



AGENDA

Ordinary Meeting of Council

13 September 2022

Statement of Ethical Obligations

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

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

ON TUESDAY 13 SEPTEMBER 2022

COMMENCING AT 12.30PM

AGENDA

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

1. WELCOME

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES

Nil

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Ordinary Meeting held on 23 August 2022

4.2 Extraordinary Meeting held on 5 September 2022

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

(Declarations also to be made prior to discussions on each item)

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Nil

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**DR CATHERINE DALE
GENERAL MANAGER**

NOM22/014 RESPONSES FROM MINISTERS TO THE MAYOR

S012-T00026

Responsible Officer: Alison Worthington - Councillor

Attachments: Nil

Councillor Alison Worthington has given notice that at the Ordinary Meeting of Council on 13 September 2022, she will move the following motion.

MOTION

THAT Council publishes/tables all responses from Ministers and state and federal government agencies to advocacy letters from council in the business papers of the next available council meeting.

BACKGROUND

Council has resolved to write to various state and federal ministers on points of advocacy for our shire and to date has not brought the responses back to the council chamber or published the responses to make them available to the public.

In the interests of transparency and in follow up to such advocacy, it is preferred that these responses be made public.

**NOM22/015 SALE OF CROWN ROAD RESERVE ADJACENT LOT 6 DP 1171646 TURNBULLS LANE
MORUYA**

S012-T00026

Responsible Officer: Alison Worthington - Councillor

Attachments: 1. Administration of Crown Roads Policy

Councillor Alison Worthington has given notice that at the Ordinary Meeting of Council on 13 September 2022, she will move the following motion.

MOTION

THAT:

1. Council advise Crown Lands that it withdraws previously stated support for the sale of the Road Reserve W633092 into private ownership.
2. Council staff prepare a report to councillors exploring options for the land to be transferred to Council management for the use of open space and recreation, and as an active transport connection for South Moruya residents, including the future residents of the 96-lot residential development of Lot 6 DP 1171646.

BACKGROUND

In May 2022, Swan Ridge Place residents received a Crown Lands NSW issued notice of a purchase application for the Crown Road Reserve identified as W633778. The road reserve lies between the western boundary of properties on Swan Ridge Place and Lot 6 Turnbolls Lane, for which Council approved a 96 lot residential subdivision (DA0632/20) in February 2022.

Previously, in 2019 Crown Lands notified nearby residents of a proposal to close the road reserve. Residents of Swan Ridge Place made submissions objecting to closure of the road reserve and provided Expressions of Interest for the purchase of the reserve.

In August 2020, Crown Lands issued residents with a letter stating that the Minister's delegate assessed a purchase application in 2020 and decided the purchase would not proceed and that the land would be retained as Crown Land.

Council staff have encouraged the owner of Lot 6, in applications to Crown Lands, for purchase of the Road Reserve. Council staff advise this has been done to ensure better urban design outcomes.

The owner of Lot 6, since receiving the development consent, has made a new application (the current application) to purchase the Crown Road Reserve.

Swan Ridge Place resident, Juliet Ramsay, presented to Council at Public Access on 2nd August 2022 regarding this matter. Councillors heard then that residents of Swan Ridge Place have managed the reserve behind their homes for several years including mowing, weeding, grass cutting, removal of rubbish and allowing for occasional access. They have seen no management activity undertaken on the land by Council, Crown Land or the owner of Lot 6 in that time.

Juliet and her neighbours requested that Council supports their request for the road reserve to stay as open recreation space that can enhance the existing neighbourhood and in particular the new neighbourhood that will inhabit Lot 6.

In 2022, with urban expansion and numerous housing developments underway across our Shire at a pace not seen for some decades, there is an expectation that Council should reassess the

**NOM22/015 SALE OF CROWN ROAD RESERVE ADJACENT LOT 6 DP 1171646 S012-T00026
TURNBULLS LANE MORUYA**

planning approach to retention of open space around housing areas. In this situation, the 2018 ROSS may not reflect current attitudes around open space management. The expansion of urban development to the South of Moruya is welcomed as adding housing supply to our local housing market.

The retention of this reserve as open space does not impact on the approval for the development of the 96 lots on Lot 6. The Crown Road Reserve in question provides an opportunity for the Moruya community to retain a 26 metres-wide by 210 metres-long open space nearby to a soon to be developed housing estate.

From Juliet's presentation on 2nd August:

"Residents on the east of the reserve, who have been managing the land for over 5 years, believe the land is a significant green buffer with some important trees and wildlife. It is a valuable open space for the local environment and would provide an alternate walking and recreation space for the people who currently use Turnbulls Lane as well as the residents yet to make their homes in the 96 lots of the Lot 6 housing development."

GENERAL MANAGER'S RESPONSE

There are three key matters relating to the potential closure of the road reserve for consideration that should be elaborated on in response to this Notice of Motion. These are:

- The assessment of Development Application 0632/20 – 96 lot residential subdivision
- The need for more public open space in South Moruya
- The initial and ongoing cost of potential purchasing costs and maintaining the land

Development Application 0632/20 – 96 lot residential subdivision

During the assessment of DA 0632/20, it became apparent that there was a Crown Road Reserve between the subject site and adjoining residential lots. The original subdivision pattern was provided for lots running along this road reserve and then a proposed new road to the west. It is considered that there was little economic or practical reasons for land to be provided with two road frontages. Equally importantly, it is a better urban design outcome for the Crown Road Reserve to be incorporated into the adjoining resident subdivision. There were also other reasons that were considered as outlined below.

Council staff did encourage the applicant of the subdivision to liaise with Crown Lands NSW with a view to the road reserve being closed and incorporated into the subdivision. From a planning perspective, it is not good design when considering a subdivision proposal and the associated road network and open space requirements, to leave an adjacent parcel of land between an existing residential neighbourhood and a proposed residential neighbourhood, isolated and unplanned.

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The improved urban design outcomes that are likely to derive from the Crown Road being incorporated into the subdivision include:

- More houses delivered for local residents, which is in urgent need
- Increased, planned areas of green space within the subdivision
- More efficient uses of existing infrastructure eg., water, sewer and roads
- Removal of an unplanned corridor at the rear of a number of properties which may reduce the risk of crime, rubbish dumping and other antisocial behaviours.

Council was advised prior to the determination of the development application that Crown Lands was not going to pursue the road closure and that the land would be left in abeyance. This was a poor outcome and so Council staff again wrote to Crown Lands asking that the matter be reviewed. Council received categoric advice that the road closure application had been terminated and would not be re-opened.

Given the above advice, Council then proceeded to finalise its assessment and determine the application based upon the Crown Road Reserve not being utilised and left as undeveloped land.

Council's Recreation and Open Space Strategy (ROSS)

Council's Recreation and Open Space Strategy (ROSS) was adopted in 2018. The ROSS includes a definition of open space and recreation, strategic directions, an open space classification framework and hierarchy, as well as a comprehensive assessment of existing provision and future needs by area, including Moruya.

The Urban Moruya and Moruya Heads area has a current open space supply of 139ha, with recreation and sports parks accounting for 37% of the open space network. This includes recreation parks (25.77ha), sports parks (25.83ha), bushland reserves (83.26ha). Further, Actions from the ROSS since adoption have included the upgrade of Gundry sporting facilities, an expanded and accessible playground and new amenities.

The ROSS states that open space needs to be assessed in terms of its existing and likely future function (Classification) and its role and hierarchy within that function. Appropriately planned, developed and managed open space provides numerous opportunities to improve health and wellbeing. However, the proposal to retain or purchase Road Reserve W633092 to be used as open space is not based on recreation planning considerations, and is not recommended, for the following reasons:

- It has not been assessed in relation to the wider open space and recreation network, the needs of the broader community and how open space at this particular location is a good 'fit'
- the benefits and proposed uses of the land as open space have not been explored to support purchase or acquisition by Council
- the proposal does not take into account open space located in close proximity, or consider why this would be the most appropriate location for open space within the 96 lot residential subdivision (DA0632/20) housing development, approved in February 2022.

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TURNBULLS LANE MORUYA**

Conclusion

It is therefore recommended that the unformed Crown Road Reserve behind the properties on Swan Ridge Place be closed and potentially purchased by the developer. This would provide a more integrated and improved planning outcome and would optimise the use of available land and the supporting public infrastructure.

When considering the assessment of any application for a new or modified subdivision for lot 6 DP1171646 that includes the proposed crown road closure, Council could resolve that Council staff should require additional open space as part of the assessment of any application.

It is proposed that Council continue discussions with Crown Lands NSW to try and facilitate a mutually agreeable outcome and to understand the Crown's position on a number of matters including the nature and value of any sale of the road reserve.

Another factor as to why it is not recommended that Council take on this section of Crown Road Reserve is because it would add to the assets and liabilities to be managed by Council at all ratepayers' expense including regular inspections, bushfire mitigation, tree risk management, regular mowing and slashing, control of weeds and litter, and other matters such as erosion and feral animal control.

While the efforts of the residents in currently maintaining this parcel of Crown Land is appreciated and acknowledged, there is no certainty in future years and with changes of ownership over time, that the commitment of the land owners to undertake these tasks could be maintained. In any event, Council would still be liable for maintaining the land from risk and safety perspectives.

As a commercial offer to purchase the land has been made to Crown Lands, it is uncertain if it would be an expectation that Council would be required to purchase the land.



Planning,
Industry &
Environment

Policy

Administration of Crown roads

POLICY NUMBER:	IND-O-250	VERSION:	2.0
AUTHORISED BY:	Executive Director Crown Lands	AUTHORISED DATE:	28/06/2018
ISSUED BY:	Department of Planning, Industry and Environment – Crown Lands	EFFECTIVE DATE:	01/07/2018
CATEGORY:	Operations & Industry	REVIEW DATE:	01/07/2021

Policy statement

This policy provides for how the NSW Department of Planning, Industry and Environment–Crown Lands (the department) will administer Crown roads in accordance with the *Roads Act 1993* (*Roads Act*).

Our approach to the administration of Crown roads provides clarity and confidence to stakeholders that they will receive consistent and transparent treatment. Crown road applications will be assessed to determine and administer the most suitable option for the future management of a Crown road, in accordance with the provisions of the *Roads Act 1993*.

Scope

The following functions under the *Roads Act* are within the scope of this policy:

1. Transfer of a Crown road to other roads authority (s.152I) – enables transfers to an appropriate roads authority to manage the public road network in the interest of landowners/occupiers, local communities and the public.
2. Crown road closures (s.37(1)) and Crown road sales and disposals (s.42 (1) and 152B) – specifies the circumstances where either closure and/or purchase of a Crown road may be appropriate.
3. Crown road works:
 - The Minister has powers as a roads authority to carry out road works (s. 71) – establishes the basis by which the department may authorise user/s to undertake road works on behalf of the Minister (s.253) to address their access needs.
 - Crown road repairs and maintenance (s.108 to 110) – specifies in what circumstances the department may give directions for repair and maintenance.
4. Regulating works and structures other than road works within the road corridor (s.138).
5. Authorising occupation of roads (s.152A).

Disaster repairs to Crown roads administered by the Roads and Maritime Services (RMS) under Natural Disaster Relief Scheme are outside the scope of this policy.

Requirements

1. Transfer of Crown roads

The Minister is authorised to transfer Crown roads to another roads authority. A Crown road cannot be transferred to RMS without its consent. Local councils can request the department's consideration to transfer a Crown road to council. The department may also give consideration to initiating the transfer of a Crown road to council.

Although a Crown road transfer to council does not require consent, the department will consult with the affected council before processing a Crown road transfer. Each proposed road transfer will be considered on a case by case basis.

Unless exceptional circumstances apply, the department will consider a Crown road to be suitable for transfer to another roads authority if it meets one or more of the following criteria:

- a. Council or RMS requests transfer of the Crown road, including for the purpose of s.44 of the *Roads Act*.
- b. The formed Crown road provides road access to urban or rural areas or provides access within country towns, villages, local communities and public areas.
- c. Road works on the Crown road are proposed by someone other than the department, and those works require development consent under the *Environmental Planning & Assessment Act 1979*.
- d. Development consent has been granted by a council that requires use of the Crown road to service a traffic generating development.
- e. The Crown road is required to be maintained to a standard specified as a condition of development consent. (*Notably, if standards were not specified, transfer may still be relevant on the basis that road works were not required as the Crown road already conformed to council's access standards to service the development.*)
- f. The Crown road was constructed, has or is being maintained by a council to facilitate access, as part of its local road network, which may include drainage structures such as a bridge or culverts.
- g. Construction or upgrade of the Crown road is required to meet standards required by a council.
- h. A council objects to the closure of the Crown road on the grounds the road is required for public access.

The department does not consider the following claims to be valid reasons for a council to decline a department initiated road transfer:

- a. Road condition – where council objects to the transfer on the basis that the road is in a state of disrepair or does not conform to council minimum standards.
- b. Financial implications – where council objects to transfer based on (potential) costs incurred. Local councils have the ability to levy funds through development contributions, rates and grants for road repair and maintenance.

2. Crown road sales and closures

The department may close a Crown road by publishing a notice in the NSW Government Gazette. When a Crown road closure is gazetted, the land remains vested in the Crown as Crown land. Any subsequent sale of the former road is processed under the *Crown Land Management Act 2016*.

Alternatively, the department may sell a Crown road without first closing it; generally this will be suitable for land holders with an interest in purchasing Crown roads which adjoin their property. If the department determines a Crown road is suitable for sale under this method, the road ceases to be a public road upon transfer to the purchaser. This policy provides guidance to determine whether a Crown road can be sold by transferring directly to the purchaser in accordance with the *Roads Act*, or if a road will need to be simply closed under that Act instead—so it can be sold in accordance to the *Crown Land Management Act 2016*.

Crown roads are not exclusively closed for the purpose of sale. Roads may be closed to vest in the Crown for the purpose of adding it to a Crown reserve, license or lease so that it can be used for other purposes. If a Crown road is identified as a hazard by the department, the department may decide closure of the road is required to remove the risk it poses to the public or the surrounding environment and remediate the issue.

2.1 Crown road closures (s.37(1))

It may be appropriate to close a Crown road if the road is not required for public access and one or more of the following circumstances apply:

- a. The road is to be added to a crown reserve or tenure to be used for other purposes
- b. Land within the road corridor is identified as suitable for sale under the *Crown Land Management Act 2016*

- c. Closure of the road is required to address a hazard identified by the department
- d. Closure of the road is required to address environmental or land management concerns identified by the department.

The department will consider a range of factors when determining a proposed road closure. Each of the following criteria must be fulfilled:

- a. The road is not required to be retained within the public road network
- b. Any landholders and government authorities reasonably known to have potential interests or access requirements have been consulted and their requirements addressed to the department's satisfaction within the time frame set by the department.

2.2 Crown road sale (s.152B)

The department will consider a range of factors when determining a proposed road sale. At a minimum, each of the following criteria must be fulfilled:

- a. The road is assessed as not required to be retained within the public road network
- b. Landholders and government authorities reasonably known to have potential interests or access requirements have been consulted and their requirements addressed to the department's satisfaction within the time frame set by the department.

2.3 Sale of land arising from the closure of a public road (s.42(1))

The Roads Act maintains that when a Crown road and an unconstructed council road are closed, the land ceases to be a road and becomes (or if it was a Crown road, remains) Crown land when it is closed. Once a road is closed, the department has to manage the land in accordance with the *Crown Land Management Act 2016*. This includes in relation to the sale of an unconstructed council road.

The proceeds from the sale of Crown land that was previously an unconstructed council road will go to the department. Councils should consult the department before proposing the closure of an unconstructed council road as the department's agreement is required for the road to be added to the Crown estate upon closure. This includes when the purpose of the road closure is to sell the closed road.

3. Works on Crown Roads

The department does not provide public road services such as road construction, maintenance or traffic management. This policy establishes the basis by which the road user/s may seek an approval from the department to undertake road works to address their access needs.

3.1 Authorised Crown road works (S. 71)

Applications to undertake authorised road works on a Crown road will be considered where the Crown road does not satisfy the criteria for road transfer. Road work proposals considered by the department generally relate to routine maintenance to conserve pre-existing access conditions, or to determine road works to establish access along a Crown road over the natural terrain.

Works on Crown roads are evaluated on the basis of whether it is feasible to undertake works in consideration of the potential impacts on the road reserve, adjoining lands and local environment.

The department cannot endorse the following:

- a. Road works outside Crown road corridors
- b. Works on Crown roads located on steep or highly erodible land, within protected riparian areas and susceptible to erosion, or land that is otherwise environmentally sensitive
- c. Construction of new structures such as pipe culverts, concrete causeways or bridges
- d. Construction, upgrade or maintenance of a Crown road to satisfy the gravel road or sealed standards of another roads authority.

3.2 Works directed by the department - repairs and maintenance

The department may direct a person to conduct repairs or maintenance on a Crown road that is not generally used for access by the public, if a hazard is identified by the department that to present an unacceptable and immediate risk to the road users and/or the environment.

- *s.108 – Direction to undertake works*

When the department considers the condition of a road presents a hazard, it may direct relevant landholder/s who benefit from use of the road, to repair or maintain the road – specifying the type of works and the time for completion. The costs for undertaking the works are to be paid by the person/s or party that the direction was issued to.

- *s.109 – Action to address noncompliance with s.108*

If a person does not comply with a direction to undertake works, the department may have the works completed and recover the costs from that person.

- *s.110 – Direction to contribute*

Where a Crown road provides access for a small number of landholders, and primarily only benefits those landholders, the department may direct those landholders to pay some or all of the costs of repair or maintenance works.

3.3 Works on Crown roads other than road works (S. 138)

Section 138 enables the department to issue permits to regulate various activities on Crown roads that are not directly related to the use of a Crown road for access. The department's consent is required for anyone to erect a structure or carry out a work on or over a Crown road. Sections 139 (conditions), 140 (revocation of consent) and 142 (maintenance of the structure) are also relevant to the department's consideration of an application under s.138 of the Act. There is an expectation that public authorities will consult the department prior to undertaking any works under s.138.

3.4 Authorised occupation of roads (S.152A)

The Minister may authorise certain activities or occupation on a Crown road such as grazing—where issue of an enclosure permit is not applicable), encroachments and other temporary uses of a Crown road by way of a licence granted under the *Crown Land Management Act 2016*, in accordance with section 152A of the *Roads Act*.

Guidelines

Administration of Crown Roads Guidelines is available to support this policy and other Crown roads administration matters.

Roles and responsibilities

- DPIE Crown Lands: Administration of Crown public roads including closure, sale, transfer and approving select road works applications – authorising activities and occupations.
- Local councils: Closure of council public roads.

Safety considerations

There are various Crown roads in NSW that have been established by use rather than construction—this means that they have not been formed to a specific road construction standard and are used as trails for access purposes. Users of Crown roads are encouraged to drive to conditions. Over time the intended use of a Crown road or land surrounding the road may change and the future management of the road may also need to change. This policy provides framework for the department to consider the most suitable option for the future management of Crown roads.

Delegations

Crown Lands Other (Minister) Instrument of Delegation 2018.

Definitions

- Carry out road work – includes carry out any activity in connection with the construction, erection, installation, maintenance, repair, removal or replacement of a road work
- Council – has the same meaning as defined in the *Local Government Act 1993*
- Formed Crown road – a Crown road that has been constructed in some way to be used as a road. Formed Crown roads form part of the constructed road networks that services urban or rural areas
- Person – for the purposes of this Policy is a landholder or road user
- Road corridor – the legally defined road corridor whether formed or not formed

- Road works – as defined in the *Roads Act* and includes any kind of work, building or structure such as a roadway, footway, bridge, tunnel, road-ferry, rest area, transit way station or service centre or rail infrastructure that is constructed, installed or relocated on or in the vicinity of a road for the purpose of facilitating the use of the road as a road, the regulation of traffic on the road or the carriage of utility services across the road – but does not include a traffic control facility
- Suitable for transfer – a Crown road which has been identified and assessed under the policy's key transfer principles as appropriate to transfer to local government
- Traffic generating development – any development that results in an increase in vehicular traffic on a Crown road

Legislation

- *Crown Land Management Act 2016*
- *Environmental Planning and Assessment Act 1979*
- *Roads Act 1993*
- *Roads Regulation 2008*
- *State Environmental Planning Policy (Infrastructure) 2007*

Related policies

- Sale of Crown Land Policy IND-O-251
- Sale or Lease of Crown land by Direct Negotiation Policy IND-O-182

Other related documents

- Crown Lands Circular 2011/51 Procedural Fairness.

Superseded documents

This policy replaces:

- Crown Lands Circular 2009/19 Dealing with Applications to Construct Crown roads.
- Office Practice Guidelines – Chapter 31 – Roads.
- Policy (POL005) Transfer of formed Crown roads to Local Government.

Revision history

Version	Date issued	Notes	By
1.0	01/07/2018	Developed to support the <i>Crown Land Management Act 2016</i> .	Alison Pepper, Director Tenure & Business Programs
2.0	22/02/2020	Policy updated to reflect machinery of government changes	Policy Team

Contact

DPIE – Crown Lands, 1300 886 235

QON22/004 DALMENY LAND RELEASE AREA

OP0026-S002

Responsible Officer: Alison Worthington - Councillor

Attachments: Nil

The following Question on Notice was received from Councillor Alison Worthington:

Question

1. Council has previously advised that they will be updating residents on the progress of the preparation of the Dalmeny DCP as it progresses (meeting minutes of ESC meeting 24.08.21). Could we please know at what interval such updates will be given and what engagement will be involved to allow the community input into the details of the DCP?
2. Has Council made preparations to prepare a 'whole of Dalmeny' DCP?
3. If no preparations for a 'whole of Dalmeny' DCP are in place, could Council advise how the DCP of such a large land release area can be incorporated into a village that is undergoing significant urban expansion, and is already facing challenges in supply of services including ECEC (children's services).
4. Could Council address concerns from residents that the sewage system appears not to have been able to manage current demands and the impacts of a higher rainfall season and extreme weather events as evidenced in the number of sewer spills in 2022 alone? How will the Mummaga Lake catchment be protected from the impacts of the increase in population that will come with the Dalmeny Land Release on the sewage system?

Background

The subject Question on Notice follows on from a previous Question on Notice raised at the Council meeting of 24 August 2021, where the question was asked about keeping informed of the Dalmeny LRA master planning process and how decisions will be made. This Question on Notice and response is provided for information below.

Question on Notice QON21/006 - Proposed development of land behind Dalmeny

'When the Masterplan and Development Control Plan have been finalised, will approval by councillors of these occur at an ordinary Council meeting so that the public can see that correct processes are being followed by Council, and also enable the public to provide their views on the proposed finalised plans?'

Response to Question on Notice

Council will keep the public informed about the DCP process as it progresses, including regular updates on Council's web page. This will also help the public see that correct processes are being followed and to make comments on any issues about the process or the draft DCP as they arise.

Council has a web page for the [Dalmeny Land Release Area](#) that will continue to have information added to it as it becomes available.

QON22/004 DALMENY LAND RELEASE AREA

OP0026-S002

Further information is now requested in regard to the project.

Response

1. Community updates

Information and updates related to the Dalmeny Land Release Area (LRA) are available on Council's [website](#). Stakeholders who have signed up to updates via the link on the web page receive updates about the project, including upcoming engagement opportunities, when available.

A Dalmeny LRA update was emailed on 29 April 2022. The update advised that collated feedback received in December 2021 and January 2022 was available on Council's website, and that we are using the feedback to prepare a masterplan and DCP. The email stated that 'we will email you to let you know when there is a draft masterplan for your input'.

There was no further update since April 2022 because Council staff are still working on a draft masterplan. The project has progressed slower than anticipated due to unforeseen changes in resource availability, including the impacts of COVID-19.

On 9 August 2022 the website was updated to reflect the slower progress, including:

- sharing masterplan concepts with the community in late 2022 (rather than mid-2022)
- public exhibition of a draft DCP in early 2023 (rather than late 2022).

Council staff will share a draft masterplan concept with the community when it is available. The feedback we receive from the community will be used to inform the Development Control Plan (DCP) for the Dalmeny LRA. The draft DCP will go on public exhibition, and once again the community will be invited to have input.

2. Development Control Plan (DCP) scope

The preparation of a DCP for the Dalmeny Land Release Area is a requirement of clause 6.2 of the *Eurobodalla LEP*. This DCP will be prepared as part of the masterplan process.

A Residential Zones DCP already applies to the existing residential development in Dalmeny. However, a DCP is not the appropriate planning document to consider and plan for the services raised in the Question on Notice. A DCP is a development guideline that is used to assess Development Applications (DAs) for dwellings when they are lodged with Council.

The Dalmeny LRA DCP will also provide guidance on the subdivision of the subject land. In particular, the Dalmeny LRA DCP will instruct landowners on how the land can be developed with respect to environmental factors and infrastructure requirements such as water and sewer, roads, and parks.

A Development Application is required to demonstrate how it complies with the relevant DCP.

The Dalmeny LRA DCP may include guidance for a mix of densities, a staging plan, public facilities and services, stormwater infrastructure, bushfire and flood mitigation, recreation

QON22/004 DALMENY LAND RELEASE AREA

OP0026-S002

areas, transport, and pedestrian networks, commercial and retail, landscaping, and assessment of conservation significance.

The future planning of services to support the growth area is being undertaken as part of the development of the masterplan. Council's Community Services Team are also undertaking a specific strategic study into the provision and likely future need for children's services. The social infrastructure planning is a key part of determining the allocation of land for future development.

3. Sewer services

The Narooma Sewerage Scheme provides sewage collection, transport, and treatment facilities for the localities of Dalmeny, Kianga, North Narooma, and Narooma. The scheme includes collection of transfer systems which comprise 92.9 km of gravity mains, 21 sewage pumping stations and associated rising mains. Sewage is transferred to the Narooma Sewage Treatment Plant located at Kianga for treatment, reuse, and disposal. Sewage collected in the Dalmeny sewer reticulation system is transferred to the Kianga STP via eight sewage pumping stations and associated rising mains.

Development of the Dalmeny LRA would not contribute to the risk of future sewer spills. Modelling to plan for future sewer system needs considers all future growth, including the Dalmeny Land Release Area.

Council has engaged the NSW Public Works Advisory to update the sewer hydraulic model for year 2052. Additional sewage load due to the proposed developments in the Dalmeny Land Release Area will be considered in the update of the sewage hydraulic model. If the study identifies upgrades to the emergency storage, sewer pipes or sewage pumps are required, Council will ensure that the Narooma sewerage system will be upgraded and continue to provide a high-quality service to the customers.

Dalmeny does not experience more sewer spills than elsewhere in the Eurobodalla. All sewer systems are designed to meet a standard rainfall event that when exceeded, may cause a spill. The flows in the sewage reticulation system increase during storm events due to infiltration and inflow.

There have been four sewage spills in Dalmeny in 2022. The sewage spills on 6 and 8 March 2022 were due to heavy rainfall, with Dalmeny experiencing 177.6 mm of rain from 6 March 2022 to 9 March 2022. On 7 April 2022, 68.6 mm of heavy rain caused a spill and on 8 July 2022 the spill was caused by tree roots impacting infrastructure. Council continues to carry out condition assessment of sewer mains using CCTV, root cutting and sewer relining to minimise the tree root intrusion and to fix the other defects in the sewer mains.

When sewage gets mixed with the massive amount of flow generated by the heavy rains, it is heavily diluted and carries virtually no risk to public health. Council does not conduct bacteriological assessment following large-scale wet-weather events, however sampling from multiple Mummaga Lake sites on 11 July 2022 showed no observable impact from recent spills. Water quality monitoring undertaken by the NSW Government is reported on the NSW

QON22/004 DALMENY LAND RELEASE AREA

OP0026-S002

Department of Planning and Environment's [website](#). It shows Lake Mummaga has had good water quality since 2014 when monitoring started.

Council's draft Coastal Estuaries Management Plan for Moruya River, Mummaga Lake and Wagonga Inlet includes an action to complete a water quality study to better understand the nature of any impacts to Mummaga Lake.

Adoption of the Dalmeny LRA Masterplan and DCP

The draft DCP and masterplan can only be adopted by councillors at a Council meeting. Councillors will consider all submissions received during a 28-day public exhibition period, before deciding whether to adopt the DCP as exhibited, adopt it with changes, or not adopt it.

RECOMMENDATION

THAT the response to the question regarding Dalmeny Land Release raised by Councillor Alison Worthington be received and noted.

GMR22/084 DELEGATIONS TO THE GENERAL MANAGER

S004-T00010

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

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

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

EXECUTIVE SUMMARY

The Council may delegate to the General Manager any functions, powers, duties and authorities of the Council with the exclusion of those listed in Section 377 (1) of the *Local Government Act 1993*.

Effective functioning of local government relies on delegation so that matters can be progressed in a timely manner. Whilst Council meetings are the formal decision-making forums for matters over which Council has jurisdiction, a number of Council decisions are not made at formal meetings. Consequently, a range of decision-making power is allocated by formal delegation to the General Manager.

Council is required under the Act to review the delegations it has in place within 12 months of every election.

Councillors have received a number of briefings on the legal framework and content for all delegations proposed in this recommendation.

This report recommends the endorsement of delegations to the General Manager.

RECOMMENDATION

THAT:

1. All previous delegations by the Council to the General Manager be revoked.
2. Subject to point 1 above, the General Manager is delegated all the delegable functions, powers, duties and authorities of the Council under any legislation excluding those functions specific in clauses (a) to (u) of Section 377 (1) of the *Local Government Act 1993*.
3. Council fixes the amount of \$10,000 as the amount above which rates, charges and debts owed to the Council may be written off only by resolution of the Council, pursuant to clause 131 of *Local Government (General) Regulation 2005*.
4. All functions delegated to the General Manager must be exercised at all times in accordance with the applicable statutory requirements, as well as any resolution or policy adopted by the Council from time to time.
5. Council note that it can review and revise Delegations to the General Manager at any time.

BACKGROUND

In August 2017 Council resolved the following:

GMR22/084 DELEGATIONS TO THE GENERAL MANAGER

S004-T00010

“THAT Council resolves as follows:

- 1. All previous delegations by the Council to the General Manager are revoked.*
- 2. Subject to point 1 above, the General Manager is delegated all of the delegable functions, powers, duties and authorities of the Council under any legislation excluding those functions specified in clauses (a) to (u) of section 377 (1) of the Local Government Act 1993.*
- 3. The Council fixes the amount of **\$10,000.00** as the amount above which rates, charges and debts owed the Council may be written off only by resolution of the Council, pursuant to clauses 131 and 231 of the Local Government (General) Regulation 2005.*
- 4. All functions delegated to the General Manager must be exercised at all times in accordance with the applicable statutory requirements, as well as any resolution or policy adopted by the Council from time to time.*

CONSIDERATIONS

The five sections of the *Local Government Act 1993* that relate directly to Delegations include:

Section 377	<i>General power of the council to delegate</i>
Section 378	<i>Delegations by the general manager</i>
Section 379	<i>Delegation of regulatory functions</i>
Section 380	<i>Review of delegations</i>
Section 381	<i>Exercise of functions conferred or imposed on council employees under other Acts</i>

The key points of these Sections are:

Section 377 *General power of the council to delegate*

This covers the general power of the Council to delegate to the General Manager or any other person or body (not including another employee of the Council) any function of the Council.

This section then lists the functions that cannot be delegated as follows:

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:*
 - (a) the appointment of a general manager,*
 - (b) the making of a rate,*
 - (c) a determination under section 549 as to the levying of a rate,*
 - (d) the making of a charge,*
 - (e) the fixing of a fee,*
 - (f) the borrowing of money,*
 - (g) the voting of money for expenditure on its works, services or operations,*
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
 - (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*

GMR22/084 DELEGATIONS TO THE GENERAL MANAGER

S004-T00010

- (j) the adoption of an operational plan under section 405,*
 - (k) the adoption of a financial statement included in an annual financial report,*
 - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
 - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
 - (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
 - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
 - (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
 - (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
 - (t) this power of delegation,*
 - (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.*
- (1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:*
- (a) the financial assistance is part of a specified program, and*
 - (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.*
- (2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*

Section 378 Delegations by the general manager

This gives the General Manager authority to sub-delegate a function that has been delegated to the General Manager by the Council, including another employee of Council:

- (1) The general manager may delegate any of the functions of the general manager, other than this power of delegation.*
- (2) The general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).*
- (3) Subsection (2) extends to a function sub-delegated to the general manager by the council under section 377 (2).*

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S004-T00010

Section 379 Delegation of regulatory functions

This describes regulatory functions of Council and how these functions can be delegated or sub-delegated.

- (1) *A regulatory function of a council under Chapter 7 must not be delegated or sub-delegated to a person or body other than:*
 - (a) *a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or*
 - (b) *an employee of the council, or*
 - (c) *a county council.*
- (2) *A regulatory function of a county council under Chapter 7 must not be delegated or sub-delegated to a person or body other than:*
 - (a) *a committee of the county council of which all the members are members of the county council or of which all the members are either members of the county council or employees of the county council, or*
 - (b) *an employee of the county council, or*
 - (c) *a council.*
- (3) *However, if:*
 - (a) *a regulatory function is delegated to a county council, the function may be delegated to the general manager and by the general manager to an employee of the county council, or*
 - (b) *a regulatory function is delegated to a council, the function may be delegated to the general manager and by the general manager to an employee of the council.*

Section 380 Review of delegations

This describes the review period of the delegations.

Each council must review all its delegations during the first 12 months of each term of office.

Section 381 Exercise of functions conferred or imposed on council employees under other Acts

This deals with the delegation from other Acts.

- (1) *If, under any other Act, a function is conferred or imposed on an employee of a council or on the mayor or a councillor of a council, otherwise than by delegation in accordance with this section, the function is taken to be conferred or imposed on the council.*
- (2) *Such a function may be delegated by the council in accordance with this Part.*
- (3) *A person must not, under any other Act, delegate a function to:*
 - *the general manager, except with the approval of the council*
 - *an employee of the council, except with the approval of the council and the general manager.*

The regulatory delegation functions specific to the General Manager are in accord with Section 377 (2) of the *Local Government Act 1993* and the delegations register reflects current legislation and includes functions relevant to the:

- *Biosecurity Act 2015*

GMR22/084 DELEGATIONS TO THE GENERAL MANAGER

S004-T00010

- *Boarding Houses Act 2012*
- *Building and Development Certifiers Act 2018*
- *Community Land Development Act 1989*
- *Community Land Management Act 1989*
- *Companion Animals Act 1998*
- *Contaminated Land Management Act 1997*
- *Crown Land Management Act 2016*
- *Environment Planning and Assessment Act 1979*
- *Fisheries Management Act 1994*
- *Food Act 2003*
- *Government Information (Public Access) Act 2009*
- *Heritage Act 1977*
- *Impoundment Act 1993*
- *Library Act 1939*
- *Liquor Act 1982*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Local Land Services Act 2013*
- *National Parks and Wildlife Act 1974*
- *Plumbing and Drainage Act 2011*
- *Poisons and Therapeutic Regulation 2008*
- *Privacy and Personal Information Protection Act 1998*
- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment (Clean Air) Regulation 2010*
- *Public Health Act 2010*
- *Roads Act 1993*
- *Roads Regulation 2018*
- *Roads Transport (General) Regulations 2021*
- *Roads Transport (Safety and Traffic Management) Act 1999*
- *Rural Fires Regulation 2008*
- *Rural Lands Protection Act 1993*
- *State Emergency and Rescue Management Act 1989*
- *State Environmental Planning Policy No. 1*
- *State Records Act 1998*
- *Strata Schemes (Freehold Development) Act 1973*
- *Strata Schemes (Leasehold Development) Act 1986*
- *Swimming Pools Act 1992*
- *Unclaimed Money Act 1995*
- *Valuation of Lands Act 1916*
- *Water Management Act 2000.*

Where a specific delegation to the General Manager has been resolved by Council, it will also be included in the Delegations register, which is available on Council's website, to ensure such delegation is enacted and has been recorded.

GMR22/084 DELEGATIONS TO THE GENERAL MANAGER

S004-T00010

Legal

The Council may delegate to the General Manager a range of items with exclusion of those listed in Section 377 (1) of the *Local Government Act 1993*. Council is required under the Act to review the delegations it has in place within 12 months of every election.

Policy

The delegations register, once adopted by Council, will be updated to include sub-delegations to staff in accordance with Section 378 (2) of the *Local Government Act 1993*.

There are a number of Council adopted policies that provide a framework for delegations. This includes the Delivery Program 2022-26 and Operational Plan 2022-23 and the many policies that Council has reviewed since its election in 2021.

CONCLUSION

Whilst Council meetings are the formal decision-making forums for matters over which Council has jurisdiction a number of Council decisions are not made at formal meetings. Effective functioning of local government relies on delegation so that matters can be progressed in a timely manner. Consequently, a range of decision-making power is allocated by formal delegation to the General Manager with the exclusion of those listed in Section 377 (1) of the *Local Government Act 1993*.

This report recommends the endorsement of delegations for regulatory functions to the General Manager.

GMR22/085 DRAFT COMMUNITY ENGAGEMENT STRATEGY

S012-T00025

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - draft Community Engagement Strategy

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.1 Acknowledge our shared responsibility through an informed community

Delivery Program Link: 5.1.2 Provide a range of opportunities for the community to be consulted and engaged, guided by the Community Engagement Strategy

Operational Plan Link: 5.1.2.1 Invite community members to participate in decision-making by providing a broad range of engagement opportunities

EXECUTIVE SUMMARY

The purpose of this report is to present the draft Community Engagement Strategy for public exhibition for a period of 28 days.

Community engagement is one of the ways that Council is informed of different perspectives, potential solutions, and information before making decisions. We engage with the community using a variety of formal and informal techniques, guided by Council's adopted Community Engagement Framework and Participation Plan (2019).

Section 402A of the *Local Government Act 1993* now requires councils to establish and implement a strategy (called its Community Engagement Strategy) for engagement with the local community when developing its plans, policies and programs and for the purpose of determining its activities (other than routine administrative matters).

RECOMMENDATION

THAT:

1. Council places the draft Community Engagement Strategy on public exhibition for a period of not less than 28 days.
2. Public submissions be invited on the draft Community Engagement Strategy from 14 September 2022 to 11 October 2022.
3. A further report be presented to Council to consider adoption of the draft Community Engagement Strategy.
4. Note that further consideration of additional changes may be made following future reviews.

BACKGROUND

In 2015, Eurobodalla Shire Council began a process to develop a community engagement framework with the aim of identifying how Council's current practices could be improved. Council engaged a consultant to draft a Community Engagement Charter, Framework and Planning Tool with a view to:

- build a culture of effective engagement across the organisation
- understand the roles and responsibilities of internal stakeholders

GMR22/085 DRAFT COMMUNITY ENGAGEMENT STRATEGY

S012-T00025

- build a relationship of trust with external stakeholders
- deliver a consistent approach to engagement
- deliver change within the current available resources.

After publicly exhibiting the draft framework for 42 days, undertaking a community workshop, and receiving and considering much community feedback and input, Council adopted the Community Engagement Charter, Framework and Planning Tool in February 2017.

The purpose of the framework is to guide Council on best practice for engaging the community on issues or decisions where there is no statutory requirement or existing prescribed process.

In August 2019, Council reviewed the Framework with the purpose of incorporating requirements for a Community Participation Plan in accordance with the *Environmental Planning and Assessment Act 1979*. The purpose of the legislative changes was to ensure that Council had a single document that the community can access which explains how the community can participate in the planning process. The revised [Community Engagement Framework and Participation Plan](#) was publicly exhibited for 36 days and adopted by Council in November 2019. Council received no submissions.

At its meeting on 9 August 2022 Council resolved to amend the Community Engagement Framework and Participation Plan in terms of notifying adjoining properties on development applications.

Following the most recent amendments to the *Local Government Act 1993* (the Act) in the *Local Government Amendment (Governance and Planning) Act 2016*, the Office of Local Government revised the [Integrated Planning and Reporting Guidelines and Handbook](#) which now requires Council to have a Community Engagement Strategy.

CONSIDERATIONS

At its meeting on 9 August 2022 Council resolved to amend the Community Engagement Framework and Participation Plan in terms of notifying adjoining properties on development applications.

22/180 MOTION Councillor Hatcher

THAT Council:

1. From 1 September 2022 notify in writing, adjoining owners of land the subject of a development application that does not apply the acceptable solution for setbacks in the relevant Development Control Plan and provide a period of 14 days for a submission to be made to Council.
2. Note that this will increase the work of staff and have an adverse impact on the determination time of development applications.
3. Reconsider this matter as part of a comprehensive review by Council of the Community Engagement Framework and Participation Plan.

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

It was acknowledged that this amendment will create additional work for Council staff and subsequently result in the delay in determination of development applications. In the

GMR22/085 DRAFT COMMUNITY ENGAGEMENT STRATEGY

S012-T00025

circumstances, it is considered that this was an acceptable impact, noting that Council will reconsider this matter when reviewing the Community Engagement Framework and Participation Plan.

Legal

Section 402A of the *Local Government Act 1993* now requires councils to establish and implement a strategy (called its Community Engagement Strategy) for engagement with the local community when developing its plans, policies and programs and for the purpose of determining its activities (other than routine administrative matters). Council's existing Community Engagement Framework and Participation Plan has been reviewed and updated to create the draft Strategy.

Community and Stakeholder Engagement

Council will place the draft strategy on public exhibition for a period of not less than 28 days commencing on 14 September 2022 until 11 October 2022. Copies will be available for viewing on Council's website, at the Batemans Bay, Moruya and Narooma libraries and Moruya customer service centre.

CONCLUSION

Council's adopted Community Engagement Framework and Participation Plan (2019) guides Council's engagement with the community.

Section 402A of the Act now requires councils to establish and implement a Community Engagement Strategy for engagement with the local community when developing its plans, policies and programs and for the purpose of determining its activities (other than routine administrative matters).

Council's existing Community Engagement Framework and Participation Plan will be reviewed following input from the Councillors and updated to create the Strategy.

GMR22/088 INVESTMENTS MADE AS AT 31 AUGUST 2022

**S011-T00006,
S012-T00025**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 5 Our engaged community with progressive leadership

Focus Area: 5.3 Work together to achieve our collective vision

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

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

EXECUTIVE SUMMARY

The purpose of this report is to:

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

RECOMMENDATION

THAT the certification of investments as at 31 August 2022, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, be received.

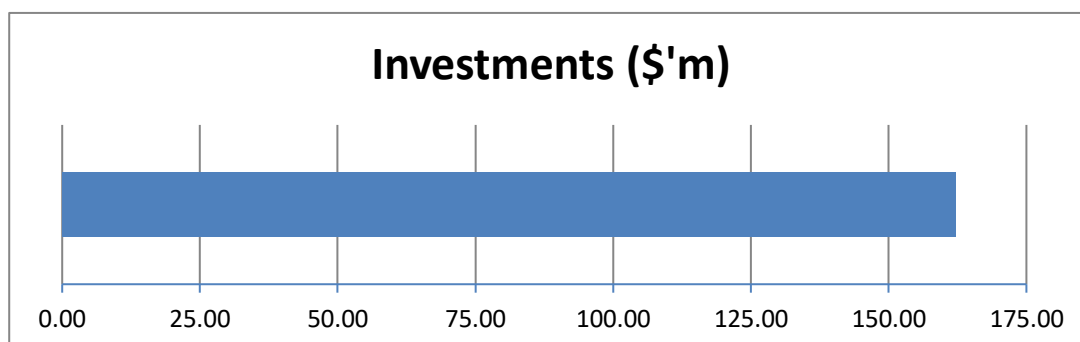
CONSIDERATIONS

Policy

The portfolio is compliant with Council's Investment Policy adopted by Council on 9 August 2022 (Minute 22/190).

Financial

Council investing overall



GMR22/088 INVESTMENTS MADE AS AT 31 AUGUST 2022

**S011-T00006,
S012-T00025**

Council has \$162.19M (100%) invested in bank deposits. The bank deposits are held in banks rated A or greater, or covered by the AAA rated Government guarantee, except for \$39.50M invested in banks rated below A, and in the 'some limited risk' category of the policy.

Investments increased by \$5m during August 2022 largely as a result of cashflow timing on rates being due for payment on 31 August 2022.

The 'some limited risk' category is now restricted to BBB+ rating institutions which allows up to 30% of all investments. Currently there is 24.35% invested in BBB+ rating category. Investment in Government guaranteed deposits is \$1.75M representing 1.08% of the portfolio.

There are \$57.0M (35.14%) of funds invested in institutions which either have no direct financing exposure to projects in the fossil fuel sector or no longer directly finance projects in the fossil fuel sector but still have some exposure from historical funding.

The weighted average return for all investments for the month is 3.31%, which is above the Council policy benchmark of bank bill swap rate (BBSW) + 0.25% (2.56%).

Summary investment information

The following table is a summary of investment categories and balances at month end.

CATEGORY	(\$)
At call deposit	12,940,396
Term deposits	147,500,000
Term deposits Government guaranteed	1,750,000
	162,190,396
<i>Weighted average interest %:</i>	3.31%
<i>Average 90 day BBSW + 0.25%</i>	2.56%

GMR22/088 INVESTMENTS MADE AS AT 31 AUGUST 2022

**S011-T00006,
S012-T00025**

Policy and liquidity risk

The investment policy is divided into two risk categories of credit risk (risk of ultimately not being able to redeem funds) and liquidity risk (risk of loss due to the need to redeem funds earlier than the investment term). Our investments comply with the risk policy as shown in the following table.

Policy risk	Low liquidity risk %	Total % of investments	Policy risk % (max holdings)
Remote risk	1.08	1.08	100.00
Near risk free	74.57	74.57	100.00
Some limited risk (BBB+)	24.35	24.35	30.00
Grand total	100.00	100.00	

The unrestricted current ratio is the amount of unrestricted current assets compared to each dollar of current liability. The Office of Local Government suggests a minimum 1.5:1, and the audited unrestricted current ratio as at 30 June 2021 is 2.43:1. Council therefore has approximately \$2.43 of current assets for each \$1 of current liabilities.

CONCLUSION

Pursuant to provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, I hereby certify that these investments have been made in accordance with *the Local Government Act 1993* and related regulations.

GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

S004-T00060

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover – Policy Review for Exhibition – September 2022

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: 9.1.2.4 Review Council policies

EXECUTIVE SUMMARY

Council's policies are reviewed within the first 12 months of a new Council term for the reasons set out under the following sections of the *Local Government Act 1993 (LGA)*.

- Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.
- Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.

The following policies have been reviewed.

- Youth Services
- Media
- Water Usage Charging
- Work Health And Safety (WHS)
- Pressure Sewer Systems
- Vegetation Clearing - Roadside and Infrastructure Lines
- Water And Sewer - Rural And Trunk Main Connections
- Build In The Vicinity Of Sewer Mains
- Water Supply And Sewerage Headworks Charges
- Water Carting
- Water Restrictions
- Water Saving Incentives For Reticulated Water Customers
- Water Supply Backflow Prevention And Cross Connection Control
- Street Activities
- Dedication Of Land To Council
- Tree Risk Management On Council Controlled Land

GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

S004-T00060

- Parks, Playgrounds and Reserves Risk Management

RECOMMENDATION

THAT:

1. Council places the following draft policies for the purposes of public consultation for a period of 28 days:
 - a) Youth Services
 - b) Media
 - c) Water Usage Charging
 - d) Work Health And Safety (WHS)
 - e) Pressure Sewer Systems
 - f) Vegetation Clearing - Roadside and Infrastructure Lines
 - g) Water And Sewer - Rural And Trunk Main Connections
 - h) Build In The Vicinity Of Sewer Mains
 - i) Water Supply And Sewerage Headworks Charges
 - j) Water Carting
 - k) Water Restrictions
 - l) Water Saving Incentives For Reticulated Water Customers
 - m) Water Supply Backflow Prevention And Cross Connection Control
 - n) Street Activities
 - o) Dedication Of Land To Council
 - p) Tree Risk Management On Council Controlled Land
 - q) Parks, Playgrounds and Reserves Risk Management
2. Following the expiration of this period, the draft policy and any public submissions be presented back to Council for consideration.

BACKGROUND

Public Art Policy

The purpose of this Policy is to encourage, promote, guide, facilitate and assist with the planning, development, implementation and care of public art in Eurobodalla.

Information in the Public Art policy has been updated to reflect the adoption of the Public Art Strategy and includes reference to resilience and recovery. Additional information has been included that refers to installation of artworks and reference to the Public Art Advisory Committee.

Sporting and Recreational Facilities Seasonal Hire

The purpose of the Sporting and Recreational Facilities Seasonal Hire policy is to provide a clear framework for users of Council's sporting facilities, guiding the allocation of facilities by clearly

GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

S004-T00060

identifying allow the users of Council's sporting facilities to better understand the process guiding the allocation of facilities by clearly identifying:

- Council's requirements from clubs and users;
- responsibilities of the user groups;
- responsibilities of Council; and
- by providing a framework that is equitable and easily administered.

Art Acquisition Policy

The purpose of this Policy is to set out a framework and guideline for Council's acquisition of artwork in any media for display or instalment in any of Council's facilities. It will guide and facilitate the development and maintenance of an art collection of excellence and significance to Eurobodalla Shire.

Records Management Policy

Eurobodalla Shire Council's Records Management Policy provides records and information management guidance to deliver effective records and information management which in turn supports and facilitates good business across all operating environments.

Waste Minimisation

Eurobodalla Shire Council's policy was developed to actively promote waste minimisation as opposed to disposal. It encourages the continuation of working with the community, regional groups and the NSW Environmental Protection Authority to ensure all opportunities for recycling and resource recovery are identified and implemented.

Stormwater Disposal - Urban Land

This policy establishes Council's position in regard to stormwater disposal on urban land. It provides for orderly disposal and management of stormwater from development and assists in reducing the incidence of inundation of development from uncontrolled stormwater disposal.

Water And Sewer Construction By Private Contractor

This policy was developed to outline the arrangements necessary to guide water and sewer works undertaken by private contractors.

Section 68 of the *Local Government Act 1993* requires that water supply and sewerage work may only be carried out with the prior approval of Council.

Private contractors may undertake water and sewer works other than work on Council's live water and sewer assets in accordance with this and related policies.

CONSIDERATIONS

The policies have been reviewed and no substantive changes are recommended at this time, apart from minor referencing updates.

Community Engagement

Council will place the draft policies on public exhibition for a period of 28 days on Council's website at <https://www.esc.nsw.gov.au/council/have-your-say/public-exhibition>

GMR22/089 POLICY REVIEW FOR EXHIBITION - SEPTEMBER 2022

S004-T00060

We are strongly encouraging people to review the policies via our website. Any specific requests for hard copies can be made through the executive services team on 4474 1022.

CONCLUSION

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

GMR22/086 POLICY REVIEW - COMMUNITY GRANTS

S004-T00060

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Draft Community Grants Policy

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

Delivery Program Link: 5.2.1 Be proactive leaders with a focus on 'community better'

Operational Plan Link: 5.2.1.2 Administer community grants and donations

EXECUTIVE SUMMARY

Council's policies are reviewed within the first 12 months of a new Council term for the reasons set out under the following sections of the *Local Government Act 1993 (Act)*.

- Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.
- Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.

Under Section 440 of the *Local Government Act 1993*, every New South Wales council is to adopt a code of conduct that incorporates the provision of the *Model Code of Conduct for Local Councils in NSW* as published by the Office of Local Government (OLG).

The Community Grants Policy is an overarching document that allows Council to grant financial assistance for the purpose of exercising its functions under section 356 of the *Local Government Act 1993 (Act)*.

The policy has been reviewed with minor amendments in terms of the categories and frequency of some of the grant opportunities. For example, the previous 4 yearly grants will now be available annually. The Mayoral Grant eligibility criteria has also been simplified.

The draft Community Grants Policy is recommended to be placed on public exhibition to consider any submissions before being presented to Council for consideration.

RECOMMENDATION

THAT

1. Council places the draft Community Grants Policy for public consultation for a period of 28 days.
2. Following the expiration of the consultation period, the draft policy and any public submissions be presented back to Council for consideration.

BACKGROUND

Eurobodalla Shire Council recognises the value and importance of the role that community groups and organisations play in building vibrant, inclusive and healthy communities. Council provides grant funding to a range of organisations for the purpose of providing a community service or undertaking a project of benefit to the community. The purpose of this policy is to set

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out Council's framework for delivering grant funding to the community and provide information for Council and the community on the principles guiding the community grants program.

This policy specifically reflects Council's approach to grant-making within the Eurobodalla environment, with consideration to local government's role in achieving community cohesion, civic participation and capacity building.

CONSIDERATIONS

This policy aligns community grants with Council's strategic objectives and planning and supports the community vision from the Community Strategic Plan to encourage commitment to our future and a sense of common purpose and responsibility. It establishes clear expectations around Council and community roles; provides Council with direction to develop community grants and funding programs; and sets out an accessible yet rigorous and robust approach to governance and accountability. This ensures the process of allocating and monitoring grants is fair, consistent, and transparent.

The objectives of the community grants program are to:

- increase residents' participation in their community,
- increase representation of community groups and issues,
- develop innovative approaches to local issues,
- assist groups and volunteers to develop skills and build capacity,
- encourage the sustainability and better governance of community organisations, and
- encourage partnerships between local organisations and the development of local community networks.

The grants program framework follows best practice and integrates Council's grant funding activities so that they strategically align with community needs identified within the Community Strategic Plan (CSP), Council's Delivery Program (DP) and Operational Plan (OP).

Grants are distributed by the program via defined streams and categories, in accordance with Council's strategic plans, objectives and community priorities.

The Community Grants program delivers financial assistance through the following grant categories:

- Annual Grants
- Eurobodalla Mayoral Representative Grants
- Events Grants

Each category includes one or more streams of funding aligned to the current community vision from the Community Strategic Plan, with individual eligibility and assessment criteria (defined in full detail in the program procedures and guidelines). Grants may be distributed in the form of monetary or 'in-kind' contributions.

The policy has been reviewed with minor amendments in terms of the categories and frequency of some of the grant opportunities. For example, the previous 4 yearly grants will

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now be available annually. The Mayoral Grant eligibility criteria has also been simplified and now is named Eurobodalla Mayoral Representative Grants.

Annual grants

The annual grants category provides funding to community organisations, groups and clubs for activities, projects or equipment that support community-strengthening initiatives or improve the quality of life of Eurobodalla residents.

The following grants are advertised on a yearly basis:

- Healthy Community Grant
- Seniors Week Grant
- NAIDOC Week Grant
- Youth Grant
- Schools and Education Grant
- Use of Council Land by Not-For-Profit Group
- Waste Disposal Grant
- Local Heritage Places Grant
- Rates Subsidy Grant
- Domestic Waste Collection Grant
- Safety and Emergency Services Grant
- Commodity Recycling Grants

Eurobodalla Mayoral Representative Grants

Financial assistance grants of up to \$400 for individuals, or up to \$750 for teams, that have been selected to represent Eurobodalla at a State, National or International level. If applying as an individual, the individual must reside in Eurobodalla. If applying as a team, the team must be based in Eurobodalla.

Applications are accepted at any time throughout the year but grant allocation is dependent on the remaining budget allocation allowed in the Operational Plan.

Events grants

Council recognises the value and vitality that events bring to the community and has identified strategic goals to help the local economy grow and develop and promote a vibrant cultural and leisure tourism destination.

Event grants provide support for through two streams:

- Tourism Events Sponsorship Program
- Community Events Grant Program

Event grants are opened twice per year typically during February and August.

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The Community Grants program intends to be responsive to emerging themes, issues and trends. Priorities will be influenced by the best available current statistics and knowledge of Council and the community. Streams, objectives and themes will be reviewed regularly and may change according to emerging needs and priorities of the community.

Legal

Council can financially assist others under section 356 of the *Local Government Act 1993* (Act), for the purpose of exercising its functions.

Financial assistance granted by Council will comply with s356 of the Act to exercise Council's service functions defined by the Act.

Under section 377(1A) of the Act, Council may delegate its functions relating to the granting of financial assistance if:

- a. the financial assistance is part of a specified program, and
- b. the program is included in Council's draft operational plan for the year in which the financial assistance is proposed to be given, and
- c. the program's proposed budget for that year does not exceed 5 per cent of Council's proposed income from the ordinary rates levied for that year, and
- d. the program applies uniformly to all persons within Council's area or to a significant proportion of all the persons within Council's area.

Any financial assistance granted to offset or subsidise Council fees or charges is consistent with the requirements of s610E and s610F of the Act.

Financial

The Community Grants program budget allocations is to be included in the annual Operational Plan and budget each financial year.

The 2022-26 Delivery Program and 2022-23 Operational Plan includes a budget of \$222,044 for the Community Grants program for 2022-23.

Community and Stakeholder Engagement

Council will place the draft Community Grants policy on public exhibition for a period of not less than 28 days and will be available for viewing on Council's website.

CONCLUSION

The Community Grants Policy is an overarching document that allows Council to grant financial assistance for the purpose of exercising its functions under section 356 of the *Local Government Act 1993* (Act).

The draft Community Grants Policy is recommended to be placed on public exhibition to consider any submissions before being presented to Council for consideration.



Policy

Policy title	Community Grants
Responsible manager(s)	Corporate Manager Governance and Administrative Services
Contact officer(s)	Corporate Manager Governance and Administrative Services
Directorate	General Manager
Approval date	Effective XX MONTH 2022
Goal	5. Our engaged community with proactive leadership
Strategy	5.2 Proactive, responsive, and strategic leadership
Delivery Program Activity	5.2.1 Be proactive leaders with a focus on 'community better'
Operational Plan Action	5.2.1.2 Administer community grants and donations

Purpose

Section 356 of the *Local Government Act 1993* (Act) allows Council to grant financial assistance for the purpose of exercising its functions.

Eurobodalla Shire Council recognises the value and importance of the role that community groups and organisations play in building vibrant, inclusive and healthy communities. Council provides grant funding to a range of organisations for the purpose of providing a community service or undertaking a project of benefit to the community. The purpose of this policy is to set out Council's framework for delivering grant funding to the community and provide information for Council and the community on the principles guiding the community grants program.

This policy specifically reflects Council's approach to grant-making within the Eurobodalla environment, with consideration to local government's role in achieving community cohesion, civic participation and capacity building.

Policy aims

This policy aligns community grants with Council's strategic objectives and planning and supports the community vision from the Community Strategic Plan to encourage commitment to our future and a sense of common purpose and responsibility. It establishes clear expectations around Council and community roles; provides Council with direction to develop community grants and funding programs; and sets out an accessible yet rigorous and robust approach to governance and accountability. This ensures the process of allocating and monitoring grants is fair, consistent, and transparent.

The objectives of the community grants program are to:

- increase residents' participation in their community,
- increase representation of community groups and issues,
- develop innovative approaches to local issues,
- assist groups and volunteers to develop skills and build capacity,
- encourage the sustainability and better governance of community organisations, and
- encourage partnerships between local organisations and the development of local community networks.

Policy statement

1.0	Application
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Policy

	<p>This policy applies to all financial assistance granted by Eurobodalla Shire Council to the community. It applies to all Councillors and Council employees involved in the promotion, assessment and management of community grants that fall within the program framework. This includes managing relationships with organisations receiving Council funding, promoting various grant categories to the community, assisting applicants with grant submissions, undertaking grant assessments, and overseeing the completion of grant recipients' funding obligations.</p>
2.0	<p>Legislation</p> <p>Council can financially assist others under section 356 of the <i>Local Government Act 1993</i> (Act), for the purpose of exercising its functions.</p> <p>Financial assistance granted by Council will comply with s356 of the Act to exercise Council's service functions defined by the Act.</p> <p>Under section 377(1A) of the Act, Council may delegate its functions relating to the granting of financial assistance if:</p> <ul style="list-style-type: none"> (a) the financial assistance is part of a specified program, and (b) the program is included in Council's draft operational plan for the year in which the financial assistance is proposed to be given, and (c) the program's proposed budget for that year does not exceed 5 per cent of Council's proposed income from the ordinary rates levied for that year, and (d) the program applies uniformly to all persons within Council's area or to a significant proportion of all the persons within Council's area. <p>Any financial assistance granted to offset or subsidise Council fees or charges is consistent with the requirements of s610E and s610F of the Act.</p>
3.0	<p>Program framework</p> <p>The grants program framework follows best practice and integrates Council's grant funding activities so that they strategically align with community needs identified within the Community Strategic Plan (CSP), Council's Delivery Program (DP) and Operational Plan (OP). Grants are distributed by the program via defined streams and categories, in accordance with Council's strategic plans, objectives and community priorities.</p> <p>The Community Grants program intends to be responsive to emerging themes, issues and trends. Priorities will be influenced by the best available current statistics and knowledge of Council and the community. Streams, objectives and themes will be reviewed regularly and may change according to emerging needs and priorities of the community. Details will be clearly articulated to the community through respective grant guidelines.</p>



Policy

4.0	<p>Grants categories</p> <p>The Community Grants program delivers financial assistance through the following grant categories:</p> <ul style="list-style-type: none"> • Annual Grants • Eurobodalla Mayoral Representative Grants • Events Grants <p>Each category includes one or more streams of funding aligned to the current community vision from the Community Strategic Plan, with individual eligibility and assessment criteria (defined in full detail in the program procedures and guidelines). Grants may be distributed in the form of monetary or 'in-kind' contributions.</p> <p>Further information regarding these grants can be found in subsequent sections of this policy.</p>
5.0	<p>Annual Grants</p> <p>The annual grants category provides funding to community organisations, groups and clubs for activities, projects or equipment that support community-strengthening initiatives or improve the quality of life of Eurobodalla residents.</p> <p>Some of this grant funding is distributed by Council on behalf of, or in collaboration with other agencies or organisations.</p> <p>This is a competitive category with application windows opened at various times during the year, depending on the stream.</p> <p>Annual funding does not continue into subsequent years and previous recipients are invited to re-apply each year when applications are open.</p> <p>The following grants are advertised on a yearly basis:</p> <ul style="list-style-type: none"> • Healthy Community Grant • Seniors Week Grant • NAIDOC Week Grant • Youth Grant • Schools and Education Grant • Use of Council Land by Not-For-Profit Group • Waste Disposal Grant • Local Heritage Places Grant • Rates Subsidy Grant • Domestic Waste Collection Grant • Safety and Emergency Services Grant • Commodity Recycling Grants



Policy

	<p>Applications will not be offered for retrospective activities held in previous financial years. All grant funds are to be used within the financial year that the grant is applied for. If not expended, funds must be returned to Council.</p> <p>Annual grants will be assessed by a panel of at least three people, with recommendations being provided to Council for adoption.</p> <p>Guidelines and eligibility criteria will be published each year for each annual grant.</p>
5.1	<p>Healthy community grants <i>Approval: Council resolution</i></p> <p>For projects to improve the health and wellbeing of people in the Eurobodalla.</p> <ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan for each financial year. • Applications are sought once per year and will not be accepted outside the annual application period. • Individual grants are generally limited to the advertised amount determined each year. However, amounts may vary and are determined on an individual basis, merit and may be subject to conditions regarding timing of use. • A panel will review applications and make recommendations to Council for approval.
5.2	<p>Seniors week grants <i>Approval: Council resolution</i></p> <p>For projects to improve the health and wellbeing of older people in the Eurobodalla.</p> <ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan for each financial year. • Applications are sought once per year and will not be accepted outside the annual application period. • Individual grants are generally limited to the advertised amount determined each year. However, amounts may vary and are determined on an individual basis, merit and may be subject to conditions regarding timing of use. • A panel will review applications and make recommendations to Council for approval.
5.3	<p>NAIDOC week grants <i>Approval: Council resolution</i></p> <p>For Eurobodalla's not-for-profit organisations, schools and community groups to run local NAIDOC (National Aboriginal and Islander Day Observance Committee) Week activities.</p> <ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan for each financial year. • Activities must promote partnership with the Aboriginal community or an Aboriginal organisation and encourage wider community participation in NAIDOC Week. • Applications are sought once per year and will not be accepted outside the annual application period.



Policy

	<ul style="list-style-type: none"> Individual grants are generally limited to the advertised amount determined each year. However, amounts may vary and are determined on an individual basis, merit and may be subject to conditions regarding timing of use. A panel will review applications and make recommendations to Council for approval.
5.4	<p>Youth grants <i>Approval: Council resolution</i></p> <p>Support for Eurobodalla's not-for-profit and community groups to run youth development initiatives.</p> <ul style="list-style-type: none"> Council will approve budget allocation in the Operational Plan each year. Applications are sought once per year and will not be accepted outside the annual application period. The applicant group must deliver local community-based projects which show evidence of tangible benefits to youth of the Shire. The benefits may include social engagement with the community, sporting and cultural opportunities, skill development, build capacity of youth through leadership and training opportunities, furthering employment and pathway opportunities. Individual grants are generally limited to the advertised amount each year however, amounts may vary and can be determined on an individual basis, merit and may be subject to conditions regarding timing. A panel will review applications and make recommendations to Council for approval.
5.5	<p>Schools and education grants <i>Approval: Council resolution</i></p> <p>Council will consider a grant to local schools and education establishments for annual speech night awards, for academic and other achievement.</p> <p>Council will also consider granting contributions toward annual scholarships offered by universities and other educational institutions.</p> <ul style="list-style-type: none"> Council will approve a budget allocation in the Operational Plan for each financial year. Applications are invited once per year and will not be accepted outside the advertised application window. Successful grantees will be granted an annual amount to contribute to school speech night awards and events, or toward annual scholarships. Grantees are required to recognise Council's contribution and invite the Mayor or a Councillor to the speech night or scholarship award ceremony.
5.6	<p>Use of Council land by not-for-profit groups <i>Approval: Council resolution</i></p>



Policy

	<p>Support for Eurobodalla's not-for-profit group activities during the year, where the group holds a licence for a facility or land under Council care and control. These grants offset the annual licence fee held by the group for the land use.</p> <ul style="list-style-type: none"> • Applications are invited once per year and will not be accepted outside the advertised application window. • The applicant group must provide evidence of tangible public benefit, such as social, sporting or cultural opportunities, or environmental and economic development outcomes. • Membership of the applicant group must be reasonably available to the general public and the use of the land by other members of the general public must not be unreasonably restricted by the use by the applicant group. • The applicant group may be an incorporated society or incorporated group but must not be operated for private or pecuniary gain or commercial profit. • Use of the land by the applicant group should not negatively impact on Council's budget and the land must not be solely used for storage by the applicant group.
5.7	<p>Waste disposal grants <i>Approval:</i> Council resolution</p> <p>To encourage and assist community involvement in the management of waste minimisation for the benefit of the whole community. These grants contribute toward waste disposal (tipping) fees for registered charities and not-for-profit sporting, social and cultural organisations providing community services or benefits, such as; historical societies, Schools of Arts, CWA, public halls, pre-school kindergartens, aquatic and surf clubs and the like.</p> <ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan for each financial year. • Applications are sought once per year and will not be accepted outside the annual application period. • Successful grantees will be granted an annual waste management facility account allowance, to cover estimated waste disposal costs.
5.8	<p>Local Heritage Places grants <i>Approval:</i> Council resolution</p> <p>To encourage conservation of heritage items identified in the Eurobodalla Local Environmental Plans and assist property owners to carry out restoration works which involve repair, maintenance or reinstatement of missing items on heritage buildings.</p> <ul style="list-style-type: none"> • Eligible projects are those related to preservation work on a heritage property that is listed as a heritage item in the <i>Eurobodalla Local Environmental Plan 2012</i>, the <i>Eurobodalla Local Environmental Plan 1987</i> or the <i>Eurobodalla Urban Local Environmental Plan 1999</i>. • Total available grant funding is determined on an annual basis and includes a grant from the Heritage Division of the NSW Office of Environment & Heritage.



Policy

	<ul style="list-style-type: none"> The level of funding that can be made available for each project is capped at a maximum amount as advertised each year. The applicant will be required to contribute a minimum of \$1 for every \$1 offered from the grant fund. A panel will consider applications and make recommendations for endorsement by the Heritage Advisory Committee, for approval by Council. All works must be completed and an acquittal report submitted by the grantee at the beginning of June within the same financial year as the funds are approved.
5.9	<p>Rates subsidy grants <i>Approval: Council resolution</i></p> <p>Council will consider a grant to partially subsidise the annual rates and charges showing on the rates assessment for registered charities and not-for-profit sporting, social and cultural organisations providing community services or benefits, such as; historical societies, Schools of Arts, CWA, public halls, pre-school kindergartens, aquatic and surf clubs and the like.</p> <ul style="list-style-type: none"> Council will approve a budget allocation in the Operational Plan for each financial year. Applications are invited once per year and will not be accepted outside the advertised application window. Public notice of the amount of rates grants will be given in the draft Operational Plan for the year in which the fee is to be subsidised, to satisfy section 610E of the LGA. Rates subsidy grants can be applied to rented or leased premises where the applicant is responsible for the rates payment. Rates subsidy grants will not be available to: organisations that have licensed premises; organisations with significant commercial or surplus income; organisations funded by another level of government; churches or other religious groups. Rates subsidy grants are limited to one per organisation per year.
5.10	<p>Domestic waste collection grants <i>Approval: Council resolution</i></p> <p>Council will consider a grant to partially subsidise the annual domestic waste collection charge, currently not shown on the rates assessment for registered charities and not-for-profit sporting, social and cultural organisations providing community services or benefits, such as; historical societies, Schools of Arts, CWA, public halls, pre-school kindergartens, aquatic and surf clubs, and the like.</p> <ul style="list-style-type: none"> Council will approve a budget allocation in the Operational Plan for each financial year. Applications are invited once per year and will not be accepted outside the advertised application window. Public notice of the amount of subsidised domestic waste collection charges will be given in the draft Operational plan for the year in which the fee is to be subsidised, to satisfy section 610E of the LGA. Domestic waste collection grants may be applied to rented or leased premises where the grantee is responsible for the rates payment.



Policy

	<ul style="list-style-type: none"> Domestic waste collection grants will not be available to: organisations that have licensed premises; organisations with significant commercial or surplus income; organisations funded by another level of government; churches or other religious groups.
5.11	<p>Safety and emergency services grants <i>Approval:</i> Council resolution</p> <p>For their significant contribution to community safety and wellbeing, Council will consider grants toward operational costs for Surf Life Saving clubs and emergency organisations such as Volunteer Coastal Patrol and Rescue Squads, helicopter services and the like.</p> <ul style="list-style-type: none"> Council will approve a budget allocation in the Operational Plans for each financial year. Applications will be sought every year and will not be accepted outside the advertised application window. Successful grantees will be granted an amount to contribute to operational costs associated with delivery of services. Grantees will be required to provide an acquittal to Council with details of how the funding provided services to the community.
5.12	<p>Waste – commodity recycling grants <i>Approval:</i> Council resolution</p> <p>To assist by donating commodity, in this instance cardboard, to an organisation providing training and employment programs for people with a disability. The grant provides a commodity for registered charities and not-for-profit groups providing a community service that benefits programs for people with a disability.</p> <ul style="list-style-type: none"> The applicant charity or not-for-profit group must provide evidence of providing training and employment programs for people with disability. Council will approve a budget allocation in the Operational Plan for each financial year.
6.0	<p>Eurobodalla Mayoral Representative Grants <i>Approval:</i> Mayor (delegated under s.377(1A) LGA)</p> <p>Financial assistance grants of up to \$400 for individuals, or up to \$750 for teams, that have been selected to represent Eurobodalla at a State, National or International level. If applying as an individual, the individual must reside in Eurobodalla. If applying as a team, the team must be based in Eurobodalla.</p> <p>Grants may be provided for expenses incurred by applicants for items such as:</p> <ul style="list-style-type: none"> Travel expenses Accommodation expenses Competition entry fees Purchase of equipment for the event



Policy

	<p>Applications are accepted at any time throughout the year but grant allocation is dependent on the remaining budget allocation allowed in the Operational Plan.</p> <ul style="list-style-type: none"> • Council delegates authority to the Mayor to distribute these grants under s.377(1A) of the Act. The purpose for the financial assistance must fall within the service functions defined by the Act. If there is any doubt as to whether a matter relates to a function of Council then it will be referred to Council for determination. • The Mayor is to report to Council in conjunction with each Quarterly Budget Review report, detailing all grants approved and declined for the quarter. • The General Manager must be consulted where there is any doubt as to the potential for a conflict of interest. Where there is any potential for a conflict of interest the General Manager will prepare a report for the consideration of Council. • The total actual donations provided by a Mayor under delegated authority should bear the same relationship to total budget as the Mayor's term of office, so that if another Mayor is elected part way through the financial year there is a commensurate amount of budget remaining to be expended.
7.0	<p>Events grants</p> <p>Council recognises the value and vitality that events bring to the community and has identified strategic goals to help the local economy grow and develop and promote a vibrant cultural and leisure tourism destination.</p> <p>Event grants provide support for through two streams:</p> <ul style="list-style-type: none"> • Tourism Events Sponsorship Program • Community Events Grant Program <p>Event grants are opened once per year, however additional rounds of funding may be opened if the budget allocation has not been exhausted.</p>
7.1	<p>Tourism Events Sponsorship Program</p> <p><i>Approval:</i> Council resolution</p> <p>The Tourism Events Sponsorship Program provides grants for events that directly benefit the local economy by attracting large visitor numbers to the area, or provide the area with local, national or international recognition.</p> <ul style="list-style-type: none"> • Council will approve a budget allocation in the Operational Plan each financial year. • All events will be assessed against selection criteria. Assistance is granted on the basis of the level of economic benefit to Eurobodalla, timing of the event, activation of key infrastructure and brand alignment. • Assistance granted may be monetary or in-kind support (see In-Kind support).



Policy

	<ul style="list-style-type: none"> Grantees receiving financial support through the program are required to complete an event acquittal and submit to Council no later than 60 days post event or they will become ineligible for future years of funding.
7.2	<p>Community Events Grant Program <i>Approval:</i> Council resolution</p> <p>The aim of the Community Events Grant is to support local organisations to plan and deliver successful community events.</p> <p>This stream distributes grants for local not-for-profit organisations, clubs and sporting groups to provide community events and social, cultural and sporting activities that create and foster a positive community spirit through involvement, participation, relationship-building and co-operation.</p> <p>This is a competitive category with application windows opened once per year.</p> <ul style="list-style-type: none"> Grants provide assistance to not-for-profit community groups for use of Council-owned facilities and venues for social, cultural and recreational events. Grants also provide assistance to community activities and gatherings of a small scale, which may only require a booking for the use of a Council venue or public space such as a street, park, beach, sportsground or reserve. <p>Assistance may be monetary, such as a payment to off-set booking fees for use of a Council venue; or in-kind support (see In-kind support).</p>
8.0	<p>In-kind support <i>Approval:</i> Council resolution</p> <p>Some applications for grants may seek to access, at no cost to the grantee, Council plant and equipment or staff time and other resources. This “in-kind” support may not involve a direct cash component but still has financial consequences and budgetary implications. In-kind support may include (but is not limited to): preparation of traffic control plans, site plans, survey, design, review of environmental factors, or formwork; provision of traffic control, road closures or special clean-up for events, including waste collection and toilets; staff support for community event planning and set up; provision of temporary fencing; physical construction, earthworks or maintenance works at a project site involving Council plant and/or labour.</p> <ul style="list-style-type: none"> For the purposes of assessing these applications, Council will first establish the in-kind cost and then decide the application. Where relevant, for approved applications, the value of the in-kind support will be recognised as a grant to offset the budget allocation from which the works were provided.
9.0	<p>General Conditions The following conditions apply to all applications for financial assistance from Council:</p>



Policy

- Financial assistance will only be granted by Council as per legislation for the purpose of exercising Council's functions as defined by the *Local Government Act 1993*.
- Specified grants program expenditure will not exceed 5% of Council's income from ordinary rates for the year with limits on the maximum assistance provided to a grantee.
- Financial assistance will not normally be provided unless it has been disclosed and consulted via the draft Operational Plan and subsequently included in a specific program within the adopted Plan and budget. However, Council may by resolution approve a budget amendment to authorise an exception, within the provisions of s356 of the Act.
- Disclosure of financial assistance within the Operational Plan will be on a program basis, and may not necessarily disclose specific recipients, although decisions as to particular recipients will be publicly available.
- Grant applications will be accepted only during the advertised application period for the relevant grant category or stream.
- If applications for other financial assistance for matters of merit arise outside a specific grant program category or application window, Council may resolve at a public meeting to approve the application, subject to any required public notice and availability of funds.
- Grant approval will be limited to the defined funding period. Approved applications will not automatically continue on to subsequent years. Grantees will be required to re-apply at the commencement of the next approval period.
- Applications in competitive categories will be assessed on merit and available funding. Council may employ appropriate ranking criteria including weighted attributes to assist with assessment of applications in competitive categories.
- Council may assess and approve applications on the basis of the total grants funding the applicant has been granted, across all of the program categories.
- Grants will not be made by way of reductions or waiver of fees or charges, but rather any fees and charges will be recognised in full with a corresponding grant subsidy recognised in the appropriate activity cost centre.
- Grant recipients names and amounts may be published in Council reports.
- All grantees are required to publicly recognise Council's contribution.
- Generally, grants are not to be for private, pecuniary or commercial gain. A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under section 356(2) of the LGA, until at least 28 days' public notice of Council's proposal to pass the necessary resolution has been given. This public notice is *not* required if:
 - (a) the financial assistance is part of a specific program, and
 - (b) the program's details have been included in Council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of Council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within Council's area or to a significant group of persons within the area.



Policy

10	<p>Eligibility and exclusions</p> <p>To be eligible for funding through the community grants program, applicants must:</p> <ul style="list-style-type: none"> (a) apply via the appropriate online application form, (b) demonstrate how funds will be used for the purpose of exercising Council's functions, (c) meet all specific eligibility requirements and criteria in this policy and the grants procedures and guidelines, (d) have no outstanding debts to Eurobodalla Shire Council, (e) sign and comply with the funding agreement accepting the conditions of funding, and (f) provide any required acquittals to Council for grant funding received. <p>Applications will not be accepted from the following recipients:</p> <ul style="list-style-type: none"> • Commercial or profit-making enterprises or projects (with the exception of Tourism Events Sponsorship Program); • Political parties; • Government departments. <p>Applications will not be accepted for the following purposes:</p> <ul style="list-style-type: none"> • General fundraising activities; • General shortfalls in funding by government departments; • Completed or retrospective activities/ projects; • Duplication of existing services.
11	<p>Application and assessment</p> <p>To simplify the process across the organisation, reduce administrative costs and ensure an equitable distribution of financial assistance, all grant applicants in will be required to submit a new online application for a grant to be made within each funding period. The grants program procedure and guidelines will provide full details of the application and assessment process.</p> <p>The application acceptance period will be advertised by Council for each category and stream in accordance with the grants program procedures and guidelines.</p> <p>Previous recipients will be invited to re-apply for the next grant application round. Grants approved during the application period will be budgeted for in the Operational Plan.</p>
12	<p>Program procedures and guidelines</p> <p>This policy will be supported by grant guidelines for applicants. Grant applications will be administered by the relevant division responsible for the respective grants offered.</p> <p>Applicants should refer to the guidelines for applicants for information about eligibility, how to apply and the approval process.</p>

Implementation

1	Applications and Acquittals
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Policy

	All applications will be made and managed through an online application process. Where grant guidelines stipulate that acquittals are required, these must be provided by the successful applicants as advised in the guidelines.
2	Finance Grants program budget allocations will be included in the annual Operational Plan and budget each financial year. Cost centres will reflect the grants categories to enable accurate and transparent reporting of financial assistance granted to the community. Grants to subsidise fees/charges will see the fee/charge applied in full with a corresponding grant subsidy allocated to the relevant cost centre.
3	Staff Under supervision, applicable Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area.
4	Concerns Concerns received by Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine follow up actions and analyse the history of concerns.
5	Consultation Substantive changes to this policy will be placed on public exhibition for 28 days for community comment and submissions. Proposals to approve grants which may be for private gain, or which involve a subsidy toward a fee or charge not included in the Operational Plan, will be placed on public exhibition for 28 days.

Review

This policy will be reviewed within the first 12 months of a newly elected Council. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, functions, structure or activities change; or when technological advances or new systems change the way that Council manages community grants and financial assistance granted under s356 of the LGA.

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

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

Performance indicator	Data source(s)
Customer Feedback Survey Responses	Surveys
Internal or external audit	Audit
Number of applications received and approved	Council records
Donations and grants remain within allocated budget	Council records
Acquittals confirming return on investment	Council records
No statutory breaches	Council records



Policy

Governance

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

Related legislation and policies

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

Related external references

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

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	24 Nov 2009	Council	09/369	E06.0380 E09.3418	Policy commenced, replacing all related policies and codes.
2	10 Sep 2013	Council	13/272	E06.0380 E13.7095	Reviewed and updated.
3	1 Jul 2017	Council	17/185	E06.0380 E16.0297	Renamed 'Community Grants' policy. Completely revised and updated following review of grants program to encompass financial assistance granted by Council. Report FBD17/037.
4	TBA	Council	TBA	TBA	Reviewed and updated at new Council term. Report GMR17/024

Internal use

Responsible officer	General Manger	Approved by	Council
Min No	TBA	Report no	TBA
File no	S014-T00007	Review date	Mar 2022
		Pages	14

PSR22/035 EVENT POLICY REVIEW

**S004-
T00060**

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

Attachments: 1. Events Policy

Community Goal: 3 Our region of vibrant places and spaces

Community Strategy: 3.2 Support diversified industry and thriving businesses

Delivery Program Link: 3.2.5 Encourage a variety of quality events to drive economic development as guided by the Events Strategy

Operational Plan Link: 3.2.5.1 Support and provide resources for event organisers to deliver hallmark, destination, sports tourism and community events

EXECUTIVE SUMMARY

Council's policies are being reviewed within the first 12 months of a new Council term in accordance with the *Local Government Act 1993*.

Eurobodalla Shire Council's Events Policy ('the Policy', attached) was reviewed in accordance with the Act. The Policy, initially adopted in 2012 (Minute No. 12/29), outlines the Eurobodalla's commitments to events and an approach to processing event requests on Council-owned and controlled land.

In August 2019, Council adopted the Eurobodalla Event Strategy 2019-2024 (Minute No. 19/156) after a comprehensive review of how Council was supporting events, approvals processes, and the alignment of events with the 'All Kinds of Natural' tourism brand and events calendar.

The Event Strategy was undertaken in collaboration with the tourism industry, and in particular, event organisers. Councillors were briefed on the Event Strategy on 2 August 2022.

The Policy is no longer required as any requirements of the Policy were reviewed as part of the process and incorporated into the Event Strategy 2019-2024.

RECOMMENDATION

THAT the proposed repeal of the Event Policy be placed on public exhibition for a period of 28 days and, following the expiration of this period, any public submissions be presented back to Council with the policy for consideration to repeal.

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S004-T00060

BACKGROUND

The Event Policy was initially implemented in 2012, with a purpose to state Council's commitment to events and set out Council's approach to process event requests on Council-owned and controlled land, but not including Council buildings.

Council adopted the Eurobodalla Event Strategy 2019-2024 in August 2019 (Minute No. 19/156). This Strategy outlines Council's vision for events: to establish a balanced and sustainable portfolio of vibrant tourism and community events that celebrate and generate awareness of the unique attributes of the Eurobodalla, creating compelling reasons for visitors and residents to visit, explore and return to the area.

The Event Strategy has a clear vision to support events that align with the 'All kinds of natural' brand and which support visitation outside of the peak season encouraging visitors to stay longer.

A specific requirement and outcome of the Event Strategy was to establish a clear process for allocating funding around events that were built around an events calendar. These included sports events, destination events and hallmark events.

The Event Strategy has a clear vision to support events that align with the 'All kinds of natural' brand and which support visitation outside of the peak season encouraging visitors to stay longer.

The specific outcomes for Eurobodalla Shire with our Event Strategy include:

1. Develop significant anchor or hallmark events that create a competitive advantage for Eurobodalla, build reputation, create a reason to visit in the off-season, celebrate everything that is special about Eurobodalla and form the foundation of the events calendar.
2. Support the sustainable growth and development of the destination events and volunteer committees.
3. Delineate tourism and community events to ensure a clear framework for assessment and support that is fair and transparent.
4. Attract and leverage key external events to enhance Eurobodalla's reputation as an event destination.
5. Catalyse the development of home-grown events and tourism experiences.
6. Use sports tourism events to extend the calendar with complementary events.
7. Establish a robust and consistent event evaluation framework.

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S004-T00060

CONSIDERATIONS

The Event Strategy provides a more detailed, strategic approach to events support and development than the 2012 Policy. Extensive engagement was undertaken with tourism industry and event organisers in the development of the Strategy, which was not undertaken with the original Policy.

The matters contained within the Policy are incorporated into the new Strategy, in particular a portal on Council's website to assist event organisers with event planning guidelines, marketing plan templates, compliance fact sheets and event evaluation tools.

In return for support, event organisers are expected to share information on visitor attendance, media reach, and attendee satisfaction and community involvement.

The Event Policy has been reviewed and its content has been incorporated into the Event Strategy. The Event Policy is no longer required and should be repealed.

Community and Stakeholder Engagement

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

We will engage with the community by seeking feedback through a 28 day public exhibition where the Event Policy will be on Council's website.

CONCLUSION

The Event Policy is no longer required as the matters contained in the Policy have been comprehensively reviewed and incorporated into the Event Strategy.

The proposed repeal of the Event Policy should be publicly exhibited for 28 days. At the end of the public exhibition period, Council will be advised of any submissions received during the exhibition period and the Event Policy will be presented to Council for consideration to repeal.



Policy

Policy title	Events
Responsible manager(s)	Divisional Manager Strategic and Sustainable Growth
Contact officer(s)	Tourism Events Coordinator
Directorate	Planning and Sustainability
Approval date	12 September 2017
Outcome area	5. Vibrant and diverse economy
Strategy	5.3 Focus on the development of sustainable tourism and quality events and visitor experiences
Delivery Program	5.3.2 Actively seek and support the development and hosting of events
Operational Plan	5.3.2.2 Support event organisers in delivery of a range of new and established events

Purpose

The purpose of this policy is to state Eurobodalla Shire Council's commitment to events and set out Council's approach to process event requests on council owned and controlled land, but not including Council buildings.

This Policy must be read in conjunction with the *Eurobodalla Shire Events Guidelines*.

Council recognises the value and vitality events bring to the community in its Community Strategic Plan 2030 and Destination Management Plan 2011-2020, where

Council identifies the following strategic goals to:

- help our economy grow; and
- develop and promote a vibrant cultural and leisure tourism destination.

Council:

- Welcomes events which contribute to one or more of the following:
 - Build strong communities;
 - Support community health and wellbeing;
 - Contribute to economic development;
 - Strengthen participation in culture and recreation;
 - Enhance the Shire's reputation as a tourism, leisure and event destination known for its unique natural beauty; and
 - Considers access and inclusion.
- Strives to make it easy to stage events;
- Acknowledges it has a role to support events of benefit to the Eurobodalla Shire;
- Focus on the development of sustainable tourism and quality events and visitor experiences; and
- Balances its support for events with protection of resident and public amenity.

The following policy statement is designed to recognise Council's complex role in balancing the rights and responsibilities of event organisers, participants and community members.



Policy

Policy statement

1	<p>Application</p> <p>This policy is specifically directed at Commercial and Community Events that are held on Council owned or managed land and public roads.</p> <ul style="list-style-type: none"> • Commercial Events - are events that directly benefit the local economy by attracting visitor numbers to the area or provide the area with local, national or international recognition. • Community Events - are events that create and foster a positive community spirit through involvement, participation, relationship building and cooperation. <p>Exemptions</p> <p>The Policy does not apply to:</p> <ul style="list-style-type: none"> • Events on private land • Events in Council buildings • Activities of a small scale that do not interrupt the day to day running of the shire and usually only require a booking for the use of a Council venue or public space such as a street, park, beach, sports ground or reserve. <p>Note: The above type of use is not covered by the Events Policy and Guidelines, but instead falls under the umbrella of Council's <i>Sporting Facilities Seasonal Hire Policy</i>, <i>Casual Hire</i> and/or <i>Adopted Fees and Charges</i>.</p>
2	<p>Approval Process and Legislation</p> <p>Council's events team is responsible for processing all community and commercial event applications on public land and issuing licences to hold an event.</p> <p>Council will ensure the event approval process meets relevant legislative requirements.</p> <p>The full process for assessing event applications is outlined in the <i>Eurobodalla Shire Events Guidelines</i>.</p>
3	<p>Council's role</p> <p>Council will not act in an event organiser capacity although it may occasionally deliver its own events. It does have a role to support events and this is outlined in the draft Events strategy. Council's administrative role is to facilitate the assessment of event applications, issuing of an event licence and associated approvals and to provide event organisers with the assistance required to foster the planning of events in the shire through the following:</p> <ul style="list-style-type: none"> • provision of a transparent framework for the consistent assessment of event applications • applying a cross-organisational approach to the approval phase of all events in the Shire that have an impact on residents and visitors • provision of advice and detailed information on appropriate event venues • provision of event guidelines to assist event organisers in preparing and submitting event applications • provision of a fee structure that enables events while recouping the costs associated with maintenance and enhancement of event venues.



Policy

	While the Council acknowledges the important role of events in developing a vibrant community, the Council is not obliged to provide any financial support to events. Some events may receive financial assistance.
4	Community and Environmental Impacts There must be a balance between the frequency and economic benefit of events and the needs and requirements of affected businesses, residents and other stakeholders. Events must have a minimal impact on the natural environment.
5	Payment of Fees Event fees will be determined annually as part of the Council financial review.
6	Indemnity The event organiser conducts an event at their own risk and must indemnify and hold harmless the Council against all claims resulting from any damage, loss, death or injury in connection with the venue used.

Implementation

Requirements		Responsibility
1	Guidelines This policy will be implemented by following Council's <i>Eurobodalla Shire Events Guidelines</i> , which specifies in detail the plan, procedures and matters to be considered.	Div Mgr Strategic and Sustainable Growth
2	Staff Under supervision, applicable council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Council Officers
3	Concerns Public concerns communicated to Council in relation to this policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council Officers
4	Consultation Consultation regarding this policy will follow legislative requirements and occur as relevant with key stakeholders and may include legislative bodies, other relevant legislation, industry guidelines, and public comment. Public submissions regarding this policy will be considered during the exhibition period.	As required

Review

This policy may be reviewed and updated as necessary should legislation requires it; or when Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages events.

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

Note: The next general local government election is expected to be held in September 2020.



Policy

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

Performance indicator	Data source(s)
Concerns	Council records
Customer Feedback Survey Responses	Surveys

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and the *Eurobodalla Shire Events Guidelines*.

Related legislation and policies

Name	Link
Sporting Facilities Seasonal Hire Policy	www.esc.nsw.gov.au
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
Environmental Planning and Assessment Act 1979	www.austlii.edu.au/au/legis/nsw/consol_act/epaaa1979389/
Food Act 2003	www.austlii.edu.au/au/legis/nsw/consol_act/fa200357/
Roads Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/ra199373/
Road Transport (Safety and Traffic Management) Act 1999	www.austlii.edu.au/au/legis/nsw/consol_act/rtatma1999412/

Related external references

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

Supporting documents

Name	Link
<i>Eurobodalla Shire Events Guidelines</i>	www.esc.nsw.gov.au
<i>Code of Practice – Licencing of Council controlled public reserves and associated buildings</i>	www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licencing-of-council-controlled-public-reserves-and-associated-buildings-code-of-practice.pdf

Definitions

Word/Term	Definition
Small scale	<ul style="list-style-type: none"> • Less than 200 attendees • Using only one location within a council reserve • Limited traffic alterations required (excluding parking arrangements) • Infrastructure with minimal site/environmental impact • No alcohol sales • No ticket sales

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	28 Feb 2012	Council	12/29	E11.5098	Policy commenced.

PSR22/035 EVENT POLICY REVIEW

ATTACHMENT 1 EVENTS POLICY



Policy

2	10 Sep 2013	Council	13/275	E11.5098 E13.7095	Reviewed and updated.
3	12 Sep 2017	Council	17/306	E11.5098 E06.0376 E16.0297	Policy reviewed and updated at commencement of new Council term. No significant changes.

Internal use

Responsible officer		Director Planning & Sustainability		Approved by	Council
Minute	17/306	Report	FBD17/062	Effective date	12 Sep 2017
File	E11.5098 E06.0376	Review date	Sep 2020	Pages	5

PSR22/036 TOWN SIGNS POLICY REPEAL

S004-T00060

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

Attachments: 1. Town Signs Policy

Community Goal: 3 Our region of vibrant places and spaces

Community Strategy: 3.4 Celebrate our unique region through inclusive places and spaces

Delivery Program Link: 3.4.3 Provide distinctive, innovative and consistent signage and interpretation that promotes our unique features guided by the Wayfinding and Signage Strategy

Operational Plan Link: 3.4.3.1 Review relevant signage policies and practices

EXECUTIVE SUMMARY

Council's policies are reviewed within the first 12 months of a new Council term for the reasons set out under the following sections of the *Local Government Act 1993*.

- Section 223 (1)(e) Role of governing body – 'to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council'.
- Section 232 (1)(f) The role of a councillor – 'to uphold and represent accurately the policies and decisions of the governing body'.
- Section 165 (4) Amendment and revocation of local policy – 'a local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election'.

The Town Signs Policy (attached) outlines the details, responsibilities, and requirements for the erection of town signs.

Since 2017, Council has adopted the following document which provides strategic direction and guidelines for town signs:

- [Tourism Wayfinding and Signage Strategy 2018](#)

The following document was also presented to councillors in 2020 in the context of introducing the new town entry signs:

- Eurobodalla Signage Style Guide 2020.

The Town Signs Policy (the Policy) is therefore no longer required as the content has been updated and incorporated into these two documents.

The proposed repeal of the Policy is recommended to be placed on public exhibition before the Policy is presented to Council for consideration of repeal.

PSR22/036 TOWN SIGNS POLICY REPEAL

S004-T00060

RECOMMENDATION

THAT Council place the proposed repeal of the Town Signs Policy on public exhibition for a period of 28 days and, following this period, any public submissions be presented back to Council with the Policy for consideration to repeal.

BACKGROUND

The Town Signs Policy was adopted in May 2015 (Min no. 15/26) to provide direction and guidance in relation to the erection of town signs in the Eurobodalla Shire.

In 2017, the Policy was updated and reviewed at the start of the new Council term.

The aims of the Policy are to:

- ensure consistency in the manner in which Eurobodalla Shire Council deals with the approval of town signs
- ensure compliance with legislative requirements under the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993*, *Roads Act 1993* and *State Environmental Planning Policy No 64 Advertising and Signage*
- take such steps as are appropriate to ensure the erection of town signs does not detract from the use or amenity of the location
- make Council's policies and requirements for town signs readily accessible and understandable to the public.

In December 2018, Council adopted the Tourism Wayfinding and Signage Strategy (Min no. 20/235) to ensure that current and future signage facilitates safe and positive journeys and help visitors find their way to the experiences and places in Eurobodalla.

The Tourism Wayfinding and Signage Strategy (the Strategy) provides the decision-making framework for signage and wayfinding in Eurobodalla. It includes principles and guidelines to help choose the right signage for locating signs, and for further development of signage policies and processes.

Community engagement undertaken to inform the Strategy included:

- four stakeholder workshops
- online survey
- emerging principles and actions distributed to stakeholders via email and newsletters
- public exhibition period
- media release
- website updates.

Town signs are referred to as gateway/entry statements and categorised as destination signage in the Strategy. Recommendation 14 of the Strategy is to prepare a design and style guide for destination signage.

In 2020, the Eurobodalla Signage Style Guide (Style Guide) was developed to guide Council Staff and fabricators on the look and feel of the destination signage suite.

The Style Guide was prepared by specialist design consultants, and community engagement undertaken to inform the Style Guide, included:

PSR22/036 TOWN SIGNS POLICY REPEAL

S004-T00060

- one stakeholder workshop
- two Aboriginal community/Elder meetings
- meetings with Local Aboriginal Land Councils
- media release
- website updates
- emailed over 400 businesses and tourism operators
- emailed everyone who made a submission to the Tourism Signage Strategy
- updates in 'Tourism News'
- updates provided to the Public Art Advisory Committee, Aboriginal Advisory Committee and Disability Inclusion Committee.

This process resulted in a black duck designed by a Yuin artist and Dhurga language being incorporated into the design of all town entry signs across the Eurobodalla. Council has started installing these entry signs in accordance with the Strategy and Style Guide, with support from the NSW Government's Stronger Country Communities Fund Round 3.

CONSIDERATIONS

The Strategy and Style Guide provides a more detailed, strategic approach for the erection of town signs than the Town Signs Policy. Extensive community engagement has informed the Strategy and Style Guide, which was not undertaken as part of the Policy development.

As such, the Strategy and Style Guide supersede the Policy with more current information about how to design and determine the location of town signs and other destination signage.

The following information and guidance from the Town Signs Policy is now found in the Strategy:

- legislative requirements for design and locating approvals for signage
- principles and guidelines for the design and location of signage
- eligibility of townships that should have entry signs
- the responsible authorities for identifying sign locations and approvals
- maintenance and removal of town signs.

The following information and guidance from the Town Signs Policy is now found in the Style Guide:

- legislative requirements for design and locating approvals for signage
- detailed design and specifications for destination signage
- eligibility of townships that should have entry signs and the signage hierarchy ie, larger signs for entry to Eurobodalla and smaller signs for villages
- the responsible authorities for identifying sign locations and approvals

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- maintenance requirements.

There is some information in the Town Signs Policy that is no longer relevant, and as such would no longer be referred to if the Town Signs Policy is repealed:

- temporary event additions to entry signs are not supported and alternative guidelines are described as 'Events/Temporary Signage' in the Strategy and 'Temporary Signage' in the Style Guide
- layout for town signs for heritage or other towns, no longer have different entry styles. The Style Guide outlines the same design, materials, and maintenance requirements for all town signs.

Legal

The Strategy and the Style Guide clearly outline the legislative requirements for town signs.

Policy

The Town Signs Policy was first adopted in 2015. The information and guidance it provides has been updated and included in Council's adopted Tourism Wayfinding and Signage Strategy 2018, and Eurobodalla Signage Style Guide 2020.

It is proposed to repeal the Town Signs Policy because it is superseded by the Strategy and Style Guide.

Asset

Town signs are a Council asset that will require maintenance. Maintenance requirements are listed in the general guidelines of the Style Guide.

Financial

Funding was received from the NSW Government's Stronger Country Communities Fund Round 3 for the town signs that have been installed in Mogo, Bodalla, Dalmeny, Kianga, Tuross Head, Nelligen, and Durras.

New funding opportunities will need to be sought to complete the rollout of the town signs across the Eurobodalla.

Community and Stakeholder Engagement

Council will place the repeal of the Town Signs Policy on public exhibition for a period of no less than 28 days. Copies will be available for viewing on Council's website.

CONCLUSION

The Eurobodalla Tourism Wayfinding and Signage Strategy and Eurobodalla Signage Style Guide supersede the Town Signs Policy.

The proposed repeal of the Town Signs Policy should be publicly exhibited for 28 days.

Council will be advised of any submissions received during public exhibition before considering whether to repeal the Town Signs Policy at a future Council meeting.



Policy

Policy name	Town Signs
Responsible manager(s)	Divisional Manager, Strategic Services
Contact officer(s)	Land Use Planning Coordinator
Directorate	Planning and Sustainability Services
Approval date	12 May 2015
Strategic focus area	Sustainable
Delivery program link	S7.2 Maintain, update and communicate planning information and issues
Operational plan link	S7.2.3 Monitor, report and communicate and implement changes relating to land use planning

Purpose

The purpose of this policy is to provide opportunity for communities to promote the location and character of their town or village in a simple and attractive form of signage that is sensitive to its environment in its location, size and design.

The policy aims to:

- Ensure consistency in the manner in which Council deals with approval of town signs;
- Ensure compliance with legislative requirements under the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993*, *Roads Act 1993* and *State Environmental Planning Policy No 64 Advertising and Signage*;
- Take such steps as are appropriate to ensure the erection of town signs does not detract from the use or amenity of the location;
- Make Council's policies and requirements for town signs readily accessible and understandable to the public.

Policy statement

1	Application This policy applies to the erection of town signs on public or private land in the Eurobodalla Shire local government area.
2	Legislation Council will comply with the; <ul style="list-style-type: none"> - <i>Environmental Planning and Assessment Act 1979</i>; - <i>Local Government Act 1993</i>; - <i>Roads Act 1993</i>; and - <i>State Environmental Planning Policy No. 64 Advertising and Signage (SEPP 64)</i> In addition, all signs referred to in this policy must comply with Australian Standard AS1743: <i>Road Signs Specifications</i> .
3	Policy objectives To provide direction & guidance in relation the erection of a town sign on public or private land.
4	Eligible towns or villages To be eligible for a town sign the town or village must provide a range of services for visitors.



Policy

	As a minimum, eligible towns or villages are expected to provide a range of facilities and services that visitors can access, including accommodation, food and fuel.
5	<p>Princes Highway – NSW Roads and Maritime Services</p> <p>NSW Roads and Maritime Services (RMS) is responsible for, and has installed, road signs and directional signage on the Princes Highway to towns, villages and suburbs accessed by the highway.</p> <p>These signs (and all signs referred to in this policy) must comply with Australian Standard AS1743: <i>Road Signs Specifications</i>.</p>
6	<p>Location</p> <p>As a general principle, town signs will be permitted on land fronting primary access roads leading to towns or villages to promote that town or village within the following guidelines:</p> <ol style="list-style-type: none"> 1. The sign is a permissible type or land use, or exempt land use on the land on which it is proposed; 2. The sign does not inhibit sightlines necessary for the safe passage of vehicles or pedestrians; and 3. The sign does not inhibit significant views. <p>Where an eligible town or village is located on a terminating road, the town sign may be located near the intersection between the nearest through road and the primary access road.</p>
6a	<p>Design – Main town signs</p> <p>The design of Main Town signs will align with Council’s tourism marketing through:</p> <ol style="list-style-type: none"> 1. the use of the positioning statement; 2. ‘eurobodalla south coast NSW’; and 3. inclusion of the design element of a linear mountain shape. <p>Other design elements shall include:</p> <ol style="list-style-type: none"> 1. The Main town sign shall have a surface area no greater than 3.5m². 2. The Main town sign must be composed of no more than: <ol style="list-style-type: none"> a. “Welcome to [insert the name of the town]”; and b. the town slogan (optional). <p>Any design will also comply with guidelines 6c Design - Other town signs (4-7), below.</p>
6b	<p>Design – Heritage town signs</p> <p>Council may consider an alternate design where a town other than a Main Town has a significant and unique heritage character that:</p> <ol style="list-style-type: none"> 1. defines the town’s identity; and 2. is considered of tourism significance. <p>See Section 10 below for design options. Any design will also comply with guidelines 6c Design - Other town signs (1-7) below.</p>

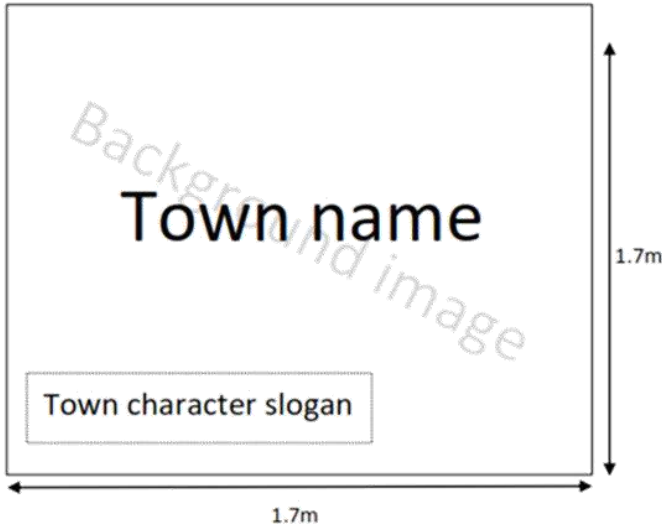
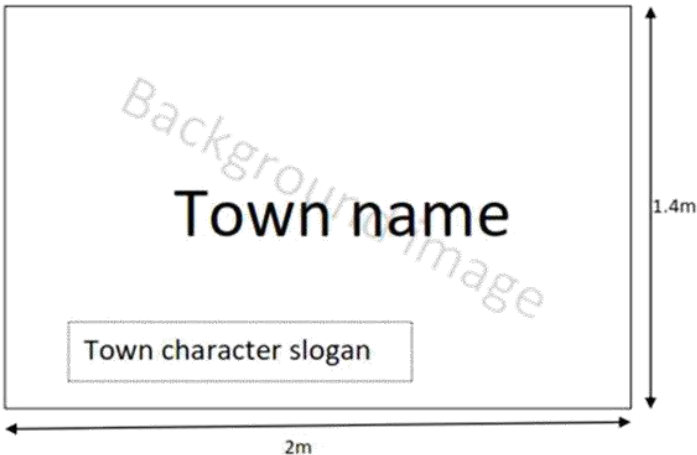



Policy

6c	<p>Design – Other town signs</p> <p>The design of other town signs shall be as follows:</p> <ol style="list-style-type: none"> Size: <ol style="list-style-type: none"> have a surface area no greater than 2.8m²; with lettering from 150mm to 300mm in height. The sign must have the appearance of a single panel with a consistent visual theme, style and colour scheme. Sign design is encouraged to align with Council's tourism marketing through the use of all or some of: <ol style="list-style-type: none"> the positioning statement; 'eurobodalla south coast NSW'; and inclusion of the design element of a linear mountain shape. Where a town sign is visible to a person leaving the town, the rear of the sign carries a message thanking people for visiting. Signs, which because of colour, animation, siting or aspect detract from the value of traffic signals or road line marking are not permitted. The design includes provision for the addition of temporary event additions (section 9 below) such that, when installed, the additional signs appear as part of the town sign. Design specifications and content material of the signs shall, in the final event, be approved by the Council. <p>Notwithstanding point 1 above, larger signs for other towns will be considered by Council on merit having regard to the aims of this Policy, <i>Schedule 1 Assessment criteria</i> of SEPP 64 and the specific characteristics of the proposed sign and its location.</p>
7	<p>Sign ownership and responsibility</p> <p>NSW Roads and Maritime Services is responsible for signs on the Princes Highway, however Council will take responsibility for the installation and maintenance of Main town signs. Council is also responsible for signs on local roads.</p> <p>Where a Heritage town sign or Other town sign is approved by Council, the cost of construction, installation and maintenance remains the responsibility of the applicant(s).</p>
8	<p>Maintenance and removal of town signs</p> <ol style="list-style-type: none"> Signs must be kept intact and in good repair at all times; and Council reserves the right to remove signs which no longer comply with the original approval or have fallen into disrepair.
9	<p>Temporary event additions</p> <p>Temporary signs for religious, cultural, social or recreational events signs will be permitted to be attached to the town sign if they:</p> <ol style="list-style-type: none"> have a visual theme, style and colour scheme consistent with the town sign; and



Policy

	2. comply with the requirements of the <i>Eurobodalla Local Environmental Plan 2012: Schedule 2 – Exempt Development</i> .
10	<p>Layout for town signs approved for Heritage or Other towns</p> <p>Examples of layouts for town signs are shown here at their maximum allowable areas (not to scale).</p> <p>a)</p>  <p>b)</p>  <p>c)</p> 



Policy

Implementation

Requirements		Responsibility
1	Development Consent A development application must be submitted pertaining to the town sign unless it is exempt development under the <i>State Environmental Planning Proposal (Exempt and Complying Development Codes) 2008</i> .	Development Assessment Officer
1a	Development on classified roads Where development is proposed on or on land fronting a road classified under the <i>Roads Act 1993</i> , written approval from NSW Roads and Maritime Services must accompany any development application lodged with Council.	Roads and Maritime Services
2	Staff Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Environmental Compliance Officer
3	Concerns Concerns received regarding this policy will be recorded on Council's Customer Service Request (CSR) or records system and handled in accordance with council's Customer Service Request Policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.	Council Officers
4	Complaints Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with council's Complaints Policy.	Public Officer
5	Consultation Consultation with key stakeholders will occur in relation to this policy, as needed. Any substantial changes to the policy will be placed on public exhibition and public submissions invited, in accordance with the Local Government Act 1993.	Development Services, Community Planning Coordinator, Land Use Planning Coordinator

Review

The policy will be automatically revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council revokes it sooner. **Note:** *Automatic revocation of the policy is provided for by section 165(4) of the Local Government Act 1993.*

This policy may also be reviewed and updated as necessary when legislation requires it; or Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages town signs.



Policy

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

Performance indicator	Data source(s)
Concerns or Complaints registered	Council records
Customer Feedback Survey Responses	Surveys
Internal or external review	Audit

Governance

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

Related legislation and policies

Name	Link
Council's Signage Code	www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Signage-Code.pdf
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
Crown Lands Act 1989	www.legislation.nsw.gov.au/maintop/view/inforce/act+6+1989+cd+0+N
Roads Act 1993	www.legislation.nsw.gov.au/maintop/view/inforce/act+33+1993+cd+0+N
State Environmental Planning Policy (SEPP) No. 64 - Advertising and Signage	www.legislation.nsw.gov.au/maintop/view/inforce/epi+199+2001+cd+0+N
Eurobodalla Local Environmental Plan 2012	www.legislation.nsw.gov.au/maintop/view/inforce/epi+333+2012+cd+0+N

Related external references

Name	Link
Office of Local Government	www.olg.nsw.gov.au
Standards Australia	Australian Standard AS1743 – Road Signs Specification

Definitions

Word/Term	Definition
Public reserve, Public land	Council owned land as classified under the <i>Local Government Act 1993</i> and Crown land where Council is the trust manager. Includes road reserves, natural areas, areas of cultural significance, community land (general), parks and sportsgrounds
Town sign	A sign erected at an entrance point/way into a town or village that informs the travelling public of the imminent arrival to the town or village and the main character or important feature of the town or village.
Main town	For the purposes of this policy, the Main towns in the Eurobodalla Shire are Narooma, Moruya and Batemans Bay.
Heritage town	A town or village other than a Main town which has a significant and unique heritage character that defines the town or village's identity and is considered of tourism significance.
Other town	Town or village not defined elsewhere in this policy.

PSR22/036 TOWN SIGNS POLICY REPEAL

ATTACHMENT 1 TOWN SIGNS POLICY



Policy

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	12 May 2015	Council	15/26	E06.0376	New policy commenced

Internal use

Responsible officer		General Manager		Approved by		Council	
Min no	15/26	Report no		PSR15/015		Effective date	12 May 2015
File No	E06.0376	Review date		Sep 2016		Pages	7

PSR22/037 HALLMARK EVENT FUNDING

S026-T00001

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

Attachments: Nil

Community Goal: 3 Our region of vibrant places and spaces

Community Strategy: 3.2 Support diversified industry and thriving businesses

Delivery Program Link: 3.2.5 Encourage a variety of quality events to drive economic development as guided by the Events Strategy

Operational Plan Link: 3.2.5.1 Support and provide resources for event organisers to deliver hallmark, destination, sports tourism and community events

EXECUTIVE SUMMARY

The Hallmark Event Grant is a funding stream within the Event Grants category and provides funding to events that have the potential to be nationally significant events which attract interstate visitation and generate awareness for Eurobodalla in-line with the destination brand positioning.

The Eurobodalla Event Strategy 2019-2024 (Event Strategy) supports the development and support of two hallmark events that showcase the unique qualities of Eurobodalla and meet the key performance indicators within the assessment framework.

The Hallmark funding was opened on 4 April 2022 and closed on 17 April 2022.

The funding was advertised through emails to event organisers, phone calls to event organisers, the Tourism Newsletter of 7 April 2022, via Council's website and the tourism industry meeting on 22 March 2022.

There were two nominations for Hallmark funding.

The selection of the hallmark events for this program is initiated by Council, with a presentation by the event proponent to councillors. The events, in accordance with the Event Strategy, are proposed to be supported for a three-year term.

On 17 May 2022 Council received presentations from Narooma Oyster Festival and River of Art Festival as the two applicants for Hallmark funding.

On 2 August 2022 Council also received an overview of the Event Strategy, including a discussion on traffic management and the growing costs for event organisers.

The Narooma Oyster Festival and River of Art Festival has been identified as two of Eurobodalla's hallmark events for the following reasons:

- it creates a competitive advantage for Eurobodalla
- builds reputation
- creates a reason to visit in the off-season
- celebrates everything that is special about Eurobodalla, and
- forms the foundation of the events calendar.

PSR22/037 HALLMARK EVENT FUNDING

S026-T00001

RECOMMENDATION

THAT Council approve:

1. \$20,000 per year to support the River of Art Festival for a three-year agreement, consistent with the actions of the Event Strategy from within the existing budget.
2. \$20,000 per year to support the Narooma Oyster Festival for a three-year agreement, consistent with the actions of the Event Strategy from within the existing budget.
3. Additional funding of \$15,000 per year of new budget to support the Narooma Oyster Festival to deliver traffic management for a three-year agreement.

BACKGROUND

The Eurobodalla Events Strategy sets out a framework to allocate funding for two Hallmark Events across the Eurobodalla. Funding is currently \$20,000 annually for three years.

The Event Strategy 2019-2024 is published on Council's website and a callout for Hallmark funding for the next three financial years was promoted via:

- the May 2022 Tourism Newsletter
- direct emails to event related businesses and operators throughout May 2022
- Council's website.

River of Art Festival

Over 17 consecutive years, the River of Art Festival has grown from a small Moruya-focused community event into a significant ten-day regional festival spanning the Eurobodalla Shire.

Initiated in 2005 by the Moruya Chamber of Commerce to showcase the work of local artists, the festival has grown significantly over the years. With financial support from Destination NSW (2017-19) and increased support from Council, the festival now generates strong intra-Shire participation and significant tourism (over 5,000 visitors annually).

During 2020 and 2021 the event was heavily impacted by Covid-19 and had to transition to a series of online activities. With restrictions now easing, and further funding from Department of Regional NSW and AusTrade, the event will be adding 'Luminous in 2022' to give a centre piece event to the festival.

The festival's program development and growth in visitor and local popularity over the years, has made it a significant hallmark event on the South Coast calendar. The Festival Board has overseen strong, high-quality marketing, promotion, and media management, assisted by its professionalism and ability to network and collaborate effectively with businesses, artists, and the community at large.

The festival is a largely non-curated visual and creative arts event, traditionally offering over 120 individual events. It showcases and celebrates the region's creative arts, as well as our pristine environment and multiple small and outdoor venues. The festival is a colourful, quirky,

PSR22/037 HALLMARK EVENT FUNDING

S026-T00001

diverse creative arts event that draws on the unique personalities and talents of the people living in towns and villages across the Eurobodalla.

Visitors consistently report high satisfaction with the festival and have expressed surprise at the diversity and depth of the program. Approximately 40% of participants in the festival are from outside Eurobodalla Shire, and it is estimated the economic impact (direct and multiplier) of the festival is over \$3 million per annum.

The festival is overseen by an association board and dedicated group of volunteers that now have not-for-profit status, making it easier to receive donations, and look to becoming financially viable.

Narooma Oyster Festival

The Narooma Chamber of Commerce (Chamber) initiated the Narooma Oyster Festival in 2007 as a way to showcase Narooma and celebrate the high-quality oysters in the area. Since this time, it has grown from a small community fair to a significant regional event attracting over 10,000 visitors in 2022.

Now in its 16th year, the festival's growth and popularity has made it the most significant hallmark food event on the South Coast calendar. Showcasing and celebrating the region's oysters and their pristine environment is the key attraction for high-value visitors, with more than 70,000 oysters consumed in 2021. Visitors consistently report very high satisfaction levels with the festival, with over 60% travelling from Sydney, Canberra, and the Illawarra. The festival has a broad and growing network of distinguished food industry, media, and tourism influencers, who support and promote the festival, local produce and tourism assets of the region.

In 2018, the event transferred from the Chamber to a not-for-profit company, Narooma Oyster Festival Limited, with more capacity to manage and further develop the event, as well as activate other year-round initiatives. They have had significant success during the last three years, even with 2020 being pushed online due to Covid-19. In 2022, they were able to grow the attendance to over 10,000.

The Narooma Board recognises that creating a program of year-round visitor experiences is crucial to ensure the festival's overall sustainability, and to contribute to shaping Narooma's identity as the heart of the rock oyster region. To this end, the Narooma Board, under the brand of 'Narooma Rocks', are becoming a catalyst for tourism throughout Narooma and the Eurobodalla, with the delivery of a range of smaller events such as destination dining experiences and other bespoke events for oyster farmers, food and wine producers and tourism operators. The Oyster Festival has also entered into a collaboration with the Eurobodalla's other hallmark event, the River of Art Festival.

At their presentation in May 2022 the Chair of the NOFL Board articulated the challenges facing the festival with respect to the cost of event infrastructure, sourcing volunteers, supply of infrastructure and limitations with State grant funding programs. The success of the festival over the last 24 months was not envisaged by the current Event Strategy.

At the Event Strategy briefing on 2 August 2022 the resourcing implications on Council of providing in-kind support to events, and in particular to the Narooma Oyster Festival, was discussed. Appendix 2 - Event Assessment Framework of the Event Strategy outlines the

PSR22/037 HALLMARK EVENT FUNDING

S026-T00001

funding thresholds and level of support for each scale of event. The framework proposes that in-kind support by way of traffic management and operations be provided to all events.

Due to a range of factors, including impacts on the traffic management sections of Council due to bushfire and flood recovery, grant-funded projects, and the growing scale of the Oyster Festival, this level of support has not been able to be provided for the last three years. As an exception to this requirement of the Strategy, it is proposed that additional funding support be provided for traffic management to the Oyster Festival only, for the next three years. Exception

CONSIDERATIONS

The selection of the hallmark events for this program is initiated by Council with a presentation by the event proponent to councillors. As hallmark events, it is anticipated that the events each meet the following key performance indicators:

- more than 5,000 visitors to the event
- have a minimum of a two-night stay for visitors
- occur in the shoulder/low season
- activate the Eurobodalla destination brand and build positioning of the entire Eurobodalla Shire
- create local pride
- repeat visitors
- activate key infrastructure/spaces throughout Eurobodalla
- offer new and distinctive experiences that activate the brand positioning
- build the capacity of their committee and community.

Based on applications and presentations by the River of Art Festival and Narooma Oyster Festival, both meet the requirements of a hallmark event.

In-lieu of the previously provided in-kind support for traffic management and operations, and in regard to the growth of the festival and the contribution the festival makes to the broader economy and community in the Eurobodalla, it will be recommended to Council that further financial support for traffic management and operations be allocated in the 2022-23, 2023-24 and 2024-25 financial year budgets.

The inability of Council to provide this in-kind support has been exacerbated by the growth of the festival (from what was a 3,000 to 4,000-visitor event, to now a 10,000-visitor event) increased requirements for traffic planning eg, additional safety requirements, larger event site, and longer bump in/bump out times, which goes well outside of the in-kind support Council has previously been able to offer.

A further \$15,000 of new funding per year is required to cover the cost of this work.

Financial

Two \$20,000 hallmark funding allocations each year for three years are part of existing budgets.

The request for \$15,000 each year for three years to support traffic management at the Narooma Oyster Festival requires a new budget allocation.

PSR22/037 HALLMARK EVENT FUNDING

S026-T00001

Community and Stakeholder Engagement

We will inform the community through providing information on Council's website; online News; stakeholders, community groups and distributing a media release.

CONCLUSION

The Hallmark Event Grant provides the opportunity to contract professional event management support to assist in creative event strategy planning, which required various aspects of delivery to support the River of Art Festival and Narooma Oyster Festival event committees, to realise the full potential of their events.

It is recommended that Council approve the annual allocation of \$20,000 to support the River of Art Festival, and \$20,000 to support the Narooma Oyster Festival, each for a three-year agreement, consistent with the actions of the Event Strategy.

It is also recommended that Council approve a further three-year annual allocation of \$15,000 to support the Narooma Oyster Festival for traffic management, consistent with the actions of the Event Strategy.

Further, Council staff will write to relevant government agencies for event support for established events that are dealing with the increased costs due to our regional setting, to have additional grants available that are not requiring growth in the current environment.

PSR22/038 LICENCE RENEWAL - NATURE COAST DRAGON BOAT CLUB

**S023-T00017
LAND ID: 28760**

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

Attachments: Nil

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.3 Work together to achieve our collective vision

Delivery Program Link: 5.3.2 Manage land under Council control

Operational Plan Link: 5.3.2.2 Manage leases and licences

EXECUTIVE SUMMARY

The purpose of this report is to seek approval to renew the licence to Nature Coast Dragon Boat Club (the Club) for storage of its dragon boats at Moruya.

The Club has held a licence to store their dragon boats within Crown Reserve R82377 – Lot 7031 DP 1019726 Shore Street, Moruya since 2009. The current licence expires in December 2022 and the Club seeks to renew their licence for a further five years.

Public notice was undertaken in July 2022 in accordance with section 47A of the *Local Government Act 1993* and Council's Community Engagement Framework, and no submissions were received.

It is recommended that Council grant a five-year licence and renewals to Nature Coast Dragon Boat Club for storage of their dragon boats within Council-managed Crown Reserve R82377 being Lot 7031 DP 1019726 Shore Street, Moruya.

RECOMMENDATION

THAT:

1. Council grant a five-year licence to Nature Coast Dragon Boat Club for storage of their dragon boats within Crown Reserve R82377 Lot 7031 DP 1019726 Shore Street, Moruya, including the following conditions:
 - (a) The licence fee be in line with the Statutory Crown minimum increased annually in line with the CPI.
 - (b) The licence area is to be left clean and tidy after use and any damage caused is to be rectified by the licence holder.
 - (c) Provision of evidence of public liability insurance of at least \$20 million.
 - (d) Conditions generally be in line with similar licences.
2. The General Manager be given delegated authority to negotiate further licences.

BACKGROUND

The Club has occupied part of Crown Reserve R82377 – Lot 7031 DP 1019726 Shore Street, Moruya since 2009 for the purpose of storing their dragon boats.

PSR22/038 LICENCE RENEWAL - NATURE COAST DRAGON BOAT CLUB

**S023-T00017
LAND ID: 28760**

The current five-year licence is due for renewal and the Club has expressed an interest in renewing the licence for a further five years.

Public notice was undertaken in July 2022 in accordance with the *Local Government Act 1993* and Council's Community Engagement Framework, and no submissions were received.

CONSIDERATIONS

Conditions for the licence should generally be in line with the previous licence.

The licence area is shown in the sketch below.



Crown Reserve R82377 – Lot 7031 DP 1019726 Shore Street, Moruya

Legal

Lot 7031 DP 1019726 Shore Street, Moruya, being part Crown Reserve R82377, is under the management of Council as Crown Land Manager. A Crown Land Manager (CLM) is responsible for the care, control and management of appointed Crown reserves on behalf of the people of NSW. CLMs oversee the appointed reserves, buildings, assets and infrastructure, along with administering the Crown leases and licences for these locations.

<https://legislation.nsw.gov.au/view/pdf/asmade/act-2016-58>

Council can only issue a licence for a period of up to five years for Crown Reserves for which Council is Crown Land Manager. Public notice was given in accordance with Section 47A of the *Local Government Act 1993* and no submissions were received.

www.legislation.nsw.gov.au/#/view/act/1993/30/chap6/part2/div2/sec47a

PSR22/038 LICENCE RENEWAL - NATURE COAST DRAGON BOAT CLUB

**S023-T00017
LAND ID: 28760**

Policy

The licence will be issued in line with the provisions of Council's Code of Practice – Licensing of Council-Controlled Public Reserves and Associated Buildings.

https://www.esc.nsw.gov.au/_data/assets/pdf_file/0018/144225/Licencing-of-council-controlled-public-reserves-and-associated-buildings-code-of-practice.pdf

Environmental

The licence area is to be left clean and tidy after use, and any damage caused is to be rectified by the licence holder.

Asset

A condition of the licence includes that the Licensee will be responsible for maintaining the asset in a satisfactory condition.

Social Impact

The activities of the Club benefit the social and physical wellbeing of its members. It also encourages recreational activities on the Eurobodalla waterways and supports Objective 1 of the Community Strategic Plan 'Our sustainable shire celebrates our natural environment and outdoor lifestyles'.

Economic Development Employment Potential

The Club provides organised recreational activities, bringing together local residents and visitors to the region providing opportunities for increased trade with existing businesses.

Financial

Council's minimum licence fee is in line with the Crown Lands statutory minimum, which is currently \$526 plus GST, increased annually by CPI, as set out in Council's fees and charges, and this is considered appropriate.

Community and Stakeholder Engagement

In accordance with Section 47A of the *Local Government Act 1993* and Council's Community Engagement Framework, the intention to grant licences to the Club over Crown Reserve R82377 was publicly notified for 28 days in July 2022, and no submissions were received.

CONCLUSION

The five-year licence to Nature Coast Dragon Boat Club for storage of their dragon boats is due to expire. The Club has expressed interest in renewing the licence for a further five years.

Public notice was undertaken in July 2022 in accordance with Section 47A of the *Local Government Act 1993* and Council's Community Engagement Framework, and no submissions were received.

It is recommended that Council grant a further five-year licence and renewals to Nature Coast Dragon Boat Club within Crown Reserve R82377 – Lot 7031 DP 1019726 Shore Street, Moruya.

**IR22/021 FUNDING OFFER - 2022-2023 NSW RURAL FIRE FIGHTING FUND
ALLOCATIONS**

**S014-
T00018**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. RFFF Approved Works Schedule 2022/2023

Outcome: 2 Our community that welcomes, celebrates, and supports everyone

Focus Area: 2.4 Foster a safe community

Delivery Program Link: 2.4.4 Work with agencies and emergency services to support coordinated emergency management and improved resilience

Operational Plan Link: 2.4.4.5 Pursue increased grant funding and undertake fire mitigation program on Council controlled land

EXECUTIVE SUMMARY

Council has been successful in securing \$152,800 in funding from the NSW Rural Fire Service under its 2022-23 NSW Rural Fire Fighting Fund Allocations.

The Rural Fire Fighting Fund is an annual round of NSW Government funding that assists councils to undertake bush fire mitigation works to improve resilience in our community to future fire seasons. This funding will assist Council to work towards meeting the objectives of the Bush Fire Risk Management Plan and to maintain Asset Protection Zones by undertaking additional fire mitigation vegetation works involving hand clearing and grooming of Council managed lands.

Works will be carried out this financial year. This offer provides 100% funding towards the project. No additional allocation of Council funds is required.

RECOMMENDATION

That Council endorse the action taken to accept the grant funding offer of \$152,800 from the NSW Rural Fire Service under the 2022-23 NSW Rural Fire Fighting Fund Allocations.

BACKGROUND

The Eurobodalla Shire covers approximately 3,429 square kilometres with a significant proportion of this area identified as bush fire prone land. There are approximately 1,200 parcels of Public Reserve and Crown Land under Council's care and control in both urban and rural environments with an area of about 2,500 hectares.

It is the duty of a public authority (Council, National Parks and Wildlife Service, NSW Forestry Corporation, Department of Industry – Crown Lands), owner or occupier to undertake maintenance and management of land under their care or control to mitigate bush fire risk.

This work is undertaken in accord with the Eurobodalla Bush Fire Risk Management Plan and overseen by the Far South Coast Bush Fire Management Committee, in accord with the Rural Fires Act 1997. This plan identifies the levels of risk and establishes coordinated hazard reduction strategies and works to mitigate the risk.

Council allocates funds each year to address bushfire risks on land under its control and this work is undertaken on a priority basis.

**IR22/021 FUNDING OFFER - 2022-2023 NSW RURAL FIRE FIGHTING FUND
ALLOCATIONS**

**S014-
T00018**

Council pursued grant funding from the NSW Government to help achieve additional risk mitigation works.

CONSIDERATIONS

Council has been successful in securing \$152,800 in funding from the NSW Rural Fire Service under its 2022-23 NSW Rural Fire Fighting Fund Allocations. This offer of grant funding has been accepted.

The approved 2022-23 Rural Fire Fighting Fund Hazard Reduction works list for Eurobodalla is attached.

Council is appreciative of the increase in funding provided for this financial year.

Policy

The work undertaken to mitigate bushfire risk is delivered in accord with the Bushfire Risk Management Policy.

Social Impact

The proposed bushfire mitigation works will contribute to increased resilience of our community by reducing fuel build up in Asset Protection Zones.

The Rural Fire Service is responsible for ongoing education of the community, with a particular focus on householders undertaking preparations of their own property and developing their own specific bushfire plan. The RFS website provides substantial information in this regard at this link [Bush fire survival plan - NSW Rural Fire Service](#).

Financial

This grant provides funding to complete the works as listed. No additional allocation of Council funds is required.

CONCLUSION

The support of the NSW Rural Fire Service through the Rural Fire Fighting Fund is highly valued and will mitigate the risk to our community from bushfires.

The grant funding has been accepted. This report seeks Council's endorsement of the actions taken to accept the grant funding.

RFFF Works Approval Schedule 2022/23 - Eurobodalla Issued August 2022											
ID	Organisation	LGA	Activity Type	GUAR Reference	Title	Works Approval Date	Works End Date	APPROVED, WITHDRAWN, COMPLETED	Mowing/ Slashing Approved	Hand Clearing Approved	FY23 Total Funding Approved
MAM20220519001918	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220519001918	Post St Moruya Heads	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,000.00	\$3,000.00
MAM20220520001936	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220520001936	FMCH020 Forest Pde Tomakin	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,500.00	\$2,500.00
MAM20220520001937	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220520001937	FMNH031 31-91 Burri Point Rd, Guerilla Bay	1/07/2022	31/05/2023	APPROVED	\$0.00	\$5,000.00	\$5,000.00
MAM20220530002696	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002696	APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,500.00	\$3,500.00
MAM20220530002697	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002697	FMSH012 Johnston Way, Mystery Bay APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,500.00	\$2,500.00
MAM20220530002698	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002698	FMSH007 The Loop, Narooma APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,000.00	\$3,000.00
MAM20220530002699	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002699	FMSH002 247-269 Hector McWilliam Drive, Tuross Heads APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,000.00	\$3,000.00
MAM20220530002700	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002700	FMNH086 Currell Close, Malua Bay APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,500.00	\$2,500.00
MAM20220530002702	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002702	FMNH067 Explorers Way, Surf beach APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,500.00	\$3,500.00
MAM20220530002703	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002703	FMNH055 Heron/Gannet Place, Catalina APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,000.00	\$3,000.00
MAM20220530002704	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002704	FMNH029 Tranquil Bay Road, Rosedale APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,500.00	\$2,500.00
MAM20220530002705	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002705	FMNH024 Moorong Crescent, Malua Bay APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,000.00	\$2,000.00
MAM20220530002706	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002706	FMNH022 Karoo Crescent, Lilli Pilli APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$1,000.00	\$1,000.00
MAM20220530002707	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002707	FMNH021 Kobada Avenue, Lilli Pilli APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,500.00	\$2,500.00
MAM20220530002708	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002708	FMNH002 Banyandah Street, South Durras APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,000.00	\$3,000.00
MAM20220530002709	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002709	FMNH019 Elouera Close, Lilli Pilli APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,000.00	\$2,000.00
MAM20220530002710	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002710	FMCH013 Congo Road, Congo APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,000.00	\$2,000.00
MAM20220530002711	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002711	FMCH017 South Broulee Holiday Park APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,000.00	\$2,000.00
MAM20220530002712	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002712	FMNH054 Warragai Place, Lilli Pilli APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,000.00	\$3,000.00
MAM20220530002713	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002713	FMCH002 & FMCH003 Grove Place, Moruya Heads APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$4,500.00	\$4,500.00
MAM20220530002714	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002714	FMNH026 Dale Place, Rosedale APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$4,000.00	\$4,000.00
MAM20220530002715	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002715	FMNH044 54-92 Burri Point Road, Guerilla Bay APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$5,000.00	\$5,000.00
MAM20220530002716	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002716	FMNH030 Burri Point Road, Guerilla Bay APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$4,500.00	\$4,500.00
MAM20220530002717	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002717	FMNH053 Wentworth Avenue, Sunshine Bay APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$4,500.00	\$4,500.00
MAM20220530002719	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002719	FMNH064 Paul Place, Batehaven APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,500.00	\$2,500.00
MAM20220530002720	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002720	FMNH047 Dominic Drive, Batehaven APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$2,500.00	\$2,500.00
MAM20220530002721	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002721	FMNH018 Kennedy Crescent, Denham Beach APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$5,000.00	\$5,000.00
MAM20220530002722	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002722	FMSH006 Hillcrest Ave North Narooma	1/07/2022	31/05/2023	APPROVED	\$0.00	\$4,500.00	\$4,500.00
MAM20220530002723	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220530002723	Reader Place Mystery Bay APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$3,500.00	\$3,500.00
MAM20220608004694	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004694	FMNG018 Calga Cres, Catalina	1/07/2022	31/05/2023	APPROVED	\$400.00	\$0.00	\$400.00
MAM20220608004695	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004695	FMNG002 & FMNG003 Courtneay Cres, Long Beach	1/07/2022	31/05/2023	APPROVED	\$500.00	\$0.00	\$500.00
MAM20220608004696	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004696	FMSG004 Hillcrest Ave, North Narooma	1/07/2022	31/05/2023	APPROVED	\$500.00	\$0.00	\$500.00
MAM20220608004697	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004697	FMNH001 Village Rd, South Durras	1/07/2022	31/05/2023	APPROVED	\$2,500.00	\$0.00	\$2,500.00
MAM20220608004698	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004698	FMNH005 Fauna Ave/Long Beach Rd, Long Beach	1/07/2022	31/05/2023	APPROVED	\$2,000.00	\$0.00	\$2,000.00
MAM20220608004699	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004699	FMNH004 Fauna Ave/Karana Cl, Long Beach	1/07/2022	31/05/2023	APPROVED	\$2,000.00	\$0.00	\$2,000.00
MAM20220608004700	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004700	FMCH008 Crest Cres, Moruya Heads APZ	1/07/2022	31/05/2023	APPROVED	\$3,500.00	\$0.00	\$3,500.00
MAM20220608004701	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004701	FMSH010 Maculata Ct/Coastal Ct Dalmeny	1/07/2022	31/05/2023	APPROVED	\$4,000.00	\$0.00	\$4,000.00
MAM20220608004702	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004702	FMSH008 Eucalyptus Dr/Maculata Ct Dalmeny	1/07/2022	31/05/2023	APPROVED	\$4,000.00	\$0.00	\$4,000.00
MAM20220608004703	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004703	FMSH009 Coastal Ct Dalmeny	1/07/2022	31/05/2023	APPROVED	\$2,500.00	\$0.00	\$2,500.00
MAM20220608004704	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004704	FMNH034 Beach Pde Guerilla Bay	1/07/2022	31/05/2023	APPROVED	\$3,500.00	\$0.00	\$3,500.00
MAM20220608004705	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004705	FMNH091 Link Rd Malua Bay	1/07/2022	31/05/2023	APPROVED	\$4,000.00	\$0.00	\$4,000.00
MAM20220608004706	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004706	FMNH042 Cooks Ave/Cox Pl Surf Beach	1/07/2022	31/05/2023	APPROVED	\$2,500.00	\$0.00	\$2,500.00
MAM20220608004707	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004707	FMNH015 Edward Rd Batehaven	1/07/2022	31/05/2023	APPROVED	\$3,000.00	\$0.00	\$3,000.00
MAM20220608004708	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004708	FMNH014 Matthew Pde Batehaven	1/07/2022	31/05/2023	APPROVED	\$4,000.00	\$0.00	\$4,000.00
MAM20220608004709	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004709	FMNH023 Sylvan St Malua Bay	1/07/2022	31/05/2023	APPROVED	\$3,500.00	\$0.00	\$3,500.00
MAM20220608004710	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004710	FMNH008 Penthouse Pl Batemans Bay	1/07/2022	31/05/2023	APPROVED	\$2,000.00	\$0.00	\$2,000.00
MAM20220608004711	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004711	FMNH056 Wray St Batemans Bay	1/07/2022	31/05/2023	APPROVED	\$2,000.00	\$0.00	\$2,000.00
MAM20220608004712	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004712	FMNH074 Karoola Cres Surfside	1/07/2022	31/05/2023	APPROVED	\$3,000.00	\$0.00	\$3,000.00
MAM20220608004713	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004713	FMNG020 Tallgums Way Surf Beach	1/07/2022	31/05/2023	APPROVED	\$500.00	\$0.00	\$500.00
MAM20220608004714	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004714	FMNG025 Heron Rd &Penguin Pl Catalina	1/07/2022	31/05/2023	APPROVED	\$1,000.00	\$0.00	\$1,000.00
MAM20220608004715	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004715	FMNG027 Edward Rd Batehaven	1/07/2022	31/05/2023	APPROVED	\$400.00	\$0.00	\$400.00
MAM20220608004716	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004716	FMNH052 Canberra Ave South Durras	1/07/2022	31/05/2023	APPROVED	\$6,000.00	\$0.00	\$6,000.00
MAM20220608004717	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220608004717	FMNH090 Yarrabee Dr Catalina	1/07/2022	31/05/2023	APPROVED	\$2,500.00	\$0.00	\$2,500.00
MAM20220609005225	Eurobodalla Council	Eurobodalla Council	RFFF	MAM20220609005225	FMNH022 Karoo Crescent, Lilli Pilli APZ	1/07/2022	31/05/2023	APPROVED	\$0.00	\$1,000.00	\$1,000.00
									\$59,800.00	\$93,000.00	\$152,800.00

IR22/022 ROAD RENAMING PROPOSAL - PAYNE STREET, NAROOMA

**S028-
T00017**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Road rename proposal - Payne Street, Narooma

Focus Area: 5 Our engaged community with progressive leadership

Delivery Program Link: 5.1 Acknowledge our shared responsibility through an informed community

Operational Plan Link: 5.1.2 Provide a range of opportunities for the community to be consulted and engaged, guided by the Community Engagement Strategy

EXECUTIVE SUMMARY

Council has identified an emergency response risk with the street name and residential numbering system at the northern section of Payne Street, Narooma.

One of the principles of road naming is that road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication, and mail services.

This report seeks Council's endorsement to rename the northern section of Payne Street, Narooma.

There are two name proposals for Council's consideration:

- Fuller Lane, and
- Keegan Lane.

The notification process of the proposal as required by the Geographical Names Board (GNB) guidelines has been undertaken. Council directly engaged with all residents of Payne Street, Narooma to provide notice of the proposed name change of the northern section of Payne Street to Fuller Lane. Residents were invited to respond to Council regarding the proposed change via written submission within 28 days.

Three submissions were received from the residents of Payne Street, Narooma. Residents have understood the reasons why the proposed change has been suggested, and their submissions have been supported by Council, however one resident objects to the proposed change to Fuller Lane and suggests the name, Keegan Lane.

The GNB guidelines state that acceptable road names include early settlers, war servicemen and women and other persons who have contributed to the heritage of an area. Council proposed Fuller Lane in honour of Walter Herbet Fuller, a former resident of Payne Street, Narooma who served our country in World War I and was killed in action in Belgium at the age of 19.

Gender diversity in the selection of names is encouraged, as are names reflecting NSW multicultural heritage. Aboriginal names are also supported and shall be in a local language chosen in consultation with the Local Aboriginal Land Council and/or relevant Aboriginal community.

IR22/022 ROAD RENAMING PROPOSAL - PAYNE STREET, NAROOMA

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The resident's suggestion of Keegan Lane is in honor of a late immediate family member, and the Keegan's strong connection to Narooma and long-standing residence in Payne Street. The resident has also provided voluntary service to the community of Narooma, raising substantial amounts of money for the benefit of the community.

RECOMMENDATION

THAT Council determines to adopt either the road name as Fuller Lane or Keegan Lane to rename the northern section of Payne Street, Narooma as shown in this report.

BACKGROUND

The map below outlines the following:

- location of Payne Street, Narooma
- Proposed location of 'Fuller Lane', and
- Properties who have provided written submission regarding proposed name change.



In June 2022, Council sought resident feedback to rename the northern section of Payne Street, Narooma to Fuller Lane in line with the Roads Act 1993, Roads (General) Regulation 2000.

The reason for this proposal is that currently there are properties with no street number and several properties with a combination of a number and a letter, for example 1E. Residents were provided 28 days to formally submit feedback via written submission.

Three submissions were received from residents of Payne Street, Narooma:

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- A resident advised that their property does not have an allocated street number therefore the resident supports the suggested name change to Fuller Lane, Narooma.
- Another resident advised that their driveway adjoins to the roundabout of Payne Street, therefore the resident objects to their property being included in the change however supports the consideration of the proposal to rename the north section of Payne Street, Narooma as these properties' driveways do not adjoin to the roundabout.
- A further resident is supportive of a name change to the northern section of Payne Street, however objects to the name Fuller Lane and has requested consideration of Keegan Lane in honour of a late immediate family member. The resident's family have and continue to own property in Payne Street since the 1960's, in which the family had originally sub-divided the north section of Payne Street. The resident also explained that the family have contributed to the Narooma area over the years via owning and operating a local business and providing employment opportunities to the community. The resident himself has raised over \$100,000 for charity and the local community such as Camp Quality, Snowy Hydro Southcare, and Moruya Oncology. The resident has consulted with neighbouring properties directly impacted by the proposed name change who have shown no objection to the suggestion of Keegan Lane.

The Geographical Names Board (GNB) is governed by the Geographical Names Act 1966 which provides the power to assign names to places; to investigate and determine the form, spelling, meaning, pronunciation, origin, and history of any geographical name; and to determine the application of each name regarding position, extent, or other reference.

Council refers to the GNB NSW Address Policy, clause 6.7.6 Commemorative Road Names noting that naming often commemorates an event, person, or place. Council proposed Fuller Lane in honour of the late Walter Herbert Fuller. Mr Fuller was born in Narooma and raised in Payne Street. At the age of 19, he served in World War I in Belgium and was sadly killed in action. Mr Fuller was awarded the Victory medal, Star and British War medal for his service and sacrifice.

The GNB NSW Address Policy advises that acts of bravery, community service, and exceptional accomplishments are typical grounds for this type of recognition. The name of persons who gave their lives in service for their country are often used as commemorative names.

CONSIDERATIONS

GNB guidelines state that acceptable road names include early settlers, war servicemen and women and other persons who have contributed to the heritage of an area. Local history themes, flora, fauna, ships, and the like are also usually most suitable for applying to roads.

Gender diversity in the selection of names is encouraged, as are names reflecting NSW multicultural heritage. Aboriginal names are also supported and shall be in a local language chosen in consultation with the Local Aboriginal Land Council and/or relevant Aboriginal community.

The proposal to rename the northern section of Payne Street, Narooma to Fuller Lane complies with the GNB guidelines and has significance to the Eurobodalla community given the history of Walter Fuller and his connection to Narooma, being his birthplace and residence of Payne

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Street prior to his service at war. The GNB guidelines state that acts of bravery, community service and exceptional accomplishments are typical grounds for this recognition.

The proposal to rename the northern section of Payne Street, Narooma to Keegan Lane does not comply with the GNB guidelines. The GNB NSW Address Policy, clause 6.7.6 Commemorative Road Names, states that ownership of land that has been developed is not considered as a significant reason for naming purposes, the names of people who are still alive shall not be used because community attitudes and opinions can change over time. It is a requirement that a person is to have been deceased for at least 12 months before an application to commemoratively name a road after them is deemed acceptable. Recognition is granted that the deceased family member does meet this criterion within the GNB guidelines.

Legal

Under the Roads Act 1993, Council is prescribed as a Roads Authority. As a Roads Authority, Council is empowered to name and number its public roads under Section 162 of the Roads Act.

Policy

This proposal complies with Council's Roads Naming Policy. The policy provides guidance for developers, the community and Council when allocating new road names and renaming existing roads. The policy ensures that appropriate naming and renaming of roads for which Council is the Roads Authority is undertaken in compliance with the GNB guidelines.

The GNB role in the road naming process is to set policy and processes for all road naming proposals, and to compile, maintain and publish a list of road names as per Section 5(2) of the Geographical Names Board Act 1996.

Asset

Payne Street, Narooma referred to in this rename proposal is owned by Council.

Financial

This proposal has no financial implications other than the purchase of a new road name sign, and the ongoing maintenance of the sign which is expected to be minimal.

Community Engagement

In line with the GNB guidelines, notification of the naming proposal was provided to the residents of Payne Street, Narooma. Residents were provided with 28 days to respond to the proposal.

Three written submissions were received from residents of Payne Street, Narooma including one objection to the proposed name change with the suggested name of Keegan Lane.

There are two name proposals for Council's consideration:

- Fuller Lane, and
- Keegan Lane.

IR22/022 ROAD RENAMING PROPOSAL - PAYNE STREET, NAROOMA

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CONCLUSION

One of the principles of road naming is that road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication, and mail services.

Fuller Lane holds historical significance to the Narooma area in honor of Walter Herbert Fuller and naming roads after war servicemen is acceptable under the guidelines. This name was proposed by Council given consideration the GNB guidelines.

Keegan Lane is a resident suggestion in of honor a late immediate family member, and the Keegan families' strong connection to Narooma and long-standing residence in Payne Street.

Should Council endorse the renaming proposal of either Fuller Lane or Keegan Lane, subsequent gazettal of the road name by the GNB will be made legal.

ROAD RENAMING PROPOSAL, PAYNE STREET NAROOMA - PUBLIC EXHIBITION SUBMISSION SUMMARY

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Doc ID	Issues/Concerns	Response
4848737	The submission objected to the name change for properties whose driveways adjoin to Payne Street, however the submission is supportive of the name change for those properties located to the right of the roundabout in Payne Street.	Noted. Council reviewed the submission and confirmation was provided to the resident to confirm substantiation of their objection. Confirmation was provided that the properties with a driveway adjoining the roundabout of Payne Street would not be impacted by the name change.
4846249	The submission is supportive of approving the name change however requested further information as to why the name change was required, what the house number of the resident's property would be, and if a change of address would be required.	Noted. Response provided to advise the name change was required due to inconsistency of the residential numbering system on the north section of Payne Street therefore creating confusion and an emergency management risk. The resident's proposed house number was provided including details of how to change address.
4845548	The submission is supportive of the name change however objects to the proposed name Fuller Lane. The submission suggests the name Keegan Lane in honor of late mother and the family's strong residential connection to the street, and the Narooma area. Would like Council to reconsider proposed name change.	Noted. Response provided to acknowledge receipt of resident's name suggestion. Further detail was provided to the resident in support of Council's proposal of the name Fuller Lane, and confirmation was provided that Fuller Lane would remain the proposed name change. Resident further objected to proposed name change resulting in matter escalated to Councilors for vote.

**IR22/023 REQUEST FOR TENDER NO. 10049881 - NELLIGEN WATER
RESERVOIRS**

S032-T00009

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Confidential - Request for Tender No. 10049881 - Nelligen Water Reservoirs

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

Community Strategy: 1.4 Work together in the management and use of our valuable resources

Delivery Program Link: 1.4.1 Provide safe, reliable and sustainable water and sewer services, guided by the Integrated Water Cycle Management Strategy

Operational Plan Link: 1.4.1.1 Build and renew the water supply network

EXECUTIVE SUMMARY

Council has committed to provide Water Supply and Sewerage services to the village of Nelligen. The water supply and sewerage systems will be constructed under four contracts, the first being Request for Tender (RFT) No. 10049881 - Nelligen Water Reservoirs. The two water supply reservoirs are essential components of the Nelligen Water Supply and Sewerage Scheme.

Council engaged Public Works Advisory (PWA) to advertise Request for Tender (RFT) No. 10049881 on Council's behalf.

This report outlines the evaluation of offers submitted in response to RFT No. 10049881 and provides a recommendation for the preferred tenderer.

RECOMMENDATION

THAT Council enters into a contractual arrangement with the preferred tenderer as included in the confidential attachment for the construction of the Nelligen Water Reservoirs, subject to the terms specified in the Request for Tender No. 10049881 unless otherwise varied in accordance with this report.

BACKGROUND

Council's Integrated Water Cycle Management Strategy (IWCMS) 2016 identified the existing on-site sewage management systems in Nelligen as having a high risk on public and environmental health. Council pursued funding for the project and was subsequently successful in obtaining a grant of \$3.5 million through the NSW State Government Safe and Secure Water Program to complete the design and construction of the Nelligen Water Supply and Sewerage Scheme.

The project will be constructed under four contracts packaged as follows:

- Contract Package 01 – RFT No. 10049881 - Nelligen Water Reservoirs
- Contract Package 02 – Nelligen Pumping Stations and Transfer Mains
- Contract Package 02 – Nelligen Water Reticulation and Pressure Sewerage Systems

**IR22/023 REQUEST FOR TENDER NO. 10049881 - NELLIGEN WATER
RESERVOIRS**

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- Contract Package 04 – Nelligen Power Supply Upgrades.

RFT No. 10049881 includes the design and construction of two 0.88ML reinforced concrete water reservoirs and associated supporting systems and works. The reservoirs will be located at sites in Nelligen and North Batemans Bay, both sites are Council owned operational land.

RFT No. 10049881 was advertised on 21 June 2022 with a closing date of 21 July 2022. Offers were received from the following tenderers and assessed in accordance with the Tender Evaluation Plan dated 21 July 2022:

- Leed Engineering and Construction Pty Ltd, Cooma, NSW, 2630
- Quay Civil Pty Ltd, North Ryde, NSW, 2113.

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

CONSIDERATIONS

Legal

Request for Tender (RFT) No. 10049881 – Nelligen Water Reservoirs was advertised in accordance with clause 167 of the Local Government (General) Regulation 2021 and Local Government Act 1993.

The tender was advertised through the NSW Government tendering website.
(<https://tenders.nsw.gov.au>).

Upon release of the RFT a Tender Evaluation Plan (TEP) was distributed amongst the Tender Evaluation Committee (TEC). Declarations of Confidentiality and Conflicts of Interest Forms were completed and signed by the TEC.

The offer submitted by the preferred tenderer has been assessed as the most advantageous tender which represents best value for money for Council due to the company's demonstrated experience, quality of workmanship, and satisfactory price.

Policy

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

Social Impact

Provision of water supply and sewerage services will improve the quality and reliability of drinking water for residents and visitors of Nelligen and will reduce the impact that existing on-site sewage management systems are having on the environment.

The provision of a reticulated town water supply will include regular hydrants within the streets to assist with firefighting activities.

**IR22/023 REQUEST FOR TENDER NO. 10049881 - NELLIGEN WATER
RESERVOIRS**

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Financial

A grant of \$3.5 million was provided through the NSW State Government Safe and Secure Water Program for the design and construction of the Nelligen Water Supply and Sewerage Scheme.

The tender prices submitted are higher than the pre-construction estimate due to significant recent increases in construction costs in recent times. However, the amount tendered by the preferred tenderer can be accommodated within the existing water fund capital budget and water fund reserves.

Community and Stakeholder Engagement

The community will be informed of the tender outcome(s) via Council's contract register found in Council's 'Public Access to Information' web link.

CONCLUSION

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

The preferred tender as identified in the Confidential Attachment is therefore recommended for the awarding of a contract for the design and construction of the Nelligen Water Reservoirs.

IR22/024 INFRASTRUCTURE RECOVERY - NATURAL DISASTERS

S008-T00007

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Under Separate Cover: Attachment A - Bridge Works

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

Community Strategy: 2.4 Foster a safe community

Delivery Program Link: 2.4.4 Work with agencies and emergency services to support coordinated emergency management and improved resilience

Operational Plan Link: 2.4.4.6 Advocate to the NSW and Australian Governments to fund improved resilience of local roads and bridges, evacuation centres, water and sewerage systems, power supply, telecommunications and highways

EXECUTIVE SUMMARY

Eurobodalla has experienced ten declared natural disasters, with the bushfires in 2019-20 and nine subsequent declared natural disaster floods.

These natural disasters have had a significant impact on the Eurobodalla community and caused extensive damage to local road and bridge infrastructure, loss of power, loss of telecommunications, damage to water and sewerage infrastructure and significant operational challenges due to the loss of power and telecommunications and loss of highway access impacting resupply.

The purpose of this report is to provide an overview of the extensive work done since the Black Summer bushfires to recover our local road and bridge infrastructure and deliver 'in-perpetuity' improvements to address these specific issues. The timing of this report coincides with achieving major milestones in infrastructure recovery.

RECOMMENDATION

THAT:

1. The update report on the extensive works undertaken to date on recovery of local roads and bridges following the ten natural disasters impacting Eurobodalla be received and noted.
2. The work undertaken to improve the resilience of local roads and bridges, highways, water and sewerage systems, power supply and telecommunications be noted.
3. Council continue to advocate for further support from the NSW and Australian Governments to proactively improve the resilience of the infrastructure our community depends on during and after natural disasters.
4. The following motion be submitted to the LGNSW Conference:
That LGNSW seek the support the NSW and Australian Governments for:
 - (a) Proactive funding programs from the NSW and Australian Governments to upgrade local roads, bridges and other infrastructure to improve community resilience, taking account of the social equity challenges in rural Australia.

IR22/024 INFRASTRUCTURE RECOVERY - NATURAL DISASTERS

S008-T00007

- (b) Greater flexibility under the Natural Disaster Relief and Recovery Arrangements to build Council's transport and related infrastructure back better.
- (c) Continued review and improved integration of emergency services agencies with increased decentralisation to regional NSW.
- (d) Removal of the cost of funding NSW Government agencies from Local Government including the NSW Rural Fire Services, NSW State Emergency Services and NSW Fire and Rescue.
- (e) Provision of additional funding to Essential Energy to improve the resilience of power lines and supply to critical infrastructure sites (such as telecommunications towers and exchanges, water supply and sewerage schemes, aged care facilities and vulnerable communities).
- (f) Provision of additional funding to improve the resilience and coverage of telecommunications facilities across regional Australia.
- (g) Provision of continued work to improve the resilience of State highways.
- (h) Changes in regulation and funding incentives to improve the resilience of aged care facilities, fuel service stations and major food retailers, including but not limited to back-up and alternate power supply systems and satellite communications.

BACKGROUND

Eurobodalla has experienced the following natural disaster events in recent years:

- i) Natural disaster bushfires 26 November 2019 to 3 March 2020
- ii) Natural disaster floods
 - a. February 2020
 - b. July 2020
 - c. August 2020
 - d. October 2020
 - e. December 2020
 - f. March 2021
 - g. May 2021
 - h. December 2021
 - i. February 2022

COVID-19 also provided significant challenges from March 2020.

These natural disasters have had a significant impact on the Eurobodalla community and caused extensive damage to local road and bridge infrastructure, loss of power, loss of telecommunications, damage to water and sewerage infrastructure and significant operational challenges due to the loss of power and telecommunications and loss of highway access impacting resupply.

IR22/024 INFRASTRUCTURE RECOVERY - NATURAL DISASTERS

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Immediately post the bushfires, a Eurobodalla Infrastructure Resilience Plan was developed as a working document to inform actions to be taken arising from lessons learnt.

At a high summary level, this report outlines key actions to date to recover our infrastructure and the status of other actions taken to improve overall infrastructure resilience to reduce impacts in future natural disasters.

The recovery work and actions to improve resilience have been built into the Delivery Program and Operational Plan and will continue going forward.

CONSIDERATIONS

There has been significant advocacy work undertaken in this space already including direct contact with the respective agencies, meetings and various letters to relevant Ministers by the Mayor and past Mayor as well as partnering with community and business on advocacy.

To tell the Eurobodalla disaster response story and offer solutions to lessons learnt, to gain wider sector support for positive change and to support other councils and personnel across the sector, the Director Infrastructure Services has given presentations to various major events including:

- a) Australian Local Government Association – National Roads, Regions and Resilience Conference Wagga Wagga – 16 November 2020
- b) National Municipal Works and Engineering Conference – 11 March 2021
- c) NSW Local Roads Congress – Parliament Theatre Sydney – 7 June 2021
- d) Institute of Public Works Engineering Australia – Young IPWEA Leadership Program – Leading in a Crisis – Virtual Across Australia and New Zealand
- e) South East Australian Transport Strategy Inc – 13-14 May 2021 Goulburn
- f) South East Australian Transport Strategy Inc – 20 August 2021 (virtual meeting)
- g) Local Government Procurement – Sector Article - 28 August 2021
- h) South Gippsland Shire Council – 28 October 2021
- i) Keynote address IPWEA NSW/ACT State Conference – Parliament Theatre Canberra – 10 March 2022
- j) University of Technology Sydney 8 September 2022.

These presentations have helped secure broad sector support on critical advocacy matters from Local Government NSW, Australian Local Government Association, IPWEA NSW/ACT and IPWEA Australasia, NSW Country Mayors, South East Australian Transport Strategy Inc, NSW Roads and Transport Directorate and others. These opportunities have also allowed direct discussion of critical infrastructure issues face to face with senior agency personnel and Members of Parliament at a State and Australian Government level.

This advocacy is based directly on the lessons learnt from a bushfire and flood disaster experience and is consistent with the Council submissions made to the NSW Bushfire Inquiry and Royal Commission into National Natural Disaster Arrangements ([Bushfire inquiries and Eurobodalla Council submissions | Eurobodalla Council \(nsw.gov.au\)](#)). This advocacy work is now imbedded into the Delivery Program 2022-26 and Operational Plan 2022-23.

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To strengthen this advocacy work further, this report recommends a motion be put to the next LGNSW Conference seeking confirmation and/or support from LGNSW to advocate on behalf of the sector to the NSW and Australian Governments.

The majority of the infrastructure recovery work on Council's transport infrastructure is funded by the NSW and Australian Governments under the Natural Disaster Recovery and Relief Arrangements (NDRRA). These arrangements often require complex investigation works to be completed upfront to inform negotiation on all significant recovery works, using estimates of costs and agreed methods of repair. We have negotiated a mix of solutions.

The overriding principle set for our team has been to 'build back better' within a funding environment that is focussed on replacement of 'like for like', whilst maintaining integrity in our actions with the funding arrangements under NDRRA. This often requires lateral thinking about solutions, development and costing of multiple solutions to evidence that the more resilient solutions can be achieved at a lower cost and/or juggling other Council or grant funding to produce the best result.

This can be a challenging arrangement and does require ongoing communication with the community to outline the process in a time critical environment.

The new Councillors were taken on a full day tour of the Deua Valley on 18 March 2022 to see the many challenges firsthand and to talk to community members. This tour was well received and enabled a strong insight for new Councillors into the community impacts and infrastructure recovery and resilience challenges on Araluen Road, and more generally across the western sectors of the Eurobodalla.

The overall scale of the effort by the Infrastructure Services team, and more broadly the organisation, in continuing the recovery from the 2019-20 bushfires and the nine declared natural disaster floods since is quite incredible. This report can only provide a higher-level overview.

Nevertheless, given the milestones achieved to date, it is important to place this information into the ordinary business paper of Council for the public record.

1. Local Roads and Bridges

1.1 Overview

The bushfires and repeat floods have caused major damage impacts to roads, drainage structures, bridges, roadside vegetation and ancillary road infrastructure (eg guardrail, guideposts, signage and the like).

The areas west of the Princes Highway were particularly impacted being the key bushfire affected areas of the Eurobodalla. The diagram below shows the approximate area impacted by the bushfires across Eurobodalla and the adjoining parts of neighbouring LGAs.

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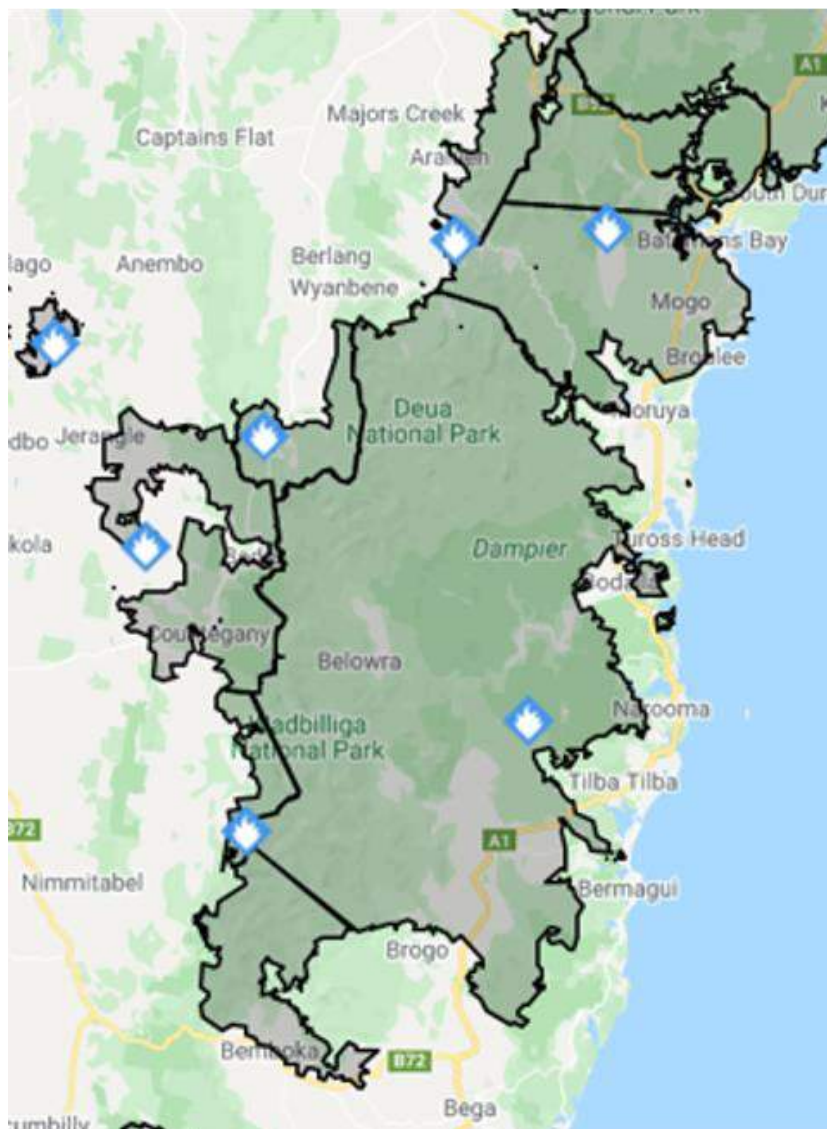


Figure 1 – Approximate fire impacted area (source RFS Fires Near Me)

Each repeat natural disaster event requires extensive work on disaster response (both as Council and through the Emergency Operations Centre team in the role of Local Emergency Management Officer); emergency clean-up and initial repair; assessment of the additional damage and solutions; submission of requests for funding through the Natural Disaster Relief and Recovery Arrangements (NDRRA); planning of work and identification of resourcing, procurement of services, specialist engineering advice and investigation where required (eg geotechnical work on landslides, bridge design); delivery of works; extensive communication with impacted communities, agencies, Members of Parliament and the media; engaging contractors and provision of resources (eg bridges components, materials supply), delivery of works and administration of a diverse and complex array of works, financial tracking, submission of reports to the funding authority and administration of payment.

The extent of the bushfire devastation followed by such intensive rainfall meant that our landscape was vulnerable to erosion with bare catchments exposed. This resulted in large volumes of ash and sediment reaching our roads, blocking drainage lines. Combined with multiple floods and saturated soil conditions, roads and batters suffered extensive landslides

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and longitudinal cracking. The clean-up and removal of waste from properties was essential, however this too added to the damage to the road network.

These events and the associated response and recovery works also required the management of extensive risk to the community, to first responders in emergency response (including Council teams) and throughout the ongoing recovery period.

To better manage the workload within the Infrastructure Services team, a separate Disaster Recovery team with a mix of internal staff seconded to lead that team and external contractors was established. This team has been supported under the NDRRA funding arrangements and included recent retirees with Finance and Procurement expertise who agreed to come back and assist in the recovery of our community.

To backfill the key internal roles, many of our younger team members, developed through our extensive Cadet and Apprenticeship roles, have successfully stepped up in a supported environment to take on more senior business-as-usual roles.

The nature of the ebb and flow of repeat natural disasters also requires the support and acknowledgement of the extensive trauma within the community and our workforce who are also a part of our impacted community. This includes some team members who lost their homes and/or experienced other losses during the disasters.

The impacts of such frequent natural disaster events have inevitably impacted the wellbeing and morale as momentum in recovery is gained, only to have the community and team rocked by yet another natural disaster, setting progress back.

The extensive limitations of the ongoing weather, COVID-19 and supply chain shortages have also created many challenges, all of which have been managed and overcome to deliver recovery works and extensive advocacy to bring about positive change in a move toward future infrastructure resilience.

Throughout this period, Council's team has shown extraordinary commitment to the Eurobodalla community going well beyond normal operational activities for such an extensive period of time. There has also been significant additional workload placed on the central support service teams who have offered strong level of support in a whole of organisation effort despite COVID-19 and other impacts on staff availability.

1.2 Local Roads

The ten natural disasters have resulted in over two thousand damage sites across the local road network. This damage is recorded within Council's systems including Recover to allow tracking and administration of the natural disaster claims. It is not practicable to record the damage at all of these sites in this report, noting that some sites have been repeatedly damaged in multiple events.

The following provides a higher-level summary.

1.2.1 Unsealed roads

Council maintains about 404km of unsealed roads. The recovery works to date in the western sector has required extensive works including but not limited to:

- i) Repeat disaster response operations, clearing of fallen timber, temporary repairs to allow continued access

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- ii) Extensive programs of culvert and drain clearing to re-establish drainage functionality
- iii) 138km of repair maintenance grading of unsealed roads
- iv) 78km of gravel resheeting on the local roads plus 6km for the alternate detour route via Mt Wandera for Araluen Road. The value of this work exceeds \$5 million and is approximately equivalent to five years of our normal resheeting program. This work is now 72% complete with a further 22% in progress under contract
- v) Removal of fire impacted trees including both the initial tree collapse and high risk trees, then the subsequent secondary tree death as assessed by qualified arborists. Of the 490km of local roads within the bushfire zone, approximately 343km was assessed as requiring treatment for hazardous trees. This work is now approximately 95% complete.

1.2.2 Sealed roads

The damage to the sealed road network able to be claimed under the NDRRA funding is significantly less than across the unsealed network except for the damage identified under Bridges and Major Structure outlined within this report.

However, the ongoing natural disasters and saturating wet weather has resulted in the decline of the sealed road network along with numerous minor defects such as potholes, shoves and other failures. Many of these aspects are not eligible under the NDRRA arrangements.

Council is pursuing additional grants under programs such as the NSW Fixing Local Roads program to help restore the condition of the sealed road.

1.2.3 Landslides and slope instability

There have been extensive landslides across Eurobodalla, particularly in the mountainous terrain in the western sector.

These damage sites all require careful consideration of the risks, assessment to determine if external geotechnical expertise is required, engagement of suitable geotechnical specialists and site investigations, development of options, agreement with Transport for NSW on solutions to be covered under the NDRRA, procurement, engagement of contractors and project delivery.

A mix of solutions was required from relatively straight forward removal of material, use of conventional treatments such as gravity retaining structures to complex and specialized geotechnical stabilisation techniques.

The following is a high-level list only of the major landslide areas:

Araluen Road:

- 11km site – earthworks complete, minor retaining required, materials won recycled to achieve other road safety benefits at other sites
- 14km site – earthworks complete, minor retaining required, materials won recycled to achieve other road safety benefits at other sites
- 18km site – geofoam wall underpinned and embankment stabilisation extended 40m. Substantially complete.

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- 19km site – urgent stabilisation in narrow cutting March 2021. Damage increased in March 2022 with stabilisation works complete August 2022. Additional LRCIP grant funding provided to extend treatment area. Substantially complete.
- 22km mark (see photos below) – this landslide closed the existing road. Detailed investigations to repair the existing road compared to a new more resilient alternate route around the site were undertaken. Approval to build the new alternate road was gained in June 2021 and the new road opened to traffic on 10 December 2021. Works are now substantially complete with a new more resilient sealed road provided for the Deua Valley community. Materials won being recycled to provide improved road surfacing elsewhere on Araluen Road under a Fixing Local Roads grant.
- 24km site – urgent works in May 2022. Stabilisation of embankment. Additional LRCIP funding of rock scaling and cutoff drainage improvements. Stabilisation works complete. Gravelling and sealing to be completed.
- 41km sites – three sites in West Merricumbene area. Major stabilisation works are currently in progress and programmed for completion September/October 2022. Additional LRCIP grant funding has been provided in round 2 and 3 to further improve resilience, improve road width and road safety, which will be completed over 2022-23.
- 43km site (see photos below). Major downhill and uphill landslides closed the road indefinitely. Detailed geotechnical investigations were undertaken, and designs prepared, including assessing alternate routes around the landslide sites. The alternate routes were deemed not to be a viable option and after briefing Council, detailed designs proceeded for the works required to re-open the existing road. The tenders for these works were reported to Council at the meeting of 23 August 2022. Contracts have now been awarded for the specialized geotechnical works to proceed with a view to completion during 2022-23.
- 45km site – slope stability works commenced in February 2022. The March 2022 floods resulted in the scale of the works tripling to 150m. These additional works were incorporated in the extended urgent works at the 18, 19 and 24km marks. The stabilisation works at the 45km mark were completed in June 2022.

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Larrys Mountain Road:

- Several minor sites repaired
- Two more significant sites in scoping/design with a view to being completed during 2022-23

Reedy Creek Road:

- Four embankment damages sites
- Site 1 - Dignmans Creek, earthworks complete, final stabilisation to be completed.
- Site 2 - Eurobodalla, scaling complete
- Site 3 – Eurobodalla, in design
- Site 4 - remote site with difficult access currently in design.

Centenary Drive:

- 40m length of embankment damage causing lane closure. Currently in detailed design and approvals phase.

Nerrigundah Mountain Road:

- Multiple damage sites with a 5 tonne load limit still in place
- Scoping complete, commencing design with a view to completion during 2023

Cadgee Mountain Road:

- Three embankment damage sites. Scoping complete, commencing design with a view to completion in 2023
- Additional drainage and repair work completed under other grant funding to improve resilience and allow removal of the 5 tonne load limit.

Eurobodalla Road:

- Three embankment damage sites in scoping/design
- Batter scaling completed.

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Photo 1 – Araluen Road

Major landslide area at 22km mark with adjoining minor slides either side over an extended length. This section has now been bypassed by a new alternate route over the mountain.



Photo 2 – Araluen Road

Major landslide at the 22km mark extending approximately 30-35m upslope

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Photo 3 – Araluen Road

22km mark with new alternate road now substantially complete, with Mt Wandera telecommunications tower in the background (peak on top right-hand side)



Photo 4 – Araluen Road

22km mark looking north with the old road with landslides in the foreground. Despite the new road being built in mountainous terrain clever design has meant the maximum road grade is only 12.5% vertical grade. The old road and tracks have been restored. Only minor drainage and restoration work remains to be completed.

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Photo 5 – Mt Wandera Trig Road

This was the alternate access for Deua Valley residents via Mt Wandera until it collapsed in the natural disaster flood on 10 December 2021. Council's works were sufficiently advanced at the 22km mark on Araluen Road to allow it to be opened to resident-only traffic.



Photo 6 - Araluen Road

Slope instability developed below the existing foam block wall at the 18km mark requiring urgent soil nailing works to stabilize the natural slope

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Photo 7 – Araluen Road

19km mark is just one example of the sites requiring extensive geotechnical stabilisation in a constrained location. The soil nailing work was extended using other grant funds beyond the work able to be funded under NDRRA whilst crews were on-site, facilitating a more resilient outcome for the community



Photo 8 Araluen Road

Many of the sites that suffered landslide or instability were in extremely steep terrain and required specialized geotechnical solutions to stabilize the existing side slopes. This photo shows the soil nailing work being progressed.

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Photo 9 Araluen Road

The major landslides at the 43km mark occurred in extremely steep terrain closing the road indefinitely. This 3-D animation was created by Council's in-house teams using drone survey technology to assist assessment of recovery options.

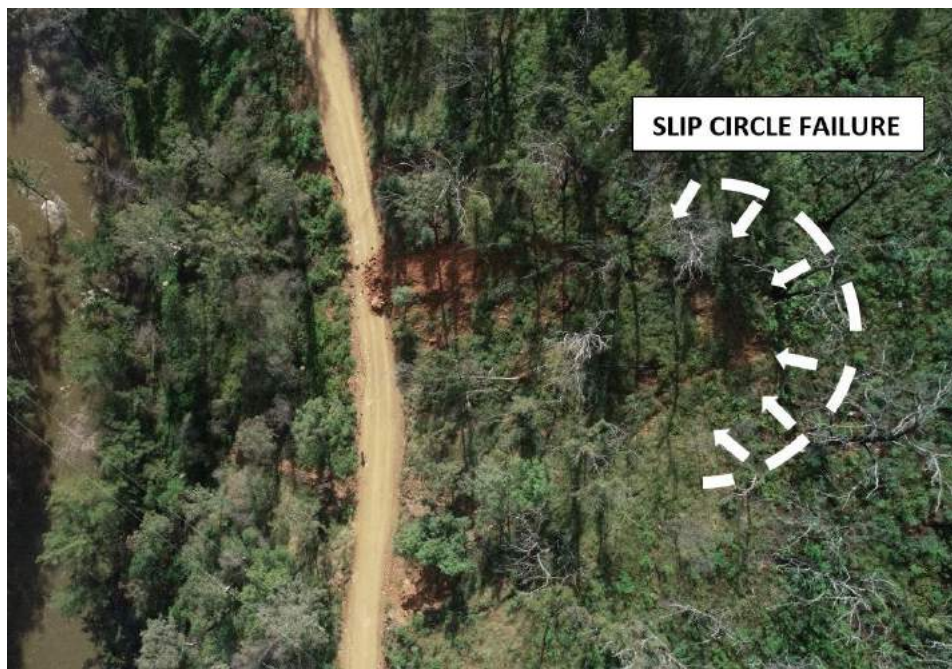


Photo 10 – Araluen Road

Drone technology allowed identification of a major landslide developing 35-40m above the landslides visible at road level. Detailed geotechnical investigations followed to develop solutions to recover the roadway and contracts have now been awarded to allow works to proceed over 2022-23 to treat the failed sections.

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Photo 11 – Araluen Road Merricumbene

Additional grant funding was sourced to allow commencement of resilience works to mitigate the risk of further road collapse into the Deua River. A further stage is funded and planned for 2022-23. Additional grant funding will need to be sourced to continue this work.



Photo 12 – Araluen Road Merricumbene

Additional grant funding was directed to allow re-use of materials won from resilience works to stabilize existing batters and widen corners to allow safer travel along Araluen Road

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1.3 Bridges & Major Culverts

Eighteen timber bridges were destroyed or significantly damaged during the bushfires resulting in seventeen full replacements and one repair. One other bridge was severely damaged in the subsequent July 2020 floods, also requiring full replacement.

The location of the disaster affected bridges is shown schematically in Figure 2 and listed in Table 1 below. Attachment A shows photos of the disaster impacted bridges after the disaster and following reconstruction/repair.

A separate Bridge Reconstruction team was created working with a Senior Projects Engineer working with existing personnel to deliver the rebuilding of the nineteen disaster impacted timber bridges and other major structures. This team is also responsible for delivering other bridge replacements under the Local Roads and Community Infrastructure Program (LRCIP), Fixing Country Bridges Program and Garlandtown Bridge on North Head Drive.

The replacement of pre-existing timber bridges with concrete bridges has resulted in a major improvement in community resilience and also offers a substantial increase in load carrying capacity to permit access for firefighting equipment during and post natural disaster events (eg large excavators and dozers).

Most structures have been lifted marginally improving flood performance, although the funding requirements under the NDRRA have constrained the benefit that would have otherwise been achieved in a number of cases.

Completion of bridges during a period of nine disaster floods and such an extended wet period is obviously challenging as temporary structures were repeatedly washed away and construction within gullies and waterways particularly affected by wet weather flows and floods.

This unprecedented level of timber bridge replacement with new concrete structures in Eurobodalla, has also significantly improved community and first responder safety, providing an 'in-perpetuity' benefit to the community, farmers, businesses and Council as well as Government agencies such as the National Parks and Wildlife Service, Forestry Corporation NSW and emergency response agencies.

Most concrete structures have also had the approaches sealed to better protect the new bridges and deliver improved environmental outcomes for the adjacent waterways.

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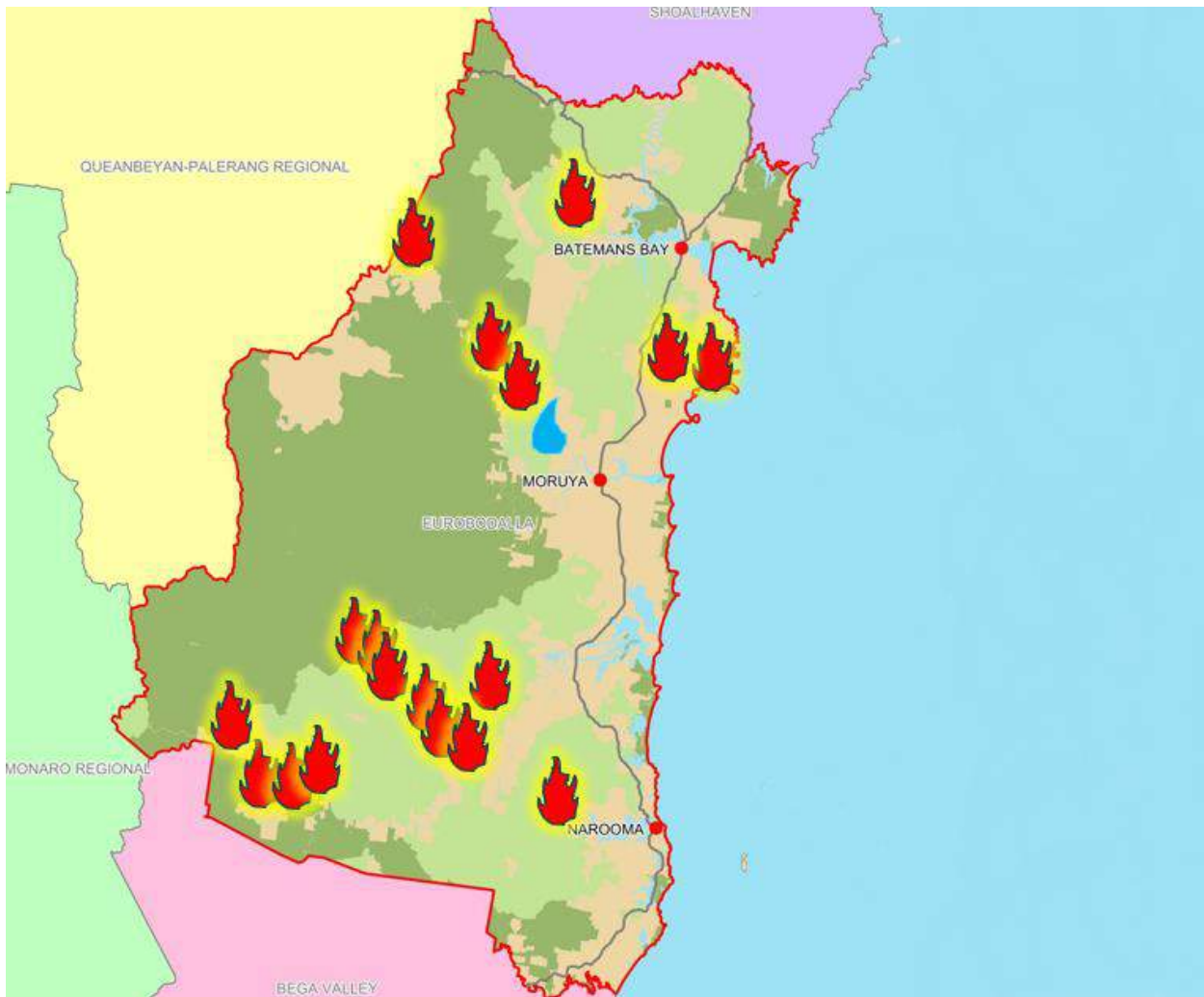


Figure 2 – Schematic showing the bushfire and flood impacted timber bridges across Eurobodalla

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Bridge	Road & Location	Status
Clarksons Bridge	Wagonga Scenic Drive, Narooma	Repair complete
Rosedale footbridge	Rosedale village	Complete
Cheese Factory bridge	Eurobodalla Road, Eurobodalla	Complete
Reedy Creek bridge	Eurobodalla Road, Cadgee	Complete
Peach Tree bridge	Eurobodalla Road, Cadgee	Complete
Murphys bridge	Eurobodalla Road, Cadgee	Open to traffic
Sinclairs bridge	Eurobodalla Road, Cadgee	Complete
Gulph Creek bridge	Nerrigundah Mtn Road, Nerrigundah	Complete
Comans bridge	Gulph Creek Road, Nerrigundah	Complete
Belimbla bridge	Belowra Road, Belowra	Complete
Sitters Ditch bridge	Belowra Road, Belowra	Complete
Four Gums bridge	Belowra Road, Belowra	Complete
Belowra bridge	Belowra Road, Belowra	Complete
Bradburys bridge	Araluen Road, Deua Valley	Complete
McGregors Creek bridge	Araluen Road, Deua Valley	Complete
Kennys Creek bridge	Araluen Road, Deua Valley	Complete
Pidgeon Gully bridge	Araluen Road, Deua Valley	Complete
Old Tomakin bridge	Old Tomakin Road, Mogo	Complete
Old Bolaro bridge	Old Bolaro Mountain Road, Buckenbowra	Complete

Table 1 – Bushfire and flood affected bridges

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Photo 13 – significant challenges face rural farmers and residents when critical infrastructure is lost. Belimbla bridge was destroyed on 31 December 2019. Temporary structures suffered repeated damage during subsequent repeat flood events

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Other Damaged Major Road Structures

In addition to the timber bridges numerous major culverts and causeways have been adversely impacted. A mixture of repair/replacement solutions is proposed depending upon the context, utilising a mixture of grants, disaster funding and Council bridge renewal funding.

Examples of major structures impacted include:

- a) Eurobodalla Road, Nerrigundah – northern causeway

This structure has been washed out at both ends repeatedly and will be replaced with a bridge with similar flood capacity to the bridge into Nerrigundah over Gulph Creek. This will provide vastly improved access to local residents and for Essential Energy to access the main powerline into Nerrigundah. The bridge components have been procured with installation scheduled for 2023, subject to confirmation of grant funding.

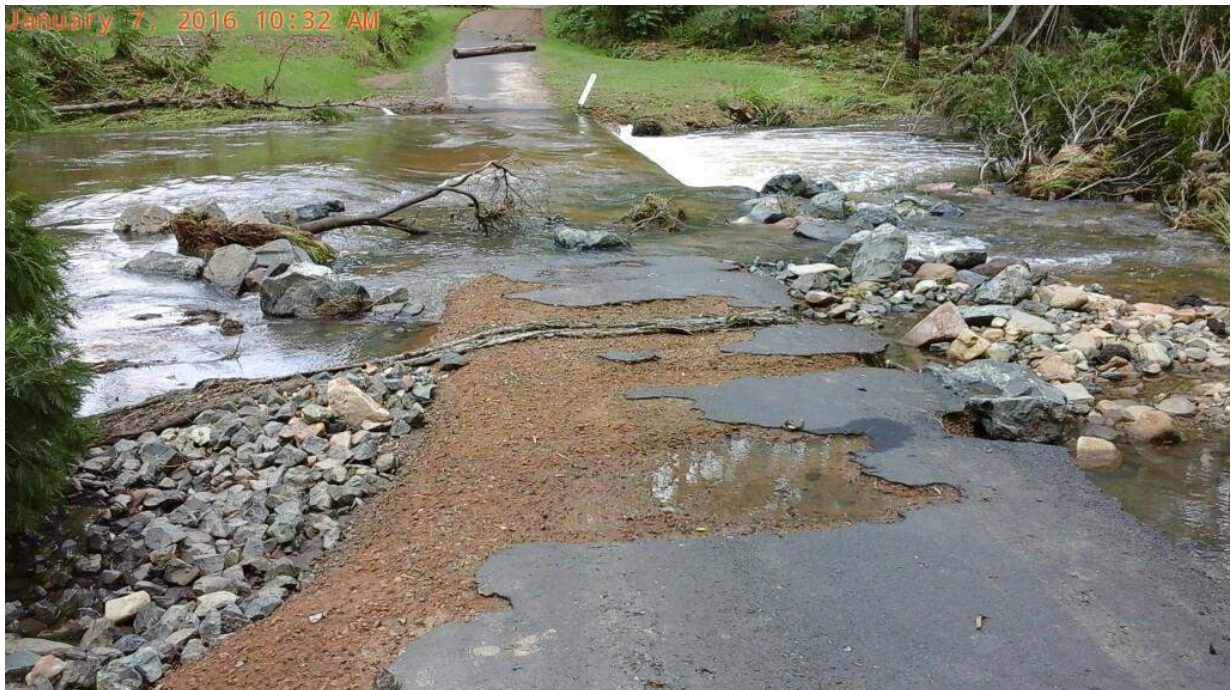


Photo 14 – Northern Gulph Creek Causeway, Eurobodalla Road, Nerrigundah

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b) Eurobodalla Road, Nerrigundah – southern causeway

This structure is located in a very wide section of Gulph Creek and would be a large exercise to replace with a bridge structure. The causeway will therefore be repaired in the interim and extended concrete approaches provided to mitigate loss of the roadway. This work is scheduled for 2023.



**Photo 15 – part of the southern causeway Gulph Creek Eurobodalla Road, Nerrigundah.
This photo highlights the devastating impact of both
the bushfires followed by a natural disaster flood event.**

c) Woila Creek causeway Belowra Road Belowra

This structure is on a significant creek and requires a short extension of the causeway either side to prevent wash-out. This work is scheduled for 2023.

d) Church Street, Mogo – causeway

This piped causeway was undermined in the December 2021 flood. This structure will be replaced with a larger box culvert structure reducing the frequency and time period residents will be cut off by floodwaters. This also reduces the potential risk to the community associated with risky driver behaviour. This project is scheduled for completion during 2022-23.

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e) Veitch Street, Mogo – major culvert

This structure was significantly damaged in the December 2021 flood, resulting in collapse of the road. Single lane access was quickly re-established that same night and a temporary repair affected shortly thereafter. Design solutions will be investigated during 2022-23 and funding sources identified.



Photo 16 Veitch Street, Mogo – culvert crossing December 2022 was restored that evening and re-opened to provide resident access. Major renewal/replacement will be required in the short term.

f) Buckenbowra Road culvert, Mogo

This structure required reconstruction being replaced by three 1050mm concrete pipes. This project is complete.

g) Araluen Road approximately 24km from Moruya - 1500m piped culvert

This damage was a combination of a batter collapse and headwall moving away from the road. Major construction was required. This project is complete.

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h) Nelligen Creek Road causeway

This piped causeway has been washed out in multiple events cutting access to rural residents and resulting in the loss of the road embankment and pavement materials into the nearby receiving waterways. This structure will be replaced with a bridge to improve resilience and overcome the challenges of repeat loss of the roadway. This work is scheduled to be undertaken in late 2023.



Photo 17 - Nelligen Creek Road causeway has been repeatedly washed away

i) River Road causeway (approximately 6.5km mark)

This causeway was severely damaged requiring reconstruction. The funding has been agreed and contracts let for the works.

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j) River Road, Nelligen

There are numerous legacy issues across the rural road network. This example highlights the lack of structures at key locations, inevitably resulting in the loss of the roadway during major events.

It is proposed to pursue grant funding to allow the NDRRA funding to be topped up to allow installation of a major culvert structure at this site. The road would also be lifted to mitigate flooding and the loss of the roadway to improve access for residents and environmental outcomes.



Photo 18 – River Road, Nelligen suffers regular flood damage

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Additional bridge construction

The replacement of additional timber bridges to improve resilience is being actively pursued. Such works are beyond the financial capacity of many regional councils, Eurobodalla included. Therefore, extensive advocacy work and the proactive pursuit of grant funding is essential.

Council has secured additional funding through the NSW Government Fixing Country Bridges Program and the Australian Government Local Roads and Community Infrastructure Program and Bridge Renewal Program to leverage the modest bridge renewal funding available to Council to facilitate the replacement and/or upgrade of the bridges shown in Table 2 below.

Bridge	Road & Location	Status
Garlandtown bridge	North Head Drive, Moruya	Complete
Codys bridge	Larrys Mountain Road, Moruya	Complete
Clarksons bridge	Wagonga Scenic Drive, Narooma	Bridge procured & contract let
Cobra bridge	Wagonga Scenic Drive, Narooma	Complete, approaches to be done
Cowdroys bridge	Wagonga Scenic Drive, Narooma	Complete, approaches to be done
Grumleys bridge	Wagonga Scenic Drive, Narooma	Bridge procured & contract let
Punkalla Ck bridge	Wagonga Scenic Drive, Narooma	Bridge procured & contract let
Potato Point bridge	Potato Point	In progress
Silo Farm bridge	Comerang Forest Road, Bodalla	In design, bridge procured
Tilba Tilba bridge	Corkhill Drive, Tilba Tilba	Bridge procured
Old Mill bridge	Old Mill Road, Turlingjah	Grant secured

Table 2 – Additional Bridge Replacements 2021-23

Clarksons bridge was damaged in the bushfires but saved from destruction in that event. This bridge is now being replaced with a new concrete bridge.

The replacement of these bridges is scheduled for completion by the end of 2023, subject to resourcing, contractor availability, bridge component supply and weather permitting.

As an example of the difference in resilience that can be achieved, an analysis was undertaken on the benefit to dairy farmers if the new Silo Farm bridge had been in place during the February 2022 floods. This low-level timber bridge goes underwater on a regular basis. Tuross River experiences large increases in flood height. The proposed replacement bridge has been designed to be lifted to the same height as the adjoining roadways (closer to riverbank height).

During the February 2022 modest flood event, the dairy farmers dropped almost 120,000 litres of milk on the ground over about a week, as they were unable to transport the milk to market in time. With the proposed new concrete bridge in place and with the good communication systems we already have in place, this could have been reduced to zero.

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Additionally, it is often not well appreciated, that staff often have to make high risk decisions to re-open the timber bridge when the floodwaters are still at deck level, to facilitate access for milk tankers, farmers and residents. This risk will be substantially less with a stronger concrete bridge, built to a higher less flood prone level. The new bridge will still flood in moderate to major events, as do long sections of the existing Eurobodalla Road.



Photo 19 – Silo Farm bridge on Comerang Forest Road, Bodalla goes underwater regularly isolating dairy farmers from milk transport. Typical scene when decisions need to be made about the safety of re-opening the bridge to milk tankers and farm vehicles.

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2. Water Supply and Sewerage Scheme Resilience

The Eurobodalla water supply is interconnected across Eurobodalla through a series of river offtakes, treatment facilities, pump stations and reservoirs.

The water supply reservoirs have sufficient capacity to service the towns, including during bushfire periods, noting most firefighting water for bushfires comes from other sources (eg rivers, dams and lakes).

Eurobodalla utilises two main river offtakes being the Deua/Moruya River and the Tuross River. During periods of drought, we currently revert to supplying water across the whole of the serviced area from our Deep Creek Dam.

Our forward planning prepared for the Integrated Water Cycle Management Strategy demonstrated that Deep Creek Dam alone could not provide a secure water supply into the future.

The major challenges during the 2019-20 bushfires were due to the loss of power supply, making the movement of water from the north of Eurobodalla to the south difficult. Council's Water and Sewer, Workshop and Electrical teams worked around the clock to redirect water supply to the south and ultimately a decision was made to pump bulk water from the Moruya River to the south under a 'boil water' notice to ensure adequate supply in the midst of the disaster. At that time, the prediction was that the bushfire would run to the coast in just a few short hours, only four days after the New Year's eve bushfire holocaust.

Council had already planned to deliver the Eurobodalla Southern Water Supply but was yet to secure adequate funding for that purpose. A key element of our successful advocacy work was to improve the resilience for our community through provision of a second off-river storage as well as improving the resilience of supply to farmers in the Eurobodalla valley and for the environment.

Ultimately, Council secured \$25.612 million from the NSW Government and \$51.2 million from the Australian Government allowing the project to proceed without significant additional impost on local ratepayers. Further information can be found on Council's website at [Southern Water Supply Storage | Eurobodalla Council \(nsw.gov.au\)](https://www.eurobodalla.nsw.gov.au/southern-water-supply-storage).

The other key elements of water supply and sewerage scheme resilience are outlined under the Power Supply Resilience below.

3. Emergency Services Facilities

Eurobodalla regional collocated emergency service precinct - Moruya

The existing emergency services facilities for the Incident Management Team and Emergency Operations Centre during the 2019-20 bushfires were well below ideal. The existing RFS control centre was used for the IMT and the RSL hall for the EOC.

Council has advocated for some years prior to the bushfires for the provision of a Eurobodalla regional collocated emergency services precinct to be situated in Moruya, gaining strong

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support from the Local Emergency Management Committee and Regional Emergency Management Committee.

In early 2022, the Hon Stephanie Cooke MP, Minister for Emergency Services and Resilience, Minister for Flood Recovery, announced the provision of \$15m by the NSW Government to allow a new regional Rural Fire Service facility to be constructed in Moruya. This facility will house the State RFS, State RFS mitigation crews, regional office, Regional RFS office, Local RFS Fire Control offices, Incident Management Centre and Emergency Operations Centre.

The Australian Government has provided a grant of \$200,000 to allow the investigation work to be undertaken to identify an appropriate site.

Collaboration between the NSW Rural Fire Service, NSW Fire and Rescue and NSW State Emergency Service and Council is well advanced with a view to developing an overall masterplan to allow this regional collocated emergency services facility to be brought to reality.

The aim of this project is to provide a state-of-the-art regional emergency services precinct for our region and community. The regional facility will also employ significant permanent emergency services personnel within Eurobodalla with on-going benefits both from a disaster management and economic perspective.

A further \$5m was committed to this project by Federal Labor when elected. Discussions have already been held with our local member Fiona Phillips MP about the process of securing these funds to add to the \$15m already available. Further, NSW Labor have previously committed \$5m from the NSW Government if elected in March 2023.

Local Collocated RFS/SES Facility Surf Beach

The Batemans Bay SES building located at Council's Batemans Bay depot, was destroyed on 31 December 2019.

Council has worked with the SES and RFS and secured grant funding to help deliver a new collocated SES and RFS facility on the same site at Surf Beach next to the NSW Ambulance station.

This will provide new stations for the two emergency response agencies with some shared space, reducing the overall cost to the community.

This project will be delivered before the end of 2023.

IR22/024 INFRASTRUCTURE RECOVERY - NATURAL DISASTERS

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Photo 20 – Batemans Bay SES

Ember attack from the bushfires resulted in the existing SES building near Batemans Bay depot being destroyed on 31 December 2019. Much of the equipment had been relocated from the sheds before the bushfire hit.



Figure 3 – Design for collocated SES and RFS stations, Surf Beach

The new stations will be located immediately adjacent to the NSW Ambulance station.

IR22/024 INFRASTRUCTURE RECOVERY - NATURAL DISASTERS

S008-T00007

4. Power Supply Resilience

Essential Energy were represented by Liaison Officers in the Eurobodalla emergency operations centre (EOC) throughout the bushfire response. Their representatives and the Essential Energy field crews did an incredible job in extremely difficult and risky circumstances. Their actions during the response and recovery deserve high praise.

Eurobodalla is serviced by two 132kVA transmission lines from the north. Part of this line is managed by Endeavour Energy and the remainder by Essential Energy.

There is only very limited capability to supply mains power back to the very south of Eurobodalla.

During the 2019-20 bushfires, 'flashovers' over the main transmission lines from the intense bushfires and lightening triggered the automatic switch systems to shut down power to protect the lines from further damage. To re-energise the main transmission lines required extensive patrolling and inspection and review of the supply lines and sub-stations, and progressive switching back of power down the line from the north. These inspections were hampered by the intense bushfire and challenges associated with getting helicopters in the air and/or ground crews safely into the fire grounds.

Endeavour Energy and Essential Energy managed this component extremely well with good communications back to the EOC for broader dissemination to the community.



Photo 21 – Essential Energy Liaison Officer Jy Fraser briefing then Mayor Liz Innes and then member for Bega Andrew Constance with LEMO Warren Sharpe OAM on the power losses and program to restore power

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The more significant losses and greater risks came about due to the burning of timber power poles and associated electricity infrastructure.

Over 3,200 timber power poles burnt to the ground in New South Wales, many of them resulting in power lines strewn across roadways and private property. More than 2,000 of these pole losses were in the south-east of NSW, many of them in Eurobodalla. Essential Energy has about 1.4 million timber power poles in NSW.

Evacuating community members, first responders and Council teams were often faced with uncertainty about whether burning poles were about to fall and/or whether fallen lines were still live (noting the lines are presumed to be live until checked by Essential Energy).

The loss of power had a significant impact on the community including impacting the ability to store food, get fuel, provide for the wellbeing of residents within aged care facilities, and even simple things like recharging of mobile phones and computers.

It also had a major impact on the loss of critical infrastructure such as telecommunications, water and sewerage systems, telemetry systems and the ability to refuel firefighting equipment.

This required the gathering of fuel and constant resupply of generators for the hospitals, evacuation centres, emergency operations centre, incident management centre, Council, telecommunications sites, water and sewerage systems and the like.

Council's Workshop team gathered and distributed over 120,000 litres of fuel to supply generators and support the firefighting efforts during the 2019-20 bushfires with the help of local fuel companies, bus operators and transport companies.

One of the key motivators for taking action on power resilience is that our lived experience required sending people into high risk situations within the bushfire grounds in the response and early recovery phase. Although the risk was effectively managed, this can be avoided or significantly mitigated with improved resilience built into the system.

Under a state-owned corporation model, Essential Energy is not well positioned financially to renew recently replaced timber poles with more resilient options, without significantly impacting electricity pricing for all customers.

Council has therefore led advocacy, working closely with Essential Energy, for additional grant funding from the NSW and Australian Governments to improve the power resilience in the following high priority areas:

a) Mount Wandera telecommunications site

This site houses the Government radio network (GRN for all emergency services agencies), ABC and commercial radio and TV, Council's telemetry systems for water and sewerage systems and numerous private purposes.

Council has led a steering group of users of this site to develop an upgrade plan to deliver improved resilience for the whole site including:

- Provision of resilient power poles from the open farmland to Mt Wandera
- Replacement of vulnerable above ground electrical turrets and pole mounted transformers with more resilient installations

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- Improved power back-up onsite has been funded and is being implemented (Telco NSW are providing a 5 day back-up systems for the GRN and Telstra 2 days for telecommunications)
- Improved access and turning arrangements
- Improved Asset Protection Zones
- Improved resilience of Council's own installation.

Council led advocacy work with community associations and business chambers to Government in the lead up to the last federal election. This resulted in an election commitment from Fiona Phillips MP of \$750,000 for Mt Wandera resilience upgrades including power supply, access and asset protection zone improvements.



**Photo 22 – resilient power poles survived the intense bushfire at Merricumbene.
Broader application would significantly improve the resilience of the power supply network.**

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b) South Durras village

South Durras has no town water supply and is therefore more dependent on power than most villages, with the only supply in town being rainwater tanks.

The Durras Community Association showed strong leadership and Council partnered with them to advocate for the power line into South Durras to be upgraded to resilient power poles resulting in an election commitment from Fiona Phillips MP to provide \$243,000 in funding for the power line upgrade.

c) Power Supply to Critical Infrastructure

Advocacy work has commenced on improving power supply to critical infrastructure sites given the broader benefit to the whole of the community, to ensure more resilient outcomes for the future.

- Peak Alone telecommunications site

This site services both Eurobodalla Shire and Bega Valley Shire in the south.

Essential Energy has already replaced the power line to Peak Alone telecommunications site with resilient composite power poles. This was determined after assessing other potential stand-alone options, which were deemed to be less resilient.

- Water and sewerage installations

The main power lines to our Deep Creek water pump station and northern water treatment plant were destroyed in the bushfire and are likely to be destroyed again in future bushfires.

These facilities currently provide water to the whole of the Eurobodalla during times of drought.

Whilst Council did install temporary generators to service these facilities, this required staff to be onsite during the approaching bushfire and immediately after, as well as for the constant resupply for refueling for many weeks post the bushfire (when resources could have been directed elsewhere).

Council will provide permanent onsite generators to these sites with auto-switch over as part of our own resilience and continuity planning.

However, we have commenced negotiations with Essential Energy on the dual benefits to the whole of the community and the community in the immediate area serviced off this line, by upgrading the power lines to more resilient power poles through the bushland areas.

Similarly, as Council upgrades our water and sewer systems, onsite power generation with auto-switch over is being provided. This has already been progressed at the following sites:

- Bodalla sewerage treatment plant (complete)
- Bingie sewerage treatment plant (complete)
- Batemans Bay sewerage treatment plant (under construction)

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- Tomakin sewerage treatment plant (incorporated into the design of the upgrade)
- Moruya and Kianga sewerage treatment plants (to be incorporated into the next major refurbishment)
- Tuross sewage pump station no. 1 (incorporated into the design being progressed now)
- Batemans Bay sewage pump station no. 54 at Hanging Rock identified for upgrade
- Narooma sewage pump station no.1 in Field Street identified for upgrade
- Eurobodalla southern water treatment plant (to be incorporated with the new water treatment plant when completed in future year to provide increased resilience in the water supply from the new southern dam).

The remainder of the network is managed by mobile generators. Additional generators are made available during the peak summer period.

- Fuel service stations, major food retailers and aged care facilities

These facilities are required to service the majority of the community and/or our most vulnerable community members during natural disasters.

Many of these facilities require an upgrade to improve resilience during the loss of power and telecommunications. Through a mixture of direct action during the response and/or discussion with key parties since, some improvements have been made.

However, based on recent contacts, only a small proportion have taken significant action to improve resilience since the bushfires.

Advocacy to Government is required to pursue effective resilience improvement programs, potentially through a mixture of regulation, private investment and Government incentive programs.

In the case of aged care, Health NSW will continue to work with a view to improving resilience.

d) Future Power Pole Renewal and Relocation

Essential Energy has done extensive work looking to increase the ability to manufacture and supply resilient power poles across NSW.

As critical power lines are renewed by Essential Energy, it is anticipated timber poles will be replaced with more resilient options.

Council has also implemented a new practice whereby timber poles are replaced with more resilient power poles when undertaking our own infrastructure works.

We continue to explore advocacy work working with LGNSW and IPWEA NSW/ACT to develop a state-wide policy for cost sharing between councils and Essential Energy when this work is undertaken to mitigate the cost to local government.

To further support this activity, it is recommended that a motion be proposed to the next LGNSW conference (refer to recommendations in this report).

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5. Telecommunications

The loss of telecommunications during the bushfires was a major challenge. Although this is outside of Council's remit, Council has a role to advocate in this space.

Telstra met with Council during the response. Telstra prepared submissions to the Australian Government and secured limited funding for the hardening of infrastructure.

Approximately 85% of telecommunications losses sustained during the bushfires were due to power outages. Unfortunately, in Eurobodalla we also suffered significant physical damage to towers and installations due to the bushfires.

Across Eurobodalla, the power back-up at telecommunications towers and exchanges have been upgraded from 4hrs to 12hrs in most cases and more in the case of Mt Wandera.

Telstra continues to work with Council on the overall resilience of Mt Wandera and sees this as an example that can potentially be applied elsewhere. This is because the focus extends well beyond hardening of the infrastructure and back-up power systems to the overall site protections and resilience power supply to the site.

Telstra has also provided additional towers west of the Clyde Mountain and has agreed to provide an additional facility in Nerrigundah village.

Advocacy to the Australian Government to further improve the resilience and coverage of telecommunications needs to continue. This was included in the run-up to the recent election with advocacy work on improving coverage along the Princes Highway, particularly between Batemans Bay and Ulladulla.

6. Highway Resilience

The highways have been cut regularly during and since the bushfires.

Council has worked closely with Transport for NSW to undertake resilience improvements works on the Kings Highway including:

- Tree works on the Clyde Mountain
- Tree works west of Nelligen township
- Slope stability works on the Clyde Mountain.

Transport for NSW has undertaken resilience improvements on the Princes Highway. Additional works are needed, especially south of the Bermagui turnoff.

Council will continue to advocate directly to T4NSW and NSW Government and through SEATS for further resilience improvements to both highways.

IR22/024 INFRASTRUCTURE RECOVERY - NATURAL DISASTERS

S008-T00007

Financial

The recovery works have been substantially funded through the Natural Disaster Relief and Recovery Arrangements. We are grateful for the level of support received from the NSW and Australian Governments.

This has been supplemented where able from other grant funding programs such as the Local Roads and Community Infrastructure Program, Fixing Local Roads, Fixing Country Bridges and Council's existing programs.

Many other elements are the remit of the NSW and Australian Governments and/or private enterprise. Council continues to advocate for improved power resilience, telecommunications and other elements.

The inclusion of a motion to the upcoming LGNSW Conference is recommended to continue broader sector support.

Community and Stakeholder Engagement

Works will continue to recover Council's transport and other infrastructure. Ongoing community advice and engagement is undertaken aligned to this work.

Progress on the improved infrastructure resilience work and advocacy is reported in response to the Delivery Program and Operational Plan on a six monthly basis.

CONCLUSION

This report provides a high-level overview of the recovery and resilience of public roads, water, sewer and emergency services infrastructure. The report also provides a high-level overview of the advocacy work done to improve the resilience of power supply and telecommunications infrastructure.

The report also recommends a motion be placed before the LGNSW Conference to seek broader sector support for Council's advocacy work across the infrastructure space, to improve the resilience of fuel supply, food retail and aged care facilities and to improve emergency service arrangements in NSW.

CAR22/013 POLICY REVIEW - CREATIVE ARTS

S004-T00060

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

Attachments: 1. Creative Arts Policy Attachment

Community Goal: 5 Our engaged community with progressive leadership

Community Strategy: 5.2 Proactive, responsive and strategic leadership

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

Operational Plan Link: 5.2.2.2 Review Council policies

EXECUTIVE SUMMARY

Council's policies are reviewed within the first 12 months of a new Council term for the reasons set out under the following sections of the *Local Government Act 1993 (LGA)*.

Recently the Creative Arts Services Policy was put on exhibition for 28 days with a report going to Council that indicated no submissions had been received.

However, one submission had been received during the exhibition period, but was inadvertently misfiled and not accounted for when the policy originally went back to Council for adoption.

This report will provide details of the proposed changes to the policy as a result of the submission and present the amended policy for adoption.

RECOMMENDATION

THAT the Creative Arts Service Policy as amended be adopted.

BACKGROUND

Council placed the draft policy on public exhibition for a period of not less than 28 days commencing Wednesday 23 March 2022 until Wednesday 20 April 2022.

One submission was received on 18 April. The main issues detailed in the submission are:

- Objection to motherhood statements
- The adopted Creative Arts Strategy not being up for discussion/consultation
- The measures for the policy relating to the provision of the service not matching with the strategy
- The policy not reflecting the impact of the previous three years
- More recognition of the contribution the arts makes to the social capital of the Eurobodalla
- Providing a framework for understanding the relevant strategies and plans.

The submission author was contacted by email and phone to acknowledge the mistake, apologise, and to inform her that the submission will be reviewed, and relevant changes made to the policy. A further letter was also sent as follow up to advise the same and inform the individual that a briefing to Council will occur, with a subsequent report to Council on 13 September.

CAR22/013 POLICY REVIEW - CREATIVE ARTS

S004-T00060

CONSIDERATIONS

The policy has been updated where concerns were able to be addressed, but without creating a lengthy policy document that replicates information in the Creative Arts Strategy.

It is useful to note that the policy supports the notion of Council offering the service of Creative Arts and the 'why' with reference to the strategy which provides a richer account and framework of the 'how'.

The Creative Arts Strategy is not up for review via this process and therefore is not the document to be receiving feedback on. This will be reviewed in 2024.

The policy now has detail included from the strategy including the 'Vision' and the four strategic outcome areas to provide a framework for the delivery of Creative Arts services. A link to the strategy has also been included so the document can be easily accessed for reference to actions and measures.

The policy now reflects reference to the impact of the past three years and reference to the contribution that the arts make to the social capital of Eurobodalla.

Policy

In line with the *Local Government Act 1993* Council is required to review policies during the first year of each Council term with a process to include feedback from the community.

Inadvertently a submission was misplaced and the policy has been updated to incorporate items of feedback accordingly.

Community and Stakeholder Engagement

The draft policy was placed on public exhibition for a period of 28 days commencing on Wednesday 23 March 2022 until Wednesday 20 April 2022. Feedback from the community has been received and considered with amendments made to the policy as a result.

CONCLUSION

The draft Creative Arts policy was publicly exhibited for 28 days. At the end of the public exhibition period, the draft policy was presented to Council for consideration to adopt, without noting the submission that was unaccounted for prior to the report going to Council. Staff have taken on advice from the submission and updated the policy accordingly.



Policy

Policy title	Creative Arts Services
Responsible manager(s)	Divisional Manager - Community Development and Participation
Contact officer(s)	Coordinator, Creative Arts Development
Directorate	Community, Arts and Recreation Services
Approval date	13 September 2022
Outcome area	2. Celebrated creativity, culture and learning
Strategy	2.1 Support and encourage the expression of our vibrant creative arts sector
Delivery Program	2.1.1 Develop and promote creative arts activities and industries
Operational Plan	2.1.1.2 Provide opportunities for the community to participate in creative arts

Purpose

This policy is designed to position the role of creative arts as instrumental to engaging communities, cultivating new industries, celebrating, promoting and developing the Eurobodalla's distinctive characteristics, economy and recognises the contribution the arts makes to wellbeing and social capital.

Policy aims

The policy aims to guide Council to:

- Increase availability for access to and participation in the range of high-quality creative art experiences.
- Increase opportunities for individuals/groups to engage in, develop their skills, understanding and appreciation of the range of arts practices and creative industries.
- Cultivate strategic partnerships within the community/business sectors and government agencies to collaborate in the ongoing creative sector's development.
- Work effectively with creative practitioners to build the capacity and capabilities of the creative industries within the Eurobodalla.
- Provide leadership, inspiration and advocacy for the creative industry sector.
- Reinforce other plans of Council that relate to visitor experience, community vitality, leisure pursuits and the economy
- Promote engagement in the arts to support recovery from recent disasters including bushfire, Covid 19 and floods.
- Make Council's policies and requirements for Creative Arts Services readily accessible and understandable to the public.

Policy details

1	Application This policy applies to the whole Eurobodalla community.
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Implementation

Requirements		Responsibility
1	This policy will be implemented by following Council's Creative Arts Strategy, which provides the framework and strategic directions for the ongoing development of arts activity and creative industries.	Coordinator Creative Arts Development



Policy

	<p>Vision</p> <p>During the next decade, Eurobodalla will become known as the creative arts destination for South East NSW and experience significant growth in creative arts infrastructure, events and programming.</p> <p>To realise the Vision, Council will focus on four strategic outcome areas. They are:</p> <ol style="list-style-type: none"> 1. Places and spaces 2. Connections and collaboration 3. Creative Capacity 4. Participation and access. <p>Council's Creative Arts Strategy can be accessed via this link: Creative Arts Strategy to access detail on the 46 actions and their measures.</p>	
2	<p>Staff</p> <p>Under supervision, applicable Council staff will be responsible for ensuring that this policy is implemented appropriately within their work area, after they have received relevant training to do so.</p>	Council officers
3	<p>Concerns</p> <p>Concerns received regarding this policy will be recorded on Council's customer service request (CSR) or records system and handled in accordance with Council's Customer Service or Complaints Policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.</p>	Coordinator Creative Arts Development
4	<p>Consultation</p> <p>Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Substantive changes to this policy will be placed on public exhibition for 28 days with public submissions considered during the exhibition period. Any other consultation deemed necessary may occur when and if required.</p>	As applicable

Review

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

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

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

Performance indicator	Data source(s)
Delivery Program/Operational Plan outcomes achieved	Council reporting
Concerns or complaints registered	Council records
Customer feedback, survey responses	Surveys
User Group feedback	Public Art Advisory Committee



Policy

Governance

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

Related legislation and policies

Name	Link
Public Art Policy Creative Arts Strategy	www.esc.nsw.gov.au

Related external references

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

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	24 Nov 2009	Council	09/369	E96.0152 E09.3418	'Arts and Cultural Services' policy commenced – report G09/145
2	23 Jul 2013	Council	13/172	E13.7095 E96.0152	Updated Template, updated review date, links, policy statement and implementation steps –report O13/112
3	13 Jun 2017	Council	17/192	E16.0297 E96.0152	Reviewed and updated at start of new Council term. Renamed to 'Creative Arts Services'.
4	14 June 2022	Council	22/138	E16.0297 E96.0152	Reviewed and updated at start of new Council term. Report GMR22/063
5	13 September	Council			

Internal use

Responsible officer	Director Community, Arts and Recreation Services		Approved by	Council	
Minute	22/138	Report	GMR22/063	Effective date	14 June 2022
File	S026 T00012	Review date	Mar 2022	Pages	3

CAR22/014 CLUBGRANTS FUNDING

S003-T00031

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services
Attachments: Nil
Community Goal: 2 Our community that welcomes, celebrates, and supports everyone
Community Strategy: 2.2 Encourage community spirit and enable healthy lifestyles
Delivery Program Link: 2.2.1 Strengthen community spirit through community development initiatives
Operational Plan Link: 2.2.1.5 Promote and facilitate activities and events that connect community and respond to wellbeing needs

EXECUTIVE SUMMARY

This report provides information to support acceptance of external funds offered to Council to improve access to essential services for the families and individuals living in Eurobodalla who are experiencing homelessness.

A total of \$20,700 (ex GST) has been offered via ClubGRANTS for the *Supporting Community Welfare Capacity* program delivery between August and December 2022.

The report to Council will request acceptance of the funding.

RECOMMENDATION

THAT Council accept the Clubgrants funding of \$20,700 (ex GST) for the *Supporting Community Welfare Capacity* program.

BACKGROUND

On 3 August 2022 Council staff attended a meeting, at the request of the Eurobodalla ClubGRANTS Board, to discuss the Board's concerns regarding difficulties for people experiencing homelessness in Eurobodalla shire to access basic human rights services including crisis accommodation, hot showers and clothes washing facilities.

Council provided the Board with information received from regular contact with welfare services from the Eurobodalla Homelessness Laundry and Shower reference group, established and facilitated by Council, to verify and validate the need for improved access to basic services in Eurobodalla.

At the close of the meeting the Board requested Council make a submission via Eurobodalla ClubGRANTS to improve access to essential services for the families and individuals living in the Eurobodalla who are experiencing homelessness.

CONSIDERATIONS

Council has firsthand knowledge of people living in substandard accommodation because of cumulative social, environmental and economic challenges impacting Eurobodalla.
Evidence to support funding application:

- 2016 census - 121 homeless people in the Eurobodalla (many homeless people are transient, so it is difficult to know the exact number)

CAR22/014 CLUBGRANTS FUNDING

S003-T00031

- Community housing waitlists are long – currently 330 families waiting, with wait times between 2-12 years depending on location and housing type.
- Clientele is changing to include 2 parents working and older people
- Cost of housing, high rentals and lack of availability due to fires, economic impacts from COVID-19 are some of the underlying causes
- In 2020/2021 Campbell Page Youth Homelessness Services assisted 197 young people aged 12-24 who presented with homelessness or significant risk of homelessness as one of their primary reasons for seeking assistance
- Significant rental and house price growth in Regional NSW – rents up by 12.2% in 12 months to September 2021, and house prices up by 26.7% on average
- NSW housing states regional NSW have a shortage of available stock and lack of diversity, especially for smaller dwellings.

Project Timeframe

To support those families and individuals who require access to essential services during the winter months, the project seeks to implement additional assistance to local welfare services to respond immediately, with funds and supports commencing August and completing in December 2022.

Project Outcomes

The project aims to address four key service deliverable components to improve the lives of those experiencing homelessness:

1. support welfare agencies to provide access to emergency and/or temporary accommodation for families and individuals - \$6,000
2. support welfare services via a credit system at local laundromats to offer free washing and drying services - \$4,700
3. allow for the extension of two mobile hot water shower units currently operating at the North Head primitive campground - \$6,000
4. cover the cost of training for 20 presenters to deliver a free healthy relationships training program 'Love Bites' to students in our local high schools - \$4,000.

Social Impact

The added funding will support those experiencing homelessness a range of supports such as showers and clothes washing, providing increased dignity to community members in this situation. In addition, students of the shire will benefit from support to assist in maintenance of healthy relationships and resilience post-disasters.

CAR22/014 CLUBGRANTS FUNDING

S003-T00031

Financial

An amount of \$20,700 has been offered to Council. The Clubgrants do not attract GST. The amount will be paid via two payments of equal amounts to be received from Batemans Bay Soldiers Club and the Catalina Country Club being of \$10,350 each.

Community and Stakeholder Engagement

We will inform the community through providing information to key specialists services and promotion via media release.

We have involved the community in the development of the project through the collaborative working group implementing the project.

CONCLUSION

Working collaboratively with an established community welfare service organisation reference group (est. November 2021), Council will expend the funds on the project's key service deliverables. The focus will be on improving the living standards of people experiencing high levels of disadvantage and reduced levels of welfare, as well as positive engagement in education and employment.

This project will build on the successful outcomes being realised through Council's Eurobodalla Homelessness Shower and Laundry Project. We hope to see a decline over the project in the need for free showers, access to laundry services and crisis accommodation as more homes are rebuilt.

DEALING WITH MATTERS IN CLOSED SESSION

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

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

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

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

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

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

CONFLICT OF INTEREST

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

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

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

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

AGENCY ADVICE

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

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@esc.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.