

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 **22 March 2022**

Name	Subject/Comments
Public Forum – 9.30am	
Bernie O’Neil	GMR 22/026 Policy Review for Exhibition – March 2022
Deborah Stevenson	GMR 22/026 Policy Review for Exhibition – March 2022

ABE Public Forum Presentation regarding GMR 22/026 Policy Review for Exhibition

22 March 2022

Good morning and thank you for the opportunity to address Council and the community this morning regarding GMR 22/026 Policy Review for Exhibition.

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.

In applying these principles to this motion, the ABE review has focussed primarily on the draft Creative Arts Services Policy which is recommended, along with the other draft policies, to be placed on public exhibition for the purposes of public consultation for a period of 28 days. It will then be presented to Council for consideration and adoption. along with a report to consider any submissions received during the exhibition period. I will also touch on GMR 22/026 the draft Yellow Bellied Glider policy.

For some context a simple general definition of policy from the Australian Government states that government policies contain the reasons things are to be done in a certain way and why. (www.pmc.gov.au> domestic policy). Good policy relies on robust contemporary information to inform what will be done and why.

The Creative Arts Services Policy falls under:
Delivery Program Link: 9.1.2 Implement effective governance, an area central to ABE's purpose.

Council agenda paper, under General Manager's reports, describes the Creative Arts Services Policy as being:
'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 reputation as a strong and vibrant community.'

It further states that 'The policy has been reviewed and no substantive changes are recommended at this time, apart from minor referencing updates.'

Having read and reviewed the draft Policy our concerns are:

- There is very little for the community to understand or comment on in the document. It describes a set of policy aims which use terms such as increasing opportunities, cultivating partnerships, working effectively and providing leadership. Laudable in principle but essentially motherhood statements that are difficult to criticise but also hard to comment on in any useful way.

- There is no indication in the document that it reflects contemporary circumstances. We have had bushfires, floods and Covid since the last review. What does this mean for the creative arts and the Council services that support them?
- The draft Policy states that the policy will be implemented by following Council's Creative Arts Strategy. This Strategy from 2019 (also pre-dating fires and Covid) is not up for discussion or consultation and it is here that any relevant actions are to be found.
- The draft Policy of 2022, and the performance indicators by which the success or otherwise of the Policy can be measured, do not directly link to any of the 46 priority actions from the 2019 Strategy.
- A draft policy that simply says, in effect, that we are going to do what we are already doing is not meaningful.
- So unfortunately, this is a poor document for the purposes of public consultation. It is an example of the 'tick the box consultation' that Council should avoid.
- If we want our community to be engaged with Council, to read, review and comment on Council products there must be content that justifies peoples' time and energy.

The draft Yellow Bellied Glider policy (GMR 22/026) indicates there is no need for any substantial changes to the Yellow Bellied Glider policy, despite the massive impacts of the 2019/20 black summer bushfires to biodiversity and tree cover across the Eurobodalla.

Also significant is that the Commonwealth government has recently listed the Yellow-bellied glider as "Vulnerable" under the EPBC Act, identifying the black summer bushfires as a key factor that increased risks to this species. The draft policy does not acknowledge this, and is in urgent need of revising and updating to reflect contemporary circumstances, as well as correct anomalous dates and references circulated in GMR22/026.

We know that community members have long had concerns about the quality of consultation by Council. Among other things, the Community Engagement Framework and Participation Plan adopted by Council on 26 November 2019 tells us that '*Ineffective or tokenistic community engagement can be detrimental to the good faith of the community in the long term*'. (P4) ABE considers effective community engagement to be a key element of delivering good governance, where a 'tick the box' approach is not desirable or effective.

The arts and culture community of Eurobodalla is a vital and substantial contributor to the well-being, social capital and economy of the Eurobodalla, as are our fragile natural resources. Consulting about these is important and should be done by providing meaningful content and the opportunity for the community to engage.

Thank you.

Bernie O'Neil
Co-convenor
A Better Eurobodalla

Public Forum Presentation re: Agenda item GMR22/026 Policy Review for Exhibition-March 2022

Good morning. Thank you for the opportunity to address Council and the community regarding Agenda item GMR22/026 Policy Review for Exhibition- March 2022.

My presentation relates specifically to the Policy for Conservation of the Yellow-bellied Glider in the Broulee Area.

I am a biologist with over 20 years experience in state and federal government working in the area of threatened species conservation. In this role I have worked with councils across the Sydney metropolitan area and in regional NSW on policy and planning matters relating to the protection and recovery of threatened species.

A policy, as I understand it, is a set of principles that is used as the basis for making decisions and taking action. It needs to be based on the current legislative framework and take account of the existing context in which it will operate. The Policy for Conservation of the Yellow-bellied Glider in the Broulee Area does neither.

The agenda papers state that *'this policy has been reviewed and no substantive changes are recommended at this time, apart from minor referencing updates.'*

The draft policy remains essentially unchanged from the version of the policy approved by Council on 27 June 2017 (which is not listed in the change history table at the end of the policy). Since then the Eurobodalla, and the Broulee area in particular, has been badly impacted by the disastrous Black Summer bushfires of 2019-20 which decimated some 80% of the forested areas in our shire. Much of this was habitat for the Yellow-bellied Glider, which has subsequently been listed as vulnerable to extinction by the Commonwealth government under the Environment Protection and Biodiversity Conservation Act. This is not even acknowledged in the draft policy.

The draft policy and the associated Code of Practice urgently need to be reviewed and expanded to take account of this loss of habitat, as well as the likely impacts on the Eurobodalla Yellow-bellied Glider population. This would include a review of the minimum standards for development or activities that lead to clearing of land supporting suitable habitat for this species and, in particular, clause 9 of the Code of Practice which waters down the protections offered by these minimum standards. It is likely that post the Black Summer bushfires, these minimum standards alone will not be sufficient to avoid a significant impact on the Yellow-bellied Glider from development or other activities that result in the clearing or modification of their habitat.

The draft policy states *'in the absence of a Shire wide policy for the conservation of the Yellow-bellied Glider on the coastal plains of the Eurobodalla, this policy will be utilised by Council officers to assist in assessing development applications and proposed activities for land on the coastal plains of Eurobodalla Shire...'*. However, given the impacts of the Black Summer bushfires on the Yellow-bellied Glider and its habitat, we need a revised and extended 'best practice' conservation policy that covers the whole shire. Importantly, this revised policy and the associated Code of Practice should be informed by experts in the field and applied by staff with biodiversity qualifications and experience to ensure the long term persistence of the Yellow-bellied Glider, not only within the Broulee area, but across the shire. It should also take into account any requirements under the Commonwealth's Environment Protection and Biodiversity Conservation Act.

Consequently, I would urge all councillors to vote to delay the public exhibition of the Policy for Conservation of the Yellow-bellied Glider in the Broulee Area until it has been reviewed and updated to reflect current circumstances.

Thank you
Deborah Stevenson