

## EUROBODALLA SHIRE COUNCIL

### PUBLIC FORUM

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

Ordinary Meeting of Council on **26 October 2021**

Name	Subject/Comments
<b>Public Forum</b>	
Anne Eastman	QON21/009 - Development adjoining land west of Turnbolls Lane, Moruya
David Aitken	QON21/009 - Development adjoining land west of Turnbolls Lane, Moruya
Juliet Ramsay	QON21/009 - Development adjoining land west of Turnbolls Lane, Moruya
Terrance Corkin	QON21/009 - Development adjoining land west of Turnbolls Lane, Moruya
Judith Gordon	QON21/009 - Development adjoining land west of Turnbolls Lane, Moruya
Jan Provis	QON21/009 - Development adjoining land west of Turnbolls Lane, Moruya
Brett Stevenson, Co-Convenor A Better Eurobodalla (ABE)	QON21/009 - Development adjoining land west of Turnbolls Lane, Moruya QON21/010 Dalmeny Land Release Area PSR21/057 Dalmeny Land Release Area
Deirdre Russack	QON21/010 Dalmeny Land Release Area PSR21/057 Dalmeny Land Release Area
Peta Hanvey	QON21/010 Dalmeny Land Release Area PSR21/057 Dalmeny Land Release Area
Steve Colman, Vice President of SHASA	PSR21/052 2020-21 Emissions Reduction Plan and Sustainability Progress Report
Jack Egan	PSR21/052 2020-21 Emissions Reduction Plan and Sustainability Progress Report
John Diamond	PSR21/054 Proposed Road Closure - part Bent Street, Batemans Bay
Ryan Smith, Transport Workers Union	PSR21/058 Request for Tender - Waste Services Collection Contract 2122 - 010 and Litter Bin Collection Contract 2122-011

**Questions on Notice QON 21/009**  
**Ordinary Council Meeting 26 October 2021**

Response from Anne Eastman resident of Turnbolls Lane to most Questions on Notice:

I've already written to you about saving Turnbolls Lane as, I know, have several concerned people who are aware of the development in the community. Certainly many people in Moruya would still be unaware of the proposal which normally would not be overly concerning but, given its massive size, I would have thought it would be right and proper that there was plenty of publicity and opportunity for Community consultation. I would also have thought it would be in everyone's interest and a splendid achievement to save the native trees on the lane. Surely, Moruya doesn't want to see exotics replacing the native forest red gum, native cherry, acacias, angophora floribunda and bursaria found here? They and the native grasses and plants are special to this area, which is why it is part of the lowland grassy woodland EEC. This is easily achieved if the Council encouraged the Applicant to, quite simply:

First, remove the very few houses that front onto the lane, especially those that would have to have driveways onto the lane. It is completely misleading to say there are already driveways onto Turnbolls Lane and therefore the proposed ones can be allowed. The only driveways between Swan Ridge Place and Hawdon Street at the top of Turnbolls lane are off 5 acre E4 properties whose borders with Turnbolls Lane have retained all the native trees, which is why Turnbolls Lane is still a lovely tree lined lane.

Secondly, keep the entrance and exit to the housing development to two roads, as it is at present on the design. That way only those trees where the new roads will go need to be removed and not the whole lot.

Thirdly, make this area a nature reserve by clearing it of debris and weeds, restoring the native flora and keeping some of the granite outcrops in that area.

Moruya is still a very special town and we should do everything we can to keep it that way and not let this massive new development spoil it all. This is still possible with more imaginative thought and more community consultation. I'm pleased to know that this application is still being assessed by the Planner as, if these beautiful trees are allowed to be removed, I will be heartbroken and I know I am not alone.

Finally, I beg you Counsellors to take the time to walk up and down the laneway so you can better see and understand the issues. And, please request that the matter be brought before full Council for further consideration and determination.

Thank you

**Questions on Notice QON 21/009**  
**Ordinary Council Meeting 26 October 2021**

Response from David Aitken to 4 of those Questions relating to the application.

*1. Is there an Endangered Ecological Community (EEC) along Turnbolls Lane?*

Council planners acknowledge the existence of the EEC. In regards to its proposed decimation, the Planner in question tends to side with the NGH consultant's approach that the smallness of the corridor makes it fragmented from the rest of the EEC and, like the consultant, argues, 'it is not a loss because there is substantial EEC nearby'. However, it is part of an existing EEC and once it has been removed it is gone forever, and with future developments surely this is setting a precedent. Rather than being more proactive in saving the land, which was the case when, for example, we sought development consent for our dwelling, two lots away on the Laneway, Council's Environmental Officer conditioned our own consent requiring that we could not grow or introduce exotic plants to our site. In addition, our neighbour, at 81 Turnbolls Lane, after seeking subdivision, wasn't even permitted to introduce a new access driveway from Hawdon Street because it crossed through the same EEC.

*4. What opportunity is there for Council to work with the Developer to set aside residential development fronting Turnbolls Lane in order to preserve the green corridor rather than having a number of new house drive ways leading directly on the Turbolls Lane?*

Planner's Response: *The current proposal provides for lots fronting Turnbull's Lane and this is consistent with previous development along this road. It is important to reiterate that native vegetation removal is regulated by the NSW Biodiversity Conservation Act and that Council is currently still assessing the application.*

Perhaps Council's planner is referring to the earlier and expired consent which had a similar suburban layout with some driveways proposed onto the laneway. Generally there is no small lot development as such along and fronting the Laneway apart from No. 2 Swan Ridge Road which has driveway access onto the Laneway, which was not originally supported by Council's Traffic Engineers.

*5. What efforts have been made to incorporate a bio reserve into the development, similar to Braemar Estate?*

Planner's Response: *As detailed above, a proposed public reserve is a part of the current application. It is in the southwestern corner and contains EEC.*

Following community submissions highlighting the issues of the loss of rural character and the EEC frontage, it would seem that no attempt has been made by the planning staff to encourage the applicant to consider such a proposal to resolve those issues.

I also question the token proposal to designate part of the EEC as public reserve in the lost rear of this major subdivision. How is it community accessible and who will be responsible for maintaining this left over plot of land sited behind future residents' back fences, in addition to bushfire hazard and safety issues. Unless it is well maintained, and being so close to new developments, it will most likely be completely neglected, resulting in further weed infestation and rapid deterioration.

**Surely it would be much more in the Community's interests and the future residents of this proposal, to have a beautiful public reserve as a gateway to the development, that incorporates part of an existing EEC with mature trees, and contributes so much to the laneway.**

In terms of maintenance, the Applicant could show some benevolence and attempt to restore and conserve this endangered bio system.

*6. Is there a current Aboriginal Heritage report or what is the status of the 14 year old Aboriginal Heritage report, submitted with this application?*

*Planner's Response: A current Cultural Heritage Assessment report was submitted with the application (it is dated April 2020) and it makes recommendations regarding Aboriginal cultural heritage. The report also notes previous reports and investigations. It is quite common for such assessments to make note of previous assessments. The report makes recommendations about avoiding some artefacts and requires that an Aboriginal Heritage Impact Permit (AHIP) be obtained for the destruction of other less significant artefacts.*

This question relates to whether, in the light of current thinking regarding First Nations people and their attitudes to the presence (and removal of) of artefacts related to cultural sites, that, since this is not the same development as approved previously on the site, has this report been sited or recently reviewed by First Nations People and the Heritage Council of NSW.

In conclusion, it would seem that Council's planners seem to support the view that, since a similar development was approved on the site some 6 years ago, Council cannot seem to be going back on an earlier approval. However, I would argue that as it is a totally new DA and seeks to add more housing lots and much has changed since then, especially in the area of Bushfire safety, ecological understanding and community expectations, the application should, therefore, be revisited and assessed as a new development application.

We trust that you, Councillors will call this extremely large development proposed for the Moruya township to Full Council, for your consideration and Determination.

David Aitken  
Retired Architect (NSW 5771) and Town Planner  
75 Turnbolls Lane,  
Moruya 2537

## **Eurobodalla Shire Council Meeting on 26 October**

### **The Subdivision of Lot 6 Turnbolls Lane**

#### **Discussion points by Juliet Ramsay**

Moruya has evolved into an attractive country town with a strong visual character based on the modest scale and architectural variety of its building structures, its river, and the surrounding hills, ridges and flood plains covered in mixture of pastoral and forested landscapes.

Accepting that there is a demand for housing blocks, subdivision can still be undertaken sensitively. The current Lot 6 subdivision plan is set to have a detrimental impact on the character values documented in the Moruya Structure Plan and the Moruya DCP, along with damage to the community recreation value of Turnbolls Lane.

#### **Discussion Points**

- How the existing subdivision plan maximises the impact on the native landscape character of Turnbolls Lane?
- How the subdivision plan does not adhere to directions set out in the Moruya Structure Plan.
- How the subdivision design damages the natural features within Lot 6.
- The likely impact on community recreation of walking and cycling in Turnbolls Lane.
- The modification that will be required for Turnbull's Lane and lack of information on that modification made available.
- Transparency in public submissions received and concerns raised by the community.
- The likely impact of the proposed sewer line location.

### **Comments in relation to the development adjoining land west of Turnbolls Lane, Moruya**

Thank you for the opportunity to speak on this proposed development. I am addressing process and governance issues. The response from the Council staff to Councillor Mayne's questions raise more questions for me than they answer. I hope that Councillors will consider the importance of these questions and seek answers before this DA is finally resolved.

### **Comments on the questions and responses.**

1. The first three questions raise concerns about the destruction of the EEC along Turnbolls Lane which is inevitable if the DA as presented is approved.

With respect, the response to Question 1, ie that the applicant's BDAR says that there is no impact on threatened species or EEC is inadequate. What would one expect from a Developer's BDAR? The response notes "BDARs can only be prepared by an 'accredited assessor' and the accreditation process is administered by the NSW Department of Planning, Industry and Environment." Was the BDAR submitted by such an accredited assessor and how has the accreditation been verified?

2. Responses to questions two and three indicate the considerations that need to be considered when assessing an application that involves removal of significant vegetation, which clearly the tree corridor on Turnbull's Lane is. The staff response identifies two considerations – the needs of the development and the needs of the Biodiversity Conservation Act. From a legal perspective the needs of the development must bend to the requirements of the legislation. The response to question 4 says that "Council is currently still assessing the application."

The questions that come to mind are:

- Which staff or department is doing this assessment?
  - Is there an objective checklist against which the needs of the environment are assessed or is it subjective and how are the competing interests weighed?
  - Is it the same person or Department that assesses the BDAR which also gives the approval for the DA? If the answer is "yes", are Councillors satisfied that these internal processes allow for a robust and objective evaluation of the application?
3. Question 4 asks what work can be done with the Developer to seek a setback. The answer notes that the development is consistent with previous approvals. There is only one such approval of a driveway in Turnbolls Lane within the relevant zoning. One swallow does not make a summer. From a process perspective the proper answer to Councillor Mayne's question is a definite "yes further engagement with the developer is possible." Responses from Council have already resulted in material changes to the development. Further engagement is always possible if Council has the will to do so.
  4. Question 7 asks "What traffic management assessment will be undertaken?" The answer provided is that the developer provided one. That response begs the question – is this the only traffic assessment that will be done? A developer is always going to present traffic numbers that support their case. The numbers were challenged in a submission about the proposal. Surely Council is not suggesting that developers can self-assess their traffic impact.

Many Councils have Council appointed Traffic Committees which comprise Councillors, local community members and police. Orange City Council is one such Council. I have attached a copy of one of its agendas to indicate the significant matters that are addressed by such Committees. I do not believe that Councils should delegate decisions on traffic impact for significant developments. Absent such a committee, the questions that remain unanswered include:

- Which staff will be undertaking the traffic assessment?
  - What objective source of data will they be using to assess traffic impact?
  - Will the staff report on their process and weight given to different factors, or just bring a recommendation?
5. From a governance perspective the final question about who is the determining body is the most important. The staff response is, "The application **can** be determined by Council staff under delegation." That a multimillion dollar, community significant development can be decided on a delegation is a huge delegation of power from elected officials to paid staff. I note that the answer does not say that it **must** be but **can** be determined by staff. I encourage Councillors to suspend whatever delegation is being relied upon here and ensure that the Council is fully engaged in fulfilling its oversight of this DA process. At the very least Council should follow best practice and do as most other Councils have done and have a Development Review Panel to make such decisions if it is not to be done by the whole Council.
6. Relevant to Councillors when thinking of delegations is the Centro Case. While it was a commercial case it has set the standard for community expectations of Directors, to which Councillors are equivalent in their space (<http://theconversation.com/the-lessons-for-not-for-profits-in-the-centro-judgement-2123>).

In short, the Directors approved the financial statements with a major error in the allocation of current liabilities. The company then traded while insolvent. ASIC took the Directors to court where their defence was that they relied on staff and the auditor and were not experts in financial matters. The court rejected this defence. Key points to take away:

- Responsibility stays with Directors even when they act with honesty in carrying out their duties.
- The directors' error came in an over-reliance placed on internal processes, management, and their external advisers.
- The judge specifically noted that "no director stood back, armed with his own knowledge, and looked at and considered for himself the financial statements". The problem therefore lay in the lack of review and a total reliance on others.

- The judge made note that while it is fine to delegate, the ultimate responsibility sits with the directors who must “take a diligent and intelligent interest in the information available” and “apply an enquiring mind”.

#### Conclusions to draw from the CENTRO case

It is important to recognise that delegations cannot be a “blind” delegation. You might not have special expertise in an area, but you are expected to stand back and consider whether the decision makes sense to you. If you have a question, you must ask it.

Be careful of relying on advice that appears to be wrong. Ask the “dumb” questions rather than making assumptions.

In the case of the DA before Council, Councillors cannot delegate away their responsibility. It is perfectly within your role to:

- challenge the decisions made by staff in relation to BDAR assessments if you think they do not comply with the requirements of the Act.
- insist on a demonstrably objective traffic assessment and to understand how it was done.
- challenge the claim that a DA for 99 blocks complies with the LEP when the 2007 DA on the same land was reduced from 80 plus blocks to 60 something during the assessment against the LEP requirements.

Thank you for the opportunity to contribute and I hope that this has supported Councillors in the exercise of their important responsibilities.

Terence Corkin

51 Turnbolls Lane, Moruya

BA, BTh, BLegS, Grad DipFDR, GAICD, NMAS





# **CITY OF ORANGE TRAFFIC COMMITTEE**

## **AGENDA**

**11 AUGUST 2020**

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **CITY OF ORANGE TRAFFIC COMMITTEE MEETING of ORANGE CITY COUNCIL** will be held in the **COMMITTEE ROOM 3, CIVIC CENTRE, BYNG STREET, ORANGE** on **Tuesday, 11 August 2020** commencing at **9.30AM**.

David Waddell  
**CHIEF EXECUTIVE OFFICER**

For apologies please contact Jason Theakstone on 6393 8505.

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## AGENDA

### EVACUATION PROCEDURE

In the event of an emergency, the building may be evacuated. You will be required to vacate the building. The Committee Clerk will now identify the emergency muster point.

Under no circumstances is anyone permitted to re-enter the building until the all clear has been given and the area deemed safe by authorised personnel.

In the event of an evacuation, a member of Council staff will assist any member of the public with a disability to vacate the building.

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## **1 INTRODUCTION**

### **MEMBERS**

Cr R Turner (Chairperson), Mr Richard Drooger, Sgt Adam Cornish, Mr Geoff Lewis, Chief Executive Officer, Director Technical Services, Manager Development Assessments, Strategic Planning and Design Engineer, Road Safety Officer, Works Manager, Manager Engineering Services, Communications Officer, Divisional Administration Officer

#### **1.1 APOLOGIES AND LEAVE OF ABSENCE**

#### **1.2 ACKNOWLEDGEMENT OF COUNTRY**

I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of the Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Aboriginal Australians who are present.

#### **1.3 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS**

The provisions of Chapter 14 of the Local Government Act, 1993 (the Act) regulate the way in which Councillors and designated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public role.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons given for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussion or voting on that matter, and requires that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code of Conduct also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

### **RECOMMENDATION**

It is recommended that Committee Members now disclose any conflicts of interest in matters under consideration by the City of Orange Traffic Committee at this meeting.

## **2 PREVIOUS MINUTES**

### **RECOMMENDATION**

That the Minutes of the Meeting of the City of Orange Traffic Committee held on 14 July 2020 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the City of Orange Traffic Committee meeting held on 14 July 2020.

### **ATTACHMENTS**

- 1 Minutes of the Meeting of the City of Orange Traffic Committee held on 14 July 2020

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# ORANGE CITY COUNCIL

## MINUTES OF THE

## CITY OF ORANGE TRAFFIC COMMITTEE

HELD IN COMMITTEE ROOM 3, CIVIC CENTRE, BYNG STREET, ORANGE

ON 14 JULY 2020

COMMENCING AT 9.30AM

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### 1 INTRODUCTION

#### ATTENDANCE

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Cr R Turner (Chairperson), Cr T Mileto, Mr Richard Drooger, Chief Inspector David Harvey, Sgt Wes Bush, Mr Geoff Lewis, Strategic Planning and Design Engineer, Road Safety Officer, Manager Engineering Services, Senior Parking Officer (Cisco), Transport Asset Engineer, Divisional Administration Officer (Baxter), Divisional Administration Officer (Cubbin).

#### 1.1 Apologies and Leave of Absence

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Nil

#### 1.2 Acknowledgement of Country

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#### 1.3 Declaration of pecuniary interests, significant non-pecuniary interests and less than significant non-pecuniary interests

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Nil

### 2 PREVIOUS MINUTES

#### RESOLVED

**Mr R Drooger/Chief Insp D Harvey**

That the Minutes of the Meeting of the City of Orange Traffic Committee held on 18 June 2020 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate record of the proceedings of the City of Orange Traffic Committee meeting held on 18 June 2020 with the exception of an amendment to the change of date for the NAIDOC March from 26 October 2020 to 9 November 2020.

**RECOMMENDATION****Mr R Drooger/Chief Insp D Harvey**

That the Minutes of the Meeting of the City of Orange Traffic Committee held on 17 December 2019 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the City of Orange Traffic Committee meeting held on 17 December 2019.

**RECOMMENDATION****Mr R Drooger/Chief Insp D Harvey**

That the Minutes of the Extraordinary Meeting of the City of Orange Traffic Committee held on 5 February 2020 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the City of Orange Traffic Committee meeting held on 5 February 2020.

**RECOMMENDATION****Mr R Drooger/Chief Insp D Harvey**

That the Minutes of the Extraordinary Meeting of the City of Orange Traffic Committee held on 12 March 2020 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the City of Orange Traffic Committee meeting held on 12 March 2020.

**3 GENERAL REPORTS****3.1 2020 ALTITUDE EVENT**

TRIM REFERENCE: 2020/1103

**RECOMMENDATION****Mr R Drooger/Cr R Turner**

That the 2020 Altitude event be approved subject to the attached conditions of consent.

**3.2 TFNSW 16 CITIES BUS PROJECTS**

TRIM REFERENCE: 2020/1105

**RECOMMENDATION****Cr R Turner/Mr R Drooger**

That Council erects the new bus zone signs.

**3.3 REQUEST FOR PEDESTRIAN CROSSING AT CANOBOLAS HIGH SCHOOL**

TRIM REFERENCE: 2020/1110

**RECOMMENDATION****Mr G Lewis/Cr R Turner**

That Council not install additional zebra crossings at Canobolas High School and Council's Road Safety Officer and the RMS Safety Around Schools Co-ordinator undertake observations.

**3.4 NEW DPI PARKING STRATEGY DALTON, PRINCE, SALE AND ANSON STREETS**

TRIM REFERENCE: 2020/1111

**RECOMMENDATION****Mr G Lewis/Chief Insp D Harvey**

That Council implement the DPI on street parking strategy as attached to this report with the addition of a bus stop in Anson Street near DPI and with the addition of signage within bus zones allowing taxis to stop for 1 minute.

**3.5 LISTER DRIVE**

TRIM REFERENCE: 2020/1115

**RECOMMENDATION****Mr G Lewis/Cr R Turner**

That Council installs BB centre lines along Lister Drive.

**3.6 2020/21 BLACKSPOT AND SAFER ROADS PROGRAM**

TRIM REFERENCE: 2020/1124

**RECOMMENDATION****Cr R Turner/Mr G Lewis**

That the Committee notes the information provided in this report.

**THE MEETING CLOSED AT 10.15AM.**

### **3 GENERAL REPORTS**

#### **3.1 PROPOSAL TO INTRODUCE ANGLE PARKING IN MATTHEWS AVENUE OUTSIDE BLETCHINGTON SCHOOL**

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RECORD NUMBER: 2020/1304

AUTHOR: Adrian Cisco, Senior Parking Officer

##### **EXECUTIVE SUMMARY**

Traffic congestion in and around Matthews Avenue near Bletchington School during school pick-up time has been observed by staff as being significant. Council's parking officers have several examples of congestion and dangerous driver behaviour being undertaken during this period due to the mainly to the availability of adequate parking in close proximity to the school.

In order to improve the parking arrangements in this locality it is recommended that parking arrangements be amended from parallel to angle parking in parts of Matthews Avenue - as shown in Appendix 1.

##### **LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy "9.2 Preserve - Ensure that adequate car parking spaces are available to support growth".

##### **FINANCIAL IMPLICATIONS**

Signage in this locality would need to be altered to reflect the new parking arrangements.

##### **POLICY AND GOVERNANCE IMPLICATIONS**

Nil

##### **RECOMMENDATION**

That Council alter the parking angle prescription on Matthews Avenue outside Bletchington School from parallel parking to angle parking as shown in Appendix A.

##### **FURTHER CONSIDERATIONS**

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

##### **SUPPORTING INFORMATION**

Bletchington Primary School has been identified by Council's Senior Parking Officer as one of the most congested and dangerous School Zones within the City during afternoon pick-up periods. Matthews Avenue and adjacent side streets (Fox Avenue and Lords Place) are at 100% capacity for parked vehicles at school pick-up time – with some vehicles arriving up to 45 minutes before school lets out to gain preferred parking spaces in the area.

**3.1 Proposal to Introduce Angle Parking in Matthews Avenue Outside Bletchington School**

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Other vehicles circle the area looking for available parking spaces in increasing numbers as the end of the school day nears – often double parking, stopping in the Bus Zone, or stopping in No Stopping zones (in intersections and adjacent to the Children’s Crossing) during the busiest time (school letting out and the 10 minutes following). From 1 January to 27 July 2020 there have been 63 Warning Notices and 49 Penalty Infringement Notices issued for parking offenses in this area.

Altering the angle of parking prescribed - as shown in in Appendix A - would facilitate an increase in parking availability by 18 spaces - alleviating parking pressure in the area significantly. This change would also result in improved school-aged pedestrian safety by providing more parking on the same side of the street as the school - reducing the number of pedestrians needing to cross the road to reach their vehicle.

**CONSULTATION**

An on-site consultation was undertaken with Prue Britt, the TfNSW Road User Safety Officer, during the development of this proposal, which is supported by her as a School Zone safety improvement.

Submissions were also invited from residents in the area, as well as from the school. Three submissions were received in reply to the 56 letters sent out (submissions attached).

All three submissions identify concerns about leaving their residential property safely when vehicles are parked at a 45° angle in the street. Observations of Byng Street between Woodward and Sampson Streets (Orange High School - School Zone) indicate that the proposed change is unlikely to have the impact feared. The road width in this area is the same as Matthews Avenue, with angle parking on both sides and a much heavier traffic movement count; yet this area does not experience the issue raised in the submissions.

**ATTACHMENTS**

- 1 Appendix A, D20/44943
- 2 Submissions, D20/44615



## APPENDIX A

Spaces		4	4	8	8	5	8	3	9	Total = 49							
Spaces previously		3	3	5	5	3	5	2	5	Total = 31							
Length	16m	13m	5m	13m	5m	26m	8m	26m	4m	17.5m	4.5m	24.5m	11m	9m	4m	28m	18m



- NO STOPPING - West - protecting school parking lot & 141 driveways (also swing out space for busses).  
East - protecting clearance for intersection, plus extra space to queue dual lane for turning
- DRIVEWAY
- 45° ANGLE REAR TO KERB - adjusted measurement shown to reflect 2m void space
- NO PARKING - protecting dual driveways with no space to park between, but allowing a 'Kiss & Go' manoeuvre
- BUS ZONE
- VOID SPACE (2m)  
(ANGLE CLEARANCE FOR DRIVEWAYS)

Change from parallel to angle park increases spaces available by 18 vehicles (70% increase).

Distance from kerb to road centre (minimum) = 10m  
 Allow 3m lane width = 7m distance from kerb to lane edge.  
 4m projection from kerb (for a 6m long 45° angle parked vehicle)  
 = 3m width for area to manoeuvre to park – full lane width.



CHIEF EXECUTIVE OFFICER

ATTN; PARKING ENFORCEMENT

ORANGE CITY COUNCIL

PO BOX 35

ORANGE NSW 2800

11 /07 /20

We received your notification on the changes to parking in Matthews Avenue .

WE do NOT AGREE with the parking being changed from parallel to 45 degree

Parking. As a permanent Resident we feel the change would inconvenience

the people living in these houses ,the big 4 wheel drive vehicles parking on either side of the driveway will make it very difficult and dangerous for residents to leave their homes in their cars at these times in the day . Once the children have been picked up the road is very busy with drivers trying to get away from the school ---always in a hurry to get home or sports or whatever they need to do.

Please do not change the current parking positions.

These changes do not benefit current residents The extra spaces do not provide enough spaces to accommodate the children at the school Most parents arrive at about 2 45 pm

And don't leave until approx. 3 . 20 pm each day

There is a good pedestrian crossing at the school and two supervisors helping children and parents cross .There are car parking spaces on the south side of Matthews Avenue also .

The KISS AND GO idea is a joke the parents will not leave their children alone to walk half a block to School from our driveway and our driveway will be closed while parents enjoy other parents conversations at the school before returning to their cars

Please note our objection to the parking changes and please do not change the current parallel parking positions

Thank you

John and Margaret WIGHTMAN

**From:**

**Sent:** Monday, 13 July 2020 3:08 PM

**To:** Parking

**Subject:** Matthews Ave Parking Angle Change

Parking Enforcement

Thank you for your letter re changes. I am of the opinion that 45 degree parking will make it more dangerous for us residents as we will have to reverse further out on the roadway to make sure it is clear.

The only congestion I note, is directly in front of the school with double parking when parents are dropping their children off, especially towards Anson St ,before the pedestrian crossing.

45 degree angle parked cars will make it more difficult to see children walking on the footpath,especially when we are turning into our driveway.

As permanent residents of 14 years I cannot see this change making the pick up and drop off safer and it certainly won't prevent parents from obstructing our driveway. There are only a couple of houses that are privately owned on our side of the street, with the majority tenanted ,which means they come and go and this proposed change will have little or minimal effect ,as they can move if they are not happy with parking.

Thank you for considering my comments and you can see from the above points, I do not agree with the proposed changes.

Regards

Jenny Kain

**From:** Debbie Mulherin  
**Sent:** Friday, 24 July 2020 1:44 PM  
**To:** Parking  
**Subject:** "Matthews Avenue Parking Angle Change"

Chief Executive Officer

Attn: Parking Enforcement

Orange City Council

I am one of the residents at \_\_\_\_\_, I do have concerns about your proposed changes to reverse parking to allow more spaces, I unfortunately can not see how this will work, I regularly have trouble accessing or leaving at school pick up time now, people are constantly parking over both edges of the driveway, I also have the benefit of having a power pole right on the edge of the driveway further reducing the angle for leaving the property, I reverse out of my property as I do not have the space to turn around, I used to work at Central West Neurology in Byng St, reverse parking is what that St is zoned for, a big problem was the way people would park and block the driveway to where staff parked at the rear of the property, this made it extremely difficult to see on coming traffic, in Matthews Avenue, I would think this will only be worse as I will be reversing not driving forward, I am concerned about accidents as well as the danger to children who are running and walking to the waiting cars. I cannot support this proposed change.

Kindest regards,

Debbie Mulherin

**3.2 LEEDS PARADE - BUNNINGS BUS STOP**

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RECORD NUMBER: 2020/1338

AUTHOR: Jason Theakstone, Manager Engineering Services

**EXECUTIVE SUMMARY**

Council has received a request to create a bus stop on Leeds Parade near Bunnings.

**LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy “9.1 Preserve - Construct and maintain a road network meets the community’s transport and infrastructure needs”.

**FINANCIAL IMPLICATIONS**

\$500 from the sign budget.

**POLICY AND GOVERNANCE IMPLICATIONS**

Nil

**RECOMMENDATION**

**That Council install a bus stop on Leeds Parade, outside the Bunnings building, as shown in Figure A of this report.**

**FURTHER CONSIDERATIONS**

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION**

Council has received a request to create a bus stop on Leeds Parade near Bunnings from Orange Buslines. Orange Buslines have requested the bus stop be installed in the location as shown in Figure A below. Bunnings are in favour of the location and have offered to construct a new footpath along their land to the proposed bus stop.



3.2 Leeds Parade - Bunnings Bus Stop

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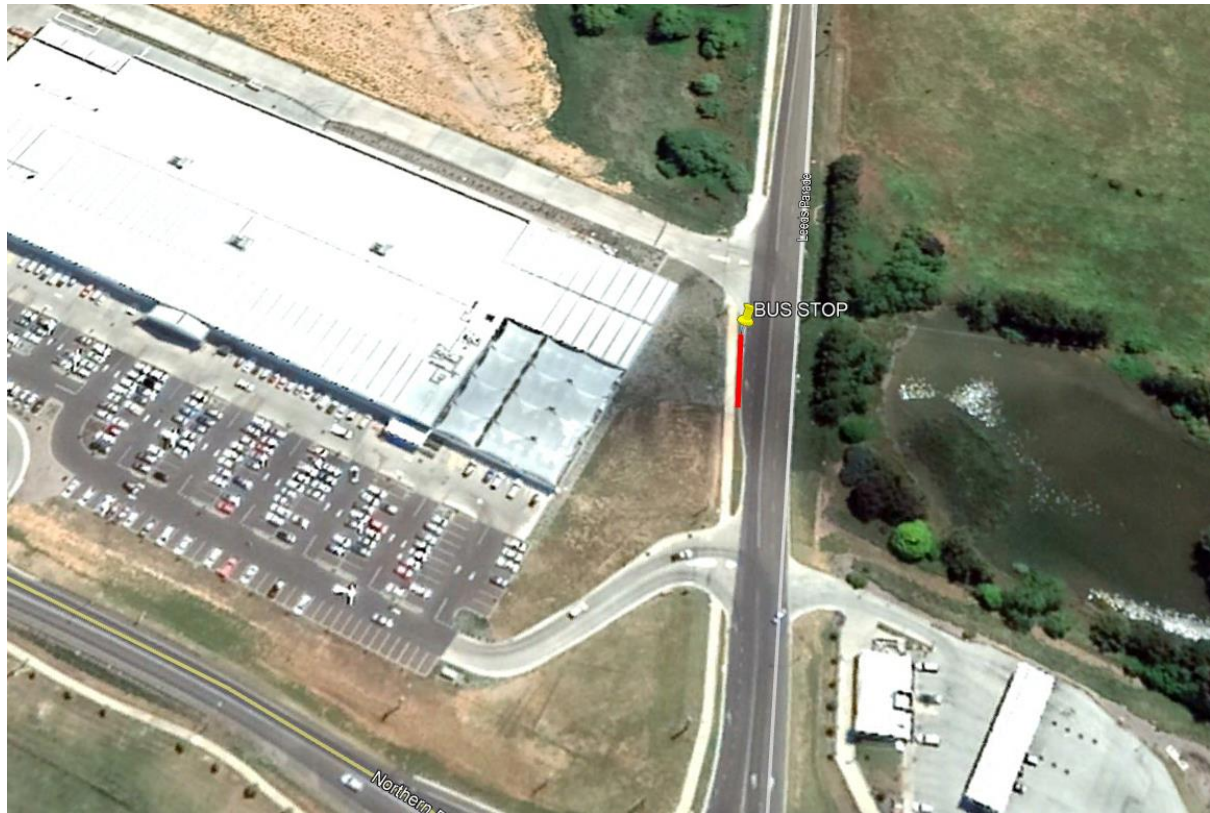


Figure A

**3.3 ANSON STREET BUS STOP AT DPI BUILDING**

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RECORD NUMBER: 2020/1342

AUTHOR: Jason Theakstone, Manager Engineering Services

**EXECUTIVE SUMMARY**

Council has been asked to create a bus stop on Anson Street opposite the new DPI building.

**LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy “9.1 Preserve - Construct and maintain a road network meets the community’s transport and infrastructure needs”.

**FINANCIAL IMPLICATIONS**

\$500 sourced from the sign budget.

**POLICY AND GOVERNANCE IMPLICATIONS**

Nil

**RECOMMENDATION**

**That Council create a bus stop in Anson Street, opposite the DPI building, at the location shown on Figure A.**

**FURTHER CONSIDERATIONS**

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION**

Council has been asked to create a bus stop on Anson Street opposite the new DPI building.

As part of the 16 cites project, 2 new north/south bus routes will access the new bus stop allowing DPI workers to commute to and from work.

The location is shown in Figure A below.





Figure A

**3.4 DALTON STREET (SALE TO ANSON) - CENTRE PARKING FOR DPI**

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RECORD NUMBER: 2020/1350

AUTHOR: Jason Theakstone, Manager Engineering Services

**EXECUTIVE SUMMARY**

The City of Orange Traffic Committee requested a report on the possibility of re-using the centre of roadway parking on Dalton Street (Anson to Sale Street).

**LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy “9.1 Preserve - Construct and maintain a road network meets the community’s transport and infrastructure needs”.

**FINANCIAL IMPLICATIONS**

Nil

**POLICY AND GOVERNANCE IMPLICATIONS**

Nil

**RECOMMENDATION**

**That Council not use the centre of roadway for parking on Dalton Street (Anson Street to Sale Street).**

**FURTHER CONSIDERATIONS**

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION**

The City of Orange Traffic Committee requested a report on the possibility of re-using the centre of roadway parking on Dalton Street (Anson Street to Sale Street) at its June 2020 meeting.

The former Orange Base Hospital used 17 car parking spaces on Dalton Street (Anson Street to Sale Street). When the hospital was demolished, the car parks were rendered as no parking.

In 2020 the Australian Standard for on street parking (AS 2890.5) has changed and does not allow the centre parking unless the speed is reduced to 40km/h. It is recommended not to install centre parking without a speed reduction.

**3.5 MARCH AND MCLACHLAN STREETS INTERSECTION LINES AND SIGNS**

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RECORD NUMBER: 2020/1357

AUTHOR: Jason Theakstone, Manager Engineering Services

**EXECUTIVE SUMMARY**

Council has built a roundabout at the intersection of March Street and McLachlan Street intersection. At the time of construction, the City of Orange Traffic Committee was not sitting due to the COVID crisis.

This report serves to adopt the lines and signs for the already constructed March and McLachlan roundabout as a matter of housekeeping.

**LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy “9.1 Preserve - Construct and maintain a road network meets the community’s transport and infrastructure needs”.

**FINANCIAL IMPLICATIONS**

Nil

**POLICY AND GOVERNANCE IMPLICATIONS**

Nil

**RECOMMENDATION**

**That Council adopt the March Street and McLachlan Street roundabout lines and signs design as shown in Figure A of report.**

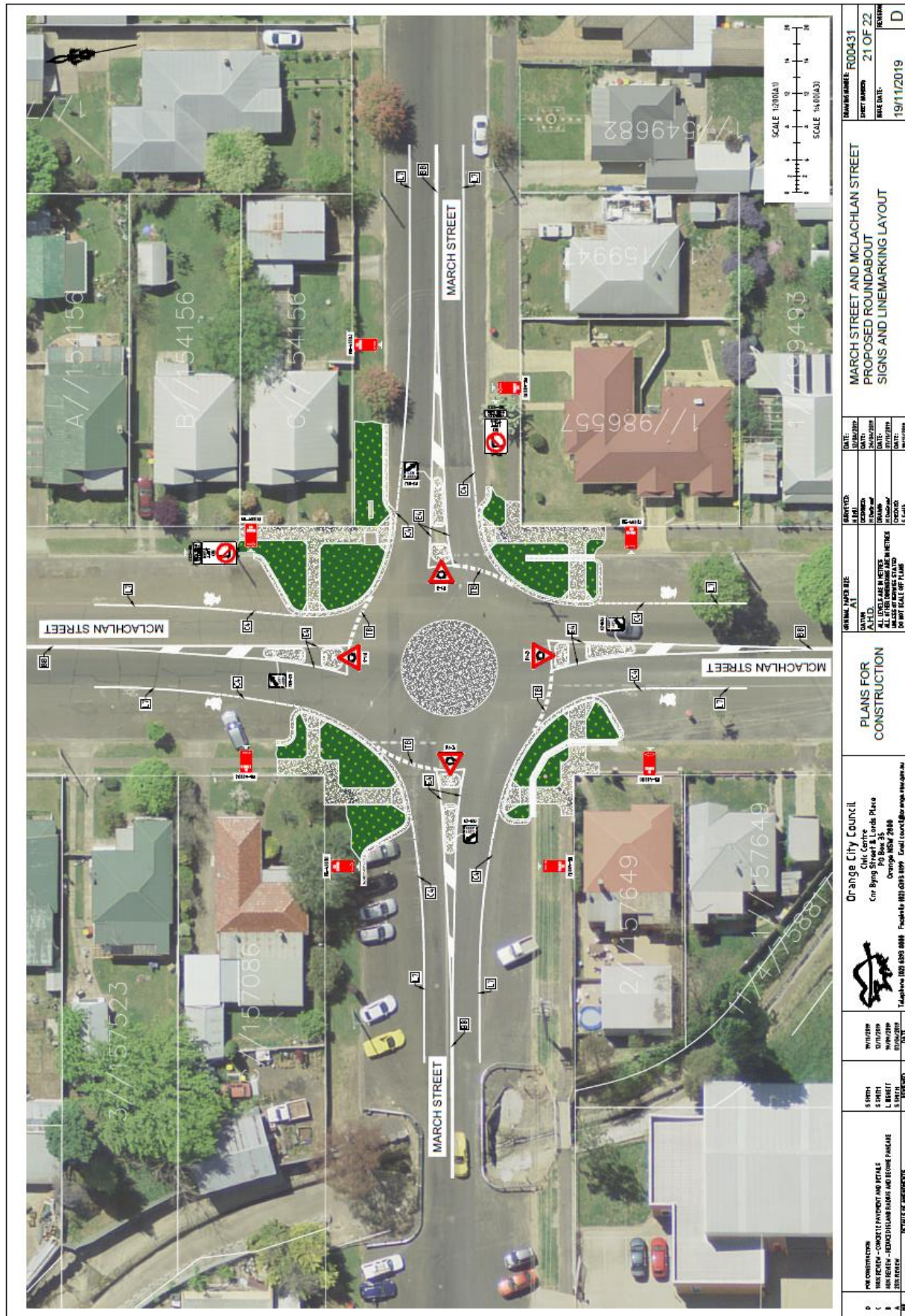
**FURTHER CONSIDERATIONS**

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

**SUPPORTING INFORMATION**

Shown in Figure A below is the erected lines and signs plan for adoption.

## 3.5 March and McLachlan Streets Intersection Lines and Signs





Judith Gordon

Submission to speak at Public forum Council Meeting 26/10/21

- Community Land Mort Avenue, Dalmeny; Proposed Access Road
- Effects on Mummaga Lake from the road access to Lot 2, Dalmeny
- References to Pat McGinlay's Questions on Notice about the Dalmeny Land Release and council's replies. (Including fence construction on Lot 3 Dalmeny).

Judith Gordon  
Dalmeny Matters

The concerns I intend to raise relate to the general amenity of Moruya, and the neglect of that amenity in the proposed development.

My points are as follows:

1. Moruya is an attractive regional town because it has so far avoided emergence of a “suburban” aesthetic. That is, a homogeneity of housing, that is reiterated block-by-block, and is increasingly seen almost anywhere in Australia. Developments in Batemans Bay look a lot like developments in Campbelltown, for example. Moruya should avoid becoming the same.
2. One of the characteristics of Moruya that contributes to its feel is the presence of open space. This is largely due to the avoidance of building on low-lying ground. Nonetheless, the open spaces create a feeling of rurality that all residents enjoy, and is attractive to newcomers. Almost everyone in the town can stroll in open space within a block or so of their residences. This is particularly important for families with young children, and oldies!
3. In the proposed development the amenity of Turnbolls Lane for such purposes is being destroyed - by tree removal and multiple driveways.
4. Further, the location of a public reserve and EEC on the SW corner fails to address this important planning feature BECAUSE of its location. While it is easy reach of residents holding the larger blocks (at the northern end), the residents of the VERY small holding (who are most in need of the open space) are located at the other end of the estate and there is no provision for access by a walking / bike path.

It is reasonable to assume that many folk taking up the small holdings at the southern end of the development will be downsizing retirees and elderly folk, who need such amenities to sustain their quality of life, and to provide for casual community interactions.

5. In sum:

- Blocks/ residents in southern half of the development have inadequate access to the EEC set aside at the SW end of the development site. This needs to be addressed
- The amenity of Turnbull's Lane and the sense of rurality it provides will be destroyed by access roads and tree removal. This should be addressed
- A more significant allocation of open space and recreational facilities is needed in the high density section of the development. Such allocation would greatly benefit the residents, and also help buffer the west-adjointing property on Turnbull's Lane from the impact of high density development.

**ABE Public Forum Presentation Regarding 96 Lot Subdivision on  
Turnbulls Lane (QON21/009) and Dalmeny Land Release Area  
(QON21/010 & PSR21/057)**

Good morning. Thank you for the opportunity to address Council this morning regarding three items on today's agenda, these being:

**QON21/010 & PSR21/057** – Both dealing with the Dalmeny Land Release;  
and

**QON21/009** – 96 Lot Subdivision on Turnbulls Lane (DA0632/20)

I am presenting as Co-Convenor of A Better Eurobodalla (ABE), a community forum dedicated to having open and inclusive government in our region. ABE expects that before governments, at any level, make decisions that will impact their communities, they will undertake broad and meaningful consultation, listen to and share expert advice, and proceed using a transparent decision-making process so that the community understands who makes decisions, when and why.

ABE has applied these principles to both the Dalmeny Land Release and the Turnbulls Lane subdivision, which both have significant implications for the effective management of public assets and implementation of good governance in the Eurobodalla. I will now outline ABE's recommendations for each of these issues.

**Dalmeny Land Release**

This sale of 40 hectares of Council land adjoining an area of 60 hectares already slated for residential development is a significant step warranting detailed collection and consideration of current information together with extensive community consultation and input. The combined impact of this additional residential land will nearly double the current size of Dalmeny, yet no systemic analysis has been provided of how all this new housing can be adequately serviced. The primary driver seems to be maximising the number of development lots, with other important considerations either being ignored or given only lip service.

The Dalmeny Land Release area is not an issue which should just rubber-stamp decades-old arbitrary zoning decisions. We need to apply contemporary standards and knowledge to make an informed decision which reflects contemporary knowledge and current standards, as well as supporting the local community.

The Dalmeny site is a forested area with high biodiversity values which is part of the catchment of Mummaga Lake. ABE notes that the 2016 South East & Tablelands Regional Plan indicates that estuaries such as Mummaga Lake

and their catchments “*are particularly susceptible to the effect of land use development and are not suitable for intense uses such as housing subdivision.*” Council’s decision is inconsistent with this advice.

The land is also highly valued by the local community for its aesthetic, recreational and environmental values, which are under threat from over development. These values are even more important now in the wake of the catastrophic 2019-20 fire season. In spite of this importance to the community, there has only been one hastily convened public information session after the sale process was first announced. This one-off consultation was the result of Councillor McGinlay advocating on behalf of Dalmeny residents, and was not part of any systematic Council process.

In addition to these significant concerns over the biophysical and community impacts of the sale of this community asset, the fact that this process was initiated without Councillors being advised of the estimated value of the asset is also of concern. The fact that the community has still not been informed of the purchase price even after contracts have been exchanged is of further concern.

There has been no cogent explanation about why the land needed to be sold so hastily, particularly given that the transaction will not be completed until 2022. The reason given for not advising the community of the sale price for the land is that the title needs to be amended and registered. However, this task should have already been completed if a systematic and thorough approach had been adopted from the outset. Why the hurry for this sale to occur right now?

ABE also notes that PSR21/057 refers to a “*Real Estate Development Fund*” with a current balance of \$4.2 million as the source for \$100,000 to pay the cost of developing a Masterplan and DCP for the Dalmeny Land Release. ABE has searched both Council’s website and Google, and has not been able to find any information regarding the Eurobodalla Council “*Real Estate Development Fund*”. We have written to the GM in order to find out how and where this fund fits into Council’s governance structure, and what functions it is supposed to perform. This is an issue that Councillors may also want to clarify before voting to withdraw \$100,000 from this fund.

A decision of the magnitude and complexity of the Dalmeny Land Release should not have been taken in the dying days of a Council term extended twice because of the COVID pandemic. This was a process and decision which should have been undertaken by the next Council, which will have to deal with the longer term impacts of this sell-off.

## **96 Lot Subdivision on Turnbolls Lane**

The Turnbull Lane Subdivision is another example of a significant development which needs to have the proactive engagement of Eurobodalla Council. The development block contains parcels of an Endangered Ecological Community (EEC), the Lowland Grassy Box woodland, which is



even more valuable now in the wake of the impacts the Black Summer bushfires on the environment of the Eurobodalla.

ABE considers that the Council staff response to Councillor Mayne's Question on Notice is unsatisfactory, in that it largely seeks to devolve responsibility for the future development and fate of the EEC to the BDAR (Biodiversity Development Assessment Report) process. However, Council has the authority and agency to actively engage with the developer to seek an improved outcome offering environmental and community benefits through informed and creative engagement with the development process based on contemporary knowledge and circumstances, which should be driven by more than just maximising the number of development lots.

The Turnbolls Lane subdivision is of sufficient importance for Councillors to be engaged with the process, instead of turning it into another routine staff decision.

## **Conclusion**

The Dalmeny Land Release constitutes a large parcel of Council land being sold off hurriedly for an undisclosed amount without any contemporary evaluation of its environmental and community values, and without any genuine community consultation. No systemic analyses of the servicing requirements or associated impacts have been produced. This process reflects poor governance across all aspects of the ABE checklist of transparency, meaningful consultation and informed decision making based on current expert advice.

The Turnbull's Lane subdivision provides an opportunity for Council to exercise informed and creative engagement reflecting contemporary knowledge and circumstances for a significant development project.

ABE considers that Council can and must do better in future planning and development decisions.

Thank you for your attention.

Brett Stevenson  
Co-Convenor  
A Better Eurobodalla

## Dalmeny Land Release Area – presentation to council

Good morning councillors and members of the public. Thank you for this opportunity to speak.

As I have commented previously, I am neither for nor against the sale of Part Lot 2, DP 1151341.

My concern is about the timing and process associated with this proposed sale, as well as the paucity of information available in relation to the requirements on the developer in relation to this land.

To start I would like to congratulate Council on commencing to develop a Master Plan for the Dalmeny Release Area. Just a bit unfortunate that this happened after the sale of the Tatiara Crescent land.

Now that contracts have been exchanged for the sale of the land and, it is apparent that settlement is delayed, I remain concerned about the timing and process associated with the sale of this lot.

A timeline has unfolded:

- Council resolved to sell the land on 13 July 2021
- Expressions of interest (EOI) closed on 15 September 2021
- Councillors were briefed on the outcome of the EOI on 21 September
- Signatures on the contract were in place on 28 September 2021
- Councillors were again briefed on the sale on 5 October 2021, and
- The sale was made public on 6 October 2021.

As a result of Councillor McGinlay raising questions on notice in relation to the sale, it comes to attention that the Council, despite being in a tearing hurry to sell the piece of land was not well-prepared to do so.

Surely, if you are in a hurry to sell a piece of land one would ensure that the land is sale-ready. When the sale is being managed by the Eurobodalla Shire Council, apparently not. Why wait until contracts have been exchanged to undertake the administrative procedures to hive-off the community land from the operational part of the Lot?

Council has had thirty years to subdivide the lot to separate the community land from the operational land.

The community requested a delay in the sale of this land until a new Council is confirmed. The community was told that a further delay would jeopardise the Council's reputation with other landowners who are waiting to develop land adjacent to the Tatiara Crescent land.

The Council's reputation is further sullied by the fact that it had not undertaken the necessary administrative actions prior to advertising the land for sale despite having more than sufficient time to do so.

**Submission to speak at Public Forum Council Meeting 26/10/21**

- **Community Land Mort Avenue Dalmeny**
- **Effects on Mummaga Lake from Road Access to Lot 2 Dalmeny**
- **Fence Construction on Lot 3 Dalmeny**

## **PSR 21/052 2020/21 Emissions Reduction Plan and Sustainability Progress Report**

SHASA has been a strong supporter of the Council's Emissions Reduction Plan and welcomes the tabling of the 2020/21 Emissions Reduction Plan Update.

We know that before his departure Mark Shorter, Council's former Sustainability Coordinator, worked hard on securing a power purchase agreement for renewable energy for 80% the Council's operations. Also we have seen the install of LED street lighting across the Eurobodalla bringing extensive energy savings to Council operations of street lights.

We know the Sustainability team are working hard on developing a Climate Resilience Plan.

Our media has been highlighting the need for governments to do much more to reduce emissions and adapt to climate change in the lead up to the Conference of the Parties 26 in Glasgow in November. There is so much more our Council can and should do as a matter of urgency to secure a more resilient and low carbon economy.

We are pleased that Council will work with ANU and SHASA on a research project for battery storage and grid integration. However, it should be recognised that SHASA, which is a local community group, devised the project and then approached ANU and Essential Energy with a

partnership proposal to seek grant funding to develop up to 8 microgrid feasibility studies in the Eurobodalla. SHASA is being funded to undertake key tasks over the next 3 years and have recently recruited 2 Microgrid Community Engagement Officers – Louise McFadden and Phil Shorten.

SHASA calls on the Council to adopt the following:

### **1. Electricity**

- Increase the ESC renewables power purchase agreement from 80% to 100% of energy usage by Council.
- Make Council land available to establish a solar farm which includes a component of community ownership. Recently the Shoalhaven Council paid up front for a 30 year lease for Council land allocated to Repower Shoalhaven for a 4MW commercial and community solar farm.
- Support groups like SHASA, and Essential Energy to develop a more resilient electricity supply across the Eurobodalla through the establishment of microgrids, the installation of large solar arrays on public buildings and the creation of solar gardens.
- Council to provide interest free loans for low income households for installing rooftop solar systems and other renewable energy.

## **2. Transport**

- Complete the bike path from Moruya to Moruya Heads on the north hand side (too many road crossings make the bike path more dangerous for cyclists).
- Commit to installing wide shoulders, for cyclists along North Head Drive and George Bass Drive to Tomakin.
- Commit, to installing shoulders/ bike paths on all road redevelopments.
- Insist that developers of strip housing provide walking and cycling paths, not just on-road, to support active transport. Ensure that new buildings that rely on old approvals are required to meet current standards.
- Install public EV chargers at Council public facilities eg Libraries, Community Halls, Riverside Park to encourage the take up of electric vehicles.
- Switch the Council's fleet to all electric vehicles in the next 3 years. Buy local to get a local distributor and on-going maintenance of EVs. Encourage a local second hand EV market by committing to on-sell the fleet locally as appropriate.

## **Waste**

- Work with the NSW EPA to adopt Food Organics and Gardening Organics (FOGO) residential recycling service to reduce the volume of waste to landfill (food) by over 40% as soon as possible. 43 Councils in NSW already have adopted FOGO.

## **Managing during extreme weather events**

- Commit to establish a Heatwave and Bushfire Haven for our more vulnerable members of the community in every town in the Eurobodalla. (solar, batteries, air conditioners, air filters, water tanks, fire hoses, pumps and back up generators)
- Plant fast growing shade trees and shading structures in all town shopping centres and nature strips to provide shade from the summer heat.
- Facilitate street plantings in urban streets across the Eurobodalla. The trial in two streets should be just the beginning.
- Encourage shop owners to have awnings on their shops to provide shade to shoppers. Remove or revise any council regulations that block shop building owners from providing such shade.
- Seek bushfire grant funding to build ‘fit for purpose’ evacuation centres in recognition of the increased likelihood of extreme events.
- Strongly enforce tree preservation protections in urban areas to provide vital shade and habitat.

## **Partner with the community to tackle the challenges and find the opportunities**

- Set up a community environment reference group to provide advice to the Council on reducing emissions and adapting to climate change.
- Set up and promote a grants program to support communities to undertake projects to reduce emissions and adapt to climate change.

**PSR21/052 2020-21 Emissions Reduction Plan and Sustainability Progress Report****Transcript of presentation by Jack Egan, 26<sup>th</sup> October 2021 Public Forum**

Thank you, Madam Chair, for the opportunity to speak to the *Emissions Reduction Plan and Sustainability Progress Report* on behalf of Eurobodalla Labor and also, outside of politics, a significant number of Eurobodalla citizens many of whom are active in climate action and environment protection groups.

We thank Councillors and especially the staff of Eurobodalla Council for their hard work and achievements listed in the Progress Report.

In this short talk I won't be able to address water and waste issues covered in the report except to say that, in respect of water, as climate-determined rainfall patterns change, water efficiency will be increasingly important. In respect of waste, Councils bear a significant burden as waste managers so moves towards a more circular economy will benefit Councils and ratepayers alike. We commend the Council's achievements in water and waste management outlined in the Progress Report and look forward to the next Council extending this work.

In terms of emissions reduction in Council's own operations, the report indicates that these achievements are substantial and ongoing. However, Council cannot rest on these their laurels. It could and should do more. Councils can make significant positive contributions to climate solutions right across their community, not just in their own operations. At a time when citizens are feeling uncertain for themselves and their children, positive leadership by councils can greatly improve community morale.

Eurobodallans are no different to other Australians in that a solid majority want fair dinkum climate action. And Eurobodallans want action here. They want to live in a community which is doing its bit to meet Paris climate goals. Council should lead our whole community in practical climate solutions.

However, Eurobodalla has lagged behind other shires in identifying opportunities. While we have seen inexplicable delay, beyond that reasonably due to Black Summer, in the development of Eurobodalla Council's ten year *Climate Resilience Plan*, residents of Eurobodalla and neighbouring shires have stepped into this vacant space and done this work ourselves.

We have formed an apolitical citizens' alliance and undertaken a project called *ZeroSE - A Beyond Zero Future for South East NSW* ([www.zerose.space](http://www.zerose.space)). The project was recently launched by ex-Treasury head, Dr Ken Henry, and its initial work quantifies the costs and benefits of climate action in our region. I am co-convenor of the project in an apolitical capacity and pleased to report that our evidence-based research shows that financially responsible investment in specific climate solutions available today more than pays-off in local business opportunities, jobs, a healthy environment and a safer climate.

These climate solution opportunities are outlined in fact sheets on the *ZeroSE* website. Among the opportunities identified there are a number that make good sense for Council to support.

In considering development approvals, Council should encourage energy efficiency above BASIX mandates and encourage rooftop solar and wiring for electric vehicle chargers especially on new and renovating residential, commercial and industrial buildings.



Concerning mid-scale power generation, as federal MP Dr Helen Haines has articulated, not all power needs to be imported into a region:

- Council can identify and zone suitable local land for renewable energy generation
- It can lease Council-owned land for construction of community power projects
- Council can implement or support solar bulk-buys for residents. Our local *Southcoast Health and Sustainability Alliance* has successfully run these.
- lastly, Council can purchase locally produced renewable energy from community generation. An example arrangement is Bega Valley Shire's purchase of power from the Tathra Community Solar Farm to run the Tathra sewage treatment farm.

Further, electric vehicles are coming. Council should ensure that Eurobodalla obtains its fair share of NSW government funds now offered under the NSW Electric Vehicle Strategy. The Strategy designates the Princes Highway as an EV superhighway and provides:

- incentives to help Councils buy EVs for their fleets
- co-investment in rolling out superfast chargers on highways; and
- grants to local businesses to install charge points for their guests

Last in my list today, Council can support extension of Eurobodalla's 'active transport' network to foster safe and pleasant zero emissions commuting or exercise by foot, pushbike or e-bike for residents and visitors alike.

Finally, please note that the measures I have outlined are financially responsible, even for a debt-ridden Council such as Eurobodalla. They do not require significant expenditure. They simply amount to information dissemination, working with already up and running community groups, adding a climate lens to Council's existing strategies and processes, and seeking State and Federal grants for specific projects.

Yet, although the measures I have outlined place little impost on ratepayers. They will substantially boost economic activity in the shire, through both direct investment from households and businesses in climate solutions as well as through the indirect benefit of less money flowing out of the shire to large energy retailers and therefore more staying in local pockets, a proportion of which will then be spent locally.

We look forward to advance on whole of community climate action in next year's Progress Report.

Thank you.

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In support of proposal PSR21/54 (ie the purchase of 210m<sup>2</sup> of the Bent Street road verge):

- It will facilitate the redevelopment of the block, with town houses, in accordance with the current zoning
- The request in practise optimises the existing dimensions of the sloping block
- Approval of this request will promote the redevelopment of the western side of Bent Street
- It will of course return revenue to Council

Eurobodalla Shire Council Meeting- 26/10/21

Agenda Item- Waste Collection and Litter bin collection contracts.

Spoken by- Ryan Smith (Official for the Transport Workers Union)

Good morning to all Eurobodalla Shire Council members here today. I am extremely grateful for everyone's time and the privilege of being able to speak about the pending "Waste Collection Contract" and the "Litter Bin Collection Contract" on behalf of the local garbage workers located in the Eurobodalla Shire Council.

My name is Ryan Smith and I am an Official for the Transport Workers Union (TWU). During the last few months, I have been in close contact with the waste workers in the Eurobodalla Shire Council and I have taken some concern in what could be happening moving forward in their field of expertise in the not so distant future.

I think it is safe to say the councillors and other directors of council are aware that the current contract has nearly expired and a tender has gone out for a 7-year contract with an optional 3 years beginning on the 30<sup>th</sup> of September 2022.

What I would like to discuss today are the current garbage workers rates of pay and their conditions and what happens to these current rights moving forward collectively.

Before the tender went out to the public, the TWU and Jack Loo (a current garbage worker) spoke with Lindsay Usher in an attempt to highlight why it was important to attach the current rates of pay and working conditions to the upcoming tender as a requirement. This is something the TWU find to be extremely important and it is something that the Shoalhaven Council, just up the road, attached to their tender not too long ago. Unfortunately, at that time Mr. Usher decided to deny that request.

Now that the tender has gone out and the applicants have lodged their interest, it now comes down to the selection process. It is here, now, where I would like talk about why it is important that the current rates of pay and conditions are important and the Eurobodalla Shire Council select the right tender, which has these important requirements in mind.

I understand the Council hold high consideration on price in attempt to look after the constituents best interests. However, what is concerning to me is the current working group who are also fine constituents of your local government area and the small things people forget when making these decisions.

This current group of workers have worked through intense bush fires, damaging floods and an unpredictable pandemic. On top of that, this is the working group that are up first thing in the morning and the ones that are out in the wind and rain picking up bins that have blown over. These workers are still doing their jobs on public holidays while most of us sit and back and relax because garbage and waste does not stop.

With all due respect to the current working group who work in the waste industry, this job is not the most glamorous and it isn't necessarily a job that the youth of the country aspire to do when they grow up however it is an extremely important job and one that needs to be done. This current group go above and beyond for their local government area. Some may say it is their job to perform these duties but I know firsthand the lengths this group go to and how much pride they have in getting their work done.

I think we can all agree here that the workers who are your fellow neighbours who reside alongside you in the Eurobodalla Shire Council have done an amazing job over the last 10 or so years and we cannot fault their performance thus far. However, we will potentially thank them by giving them a pay-cut and sending them potentially back to award rates by not having any provisions in the tender about the pay rates. In most cases when a tender changes hands the branding on the trucks will change, the logo on the shirts will alter but the workforce generally remain. This group will be expected by the company to perform the same job, the constituents will expect the same quality service and council will expect virtually no change to proceedings, however we will also expect the work group to continue on and have the same enthusiasm and motivation to their jobs and go the extra mile on potentially a lower rate of pay.

This is a working group who live and pay rates in the Eurobodalla Shire Council, they stimulate the economy in the LGA and they contribute to local community as a whole. We are not asking that the rates of pay go up, and we are not asking for a pay-rise. We are asking that these hard working members of society do not go backwards. That is all; we are asking they do not go backwards. I do not think that this is a request that is asking too much of council and the local community. We just want the waste workers of the Eurobodalla Shire Council to do their jobs, feel valued go home to their families with a bit of dignity and continue to live in a community, which they call their own.

I understand Shoalhaven is a different council but they saw the value in all these points and attached the rates or pay and current working conditions to their outgoing tender. In comparison, the local waste workers of Shoalhaven are paid \$4.62 more per hour than what the current group of workers receive. Once again, we are not asking for parody or a pay rise, we just want this current work group to not go backwards.

Alongside pay rates, the waste workers conditions are just important. The Enterprise Agreement this group of waste workers currently work under allow them to perform their work safely and allows them to know they are protected when it comes to the day to day challenges they face. A removal of these conditions or potentially a down ground in the EA may leave workers exposed.

I completely understand that the tender has already gone out and the applicants have already lodged their interest. I understand that what has happened has happened and we cannot retrospectively change the stipulations however one thing we can do is think about what I have said today and think about the waste workers who live along side you and recommend what is right and recommend an outcome which looks after all aspects of the Eurobodalla Shire Council.

Thank you for everyone's time.