobodalla's response to mitigating climate change and adapting to its impacts. It sets out some longer-term ambitions for reducing greenhouse gas emissions and adapting to the impacts of climate change.

The draft CAP identifies actions that Council can take to further reduce its own carbon footprint and make its operations and service delivery for the community more resilient to the impacts of climate change. It also identifies how Council could support households and businesses across Eurobodalla to reduce their greenhouse gas (GHG) emissions and build climate resilience.

In 2020, Eurobodalla Shire Council undertook a Climate Change Risk Assessment with its insurer (Statewide Mutual 2020). The assessment looked at how climate projections for the region might impact on Council operations and at the adequacy of current control measures. It identified 37 separate risks (25 classified as 'high risk'), almost half of which are related to increased temperatures, including more days of extreme heat. The assessment assisted internal Council stakeholders in developing appropriate actions in the draft CAP to minimise or reduce the impacts of climate change.

The draft CAP shows the current progress towards emission reduction, and a breakdown of emissions produced per sector for Council and the community that need actioning. It proposes future targets for emissions reduction and outlines actions for Council operations, and for supporting the community to achieve these targets.

**CONSIDERATIONS**

In the recent community surveys of Eurobodalla residents, 71% of residents are concerned about environmental problems, with climate change/global warming and pollution rated as the most concerning environmental problem. Further, advice on sustainability, renewable energy and climate adaptation was deemed by 76% of residents as important, to very important.

It is timely to review the Emissions Reduction Plan and develop the draft CAP moving forward. All the discrete projects from the last Emissions Reduction Plan have largely been completed, and a great deal has changed in the energy and technology landscape since the last plan was developed in 2017.

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**PSR22/001 DRAFT CLIMATE ACTION PLAN 2022- 2032**

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Further, we have seen a significant increase in natural disasters and the devastating impacts of these on our community, businesses, infrastructure, and services. The time for significant reduction of emissions and adapting to climate change is now, for Council and the community. Council can advocate and assist the community in many ways and foster the best outcomes for all.

The implementation of the Climate Action Plan 2022 -2032 will be influenced and impacted by:

- Australian and NSW Governments emission targets and associated policies
- Provision of sufficient financial resources from NSW Government to support local government to address climate change
- Council resourcing and capacity
- Ability to secure external grant funding
- Partnership programs with community, business, universities and other stakeholders

### **Scope**

The content of the draft Climate Action Plan relates to emission reduction activities and climate adaptation and resilience for Council, businesses, and the community.

The content and actions for the draft 2022-2032 CAP has been developed from several sources, including:

- a review of relevant actions by other councils and other levels of government
- consultation with internal staff and Council
- engagement with external stakeholders
- consideration of outcomes from the 2020 Climate Change Risk Assessment.

To achieve these targets the following proposed objectives have been set across ten sectors. The draft CAP further details the actions proposed within each of these areas:

- **Electricity supply and use:** continue the transition to cleaner energy supply, lower energy use and improve energy security during extreme events.
- **Transport and mobility:** encourage and prepare for zero emission vehicles within the Council fleet and in the wider community and provide mobility options through more active transport planning and infrastructure for pedestrians and bike riders.
- **Built environment:** improve the sustainability performance and climate resilience of subdivisions, houses, commercial and community buildings.
- **Waste:** reduce the total volume of putrescible waste to landfill, reduce methane emissions, and prepare for new waste issues associated with other aspects of the low-carbon transition.
- **Water supply and wastewater treatment:** ensure secure and safe potable water supply and wastewater treatment.
- **Ecosystems and biodiversity:** expand areas being actively managed for biodiversity enhancement and protected under formal conservation arrangements, targeting vulnerable ecosystems, climate refugia and vegetation corridors.

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- **Agriculture and livestock:** reduce the carbon-intensity of agriculture and livestock production and strengthen their resilience to the impacts of climate change.
- **Regional economy:** improve awareness of climate risks and market opportunities among businesses and provide support to address barriers to investing in sustainable practices.
- **Natural hazards:** manage the increased risk of natural hazards such as flooding, bushfire, heat waves on assets, infrastructure, and settlements.
- **Adaptive, responsive Council:** improve Council's adaptability and responsiveness to changing climatic conditions and changing responsibilities relating to tackling climate change.

There are 56 proposed actions in the draft CAP which are either Council actions (39) or Council actions to assist business and the community (17). These are also linked to timeframes such as ongoing, short (1-2 years), medium (3-5 years) or long-term (5+ years). Importantly, there are actions that will require further work and may seem ambitious - they may assist with a framework for consideration against environmental, social, financial and governance factors.

Major actions with a financial implication would be further developed and for future reporting and consideration of Council.

The majority of proposed actions are ongoing actions that detail the strategies and processes currently undertaken by Council and planned to continue. There are a number of actions that are proposed to be delivered during the life of the draft CAP.

Proposed key new actions

Council actions:

- seek Power Purchase Agreement/renewable energy supply for remaining 20% of Council energy usage
- develop and implement an Electric Vehicle Strategy
- develop an Integrated Transport Plan that includes an emphasis on active transport
- facilitate improvements in the design of residential and commercial buildings
- design and implement programs for plantings and/or artificial shading of strategic urban streetscapes, Council carparks and playgrounds
- review the Eurobodalla Waste Strategy and investigate opportunities for further methane capture and flaring at landfills
- increase water security through construction and utilisation of the southern water supply storage
- develop and implement a Eurobodalla Biodiversity Strategy
- integrate climate resilience into future updates of the Economic Development Strategy and related plans and strategies
- facilitate a climate change advisory group comprising external, technical expertise that can assist Council and the community to implement the Climate Action Plan, including by accessing external funding opportunities to reduce emissions or climate risks.

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**PSR22/001 DRAFT CLIMATE ACTION PLAN 2022- 2032**

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Council actions to support the community and businesses:

- advocate to the Australian and NSW Governments:
  - for financing mechanisms and funding to undertake sustainability upgrades
  - to improve the energy efficiency of social housing and to support low-income households and vulnerable communities
  - to support older housing stocks to improve energy efficiency, climate resilience and sustainability
  - to further support electric vehicles
  - to protect and expand key sites for conservation
  - build awareness about, and capacity for, sustainable design
  - collaborate with South-East Local Land Services (LLS) to raise awareness and promote practices for low-carbon livestock and agricultural production, and to carbon and biodiversity offset markets.

Targets

Having an emissions reduction target has helped Council to attract grant funding and generate positive results in working towards a goal. It is recommended to adopt new targets as part of the draft CAP plan.

The draft CAP outlines projections for future climate related impacts and the current emissions profiles for the Eurobodalla Shire and the community.

The following targets are proposed within the draft CAP:

For Council operations:

- reduce emissions from the 2005-06 baseline by 80% by 2030
- source 100% of Council's electricity demand from renewable energy by 2030
- net zero emissions by 2040.

Council can also work to support the achievement by the wider community of a level of ambition at least equivalent to the targets adopted by the NSW Government:

- 50% reduction in emissions by 2030 for Eurobodalla
- net zero emissions by 2050 for Eurobodalla.

It is recommended to commit to new targets to reduce Council energy emissions, source renewable energy and assist Council and the wider community to achieve net zero emissions. This represents an ambitious, yet realistic goal that would make a significant contribution towards addressing climate change. It may be possible to achieve this target earlier if more actions are put in place, and Australian and NSW Government policies support climate adaptation and mitigation, and private enterprise improves associated technologies.

This target includes all the emissions from waste and sewer, water, fleet, street lighting, gas, and electricity.

There is always a level of uncertainty associated with climate change and the level of action needed to mitigate and adapt. Regular review of new and emerging technologies, changing and updated science, and the moving political policies will see ongoing change in this arena. However, there is also considerable cause for optimism and time for emerging opportunities to

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develop into practical and viable solutions before 2032. Council should be well positioned to take advantage of these opportunities for the Eurobodalla.

**Legal**

The draft CAP has been based on outcomes of the climate change risk assessment completed in 2020. The climate change risk assessment and planning:

- identifies and assesses the risks that climate change poses to local government operations (including staff, assets and services)
- prioritises risks that require further action as a basis for decision-making and planning
- familiarises Council staff with the local climate change risks and normalises the concept of climate change adaptation across all areas of Council decision-making.

Climate change risk assessments aim to ensure that Council systems will be resilient. By working through the climate change risk assessment process, Council has established a robust framework to analyse the risks posed by climate change and develop strategies to address them. The climate change risk assessment follows the established risk management standards and techniques.

**Policy**

In NSW, a low-carbon transition is being driven by a combination of policy reforms and supportive measures from the NSW Government – to pivot towards stronger climate action in key greenhouse gas (GHG) sectors like electricity, transport, and waste – as well as changes in markets and particularly the falling costs of low-carbon technologies.

The NSW Government has committed to a net zero by 2050 strategy and adopted a target of 50% reduction in emissions by 2030, compared with 2005 levels as part of its Net Zero Plan Stage 1: 2020-2030 (NSW Government 2021).

These ongoing changes have social, financial, and environmental implications for Eurobodalla. It is therefore important we not only keep up with these broader shifts, but that we also help to push these positive changes further along.

It is proposed that the draft CAP is a 10-year plan to be implemented from 2022 to 2032. The adopted CAP would be reported against annually, and consideration of a review should be undertaken when new actions may be identified, or there is a change in the climate scenarios data that impacts the CAP.

**Environmental**

The draft CAP will help deliver emission reductions resulting in a positive environmental outcome by helping to minimise the impacts of climate change. There are also proposed actions that will protect and expand areas for biodiversity and ecosystems.

**Asset**

Some of the proposed actions will result in improving the efficiency of existing assets or creating new capital assets. Whole of life costs are always considered in the development of new business cases, therefore impacts on asset maintenance and operations would be

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**S010-T00037**

considered. In some cases, projects may also result in considerable maintenance or resourcing savings.

Assets require consideration of climate change to ensure their longevity and performance.

**Social Impact**

Climate change is a significant consideration for our community and for future generations. The impacts are being felt locally and particularly through natural disasters recently, which are predicted to increase in intensity and number. The long-term impacts of climate change may also affect our community in multiple ways, in particular the most vulnerable such as the elderly, disabled, Aboriginal people and the very young.

**Economic Development Employment Potential**

The Climate Action Plan will also aim to foster economic growth in a sustainable manner with consideration of climate change. There are opportunities to attract investment and target new and emerging technologies and employment sectors based on the requirements and changes as evident in the energy sector, electric vehicles market, changing technologies and infrastructure to both mitigate and adapt to climate changes. This may also see an increasing diversification in the region's economy and being well placed to navigate and embrace these changes will assist our economy and social wellbeing.

**Financial**

The ability to implement actions in the Climate Action Plan are dependent on:

- NSW and Australian Government emission targets, policies and resources to support local government
- Council resourcing and capacity
- Ability to secure external grant funding
  - Partnership programs with community, business, universities and other stakeholders

Reducing GHG emissions not only minimises the risk of dangerous levels of climate change, but will, increasingly, deliver economic benefits for households and the region, as the costs of low-carbon choices decreases and the costs of high-carbon choices continues to rise.

The cost of inaction on climate change mitigation and adaptation during this decade will lead to exponential increases in the costs for Council and the community in future decades.

Business cases for all projects from the draft CAP would be prioritised and evaluated before they are approved for implementation. Projects with an attractive payback period and positive rate of return should be prioritised, along with ones that significantly reduce CO2 emissions or achieve the adaptation objectives.

It is also important to consider the highest priority actions that:

- address long-term consequences
- address long-term outcomes
- assist the most vulnerable communities
- have the highest impact on emissions and climate resilience.



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There are proposed actions that require investment upfront that have long-term social, health and environmental impacts that are significant and require consideration for implementation. This may come at a financial impost that needs to be considered.

Council can continue to seek grant funding to support the actions in the draft CAP. Further, where savings are made through energy efficiencies and cost savings, this may be reinvested into implementing actions.

**Community and Stakeholder Engagement**

Council's Engagement Planning Tool was used to guide engagement. For the draft CAP, it was determined that the best approach was to involve key stakeholders during the development of a draft Plan and recommend that Council engages with the broader community on the draft.

To develop the draft CAP, Council staff engaged and discussed options with internal staff stakeholders and the Sustainability Matrix Group. External stakeholders were primarily involved in a working group through workshops on 21 November 2019 and 15 December 2022, and Councillors during a briefing on 15 February 2022. Delays had been incurred due to the 2019/20 bushfires and impacts of the COVID pandemic.

Endeavours have been made to incorporate a broad cross-section of ideas and aspirations reflected in the actions of the draft CAP.

The working group was established and provided volunteers' expertise, ideas and aspirations for the draft CAP. Stakeholders invited to be involved in the development of the draft included the following:

- South Coast Health and Sustainability Alliance (a local organisation focused on promoting and facilitating more renewable energy)
- Narooma Rotary (organised the 2016 Narooma Renewable Energy Expo)
- NSW Department of Planning, Industry and Environment, Regional Clean Energy Coordinator
- Chamber of Commerce representatives from each town
- Eurobodalla Landcare Committee (a local environment interest group)
- Coastwatchers (a local environment interest group)
- Clean Energy for Eternity (a largely Bega Valley based group with expertise in community renewable energy)
- South East Local Land Services
- Eurobodalla 350.org (an advocacy group focusing on climate change)
- Various local solar and energy companies
- University of NSW academic
- Councillors.

An independent expert on international climate change was appointed to assist with the review in 2021, and this included:

- review of actions by other councils and other levels of government on climate change
- review of Council internal plans, strategies and programs and consideration of climate change

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- conduct of workshops on the draft CAP with Council committees: Disability Inclusion; Youth, and the Aboriginal Advisory Committee
- conduct of Youth Climate Change Forum in June 2021
- internal consultations on the draft CAP with: community services; development services; environment; facilities management; finance; fleet; infrastructure services; recreation services; strategic planning; waste; water and sewer, and the sustainability matrix group (internal group that progress climate adaptation and mitigation)
- review of risk assessment by Statewide Mutual
- review actions associated with emissions reduction and climate resilience for Council.

In addition, during COVID restrictions there were four media releases, two Facebook posts and an article in the Council newsletter. Webinars associated with 'Fight for Planet A' were conducted with over 26 participants in August 2020. Council's website has also been updated to identify that the draft CAP is underway.

The working group were notified when the draft Plan would be presented to Council.

The draft CAP proposes a new action to facilitate a climate change advisory group, which would assist with implementation of the Plan if adopted.

To inform and let the community know about the community engagement period, Council may place the draft CAP on exhibition for a period of not less than 28 days.

Copies will be made available for viewing on Council's website, at the Batemans Bay, Moruya and Narooma libraries and Moruya customer service centre. Following the public exhibition period, a further report will be presented to Council with information about feedback received and how it has been considered. Copies of all submissions will also be provided to Councillors for their consideration.

## **CONCLUSION**

The existing Emissions Reduction Plan and past Greenhouse Action Plans have delivered good results to Council and the community. The draft Climate Action Plan 2022-2032 proposes to maintain a strong focus on emerging opportunities to continue to cut emissions and energy costs for Council and to support the community. Further, it proposes to prepare for future impacts of climate change to ensure Council and the community adapt, mitigate, and increase climate resilience. A range of new projects may be pursued that could deliver benefits to the Eurobodalla.

MINUTES OF THE ORDINARY MEETING OF EUROBODALLA  
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**MINUTE NO 07/66**

E07/3 CITIES FOR CLIMATE CHANGE - GREENHOUSE ACTION PLAN 07.1073

07/66 **MOTION** Councillor Kowal/Councillor Cairney

THAT:

1. Council endorse the Draft Cities for Climate Change – Greenhouse Action Plan and it be placed on public exhibition for 28 days.
2. Subject to no comment from the public, Council:
  - (i) Endorse the stretch goal of reducing community greenhouse gas emissions from 2001 levels by 25% by 2012
  - (ii) Implement the targets and actions into Council’s Management Plan 2007 - 2012
  - (iii) Endorse the printing and distribution of the Greenhouse Action Plan and placement on the Council web
  - (iv) Endorse the investigation of Energy Performance Contracting and the establishment of a Revolving Energy Fund as a matter of priority.
  - (v) Review opportunities to work effectively with stakeholders inclusive of community, business and agencies to reduce greenhouse emissions.
3. A workshop be conducted for Councillors on the Greenhouse Action Plan after exhibition of the Draft Plan.

(The Motion on being put was declared **CARRIED.**)

**Councillor Kowal** declared a non pecuniary interest in the report E07/3 Cities for Climate Change – Greenhouse Action Plan and advised that he would take part in discussion and voting on the matter.

**Reason:** Councillor Kowal works with the community group on Clean Energy for Eternity.

MINUTES OF THE ORDINARY MEETING OF EUROBODALLA SHIRE COUNCIL  
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**MINUTE NO 12/190**

O12/158      ADOPTION OF THE GREENHOUSE ACTION PLAN 2012 -2017      07.1073

**12/190      MOTION** Councillor Chris Kowal/Councillor Graham Scobie

THAT Council:

1.      Receive and note Report titled O12/158 Adoption of the Greenhouse Action Plan.
2.      Adopt the Greenhouse Action Plan 2012 – 2017, as attached to Report titled O12/158 Adoption of the Greenhouse Action Plan.

(The Motion on being put was declared **CARRIED**.  
Councillor Allan Brown voted against the Motion).

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**PSR22/002 CLASSIFICATION OF LAND - NELLIGEN RESERVOIR**

**S023-T00027**

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

Attachments: Nil

Outcome: 9 Innovative and Proactive Leadership

Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations

Delivery Program Link: 9.2.2 Manage land under Council control to achieve a return for the community

Operational Plan Link: 9.2.2.3 Strategic management and review of Council operational land

**EXECUTIVE SUMMARY**

The purpose of this report is to seek approval to classify recently acquired land as operational land.

At the Ordinary Meeting of Council on 8 December 2020 (Minute No: 20/238), Council resolved to acquire part Benandarah State Forest (Lot 1 DP 1264985) as follows:

**20/238 MOTION Councillor Pollock/Councillor Thomson**

THAT:

1. Public Works Advisory, on behalf of Council, apply to the Minister for Local Government to acquire part Benandarah State Forest, for water infrastructure purposes, by compulsory process, in accordance with section 187(2) of the *Local Government Act 1993* and in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. If consent is granted all necessary action be taken to finalise the acquisition in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act*.
3. All survey and legal costs associated with the land acquisition be borne by Council.
4. Public notice be given of Council's intention to resolve:
  - i. Part Benandarah State Forest is acquired as operational land.
  - ii. A period of 28 days is given for members of the public to make submissions.
  - iii. A further report is presented following the advertising period to classify the land.
  - iv. Consent be given to affix the Common Seal of Council to the applicable documentation.

(The Motion on being put was declared **CARRIED**)

**PSR22/002 CLASSIFICATION OF LAND - NELLIGEN RESERVOIR**

**S023-  
T00027**

The land is required as part of the Nelligen Water Supply and Sewerage Scheme Project.

Under sections 31 and 34 of the *Local Government Act 1993*, Council must first give public notice of its intent to classify land acquired as operational land, and then classify the land as such by Council Resolution.

With no submissions received during the public notification period, this report to Council seeks approval to classify the acquired land as operational.

**RECOMMENDATION**

THAT Council classify Lot 1 DP 1264985 as operational land.

**BACKGROUND**

At its Ordinary Meeting of 8 December 2020 (Minute No: 20/238), Council resolved to acquire land to accommodate a water reservoir and for public notice to be given of Council's intention to resolve that the land, part Benandarah State Forest (Lot 1 DP 1264985) be classified as operational land following acquisition of the land.

As part of the Nelligen Water Supply and Sewerage Scheme Project, a new water reticulation system will be constructed for the Nelligen village.

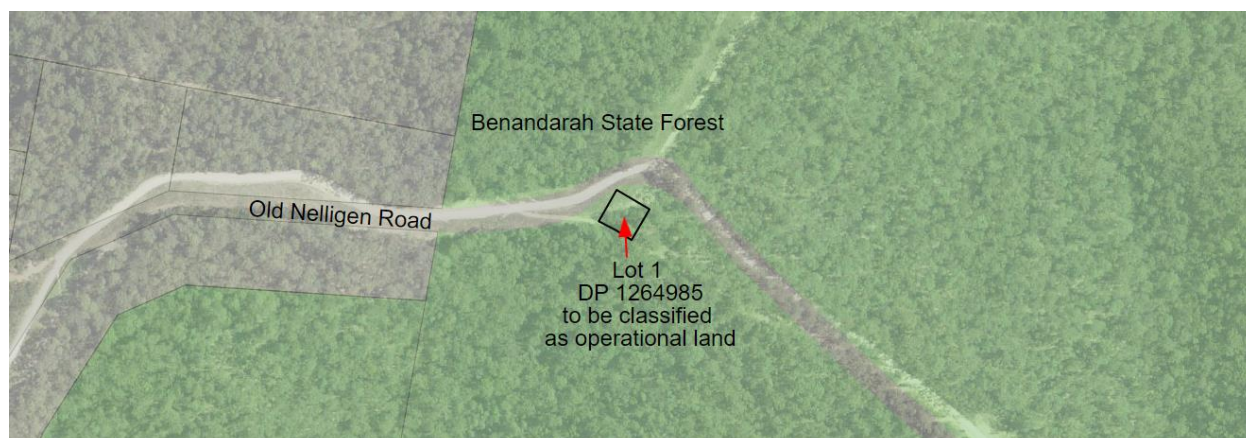
Lot 1 DP 1264985 is required for a reservoir as part of this project and the acquisition has now been completed. Public exhibition of Council's intention to classify the land as operational land was undertaken from 26 January to 23 February 2022 during which time, no submissions were received.

**CONSIDERATIONS**

In accordance with the provisions of the *Local Government Act 1993* all Council-owned properties, except roads, must be classified as either 'operational land' or 'community land'.

Land used for 'operational' purposes such as: administration buildings; libraries; works depots; sewer pump stations; reservoirs; water treatment plants; property held for investment purposes or property which is determined surplus to needs, is classified as 'operational land'.

The land to be classified as operational is shown in the diagrams below.



Lot 1 DP 1264985 – part Benandarah State Forest, Nelligen

**PSR22/002 CLASSIFICATION OF LAND - NELLIGEN RESERVOIR**

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Lot 1 DP 1264985 – part Benandarah State Forest, east of Nelligen village

**Legal**

Under section 377 of the *Local Government Act 1993*, Council cannot delegate the purchase of land to staff and it must be approved by Council Resolution.

<https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030#sec.377>

In accordance with section 34 of the *Local Government Act 1993*, public notice must be given of Council's intention to classify the land as operational land and allowing not less than 28 days for receipt of written submissions.

[www.legislation.nsw.gov.au/#/view/act/1993/30/chap6/part2/div1/sec34](http://www.legislation.nsw.gov.au/#/view/act/1993/30/chap6/part2/div1/sec34)

In accordance with section 31 of the *Local Government Act 1993*, Council may now resolve to classify the land as operational land to accommodate a water reservoir.

<https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030#sec.31>

**Policy**

Acquisition of Lot 1 DP 1264985, to accommodate the Nelligen Water Reservoir was in accordance with Council's Land Acquisition and Disposal Policy.

[Land-Acquisition-and-Disposal-Policy.](#)

**Asset**

The reservoir forms part of the infrastructure to provide a potable water supply for Nelligen village.

**Social Impact**

Part of the Integrated Water Cycle Management Strategy is to provide Nelligen with a supplementary potable water supply. The existing rainwater tanks may be then used for non-potable water uses such as toilet flushing or garden watering.

**Financial**

The NSW Government is providing \$3.5 million through the Safe and Secure Water Program, being 25% of the total project cost, which is approximately \$14 million. Council will contribute

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**PSR22/002 CLASSIFICATION OF LAND - NELLIGEN RESERVOIR**

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the remaining required funds from capital works funding. The cost of acquisition of the land required, formed part of the project costs.

**Community and Stakeholder Engagement**

In accordance with the provisions of the *Local Government Act 1993*, Council's intention to classify the land as operational land is required to be publicly notified and any submissions considered prior to making a decision. The notice was placed in the local newspaper and on Council's website, and public comment was received for a period of 28 days.

No submissions have been received.

**CONCLUSION**

The land acquired for the reservoir will be used for operational purposes and therefore it is appropriate for the land to be classified as operational land.

It is recommended that Lot 1 DP 1264985 be classified as operational land to accommodate the Nelligen Water Reservoir.



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**IR22/009 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2021-22**

**S030-T00018**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services  
Attachments: Nil  
Outcome: 7 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: 7.1.2.4 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 review. The main issues covered at the Eurobodalla Local Traffic Committee meeting, held 2 February 2022, are as follows:

- Signage and Line marking - Pedestrian Wombat Crossing on Kuppa Avenue, Malua Bay
- Signage and Line marking - 'No Stopping' on Clarke Street at Intersection of Azure Avenue, Broulee
- Special Event Application - Tilba Easter Festival 2022
- Special Event Application - Mogo Gravel Bike Ride, Mogo to Nelligen.

**RECOMMENDATION**

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 4 for 2021-22 be received and noted.
2. Council Plan No. 5156 Set BP Sheet 10 detailing the signage and line marking associated with the wombat crossings and accessible parking bays on Kuppa Avenue, Malua Bay be approved.
3. Council Plan No. 5156 Set BB Sheet 37 detailing the 'No Stopping' signage and line marking on Clarke Street at Intersection of Azure Avenue, Broulee be approved.

**BACKGROUND**

The Eurobodalla Local Traffic Committee Meeting No 5 for 2021-22 was held on 3 February 2022. The meeting was attended by Sergeant Angus Duncombe (NSW Police), Senior Constable Joel Matheson (NSW Police), Emma Pietruska (Transport for NSW), Andrew Gaudiosi (Transport for NSW), Danielle Brice (representative for the Local Member), Dave Hunter (Traffic Coordinator and Chair), Kate McDougall (Road Safety Officer) and Daniel Weekes (Maintenance Planning Officer).

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**IR22/009 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2021-22**

**S030-T00018**

**APOLOGIES**

Nil

**DEPUTATIONS**

Nil.

**MINUTES OF PREVIOUS MEETING**

The minutes of the Eurobodalla Local Traffic Committee Meeting No 4 for 2021-22 held on 2 December 2021 were confirmed and accepted.

**OUTSTANDING ITEMS FROM PREVIOUS MEETING**

Nil.

**ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION**

**2022.RT.012 Signage and Line marking – Pedestrian Wombat Crossing on Kuppa Avenue, Malua Bay**

The existing kerb blisters that allow pedestrians to cross Kuppa Avenue, between the shops and beach is proposed to be replaced with a marked Wombat Crossing. It is about half way along the cul-de-sac.

Kuppa Avenue is a 180 metre long cul-de-sac off George Bass Drive, servicing the Malua Bay shops, medium density accommodation and main beach.

No traffic counts have been taken within the road however it is known this road is very busy, particularly during summer holiday peaks and weekends.

The raised 'Wombat' crossing with zebra line marking giving pedestrians priority will improve pedestrian and general road safety in this busy cul-de-sac and parking area by slowing vehicles down.

Two accessible parking bays, one each side of the crossing on the south side are also proposed to ensure positive accessibility and ease of safe access to and from the reserve and nearby cafes and accommodation.

An additional accessible parking bay on the north side of Kuppa Avenue 50 metres west of the crossing will also be installed, adding further designated parking for people with a disability.

Council Plan No. 5156 Set BP Sheet 10 detailing the signage and line marking associated with the wombat crossings and accessible parking bays on Kuppa Avenue, Malua Bay was reviewed by the Committee.

**Recommendation:**

That Council Plan No. 5156 Set BP Sheet 10 detailing the signage and line marking associated with the wombat crossings and accessible parking bays on Kuppa Avenue, Malua Bay be approved.

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**IR22/009 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2021-22**

**S030-T00018**

**2022.RT.013 Signage and Line marking – ‘No Stopping’ on Clarke Street at Intersection of Azure Avenue, Broulee**

As part of the Broulee west subdivision, a new road has been constructed that links through to Clarke Street, Broulee (from the west).

Named Azure Avenue, this new 7.5 metre wide road intersects Clarke Street about 70 metres north of Broulee Road. Immediately north of the new intersection the road curves north east with a radius of about 45 metres. Clarke Street is 11 metres wide. The speed zone is 50km/h.

Council has received several concerns from nearby residents that the additional traffic from the Broulee west subdivision has resulted in this section of Clarke Street being less safe.

The Traffic Coordinator has designed the line marking at the intersection to provide a type BAR configuration, widening the south bound lane to allow through vehicles to pass vehicles turning right into Azure Avenue.

The north bound lane width will be narrowed to 3.8 metres between Broulee Road and Azure Avenue.

‘No Stopping’ signage and line marking will be installed around the intersection to cater for the BAR treatment.

Council Plan No. 5156 Set BB Sheet 37 detailing the ‘No Stopping’ signage and line marking on Clarke Street at Intersection of Azure Avenue, Broulee was reviewed by the Committee.

Recommendation:

That Council Plan No. 5156 Set BB Sheet 37 detailing the ‘No Stopping’ signage and line marking on Clarke Street at Intersection of Azure Avenue, Broulee be approved.

**INFORMAL ITEMS FOR DISCUSSION**

**2022.IN.004 Special Event Application — Tilba Easter Festival 2022**

A Traffic Management Plan has been received for the 2022 Tilba Easter Festival to be conducted at Central Tilba on Saturday 16 April.

The event is conducted by the Tilba Festival Committee (sub-committee of Tilba Chamber of Commerce) and consists of stalls and activities set up using the length of Bate Street in Central Tilba.

The Traffic Management and Control Plans are based upon measures put in place during previous years that were conducted successfully. The length of Bate Street through Central Tilba will be closed to traffic during the event.

A 2km length of Corkhill Drive between the villages of Central Tilba and Tilba Tilba will become one-way southbound. Two off-street parking areas will be provided off Corkhill Drive at Tilba Tilba oval and at Central Tilba near the Princes Highway. A shuttle bus will be provided to transport people between the parking areas and the event area on Bate Street.

The Traffic Management and Control Plans were reviewed by the Committee.

The Transport for NSW representatives advised that due to the impact on the Princes Highway, a separate Road Occupancy Licence will be required from TfNSW and that traffic control to the

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**IR22/009 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2021-22**

**S030-T00018**

Central Tilba car park should be undertaken in an efficient manner in order to ensure there is no queueing of traffic that may impact the Princes Highway.

Recommendation:

That the Traffic Management and Control Plans for the Tilba Easter Festival, to be conducted at Central Tilba on Saturday 16 April 2022 be approved.

**2022.IN.005 Special Event Application - Mogo Gravel Bike Ride, Mogo to Nelligen**

A Special Event Application and associated Traffic Management Plan has been received for the running of the Goodness Gravel Mogo bike ride on Saturday 7 May 2022.

This one day challenging event targeting intermediate and experienced cyclists will be run predominantly on medium to low volume unsealed public and forest roads in the rural hinterland west of Batemans Bay. It is not a race.

The shorter 75km event will start and finish at Mogo Oval which is located west of the Princes Highway with the turnaround area at Nelligen at the Wharf Street riverside park.

The longer 130km event will include the same route as 75km but will continue on from Nelligen in a loop through to Shallow Crossing to the north.

Apart from riding on gravel roads, the longer event will include the Kings Highway either side of Nelligen. On the Kings Highway between River Road to the west and Old Nelligen Road to the east, riders will navigate this 7km sealed section under the road rules.

At Wharf Street intersection with the Kings Highway an event official will ensure no large groups enter the highway and remind riders to proceed with caution and follow the road rules.

The Traffic Management and Control Plans were reviewed by the Committee.

The Transport for NSW representative advised a ROL is required as signs are proposed on the Kings Highway.

On the Kings Highway, some of the route is within the bridge rebuild work zone and the Committee advise that the organizer should contact the construction project team to ensure the event complies with construction traffic management.

Some roads in the event area may be closed due to recent flood damage and the organiser should contact Council's Works Engineer and Forestry Corporation NSW to determine if the proposed route is trafficable and adjust the route as necessary.

Recommendation:

That the Traffic Management Plan for the Mogo to Nelligen Goodness Gravel bike ride, to be conducted on Saturday 7 May 2022, predominantly on unsealed roads between Mogo and Shallow Crossing be approved.

**GENERAL BUSINESS**

The Committee thanked Danielle Brice, representative for the Hon Andrew Constance MP, for her role over the decades on the Committee.

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**IR22/009 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2021-22**

**S030-T00018**

**NEXT MEETING**

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 3 March 2022 in Council's Glass Meeting Room and via MS Teams commencing at 9am (dependent on COVID-19 protocol at that time).

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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

**S003-T00022**

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

Attachments: 1. Under Separate Cover - Draft Disability Inclusion Action Plan 2022-2025

Outcome: 9 Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.2 Implement effective governance

Operational Plan Link: 9.1.2.2 Assist the Council in meeting its statutory obligations and roles

**EXECUTIVE SUMMARY**

The purpose of this report is to recommend the public exhibition of the draft Disability Inclusion Action Plan 2022-2025 (DIAP) as provided in Attachment 1.

Council operates with legislative and social obligations to drive inclusion in our shire by removing barriers, so that people with disability have better life opportunities and can enjoy the full benefits of participation in our community.

The draft DIAP has been prepared with the Eurobodalla community to meet the requirements of *NSW Disability Inclusion Act 2014*. Council will meet these obligations by adopting this DIAP by 30 June 2022 for the four-year period 2022-2025.

A community engagement strategy was endorsed by Council at a formal briefing held on 21 September 2021, and community engagement occurred throughout November 2021.

During the initial engagement period, 110 people completed a community survey while a further 42 people participated in six online workshops.

The draft DIAP provides a profile of our community and summary of the engagement process along with a four-year plan of action for Council that reflects the opportunities identified by the Eurobodalla community. The DIAP contains 23 Actions and 58 Measures for 14 Council Services to deliver and report against.

The context for community engagement and the format of the action plan is framed around four key Outcome Areas listed below that are determined by the NSW Disability Inclusion Action Plan Guidelines. They are:

- Attitudes and behaviours
- Liveable communities
- Employment
- Systems and processes.

A snapshot of our community in 2021 shows that our community is growing and ageing with increased numbers of people with mobility, cognitive and sensory disabilities.

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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

**S003-T00022**

The methodology for publicising the draft DIAP and re-engaging with the community during the exhibition period is provided under the Community and Stakeholder Engagement section of this report.

All submissions received during the exhibition period will be registered and examined in the context of the process. The submissions received will be used to improve the draft DIAP in readiness for a follow up briefing and report to Council.

A confidential scan of all submissions along with a summary of submissions and DIAP amendments will be presented to Council at this time.

**RECOMMENDATION**

THAT:

1. In accordance with Division 3, Section 12 of the *NSW Disability Inclusion Act 2014* and consistent with Part 3, Section 160 of the *NSW Local Government Act 1993*, the Draft Disability Inclusion Action Plan 2022-2025 be endorsed by Council for a 28 day period of public exhibition from 16 March 2022, with a public notice specifying a period of 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council;
2. A further report, detailing the results of the public exhibition period, any submissions received, recommendations for improvements and a final draft DIAP will be presented to Council at the conclusion of the exhibition period.

**BACKGROUND**

Council has a long history of improving access, with the first Disability Advisory Committee formed in 1997 and three Disability Action Plans developed, adopted and implemented (2006-2011, 2012-2017 and 2017-2021).

Since 1997 there have been a range of infrastructure improvements, such as accessible community facilities, bus shelters and pathways, as well as inclusive events, programs and services for people with disability. Accessible digital platforms, including websites, have been implemented, to ensure that a wider range of people can access Council information.

**PAST ACHIEVEMENTS**

The following is a summary of activities and actions achieved by Council under each outcome area as a result of its 2017-2021 Disability Inclusion Action Plan.

**2017-2021 achievements - Attitudes and behaviours**

Mental health awareness training

- Mental health awareness training programs have been widely promoted to various community groups and have been well attended.
- Undertook an interim role in the distribution of mental health awareness information across the Eurobodalla Mental Health Network.
- Co-hosted the Eurobodalla Mental Health Forum with Resilience NSW and NSW Health where 60 delegates participated in a review and advancement of mental health practices including Mental Health Awareness.

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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

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- Conducted Mental Health First Aid workshops for arts workers, artists and volunteers from a variety of programs including the Volunteers for Bushfire Recovery Program.

Conduct inclusion and disability awareness raising events

- Council annually celebrates International Day of People with Disability and participates in advocacy activities and partnerships with disability agencies and networks.
- The Eurobodalla Botanic Gardens facilities and café have been promoted and utilised as accessible venues for bushfire recovery and disability support groups, the annual performance of Shakespeare and a book fair.
- Planning for inclusion and disability awareness raising events in 2021-22 is occurring in conjunction with Friends of the Gardens and Council's Creative Arts Services within the scope of bushfire recovery works and the pandemic.

Seek to recruit a young person with a disability to the Youth Committee

- Young people with disabilities are encouraged to join the Youth Committee. One person with a disability sat on the Youth Committee in 2020 with nominations now being sought from local high schools to fill the vacancy in the new term of Council.

Deliver a campaign promoting inclusive practices to business, recreation and community groups

- In a collaboration with the Disability Inclusion Advisory Committee, a range of new resources, including the 'Accessible and Inclusive Eurobodalla' webpage and hard copy flyers, have been developed and distributed to enable businesses, sporting groups and community organisations to improve access and inclusion. The resource includes a self-assessment checklist for organisations to audit the accessibility of their services and premises.
- A meeting of local Business Chambers and the NSW Business Chamber in March 2021 acknowledged the need for local Chambers to take a more active role in the coordination of future Business Access Awards.

Creative arts

- Creative Arts Services has collaborated with strategic partners to promote inclusion and community access events and programs. Involved - River of Art, National Museum of Australia, South East Arts, Music NSW and Outlandish Arts.

**2017-2021 achievements - Liveable communities**

Promote community facilities and halls with a hearing loop

- Community halls and libraries with hearing loops are promoted through on-site signage and via Council's website, which identifies the designated facilities.

Investigate and respond to access issues identified by the community as a customer service request

- All reported access issues identified in Council's correspondence system are investigated and responded to. For example, as a result of input from the community, beach access



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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

**S003-T00022**

and signage has been installed at South Rosedale and access improvements have been recommended for public toilets and mobility parking.

Undertake access audits and upgrades to meet accessibility standards, including in public transport

- All new Council facilities are designed to meet accessibility standards. Community facilities that do not meet accessibility standards are prioritised and progressively upgraded as budgets allow.
- A detailed audit of beach access has been prepared which identifies and prioritises current and suitable future beach accessibility options for future funding.

Increase participation by youth with disability in workshops for instructing learner drivers

- Of the 32 young people involved in the YDrive Learner Driver Program, seven are registered as having disabilities.

Raise the proportion of people with disability who volunteer in the community from 38% to 45% by 2021

- One young person with a disability attended the youth climate resilience forum in June 2021, and two people with vision impairment volunteered at the all-age music event in youth week 2021.
- A new grant funded volunteer coordinator has been appointed for 18 months to support bushfire impacted residents. Of the 20 volunteers recruited, one person is registered as having a disability.

Develop, resource and promote inclusive and accessible Youth Week activities

- All Youth Week marketing material developed is accessible and inclusive with online information accessible to screen reader software. Radio interviews, social media and commercial advertising is used to ensure that Youth Week events are publicised.

Work with schools to support children with disabilities

- Eurobodalla primary schools report that volunteering remains strong in reading programs from K-6.
- Children's Services continues to provide volunteers and links with professional agencies to support children with disability in school, at preschool, Family Day Care and Before and After School and Vacation Care Programs.
- The 3Bs playgroups, including the 'Start Strong' Multicultural Playgroup, has built positive supportive relationships with families and provides diagnostic and logistical support to families in partnership with Muddy Puddles. This assists children with disability to enter early education, specialist care and transition to school programs.
- The Embracing Participation and Embracing Babies Programs support families with babies with socialisation and understanding of child development.

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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

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**2017-2021 achievements - Employment**

Investigate the merits of event(s) that promote good access and inclusion

- Council's Economic Development Services in collaboration with the Disability Inclusion Advisory Committee, developed the 'Accessible and Inclusive Eurobodalla' webpage and resources to be more reflective of contemporary considerations to create improved access and inclusion. New resources were sent to local chambers of commerce and featured in a business newsletter with subscriptions numbering 1,240 recipients. As a result of this campaign, seven businesses sought additional direct support.

Support the annual intake of local youth with disabilities through work experience

- Council's Job Shop Employment Project assisted young people with disability to access vocational training, work readiness and employment.

**2017-2021 achievements - Systems and processes**

Review library systems and processes to ensure access compliance

- Council conducted a review of library systems and processes which led to the development of a Library Action Plan and improved compliance with State Library benchmarks.

Ensure Council's website is compliant to Level A or better of the Web Content Accessibility Guidelines (WCAG)

- Council has invested in enterprise website technology for its corporate and business websites that incorporates accessibility features. All content is reviewed prior to publication to ensure WCAG 2.0 and Plain English writing guidelines are met.
- Council's electronic newsletter platform supports WCAG 2.0 features, and all content is reviewed prior to publication to ensure guidelines are met.
- Accessibility guides and resources are available for staff on Council's intranet.
- Livestreaming of Council meetings began in 2015-16, allowing anyone to watch the Council meeting from their computer or device either live or via recording.

**CONSIDERATIONS**

The DIAP includes information on the legislative framework, detailed community engagement feedback, local demographic and health data on disability and a four-year Action Plan.

The DIAP delivers practical steps that Council will take to break down barriers and promote better access to services, facilities, information and employment and to promote the rights of people with disability.

Council has used this DIAP the following four Outcome Areas derived from the *NSW Disability Inclusion Act 2014*.

- **Attitudes and behaviours** of the general community towards people with disability have been described as the single greatest barrier to full access and inclusion

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- **Liveable communities** focus our attention and resources on the elements of community life that most people desire
- **Employment** contributes to feelings of self-worth, social interaction and mental health, and increases opportunities to support individual choice and control
- **Systems and processes** required to access services and the lack of accessible options for communication, information or providing input can be a common issue for people with disability.

The Action Plan will be monitored as part of Integrated Planning and Reporting (IPR) Framework and measures of success reported in Council's Annual Report.

An overview of the DIAP development process is provided in Figure 1.

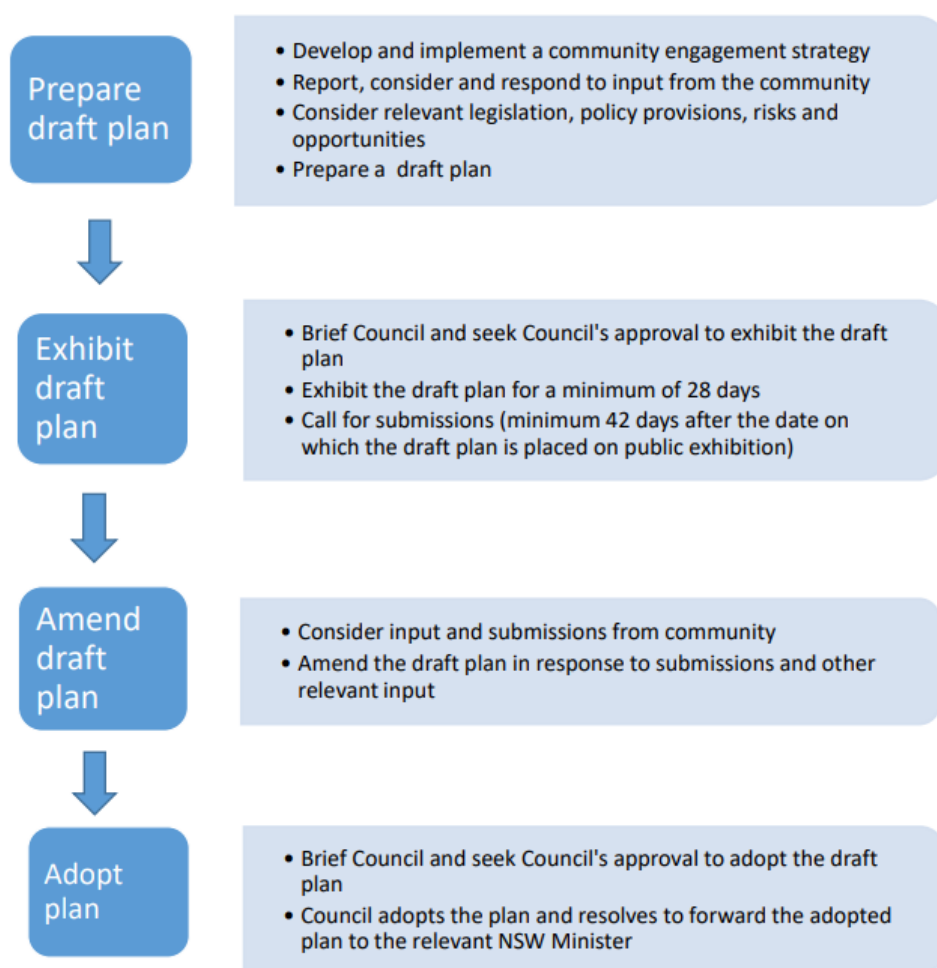


Figure 1 - DIAP development process

### Legal

In accordance with Division 3, Section 12 of the *NSW Disability Inclusion Act 2014*, Council is required to set out and meet the following requirements in the form of a disability inclusion action plan.

- (1) Each public authority must, from the day prescribed by the regulations, have a plan (a **disability inclusion action plan**) setting out the measures it intends to put in place (in

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connection with the exercise of its functions) so that people with disability can access general supports and services available in the community, and can participate fully in the community.

- (2) In preparing its disability inclusion action plan, a public authority:
- (a) must consult with people with disability and have regard to any guidelines issued under section 9, and
  - (b) may consult with individuals or other entities the authority considers appropriate, including the Disability Council.
- (3) A disability inclusion action plan must:
- (a) specify how the public authority proposes to have regard to the disability principles in its dealings with matters relating to people with disability, and
  - (b) include strategies to support people with disability, including, for example, strategies about the following:
    - (i) providing access to buildings, events and facilities,
    - (ii) providing access to information,
    - (iii) accommodating the specific needs of people with disability,
    - (iv) supporting employment of people with disability,
    - (v) encouraging and creating opportunities for people with disability to access the full range of services and activities available in the community, and
  - (c) include details of the authority's consultation about the plan with people with disability, and
  - (d) explain how the plan supports the goals of the State Disability Inclusion Plan, and
  - (e) include any other matters prescribed by the regulations.

The specified recommendation for a 28-day period of public exhibition and 42 days during which submissions may be made to Council, is consistent with Part 3, Section 160 of the *NSW Local Government Act 1993*.

### **Policy**

The DIAP 2022-2025 aligns with the IPR Framework, with DIAP Actions linked to Council's Delivery Program Strategies and Operational Plan Actions. While the DIAP is a stand-alone document with a clear focus on improving access and inclusion, it also contributes to the IPR Framework for monitoring and reporting.

### **Disability Inclusion Advisory Committee**

Council has facilitated a Disability Inclusion Advisory Committee (DIAC) on a four-year cycle, aligned with the term of Council, to design, develop and monitor Disability Inclusion Action Plans.

The DIAC has traditionally been made up of community members who have met at least four times each year, with a Councillor Chairperson, to provide advice to Council on all areas relevant to people with disability.

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The DIAC has provided strategic, expert and impartial advice on the development, implementation, and review of Council's policies, strategies and plans to advance the inclusion of people with disability. The committee has also advised Council on ways to enhance inclusion and accessibility of public facilities, events, services, systems and information.

Subject to Council's priorities and a review of its Terms of Reference, a new DIAC has the capacity to support Council to identify issues and opportunities that are relevant to people with disability and to contribute to the strategic and practical development of accessible community infrastructure and inclusive services.

### **Social Impact**

A snapshot of our community in 2021 shows that the Eurobodalla community is growing and ageing with increased numbers of people with mobility, cognitive and sensory disabilities.

The statistics provided below<sup>1</sup> are based on a total population estimate in 2021 of 39,757.

- 12,100 people or 30.4% of residents are aged 65+
- 11,460 people or 28.8% of all residents have a disability
  - 3,000 people or 7.6 % of residents have a profound or severe disability including 1,350 people with dementia
  - 7.7% of residents need assistance due to disability (9.1% for the Eurobodalla Aboriginal population)
- 11.7% of all children are considered as being developmentally vulnerable
- 13.4% of residents provide unpaid assistance for a person with a disability (17% for the Eurobodalla Aboriginal population)
- 14.9% of residents are employed in health care and social assistance.

The DIAP provides an opportunity for Council to work with the community, businesses, and not-for-profit groups to improve access and inclusion.

The initial engagement process was designed to seek greater understanding of the lived experience of people with disability, the challenges, opportunities and barriers experienced, as well as possible solutions and ideas for improvement.

The next period of public engagement provides the community with an opportunity to comment on Council's response to the initial engagement and offer suggestions to improve the draft DIAP.

### **Economic Development Employment Potential**

The online workshops with businesses, allied health professionals and not-for-profit groups afforded opportunities for Council to identify specific and targeted solutions in partnership.

For example, the delivery of the 'Good Access Means Good Business' Program by Council was mentioned as a positive ongoing initiative on more than ten occasions during the consultation period.

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<sup>1</sup> Statistics derived from profile.id (ABS), COORDINARE - South Eastern NSW PHN, and Dementia Australia

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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

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In terms of employment potential, the intent of the following two statements were mentioned on more than ten occasions during the consultation period.

- Set a target to increase the proportion of Council employees with disability
- Encourage, incentivise and support businesses to employ and mentor people with disability.

**Financial**

A budget of approximately \$30,000 was allocated in the 2021-22 financial year to undertake the review, community consultation and writing of the DIAP.

The delivery of projects, services and capital items in the DIAP is budgeted for in the Delivery Program and Operational Plans (DPOP). Where indicated in the DIAP, the delivery of some projects is dependent upon the acquisition of external grant funding.

**Community and Stakeholder Engagement**

The initial community engagement period ran throughout November 2021 in line with a communication strategy that was developed in consultation with Council's Disability Inclusion Advisory Committee and Council's Communications Team. The strategy was endorsed by Council at a formal briefing held on 21 September 2021.

For the drafting of the DIAP, Council used the following methods of engagement to inform the community about its purpose and objectives and to seek community input.

- Briefings with the Disability Inclusion Advisory Committee on 31 August and 15 September 2021
- Council briefing on 21 September 2021
- Council Noticeboard Page in the local press
- Council News released on 25 November 2021
- Council's website banner and dedicated engagement page with survey link
- Media Release
- Two Facebook social media posts
- Written notices sent via email to 371 individuals and groups listed in the Community Directory, as well as Council Advisory Committees, business groups, disability support agencies and allied health professionals
- Telephone conversations with 23 residents and external service providers during the November consultation period.

Community survey methodology

The content of a draft community survey was workshopped and refined with the help of the Disability Inclusion Advisory Committee.

The survey was open to the public online via Council's website and Survey Monkey from 3-30 November 2021 and 110 surveys were completed in full.

In publicising the survey, social media posts accompanied a media release with embedded link to the online survey.

Direct email distribution of the survey link was sent to the follow groups:

- disability support organisations such as NDIS Providers with a request that they share the survey with people who they support, NDIS participants and carers

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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

**S003-T00022**

- businesses and business support organisations
- arts, sports, recreation and community groups
- additional groups and individuals who accessed the survey via Council's website and other channels such as media and social media broadcasts.

A report on the community survey results is provided on pages 23-30 of the draft DIAP, while the key take outs from open engagement are provided below and represent a combination of open responses from the community survey and conversations within the community workshops. The results are listed in priority order for each of the four key Outcome Areas.

Attitudes and behaviours

- Deliver disability awareness raising strategies. This action will help the community and businesses to be more aware of and confident when interacting with people with disability including people with low vision, hidden disabilities and mental ill health. Awareness raising resources need to be engaging and bite sized to attract community interest and ownership. Engage, train and support people with disability to be guest presenters
- Be proactive in promoting all the great things that Eurobodalla does, including Council, to improve access and inclusion for people with disability. Include visitor experiences and accommodation
- Identify, prioritise and address specific issues that impact people with disability and carers
- Images of people with a variety of disabilities appear more frequently in Council's literature and website
- Continue to update and deliver the 'Good Access Means Good Business' Program
- Conduct frequent consultation with people with disability to identify new issues and opportunities.

Liveable communities

- Increase the footpath and cycleway network to ensure connection between residential areas, public areas and services
- Improve physical access to the water and to public amenities at key beaches across the shire
- Involve people with disability to assist with access audits that lead to relevant repairs or modifications to public infrastructure at key locations and events
- Advocate for more flexible and accessible public transport
- Work with event organisers to maximise accessibility and inclusion for patrons with disability.

Employment

- Set a target to increase the proportion of Council employees with disability
- Encourage, incentivise and support businesses to employ and mentor people with disability.

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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

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Systems and processes

- Centralise information on Council's website and information kiosks about accessible facilities, venues and accommodation in Eurobodalla
- Improve accessibility and usability of Council's website
- Communications will include more visual cues and less complex language. The use of social media is supported
- Conduct a benchmarking exercise to identify areas where Council can improve policy, practices and service delivery to people with disability
- Continue to use and expand online platforms to conduct general business, hold meetings and consult people with disability and their carers.

**Methods of engagement proposed for the public exhibition period**

The methodology for publicising the draft DIAP and engaging with the community will be as follows.

- Re-engage with the mailing list of 371 individuals and groups by sending a link to the draft DIAP and invitation to comment
- Place additional emphasis on engagement with cohorts that were silent in the initial round of engagement such as schools and aged care
- Dedicated page of Council's website
- Media release promoting the DIAP exhibition and submission process
- Social media
- Noticeboard
- Council News (subject to timing of the next edition)
- Other newsletters such as Council's Business Newsletter and Library News
- Undertake online community workshop/s.
- Hard copies of the draft DIAP will be placed in Libraries for the exhibition period.

All submissions will be registered and examined in the context of the process. The submissions received will be used to improve the draft DIAP in readiness for a follow up briefing and report to Council in June 2022.

A confidential scan of all submissions along with a summary of all submissions and DIAP amendments will be presented to Council at this time.

**CONCLUSION**

The purpose of this report is to recommend the public exhibition of the draft Disability Inclusion Action Plan 2022-2025 (DIAP) as provided in Attachment 1.

Council operates with legislative and social obligations to drive inclusion in our shire by removing barriers, so that people with disability have better life opportunities and can enjoy the full benefits of participation in our community.

The Draft Disability Inclusion Action Plan (DIAP) was prepared with the Eurobodalla community to meet the requirements of NSW Disability Inclusion Act 2014. Council will meet these obligations by adopting this DIAP by 30 June 2022 for the four-year period 2022-2025.



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**CAR22/003 DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2025**

**S003-T00022**

During the DIAP initial community engagement period in November 2021, 110 people completed a community survey while a further 42 people participated in six online workshops.

The context for community engagement and the format of the draft action plan is framed around four key Outcome Areas listed below that are determined by the NSW Disability Inclusion Action Plan Guidelines.

- Attitudes and behaviours
- Liveable communities
- Employment
- Systems and processes.

Council is required to exhibit the draft DIAP for a period of 28 days and receive submissions for a further 14 days. During this time, a range of methods of engagement will be used to publicise the draft DIAP and to encourage feedback and submissions from the community.

This report recommends that the exhibition period begins on 16 March 2022 and that a further report be presented to Council at the conclusion of the exhibition period. This report will detail the results of the public exhibition, and any submissions received, plus recommendations to improve the final DIAP prior to adoption.

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**CAR22/004 HEALTHY COMMUNITIES, RECOVERY, SENIORS WEEK,  
YOUTH AND NAIDOC GRANTS**

**S003 T00026; S003  
T00045; S003 T00040**

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

Attachments: 1. Confidential - Healthy Communities Recovery Youth NAIDOC and Seniors Week Grants Confidential attachment

Outcome: 1 Strong Communities, Desirable Lifestyle

Focus Area: 1.3 Encourage and enable healthy lifestyle choices

Delivery Program Link: 1.3.1 Activate and motivate our community to embrace healthy lifestyles

Operational Plan Link: 1.3.1.2 Coordinate Healthy Communities and Seniors Week grants

**EXECUTIVE SUMMARY**

In this report information will be provided about the 2022 Healthy Communities, Recovery, Seniors Week, Youth and NAIDOC Grants that Council provides to the community each year.

The total grant pool is \$33,792 and the recommended grants total \$33,788.91.

The total amount available for the Healthy Communities, Recovery and Seniors week grants in the 2021-22 financial year is \$23,219. This grant pool received an additional \$10,000 from bushfire recovery funds, in 2021-22, as approved at the 8 September 2020 Council meeting.

Youth grants have \$5,322 and NAIDOC grants have \$5,251 available in 2021-22.

The purpose of the grants is to build the capacity of our community to run activities and programs, to build connections and develop resources that improve health and wellbeing and assist the community to recover from the bush fires.

The report covers the grants process including guidelines, applications and the review panel, and the panel recommendations.

**RECOMMENDATION**

THAT Council approve the recommendations detailed in the confidential attachment, awarding Healthy Communities, Recovery, Seniors Week, Youth and NAIDOC grants to 38 local groups/organisations for the 2021-22 financial year.

**BACKGROUND**

Healthy Communities, Recovery, Seniors Week, Youth and NAIDOC grants are awarded annually to eligible community groups, not for profit organisations, and youth services to build relationships and community connections, to improve health, well-being and participation.

Grants are generally to the value of \$500 however eligible not-for-profit community groups can apply for bushfire recovery and healthy communities projects of \$500 to \$2,000.

The Healthy Community, Recovery, Seniors Week, Youth and NAIDOC grants have been promoted extensively to community and recreational groups, volunteer organisations, and incorporated and non-incorporated groups in Eurobodalla, resulting in a high level of interest this year.

**CAR22/004 HEALTHY COMMUNITIES, RECOVERY, SENIORS  
WEEK, YOUTH AND NAIDOC GRANTS**

**S003 T00026; S003  
T00045; S003 T00040**

**CONSIDERATIONS**

**Grant Guidelines**

*To be eligible to apply for a Healthy Communities, Recovery, Seniors Week, Youth and NAIDOC grant a group must:*

- be not-for-profit and either incorporated or able to prove that they are a bona fide Eurobodalla based community group or a service with the primary objective of supporting young people.
- contribute some financial support or volunteer labor to the activity
- show adequate insurance coverage for the activity
- not have any outstanding debts owed to Council
- consider environmentally friendly options and resources.

*Groups must use the grants to achieve one or more of the following outcomes in the local community with certain outcomes pertaining to the specific grant categories:*

- Make a positive contribution to the community.
- Encourage people in Eurobodalla to be healthy and active.
- Celebrate cultural diversity and inclusion.
- Provide opportunities for volunteering and/or social interaction.
- Improve access to information, a service, or a facility.
- Improve community safety.
- Improve access and/or encourage people with disability to participate.
- Teach or develops a new skill.
- Help the community in bushfire/disaster recovery.
- Celebrates older people and their contribution to the community.
- Creates intergenerational opportunities for social interaction.
- Encourages lifelong learning.
- Promotes and celebrates the cultural diversity of older people in our community.
- Raises community awareness of the benefits of positive and active ageing
- Encourages people in the wider community to be socially engaged with young people
- Provides an opportunity for young people to be engaged in an educational, cultural or personal growth and development activity
- Builds the capacity of young people through leadership and training opportunities
- Develops employment and training pathway opportunities for young people to work
- Supports young peoples mental health and well being
- Builds and celebrates the resilience of young people
- Promotes inclusivity of people from diverse backgrounds
- Encourages people in the wider community to celebrate and participate in NAIDOC week activities
- Promotes and understanding of NAIDOC
- Develops original, creative projects or initiatives which encourage the community to learn about, reflect upon and acknowledge the unique contribution of Australia's Aboriginal and Torres Strait Islander people.
- Develops partnerships with the Aboriginal community and/or Aboriginal organisations.

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**CAR22/004 HEALTHY COMMUNITIES, RECOVERY, SENIORS  
WEEK, YOUTH AND NAIDOC GRANTS**

**S003 T00026; S003  
T00045; S003 T00040**

- Provides an opportunity for Aboriginal people to celebrate and promote their history and culture.

*Some of examples of costs the grant can be put towards include:*

- hiring or purchasing a new piece of equipment
- promotion of an event or an activity
- running an event or activity
- training staff
- Celebrating Seniors Week, NAIDOC Week or Youth Week.

### **Applications And Review**

A total of 43 applications were received by the closing date of 19 January 2022.

A review panel made up of a community member; a Councillor and the Director, Community Arts and Recreation assessed applications against the guidelines.

Of the total applications, 38 applications were assessed as meeting the requirements. Some grants were recommended to be funded under an alternate grant program to ensure equitable allocation and enable all projects to be supported.

The review panel recommended that all 38 applications are allocated a grant up to \$2,000. The specific grant amounts recommended range from \$250 to \$2,000, and include some partial, full and additional funding recommendations, with explanatory comments where appropriate.

The panel recommendations for funding under the Healthy Communities, Recovery, Seniors Week, Youth and NAIDOC Grants during 2021-22 are included in a confidential attachment to this report.

### **Social Impact**

The 2019-20 Black Summer bush fires had a devastating impact on our community, with many people, businesses and community groups still coming to terms with the disaster and looking for support to rebuild. This is a long slow process and evidence from other bush fire affected areas has emphasized that disasters are about people and that responding to disaster – pre, during and post impact – is about managing and supporting people. The healthy communities, recovery and seniors week grants provide our community with funds to create self-directed programs and activities which help rebuild and connect our community.

Eurobodalla Shire Council is committed to acknowledging, respecting, and working with the traditional custodians of the land. Reinforcing relationships between Council and Aboriginal people is an important step to building community strength and resilience in Eurobodalla. Building healthy relationships through open communication and the provision of opportunities will reinforce our commitment to remove the barriers that prevent Aboriginal people from participating in the same opportunities as non-Aboriginal people.

Eurobodalla has a higher percentage of Aboriginal people living in the community compared to the state average. Annual NAIDOC week activities and celebrations are an important cultural event on the Aboriginal and Torres Strait Islander calendar and promote understanding and

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**CAR22/004 HEALTHY COMMUNITIES, RECOVERY, SENIORS  
WEEK, YOUTH AND NAIDOC GRANTS**

**S003 T00026; S003  
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acceptance in the wider community of the unique place First Nation's people occupy in our cultural landscape.

Council also recognises that young people are an integral part of our community. Our youth provide energy, vitality, creativity, and optimism which are essential elements of community wellbeing. Many of our youth leave the area to pursue careers and study interests once they finish school, but a determining factor for young people deciding to return is the contribution they perceive they can make to their communities.

Councils NAIDOC week and Youth grants demonstrate a commitment from Council to support and promote Aboriginal cultural activities and improve opportunities and services for young people.

**Financial**

In 2021- 2022 an annual budget of \$5,251 was provided for NAIDOC week grants to support the activities of community groups, schools and/or non-profit organisations in celebrating NAIDOC Week. The combined total of NAIDOC applications recommended by the subcommittee for funding is \$4,200.

The 2021- 2022 annual budget of \$5,322 was provided for Youth grants to support for education, connection, support, leadership, and employment opportunities for young people. The combined total of Youth applications recommended by the subcommittee for funding is \$5,050.

The total amount available for the Healthy Communities, Recovery and Seniors week grants in the 2021-22 financial year is \$23,219. This grant pool received an additional \$10,000 from bushfire recovery funds, in 2021-22, as approved at the 8 September 2020 Council meeting.

The combined total of applications recommended by the subcommittee for funding is \$24,538.91. The additional \$1,319.91 allocated is obtained from unspent grant funding from the Youth and NAIDOC grants.

**Community and Stakeholder Engagement**

The grants opened on 1 December 2021 and closed on 19 January 2022 by advertising them on Council's website, online news, posting on Council's Facebook and Twitter and on Council's noticeboard page in local newspapers and distributing a media release.

The Healthy Communities, Recovery, Seniors Week, Youth and NAIDOC Grants were promoted extensively to community and recreational groups, volunteer organisations, incorporated and non incorporated groups, and youth services in Eurobodalla, via direct email contacts and phone calls resulting in high level of engagement.

**CONCLUSION**

The Healthy Communities, Recovery, Seniors Week, Youth and NAIDOC Grants provide the opportunity to support local not for profit community groups, organisations, and youth services strengthening their capacity to promote health and wellbeing, increase community participation in a range of activities, and to support disaster recovery and community renewal.

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## 15. DEALING WITH MATTERS IN CLOSED SESSION

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

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

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

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

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## EUROBODALLA SHIRE COUNCIL

### ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

#### A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

#### ETHICAL DECISION MAKING

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

#### CONFLICT OF INTEREST

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

#### THE TEST FOR CONFLICT OF INTEREST

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

#### IDENTIFYING PROBLEMS

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

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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.