



AGENDA

Ordinary Meeting of Council

27 October 2015

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

ON TUESDAY 27 OCTOBER 2015

COMMENCING AT 10.00AM

AGENDA

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

- | | | |
|-----------|--|-----------------|
| 1. | WELCOME, ACKNOWLEDGEMENT OF COUNTRY & EVACUATION MESSAGE | |
| 2. | APOLOGIES
Nil | |
| 3. | PUBLIC FORUM (AGENDA ITEMS ONLY) | |
| 4. | CONFIRMATION OF MINUTES OF PREVIOUS MEETING | |
| 4.1 | Ordinary Meeting held on 22 September 2015 | |
| 4.2 | Extraordinary Meeting held on 15 October 2015 | |
| 5. | DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA
(Declarations also to be made prior to discussions on each item) | |
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| 6. | MAYORAL REPORTS
Nil | |
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**DR CATHERINE DALE
GENERAL MANAGER**

NOM15/007 DEVELOPMENT ASSESSMENT SURVEY RESULTS

E00.4623

Responsible Officer: Neil Burnside - Councillor

Attachments: Nil

Councillors Neil Burnside and Peter Schwarz have given notice that at the Ordinary Meeting of Council on 27 October 2015, they will move the following motion.

MOTION

THAT:

1. Staff consider the results of the independent Development Assessment survey undertaken by Micromex research and examine ways in which the services can be further improved, especially for owner builders, and that the opportunities for improvement be reported back to Council for consideration as part of the service review, which is currently underway for the Development Services area.
2. Council look for opportunities to use the survey results to promote the 'open for business' message and to promote development within the Eurobodalla.

BACKGROUND

We were elected to, amongst other things, direct the General Manager to improve the performance, and the perceived performance, of our Council Planning Department. To quantify our success or otherwise, Council has engaged the independent researchers, Micromex, to give factual, evidence based analysis of how our staff within the Development Services Division engage with customers.

Councillors recently received a briefing from representatives of Micromex Research on the results of the anonymous survey undertaken to determine the level of satisfaction of Council's customers, who lodge development applications and utilise council as their building certifier. The results of the survey can be found at <http://www.esc.nsw.gov.au/inside-council/project-and-exhibitions/advocacy/customer-feedback-surveys/development-application-feedback/Development-application-feedback-2015.pdf>

Micromex Research completed the comprehensive anonymous survey in June receiving feedback from a representative sample of 155 people who had lodged a Development Application with Council in the 10 months from 1 July 2014 to 30 April 2015. This sample represents over 50% of the 232 people who had lodged development applications during that period, noting that many of those people had lodged multiple applications with council during that time.

The results of the survey were very positive and we congratulate all of the staff and management involved for their efforts and continued work to improve these important services.

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Overall satisfaction with the service from Council staff during the DA process was very favourable, with 82% of survey respondents stating they were very satisfied (43%) or satisfied (39%) with the service. Only a very low six per cent gave a negative rating.

Council's development helpdesk staff also rated highly, with 86% of people surveyed considering their services as good (30%) or very good (56%). This was attributed primarily to their politeness, helpfulness and knowledge. Pleasingly, Council Building Surveyors, who have to compete directly with the private sector, also did well with 83% of people surveyed who used the service considering the service as very good (40%) or good (43%).

The results also show that Council performed consistently better than the norm for other councils who have undertaken similar surveys.

It is worth noting that the survey results also complement the performance data released by the NSW Government which shows that Eurobodalla Council performs better than the average for NSW and similar sized councils in terms of time taken to determine a development application and the number of applications assessed per staff member.

In addition, the results support the results of a broader anonymous survey undertaken by Micromex Research on behalf of Council in 2014 which showed that:

- 89% of residents are very satisfied to somewhat satisfied with the level of service and facilities provided by Council in the local area, which has increased from 85% in 2012.
- 82% of residents are satisfied to somewhat satisfied with Council's performance. This result is significantly higher than the NSW Regional Benchmark.

We hear negative comments from time to time by members of the community in regard to council services. This is not unusual across local government and in particular in regard to the handling of development applications and unfortunately is often based on perception, second or third hand information and not direct experience. Whilst it is important to acknowledge and respond to the perception, it is also important that we gain a real and reliable understanding of what our customers think of the service we provide. We therefore congratulate the General Manager and Director of Planning and Sustainability for initiating this survey. This has provided us with real data from real applicants and we can use this to identify how and where we can make further improvements.

The survey tells us that people who use our services regularly, are generally more satisfied with the services and believe we are continuing to improve. This is good and is again a credit to the staff because we know they have been working hard to continue to improve our process, communications and consistency of information. The survey also tells us that owner builders, people who use the services less frequently, while still being satisfied were generally less satisfied.

Whilst the results are very good we need to not let the grass grow under our feet - we need to be exploring opportunities to further improve the service we provide to our customers and in

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particular to better support and help owner builders through the development process. We therefore, recommend that opportunities to further improve our service be identified and reported back to Council as part of the service review of the development services area of council.

At the same time we should use the positive results to help promote council, the fact that we are open for business, and to encourage people to invest and develop in the Eurobodalla. We should also do what we can to overcome the negative messages that are promoted by some members of our community, that do nothing but unnecessarily undermine our economy and prospects for further growth.

Councillor Neil Burnside

Councillor Peter Schwarz

NOM15/008 EUROBODALLA BUSINESS AND COMMUNITY FORUM

E00.4623

Responsible Officer: Milton Leslight - Councillor

Attachments: 1. EBCF General Statement
 2. EBCF Reform Agenda

Councillor Milton Leslight has given notice that at the Ordinary Meeting of Council on 27 October 2015, he will move the following motion.

MOTION

THAT Council note and respond to the Eurobodalla Business and Community Forum reform priorities listed below:

- a) Cultural change – resurrect the Blackadder recommendations to introduce the cultural change that must occur if this Council is to survive into the future.
- b) Transparency - public release of organisational information, functional information and salary scales that is regarded as essential information for ratepayers wishing to evaluate council staffing levels against functions performed and performance against value for money.
- c) LEP – address the views of the majority of rural landholders in its final rural lands strategy and not introduce any constraints on rural lands that are not a legislative requirement.
- d) Sea Level Rise Policy – repeal the Eurobodalla SLR policy with rejection of the Whitehead report and adoption of the Shoalhaven Plan.
- e) Bio-diversity Certification – conduct a full internal and independent external review of the bio-diversity certification planning model.

BACKGROUND

The Eurobodalla Business and Community Forum (EBCF) was created in June 2015 to provide Eurobodalla business and community groups and individuals with a platform to speak with a single voice on Council reform. The Forum is currently co-ordinated by Peter Hickman (north Eurobodalla), and Ian Hitchcock (south Eurobodalla). When all positions are filled, it will have 26 delegates and advisers representing all communities in the Eurobodalla. Fourteen of these positions were filled as at 1 September 2015.

Councillor Liz Innes and I have agreed to act as the conduit between the Forum and Council.

As a first step in this liaison role, I have attached the EBCF General Statement and EBCF Reform Agenda for Council's consideration.

The General Statement of the EBCF is self-explanatory.

The EBCF Reform Agenda calls for Council to address five priority issues, and to provide the public with sufficient information to form their own judgement on the amalgamation option being promoted by the State Government.

The EBCF has asked Council to respect this motion as an earnest and constructive call for Council's governing body to do two very reasonable things:-

- 1) Recognise the seriousness of the shire's faltering pulse, measured by the low levels of construction, business activities, employment, property values and confidence; and

2) Genuinely engage the community in looking for ways to turn the shire around.

Councillors are referred to the “dropping off the edge 2015” report from Jesuit and Catholic Social Services, that identified the Eurobodalla as one of the most disadvantaged areas of the State.

The five EBCF reform priorities are:

1. **Cultural change** – Resurrection of the Blackadder recommendations to introduce the cultural change that must occur if this Council is to survive into the future.
2. **Transparency** - Public release of organisational information, functional information and salary scales that is regarded as essential information for ratepayers wishing to evaluate council staffing levels against functions performed and performance against value for money.
3. **LEP** – That Council addresses the views of the majority of rural landholders in its final rural lands strategy and does not introduce any constraints on rural lands that are not a legislative requirement.
4. **Sea Level Rise Policy** – Repeal of the Eurobodalla SLR policy with rejection of the Whitehead report and adoption of the Shoalhaven Plan.
5. **Bio-diversity Certification** - Full internal and independent external review of the bio-diversity certification planning model.

The EBCF believes that these priorities address the major concerns raised at the business meetings and public meeting held earlier this year in Batemans Bay, and extensive research by the EBCF executive. They do not cover all of the reform actions needed to restore public confidence in Council, but EBCF believes their acceptance and implementation would be a reasonable demonstration of Council’s bone fides in implementing a sensible reform program.

The Forum does acknowledge a recent positive change in the approach of council staff and presumably the direction offered by senior management. At the same time, the Forum says it needs to be convinced that this response is genuine and ongoing.

On the amalgamation issue, the Forum notes that the local member is actively promoting amalgamation of the Eurobodalla Shire with Shoalhaven City Council and the Bega Shire.

In its research to date, the Forum has noted relatively strong support for amalgamation from the Batemans Bay business community and northern communities adversely affected by Council’s sea level rise policy. Little support has been shown for amalgamation in the south of the shire, but there is a general view that it could not be any worse than living under the current council administration.

At this time, the Forum does not have a position on the amalgamation option, but it does believe that unless a reasonable reform agenda is introduced by the ESC, the Eurobodalla community will not support Council in the defence of the current shire boundaries.

THE EUROBODALLA BUSINESS AND COMMUNITY FORUM (EBCF)

The Eurobodalla Business and Community Forum was formed in Batemans Bay on 3rd June 2015. The foundation members include representatives from the Eurobodalla Ratepayers Association, The Eurobodalla Business Group, a number of community associations, and individual community leaders.

“The Forum” has been established as a vehicle for all business, community and interest groups, to develop and drive a reform agenda aimed at improving the management and direction of the Eurobodalla Shire Council. The Forum will speak to elected councillors and the Council executive with a single voice, in close liaison with the local member.

The convenors will invite nominations for delegates from all community and business bodies and associations currently operating within the shire, and with an interest in Council reform. In addition, delegates will be invited from those communities that are not represented by registered community groups. This will ensure shire wide representation.

The Forum is the initiative of Eurobodalla Councillors Milton Leslight and Liz Innes. These Councillors came up with the idea for a consolidated organisation after the proliferation of small interest groups, all fighting for the same outcome. These councillors have a strong belief in the need for a culture of change in Council, but also recognise that the community must unite and speak with one voice if it is to make any progress with its demands.

Councillors Leslight and Innes are not members of the new “umbrella” organisation, but have kindly agreed to act as the conduit between the Forum and Council.

The Forum will have a single charter. That is to prepare a Council reform agenda, and to promote and drive that agenda through the power of its member groups and united local communities.

The targets and objectives of the Forum are being refined, and a draft reform agenda will be presented to members and delegates at the next meeting. The draft agenda will then be further developed with input from delegates. At this stage, the Forum’s primary aim is best summed up by the statement made by one attendee at the inaugural meeting:

“All Councils have to comply with the regulations and guidelines issued by the State Government.

Some Councils work within those rules to deliver outcomes that are in the best interests of their communities.

Others simply enforce the regulations, without consideration for the communities they serve.

We want the first type of council.”

In broad terms the Forum wants an outcome that delivers a shire that is development friendly, nurtures and develops our limited commercial resources, protects the community's interests, and makes decisions that help to create the economic conditions that in turn create employment opportunities for everyone, especially our youth. The importance of protection of the environment is recognised by the Forum. At the same time, the right balance must be found between environmental protection, and respect for the rights of the community and its ratepayers who live, work, and play within that environment.

To deliver these outcomes, we need a complete change of culture within Council. This may well involve the removal of management staff that are unwilling or incapable of delivering a program of change. It may also involve more public meetings and media campaigns.

If we are to escape amalgamation and regular special rate variations, we need a complete overhaul of Council's organisation and the way it does business. Council's Fit for the Future claims are already being seriously questioned, and this is another issue to be addressed by the Forum.

Finally, we need to see the current LEP, and bio certification and sea level rise policies, repealed and replaced with community friendly plans and policies that encourage our farmers, developers, and entrepreneurs, and restore prosperity and confidence in the Eurobodalla.

EUROBODALLA BUSINESS AND COMMUNITY FORUM

REFORM AGENDA

The aim of the Eurobodalla Business and Community Forum is to bring about the much needed cultural and operational changes that are needed to restore business and community confidence in the shire and the Eurobodalla Shire Council.

Many Eurobodalla residents are rightfully concerned about the condition of their shire, the need to acknowledge and learn from past mistakes, and the urgent requirement to rebuild confidence through thoughtful approaches to creating opportunities for the future. Residents have a variety of views on how this can best be achieved but the first step is to harness the shire's greatest asset; the combined talent and goodwill of its residents.

WHY DOES OUR LOCAL GOVERNMENT NEED REFORM?

The expert NSW Independent Local Government Review Panel reported "There is a great deal of under-achievement in local government and its resources and skills could be used to far greater effect". The Panel was "concerned about the relatively low ratings given to councils' performance in various aspects of community leadership and improving local areas. Results suggest councils are not performing as well as they should as part of the wider system of government."

The Panel's Final Report, Revitalising Local Government [October 2013] concluded that **Local Government in NSW needs a new agenda and a fresh start....** [and] Councils must make better use of their revenue base.

WHAT IS THE SITUATION IN EUROBODALLA?

For several years **high levels of dissatisfaction with Eurobodalla Shire Council have been registered** in correspondence and articles published in local newspapers, in Micromex surveys of residents, in staff surveys, at numerous public meetings, in petitions to Parliament and in the extraordinary number of representations made to the State parliamentary representative. Residents concerns are resolutely ignored by council who pretend the community has been genuinely engaged in important decisions.

Adding substance to disappointment expressed by residents is **the low [and declining] level of economic activity in the shire**. Council's governing body displays no interest in the impact of poorly considered policies that have retarded confidence, construction and investment; reducing employment and apprenticeships, contributing to business closures and requiring families to seek employment elsewhere. Residents whose primary asset is their home are understandably anxious when they watch property values decline or fail to achieve their potential by comparison with other shires.

DOES EUROBODALLA SHIRE COUNCIL COMPLY WITH THE LAW?

The LOCAL GOVERNMENT ACT 1993 [Section 232] obliges councillors, as members of the governing body of the council:-

- To provide a **civic leadership** role in guiding the development of the community strategic plan for the area, and to be responsible for monitoring the implementation of the council's delivery program.
- To **direct and control the affairs** of the council in accordance with this Act.
- To participate in the **optimum allocation of the council's resources** for the benefit of the area.
- To play a **key role in the creation and review of the council's policies and objectives** and criteria relating to the exercise of the council's regulatory functions.
- To **review the performance of the council and its delivery of services**, and the delivery program and revenue policies of the council.
- To **represent the interests of the residents** and ratepayers.
- To **provide leadership and guidance** to the community.
- To **facilitate communication between the community and the council**.

Eurobodalla Shire councillors do not fulfil these obligations. Rather than facilitate communication between the community and council, councillors are notorious for curtailing or blocking communication between residents and council. **Petitions and resolutions from meetings of residents have been wilfully excluded from council's consideration.**

Documents from council meetings reveal minimal input from councillors to establish objectives, to set the agenda, to prioritise matters affecting the

shire's well-being and future, to invigorate community involvement or any other signs of leadership.

A consistent frustration is the perception that councillors appear disinterested and ineffective in representing the concerns of residents and that councillors rarely question or shape outcomes pre-determined by senior staff.

Councillors are passengers rather than drivers in council's command structure.

The failure of councillors to fulfil their obligations under the Local Government Act is a major impediment to improving governance, community engagement, planning and administration. The problem is being brought to the attention of **the Minister for Local Government** who should recognise that he / the State has a responsibility to find a solution.

PRIORITIES

Eurobodalla Business and Community Forum is willing to combine with interested groups in our community toward constructing a shire that is development friendly, nurtures and develops our limited commercial resources, protects the community's interests, and makes decisions that help to create the economic conditions that in turn create employment opportunities for everyone, especially our youth.

Eurobodalla Business and Community Forum is seeking public and State Government support to require council to:-

- Implement the change management advice in the Blackadder report commissioned by Council in 2011, and to release the associated implementation program to the public.
- Make Council's general and departmental organisation charts, duty statements and salary/wage scales available to the public. Openly provide details of overall and departmental staffing numbers, functions performed, and outsource contracts.
- Repeal the Eurobodalla sea level rise policy, and adopt the Shoalhaven policy. Ensure uniformity with Eurobodalla and Shoalhaven coastal planning instruments and management plans.
- Adopt all recommendations of the Rural Lands Committee in relation to the 2011 LEP. Remove restrictive E-zones and overlays, and rezone all rural land "like for like" with the zonings applicable before the latest LEP was developed.

- Release a community discussion paper outlining the pros and cons of the bio-diversity certification development model, with an examination of all alternative development options. Facilitate a review by an independent committee nominated by Forum members.
- In association with an independent committee nominated by Forum members, undertake a cost benefit analysis and review of the amalgamation option with Shoalhaven City and the Bega Shire.

We need to see the current LEP, bio-certification and sea level rise policies, repealed and replaced with **community friendly plans and policies** that encourage our farmers, developers, and entrepreneurs to restore prosperity and confidence in the Eurobodalla.

The economic future of our country could well lie in the supply of agricultural products to Asia. Our **LEP** must recognise the importance of our limited farmlands, free our farmers from bureaucratic red tape, and encourage them to pursue niche agricultural opportunities. There are sufficient laws already in place to protect the important forest lands that cover the other 80% of the shire.

How silly is it to have a sea level rise policy that is more punitive than the policy developed by a more progressive neighbouring shire? There are enough difficulties to overcome in the present economic climate, without Council contributing to the problem.

As the residents of Broulee have now come to realise, there is a cost to locking up forest land under the **bio diversity certification** scheme. The money to manage the offset land in perpetuity has to come from the proceeds of the developable land. To maintain the viability of the bio-diversity certified land development project, councils must increase the density of the development. **Do Eurobodalla residents want their towns and villages turned into medium density enclaves?** Our council must stop trail blazing with environmental initiatives, and re-open public debate on the available land development options.

To deliver the desired outcomes, council must no longer ignore the advice provided by its consultants, Blackadder Associates, to **change the culture in Council from negative to positive**. This may well involve the removal of management staff that are unwilling or incapable of delivering a program of change.

There is a strong push for the amalgamation of far south coast councils from the local member, some sectors of the business community and residents concerned by this council's promotion of extreme sea level rise and coastal management policies. The Forum recognises that there are diverse views on

council amalgamations, and does not have an agreed position on the subject. The Forum believes that **any amalgamation decision should be made by the people of the Eurobodalla and the community should be provided with an impartial analysis** of the pros and cons of the amalgamation option, in order to make their own decision.

This paper was authorised and released by the Conveners of Eurobodalla Business and Community Forum on the 10TH August 2015

NOM15/009 REFUGEE WELCOME ZONE

E00.4623

Responsible Officer: Gabi Harding - Councillor

Attachments: Nil

Councillor Gabi Harding has given notice that at the Ordinary Meeting of Council on 27 October 2015, she will move the following motion.

MOTION

THAT Council:

1. Becomes a Refugee Welcome Zone.
2. Signs the Refugee Council of Australia Refugee Welcome Zone Declaration.
3. Continues to uphold the values associated with the Refugee Welcome Zone Declaration.

BACKGROUND

A refugee welcome zone is a local government area which has made a commitment in spirit to welcoming refugees into the community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in the community. By making this declaration, local government areas are encouraged in their continuing efforts to support the men, women and children who make the difficult journey to Australia to seek our protection.

The Refugee Welcome Zone initiative began in June 2002 as part of refugee week celebrations. At the time 15 Councils and Shires in Victoria, New South Wales and South Australia were declared Refugee Welcome Zones. Today more than 120 local government areas have declared themselves a Refugee Welcome Zone.

The Refugee Welcome Zone Declaration does not confer any formal obligations and Refugee Welcome Zones are not required to uphold any statutory responsibilities. Nor to make financial commitments or to enter into reporting accountabilities. The signing of the declaration is simply a way of demonstrating broad support for the principles it contains.

Current Refugee Welcome Zones in the Canberra regional area include: ACT, Goulburn, Bega Valley, Palerang, Kiama, Wollongong and Shellharbour

In our area the following services and items have either been pledged or organised;

- Accommodation pledged directly to State Government by the De La Salle Brothers.
- Katungul have offered to provide bulk billed medical services to all refugees settling in the area.
- Offers of transport to doctor's and other professional appointments etc.
- Workshops to recognise anxiety, depression and other mental health challenges.
- Vinnies focusing on the provision of furniture and clothing.
- Life coaching to set goals to move forward.

NOM15/009 REFUGEE WELCOME ZONE

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- Centrelink is ready for Medicare assistance and financial counselling.
- Grief support group.
- Mums and bubs playgroup with ESL tuition for mums, while in a social situation.
- Orientation package for new arrivals (directions, locations of important places, how to contact a doctor, how to enrol your children in school, public transport familiarisation, etc).
- Offers of employment and housing have been made for areas such as Bega, Eurobodalla, Goulburn, Yass.
- 8 positions have been pledged through the Batemans Bay Chamber of Commerce.
- Business mentoring network
- English language classes will be available through a local volunteer teacher cooperative.
- Men's social group to share work skills
- Assistance from a registered migration agent to provide immigration advice

'While almost two-thirds of migrant taxpayers were migrants with a Skilled visa — reporting \$26 billion in employee income — Humanitarian migrants displayed greater entrepreneurial qualities and reported a higher proportion of income from their own unincorporated businesses and this income increased sharply after five years of residency.' Source from a recent media release from the ABS which supports some of the economic claims regarding the entrepreneurial skills of migrants can be found at:

<http://www.abs.gov.au/AUSSTATS/abs@.nsf/Latestproducts/3418.0Media%20Release12009-10?opendocument&tabname=Summary&prodno=3418.0&issue=2009-10&num=&view>

Link to Refugee Welcome Zones, Local Councils building a culture of welcome for refugees: http://refugeecouncil.org.au/g/131219_RWZ.pdf

Link to Refugee Council of Australia:

<http://www.refugeecouncil.org.au/get-involved/refugee-welcome-zones/>

GMR15/032 DISCLOSURE OF INTEREST RETURNS

**E15.9060,
E15.9036**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Strategic Objective: Support Services

Delivery Plan Link: SS1.2 Maintain a sound governance framework within which Council operates

Operational Plan Link: SS1.2.2 Ensure transparency in council dealings

EXECUTIVE SUMMARY

In accordance with the provisions of the Local Government Act 1993, the Local Government (General) Regulation 2005 and Directions from the Division of Local Government, the General Manager is required to formally table all disclosure of interest returns after 30 September in each year.

Accordingly, disclosure of interest returns for Councillors, senior staff and designated staff for 2014/2015 are so tabled.

RECOMMENDATION

THAT the report on the Disclosure of Interest Returns be received and noted.

GMR15/033 MEMORANDUM OF UNDERSTANDING WITH BEGA VALLEY SHIRE E12.6443
COUNCIL

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Focus Area: Collaborative Communities

Delivery Program Link: C1.2 Manage the organisation to effectively and efficiently meet our
statutory obligations

Operational Plan Link: C1.2.1 Respond to legislative and policy requirements set by the
Department of Local Government

EXECUTIVE SUMMARY

On 25 August 2015, Council resolved its intention to enter into a Memorandum of Understanding (MOU) with Bega Valley Shire Council.

A report was presented at its meeting on 22 September 2015 and it was resolved:

THAT the report be deferred for further consideration by Council.

This report presents an update on how best to progress the MOU and follows release of the Emerging Directions Paper on Joint Organisations by the NSW Government.

RECOMMENDATION

THAT:

1. Council notes the report on the next stage of developing an alliance with Bega Valley Shire Council.
2. Council appoints the Mayor, Deputy Mayor and General Manager to form a working group with representatives from Bega Valley Shire Council to develop a draft Memorandum of Understanding.
3. The draft Memorandum of Understanding be presented to Council on 8 December 2015 for consideration.

BACKGROUND

At its meeting on 25 August 2015, Council resolved:

THAT a Memorandum of Understanding be developed by the General Managers of Eurobodalla and Bega Valley and that a report be presented to Council at its meeting on 22 September 2015 outlining the areas for cooperation and joint initiatives.

On Thursday 10 September 2015, the NSW Government released its Emerging Directions Paper on Joint Organisations. The Directions Paper refers to the learnings from the pilot joint

GMR15/033 MEMORANDUM OF UNDERSTANDING WITH BEGA VALLEY SHIRE COUNCIL E12.6443

organisation programs which have been operating as part of the Fit for the Future program.
Key areas requiring comment include:

- principles
- core functions
- regionally defined functions
- entity and powers
- governance and accountability
- other considerations

Submissions on the Emerging Directions Paper were due by 16 October 2015. Council's submission, after being circulated to Councillors for consideration, was submitted.

Following this consultation, a Joint Organisation Working Framework paper will be released for discussion later this year. The NSW Government proposes that the final model for Joint Organisations will be released in early 2016 to inform Cabinet of any legislation amendments.

It is timely that Eurobodalla and Bega Valley Shire Councils are working through developing an alliance in this period and it is appropriate to finalise a draft MOU over the next three months to ensure that the directions from the NSW Government are considered.

Areas identified for consideration in the draft MOU include:

- identifying and responding to issues that are of a regional nature i.e. the alliance will offer opportunity for regional South Coast advocacy, strategic planning and implementation
- building a dynamic relationship between our population centres
- working within the NSW Government framework for building Joint Organisations of councils
- building on current partnership arrangements; and
- inter-governmental collaboration.

In order to develop a meaningful alliance time needs to be dedicated to developing a model that works for both councils and their communities and ensures that key outcomes are achieved.

It is recommended that a committee with elected representatives from both Councils supported by the General Managers be established, and that the committee reports back to the December meetings of both councils with a draft MOU.

CONSIDERATIONS

Legal

The development of an appropriate MOU provides both Councils with the opportunity to:

GMR15/033 MEMORANDUM OF UNDERSTANDING WITH BEGA VALLEY SHIRE COUNCIL E12.6443

- deliver enhanced and value for money services to the community;
- plan for long term community and transport infrastructure;
- advocate on significant community issues; and
- plan for a more sustainable future.

The approach and operational framework would be developed by the working party aiming to increase efficiencies and effectiveness and ensure that the MOU can be achieved within existing resources.

The Joint Organisations Emerging Directions Paper and the upcoming release of the Fit for the Future determinations and Joint Organisations Framework Paper, expected later this year, will provide a valuable framework for the development of the draft MOU for Council's consideration.

Policy

The Local Government Review Panel recommended that Eurobodalla Shire Council become a member in the South East Joint Organisation of Councils. The other member councils proposed are Bega Valley, Cooma Monaro, Snowy River and Queanbeyan. Eurobodalla and Bega Valley Shire Councils share many characteristic and there are a number of synergies in administrative and process activities, with a number of strategic and policy areas in common.

Establishing a working party with elected representatives and staff to further develop a draft MOU for consideration will ensure that all relevant matters can be addressed.

Social Impact

Research on resource sharing in terms of community services indicate that there can be a number of both financial and non-financial benefits. In some cases the development of a shared service arrangement can deliver improved service quality, stimulate innovation and enhance community outcomes.

Financial

The MOU will provide opportunities for financial savings in terms of improved opportunities, increased efficiency and reduced costs in service delivery through improved procurement practices and increased resource sharing. The MOU will be developed using existing resources.

CONCLUSION

One of Council's Fit for the Future actions is to be an active and effective member of the South East Joint Organisation. While the model and boundaries of Joint Organisations have not been finalised, it is timely to develop an alliance via an adopted Memorandum of Understanding to strengthen the current relationships between Bega Valley and Eurobodalla. It is timely to establish a working party and for both councils to have input into the proposed alliance.

**GMR15/034 TOURISM ADVISORY COMMITTEE - VACANT POSITIONS AND
AMENDMENTS TO TERMS OF REFERENCE**

E14.8263

Responsible Officer: Cath Reilly - Executive Manager Communication and Tourism

Attachments: 1. Confidential - Tourism Advisory Committee nominations summary and recommendations
2. Terms of Reference Tourism Advisory Committee

Focus Area: Collaborative Communities

Delivery Program Link: C2.1 Provide quality, timely and accessible information to the community

Operational Plan Link: C2.1.4 Engage the community on key issues through workshops, on site meetings and monthly markets programs

EXECUTIVE SUMMARY

The purpose of this report is to provide the outcomes of Council's recent Expression of Interest process for positions on the Tourism Advisory Committee, and to explain a proposed change to the committee's Terms of Reference so the committee can accommodate a wider industry representation.

From 12 July 2015 to 12 August 2015 Council called for expressions of interest for two industry representative positions on the committee that had become vacant. Nominations were received and considered by the Tourism Advisory Committee on 20 August 2015.

The committee agreed to recommend that Council amends the industry based member representation on this committee from six members (plus two alternate positions) to nine members, and to accept five applications received.

The committee's view is that additional industry representation from six to up to nine industry members on this Advisory Committee would be a positive outcome for the tourism industry and Council.

Council's Tourism Advisory Committee was established in 2014 and meets four to six times a year. Its purpose is to:

- represent the tourism industry and advise and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in the Eurobodalla
- undertake actions in partnership with Council to promote tourism; and
- raise awareness of the value and benefits of tourism.

Information about the committee including its current members and terms of reference can be viewed on Council's website.

**GMR15/034 TOURISM ADVISORY COMMITTEE - VACANT POSITIONS AND
AMENDMENTS TO TERMS OF REFERENCE**

E14.8263

RECOMMENDATION

THAT Council:

1. Receive and note the Tourism Advisory Committee's recommendation regarding committee representation and composition.
2. Amend the Terms of Reference for the Tourism Advisory Committee to include that the composition of industry representatives is increased from six, to up to nine.
3. Appoint the recommended nominees to the Eurobodalla Tourism Advisory Committee, as contained in confidential information provided to Councillors.

BACKGROUND

Eurobodalla Shire Council adopted a Terms of Reference for its Tourism Advisory Committee in November 2013 and sought nominations from the local tourism advisory committee.

The Terms of Reference included the committee's composition to be made up of the following:

- Mayor or his delegate who will act as the Chairperson (voting).
- 6 representatives of the tourism industry.
- 1 local representative of Caravan and Camping Industry Association.
- 1 representative of NSW National Parks and Wildlife Service.
- Mayor or his delegate who will act as the Chairperson (voting).

Council staff provide administrative support to the committee.

At a Council meeting in March 2014, Council endorsed the following people as members of the committee for a two year tenure.

- Cr Lindsay Brown - Chair
- Cr Rob Pollock - as a special advisor for the first 12 months of the committees tenure
- Cr Liz Innes – appointed to the committee in 2015
- Bob Carver - Lakesea and Clyde View Holiday Parks
- Cath Peachey - Peachy Consulting
- Josh Waterson - RegionX Kayaking
- Mark Berry - The Bower at Broulee
- John Suthern – Tuross Boatshed
- Phillip Potter – Whale Reality
- Tim Shepherd representing National Parks and Wildlife Service with Preston Cope as the NPWS alternate

**GMR15/034 TOURISM ADVISORY COMMITTEE - VACANT POSITIONS AND
AMENDMENTS TO TERMS OF REFERENCE**

E14.8263

- Ken Buckley representing Caravan and Camping Industry Association with Lyn Field as the CCIA alternate

In 2015, John Suthern and Phillip Potter resigned. An invitation to express interest in filling the vacant positions was advertised from 12 July to 12 August 2015 through local media and the tourism newsletter. Members of the Tourism Advisory Committee also promoted the opportunity and contacted people directly.

CONSIDERATIONS

At the Tourism Advisory Committee meeting on 18 June 2015, the committee moved the following motion:

The Tourism Advisory Committee requests that it be included in the process to select two new members to the Committee.

At the Tourism Advisory Committee meeting on 20 August 2015, the applicants' names were presented to the committee for discussion. The committee moved that its advice to Council is that:

The Terms of Reference for this committee should be amended to increase the industry based member representation from a minimum of six members (plus two alternate positions) to up to nine members, and that all five applications should be accepted.

If the existing Terms of Reference were amended as recommended, the committee would have thirteen members (and two alternates). The total of 13 would include:

- Councillor Lindsay Brown – Chair
- Councillor Liz Innes
- 9 representatives of the tourism industry.
- 1 local representative of Caravan and Camping Industry Association plus an alternate.
- 1 representative of NSW National Parks and Wildlife Service plus an alternate.

Council's General Manager and staff also attend meetings to provide information on operational matters and administrative support.

Selection Criteria

Applications were reviewed against the following selection criteria which is set out in the Terms of Reference (Attachment 2).

- Ability to represent and reflect the different segments of the tourism industry (eg, caravan and camping, tour operators, attractions, accommodation).
- Knowledge of how the tourism industry through Regional Tourism Organisations, Destination NSW and Tourism Australia, works collaboratively in areas such as research, grants, industry development, marketing and infrastructure.
- Knowledge of economic, social and environmental opportunities and challenges that face the tourism industry in Eurobodalla.

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Experience in all or any of the following areas;

- tourism at a local and/or regional level,
- tourism associations and/or business networks,
- business, management, marketing, research,
- community initiatives that contribute to the local tourism economy,
- committees or boards,
- is of generally good character, with no notable history of criminal conviction, business impropriety or financial misconduct.

Social Impact

The Tourism Advisory Committee supports Council's commitment to ensure the wellbeing of its residents through the benefits that Eurobodalla's strong tourism industry provides.

Residents enjoy a calendar of community, cultural and sporting events that rely on tourism to be financially viable and these events improve our community's health and wellbeing. The industry also increases the quality and range of local services, food and retail and provides an enviable range of tourism attractions, tours and activities on the local doorstep all year round. Tourism brings a sense of pride to the community by showcasing why residents live here.

Economic Development Employment Potential

The Tourism Advisory Committee provides advice to Council on matters relating to tourism, the development of tourism and the future of tourism in Eurobodalla. Tourism drives the economy in the Eurobodalla creating 25% to 30% of employment. In the year ending March 2015, Eurobodalla's visitor economy was valued at \$388 million and the Shire welcomed around 1.2 million visitors.

(Source: Eurobodalla Tourism Monitor Y/E March 2015)

Financial

The committee operates within existing budget allocations.

Community Engagement

Council's advisory committees are an important part of its commitment to effective community engagement. They assist Council maintain long term relationships with stakeholders and provide a way of seeking feedback and information. Council's Eurobodalla Tourism Destination Management Plan states that 'effective and best practice regional tourism destinations have local governments that establish a Tourism Advisory Committee to Council'. The Tourism Advisory Committee represents the tourism industry and advises and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in Eurobodalla.

CONCLUSION

Council's Tourism Advisory Committee meets one of the key strategic directions in the Eurobodalla Tourism Destination Management Plan 2011 to 2020.

**GMR15/034 TOURISM ADVISORY COMMITTEE - VACANT POSITIONS AND
AMENDMENTS TO TERMS OF REFERENCE**

E14.8263

The plan states that 'best practice research for regional tourism destinations shows that planning and management for tourism involves a collaboration of industry, local government and community'. The role of local government in tourism destinations is to support, facilitate, and help build the capacity of the local tourism industry in order for the industry to be sustainable, and to ensure the wellbeing of its residents.

A wider industry representation on this committee will improve the opportunity for Council to engage with the tourism industry, and will assist Council lead and foster a strategic and cooperative approach to tourism.

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Introduction and Background

In 2010 Eurobodalla Shire Council (ESC) in consultation with the community, developed a Destination Management Plan (DMP) to ensure the sustainable management, development and marketing of tourism for Eurobodalla from 2011 to 2020.

One of the key directions of the plan under the heading of Strategic Destination Management is that Council should *lead and foster a strategic and cooperative approach to tourism*.

The plan also states that *best practice research for regional tourism destinations shows that planning and management for tourism involves a collaboration of industry, local government and community. The role of local government in tourism destinations is to support, facilitate, and help build the capacity of the local tourism industry in order for the industry to be sustainable, and to ensure the wellbeing of its residents*.

In November 2013 Council endorsed the formation of, and terms of reference for, a new Tourism Advisory Committee to meet this key strategic direction.

Tourism in Eurobodalla: Values and Vision

The following outlines the shared vision for tourism in Eurobodalla that was developed through the consultation process.

Cooperate and support each other to achieve a sustainable and innovative tourism economic sector that: preserves our natural environment; fosters support from our community; celebrates and offers diverse and quality visitor experiences related to our natural environment, culture and heritage; and welcomes and cares for our visitors.

This vision is underpinned by the following values:

- Achieve a sustainable, innovative tourism economic sector;
- Preserve the natural environment;
- Cooperate and support each other;
- Communicate effectively with our community to foster acceptance and support for tourism;
- Celebrate and offer a diversity of quality visitor experiences related to our natural environment, culture and heritage; and
- Welcome and care for our visitors.

TERMS OF REFERENCE

Purpose of the Eurobodalla Tourism Advisory Committee

- Represent the tourism industry and advise and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in Eurobodalla.
- Undertake actions in partnership with Council to promote tourism.
- Raise awareness of the value and benefits of tourism.

Title and Delegations

- The committee shall be referred to as the Eurobodalla Tourism Advisory Committee.
- The committee shall function as a non delegated advisory and working group.

Objectives

- Inform the development, implementation and review of Council's priorities from the Tourism Destination Management Plan and Council's corporate plans.
- Advise and support Council regarding tourism issues and make recommendations to Council, as appropriate.

Tenure to the Committee

- Representatives to participate on the Eurobodalla Tourism Advisory Committee will be given formal notification by Council in writing.
- Representatives will be selected on a skills basis by Council for a 2 year tenure. Tenure can be renewed by Council for up to 4 years without readvertising.
- Representatives not attending 3 consecutive meetings can be replaced at the discretion of Council.
- Representatives must be willing to abide by the terms of reference for the committee.

Composition

Industry

- 6 representatives of the tourism industry.
- 1 local representative of Caravan and Camping Industry Association.
- 1 representative of NSW National Parks and Wildlife Service.

Council

- Mayor or his delegate who will act as the Chairperson (voting).
- Divisional Manager, Communications and Tourism (non voting).
- Chief Financial Officer & Business Development or Divisional Manager Business Development (non voting).
- General Manager, as a standing invitee to the meeting (non voting).

Selection criteria

Applications will be reviewed against the following selection criteria

- Ability to represent and reflect the different segments of the tourism industry (eg, caravan and camping, tour operators, attractions, accommodation).
- Knowledge of how the tourism industry through Regional Tourism Organisations, Destination NSW and Tourism Australia, works collaboratively in areas such as research, grants, industry development, marketing and infrastructure.
- Knowledge of economic, social and environmental opportunities and challenges that face the tourism industry in Eurobodalla.
- Experience in all or any of the following areas;
 - tourism at a local and/or regional level,
 - tourism associations and/or business networks,
 - business, management, marketing, research
 - community initiatives that contribute to the local tourism economy,
 - committees or boards.
- Is of generally good character, with no notable history of criminal conviction, business impropriety or financial misconduct.

Expressions of interest and appointments

Expressions of Interest will be sought through advertising and promotion through local media, Council's communication channels and business networks.
Appointments will be merit based on meeting the selection criteria, and made by Council.

Delegations of Committee

To advise Council.

Reporting Hierarchy

Recommendations and Council response will be communicated through the General Manager.

Contact Officer

Contact officer for the committee is Divisional Manager, Communications and Tourism.

Responsibilities of Committee Members

- To advise and make recommendations to Council on matters relating to tourism.
- To give advice to the best of their knowledge and ability that will help achieve the objectives of the committee.
- To provide general advice to the Divisional Manager, Communication and Tourism.
- Facilitate in a timely way any tasks allocated to and accepted by them.
- Behave in a manner that respects the interests and viewpoints of other members.
- To declare any potential or actual conflicts of interests on matters that are brought before the committee.
- All committee members will abide by the Council's Policy for Code of Meeting Practice and the Division of Local Government Model Code of Conduct for Local Councils in NSW.

Responsibilities of the Chairperson and Deputy Chairperson

- To chair the meeting and exercise functions, as determined by the committee.
- To be the spokesperson for the committee, as directed by the committee.
- To advocate for the committee and represent its decisions.
- To sign off minutes endorsed by the committee.
- Extraordinary meetings may be called by the Chairperson.

Responsibilities of Council

Council will provide secretarial support, including minute taking, and professional officer support, as appropriate.

The ongoing role of the committee will be reviewed annually. Relevant matters will be referred to the committee for consideration. Committee recommendations will be referred to Council for action.

Council at its discretion may review the role or structure of the committee.

General meetings

- The committee is to meet a minimum 4 times per annum at times and dates to be agreed at the first meeting.
- Replacement of members between terms will be nominated by the representing organisation/group.
- Other interested individuals may be invited to attend meetings as observers, or be invited to present to the meeting, however they will only be recognised by consent of the Chairperson.

Distribution of Information

Recommendations of the committee are to be reported to Council and minutes distributed to Councillors through the Councillors newsletter.

Media releases are approved by the Chairperson of the committee and distributed by Council according to Council's Media Policy.

The Chairperson is the spokesperson for the committee.

Individual committee members may not issue a media release on behalf of the committee.

Variation to the Terms of Reference

The *Terms of Reference* may be added to, repealed or amended by resolution of the Council, in consultation with or upon the recommendation of the committee.

APPENDIX 1 - WEBSITES

Eurobodalla Shire Council

<http://www.esc.nsw.gov.au/>

Eurobodalla Shire Council's Code of Meeting Practice

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Division of Local Government Model Code of Conduct for Local Councils in NSW

<http://www.esc.nsw.gov.au/inside-council/council/council-policies>

Strategies

<http://www.esc.nsw.gov.au/inside-council/community-and-future-planning/strategies>

**PSR15/039 COAST AND ENVIRONMENT MANAGEMENT ADVISORY
COMMITTEE - VACANT POSITIONS**

E09.3092

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

Attachments: 1. Confidential - Submissions for CEMAC representation
2. Confidential - Nominations for CEMAC representation

Focus Area: Sustainable Communities

Delivery Program Link: S5.5 Plan for the impact of climate change on settlement including coastal hazard, flood impacts, bushfire

Operational Plan Link: S5.5.6 Coordinate the Coastal Management Advisory Committee

EXECUTIVE SUMMARY

The Coast and Environment Management Advisory Committee (CEMAC) provides advice to Council about coastal, environmental and flood management matters.

Under the Committee rules, Council must call for Expressions of Interest (EOI) to fill any vacancies created through the loss or resignation of a representative.

The EOI has closed and this report presents Council with nominations to fill three of four vacant positions on the Coast and Environment Management Advisory Committee (CEMAC). These nominees, if appointed, will fill the Recreation, Area South and Business positions on the committee. No applications to fill the Tourism position were forwarded before the closing date of Friday 25 September 2015. Council's Tourism Advisory Committee may be able to recommend a suitable candidate for the Tourism position, which could be reported to Council for endorsement at a future meeting.

This report is also seeking to reaffirm the positions of sitting representatives following a period of limited activity by the Committee due to delays with the preparation of the Eurobodalla Coastal Zone Management Plan (CZMP). All incumbent representatives have been sitting for a period longer than the three (3) years determined under the adopted Terms of Reference. Over this period incumbent representatives have had limited opportunity to participate due to the inactivity of the Committee. This report is therefore recommending these positions are reaffirmed now that preparation of the CZMP is again underway.

This report contains a confidential attachment for Councillors' information only pursuant to Section 10A(2) of the Local Government Act 1993.

RECOMMENDATION

THAT Council:

1. Appoints the recommended nominees to the Coast and Environment Management Advisory Committee for a three year period.
2. Reaffirm the membership of existing representatives for an additional three year period.
3. Notify all candidates, in writing, of the outcome of their application and thanking them for their interest.
4. Approach Council's Tourism Advisory Committee to seek a recommendation for a suitable candidate for the Tourism position.

**PSR15/039 COAST AND ENVIRONMENT MANAGEMENT ADVISORY
COMMITTEE - VACANT POSITIONS**

E09.3092

BACKGROUND

Council's advisory committees are an important part of its commitment to effective community engagement. They assist Council maintain long term relationships with stakeholders and provide a way to seek feedback and information.

The Coast and Environment Management Advisory Committee (CEMAC) provides advice to Council on matters relating to the management of the coast, floodplains and the natural environment.

A vacancy became available as the southern representative to the CEMAC following the passing away of the sitting member. Two previous calls for nominations were made to fill the vacancy, with the most recent concluding on Friday 1 May 2015. Two nominations were received in May 2015 however neither met the recruitment criteria. Previous attempts to fill the position were not successful due to the applicants not satisfying the criteria prescribed in the Terms of Reference:

- Applicant did not reside within the target area
- Applicant did not forward nomination before the closing date.

The EOI for the southern position was re-opened between Wednesday 2 September and Friday 25 September 2015. In addition, a call for a business representative was included following the resignation of the incumbent representative who had accepted a position overseas.

It was considered timely to review current committee representation. The review of membership was conducted in accordance with the Terms of Reference for the Committee which state representatives must regularly participate in meetings.

Representatives who had not attended three consecutive meetings without providing an apology were contacted and asked if they wished to continue on the committee. As a consequence of this review, the recruitment was broadened to include the following positions were included in the call for Expressions of Interest:

- Tourism operators or peak groups
- Recreation groups (such as sporting clubs or other groups)
- Business
- Southern (Dalmeny to Akolele).

The EOI has now closed. Nominations were received from four candidates to fill three of the four vacant positions on the CEMAC. These are presented for Council's consideration. A nomination for the Tourism position was not received.

CONSIDERATIONS

All EOIs forwarded were received before the close of nominations on Friday 25 September. Three nominations were forwarded from community groups and meet the relevant criteria from the terms of reference as follows:

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COMMITTEE - VACANT POSITIONS**

E09.3092

Nominations for membership of the Coastal and Environmental Management Advisory Committee will be assessed against the following selection criteria:

- Community delegates must be nominated by a community group, consortium of community groups or a peak body preferably with wide membership or representation;
- Commercial delegates must be nominated by a peak body or a consortium of organisations preferably with a wide membership or representation;
- Community and commercial delegates must reside in the Eurobodalla;
- Key operation and membership of community and commercial groups must be within the Eurobodalla Shire.

One nomination was forwarded from an individual and as a consequence did not meet the selection criteria, however Council may wish to consider the application.

The four nominations were for the following three positions:

Recreation

- 1 nomination forwarded by a group

Area South

- 1 nomination forwarded by a group

Business

- 2 nominations forwarded
 - 1 x Business Chamber
 - 1 x individual

The Tourism position was advertised as vacant however no nominations were received. Council's Tourism Advisory Committee could be approached to recommend a suitable Tourism representative for the CEMAC.

Separate confidential attachments listing the submissions and also the nominees are provided.

Environmental

The Committee considers environmental planning matters and provides advice on the preparation of key documents such as flood studies, estuary plans and the CZMP that is currently being prepared. The scope of the Committee has been broadened since it first formed in 2010 to include a wider range of environmental matters. The broader scope allows the CEMAC to capture the full range of environmental matters from planning, policy and on-ground actions.

Community Engagement

The EOI was open between Wednesday 2 September and Friday 25 September 2015 and the community was informed through the following actions:

- providing information on Council's website;
- article in Council's Online News;

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COMMITTEE - VACANT POSITIONS**

E09.3092

- posting on Council's Facebook;
- directly emailing stakeholders, sporting groups, existing committee members, community associations and local business chambers;
- advertising on Council's noticeboard page in two local newspapers;
- distributing a media release.

The media release was carried by both local newspapers and local ABC radio. The Chair of CEMAC, Councilor Gabi Harding, was interviewed on local radio which was later used in news grabs.

CONCLUSION

The call for nominations to fill vacant positions on CEMAC is complete. Four nominations were received during the advertised period. Three eligible candidates are presented for council to consider for appointment as new representatives to the CEMAC. It is also timely to reaffirm membership of current representatives following a period of limited committee activity. Council's Tourism Advisory Committee can be approached to recommend a suitable candidate for the vacant Tourism position.

PSR15/040 INVASIVE SPECIES PROGRESS REPORT 2014-15

E80.2982

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

Attachments: Nil

Focus Area: Sustainable Communities

Delivery Program Link: S4.2 Provide invasive species management services

Operational Plan Link: S4.2.3 Coastal Weeds of National significance project

EXECUTIVE SUMMARY

Invasive Species management, inclusive of weeds and animal pests is a crucial part of maintaining biodiversity and agricultural values in Eurobodalla

This report details the activities, expenditure, issues and considerations of invasive species management in the context of a changing policy environment.

With 1,632 private property inspections, compliance in removing noxious weeds was high at 99.8%. Several new high threat weed species have been uncovered through inspections.

Rabbits continue to cause much concern for ratepayers and control was enacted within the constraints of budgets across several major centres including Tuross Head, Dalmeny, Kianga and Narooma.

RECOMMENDATION

THAT the Invasive Species Status Report 2014-15 be received and noted.

BACKGROUND

Council is required to manage invasive species under NSW Government legislation as the Local Control Authority. The works include inspections and control, based on regional plans, capacity, resources, emerging issues and additional grant support.

Noxious and environmental weeds

This year, our inspection program has uncovered several high level weed threats including Cat's Claw Creeper (*Macfadyena unguis-cati*), Water Hyacinth (*Echhornia crassipes*) and Salvinia (*Salvinia molesta*).

Regular and systematic weed control on high priority reserves and roadsides continues to be a major focus to maintaining the integrity of our high risk pathways and reducing the threat of weed spread.

Ongoing inspection and control works for high threat agricultural weeds including African Love Grass, Serrated Tussock, Fireweed and St John's Wort, continue to be a focus. Inspection and control of weeds that threaten biodiversity are also very important, including Bitou Bush, Boneseed, Lantana, Prickly Pear, Cape Ivy and Asparagus Ferns.

1,422 properties were inspected under the Lantana Push Back program, totaling 2,700ha of land. These inspections were carried out from Narooma to Corunna including re-inspections through the greater Batemans Bay area and Tuross Head. \$180,000 was received from the Local

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E80.2982

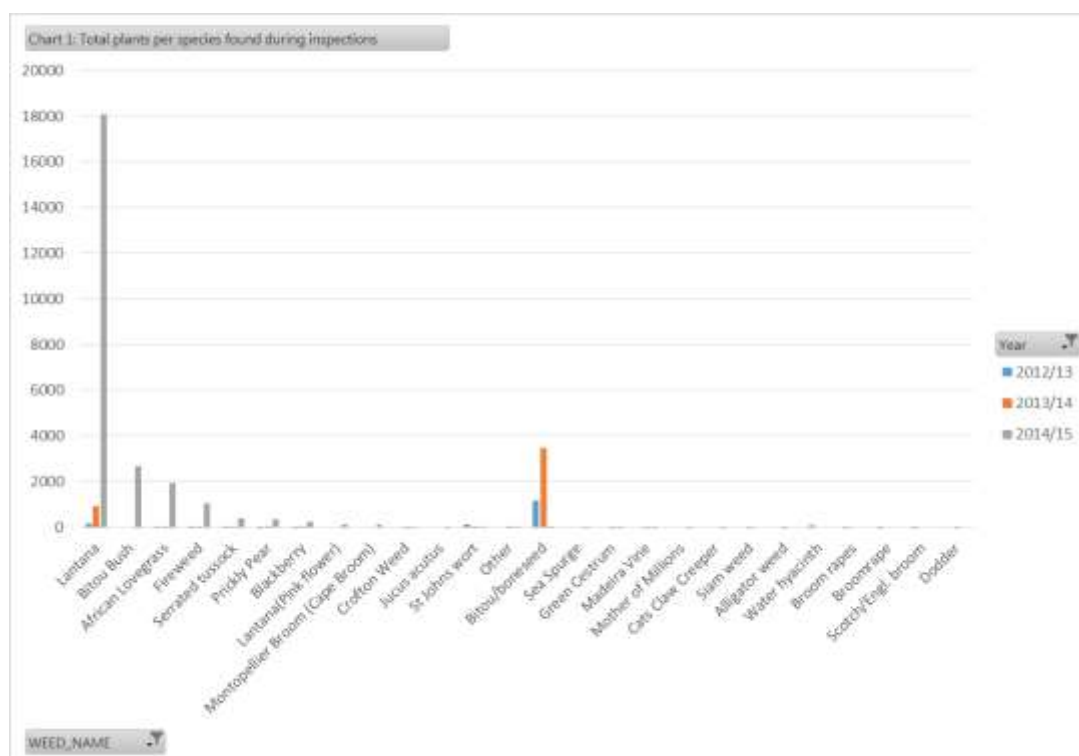
Lands Service (LLS) as part of the Australian Government's Biodiversity Fund, to continue the program to 2017.

Table 1: Comparison of weed inspection data from 2012-13 to 2014-15

<i>Property Inspection Report – Private Properties</i>	<i>2012-13</i>	<i>2013-14</i>	<i>2014-15</i>
Number of private properties inspected	887	1,885	1,632
Number of re-inspections resulting in enforcement action (Section 18a notice)	111	24	16
Section 18 Notices issued	13	1	2
Penalty Infringement Notices issued	0	0	0
Re-inspection fee (determine compliance with Notice)	0	1	1
Section 20 Notices issued	3	0	0
Compliance from landholders*	98.5%	99.9%	99.8%

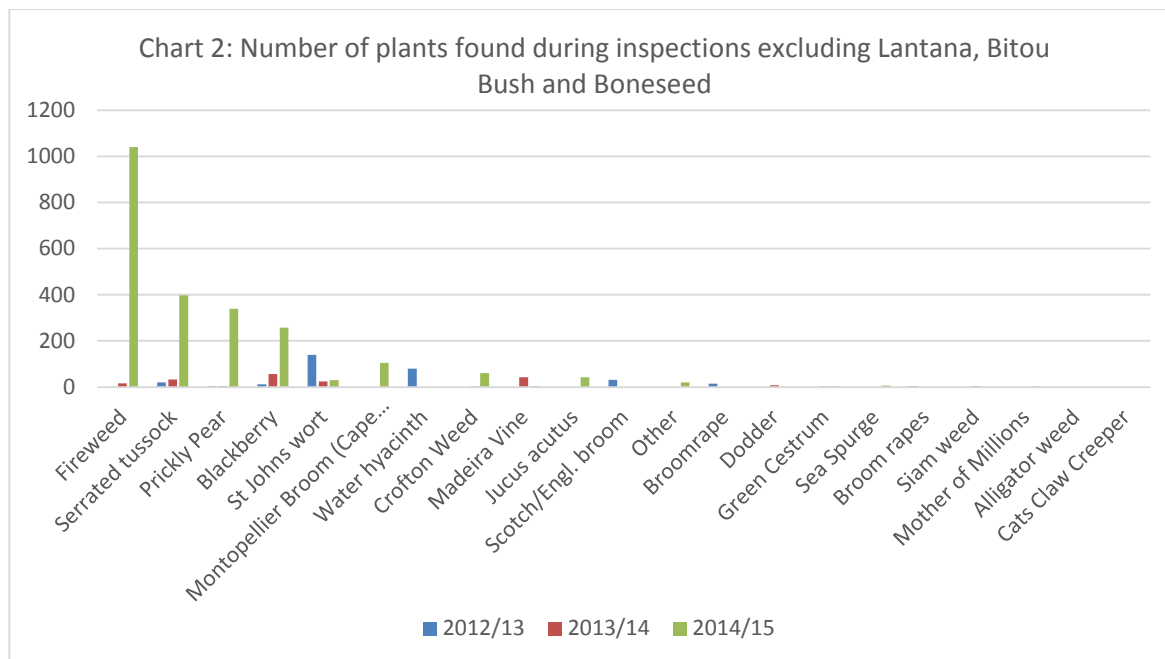
* Compliance based on inspections and s18 notices.

Chart 1 depicts the total number of plants found during inspections. By excluding the results of focused inspections for Bitou Bush, Boneseed and Lantana, Chart 2 shows more detail of plants found during standard inspections.



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Noxious animals

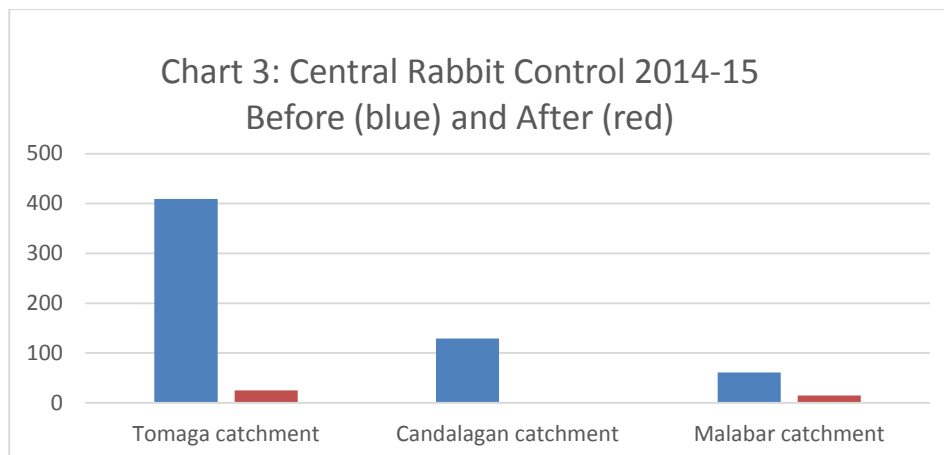
Vertebrate pest control is carried out strategically and in consultation with our community, particularly with rabbits which fall under the Eurobodalla Rabbit Management Plan. Fox control is carried out in conjunction with the National Parks and Wildlife Service (NPWS) and other key stakeholders to implement the Fox Threat Abatement Plan (TAP).

The Fox TAP highlights key biodiversity and agricultural assets that require protection from predation, including threatened shorebird protection for Little Terns at Durras South and Pied Oystercatchers at the Batemans Bay Marina. Council plays a key role in the protection of endangered species on its land tenure and is well placed to assist in the coordination and delivery of such landscape scale programs.

Rabbits continue to be a frequent concern amongst our coastal communities. Grants from the South East Local Lands Services (SELLS) and Crown Lands has enabled Council's control schedule to be extended. In addition to the scheduled delivery areas of South Durras, Tuross, Kianga, Dalmeny and Narooma, the grant funding enabled control to also be rolled out between Surf Beach and Moruya, including Mogo, Tomakin, Broulee, Mossy Point, North Head/Garland Town and the Tomaga River, Candalagan Creek and Malabar catchments. Chart 3 shows the reduction in numbers, by observation, in these locations.

PSR15/040 INVASIVE SPECIES PROGRESS REPORT 2014-15

E80.2982



CONSIDERATIONS

State investment through the South East Weeds Action Program 2015-2020 (previously Weeds Action Program 2010-2015) is based on the objectives of the Invasive Species Plan which sets out the goals required to mitigate or minimise the threat of invasive species in NSW.

The way in which enforcement is carried out may change to align with the proposed future Biosecurity Act (BA) which will re-categorise and prioritise weeds and their control measures across NSW, thus re-shaping the way we control weeds and the community's expectations for control of widespread weeds.

NSW Invasive Species Plan

The Department of Primary Industries is currently re-writing the Invasive Species Plan. The Invasive Species Plan provides land managers in NSW with a framework upon which investment programs for weeds and vertebrate pests are developed and funded in a coordinated and strategic manner.

South East Weeds Action Program 2015-2020 (SEWAP)

NSW Government agency changes requires the Local Lands Services (LLS) to assist with the SEWAP, which aligns with their boundaries. The LLS has been unable to undertake this task and consequently it has been developed in the interim by Palerang Council in consultation with the local control authorities. The functions for the SEWAP may be passed to the LLS once they have the capacity to manage the program. The SEWAP will focus on the prevention and incursion of serious new weeds, and to eradicate or contain infestations of recently discovered new weeds. The SEWAP is targeted towards inspection of private property and the eradication of these high priority weeds. The SEWAP will not fund the control of widespread weeds such as Fireweed, African Love Grass or Blackberry. It is anticipated that State funding will be reduced through the SEWAP to Eurobodalla and the region overall.

Future Biosecurity Act

Several pieces of legislation controlling the delivery and enforcement of noxious weeds, vertebrate pests and biosecurity, are to be repealed and their functions merged into a future Biosecurity Act. Council's invasive species staff have been closely involved in the Natural Resource Commission's review of the *Noxious Weeds Act 1993*.

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Legal

Eurobodalla Shire Council is the authorised administrative body for the *Noxious Weeds Act 1993* which includes the control of declared noxious weeds on its land tenure and the inspection of private properties for the presence of noxious weeds within the Eurobodalla. Council is also obliged to control noxious vertebrate pests on its land tenure including rabbits, pigs and foxes under the *Rural Lands Protection Act 1998*.

Environmental

Weeds cost the Australian economy in excess of \$4 billion per annum. The cost in the degradation in our native bushland environment is inestimable. Weeds are acknowledged as the second most serious cause of biodiversity decline, after habitat loss from land clearing. Invasive vertebrate pests such as rabbits, foxes and Indian Mynas cause serious harm to biodiversity, agriculture and ratepayers' property.

Asset

Council controls noxious and environmental weeds and rabbits and foxes across much of its tenure, including the coastal strip from Durras to Akolele, the Deua, Clyde and Tuross River Valleys, all our waterways and waterbodies and all roadsides and reserves including the Princes and Kings Highways.

Social Impact

Invasive species impact on agriculture, ecosystem services and have a physical, financial and social impact on property owners. Aquatic weeds such as *Salvinia* (*Salvinia molesta*) and Water Hyacinth (*Echhornia crassipes*) can cause safety hazards for humans, disrupt aquatic ecosystems, interfere with recreational activities and greatly reduce the aesthetic value of waterways.

Economic Development Employment Potential

Council's control program contributes to the engagement of local contractors. The invasive species section also often houses work experience and internship positions to enable young adults to gain first hand industry experience.

Financial

The Department of Primary Industries provided grant funding assistance for coordination, inspection and on ground control work for approved regional weed projects for 2014-15 through the Regional Weeds Action Program (RWAP). Crown Lands, LLS and the Australian Government have provided funding totaling \$166,243.44 which was expended on weed control on public lands and, in some instances, integrated rabbit and weed control.

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Table 2: Financial Breakdown 2014-15	
(A) Total revenue	\$380,774.89
• RWAP Funds	• \$81,263.89
• Other External Funds	• \$299,511
(B) ESC/RWAP expenditure	\$204,186.91
	- ESC Vertebrate pests: \$11,594.22
	- ESC Weeds: \$111,328.80
	- RWAP Weeds: \$81,263.89
(C) External Grants expenditure	\$166,243.44
TOTAL EXPENDITURE 2013-14 (B + C)	\$370,430.35

RWAP = Regional Weeds Action Program (State funds)

Community Engagement

Events and extension services are conducted to ensure the community is aware of invasive species activities and to foster a greater level of support and engagement in invasive species control. Events have included a 'weeds roadshow' across our Shire, as well as specific workshops for noxious weeds and rabbit control. Council frequently respond to enquiries about invasive species control, plant identification, land management advice and rabbit control.

CONCLUSION

Noxious and environmental weeds and vertebrate pests, continue to significantly impact upon ratepayers, biodiversity and agriculture in Eurobodalla Shire. Council continues to manage its requirements as the Local Control Authority under the *Noxious Weeds Act 1993* and has delivered a high level of expertise and input into local and regional invasive species management.

The changes to the weed region, the South East Weeds Action Program 2015-2020 and the impending Biosecurity Act, will be monitored and reported to Council as required.

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

Attachments: Nil

Focus Area: Sustainable Communities

Delivery Program Link: S4.1 Undertake environmental protection and restoration works

Operational Plan Link: S4.1.1 Implement natural resource, coastal and estuary projects

EXECUTIVE SUMMARY

This report provides a status update on the progress and activities to date on the 2012-2017 Greenhouse Action Plan (GAP). The Plan has achieved significant emission savings of over 4,600 tonnes of CO₂ per year and annual cost savings of over \$1m to Council. The Plan is largely on track with many actions progressing well and some targets achieved. Compared to the 2005-06 baseline:

- Total greenhouse gas emissions are down 9.1%
- Building emissions are down 19%
- Streetlighting emissions are down 16%
- Fleet emissions are down 25%

Highlights from 2014-15 included:

- Completing the Community Building Sustainability project which saved over 550 TCO₂e and \$159,000 per year and engaged hundreds if not thousands of residents.
- Solar power installations rolling out across a total of 26 facilities saving approximately \$200 000 per year.

Significant savings to Council have already been achieved as a result of activities within the Plan and it is recommended to continue to resource the Plan in order to fully realise the objectives and targets of the Plan. Future opportunities identified and works planned make the target of a 25% reduction in emissions achievable by 2020.

RECOMMENDATION

THAT Council receive and note the Greenhouse Action Plan Status Update 2014-15.

BACKGROUND

The 2012-2017 Greenhouse Action Plan was adopted by Council (Minute 12/190) on 24 July 2012. The Plan contains 74 actions covering the sub-headings of community, sustainable transport, energy efficiency, street-lighting, fleet, leadership, planning, renewable energy and waste.

A corporate greenhouse gas emissions reduction target was established: to reduce the total Council greenhouse gas emissions from the 2005-06 baseline by 25% by 2020. Actions within the plan were designed to meet this target and be achievable and measureable.

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CONSIDERATIONS

Of the 74 actions in the Plan, 18 are 'Completed', 34 are being addressed in an 'Ongoing' way, 18 are 'In Progress', and 4 are 'On Hold' and may be revisited if circumstances change.

Information on the progress and activities for each action are detailed in the attachment.

Highlights from activities completed in 2014-2015 include:

- The Community Building Sustainability project was completed, saving 553 tonnes of CO₂, 7,359,000 litres of water, and over \$159,000 per year.
- An extra 5.1km of footpaths or cycle paths was completed.
- Council supported the Southcoast Health and Sustainability Alliance with a \$50,000 grant to investigate models to support low-income households to install solar power.
- Advocacy for fair pricing and best practice on street lighting.
- Approximately 250 water rebates were issued. Water conservation education continued to help maintain low levels of water use.
- Almost 630kW of solar power has been installed across 26 facilities saving about \$195,000 per year. \$400,000 of grant funding was used for part of this project.

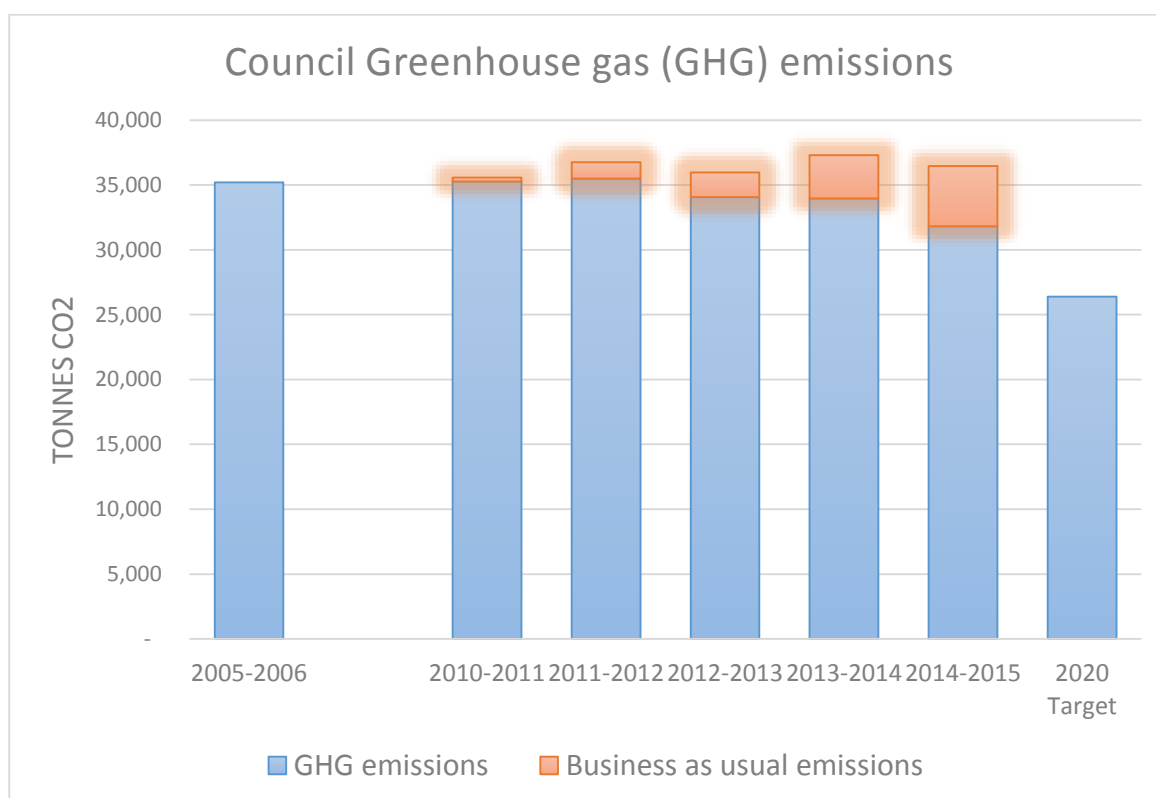


Figure 1. Council Greenhouse gas emissions compared to the 2005-06 baseline and 2020 target.

The orange component of the graph represents emissions reduction activities completed and not actual Council emissions. By including this in the chart it shows the projected emissions if all the energy efficiency, renewable energy and carbon offset projects were not completed in a 'Business As Usual' scenario.

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Total emissions are down 9.1% compared to the 2005-06 baseline. This represents a 12.3% decrease compared to the 'Business As Usual' scenario. Street lighting emissions are down 16.2%. Building emissions are down 19.3%.

This downward trend is expected to continue in 2015-16 as the full effects of solar power projects take effect and new projects are completed. During 2015-16 and 2016-17 an Energy Performance Contract is being progressed on the 23 largest Council sites. This is a competitive energy auditing process which aims to reduce energy use by 30% at target sites. This would save an estimated 2,100 tonnes of CO₂ and \$470,000 per year in energy costs. LED street lighting is expected to become available in the Eurobodalla by 2016 which could halve the energy use of street lighting.

Progress towards other secondary targets are summarised in Table 1.

Target	Progress	Comments
Reduce total energy use by Council existing buildings by 25% by 2020, from the 2005-06 baseline.	Energy decreased by 28.8%. Emissions reduced by 19.3%	Achieved despite the Batemans Bay Library and Holiday Park expansions.
Reduce the energy intensity of (kWh/ML) of the water supply to less than 750 kWh/ML and for sewer services <1,000 kWh/ML by 2016.	Water 926 kWh/ML. Sewer 976 kWh/ML	Water energy use increased due to the Northern and Southern Water Treatment Plants being operational, but has decreased by 14% since 2011-12.
Maintain the demand for total water use in the Shire at <90kL/resident/year.	88 kL/resident/year	Achieved.
Reduce fuel emissions by 25% by 2020 compared to the 2005-06 baseline.	Decreased by 25%.	Offsets were purchased to achieve this reduction.
25% of electricity used by Council facilities will be sourced from renewable energy by 2020.	18.5%.	This target will be reached via a combination of the Australian Renewable Energy Target and solar power installations on Council sites which generated 5.5% of Council's energy in 2014-15.
Reduce greenhouse emissions from waste to landfill by 25% by 2020 compared to the 2005-06 baseline.	Reduced by 3.3%.	Requires further progress on removing organics from landfill or extracting methane from landfill sites.

Table 1. Greenhouse Action Plan secondary targets

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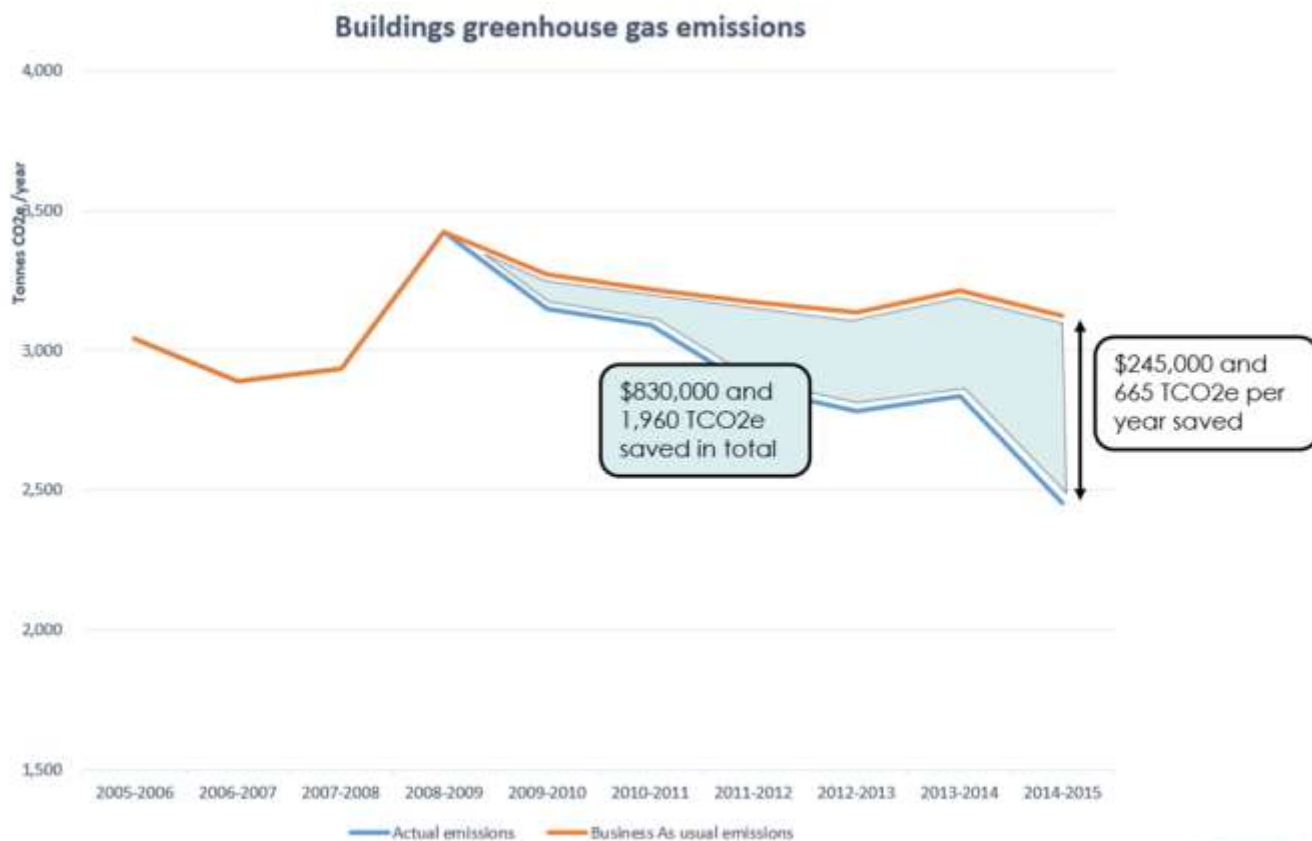


Figure 2. Council buildings greenhouse gas emissions

Figure 2 shows the reduction in greenhouse gas emissions from Council buildings. The orange line shows where building emissions would be if reduction activities had not taken place. A range of energy efficiency and renewable energy projects have been completed at these facilities. These include: new solar pool water heating, shower timers and pool blankets; lighting upgrades at all staffed facilities; solar hot water heaters at 14 buildings; solar power systems at 16 buildings; and basic energy and water retrofits via the Community Building Sustainability project. As a result of this reduced energy use, Council buildings are saving \$225,000 per year.

The grant funded Community Building Sustainability project showcased simple energy and water efficiency technology solutions at sporting clubs, Rural Fire Stations and community halls across the region. It engaged the thousands of people who use these facilities in demonstrating how people can save energy, water and money in their homes as well.

Policy

The 2012-17 Greenhouse Action Plan was adopted by Council (Minute 12/190) on 24 July 2012. It has since been referred to in the Community Strategic Plan, the Delivery Plan and Operational Plans.

Environmental

The implementation of the 2012-17 Greenhouse Action Plan has already resulted in many environmental improvement activities being undertaken. Greenhouse gas emissions have been reduced by over 4,600 Tonnes of CO₂. Large volumes of waste have been reused or recycled

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and diverted from landfill. This represents a responsible effort to mitigate the effects of climate change.

Financial

Completed actions from the GAP have generated financial savings of an estimated \$1m/year in energy and water costs.

In 2014-15 Council played a leading role in advocating for fairer pricing on street lighting charges and the earlier adoption of best practice technology. Street lighting maintenance charges in 2015-16 will now be \$105k less than that originally proposed by Essential Energy.

In addition to the projects detailed under 'Considerations' significant savings have been achieved via new electricity contracts (~\$150k/year), demand management and optimisation of water pumping times (~\$180k/year), solar aerators at Deep Creek Dam (\$87k/year) and sewer relining and pump improvements (\$76k/year). A strong case can be made for continuing to resource the implementation of cost-effective emissions reduction activities identified in the 2012-17 Greenhouse Action Plan.

Community Engagement

We have informed and engaged the community about some of the activities in the Greenhouse Action Plan through a variety of media channels. Key stories included the Community Building Sustainability project and the associated Ack Weyman Energy Challenge.

CONCLUSION

The 2012-17 Greenhouse Action Plan is on track and is progressing. Further efforts are required in some areas in order to meet targets. Significant savings to Council have been achieved as a result of activities within the Plan. It is recommended to continue to resource the Plan in order to fully realise the objectives and targets of the Plan.

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No:	Action	Description	Status	2014-15 Comments
C	6.1	Community		
C	Council has a role and responsibility in facilitating the community response to the issues associated with climate change.			
C.1	Maintain and annually review water conservation incentives schemes.	Council will continue to run or offer incentives schemes to encourage water conservation. Reducing demand for water reduces the emissions from water transport and treatment.	Ongoing	Current rebates are approved until 2017. A showerhead exchange program is being prepared for 2015-16.
C.2	Engage with and share information with neighbouring Council's on regional climate change projects.	Council will collaborate with other Council's and regional bodies to support efforts to address climate change issues.	Ongoing	Network meetings with Ironbark, OEH and neighbouring councils.
C.3	Assist in providing climate change education and engagement programs in partnership with community, and government organisations.	Support and encourage climate change programs for residents, businesses, the community and staff. Where community groups or state or federal government programs provide such programs Council may assist in promoting and facilitating uptake of the program. If opportunities arise, Council may be in a position to deliver such programs.	Ongoing	Community Building Sustainability education program delivered over 30 educational activities to >300 residents. Supported the Southcoast Health and Sustainability Alliance with their activities.
C.4	Facilitate the development of emerging sustainable businesses and sectors in the Shire.	This could include: support for emerging sectors; facilitation of training (eg Green Skills courses); business incentives; support for establishment of community renewable energy ventures	In Progress	QON (Dec 2014) asking for Council options to support the renewables industry. Briefing held with Clr Harding and councillors. Demystifying Solar for Business workshop in Batemans Bay 5/6/15.
C.5	Support the development of local community renewable energy generation initiatives.	Council will provide in principle support to community managed renewable energy generation systems where they are deemed to be appropriate and feasible.	In Progress	A Climate Day of Action activity was held in Moruya in September 2014. A group was since established locally. They secured a NSW OEH Growing Community Energy grant with Council acting as the Administrator. The grant will investigate the technical and financial feasibility of models to support low income households to install solar power.
C.6	Provide information, education and support to landholders about efforts to preserve and increase local carbon farming activities.	Council will support and facilitate efforts by landholders and community groups to preserve existing bushland and plant more trees. Support and education may be provided to landholders interested in participating in other carbon farming initiatives that reduce on farm methane and nitrous oxide emissions or increase carbon stored in soil. These activities maintain and increase the amount of carbon stored in the environment.	Ongoing	Since the carbon pricing was repealed, the Emissions Reduction Fund has little new incentives at this point for landholders.

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C.7	Maintain an active role in supporting Emergency Services like the State Emergency Services and Rural Fire Service.	The likely consequences of climate change will be more intensive and frequent bushfires, flooding and drought events. Council will work with other agencies to ensure the Shire is prepared for such events and capable of responding to these events.	Ongoing	Council continue to work with emergency services as required.
C.8	Promote the uptake of incentive programs for sustainable technologies.	Council will encourage the community to adopt sustainable technologies by raising awareness about the availability of rebates and incentives offered by Local, State and Federal Governments or by community organisations.	Ongoing	Promotion of Energy Saving Certificates to businesses. Promotion of Council water rebates continued.
ST	6.2	Sustainable Transport		
ST	Council manages the network of roads, footpaths and cycle paths in the Shire. Council is well placed to support community efforts to reduce reliance on emissions intensive transport.			
No:	Action	Description	Status	2014-15 Comments
ST.1	Continue to facilitate and support improved public transport linkages.	Council will continue to facilitate and support public transport linkages throughout the Shire. This action is supported by the Social Plan, the Disability Action Plan 2012-2017, and the 2030 Community Strategic Plan.	Ongoing	Proposal for a South coast car pooling scheme proposal in partnership with other local councils and Transport for NSW in November 2014. No further progress.
ST.2	Facilitate a public transport education program by June 2014.	The Bus Assist program as part of the Active Living project, will provide a travel training program to assist targeted groups to learn how to make the most of public transport in the Shire.	Completed	Bus Assist Program completed in June 2013. Approx 15 participants with a disability attended training to help the awareness of local public transport and how to access in addition to increasing the use of walking to local venues. Project complete.
ST.3	Develop an integrated network of bike lanes and shared paths as outlined in the 2010 Shared Pathway Strategy.	Continue the development of cycleways and footpaths. Pursue opportunities for grant funding. Continue to support community groups in their fundraising and building of pathways.	Ongoing	2.8km of footpaths and another 2.3km of shared pathways or cycleways were built in 2015-16.
ST.4	Continue to support the development of local health services to reduce need to travel.	Council will work actively to advocate and lobby for the provision of local services. This includes health and other services that many Eurobodalla Residents currently travel out of the Shire to access many specific services.	Ongoing	Provide Compack service to support newly discharged hospital patients to recuperate and reduce rehospitalisation rates. Implement community development and recreation programs to target disadvantaged and improve healthy living and reported health indicators. Coordinate

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				Healthy Communities Group, partner with Southern NSW Local Health District to promote wellbeing in identified areas to improve health, work with Coordinaire/Grand Pacific Health to support broad use of technology and telemedicine to improve access to specialist services. Provision of community transport assistance to maximize passenger occupancy and minimize vehicles on the road.
ST.5	Promote the use of shared pathways to residents and visitors to the Shire.	The network of bike paths, shared pathways and tourist cycling routes will be promoted to residents and visitors to the Shire through free brochures; the eurobodalla.com.au website and in partnership with the RTA through the bicycle info website.	Ongoing	The Brochure was launched in 2013 and has been very popular with visitors and local cyclists. More than 15,000 brochures have been distributed. In June 2015 the new Tourism website was launched with detailed cycling information.
EE	6.3	Energy Efficiency – General		
EE	Energy efficiency relies on the principle that the same service can be provided but with less energy, i.e. more efficiently. Embedding the principles of energy efficiency and energy management in Council processes will help ensure services are delivered more efficiently.			
No:	Action	Description	Status	
EE.1	Maintain and monitor an energy and emissions data management system for Council's greenhouse gas emissions.	Ensure an accurate and consistent approach is used for measuring emissions and mitigation efforts. This data will inform decision making and help track progress on individual projects and towards corporate targets.	Ongoing	An independent firm monitor all Council utility accounts. Interval data on large electricity accounts is reviewed monthly.
EE.2	Integrate energy and water efficient design and features into planned and other future Council developments.	The development or renovation of Council infrastructure will take into account lifetime costs of the asset and prioritise water, energy and resource efficient design.	In Progress	For example new energy and water efficiency features were included in new toilet designs, and solar pool heating at the Batemans Bay Beach Resort.
EE.3	Implement energy efficiency upgrades that have a positive rate of return within an agreed timeframe.	Once cost-effective energy efficiency measures have been identified they will be implemented in a timely fashion.	In Progress	Numerous energy efficiency projects were completed including the Admin air-con upgrade, a night audit of all toilets and sports fields and subsequent lighting retrofit.
EE.4	Install and review smart meter data of larger electricity accounts at least quarterly by November 2013.	Monitoring of a facility's energy use from smart meters provides a detailed insight to how energy is being used on larger sites. This allows for smarter management of energy use at sites and the earlier detection of faults or anomalies.	Ongoing	Data is reviewed at least monthly.

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EE.5	Monitor and report on large increases in energy consumption at least quarterly.	Explanations for large (>\$1,000/quarter) energy consumption anomalies where energy use increases significantly (>20%) more than the same period last year will be reviewed by facility managers and through the Sustainability Matrix Group.	Ongoing	Anomalies are identified and distributed to asset managers on a quarterly basis, and then reviewed by the Sustainability Matrix Group.
EE.6	Engage and educate Council staff on sustainability in the workplace.	Provide information to staff and encourage participation from staff to reduce greenhouse emissions at work. Examples may include: energy conservation at work, sustainable procurement training, eco-driving practices, participating as a EuroTransport volunteer driver to help reduce community transport travel emissions.	In Progress	Sustainability presentation during new staff inductions. Sustainability component in 3 x procurement training sessions. New recycling system introduced to Moruya Offices.
EE.7	Review electricity contracts for all sites by 1/2/13 and seek competitive tariffs before the existing contract expires on 30/6/2013.	The large volume of electricity used by Council's facilities has the capacity to attract competitive tariff rates. Reducing the costs paid for electricity allows more funding to be used for emissions reduction activities.	Completed	Completed for large sites and streetlighting renewal for end of 2015.
EE.8	Prioritise energy efficiency as a key criteria when renewing electrical equipment and evaluating whole of life costs.	Energy efficient equipment will be identified and evaluated compared to standard replacement options. Whole of life cost evaluations, which includes energy running costs, will be completed for power hungry items.	Ongoing	Completed for some renewals.
B	6.4	Energy Efficiency – Buildings		
B	Council owns and manages over 100 facilities or buildings ranging in size from electrical barbecues in parks and public toilets through to sports pavilions, community halls and large facilities such as libraries, the Narooma Swimming Pool Centre, the Moruya Works Depot and the Moruya Administration Building. All of these facilities use energy which contributes to Council's overall greenhouse gas emissions.			
B	TARGET: Reduce total energy use by Council existing buildings by 25% by 2020, from the 2005-06 baseline.			Energy decreased by 28.8%. Emissions reduced by 19.3%
No:	Action	Description	Status	2014-15 Comments
B.1	Review and report on energy efficiency technology and operational measures identified and implemented on Council buildings each quarter.	Energy efficiency opportunities will be reviewed and reported to the Sustainability Matrix Group on a quarterly basis. As costs of emerging technologies decrease and new technologies become available new opportunities will continue to emerge and be investigated.	Ongoing	New opportunities are discussed with the SMG on a quarterly basis and prioritised.
B.2	Upgrade all T8 fluorescent tubes to energy efficient alternatives on staffed facilities by December 2013.	Staffed facilities generally have longer operating hours when lights are on. Installing energy efficient lights such as LED or T5 fluorescent tubes will result in energy, emissions and financial savings.	Completed	Completed in 2013-14.
B.3	Replace T8 fluorescent tubes with energy efficient alternatives on non-staffed sites at the end of their natural lamp life.	Non-staffed sites have variable operating hours and energy efficient lamp replacements do not always have a short payback period. When T8 fluorescent lamps fail and need replacing they will be replaced with energy efficient lamps, such as LED or T5 fluorescent lamps.	Ongoing	Where possible lamps are upgraded to energy efficient alternatives as they are replaced.

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B.4	Upgrade all Mercury Vapour lamps to energy efficient alternatives by December 2013.	Mercury Vapour lamps are high-bay lights commonly found in warehouses or basketball stadiums in the Shire. Where energy efficient lamps can be installed directly into the existing lighting fitting, emissions reductions and financial savings can be achieved.	Completed	Narooma Leisure Centre was completed now that it is being used more frequently.
B.5	Replace electric hot water systems at the end of their natural life with solar hot water systems on sites where practical.	Where peak hot water demand is suitable and a good solar aspect is available solar hot water systems will be installed on Council facilities. If not practical other energy efficient hot water systems will be used (such as instant gas or heat pump).	Completed	LGEEP grant funding was secured. 14 solar hot water systems have been installed in 2013-14.
B.6	Audit all air conditioned Council facilities for air leaks and insulation gaps by June 2013.	Thermal leaks in a building (through gaps in doors, windows or a lack of insulation) that is air-conditioned results in the need for extra energy to re-cool or heat the space. Thermal imaging equipment will be used to find thermal leaks in buildings.	Completed	Completed and integrated with the audit software used in the Community Building Sustainability program in 2013-14.
B.7	Ensure all air-conditioned spaces have sealed thermal leaks (if practical) by December 2014.	If practical thermal leaks will be addressed through the use of door and window seals, insulation, glazing, tinting and/or exterior shading.	Completed	Completed in 2013-14. Ceiling insulation was installed at a number of facilities. Draught stoppers were installed at many facilities.
B.8	Upgrade all Exit lights in Council facilities to energy efficient LEDs by June 2014.	LED Exit lights can be up to 80% more efficient than standard Exit lights and can achieve emission reductions and financial savings.	Completed	Completed in 2014-15.
S	6.5	Energy Efficiency – Streetlighting		
S	In the Eurobodalla Shire streetlighting services are maintained by the electricity network provider: Essential Energy. Eurobodalla Shire Council pays an operations and maintenance charge to the network provider for the provision of the service. Council also purchases electricity for street-lighting from an energy retailer, selected through a competitive tender process. Streetlighting is an essential service that is necessary for improving the safety on roads and other public spaces. A bulk energy efficient lamp replacement is due to be completed in mid-2012 involving the replacement of inefficient Mercury Vapour lamps with more efficient alternatives. This is expected to result in a 28% decrease of streetlighting energy use.			
No:	Action	Description	Status	2014-15 Comments
S.1	Trial the use solar public lighting.	Research will be undertaken to establish options and costs for future use of solar lighting that is installed and operated by Council in suitable situations including: Council tourist facilities; isolated locations; Council parks; Council facilities such as playing fields and outside toilet blocks.	In Progress	Will look to trial in locations where standard streetlighting is difficult - due to access, power requirements, trenching etc.
S.2	Specify that the most energy efficient street lighting be installed in all new subdivisions and redeveloped urban areas.	Council will work with developers and the electricity network provider to ensure energy efficient lighting that complies with AS1158 is installed in all new streetlighting installations.	Ongoing	Submissions completed by ESC and SEROC to the AER on Essential Energy public lighting proposal. Lindsay Brown is now on the Essential Energy Streetlighting Consultative Committee.
S.3	Review and specify energy efficient street lighting technology prior to bulk lamp replacements.	The next major bulk lamp replacement is scheduled for early 2015. Prior to this date an energy saving and financial analysis will be undertaken to determine if more efficient lighting technology can be practically installed.	In Progress	LEDs should be approved by Essential Energy by October 2015. Bulk replacement 3 yr anniversary is now late 2015.

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WS	6.6	Energy Efficiency – Water & Sewer		
WS	The provision of water and sewer services for the Shire is managed by Council. The region does not have a large upstream dam and therefore cannot rely on gravity to transport water around the region. For this reason the water and sewer system is quite energy intensive as it relies on a lot of pumping to move the water around the Shire. Water and sewer operations account for about 2/3 of the Council's electricity usage.			
WS	TARGET: Reduce the energy intensity of (kWh/ML) of the water supply to less than 750 kWh/ML and for sewer services <1,000 kWh/ML by 2016.			Water 926 kWh/ML. Sewer 976 kWh/ML
WS	TARGET: Maintain the demand for total water use in the Shire at <90kL/resident/year.			88 kL/resident/year
WS	Reducing the demand for water also reduces the water and sewer transport and treatment emissions. Significant reductions in water use have already been achieved in the Shire. Water use per resident in the Eurobodalla Shire is already benchmarked as among the most water efficient in the State. These efforts need to be maintained into the future through continued water demand management practices.			
No:	Action	Description	Status	
WS.1	Routinely review and report on energy efficiency technology and operational measures identified on water and sewer infrastructure each quarter.	Energy efficiency opportunities will be reviewed and reported on to the Sustainability Matrix Group on a quarterly basis. As new technologies become available and the costs of emerging technologies decrease and the costs of electricity increases new opportunities will continue to emerge.	Ongoing	Energy efficiency opportunities continue to be reviewed and reported on to Water and Sewer staff and the Sustainability Matrix Group on a quarterly basis.
WS.2	Implement cost-effective water and sewer efficiency measures identified in the 2010 energy audits by December 2013.	Energy audits of water and sewer facilities were completed in 2010. This identified a range of opportunities that will reduce energy used and also reviewed possibilities for renewable energy generation.	Completed	Solar hot water systems were installed at 5 STPs in 2013-14. Solar power was installed at 8 sites by 2015.
WS.3	Conduct an energy audit of high consumption water and sewer facilities by December 2015.	An energy audit on water and sewer sites was completed in 2010. As new technologies emerge and electricity prices increase efficiency measures should be re-examined.	In Progress	Included in Energy Performance Contract list of sites. Will be completed in 2015-16.
WS.4	Implement cost-effective water and sewer efficiency measures identified in energy audits and energy efficiency reviews within 18 months of identification where resources are available.	Cost-effective measures identified for water and sewer infrastructure through energy efficiency reviews and audits will be implemented in a timely manner. Where an additional budget needs to be made available or more preparation is needed for larger projects a longer timeframe will be required.	In Progress	Examples include replacing lighting in offices with LED tubes, optimising operating speed at the Northern Water Treatment Plant.
WS.5	Continue water demand management strategies to ensure cost effective demand reduction is achieved in line with ongoing demand forecasts and future infrastructure plans.	Reducing demand for water reduces the pumping and treatment requirements and therefore reduces greenhouse emissions.	Ongoing	Water rebates continue with ~250 rebates issued. Water bill inserts to all water customers. Schools education.

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WS.6	Continue sewer relining program to prevent stormwater and groundwater flowing into sewer pipes. and review the need to increase the program	Stormwater and groundwater flowing into sewer pipes results in extra pumping and treatment requirements. Relining sewer pipes will save energy costs and reduce emissions. It also means there is less chance of sewer treatment plants becoming full to overflowing during storm events. An ongoing sewer relining program is planned. A review of the need to increase the sewer relining program will be undertaken by June 2013.	In Progress	~\$750k spent in 2014-15 on 7.6km of sewer mains and 294 junctions.
WS.7	The review of the Integrated Water Cycle Management Strategy (IWCMS) will commence in 2012, and key recommendations will be implemented.	Through the IWCMS process, greenhouse gas emissions are incorporated into a triple bottom line assessment on potential future options for providing water supply and sewerage services.	In Progress	Consultants were engaged to start the IWCMS review.
WS.8	Continue mains water leak detection program.	Identifying and fixing leaks in the water mains water delivery system reduces pumping requirements and greenhouse emissions through reduced energy use.	Ongoing	Water Loss Management Report completed in 2014.
F	6.7	Fleet		
F	The Council fleet includes passenger vehicles, as well as light commercial vehicles, trucks and heavy roadwork machinery. Road travel is essential for undertaking many Council duties in a large Shire that covers 3,400 square kilometres.			
F	TARGET: Reduce fuel emissions by 25% by 2020 compared to the 2005-06 baseline.			Decreased by 25%
No:	Action	Description	Status	2014-15 Comments
F.1	Prioritise low emissions and fuel-efficiency when purchasing fit for purpose vehicles and evaluating whole of life costs.	Low emissions vehicles will be identified and evaluated compared to standard replacement options. Whole of life cost evaluations, which includes fuel running costs, will be considered and quantified when purchasing vehicles. If other purchasing criteria are met preference will be given to low-emissions vehicles.	Completed	Whole of life costs and greenhouse emissions are weighted criteria in choosing new vehicles. Introduced in 2012-13.
F.2	Implement driver education, awareness and incentives for fuel efficient driving for the drivers of high consumption vehicles by June 2013.	Eco-driving courses will educate drivers of high consumption vehicles. Information will be provided to other drivers about fuel efficient driving techniques. Incentives will be considered to encourage drivers to maintain fuel efficient driving habits.	In Progress	Online trial was unsuccessful in maintaining ongoing fuel efficiency. Will review if fleet software is implemented.
F.3	Make suitable technologies available for non-travel meeting options (telephone & video conferencing) at all Council depots and offices and encourage the use of it by June 2014.	Telephone and video-conferencing facilities will be made available at all staffed Council offices. Where appropriate information and training will be provided to staff in the use of this technology.	In Progress	Telephone and Video conferencing facilities have been placed in all meeting rooms within the Council Administration Office as well as the primary depot located in Moruya. Solutions are still being investigated for outlying depots and offices to work within limited connectivity issues.

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F.4	Specify low-emissions vehicle standards for all vehicle and plant tenders.	EURO5 standards will be specified for truck and heavy vehicle tenders. The most efficient relevant standards will be specified for other vehicle and plant tenders.	Completed	
F.5	Continue to investigate and trial the use of alternative technology vehicles and fuels.	Emerging and proven low emissions technologies will be trialed. This could include: Hybrid vehicles; Bio-fuels; CNG/LPG; Electric.	In Progress	Council are also utilising video conferencing regularly for online meeting, webinars and interviews. This has assisted staff in being able to attend meetings where timeframes or locations has restricted staff from attending.
F.6	Provide information to drivers of high consumption vehicles about fuel usage and fuel-efficiency using new fleet management software by June 2013.	Fuel efficiency information will be provided to drivers of high-consumption vehicles to help monitor, educate and improve efficient driving habits.	In Progress	Trialed a program delivering data to drivers with information from Navision. It was time-consuming and data was poor quality. Will review if fleet software is implemented.
F.7	Address sustainability in the Fleet Management Manual.	The Fleet Management Manual is currently being drafted and will address issues of fuel-efficiency, low emissions vehicles and fuels.	On hold	May be looked at after the current fleet review.
F.8	Review the efficiency of Council staff travel requirements.	Council will examine the travel requirements of staff to determine if there are opportunities for reducing the need for excess work travel. Opportunities may include increased electronic communications, smart computer and phone applications, increased localised service delivery, or the use of courier services. The advantages include savings on staff travel time, fuel, vehicle maintenance and depreciation.	In Progress	High uptake of smart-phones has improved productivity and reduced need to travel. The use of more field-based electronic forms have increased productivity and reduced the need to travel. Couriers are used more to minimise staff travel needs.
F.9	Review the leaseback vehicle structure to determine opportunities to reduce fuel emissions.	Council will conduct a review of the broader leaseback structure and fee schedules. Opportunities for reducing fleet emissions include: offering incentives for staff to select fuel-efficient vehicles; structuring the fee schedule to greater reflect whole of life costs; offering incentives for drivers to reduce kilometres travelled; offsetting carbon emissions through the purchase of carbon offsets.	Completed	Leaseback costs adjusted again in 2014 to further incentivise choosing more fuel efficient cars. Staff consultative committee discussed options for further reducing leaseback fleet.
L	6.8	Leadership		
L	A key platform of this strategy is creating and building the capacity, awareness and commitment to energy efficiency and reduction of greenhouse emissions within the Council and community. Integrating the Greenhouse Action Plan with other areas of Council operations is essential.			
No:	Action	Description	Status	2014-15 Comments
L.1	Review Council's Procurement Policy and develop Sustainable Purchasing Guidelines.	A review of Council's Procurement Policy will ensure it supports the intentions of the Greenhouse Action Plan. The consideration and prioritisation of efficient and low-emissions products will be emphasised.	Completed	New procurement policy in 2013-14 makes references to considering whole of life costs and sustainability.

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L.2	Identify and pursue external funding opportunities for Greenhouse Action Plan projects.	Opportunities for securing external funding will be actively pursued. A range of opportunities may be useful including grant funding; power purchase agreements; energy performance contracts; Build Own Operate Transfer.	Ongoing	Energy Performance Contracting was begun for the largest energy using sites. The OEH Growing Community Energy grant was received via a community partnership.
L.3	Include climate change and sustainability in staff induction training by June 2013.	New Council staff will receive information and training about climate change and sustainability as it relates to Council and their job functions.	Completed	Presentations made by Sustainability Education Officer at 3 staff inductions and at 3 procurement training sessions in 2014-15.
L.4	Maintain the Sustainability Matrix Group with representation from all divisions with at least quarterly meetings.	The Sustainability Matrix Group will oversee progress towards the implementation of the Greenhouse Action Plan.	Ongoing	The SMG continues to meet quarterly.
L.5	Priority actions within the Greenhouse Action Plan that cannot be funded within existing budgets will be reviewed annually and budgeted subject to review by Council.	Where possible existing resources and budgets will be used to implement priority actions of the Greenhouse Action Plan. Actions that cannot be funded will be prioritised and presented to Council for review and funding.	Ongoing	This action has functioned successfully for several projects via the normal budget review process.
P	6.9	Planning		
P	The physical effects of climate change are expected to have real and serious implications for land use planning. It is essential that Council is well prepared to anticipate and manage the likely impacts of climate change on the region. This section also includes actions on integrating and planning for the Greenhouse Action Plan in Council's operations.			
No:	Action	Description	Status	
P.1	Support and facilitate local climate change research partnerships.	Council will encourage local climate change research by a range of stakeholders including universities, research institutions and government departments. Research subjects could include: anticipated local climate changes; local climate impacts (eg local agricultural industry impacts); identifying opportunities relating to climate change (eg emerging industry opportunities); future training and capacity building needs; social and economic impacts; governance and legal adaptation options; health and lifestyle impacts.	Ongoing	Council made submissions to the NSW Government's Agriculture Industry Action Plan and the Australian Government's Agricultural Competitiveness Green Paper. In both submissions, Council identified the need to consider climate change in developing strategies for rural land in Eurobodalla
P.2	Adapt to local climate risks and opportunities resulting from climate change.	Use best practice and research into local climate impacts, risks and opportunities to inform appropriate Council adaptation across planning and management activities. Including: water and food security; infrastructure planning; land use planning; risk and liability assessment; tourism and business development opportunities; protection of ecological communities.	Ongoing	In collaboration with Shoalhaven City Council, Council developed the South Coast Regional Sea Level Rise Planning and Policy Framework. This has enabled the recommencement of the Eurobodalla Coastal Zone Management Plan. Council progressed the Tomaga/Mogo River Catchment Flood Study, with initial community consultation completed and a draft

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				consultant report completed.
P.3	Raise awareness about climate change adaptation through community related planning and programs.	This is a broad action that requires consideration of climate related issues when undertaking a range of community related activities including: land use planning; development standards; risk management; development/ implementation of programs and initiatives relating to things like future transport, food and water security.	Ongoing	Council reconvened the Coastal Management Advisory Committee, with two meetings held. Council considered climate change issues as part of the development of the Rural Lands Strategy.
P.4	Greenhouse Action Plan actions are reviewed annually and integrated into work plans and operational plans.	Relevant and incomplete actions will be incorporated into work plans and operational plans each year. The appropriate staff will be responsible for reporting on progress to date.	Ongoing	Major actions are incorporated into DP/OP. Other actions have been incorporated in individual work-plans.
P.5	Continue planning for urban consolidation within existing settlements.	Eurobodalla's land use planning strategies, structure plans and Local Environmental Plan will continue to focus new development in and around existing town and village centres throughout the Shire thereby reducing expansion and sprawl. This reduces the resources (roads, streetlighting, water & sewer) and emissions needed to service these areas and helps reduce transport emissions.	Ongoing	Ongoing.
P.6	Relevant Policies, Reports and Codes of Practice and contracts are aligned with the Greenhouse Action Plan and targets.	When Council policies, reports, Codes of Practice and contracts are reviewed or developed they will be aligned with and/or reference the Greenhouse Action Plan targets and priorities where appropriate. Examples include: Council reports; Purchasing Policy; Asset Management Policy; Infrastructure Development policies; Infrastructure development fund criteria; Contracts for management of significant assets.	Ongoing	Has been incorporated into the Community Strategic Plan, Delivery Plan and Operational Plan.
R	6.1	Renewable Energy		
R	Renewable energy will play a key role in the transition to a low carbon economy. Council is committed to supporting the use of suitable renewable energy technologies. Council already has a number of solar photovoltaic panels installed on community facilities. A series of large installations of up to 600kW in total are planned during the life of the GAP. These activities offer the potential to save 945 tCO ₂ e/year.			
R	TARGET: 25% of electricity used by Council facilities will be sourced from renewable energy by 2020.			18.5% sourced from renewable energy sources.
R	Subject to the implementation of the Large-Scale Renewable Energy Target, Council commits to ensuring 25% of electricity used by Council is sourced from renewable energy sources. The Australian Government has committed to ensuring that 20 % of Australia's electricity supply will come from renewable sources by 2020. That means that by 2020, 20% of the energy Council purchases from an energy retailer will come from renewable sources such as wind or solar power. This will reduce the emissions intensity of all activities that use electricity.			
No:	Action	Description	Status	2014-15 Comments
R.1	Investigate and install proven renewable energy technologies that demonstrate a positive rate of return.	Some renewable energy technologies (solar, wind, biomass) are commercially proven and will be installed provided they generate a positive rate of return. Emerging renewable technologies (wave, tidal, concentrated solar for example) will be investigated and analysed under the same criteria as they become commercially	Ongoing	New solar installations were installed on General Fund buildings, part grant funded. This has exhausted Council sites using power during daylight hours for solar power.

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		viable.		
R.2	Undertake a feasibility study into the use of renewable energy by Council facilities by December 2015.	A review of suitable renewable energy resources and technologies for use by Council has been conducted in 2011. As the renewable energy landscape rapidly evolves new opportunities will be investigated as they emerge. A detailed study will be conducted by 2015 if opportunities have not been reviewed as they arise.	Completed	The Energy Performance Contract underway will investigate renewable energy options.
R.3	Install solar electricity systems on eight Council facilities by June 2013.	Subject to a smooth tendering process 325kW of solar Photo Voltaic panels will be installed across 8 sites including: Moruya, Tomakin, Bingie and Kianga Sewer Treatment Plants; Deep Creek Dam Water Pumping Station; Moruya Administration Building; Moruya Depot & the Batemans Bay Beach Resort. This is considered Stage 1 of the proposed solar farm.	Completed	Completed in 2014.
R.4	Monitor and review performance of the solar electricity systems for 12 months of operations and undertake a financial assessment of the project by November 2014.	The performance of the solar will be closely monitored. The energy and income generated and the maintenance costs will be evaluated and presented to Council after 12 months of operations.	Completed	
R.5	Subject to the performance and analysis of the operating solar power systems install large solar electricity systems on three additional sites by November 2015.	If the performance of the solar farm after 12 months of operations is satisfactory and subject to Council approval, Stage 2 of the solar farm will proceed. This will involve an additional 270kW of solar PV installed across 3 sites including: the Northern and Southern Water Treatment Plants and the Batemans Bay Sewer Treatment Station.	Completed	Completed in 2015,. Grant funding contributed 50% of the costs.
R.6	Investigate the purchase of certified Green Power or carbon offsets to meet emissions reduction targets.	Green Power and carbon offsets are valid ways to reduce greenhouse emissions. Should further emissions reductions be necessary or desirable then they should be considered as an easy way to reduce emissions.	In Progress	Purchased offsets for 25% of fleet emissions for 2014-15.
W	6.11	Waste		
W	Council manages the waste from the residential, commercial and industrial sectors within the Shire. Council operates two landfill sites: Brou Landfill & Surfbeach Landfill, as well as the Moruya Transfer Station. Contractors for the residential waste collection service also operate the Moruya Materials Recycling Facility (MRF). The methane emissions associated with the breakdown of organic materials in landfill sites are a significant contribution to Council's GHG emissions inventory.			
W	TARGET: Reduce greenhouse emissions from waste to landfill by 25% by 2020 compared to the 2005-06 baseline.			Reduced by 3.3%.

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W	Adopting some of the options recommended in the Eurobodalla Waste Strategy 2011-2018, will facilitate a higher diversion of organics waste from landfill. This can result in an estimated 11% to 33% reduction in GHG emissions from the 2005-06 baseline and a saving of 2,200 to 6,390 tCO ₂ e/ year. The GHG emissions associated with one scenario involving a 95% reduction in vegetation waste going to landfill is illustrated in Figures 21 and 22.			
No:	Action	Description	Status	2014-15 Comments
W.1	Continue to increase the recovery of construction and demolition material from the waste stream.	Where possible construction and demolition waste will be recovered from the waste stream and used on site and if possible in suitable projects off site. The recovery of any organic materials such as timber and cardboard from landfill results in reduced methane emissions. Methane has a global warming potential 21 times greater than CO ₂ .	Ongoing	A C&D education strategy was developed in 2014-15.
W.2	Develop systems to divert household organics and commercial food and vegetation waste from landfill.	Options to increase the diversion of organic waste have been considered in the 2011-2018 Waste Strategy. Removing organics from landfill results in reduced associated methane emissions.	In Progress	Home composting workshops were conducted with ~300 participants in 2014-15.
W.3	Continue with community waste and recycling education	Waste and recycling education will help to increase recycling rates, reduce contamination levels, increase home composting and worm farming, waste avoidance and build awareness and understanding of the greenhouse implications of waste and landfills. When the Sustainability Education Officer position has been filled education activities are likely to include: targeted advertising; home letter box drops; information with rates notices; inclusions in the Shire newsletter; National Recycling Week activities and more.	Ongoing	Education has included schools education, the Dirt Girl World 'Get Grubby' program at pre-schools, advertising, media, national composting week activities and displays, the publication of the waste recycling guide.
W.4	Undertake a feasibility study into methane recovery from landfill for energy generation or flaring.	The quality and quantity of methane gas from landfill sites must be studied before investing in methane capture infrastructure for flaring or energy generation. The combustion of methane greatly reduces the global warming potential of methane which is 21 times greater than CO ₂ .	On hold	
W.5	Implement key recommendations of methane recovery feasibility study.	The findings of the methane recovery feasibility study will be implemented if they result in significant emission reductions and/or cost savings.	On hold	
W.6	Account for and redeem carbon credits generated by methane capture at landfill sites (if feasible).	Methane capture at landfill sites will be eligible to generate Accredited Carbon Credits under the national Carbon Farming Initiative. Generating carbon credits will assist in improving the financial case for methane capture at landfill.	On hold	

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W.7	Calculate and report greenhouse gas emissions from Council landfill sites.	Landfill greenhouse emissions are considered an essential and large part of Council's emissions inventory. These emissions will be calculated for reporting purposes and to prepare for the possibility that Council may need to comply with National Greenhouse and Energy Reporting Act legislation or Clean Energy Future legislation.	Ongoing	Landfill emissions are re-calculated on an annual basis.
W.8	Optimise resource recovery from Council works activities and the use of recycled and recovered materials in Council works.	Continue to increase the recovery of construction and demolition material from the waste stream. Council works activities will continue to recover and use recovered and recycled products that meet Current General Exemption under the Protection of the Environment (Waste) Regulation 2005. Examples may include using stumps to assist in riverbank erosion, using clean bricks and concrete in earthworks, using recycled glass products in pipe bedding, reusing rocks from road cuttings.	Ongoing	Excavated soil, concrete or roads are reused on work sites. Mulch from cleared vegetation has been reused on Landcare sites. Rocks from cuttings have been reused on sea walls or other construction jobs.

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

Attachments: Nil

Focus Area: Sustainable Communities

Delivery Program Link: S4.1 Undertake environmental protection and restoration works

Operational Plan Link: S4.1.1 Implement natural resource, coastal and estuary projects

EXECUTIVE SUMMARY

This report provides an update on Council's Natural Resource Management (NRM) program for the period 1 July 2014 to 30 June 2015, included are updates on the Coast and Estuary program, Landcare and Green Army.

Twelve new NRM projects have commenced or been implemented and \$485,291 in grant funds received. This includes six Coast and Estuary projects receiving \$279,806 and five Landcare projects receiving \$205,485. These programs have been supported this year by the Green Army who are undertaking training and work experience on Council environment projects.

Projects are predominately grant funded with Council providing some matching funds to the Coast and Estuary and the Landcare program which assists volunteers who are managing environmental issues on public lands.

The projects are often community driven and encourage the involvement of volunteers and landholders. Volunteers have committed almost 47,000 hours to NRM and sustainable agriculture during 2014-15.

RECOMMENDATION

THAT Council receive and note the Natural Resource Management Status Report 2014-15.

BACKGROUND

The Natural Resource team operates in a diverse range of areas. Projects and activities are undertaken to protect Eurobodalla's estuaries and coasts, improve biodiversity, flora and fauna connectivity, protect and enhance bushland and Endangered Ecological Communities (EECs), restore riparian land, control erosion, reduce the impacts and spread of invasive species and engage the community in environmental works.

The works occur across all land tenures in the Eurobodalla and engage a range of government organisations and community groups to develop and implement partnership projects.

Projects are developed and prioritised based on environmental outcomes that are supported by various Council plans and funding body objectives and on the community support.

CONSIDERATIONS

Alignment of NRM works with other sections of Council has allowed for increased NRM outcomes. For example, Infrastructure Services works closely with the NRM team to develop

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Coast and Estuary projects that are interconnected such as consolidation of vehicle access on headlands and revegetation works. In addition the reuse of materials from works programs such as wood chip, mulch, logs and root balls are now being utilised in NRM projects providing significant financial and environmental benefits.

A Memorandum of Understanding (MoU) between Council and Southern Rivers Catchment Management Authority (SRCMA, now South East Local Land Services) was signed in March 2013 which set out how Landcare operates in Eurobodalla (minute 13/63). State Government restructures has seen the cessation of SRCMA and the formation of South East Local Land Services (SELLS) in 2014 and consequently SELLS have not reviewed the MoU upon Council and Eurobodalla Landcare request. Council is seeking information on the direction and priorities of SELLS and is awaiting a response which will determine how Landcare will continue to operate in the Eurobodalla with SELLS in the future.

Legal

Under the *Local Government Act 1993*, it is part of each Councils charter to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible.

Eurobodalla Landcare groups seek endorsement from Council for new projects proposed. These are reported to Council as required.

Where proposed works take place on land tenure outside of Council control, the land owners/managers provide consent for the works and enter into management agreements where they are grant funded to ensure the project works are maintained into the future.

Environmental

The following is a summary of each of the major NRM programs including the Landcare program, Coast and Estuary program and the Green Army program for the 2014-15 period:

1. Landcare

During the 2014-15 period there were 23 active Landcare groups volunteering in the Eurobodalla Shire. Approximately 90% of their work is on Council owned or managed land. The remaining work is conducted on Crown land or private property.

Over 2000 individuals participated in Landcare projects, activities, or initiatives supported by Council and South East Local Land Services.

During 2014-15 participants in Eurobodalla Landcare initiatives have contributed an estimated 10 627 volunteer hours on NRM activities and 36 322 hours on community garden activities. The volunteer works are valued at \$318 810 for NRM and \$1 089 660 for community garden activities (based on \$30/hour, the Australian Government value for volunteer labour). These figures are thought to be on the conservative side as they only account for hours recorded and submitted to the Landcare Group Coordinators.

The main on-ground activities were weed control with Landcare volunteers contributing 3682 hours to reducing the impact of weeds on native vegetation in reserves and Indian Myna bird control with 3900 hours contributed to the trapping and education program.

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EUROBODALLA LANDCARE GROUP HOURS 2014. 2015															
LANDCARE GROUPS	Admin	Planning	Education	Planting	Fencing	Erosion	Weeding	Spraying	Maint	WH&S	Training	Signage	Rubbish	Other	TOTAL
Akolele Coastcare	0.5			17.5			8								26
Broulee/ Mossy Point Dunecare	14	11	6	9	3		145						10	15	213
Budd Island Landcare							40						6		46
Burrawang Landcare	4.5	10.5	70.5	4			473	9.5	39	1			2		614
Congo Landcare	21	6	12				176			3					218
Denhams Beach Coastcare							26	4.25							30.25
Deua Rivercare	53.25	87.5	31	85			351	20.75	79.75		118		10.5	83	919.75
Guerilla Bay Landcare							241		101						342
Indian Myna Bird Control Landcare														3900	3900
Kianga/ Dalmeny / Narooma Dunecare	1.5	2	26		23.5		40.25	11							104.25
Lilli Pilli/ Malua Bay Landcare	8	65		1			175	15			2		34		298
Little Lake Landcare				50			129								179
Long Beach Landcare	17		210				373		50				50		700
Mosquito Bay Bushcare	0.25		2	10.5			39.25	1							53
Mystery Bay Coastcare	4	26	28				102	8			2.5		21.5		192
Potato Point Coastcare	5	6		12			30		2	1			8		64
Rosedale Landcare	6.5			25.5			76		37.25				0.5	15	160.75
South Durras Landcare	18			10	3		154	15	57.5				69	34	360.5
Surf Beach Landcare				15			87	11					28		141
Tomakin Coastcare				25			98								123
Tilba District Landcare							312	312			12				636
Tuross Lakes Landcare	22.5	29.5	5	51	20.15		277.5		21.5				13.5	3	444
Tuross Valley Landcare							300								300
Eurobodalla Landcare Network	24	34	368				29			6	102				563
Total Landcare Hours	200	277.5	758.5	315.5	49.65	0	3682	407.5	388	11	236.5	1.5	253	4050	10627.5
COMMUNITY GARDEN GROUPS															
SAGE Moruya Community Garden	800	900	4800	2000			2000		208	10	790	12		40	11560
Narooma Community Garden	160	200	1400	200			100		400	20	90	50	10	40	2640
Tuross Community Garden	14025	499	2380		100				5052		30	6	30		22122
Total Community Gardens Hours	14985	1599	8580	2200	100	0	2100	0	5660	30	910	68	40	80	36322
TOTAL	15185	1876.5	9338.5	2515.5	149.7	0	5782	407.5	6048	41	1146.5	69.5	293	4130	46949.5

Table 1. Breakdown of volunteer hours contributed by Eurobodalla Landcare groups

To assist Landcare volunteers with their work efforts, Council also supported and administered the following Landcare projects during 2014-15:

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Deua River Riparian Restoration Project

Status: Ongoing
Location: 42km of Deua River from Araluen Creek to Burra Creek junction.
Activities: Environmental weed control, erosion and feral animal control, community education and landholder engagement
Funding source: NSW Environmental Trust

Realising the Potential of our Wetlands - Invasive species control in Eurobodalla

Status: Completed June 2015
Location: Durras Lake, Budd Island, Nelligen, Tomago River, Potato Point, Mummaga Lake, Akolele (Wallaga)
Activities: Bush regeneration including environmental weed control, rabbit control and revegetation at priority wetland sites.
Funding source: Biodiversity Fund, Australian Government funding via South East LLS

Long Beach Coastal Wattle Project

Status: Ongoing
Location: Long Beach reserve
Activities: Increasing biodiversity through strategic removal/control of coastal wattle and revegetation with alternative native species.
Funding source: NSW Environmental Trust Restoration and Rehabilitation program

Eurobodalla Bush Heritage – then and now

Status: Ongoing
Location: Burra Creek, Surfside, Mystery Bay, Akolele
Activities: Awareness raising, training and on-ground bush regeneration works with four rejuvenated or new Landcare groups
Funding source: Australian Government National Landcare Program

Conserving the coastal biodiversity of central Eurobodalla

Status: Ongoing
Location: Tuross Head, Potato Point, Kianga/Dalmeny
Activities: Reducing the spread of Weeds of National Significance and environmental weed control and training of three Landcare groups
Funding source: Australian Government National Landcare Program

Protecting the coastal resilience in the north of the Eurobodalla.

Status: Ongoing
Location: Lilli Pilli/Malua Bay, Mosquito Bay, Denhams Beach
Activities: Weed control of weeds threatened coastal areas
Funding source: Australian Government National Landcare Program

Controlling the Environmental Weed Threats to Eurobodalla's EECs.

Status: Ongoing
Location: South Durras, Burrawarra Point, Broulee and Congo

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Activities: Environmental weed control in priority areas adjoining EECs on public land.
Includes community education and landholder engagement.

Funding source: NSW Environmental Trust Restoration and Rehabilitation Program

2. Coast and Estuary program

This program implements recommendations from Council's five Estuary Management Plans or the updated Coastal Zone Management Plans (for Clyde, Tomaga, Moruya, Tuross/Coila and Wagonga).

The focus has been to protect and enhance the condition of over 300ha of key estuarine Endangered Ecological Communities (EECs) in high priority locations. This project has expanded on works already undertaken in previous stages of the Estuary program and included works in six new reserves, two of which are wetland areas.

The projects have involved undertaking weed control and revegetation works, as well as implementing localised community education programs to improve the condition of these habitats and increase the communities' awareness and participation in environmental protection works. Residents adjoining project sites were invited to participate in garden audits identifying invasive species.

The major project sites are:

Cullendulla Creek Reserve covers an area of approximately 48ha of Riverflat Eucalypt Forest and Swamp Oak Floodplain Forest EECs and is a part of a wetland and adjacent to National Park.

Surfside Creek covers an area of 5ha of Swamp Oak Floodplain EEC and is located within 70m of Surfside wetland

Surfside wetland and creek cover an area of approximately 12ha of EEC which is one of the largest wetlands in the Batemans Bay region.

McLeods Creek (new site) is wetland covering 20ha of Coastal Saltmarsh and Swamp Oak Floodplain Forest EECs and 1.3km of foreshore.

Joes Creek estuarine habitat provides the largest tract of protected EEC (Swamp Oak Floodplain Forest) in the Batemans Bay region, covering an area of approximately 29ha.

Shortbeach Creek Reserve (new site) area of 6ha of Swamp Oak Floodplain Forest EEC.

Shortbeach Creek Swamp (new site) an area of 8ha of Swamp Oak Floodplain Forest EEC.

Tomaga Estuary community reserves comprise 5.5km of foreshore with 17ha of estuarine and dunal vegetation containing protected Salt Marsh and Mangrove communities.

Tomaga Estuary Upstream Reserve (new site) area of 1.5ha of Bangalay Sand Forest EEC and 400m of foreshore.

North Head Reserve (Moruya Estuary) (new site) area of 8ha of Bangalay Sand Forest EEC and 1.65km of foreshore.

Malabar Reserve (Moruya Estuary) (new site) covers an area of 10ha of Swamp Oak Floodplain Forest EEC, part of a wetland in the Moruya Estuary region.

Glenduart Reserve contains 10ha of Bega Candello Dry Grass Forest EEC and 1.7km of

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foreshore.

Ryans Creek Reserve comprises of 30ha of EECs (Swamp Oak Floodplain Forest and Saltmarsh) with 1.5km of foreshore.

Coila Lake foreshore incorporates 2km of foreshore reserve, 15ha containing Saltmarsh, Swamp Oak Floodplain Forest and Littoral Rainforest EECs.

Wagonga Inlet Reserves consist of 77ha and 9km of foreshore, EECs are Swamp Oak Floodplain Forest and Littoral Rainforest.

Additional funds for estuary vegetation improvement, were received during 2014/15 through the SELLS Priority Wetlands program was funded by Australian Government's Biodiversity Fund. Major sites receiving funds during 2014/15 from this project were Landcare works at South Durras, Nelligen, Tomaga River, Tuross, Mummaga Lake, Potato Point and Akolele. Further works through this program will occur during 2015 to 2017 at Cullendulla Creek, Tomaga River, Deua River and four Dalmeny/Kianga wetlands.

The following coastal project continued during 2014/15 and will continue to March 2016:

Restoring the remaining stands of two EECs

Status:	Ongoing
Location:	Long Beach, Tuross, Dalmeny/Kianga, Wagonga Inlet
Activities:	Restoration of Littoral Rainforest and Themeda Grassland on Coastal Headlands EECs on Council lands. Through this project traditional burning techniques used by Aboriginal people has been reintroduced to managing Themeda Grasslands at Kianga/Dalmeny. The project has received state wide spread recognition from other agencies.
Funding source:	NSW Environmental Trust

Coast and Estuary projects are often supported by Landcare volunteers and landholders of adjoining properties where the project is their area.

3. Green Army

NRM programs have been supported since April 2015 with a Green Army team which is an Australian Government initiative engaging young people aged 17 – 24 in training and hands on work experience in environmental projects.

The Eurobodalla Green Army project will enable three consecutive team, each of six month duration, to work on NRM projects with Council, The Eurobodalla Regional Botanic Gardens, Eurobodalla Landcare and National Parks and Wildlife until 2016. The range of work includes weed control, revegetation, erosion control, mangrove planting and track construction supporting works into areas where funding has not been available. Council provides in-kind support to the Green Army.

Asset

Natural resource management and environmental conservation contributes to the maintenance of ecological services and environmental asset.

PSR15/042 NATURAL RESOURCE MANAGEMENT STATUS REPORT 2014-15

E05.9165

Social Impact

The projects have a strong emphasis on community engagement and education, providing a range of opportunities for participation.

The NRM program builds the capacity of private landholders to recognise, maintain and improve their properties' natural assets and to sustainably managing their land for enhanced agricultural productivity and environmental benefits

Volunteerism in Landcare and other environmental activities, provides a positive social impact giving the community the opportunity to undertake a range of beneficial works, provide input into the management of bushland, understand the environment they live in, undertake physical activity and includes social interactions.

Economic Development Employment Potential

Many NRM projects utilise local businesses to assist with implementation such as: bush regenerators, fencing contractors, local produce and hardware stores, earthwork machinery operators, installation of solar off-stream watering systems, printers to produce brochures and caterers for community training events. Projects also involve engagement of local indigenous teams through the appropriate Local Aboriginal Land Council.

Eight local young people have been engaged through the current Green Army project and more will have the opportunity to apply for positions during 2015-16 when the program continues.

Financial

Landcare- Council contributed \$30,000 to support Landcare projects which it utilised to partially match external grant funds (shown in Table 2), purchase consumables, tools and equipment, engage contractors to work in the more difficult high priority sites and support Landcare works where there is no external funding.

Coast and Estuary – Council contributed \$50 000 as required match the grant of \$100 000 from NSW Office of Environment and Heritage, Estuary Management Program. The remaining matching amount of \$50,000 was made up of contributions at Coast and Estuary project sites from other Council programs eg invasive species, fire mitigation, maintenance.

Council contributed a total of \$80,000 to on-ground NRM projects with a total project value of over \$1.5 million.

Project value consists of Council 'matching' funds that are in-kind or allocated works that can offset the grant funds. In addition volunteers and landholders in-kind support is also a major contribution to the total value of projects.

PSR15/042 NATURAL RESOURCE MANAGEMENT STATUS REPORT 2014-15

E05.9165

Project Name	Project Value	Grant Value	Council \$ contribution	Start Date	Estimated Finish
Realising the Potential of Wetlands	\$ 96,437	\$ 46,085		Jul-14	Jun-15
Controlling the Environmental Weed Threats to Eurobodalla's EEC's	\$ 177,300	\$ 99,400		Aug-14	Jul-15
Eurobodalla's Estuaries 2015	\$ 200,000	\$ 100,000	\$ 50,000	Jan-15	Dec-15
Eurobodalla Bush Heritage - then and now	\$ 33,900	\$ 20,000	\$ 2,000	Feb-15	Jul-16
Conserving the Coastal biodiversity of central Eurobodalla	\$ 33,000	\$ 20,000	\$ 2,000	Feb-15	Jun-16
Protecting the coastal resilience in the north of the Eurobodalla	\$ 32,400	\$ 20,000	\$ 2,000	Feb-15	Jun-16
Green Army	\$ 582,000	3 x teams		Apr-15	Sep-16
LLS weed control - Deua property	\$ 22,465	\$ 9,860	\$ 705	Jun-15	Jun-16
Dalmeny LLS Wetlands project	\$ 44,270	\$ 19,320		Jun-15	Jun-17
Clyde River LLS Wetland project	\$ 56,692	\$ 27,120		Jun-15	Jun-17
Tomaga LLS Wetland project	\$ 57,179	\$ 23,525		Jun-15	Jun-17
Removing threats and improving resilience of Eurobodalla dunes	\$ 216,281	\$ 99,981	\$ 6,300	Aug-15	Jul-18
TOTAL	\$ 1,551,924	\$ 485,291	\$ 63,005		

Table 2. Funding summary of NRM projects commenced during 2014-15. Total project value includes in-kind contributions from community volunteers, landholders and Council.

Community Engagement

Project development and submissions are undertaken with the affected landholders, land managers and volunteers involved in the deliverables. All project works on private lands are on a voluntary basis and are conducted with the consent and involvement of the landowner.

New project applications and allocated grants are outlined in councillors' newsletters or reported to Council as they occur.

The broader community is informed of project works by newspaper, radio, letter or in person dependent on the nature of the works program and the community interaction required at each locality.

A range of community education events allow staff to consult on projects and to engage the community and landholders such as plant swaps, garden audits, school holiday activities at the Eurobodalla Regional Botanic Gardens, Marine Park tours, marine debris cleanup days, school planting days and excursions to bushland reserves.

In addition the introduction of 'door knocking' to meet face to face with residents adjoining bushland reserves to discuss projects has proven worthwhile. Residents obtain advice and can then implement recommendations on managing environmental weeds and suitable replacements.

CONCLUSION

Council managed natural areas are a highly valued community asset and for Council to fulfil both legal responsibilities and meet community aspirations, these areas require appropriate management and conservation for the usage of the whole community.

In 2014-15 Council managed over \$485,000 in grants for NRM with a total of over \$1.5 million worth of works delivered. This was achieved with funding support from Council and by leverage funding from other Council programs and largely by the community volunteer hours.

The contribution of volunteers is substantial and beneficial to our community and the environment.

PSR15/043 FOOD INSPECTION REPORT 2014-15

E80.1313

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

Attachments: Nil

Focus Area: Liveable Communities

Delivery Program Link: L4.3 Conduct food safety and public health programs

Operational Plan Link: L4.3.1 Undertake food inspection program

EXECUTIVE SUMMARY

This report provides a summary of Council's Food Inspection Program for the 2014-15 financial year.

Council has a statutory obligation to undertake routine inspections of retail food premises. In January 2009, Council commenced these food inspections and maintains this program under the Food Regulation Partnership between NSW councils and the NSW Food Authority, to ensure that food sold is safe for human consumption and correctly labelled.

In Eurobodalla Shire, inspections undertaken for the 2014-15 financial year achieved 90% compliance with the Food Standards Code. There were 387 primary inspections of fixed premises conducted which resulted in only 40 re-inspections, where minor actions were required to improve food safety.

RECOMMENDATION

THAT the Food Inspection Report 2014-15 be received and noted.

BACKGROUND

Since January 2009, Council has inspected retail food premises as required by the NSW Government under the provisions of the *Food Act 2003*. In accordance with this legislation, Council must: undertake inspections and enforcement; investigate food complaints; participate in food recalls; collaborate on single-case food borne illness investigations and provide reports to the NSW Food Authority.

Under the Food Regulation Partnership with the NSW Food Authority, Council must undertake scheduled inspections of all high risk and medium risk premises each financial year. In compliance with industry best practice, Council aims to inspect all high risk premises twice per year while medium risk premises are inspected at a minimum of once per financial year. Where significant food safety issues are identified a re-inspection may also be carried out.

Three times a year, Council meets with other councils from the south east and the NSW Food Authority as part of the South East Regional Food Group forum. These meetings, facilitated by the NSW Food Authority, enable discussion and networking in relation to current and evolving issues in the food industry in relation to food regulation.

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E80.1313

CONSIDERATIONS

There are currently 237 fixed food businesses in Eurobodalla. Over 70% of these premises are high risk and two inspections are conducted annually. There are 28 temporary stalls registered with Council and these are inspected at the various markets and events held throughout Eurobodalla. In addition there are 14 mobile food vendors registered with Council and these are inspected by appointment once a year and again at markets and events.

The nature of the retail food industry is such that the total number of premises is constantly changing as businesses cease operating or new businesses are established. In addition food premises change ownership which requires a reassessment of the risk priority. This also means that the Public Health Register (Database) is continually up-dated.

Council is required to submit an annual report to the NSW Food Authority providing data on the food inspection program each financial year.

Future Developments

From September 2015, the NSW Food Authority will no longer require retail food businesses to notify them thus eliminating duplication of food businesses having to notify both the NSW Food Authority and Council.

A small number of NSW councils (32) are trialling the NSW Food Authority 'Scores on Doors' program. The program involves allocating a numerical score for performance criteria during an inspection and awards a star rating to the premises based on these scores. A certificate with the star rating can then be displayed at the entrance to the business. The program is voluntary and participation by food businesses remains low. Council will continue to monitor the success and progress of this program through the South East Regional Food Group and consider participation based on these assessments.

Under the Smoke-free Environment Act 2000, all commercial outdoor dining areas became smoke-free as from 6 July 2015. NSW Health regulate and enforce this Smoke Free legislation.

Legal

The NSW Food Authority's Compliance and Enforcement Policy sets out the criteria for deciding appropriate enforcement action. Enforcement action is taken in consideration of this policy and the Council's Compliance Policy to ensure that actions are consistent, procedurally fair and proportionate.

Council utilises a graduated compliance response to improve the performance of the local retail food industry with a strong focus on collaboration and education, contributing to high compliance with the Food Standards Code.

Enforcement Action

The objectives of the inspection program is to ensure food is safe and suitable for human consumption and to prevent misleading conduct in connection with the sale of food. Businesses that do not comply can be subject to enforcement action.

PSR15/043 FOOD INSPECTION REPORT 2014-15

E80.1313

Enforcement action may include a re-inspection, Warning Letter, Improvement Notice, Prohibition Order, seizure of food items or Penalty Infringement Notice (PIN). Some factors that are taken into consideration to determine the appropriate level of action include:

- if a warning has previously been given
- the number of breaches or repeat offences
- whether the breaches pose a serious risk to public health or significantly mislead consumers

Table 1: Summary of Council's Food Inspection Program from 2009-10 to 2014-15

	July 2009- June 2010	July 2010- June 2011	July 2011 – June 2012	July 2013 – June 2014	July 2014 – June 15
Inspections (fixed premises)	449	434	424	419	387*
Re-inspection	38	11	14	27	40
Improvement Notices	8	3	8	3	10
Warning Letters	17	15	23	55	29
Complaints	12	10	17	11	10
Penalty Infringement Notice (PIN)	0	0	4	0	0

* Staff vacancy during part of 2014-15 resulted in 23 high risk (P2) premises having only one inspection for the year.

Re-inspection

Follow up inspections of a food business occurs when it fails its primary inspection. Where the defects do not pose a significant public health issue and the premises addresses the issues no additional fees are charged.

Table 1 shows that 40 re-inspections were conducted in 2014-15, a substantial increase when compared to the 27 re-inspections undertaken in 2013-14.

Warning Letters

Warning Letters are issued where the matters revealed during an inspection require remedial action as there may be potential health risks.

The reduction in Warning Letters from 55 in 2013-14 to 29 in 2014-15, indicates that the increase in re-inspections has been effective in reducing the need for Warning Letters as an enforcement action. This is consistent with the graduated response encouraged under the Food Regulation Partnership with the NSW Food Authority and Council's Compliance Policy.

Improvement Notices

Improvement Notices are served where the inspection shows that the food business is sufficiently unsatisfactory or structurally defective and rectification works are urgently required.

PSR15/043 FOOD INSPECTION REPORT 2014-15

E80.1313

The Notice has a statutory fee attached (\$330 as at 21 November 2014) which is intended to cover the cost of drafting the Notice, service of the Notice and one follow up compliance inspection. Any additional inspections are charged at the standard inspection fee rate.

There has been an increase in the number of Improvement Notices from 3 in 2013-14 to 10 in 2014-15. The combined number of Improvement Notices and Warning Letters over the same period has decreased from 58 to 39.

Prohibition Order

Prohibition Orders are served by Council where an Improvement Notice has not been complied with and the Prohibition Order is necessary to prevent or mitigate a serious danger to public health. No Prohibition Orders were issued during the 2014-15 financial year.

Penalty Infringement Notices

Penalty Infringement Notices (PIN) will be issued where any detected non-compliance is an immediate threat to public health. Council did not issue a PIN to any food business in the 2014-15 financial year.

Court Action

Court action for more serious or repetitive non-compliance will be considered in situations of repeated and serious non-compliance matters involving a threat to public health. Council did not need to prosecute any food business in the 2014-15 financial year.

Social Impact

Compliance with the Food Standards Code provides significant long term enjoyment and health benefits for the Eurobodalla community and visitors to the region.

Economic Development Employment Potential

A high level of compliance with food regulations is important in supporting the image Eurobodalla along with the tourism and service industry that are major contributors to our local economy.

Financial

Fees are charged for administration and for inspection in accordance with the Food Act provisions and Council's Fees and Charges. Statutory fees are also charged where it is necessary to issue an Improvement Notice.

During 2014-15 an inspection fee was \$174.00 and an annual administration fee was \$175.00.

Total income for 2014-15 was \$110,113.27 and total costs were \$117,054.70.

Community Engagement

Council is continuing to conduct a food safety training link "I'M ALERT", from its website delivered by Environmental Health Australia (EHA) for which Council pays an annual licence cost of \$500. At the completion of the "I'M ALERT" training, the participant's details are recorded and they are given the opportunity to print out a Training Certificate.

PSR15/043 FOOD INSPECTION REPORT 2014-15

E80.1313

Where requested, Council's designated officers also provide technical support and advice to food premises.

Media releases and food safety information are issued to the broader community through the local media and the Council Noticeboard.

CONCLUSION

The Food Inspection Program has been implemented successfully over the past six years and with a high level of compliance by the operators of food premises. This compliance strengthens confidence that safe food is being provided to the community and has a flow on effect into the recreational and tourism sectors, benefitting restaurants, take away shops and markets.

PSR15/044 ON SITE SEWAGE MANAGEMENT SYSTEM STATUS REPORT 2014-15 98.2467

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services
Attachments: Nil
Focus Area: Liveable Communities
Delivery Program Link: L4.1 Conduct regulatory compliance and enforcement activities
Operational Plan Link: L4.1.3 Undertake the on-site sewage management system (OSMS) program

EXECUTIVE SUMMARY

This report summarises the approvals and inspections of On-site Sewage Management Systems (OSMS) for 2014-15 financial year.

The NSW Government requires Council to approve and inspect OSMS to ensure that they operate effectively and to reduce incidents of public and environmental health and safety. OSMS include septic tanks, aerated wastewater treatment systems (AWTS), composting toilets, effluent pump-out systems, pit toilets, waste water package treatment plants and greywater treatment systems.

In 2014-15, there were 93 approvals for an OSMS system and 133 development applications referrals which is consistent with the previous three years.

Council conducted 1,383 inspections in 2014-15. An overall rate of 92% compliance was observed during the inspection program which is consistent with the previous financial year. While compliance remains high, formal compliance actions have increased.

Council continues to provide the opportunity for owners who effectively manage their high and medium risk systems, to apply for a downgrade of their risk ratings, reducing their inspection regime and therefore their costs.

RECOMMENDATION

THAT the On-site Sewage Management Status Report 2014-15 be received and noted.

BACKGROUND

The OSMS Inspection Program has been operating since 1998 after changes to the Local Government Act 1993 gave councils greater responsibility in monitoring and ensuring compliance of these systems. Since its implementation, approximately 4,500 systems have been identified in Eurobodalla.

OSMS Activities

Table 1: A comparison of OSMS program activities undertaken over the past six years.

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
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98.2467

Approvals (#)	122	121	118	92	99	93
Referrals (#)	155	163	150	114	134	133
Inspections (#)	1400	1460	1323	1434	1475	1383
Compliance (%)	83	85	90	90	94	92
Downgrades (#)	21	26	45	52	38	22
Re-Inspections (#)	31	10	7	5	8	3
Notices/Orders (#)	7	4	10	6	1	9
Penalty Infringement Notices (#)	8	0	3	0	0	2

Approvals and Referrals

A total of 93 OSMS approvals were issued for new systems and in 2014-15.

One hundred thirty three (133) referrals were received and processed. Advice is provided to planners in relation to OSMS matters associated with the determination of development applications.

Inspections

Table 2 illustrates the inspection regime for this financial year compared with last financial year. In 2014-15, 1383 OSMS were inspected compared to 1475 in 2013-14. Overall compliance levels have remained high at 92% in 2014-15, compared with 94% in 2013-14.

This financial year, inspections revealed that 87% of systems in the 'high risk' category were compliant, compared with 93% the previous financial year. A high level of compliance (95%) was observed during inspections of systems with a 'medium' and 'low risk' risk rating and this is consistent with the previous financial year.

Table 2: Comparison of the 2014-15 with the 2013-14 Inspection regime

Risk*	TOTAL		Satisfactory		Unsatisfactory		% Complying	
	2013-14	2014-15	2013-14	2014-15	2013-14	2014-15	2013-14	2014-15
High **	161	120	150	106	11	14	93	87
Medium ***	861	532	822	503	39	29	95	95
Low	453	731	430	693	23	38	95	95
TOTAL	1475	1383	1402	1302	73	81	94	92

* High – inspected every year; Medium – inspected every year; Low – inspected every 5 years

**High may be downgraded to medium inspection regime when requested and if satisfactory compliance is demonstrated.

*** Medium may be downgraded to low inspection regime when requested and if satisfactory compliance is demonstrated.

Risk Rating Downgrades

Owners of systems with high or medium risk ratings, can apply for a downgrade of their OSMS where consistent compliance can be demonstrated. These downgrades then reduce the inspection regime required and therefore rewards the owner by also reducing their costs.

Twenty two applications to downgrade OSMS risk ratings were approved in 2014-15, compared with thirty eight from the previous financial year. This reduction is most likely due to the high

PSR15/044 ON SITE SEWAGE MANAGEMENT SYSTEM STATUS REPORT 2014-15 98.2467

number of 'low risk' systems for which inspections during 2014-15 were 731, compared to the previous financial year of 453.

Compliance Requirements

Three properties were re-inspected as part of the OSMS inspection program for non-compliance and charged an additional fee, with all cases proceeding towards a resolution.

Thirteen Notices/Orders and two Penalty Infringements Notices were issued for the 2014-15. Some of the common issues considered to pose a significant public and/or environmental health risk and requiring escalated compliance action included:

- failing disposal areas (eg. absorption trenches and irrigation areas) with effluent pooling on the surface and
- effluent overflows from septic tanks/collection wells.

Where compliance action is necessary, Notices/Orders to comply may be issued under the *Local Government Act 1993* (LGA) or the *Protection of the Environment Operations Act 1997* (POEO).

Pit Toilets

During 2014-15 Council continued to address unapproved pit toilets in Eurobodalla. From a total of thirty three unapproved pit toilets at the start of the financial year, nine were decommissioned, eight were approved and sixteen remain unapproved. The remaining unapproved systems will be sent correspondence requesting advice on the status of the system, then re-inspected. If no action has taken place they will be charged for the inspection and compliance action considered.

CONSIDERATIONS

During the 2014-15 financial year various measures have been undertaken for the continual improvement of the OSMS program including, but not limited to:

- Updating information on Council's website
- Addition of email addresses on the mailing system to enable electronic communications
- Improvements to outgoing correspondence on OSMS matters
- Inclusion of additional downgrade of OSMS information in correspondence
- Review of OSMS approval conditions to improve readability, remove redundant conditions and update conditions according to current best practice
- Review of OSMS schedule of works codes, to improve customer understanding of issues requiring them to undertake works and update Council requirements in accordance with current best practice.

Legal

Council is required to undertake approvals and inspections of OSMS as identified in the Local Government Act 1993 and the Local Government (General) Regulation 2005. The Department of Local Government Circular to Councils 98/27 (issued 1 April 1998) outlines what is required of councils in the monitoring of OSMS.

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Policy

Council's current On-site Sewage Management Code of Practice was adopted on 24 September 2013 and is due for review in September 2016.

Environmental

Due to the sensitive environmental nature of much of the Eurobodalla Shire, particularly in relation to waterways including fisheries and recreational use, continual monitoring of OSMS is important to ensure that these are protected from potential contamination by OSMS.

Council demonstrates that it has met its duty of care in conducting the OSMS program.

Social Impact

There are potential health risks for users and those in the vicinity of OSMS. Council is obligated to demonstrate that it has met its duty of care in avoiding health concerns associated with the operation of OSMS.

Financial

The OSMS program operates at a full cost recovery to Council and in accordance with the legislation. During 2014-15 an inspection was \$115, reinspection where required are \$147 as identified in Council's fees and charges.

Total income for 2014-15 was \$180 417 and total costs were \$142 420. Note additional costs to service the program were incurred for supervision and officer support during a position vacancy from the Public and Environmental Health Team.

Community Engagement

Owners of OSMS are notified prior to the inspection of their system and where the owner/occupant wishes to be present at the time of inspection, they can notify and liaise with Council to do so.

Information pertaining to the septic and waste water is readily available on Council's web <http://www.esc.nsw.gov.au/council-services/public-environmental-health/septic-waste-water>

CONCLUSION

The overall high level of compliance of OSMS (92%) demonstrates that the majority of systems are operating effectively and there is minimal public and environmental health risk. Council has ensured that the program is consistent with NSW Government requirements and on a whole, the program is well received by OSMS owners.

The ability of downgrading systems is innovative and allows high and medium systems that continually operate effectively, to reduce their inspection regime thereby reducing the costs to the owner.

PSR15/045 WATER CONSERVATION PROGRAMS STATUS UPDATE 2014-15

E04.8748

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

Attachments: Nil

Focus Area: Sustainable Communities

Delivery Program Link: S2.2 Operate and maintain Council's water supply systems

Operational Plan Link: S2.2.1 Identify and implement innovative water conservation and sustainable water usage practices

EXECUTIVE SUMMARY

This report provides a review of the success and progress in Council's water conservation programs.

A total of 207 water rebates were issued in 2014-15. The water rebates continue to be popular and deliver cost-effective water savings at an average of 62 cents/kilolitre (kL) saved.

The water education program has delivered a wide range of programs to many and varied groups in 2014-15. All schools have been involved in some way and all water customers received two customised flyers with their water bill.

The WaterSmart Business program provided five water audits to businesses in 2014-15. The program continues to provide a valued service to very large water users and deliver cost-effective water savings at an average of 44 cents per kL saved.

RECOMMENDATION

THAT Council receive and note the Water Conservation Programs 2014-15 Status Update.

BACKGROUND

Council has delivered a range of water conservation programs over many years. The Eurobodalla Shire Council Integrated Water Cycle Management Strategy recognises the importance of demand management. Managing water demand through water conservation has a number of benefits:

- Provides a service to the community and helps customers manage their water bills
- Helps defer the need for larger water storage and infrastructure
- Helps to maintain environmental river flows
- Is a condition of achieving best practice by the NSW Office of Water

PSR15/045 WATER CONSERVATION PROGRAMS STATUS UPDATE 2014-15

E04.8748

Water rebates

Council initially began offering incentive schemes for water customers to manage demand in February 2005. The current details of Council's incentive schemes are as follows:

1. \$150 rebate for the purchase of a minimum 4.5 star rated washing machine by a Eurobodalla Shire Council water customer.
2. Up to \$1500 rebate for rainwater tank installations connected for toilet or washing machine use for existing buildings that did not require a rainwater tank as a condition of development consent.
3. \$100 rebate for the installation of a minimum 4 star water efficiency rated 3/4.5L dual flush toilet, provided the toilet replaces an existing single flush toilet (maximum of two rebates per property).
4. \$100 rebate for the installation of eligible automated leak detection and shut-off systems.

Education

Council has delivered education on water conservation for many years. Educational content largely focuses on how the public can help contribute to a clean water catchment and save water. A range of educational activities are delivered to pre-school, primary, and secondary students as well as the general public.

WaterSmart Business Program

Council began to engage large non-residential water users in water conservation in 2008. This program was expanded and formalised in 2010 when grant funding enabled a program to be delivered to the top 30 water users in the Shire. Since 2012 Council has continued to support large water using businesses and provided a number of Water Efficiency Audit Reports each year.

CONSIDERATIONS

Water rebates

The water rebates programs for 2014-15 is discussed below. The showerhead program closed in 2007. The toilet rebates were introduced on 1 November 2009 and the leak shut-off systems were introduced on 10 September 2013. To provide comparisons and show total water savings, the results of all the rebate programs are included.

PSR15/045 WATER CONSERVATION PROGRAMS STATUS UPDATE 2014-15

E04.8748

The results for all water saving incentive schemes offered since February 2005 are summarised in the table below:

	Total rebates	Annual Savings	Approximate Expenditure	10 year savings	Cost/kL saved (over 10 yrs)
Showerheads/rebates	2359	27 ML/yr	\$45,000	270 ML	\$0.17
Washing machine rebates	3049	61.0 ML/yr	\$458,700	610 ML	\$0.76
Rainwater tank rebates	134	9.2 ML/yr	\$157,560	92 ML	\$1.76
Toilet rebate	952	28.6 ML/yr	\$95,200	286 ML	\$0.34
Leak shut-off					
Advertising/promotion			\$26,178		
TOTAL		125.8ML/yr	\$785,638	1,258 ML	\$0.62

Table 1. Total water rebates issued

Results for the 2014-15 financial year only are shown below.

	Successful Rebates	Annual Savings	Expenditure	10 year savings	Cost/kL saved (over 10 yrs)
Washing machine rebates	159	3.2 ML/yr	\$23,850	31.8 ML	\$0.75
Rainwater tank rebates	3	0.2 ML/yr	\$4,000	2.1 ML	\$1.93
Toilet rebate	45	1.4 ML/yr	\$4,500	13.5 ML	\$0.33
Advertising/promotion			\$3,000		
TOTAL	207	5 ML/yr	\$35,350	50.9 ML	\$0.69

Table 2. Water rebates issued in 2014-15

Based on these results the current rebates are still considered to be value for money for both Council and the community, with the total cost of the water saved (over a 10 year lifetime) being substantially less than the current price charged for water of \$3.48/kL. In reality, the programs are likely to be considerably better value than this as any tank or toilet installed is likely to be in operation beyond just 10 years.

The automated leak detection and shut-off system rebate is a new rebate and technology which many customers would not be familiar with. Council has done some advertising in print, with water bills and provided some information to plumbers and plumbing supplies stores on the initiative. It is anticipated that the rebates will be taken up in 2015-16.

Education

Water conservation education has been rolled out across pre-schools, primary and secondary schools. Activities in 2014-15 included:

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E04.8748

- A water audit program for Stage 2 (years 3 and 4) students at primary school. Students conducted water audit on their school and identified potential water wastage points, checked for leaks and measured flow rates for taps.
- “The Dam to Tap” excursion to Deep Creek and the Northern Water Filtration Plant has been added to the program and several schools have taken up the offer to see how the local water supply is managed.
- A tour of Moruya sewage treatment plant for Year 12 environmental science students from Moruya High School.
- Visits from the Keep Australia Beautiful Enviromentors to eight schools to look at water conservation and the water catchment.
- The “Tapstar” water saving show with five schools attending.
- Three “Water-Wise in the Home” workshops at plumbing supplies stores.
- Three “Water-Wise Garden” workshops at some nurseries.
- A stall at the Moruya Markets during Water Week.
- The Choose Tap water program is ongoing and will be part of the rollout of the new water refill stations.
- Water bill inserts provided in two billing runs.

A prioritisation exercise for water conservation activities was completed in 2014-15. This will inform a more targeted and strategic approach to water education in 2015-16 and result in the re-introduction of some programs such as a showerhead exchange program.

WaterSmart Business Program

In 2014-15 the WaterSmart business program was continued and provided five large water using businesses with a Water Efficiency Audit Report.

Detailed recommendations are provided for each business outlining water saving opportunities. The following table shows the savings identified from the businesses.

Business	Annual savings (kL/yr)*	Annual business \$ savings*	Council Expenditure	10 year savings (kL)	Cost/kL saved (over 10 yrs)
TOTAL	5,073.5	\$39,700	\$22,367	50,735	\$0.44

*Annual water and financial savings include water, energy and labour savings. The average payback period for the recommended water saving options was 1.3 years.

As of 30 June 2015 a total of 46 businesses have now received a report from Council that identifies water efficiencies.

Based on the results expected to be implemented by participating businesses the program is considered good value for money. Even if only half the recommendations are completed the cost of water saved is substantially less than the current price charged for water of \$3.48/kL.

PSR15/045 WATER CONSERVATION PROGRAMS STATUS UPDATE 2014-15

E04.8748

Policy

Implementation of Demand Management has been listed as a condition of achieving best practice by the NSW Office of Water. Effective incentive schemes are an integral part of Council's Demand Management Program.

The Policy "Incentive Schemes for Water Savings Devices for Reticulated Water Customers" allows for Council to continue offering these incentive schemes.

Environmental

The water demand management programs reduces the pressure placed on water sources. This helps allow greater environmental flows. It also defers the need for additional water infrastructure.

Financial

Program	2014-15 Expenses
Water education	\$68,306
Water rebates	\$35,876
Water business program	\$22,368
TOTAL	\$126,550

The programs are funded from the Water Fund and will continue in the 2015-16 period. The current expenses are considered good value for money in delivering cost-effective water demand management.

Community Engagement

We have informed the community through providing information on Council's website; posting on Council's Facebook; distributing print brochures to water customers in their water bill, advertising in two local newspapers; distributing media releases; engaging directly with schools; conducting workshops.

CONCLUSION

It is considered that the water conservation programs are achieving positive community outcomes. Substantial savings are estimated to be achieved as a result of both the water rebate and business programs.

It is difficult to quantify the impact of broader education programs. However, the programs are reaching a wide and broad audience and receiving a positive response from participating groups and individuals. The consistent water conservation messaging is important to ensure that community and businesses are adopting water conservation practices.

**PSR15/046 ALCOHOL FREE RESERVE - RIVERSIDE PARK, MORUYA
FOR THE GRANITE TOWN FESTIVAL EVENT**

E95.8171

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

Attachments: Nil

Focus Area: Productive Communities

Delivery Program Link: P1.3 Seek and support the development and hosting of events

Operational Plan Link: P1.3.1 Support event organisers in the delivery of a range of events

EXECUTIVE SUMMARY

The Granite Town Festival is being held in Moruya from Friday 30 October 2015 until Sunday 1 November 2015. During this Festival, a number of free attractions are held in Riverside Park including the Riverlights, illuminated floating sculptures on the Moruya River, dancing and music.

The Park will also host Eat Street, a pop-up dining district, whereby patrons can sample the wares from a variety of food vendors and enjoy the ambience.

The Granite town Festival, now in its second year, is a family-oriented event that takes advantage of Riverside Park as well as other venues within the Moruya township.

Council has recently received correspondence from the NSW Police requesting that Riverside Park be deemed an Alcohol Free Reserve for the duration of the Festival. Riverside Park currently does not have any alcohol restrictions imposed.

This report seeks Council's support to continue the current status quo of Riverside Park, namely that the general public can enjoy the amenity of the reserve and be at liberty to partake of alcohol should they so wish, in a responsible manner.

However in the event that councillors do not support this recommendation, it is suggested that Riverside Park have alcohol restrictions imposed between 10pm and 8am for the duration of the Granite Town Festival.

RECOMMENDATION

THAT Council not support the introduction of a temporary Alcohol Free Reserve upon Riverside Park, Moruya for the duration of the Granite Town Festival being held from 30 October until 1 November 2015.

BACKGROUND

The Granite Town Festival held its inaugural event in 2014 and was well received by both the local community and visitors alike. Approximately 1,400 tickets were sold which enabled patrons to see the various bands in a number of venues in Moruya.

As well as The Hub, an enclosed and fenced music venue, Riverside Park also hosted Eat Street and the Riverlights display on the Friday evening, which drew a crowd of approximately 3,000.

This year, with the involvement of many of the Shire's schools in the Riverlights display evening, it is expected that the crowd will well exceed that number as more families and friends will add

**PSR15/046 ALCOHOL FREE RESERVE - RIVERSIDE PARK, MORUYA
FOR THE GRANITE TOWN FESTIVAL EVENT**

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their support to this occasion. It is envisaged that many of these families will avail themselves of the facilities of Riverside Park and the food available from the 15 plus Eat Street outlets. To this end, our community will be able to enjoy the evening and this social occasion, and have a social drink if they choose.

In September 2015, Council received an email from the Police requesting that Riverside Park be declared an alcohol free reserve for the duration of the Granite Town event. The Police raised concern about the potential for antisocial behaviour attributed to alcohol consumption by those who wish to create a disturbance. They advised that in 2014, the Police remained in Riverside Park after the functions had finished to control the crowd and to quell potential disturbances, and this year, the crowds are expected to be bigger and that those who had previously caused drama, would be more organised.

CONSIDERATIONS

Legal

Under Section 632A(4) of the Local Government Act, Council may erect signs on reserves inclusive of signs restricting or prohibiting alcohol consumption. In this instance, if signs were to be erected either restricting the consumption of alcohol between certain hours or prohibiting the consumption entirely, they would enable the Police with the powers to confiscate or tip out any alcohol.

Under Law Enforcement (Powers and Responsibilities) Act (LEPRA) 2002, the Police are able to give a direction to an intoxicated person, who is in a public place, to leave the place and not return for a specified period of time. This period of time is not to exceed six hours after the direction was given.

The vast majority of those coming to the Granite Town Festival do so to enjoy the social atmosphere and the events being held. Nevertheless, the Police advised that in 2014 they experienced difficulties with some people displaying antisocial behaviour attributable to alcohol consumption, who had purchased 'an abundance of alcohol' and set up camp.

If Council chose to continue with Riverside Park's status quo of permitting the consumption of alcohol within the reserve, the Police are able to direct those who exhibit antisocial behaviour to move on under LEPRA.

If Council chose to support the introduction of temporary time restrictions on the consumption of alcohol from 10pm until 8am within the reserve during the Granite town event, then the Police can confiscate or tip out the alcohol and move the offenders on.

Asset

If Council should choose to declare Riverside Park as an Alcohol Restricted Reserve for the duration of the Granite Town Festival, it is considered that six signs advising of alcohol restrictions would be required to ensure that they are seen by the maximum number of persons utilising this reserve.

Social Impact

The Granite Town Festival is a family-friendly event, with participation and involvement from many within our Shire. The inaugural event's opening night exceeded expectations and was

**PSR15/046 ALCOHOL FREE RESERVE - RIVERSIDE PARK, MORUYA
FOR THE GRANITE TOWN FESTIVAL EVENT**

E95.8171

extremely well received by the community and visitors alike. The crowds at this year's event are expected to be even larger.

Many schools are involved in the festivities associated with Granite Town this year as are various other community groups.

The social impact is extremely positive and the event encourages community involvement and participation, while providing entertainment for the families and tourists alike.

Economic Development Employment Potential

In 2014, the crowd at Riverside Park on the opening night was estimated to be 3,000 and the number of tickets sold for this weekend event was about 1,400. It is envisaged that the 2015 Granite Town Festival will be even bigger, with positive spin-offs from the visitors and tourists for accommodation, the various music venues, food outlets and shops in the Moruya area, as well as to the Eurobodalla as a whole.

Financial

Due to the envisaged influx of visitors and tourists, that the accommodation providers as well as the various retail outlets will reap the benefits of the Granite Town Festival.

If Council should support the establishment of temporary alcohol restrictions upon Riverside Park, there are a number of signs and poles available that can be utilised. The only signage cost would be for the stickers, amounting to \$33 in total, detailing what time the restrictions apply.

Council resources would be required to both erect and remove the signs before and after the Granite Town Festival.

Community Engagement

If Council should support the implementation of alcohol restrictions on Riverside Park, under section 632A(4) of the Local Government Act, community consultation is not a requirement.

CONCLUSION

The Granite Town Festival is a family-oriented event which utilises Riverside Park for a number of its attractions and also as a music venue. During the Riverlights festivities in 2014, many of the event's patrons chose to picnic on the foreshore of the Moruya River and were able to enjoy a quiet drink while watching the various displays or sampling the wares of Eat Street. To implement a temporary alcohol free zoning upon the reserve for the duration of the Festival, would deprive those that would only drink socially and responsibly.

However, Council could chose to apply restrictions to Riverside Park, prohibiting consumption of alcohol between the hours of 10pm and 8am for the duration of the Granite Town Festival. This would enable families to partake of an alcoholic drink if they chose to do so whilst providing the Police with a mechanism to enforce alcohol restrictions after 10pm.

PSR15/047 INFRASTRUCTURE DESIGN STANDARDS

E13.7268

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

Attachments: 1. Under Separate Cover - draft Infrastructure Design Standards
2. Confidential - draft Infrastructure Design Standards - submission

Focus Area: Productive Communities

Delivery Program Link: P3.1 Provide development assessment services

Operational Plan Link: P3.1.6 Develop engineering design standards for new subdivision works

EXECUTIVE SUMMARY

On 9 June 2015, Council endorsed the draft Infrastructure Design Standards for exhibition. During this period, only one formal submission was received and the matters raised were related to removing ambiguity and seeking clarification. A copy of this is attached for councillors' perusal.

A workshop was held on 20 August 2015 with Council staff and local consultants. During the workshop a number of issues were identified, mostly relating to clarification and ambiguity, and the necessary amendments were made. These were presented to Council in the briefing of 22 September 2015.

This report recommends adoption of the draft Infrastructure Design Standards by Council.

RECOMMENDATION

THAT Council

1. Adopts the draft Infrastructure Design Standards attached to this report with the changes made in response to the consultation process.
2. Thanks the local consultants for their input and assistance in finalising the draft Infrastructure Design Standards.

BACKGROUND

Council has developed and upgraded its development construction specifications since 1998 utilising various independent industry standards as a benchmark.

The Infrastructure Design Standard (IDS) reflects current design and construction practices. It sets out the quality of the infrastructure expected of the development community for the delivery of new infrastructure undertaken within Eurobodalla. This will ensure that the quality of assets received, meets an acceptable and consistent design standard which will apply to all works carried out on Council, Crown or private land.

The draft IDS was prepared in consultation with other councils and Council's Infrastructure Services Directorate.

Council supported the exhibition of the draft IDS on 9 June 2015 and during this period, only one formal submission was received which related more to seeking clarification and removing ambiguity.

PSR15/047 INFRASTRUCTURE DESIGN STANDARDS

E13.7268

Following the exhibition period, a workshop was held with Council staff and a number of external practitioners where a number of matters were identified, again mostly relating to clarification and ambiguity.

CONSIDERATIONS

Policy

The Engineering Design Standards Policy sets out what standards and specifications Council relies upon to design and construct infrastructure. This Policy will require a small amendment so that it references the IDS as the Code of Practice.

Asset

The IDS when completed and adopted, will ensure that assets intended to come under the control and maintenance of Council, will be designed to an appropriate standard, ensuring their functionality and minimising ongoing maintenance costs, thus impacting positively on Council's asset management requirements and costs.

Economic Development Employment Potential

Design standards which are well structured and provide consistency will improve the efficiency of the design and approval process thus reducing costs and delays to developers.

Financial

The IDS will ensure that assets will be of a quality that will ensure their functionality and minimise ongoing maintenance costs thus impacting positively on Council's asset management requirements and costs.

Community Engagement

Council has informed the community by providing information on Council's website; advertising on Council's noticeboard page in two local newspapers and providing a copy of the documentation to developers, consultants and other interested parties.

Public exhibition of the document was undertaken and a copy of the IDS was available at all three Council libraries together with a copy at Council's administration centre in Moruya.

A workshop was also hosted whereby the draft IDS was reviewed, and amendments made, by a number of consultants and Council staff.

The IDS was also introduced to many developers, builders and consultants who attended the Builders Forum held in July 2015 along with advice about where to access the document.

CONCLUSION

The draft IDS has been formulated by input from other councils and our Infrastructure Services directorate. The document has been reviewed by a number of consultants and amendments have been undertaken.

The IDS will provide the standards required by Council ensuring that quality and consistent infrastructure is built within our Shire.

It is recommended that Council adopt the Infrastructure Design Standards.

PSR15/048 DEVELOPMENT APPLICATION 58/16 EARTHWORKS - YARRAGEE ROAD, MORUYA WASTE TRANSFER FACILITY 95.8121.D

Responsible Officer: Gary Bruce – Divisional Manager Development Services

Attachments: Nil

Focus Area: Productive Communities

Delivery Program Link: P3.1 Provide development assessment services

Operational Plan Link: P3.1.1 Assess and determine Development Applications

Applicant: Eurobodalla Shire Council

Land: Lot 1 DP 529774, Yarragee Road, Moruya

Area: 4.05 hectares

Setbacks: Varied. Approx. 7m (min) to north boundary and 18m (min.) to west

Zone: IN1 – General Industrial

Current Use: Waste Storage and Sorting Facility

Proposed Use: Waste Storage and Sorting Facility

Description: Earthworks for purpose of reconstructing waste sorting storage area

Permitted in Zone: Yes (Div. 23, SEPP Infrastructure)

Reason to Council: Development of Council facility on Council land

Recommendation: Approval subject to conditions.

EXECUTIVE SUMMARY

The application seeks approval for placement of approximately 45,000m³ of virgin excavated natural material (VENM) at the former Moruya garbage tip to form a larger and more regular site for the current storage and sorting activities. The current application will facilitate an effective end-use for excavated material from the approved Brou landfill site which is the by-product from the creation of new waste storage cells.

Whilst there are potential environmental risks associated with such work on prior landfill sites, it is considered that these risks can be appropriately mitigated with the development of a soil and water management plan, leachate management review and careful on site management during construction.

The application is consistent with matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, relevant legislation, policy and development controls and accordingly is recommended for conditional approval.

**PSR15/048 DEVELOPMENT APPLICATION 58/16 EARTHWORKS - YARRAGEE
ROAD, MORUYA WASTE TRANSFER FACILITY**

95.8121.D

RECOMMENDATION

THAT pursuant to the provisions of Section 80 of the Environmental Planning and Assessment Act 1979, Development Application No. 58/16 in relation to Lot 1 DP 529774, Yarragee Road, Moruya be **APPROVED** subject to the conditions set out below:

- To ensure that the proposed development:
 - (a) achieves the objectives of the Environmental Planning and Assessment Act, 1979;
 - (b) complies with the provisions of all relevant Environmental Planning Instruments;
 - (c) is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies;
- To ensure the protection of the amenity and character of land adjoining, and in the locality of the proposed development;
- To minimise any potential adverse environmental, social or economic impacts of the proposed development;
- To ensure that all traffic, carparking and access requirements arising from the development are addressed; and
- To ensure the development does not conflict with the public interest.

GENERAL CONDITIONS

1. ***Approved plans***

The development must be carried out in accordance with the plans stamped and numbered 16/58 and supporting specifications and documentation, or as modified by any conditions of this consent, or as noted in red by Council on the approved plans. All building work must be carried out in accordance with the requirements of the *Building Code of Australia*.

Council Stamp No.	Plan No.	Date of Plan	Prepared by
16/58	1503-C2000, C2010, C2020, C2030, C2040, C2041, C2042 and C2050 (All Rev A)16/58	12 June 2015	NSW Government Public Works

Council Stamp No.	Document title	Date of document	Prepared by
16/58	Statement of Environmental Effects	August 2015	Garret Barry Planning Services Pty Ltd
16/58	Soils Lab Test Results	3 August 2015	Ryan Miles
16/58	Letter of Response	21 September 2015	Amanda Jones, Divisional Manager Waste Services

Note: Any alteration to the plans and/or documentation may require the lodgement of an application to modify the consent under s96 of the Environmental Planning and Assessment Act (EPA Act) 1979, or a fresh development application. Your Principal

**PSR15/048 DEVELOPMENT APPLICATION 58/16 EARTHWORKS - YARRAGEE
ROAD, MORUYA WASTE TRANSFER FACILITY**

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Certifying Authority should be consulted prior to any works contrary to this consent being carried out.

Where there is an inconsistency between the documents approved with this consent and the following conditions, the conditions shall prevail to the extent of that inconsistency.

[2.05a]

2. *Landfill*

The fill material imported to the site is to consist of clean fill material only, that is, non-contaminated excavated material (i.e. soil or similar material). Putrescible and non-putrescible solid waste, including demolition material, is not permitted. Testing of source material is to be carried out at regular intervals during construction to ensure the continued absence of acid sulphate material. Results of those tests are to be reported to Council and placed on public record.

PRIOR TO COMMENCEMENT OF WORKS

3. *Soil and Water Management Plan*

Prior to commencement of works the proponent shall prepare a comprehensive Soil and Water Management Plan (SWMP). The SWMP shall be submitted to and approved by Council. The SWMP is to be prepared by a suitably qualified professional and shall address the following issues to the satisfaction of Council:

- i) Review and provide recommendations for the existing leachate and water management system to manage water quality at the site to applicable EPA Guidelines. The review shall include review of the proposed imported materials and construction techniques and designs. The review shall include all necessary changes to manage the leachate, soil and water for the proposed landform, including erosion controls. Adequate provision is to be made to maintain discharges at predevelopment flow.
- ii) Review and provide recommendations for the construction leachate and water management system to manage water quality to applicable EPA Guidelines during the construction and filling operations.
- iii) Soil and water management shall be prepared in accordance with "Managing Urban Stormwater: Soils and Construction – Volume 1, Landcom 2004", noting that typical erosion control and sediment management measures may not be applicable at this site.
- iv) Noise and dust management provisions are to be included in the plan.

4. *Geotechnical Report*

Prior to commencement of works, a geotechnical report by a qualified engineer shall be submitted to and approved by Council. The report is to provide best practice management recommendations based on type and quality of fill material, and provide measures appropriate to the particular circumstances of the site to ensure that the fill is appropriately compacted so as to avoid damage due to any failure of the battering. Any

**PSR15/048 DEVELOPMENT APPLICATION 58/16 EARTHWORKS - YARRAGEE
ROAD, MORUYA WASTE TRANSFER FACILITY**

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recommendations are to be strictly adhered to.

5. *Dilapidation Report*

A road dilapidation report shall be prepared for all non-arterial roads likely to be used by construction traffic prior to construction and after construction is complete. A copy of the report shall be provided to Eurobodalla Shire Council. Any damage resulting from the construction of the project, aside from that resulting from normal wear and tear, shall be repaired at the cost of the proponent.

DURING CONSTRUCTION

6. *Approved Plans to be On-Site*

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of Council or the Principal Certifying Authority. [2.22]

7. *Construction Hours*

All construction activities, including entry and departure of heavy vehicles are restricted to the hours of 7am to 6pm (Monday to Friday); 8am to 1pm (Saturday) and at no time on Sundays and public holidays.

Works outside these hours that may be permitted include:

- a) any works which do not cause noise emissions to be audible at any nearby residential property;
- b) the delivery of materials which is required outside these hours as requested by Police or other authorities for safety reasons; and
- c) emergency work to avoid the loss of lives, property and/ or to prevent environmental harm.

8. *Noise*

The proponent shall manage noise from construction activities so as not to exceed the following objectives:

- a) for a construction period of four weeks or less, the L10 level measure over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background level by more than 20dB(A)
- b) For a construction period of greater than four weeks but less than 26 weeks, the L10 level measured over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background level by more than 10dB(A).
- c) For a construction period greater than 26 weeks, the L10 level measured over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background noise level by more than 5dB(A).

**PSR15/048 DEVELOPMENT APPLICATION 58/16 EARTHWORKS - YARRAGEE
ROAD, MORUYA WASTE TRANSFER FACILITY**

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The proponent shall ensure that all feasible and reasonable noise mitigation and management measures are implemented with the aim to achieve applicable construction noise objective.

9. *Safety and Road Management*

Where there is a risk of losing material, construction vehicles using public roads shall be maintained and covered to prevent any loss of load, whether in the form of dust, liquid or soils. Construction vehicles and construction roads shall be maintained in such a manner to minimise tracking of any track mud, dirt or other material onto any street which is opened and accessible to the public. In the event of any spillage, the Proponent is required to remove the spilt material within 24 hours.

10. *Banks*

All the excavated and filled banks must be suitably retained or stabilised (totally within the site boundaries) as necessary to prevent the movement of soil and in accordance with appropriate professional standards. [11.10]

11. The Soil and Water Management Plan required by Condition 3 is to be implemented during construction works. The construction site and measures are to be actively monitored and reviewed to ensure that best practice water quality measures are in operation.

12. *Stormwater Runoff*

All runoff collected during construction which is likely to be contaminated, shall be tested, treated, handled and disposed of in accordance with the provision of the Protection of the Environment Operations Act 1997 and as indicated in the Soil and Water Management Plan.

13. *Heritage*

If during the course of construction the Proponent becomes aware of any heritage items or archaeological material, all work likely to affect the site(s) shall cease immediately and the relevant authorities, including NPWS, NSW Heritage Council and the relevant Local Aboriginal Land Council shall be consulted to determine an appropriate course of action prior to the recommencement of work at the site. Appropriate supporting documentation would need to accompany any application for required permit/consent(s).

PRIOR TO COMMENCEMENT OF USE

14. *Public Utility Adjustments*

Adjustments to the public utilities necessitated by the development shall be completed prior to occupation of the development and in accordance with the requirements of the relevant authority, all at no cost to Council. [0209]

**PSR15/048 DEVELOPMENT APPLICATION 58/16 EARTHWORKS - YARRAGEE
ROAD, MORUYA WASTE TRANSFER FACILITY**

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15. *Land Rehabilitation*

To ensure satisfactory screening of the facility and assist with stabilisation of fill, the north and west batters must be prepared (tilled/ tyned) and seeded with native grasses and shrubs upon cessation of fill works. Erosion control measures must remain in place until a stabilising ground cover has been established.

16. Prior to the use of the development an inspection will be required to ensure formal compliance with the conditions of this consent. In this respect the Principal Certifying Authority, or if no building work is required, then Council should be contacted to arrange for an inspection. [2.15]

DURING USE

17. Any ongoing requirements of the Soil and Water Management Plan are to be followed with an active monitoring procedure to ensure that best practice water quality measures are in operation.

ADVISORY NOTES

i. *Remediation*

The subject site has been identified as being potentially contaminated as a result of its prior and current use. This approval has not required remediation of the site pursuant to cl. 7(1)(b) of State Environmental Planning Policy 55 as there is no change of the current usage of the site. Any future consent for a more sensitive end use on the subject allotments will trigger the need for remediation.

ii. *Noxious Weeds*

Landholders have legal obligations under the Noxious Weeds Act to prevent the spread of undesirable and invasive species and to ensure the preservation of bushland. All noxious weeds should be removed and continually suppressed. A list of noxious weeds may be obtained from Council or viewed on its web site.

BACKGROUND

Council operates a waste transfer and recycling centre at the former Moruya landfill site which is situated off Yarragee Road. Council ceased landfill storage at the property in the late 1990s and currently uses the property for temporary storage, sorting and transfer of waste materials. In 1996 consent was granted for metal clad industrial buildings on the property. Plans indicate recycling bays, dams, parking areas and several proposed buildings for the stated purpose as "Moruya Waste Transfer and Recycling Station Office and Storage Buildings". These buildings have been erected and are the administrative centre of current operations.

The subject development application was submitted on 10 August 2015 and seeks approval for placement of approximately 45,000m³ of virgin excavated natural material (VENM) at the former Moruya garbage tip to form a larger and more regular site for the current storage and

**PSR15/048 DEVELOPMENT APPLICATION 58/16 EARTHWORKS - YARRAGEE
ROAD, MORUYA WASTE TRANSFER FACILITY**

95.8121.D

sorting activities. The current application will facilitate an effective end-use for excavated material from the approved Brou landfill site which is the by-product from the creation of new waste storage cells.

CONSIDERATIONS

Policy

Policy Context

Relevant Acts, environmental planning instruments, control plans and policies include the following:

1. Environmental Planning and Assessment Act 1979 (the Act) and Regulation
2. South Coast Regional Strategy
3. State Environmental Planning Policy 55 – Remediation of Land
4. State Environmental Planning Policy 44 – Koala Habitat Protection
5. State Environmental Planning Policy (Infrastructure) 2007
6. Eurobodalla Local Environmental Plan 2012
7. Industrial Zones Development Control Plan

The application has been assessed in accordance with the provisions of the Act and relevant legislation, planning instruments and policies detailed above and is generally consistent with aims, objectives and provisions. The development is permissible with consent, and based on figures provided by the applicant, the proposed works do not trigger designated development provisions nor require any integrated permits or approvals. A detailed assessment against the matters of consideration in accordance with Section 79C of the Act is contained on the file. Main issues of relevance to the application are discussed below.

Environmental

The existing topography of the site is the product of substantial disturbance which can be attributed to its use for approximately 80 years for the purpose of landfill and waste management. The proposed fill has been designed to fit with the depressions which exist on site. The works will have limited (if any) visual presence from the access handle and no impact from Yarragee Road. The works are satisfactorily setback from property boundaries and will be supported by batters. Conditions are recommended to ensure that the batters be landscaped to ensure that erosion impacts are reduced and to assist with blending the modified topography with its natural surrounds.

The property is predominately clear of trees and no significant vegetation was observed on site during a site inspection. The site has been subject to heavy disturbance due to prior activities and the current proposal is unlikely to have a detrimental impact upon any existing significant vegetation.

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The applicant has carried out source material testing which has concluded a low likelihood of acid sulphate soils being present. Acid sulphate soils have the potential to cause significant environmental harm and whilst the likelihood of occurrence is low, it is considered prudent to ensure that continual monitoring and testing is carried out during works to guarantee material is not exposed. A condition is recommended in this respect.

Water collecting on site is currently directed to a leachate management dam, a closed cycle system which distributes water from the dam at the lower portion to the top of the site. The plans have been inspected by Council's Development Engineer who has indicated that there are risks associated with importing the fill and changing the leachate management system, both during and post construction. The Engineer has provided that these risks can be addressed via the development of a soil and water management plan, leachate management review and careful on site management during construction. Conditions are recommended in this respect.

Social Impact

The proposed works will facilitate the ongoing efficient operation of a valued Council managed facility and is considered to have a positive social impact to the local area and Eurobodalla generally.

Community Engagement

The application was publicly advertised between 19 August and 2 September 2015 in accordance with Council's Advertisement and Notification Code.

This process involved the placement of a notification sign at the Yarragee Road intersection/entrance to the property, notification by mail to adjoining property owners, placement of a notice in the local paper and the proposal was on display in Council's customer service office in Moruya.

No written objections were received during the public notification and advertising period, however informal comments and questions were made at Council's customer service counter from a neighbouring resident on 24 August 2015 with concerns relating to leachate management practices and whether a tree planting buffer would be contemplated. These issues have been central to the assessment process. Council can be satisfied that risks associated with leachate management will be adequately managed both during and post works via conditions of consent. Conditions are also proposed for satisfactory landscaping of batters to reduce incidences of erosion, however it is also possible that this landscaping may also provide the screening effect envisaged by the concerned party.

PSR15/048	DEVELOPMENT APPLICATION 58/16 EARTHWORKS - YARRAGEE ROAD, MORUYA WASTE TRANSFER FACILITY	95.8121.D
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CONCLUSION

The works will facilitate the ongoing efficient operation of a valued Council managed facility and is considered to have a positive social impact to the local area and Eurobodalla generally. The works are permissible with consent and, having regard to the merit assessment of the proposal, Council may be satisfied that the development has been responsibly designed in relation to the opportunities and constraints of the site and provides for acceptable levels of amenity for neighbouring residents.

Risks associated with the proposal can be adequately managed with the development of a soil and water management plan and geotechnical assessment which are required prior to commencement of work by recommended conditions of consent.

The proposal is assessed as reasonable for the site having regard to the matters for consideration under Section 79C of the Environmental Planning and Assessment Act and accordingly is recommended for conditional approval.

PSR15/050	DRAFT WATER GARDENS FLYING-FOX CAMP MANAGEMENT PLAN, BATEMANS BAY	E15.9191; E00.4896
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Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services

Attachments: 1. Under Separate Cover - draft Grey-Headed Flying-foxes Camp Management Plan

Focus Area: Sustainable Communities

Delivery Program Link: S4.1 Undertake environmental protection and restoration works

Operational Plan Link: S4.1.1 Implement natural resource, coastal and estuary projects

EXECUTIVE SUMMARY

To present and report to Council on the draft Water Gardens Grey-Headed Flying-fox (GHFF) Camp Management Plan.

Eurobodalla Shire Council commissioned a consultant to prepare the Water Gardens Flying-fox Camp. The Plan has been developed using information specific to the Water Gardens as well as drawing on experience from management of a wide range of other flying-fox camps. The Plan has also been informed by community opinions and ideas.

Flying-foxes have been recorded in high numbers at the Water Gardens since 2013. Numbers of flying-foxes fluctuate significantly, subject to the season and availability of food in the region. Peak numbers recorded at the Water Gardens exceed 20,000 individuals, primarily Grey-headed Flying-foxes (GHFF) (*Pteropus poliocephalus*).

The GHFF is protected under the *National Parks and Wildlife Act 1974* (NPW Act), and listed as vulnerable to extinction under the *NSW Threatened Species Conservation Act 1995* (TSC Act) and Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The species plays an important ecological function and is regarded as a 'keystone' species for its role in pollination and seed dispersal for forests.

Residents and businesses near the Water Gardens camp have experienced distressing levels of noise, odour and faecal droppings. Concerns have also been raised about health and amenity.

A range of views have been expressed by the community about how the site should be managed, and some of these opinions are strongly held. These views ranged from culling and dispersal to 'do nothing'. However, the majority of feedback from the community received via the face-to-face discussions and meetings, written correspondence and the 'Flyingfoxengage' survey favoured flying-fox camp management measures that:

- provide a long term solution
- do not move the camp to sites near other residents or businesses
- do not harm the flying-foxes
- do not degrade the natural values of the site.

PSR15/050	DRAFT WATER GARDENS FLYING-FOX CAMP MANAGEMENT PLAN, BATEMANS BAY	E15.9191; E00.4896
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Actions recommended in the Plan have been identified because they are:

- likely to be effective in targeting the areas that are most significantly impacted by noise, odour and faecal drop
- relatively low cost
- relatively low risk to the community and to flying-foxes
- simple and quick to implement because they do not require further detailed studies or approvals
- supported by most of the community based on the wide range of feedback received.

The recommended suite of actions are to:

- maintain the buffer zones that Council created in August 2015
- subsidise services and building modifications such as free rental access to a high pressure cleaner, and car and washing line covers for selected residents
- remove exotic palm trees in surrounding areas
- enhance facilities at the Water Gardens e.g. remove rubbish and weeds, clean and repair the boardwalk, install signage
- provide ongoing community support and advice.

Culling and dispersal of the camp were not supported because experience from other sites shows that these approaches are not effective in the long term, and they are very expensive and require lengthy approvals with uncertain outcomes. These options would probably shift the camp to one or more other locations, which Council would then be responsible for managing under the conditions of approval. Finally, these options have significantly higher risks for the community and flying-foxes compared to the actions recommended in this plan.

RECOMMENDATION

THAT

1. Council publicly exhibit the draft Grey-Headed Flying-fox Camp Management Plan for a period of twenty one days.
2. A further report regarding the Grey-Headed Flying-fox Camp Management Plan be provided to Council following the exhibition period.

PSR15/050	DRAFT WATER GARDENS FLYING-FOX CAMP MANAGEMENT PLAN, BATEMANS BAY	E15.9191; E00.4896
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BACKGROUND

On 23 June 2015 Council adopted the Grey-Headed Flying-Foxes Water Gardens, Batemans Bay report (PSR15/021). Motion 15/120 was passed and item 2 included:

THAT: Council appoint a consultant to prepare a Water Gardens Grey Headed Flying-fox Camp Management Plan for the Water Gardens with a projected budget of \$50 000.

This report is to deliver the draft Flying-fox Camp Management Plan for the Water Gardens to Council. A key objective of the Plan for Council is to address the concerns of the local residents and community near the Water Gardens and the broader community whilst not creating a conflict point between people and Flying-foxes elsewhere and managing the camp consistent with statutory requirements.

CONSIDERATIONS

The objectives of this project are to be consistent with those of the NSW Office of Environment & Heritage *Flying-fox Camp Management Policy 2015* and is to utilise the template from the NSW Government on Flying-fox management and considered both the NSW and Australian Government policies in regard to camp management. The Plan provides feasible options on managing the camp following community consultation and consideration of legislative requirements and research from other localities dealing with Flying-fox camps.

The objectives of the Plan are to:

- address the potential impacts of flying-fox camps on human health and amenity
- minimise the impact of camps on local communities
- provide a balance between conservation of flying-foxes and their impacts on human settlements
- clarify roles and responsibilities for OEH, local councils and other land managers such as managers of Crown lands
- provide options for land managers to obtain upfront licensing to improve flexibility in the management of flying-foxes
- enable land managers and other stakeholders to use a range of suitable management responses to sustainably manage flying-foxes
- require land managers to consider the behaviours, habitat and food requirements of flying-foxes when developing and implementing camp management plans
- improve understanding of the relationship between new development and existing flying-fox camps
- implement an adaptive management approach to camp management based on evidence collected as a result of the policy

PSR15/050	DRAFT WATER GARDENS FLYING-FOX CAMP MANAGEMENT PLAN, BATEMANS BAY	E15.9191; E00.4896
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- enable long term conservation of flying-foxes in appropriate locations by encouraging land managers to establish and protect sufficient food supplies and roosting habitat.

In summary, the Plan can be described as follows:

1. Overview: objectives and purpose and intention
2. Context: camp area, history of the camp, identification of flying-fox issues, classification of the land, management response to date, stakeholders, legislation.
3. Community considerations
4. Ecological considerations: flying-fox ecology
5. Identification and assessment of camp management actions
6. Implementation

Legal

The Grey-headed Flying-fox is listed as a vulnerable species under both the NSW *Threatened Species Conservation Act 1995* and the Commonwealth *Environment Protection and Biodiversity Act 1999* and accordingly any impact on the GHFF requires approval of both the NSW and Australian Governments. Flying-foxes are protected under the *National Parks and Wildlife Act 1974*.

Policy

The Plan is consistent with the NSW Office of Environment and Heritage Camp Management Plan Template and Policy to facilitate licensing of camp management actions over the next five years.

Environmental

GHFF are nocturnal, resting during the day in communal camps. The size of camps varies from a few individuals to thousands, fluctuating in response to local food availability and seasons.

Flying-foxes play a vital role in forest ecosystems as they pollinate flowers and disperse seeds. The numbers of flying-foxes have declined over recent times due to habitat clearance, natural events and culling. This decline, qualifies the animal for listing as a vulnerable species under NSW and Australian environmental law.

Social Impact

Conflict arises when flying-fox camp numbers are high and close to the residential and business properties. The main issues are noise, odour and faecal droppings. Further concerns relate to potential health risks, reduced amenity, vegetation damage by the flying foxes and perceived lack of management or care by Council and government authorities.

Financial

The Draft Plan has been funded by Council with financial and technical support from the Office of Environment and Heritage.

Any future actions associated with the Plan and endorsed by Council will require funding.

PSR15/050 DRAFT WATER GARDENS FLYING-FOX CAMP MANAGEMENT PLAN, BATEMANS BAY	E15.9191; E00.4896
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Community Engagement

A Steering Committee was established to assist with the draft Plan and met on 25 August 2015 and 16 October 2015. The website, social media, media outlets, and direct mailouts were utilised to promote and seek community input into the preparation of the draft Camp Management Plan.

Community consultation consisted of the Flying-fox engage online tool and face to face consultation was conducted at the following locations:

- Batemans Bay Village Centre, 1 Perry Street
 - Thursday 3 September 2015, 10am-3pm
 - Tuesday 8 September 2015, 10am-3pm
 - Tuesday 15 September 2015, 10am-3pm
- Moruya Markets, Riverside Park on Saturday 5 September 2015, 8am-1pm
- Batemans Bay Community Centre, 2 Museum Place on Tuesday 8 September 2015, 4pm-7pm

Additionally council and OEH staff have met residents on site, addressed correspondence and telephone enquiries for the past two years which has enabled identification of the issues and provision of information to residents and businesses.

It is proposed that the Draft Water Gardens Grey-headed Flying-fox Camp Management Plan be put on public exhibition for twenty one (21) days. The public notice would be promoted via advertisement in the local press and media releases.

Copies of the draft Plan will be exhibited on Council's website, Eurobodalla's three libraries, Customer Service Centre in Moruya and the Community Centre in Batemans Bay.

CONCLUSION

The development of the draft Water Gardens Grey-headed Flying-fox Camp Management Plan encompasses broad community consultation and options for the longer term management of the Camp. There is a wide range of diverse community views on the issue and the appropriate course of actions attempts to consider these views and provide a balance with consideration of costs, risk and effectiveness.

Any identified works associated with the draft Plan would require funding and further consideration by Council.

The community will have further opportunity to input into the draft Water Gardens Grey-Headed Fling-fox Camp Management Plan during the public exhibition period and thereafter a further report will be presented to Council.

IR15/043 LOCAL TRAFFIC COMMITTEE MEETING NO FOR 3 2015-16

E15.9002

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Strategic Objective: Productive Communities

Delivery Program Link: P2.1 Undertake advocacy activities to further the development of transport infrastructure and support future growth

Operational Plan Link: P2.1.2 Coordinate the Local Traffic & Development Committees

EXECUTIVE SUMMARY

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for the Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting of 10 September 2015 were:

- Traffic Management – Train Street, Broulee
- Signage – Bus Stop, Mossy Point
- Signage and Linemarking – Swimming Pool, Moruya
- Signage and Linemarking – Boat Ramp, Tomakin
- Special Event Application – Run for Teal Marathon Run, Batemans Bay
- Special Event Application – Dalmeny Dash Bike Ride, North Narooma to Dalmeny
- Special Event - Traffic Management and Parking Plan - Mackay Park, Batemans Bay
- Special Event Application – Lifecycle Regional Ride

RECOMMENDATION

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 3 of 2015-16 held on 10 September 2015 be received and noted.
2. Council Plan No 5156 Set AE Sheet 01 detailing the proposed signage and infrastructure adjustment associated with installation of a Bus Zone on Surfside Avenue, Mossy Point be approved.
3. Council Plan No 4026 Set M Sheet 7 detailing the proposed signage and linemarking on the swimming pool carpark adjacent Shore Street, Moruya be approved.
4. Council Plan No 5149 Set A Sheet 01 detailing the proposed signage and linemarking on the boat ramp carpark at the end of Kingston Place, Tomakin be approved.

IR15/043 LOCAL TRAFFIC COMMITTEE MEETING NO FOR 3 2015-16

E15.9002

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 3 for 2015-16 was held on 10 September 2015 in Council's Committee Room. It was attended by Councillor Neil Burnside (Chairperson), Karl Brough (Roads and Maritime Services), Sergeant Angus Duncombe (NSW Police Force), Heidi Hanes (Road Safety Officer) Dave Hunter (Traffic Officer) and Annette Thomas (Minute Secretary).

Apologies were received from Councillor Milton Leslight, Mrs Danielle Brice (representative for the Hon Andrew Constance MP) and Senior Constable Scott Britt (NSW Police Force).

MINUTES OF PREVIOUS MEETING

The Minutes of the Eurobodalla Local Traffic Committee Meeting No 2 for 2015-16 held on Thursday 13 August 2015 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

The Action Sheet outlining all of the committee's outstanding items was distributed to members. The following outstanding item was discussed:

2016.IN.003 Signage and Linemarking – Train Street, Broulee

At the committee meeting held on 13 August 2015, the representative of the NSW Police Force informed the committee that a police officer noticed that several vehicles travelling west on Train Street, leaving the school's precinct, were observed driving off the sealed road when turning left onto George Bass Drive. The cause of this manoeuvre was that vehicles turning right from Train Street onto George Bass Drive were queuing while waiting for a gap in traffic.

It was recommended on the 13 August 2015 that "The Traffic Officer is to investigate the traffic movements at the intersection of Train Street and George Bass Drive, Broulee and report back to the committee".

A two metre wide centre island was installed on this section of Train Street last year and this reduced the west bound single lane road width from 5.5 metres down to 4.5 metres. Prior to the new work there was no separate left turn lane and this situation has been retained since the installation of the centre island.

The committee considered whether the road could be widened so that vehicles turning left could slip past the queued vehicles turning right onto George Bass Drive. This scenario would mean that when a vehicle stops at the holding line waiting to turn left the drivers vision to south bound oncoming vehicles would be blocked by the vehicle waiting to turn right. The committee agreed that there should not be a widening of the road to cater for vehicles turning left.

To discourage drivers on Train Street from turning left off the seal and onto the grass area, it is proposed to extend the upright kerb through to George Bass Drive. This will also require an extension of the stormwater drainage system. No funds are available at this time for the work. A design and estimate will be undertaken and funding sources investigated.

IR15/043 LOCAL TRAFFIC COMMITTEE MEETING NO FOR 3 2015-16

E15.9002

Recommendation:

That a design and estimate be undertaken and funding sources investigated to install upright kerb on a section of Train Street, Broulee between George Bass Drive and the roundabout immediately to the east.

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

2016.RT.005 Signage – Bus Stops, Mossy Point

A request was received from Guide Dogs NSW/ACT to improve access at several bus stops in Mossy Point. This request is on behalf of a person with reduced vision who uses the bus stops on Surfside Avenue and Pacific Street, Mossy Point.

These two bus stops are not signed as regulated bus zones. They have a “J” sign to indicate the stop boarding points. It has been relayed that cars often park in these spaces, making it difficult to board buses at the designated spots, particularly for people with a disability.

It is proposed to remove the bus stop “J” sign on Surfside Avenue and install a regulated “Bus Zone” at the existing site on Pacific Street. This will mean all buses will set-down and pick-up on Pacific Street. The existing Surfside Avenue bus stop is not accessible due to a steep cross slope of the footpath. There will be a loss of two on-street car spaces.

This will not alter the buses south bound route, however the north bound buses will drive along Annetts Parade past Surfside Avenue, turn right onto Pacific Street and then loop back up Surfside Avenue and continue north along Annetts Parade. This will mean buses travel an extra 600 metres. The local bus company, Priors Bus Service are the only service that uses this route and they have agreed with the proposal.

The owners and occupiers of the adjoining house and shops have been written to and feedback sought. The house owner replied and asked that the signage be placed at least five metres away from their driveway. This request is not reasonable as at the moment vehicles can park to the edge of the driveway under the road rules. The intention is to minimise the loss of on-street parking near the shops.

The committee was shown Plan No 5156 Set AE Sheet 1 showing the proposed signage and infrastructure adjustment associated with installation of a bus zone on Surfside Avenue, Mossy Point. The committee supported the plan as presented.

Recommendation:

That Council Plan No 5156 Set AE Sheet 01 detailing the proposed signage and infrastructure adjustment associated with installation of a bus zone on Surfside Avenue, Mossy Point be approved.

IR15/043 LOCAL TRAFFIC COMMITTEE MEETING NO FOR 3 2015-16

E15.9002

2016.RT.006 Signage and Linemarking – Swimming Pool, Moruya

Council is in the process of rebuilding the public swimming pool carpark adjoining Shore Street, Moruya. The new work increases the off-street carpark capacity by 23 spaces. This is a cost effective increase in parking funded through developer contributions for car parking.

The carpark configuration has been altered so that there will be a single entry/exit point. Previously there were two entry/exit points. The western entry/exit has been removed and a bus bay installed at that location which will be a designated school bus stop. This bus stop will be for general school pick-up and set-downs as well as being available during school excursions and carnivals.

The committee were shown Plan No 4026 Set M Sheet 7 showing the proposed signage and linemarking associated with the pool carpark upgrade in Moruya. The committee supported the plan as presented.

Recommendation:

That Council Plan No 4026 Set M Sheet 7 detailing the proposed signage and linemarking on the swimming pool carpark adjacent Shore Street, Moruya be approved.

2016.RT.007 Signage and Linemarking – Boat Ramp, Tomakin

Council is in the process of rebuilding the boat ramp and carpark at Tomaga River. This facility is located at the end of Kingston Place, Tomakin. Construction includes widening and sealing of the cul-de-sac head and car/boat parking area. The concrete boat ramp will also be reconstructed. Timber bollards will be removed and the vehicle area delineated using upright kerb.

In the public consultation process members of the community pointed out that this is a multi-use area with other activities such as picnicking and swimming taking place. Most people agreed that the car and boat parking area should also cater for general car parking and that as most fishing activities start early in the morning, the parking area does not need to be regulated to prohibit general parking.

Two types of signs are proposed being No Parking and No Camping, the latter acting as a deterrent to long term camping. This was proposed by several people during the public consultation process.

The committee were shown Plan No 5149 Set A Sheet 01 showing the proposed signage and linemarking associated with the boat ramp carpark. The committee had no objection to this plan.

Recommendation:

That Council Plan No 5149 Set A Sheet 01 detailing the proposed signage and linemarking on the boat ramp carpark at the end of Kingston Place, Tomakin be approved.

IR15/043 LOCAL TRAFFIC COMMITTEE MEETING NO FOR 3 2015-16

E15.9002

INFORMAL ITEMS FOR DISCUSSION

2016.SE.003 Special Event Application – Run for Teal Marathon Run, Batemans Bay

A special event application has been received for the Run for Teal Marathon Run, Batemans Bay to be held on the Sunday 25 October 2015.

This Charity Fun Run sponsors ovarian cancer research. The event consists of a 6km, 14km, half and full marathon, all of which start and finish at Corrigan's Beach Reserve in Batehaven.

The first race starts at 7.30am and all events finish around 1pm. Runners from the 14km, half and full marathon legs will cross over the Batemans Bay bridge, through Surfside and turnaround at Cullendulla Creek. The route will be along the Beach Road shared path from Batehaven to the Batemans Bay CBD then across the bridge to again connect to the shared path on Wharf Road. Runners will then proceed through the flat section of Surfside via Myamba Parade and turnaround within the National Park adjacent to Cullendulla Creek.

There are no road closures with the runners using a mixture of shared paths, footpaths, nature strips and beaches. Traffic will be stopped at various intersection. Residents and businesses have been notified.

The committee was informed that a detailed traffic control plan signed off by a qualified person has not been submitted at this time. The applicant has relayed that a company has been engaged do the plans and they are expected to be submitted within 5 working days after the committee meeting. The overview traffic control plan was discussed and the committee agreed that traffic control should be used on Hanging Rock Place to stop vehicles when runners cross the road.

The committee were shown the traffic management plan and associated traffic control plan. The committee agreed that this is a class 2 special event. Approval for the event is subject to appropriate amended plans being submitted.

Recommendation:

That the Run for Teal Marathon Run, Batemans Bay be approved based upon the submitted traffic management plan and overview traffic control plan, and subject to submission of a detailed traffic control plan which includes showing traffic control on Hanging Rock Place.

2016.SE.004 Special Event Application – Dalmeny Dash Bike Ride, North Narooma to Dalmeny

A special event application has been received for the Dalmeny Dash Bike Ride to be held on Saturday 10 October 2015 from 8am to 12pm.

This is a fundraiser for the Narooma Public School and consists of a ride along the shared path from the Bar Beach reserve at North Narooma through to the reserve opposite the Dalmeny shops. Cyclists, rollerbladers and skateboarders are encouraged to attend.

Funding has been made available through the NSW Government Bike Week to promote bike safety. Council's Road Safety Officer is assisting the P&C in organising the event. Entry fee is \$5

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E15.9002

and family participation is encouraged. Equipment will be checked and advice given regarding bicycle safety and maintenance.

Younger children and their families or carers are expected to turnaround at Kianga with others travelling through to Dalmeny for the turnaround. There will be a sausage sizzle at lunch time.

The Narooma Public School P&C are hosting the event and will provide marshals to ensure it is run safely, including stopping participants as necessary at road intersections. Event warning signs will also be placed along the shared path and on the road at intersections and at other critical locations.

The committee were shown the traffic management sketch and associated traffic control plan. The committee agreed that this is a class 3 special event and had no objections to these plans.

Recommendation:

That the Dalmeny Dash Bike Ride, North Narooma to Dalmeny be approved based upon the submitted traffic management sketch.

2016.SE.005 Special Events Traffic Management and Parking Plan – Mackay Park, Batemans Bay

A traffic management plan has been prepared for the running of events at Mackay Park, Batemans Bay. This is a generic plan that will cater for most large events such as the caravan and camping show and music festivals.

The plan is based on the transport management plan which was used for the South Coast Caravan and Camping Expo. In the past individual event applicants have been required to submit a Development Application. The modified plan will be submitted to Council for Development Approval later this month.

Where practicable, event organisers will be encouraged to include use of public buses and pick-up/drop off services to accommodation, particularly where alcohol is being served at an event.

The committee were shown the traffic management Plan No 5156 Set AG Sheet 01 and supported the plan as presented.

Recommendation:

That the traffic management Plan No 5156 Set AG Sheet 01 is endorsed for use at Mackay Park, Batemans Bay for typical large special events.

2016.SE.006 Special Event Application– Lifecycle Regional Ride

The Lifecycle Regional Ride (LRR) is a cycling tour; visiting Southern NSW communities during October 2015 to raise awareness of the Leukaemia Foundation services for patients with leukaemia, lymphoma, myeloma and related blood disorders in the region. It starts and finishes in Canberra from the 15 to 24 October 2015. The Eurobodalla section will be on the Sunday 18 and Monday 19 October.

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E15.9002

The event involves up to 36 cyclists with two support vehicles. The cyclists propose to start about 25km out of various towns, after they meet up with local riders. On Sunday cyclists will enter the Eurobodalla Shire via Araluen Road and travel through Moruya and finish at Moruya Heads. On Monday they will cycle along the coast roads to Batemans Bay. The participants will then travel via vehicle southwards towards Bega.

This is a small cycling tour with minimal impact on public roads. Participants are expected to obey the road rules and will ride on shared paths where available. This event is within the RMS "Guide to Traffic and Transport Management for Special Events" and under item 3.4 is classified as a class 3 special event. The committee agreed that approval by the Local Traffic Committee is not required.

The committee were shown a plan of the route.

Recommendation:

That the intention to hold the Lifecycle Regional Ride to raise awareness of the Leukaemia Foundation services is noted.

2016.IN.005 Traffic Management – Cranbrook Road, Batemans Bay

The representative of the NSW Police Force informed the committee that a business owner based in the Batemans Bay industrial area has expressed a concern about traffic on Cranbrook Road since the Bunnings Warehouse has been in operation.

The business owner stated that long queues of vehicles occur, blocked by propped vehicles turning right from Cranbrook Road into the Bunnings Warehouse and this sometimes queues back along the Princes Highway to the north. The police representative said they would monitor the situation, particularly over the Christmas holiday period.

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee is to be held on Thursday 8 October 2015 in the Council's Glass Room commencing at 9.30am.

IR15/044 SES LOCAL CONTROLLER - APPOINTMENT

E99.3427

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Confidential - Confidential Attachment - SES Local Controller - Appointment
2. Confidential - Summary of SES Local Controller's Experience

Focus Area: Liveable Communities

Delivery Program Link: L4.4 Provide support for emergency management and response

Operational Plan Link: L.4.4.1 Provide and maintain Rural Fire Service and State Emergency Service buildings

EXECUTIVE SUMMARY

The State Emergency Service Act 1989, as amended, requires that the Commissioner may, on the recommendation of the council of a local government area, appoint one or more persons as a Local Controller for an area for the State Emergency Service. The appointment is for a period of two years.

In August 2015, the State Emergency Service (SES) Region Controller conducted a recruitment process to appoint an SES Local Controller for the Eurobodalla.

The SES Region Controller now seeks Council's endorsement of the preferred applicant whose name appears in the confidential attachment.

RECOMMENDATION

THAT the State Emergency Service Region Controller be advised that Council has no objection to the appointment of the person named in the confidential attachment as the State Emergency Service Local Controller for the Eurobodalla.

BACKGROUND

The State Emergency Service perform an invaluable role in assisting the community in flood and storm preparedness and emergency response. The Eurobodalla and regional SES work closely with Council and other agencies to perform this important community function, with many local people volunteering their time freely to assist the community.

The State Emergency Service Act 1989, as amended, requires that the Commissioner may, on the recommendation of the council of a local government area, appoint one or more persons as a local controller for the area.

CONSIDERATIONS

The SES Region Controller and the Deputy Region Controller conducted a recruitment process to appoint a SES Local Controller for the Eurobodalla. The recruitment process complied with equal employment opportunity principles.

IR15/044 SES LOCAL CONTROLLER - APPOINTMENT

E99.3427

As required under the State Emergency Service Act 1989, the SES Region Controller is now seeking Council's endorsement of the preferred applicant for the position of SES Local Controller for the Eurobodalla so that this person can be formally appointed.

The SES has undertaken the recruitment process in an appropriate manner. The SES has confirmed that the recommended applicant has suitable background and experience in emergency management to undertake the role of Eurobodalla Local Controller. There are no objections to the appointment of the person named by the State Emergency Services as per the confidential attachment.

The scope of the Local Controller's position includes:

- Operational Management
- Administrative Management
- Planning and Emergency Risk Management
- Volunteer Management
- Liaison and Representation.

CONCLUSION

The SES is seeking Council support to confirm the request from the SES Region Controller for the appointment of the person named in the confidential attachment as the SES Local Controller for the Eurobodalla. This course of action is supported.

**IR15/045 BATEMANS BAY STREETSCAPE SUNSET ADVISORY COMMITTEE -
SELECTION OF REPRESENTATIVES**

E15.9271

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Confidential - Nominations for Representation on the Committee
2. Confidential - Nomination from Batemans Bay Chamber of Commerce
3. Confidential - Evaluation of Nominations for Representation on the Committee

Focus Area: Liveable Communities

Delivery Program Link: L5.1 Implement Council's recreation and open space strategy, priority plans of management and master plans

Operational Plan Link: L5.1.1 Deliver capital and renewal works program

EXECUTIVE SUMMARY

To seek Council's consideration and determination of the two community and two business representatives on the Batemans Bay Streetscape Sunset Advisory Committee.

Council resolved on 11 August 2015 to form the Batemans Bay Streetscape Sunset Advisory Committee (Minute No 14/48) as follows:

THAT:

1. *The Batemans Bay Streetscape Sunset Advisory Committee be formed to undertake the role detailed in the terms of reference.*
2. *The committee remain in place until the project is completed.*
3. *The Batemans Bay Streetscape Sunset Advisory Committee consist of the following representatives:*
 - a. *three Councillors – one to be the Mayor as Chair*
 - b. *the Batemans Bay Chamber of Commerce President or his delegate*
 - c. *two community representatives*
 - d. *two business representatives.*
4. *Council appoint Councillor Rob Pollock OAM and Councillor Liz Innes, in addition to the Mayor, as its representatives on the Batemans Bay Streetscape Sunset Advisory Committee.*
5. *Expressions of interest be sought for the community and business representatives and this be advertised for a period of 21 days.*
6. *The Terms of Reference for the Batemans Bay Streetscape Sunset Advisory Committee be adopted.*

The Batemans Bay Chamber of Commerce has advised of their nomination for the position on the Committee.

Expressions of interest were sought for the community and business representatives and these submissions are attached for Councillors' consideration and determination.

**IR15/045 BATEMANS BAY STREETSCAPE SUNSET ADVISORY COMMITTEE -
SELECTION OF REPRESENTATIVES**

E15.9271

RECOMMENDATION

THAT:

1. The member of the Batemans Bay Chamber of Commerce, as advised in the confidential attachment to this report, be confirmed as a member of the Batemans Bay Streetscape Sunset Advisory Committee.
2. The two community and two business representatives, as per the confidential attachment to this report, be confirmed as members of the Batemans Bay Streetscape Sunset Advisory Committee.
3. A letter be written thanking all nominees for the Batemans Bay Streetscape Sunset Advisory Committee for expressing an interest in being on the Committee.

BACKGROUND

Advertisements were placed in the local newspapers on 19 and 26 August 2015 seeking Expressions of Interest for two community and two business representatives to be on the committee. A press release was also prepared.

Expressions of Interest closed on 9 September 2015 and 13 expressions of interest were received. Nine expressions of interest were received for the positions of community representatives and four for the positions of business representatives. The expressions of interest are attached for Council consideration and determination.

CONSIDERATIONS

The nomination from the Batemans Bay Chamber of Commerce is submitted for Council's consideration and confirmation.

Expressions of Interest have been received and are contained in the confidential attachment. Council may include the representatives of the Committee in the resolution of Council, once determined.

Once Council has determined the representation of the Committee, letters will be forwarded to those selected confirming their appointment to the Committee. Letters will also be sent to those that were not successful thanking them for putting themselves forward.

Community Engagement

Expressions of Interest seeking community and business representatives were sought by advertising on Council's noticeboard page in local newspapers on 19 and 26 August 2015.

CONCLUSION

The nomination has been received from the Batemans Bay Chamber of Commerce for representation on the Batemans Bay Streetscape Sunset Advisory Committee.

Council needs to determine the two community and two business representatives on the committee and confirm the nominated member from the Batemans Bay Chamber of Commerce by resolution of Council.

**IR15/046 TENDER NO 1401096 - ROSEDALE AND GUERILLA BAY PRESSURE
SEWERAGE SYSTEM**

E06.0086

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Confidential - Tender Evaluation

Focus Area: Sustainable Communities

Delivery Program Link: S1.1 Provide and renew sewer infrastructure

Operational Plan Link: S1.1.1 Deliver capital and renewal works program

EXECUTIVE SUMMARY

Council has completed the investigation and design of the Rosedale and Guerilla Bay Sewerage Scheme and has allocated funds in the 2015-16 Operations Plan for the construction of the scheme.

Stage 1 of the work includes the construction of a balance tank at the Tomakin Sewage Treatment Plant to enable the plant to accommodate the additional peak flow and the construction of a sewage pumping station at George Bass Drive that will collect sewage from the existing Rosedale urban area and from future development of the Rosedale urban expansion zone. Tenders for Stage 1 were considered at the Council meeting on 23 June 2015, and a construction contract has been awarded.

Stage 2 of the work includes the installation of low pressure sewerage systems at Rosedale and Guerilla Bay and the construction of transfer mains to deliver sewage to the Rosedale Sewage Pumping Station and to the Tomakin Sewage Treatment Plant respectively.

A Request for Tenders was advertised for Stage 2 works during August 2015 and upon close of tenders six tenders were received. This report outlines the evaluation of the submitted tenders and provides a recommendation for Council's consideration.

As the project is eligible for financial assistance under the NSW Country Towns Water Supply and Sewerage Program, the State Government must endorse the tender recommendation and grant authority to proceed before a contract is awarded.

RECOMMENDATION

THAT, subject to State Government approval to proceed, Council accepts the tender identified as the preferred tender in the confidential attachment for the construction of a pressure sewerage system at Rosedale and Guerilla Bay.

BACKGROUND

Council proposes to sewer the villages of Rosedale and Guerilla Bay to improve the environmental and public health of those communities. The project is identified as a major project in Council's 2015-16 Operations Plan *SA00611 Rosedale and Guerilla Bay Sewerage Scheme* (page 47) and has budget allocations of \$5M in 2015-16 and \$2M in 2016-17.

**IR15/046 TENDER NO 1401096 - ROSEDALE AND GUERILLA BAY PRESSURE
SEWERAGE SYSTEM**

E06.0086

A Request for Tenders for the construction of the pressure sewer scheme was advertised during August 2015. Upon close of tenders, submissions were received from the following contractors:

- Ledonne Construction Pty Ltd
- Zinfra Pty Ltd
- Precision Civil Infrastructure Pty Ltd
- Codmah Pty Ltd
- CBK Constructions Pty Ltd
- ITS Pipetech Pty Ltd

A summary of the evaluation, including each tenderer's scoring against the evaluation criteria is provided in the confidential attachment to this report.

The contract period is 62 weeks from the Date of Contract, including six weeks allowance for pre-construction activities and four weeks allowance for post-construction documentation. The contract allows for extensions of time for inclement weather and other delays that are beyond the control of the contractor. Should a contract be awarded on 2 November 2015, it is anticipated that construction will be completed during December 2016.

CONSIDERATIONS

Legal

Request for Tender (RFT) No 1401096 was advertised in accordance with clause 167 of the Local Government (General) Regulation 2005 and the Local Government Act 1993.

The tender was advertised on Council's noticeboard page in local newspapers, in the Sydney Morning Herald, and on the NSW Government's online eTendering system at <https://tenders.nsw.gov.au>.

Upon release of the RFT a formal Tender Evaluation Plan (TEP) was distributed amongst the Tender Evaluation Committee.

The offer submitted by the preferred tenderer has been assessed as representing best value for money for Council and has satisfactory:

- financial capacity, quality, WHS and environmental management systems
- capability and experience, including past performance
- construction methodology, including preliminary construction program.

Policy

Procurement was managed by NSW Public Works, in accordance with Council's Procurement Policy, Code of Practice – Procurement, Code of Practice – Tendering, the Local Government

**IR15/046 TENDER NO 1401096 - ROSEDALE AND GUERILLA BAY PRESSURE
SEWERAGE SYSTEM**

E06.0086

Procurement Guidelines, Local Government (General) Regulation 2005 and the Local Government Act 1993.

Environmental

The new sewerage scheme will replace the existing on-site sewage management systems in the two villages, improving environmental and public health outcomes.

Social Impact

The communities of Rosedale and Guerilla Bay have been extensively consulted during the design phase of the project to ensure that the impact of the proposed sewerage scheme on individual property owners' amenity is minimised.

The contractor is required to consult extensively to ensure impacts during construction are also minimised.

Financial

The project is eligible for financial assistance of up to 41% of eligible project costs under the NSW Country Towns Water Supply and Sewerage Program.

Council has allocated \$7M in the 2015-16 and 2016-17 financial years to construct a pressure sewerage scheme to service the existing villages of Rosedale and Guerilla Bay and has budgeted for grant income of \$2.9M.

Community Engagement

Initial community engagement was undertaken in the concept development phase of the project to assist in identifying the preferred option of a pressure sewerage scheme.

The community has been kept informed through providing regular newsletters to property owners on project progress, and an additional public meeting in Guerilla Bay to address particular concerns. These newsletters will continue until project completion.

Council has liaised directly with all landowners regarding the positioning of the individual systems within their property.

CONCLUSION

The tender process has been conducted in accordance with mandatory Council and Local Government requirements. The tenders submitted have been assessed through an extensive evaluation and the preferred tender selected as offering best value for money.

The preferred tenderer, as identified in the confidential attachment, is therefore recommended to be awarded the contract for the Rosedale and Guerilla Bay Pressure Sewerage System.

FBD15/059 LICENCE TO OPERATE BOTANIC GARDENS CAFE

E87.6703

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: 1. Confidential - Licensee and Recommended Fee

Focus Area: Support Services

Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services

Operational Plan Link: SS3.3.4 Manage Council property to achieve best value to the community

EXECUTIVE SUMMARY

The Gardens Café (formerly the Chefs Cap Café) located within the Eurobodalla Regional Botanic Gardens has been operated under licence for many years. The current licence to operate the café expired on 31 August 2015 and the current licensee is operating on a carry-over basis.

An expression of interest for a new licence was called in July and one submission was received. It was submitted by the incumbent licensee who has been operating the café successfully for over five years.

Due to the uncertainty of timing for development of the visitor centre a twelve-month licence with a twelve-month option is considered appropriate.

This report recommends a new licence be granted to the incumbent licensee.

RECOMMENDATION

THAT Council grant a licence to operate the Gardens Café at the Eurobodalla Regional Botanic Gardens to the current lessee for a period of twelve months with a twelve month option with conditions in line with the current licence excepting the fee be the amount set out in the Confidential Attachment to Report FBD15/059 and the fee for the option term be increased in line with the CPI.

BACKGROUND

The Gardens Café (formerly the Chefs Cap Café) located within the Eurobodalla Regional Botanic Gardens has been operated under licence for many years. The current licence to operate the café expired on 31 August 2015 and the current lessee whose name is set out in the confidential attachment is operating on a carry-over basis.

Expressions of interest for a new licence were called for in July 2015.

CONSIDERATIONS

Only one submission was received from the call for expressions of interest.

It was received from the incumbent licensee who has been operating the café successfully for over five years.

Due to uncertainty to the timing of future development of the visitor centre it is proposed the new lease be granted for twelve months with a twelve month option.

FBD15/059 LICENCE TO OPERATE BOTANIC GARDENS CAFE

E87.6703

Legal

The conditions of the new licence are proposed to be in line with the conditions of the current licence excepting the proposed increase in the fee.

Asset

The café facility has limitations in terms of functionality for potential growth however future development work on the Garden's visitor centre may see opportunity for the café to be relocated and/or improved.

Economic Development Employment Potential

The Gardens are an important local tourist attraction and the café is a key part of its facilities.

Financial

The fee for the current licence and the proposed new licence fee is set out in the Confidential Attachment.

The fee for the Option period should be increased in line with the CPI.

Community Engagement

Expressions of interest were notified via local, Canberra and Sydney press, via Chambers of Commerce and the hospitality industry and the tenderlink portal.

CONCLUSION

Expressions of interest were publicly notified and only one submission was received. The submission from the current licensee, who has been operating successfully for over five years, is acceptable and a twelve-month licence with a twelve-month option should be granted.

FBD15/072 LICENCE FOR RED HOT SUMMER TOUR EVENT - MACKAY PARK

89.2899.B

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: 1. Confidential - Recommended Fee Structure
2. Under Separate Cover - Confidential - Event Plan

Focus Area: Support Services

Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services

Operational Plan Link: SS3.3.4 Manage Council property to achieve best value to the community

EXECUTIVE SUMMARY

The Red Hot Summer Tour is a music event that has been touring regional areas for the past seven years. Fifteen concerts are proposed in regional Australia for the 2016 Red Hot Summer Tour.

An event application has been received from Regional Touring Pty Limited, the company which promotes the Red Hot Summer Tour, to hold an event at Mackay Park, Batemans Bay on Saturday 2 January 2016. The licence is for three days that allows for set up and set down.

All aspects of the event have been assessed and benefits to the Shire recognized including the provision of high quality entertainment to regional areas and first class entertainment in a safe environment for all patrons, the generation of positive economic impact with local food, hospitality and trade services, the creation of economic opportunities for local community groups, and an increase in tourism visitation to the Shire.

This report recommends Council as Trust Manager for the Eurobodalla (North) Reserve Trust grant a three-day licence to Regional Touring Pty Limited to stage the Red Hot Sumer Tour event on Crown Reserve 580022, Mackay Park Reserve at Batemans Bay subject to appropriate licence conditions and fee structure.

RECOMMENDATION

THAT Council as Trust Manager for the Eurobodalla (North) Reserve Trust, in accordance with Section 108 of the Crown Lands Act 1989, grant a licence to Regional Touring Pty Limited to stage the Red Hot Sumer Tour event on Crown Reserve 580022, Mackay Park Reserve at Batemans Bay subject to terms and conditions including:

- (a) The licence period be from 1 to 3 January 2016 inclusive.
- (b) The fee be the amount set out in the confidential attachment to Report FBD15/72
- (c) Electricity usage will be charged in accordance with Council's adopted fees and charges.
- (d) Payment of a bond in the amount of \$3,000 paid 30 days prior to the event.
- (e) The provision of public liability insurance in the amount of \$20 million.
- (f) Compliance with the provisions of the event plan attached to Report FBD15/72
- (g) Compliance with the provisions of an approved DA for events held on Mackay Park.

FBD15/072 LICENCE FOR RED HOT SUMMER TOUR EVENT - MACKAY PARK

89.2899.B

- (h) Compliance with a Parking Management Plan approved by the Eurobodalla Local Traffic Committee
- (i) The Licensee to be responsible for the disposal of all waste brought onto or generated on the site and the reserve should be left in a clean and tidy state.
- (j) No glass receptacles are to be brought onto the reserve.
- (k) The Licensee to be responsible for making good any damage to the oval and other facilities used at Mackay Park during the event.

BACKGROUND

The Red Hot Summer Tour is a music event that has been touring regional areas for the past seven years. Fifteen concerts are proposed in regional Australia for the 2016 Red Hot Summer Tour.

An event application has been received from Regional Touring Pty Limited, the company which promotes the Red Hot Summer Tour, to hold an event at Mackay Park, Batemans Bay on Saturday 2 January 2016.

CONSIDERATIONS

The proposed open air concert will have a capacity of 3,500 patrons, however the expected number is 2,500.

The gates will open at 1.30pm with the entertainment commencing at 3.00pm concluding at 9.30pm.

The promoters will require a day either side to set up and set down.

Legal

Mackay Park is a Crown Reserve (580022) for public recreation under the Trusteeship of the Eurobodalla (North) Reserve Trust for which Council is Trust Manager.

The proposed event is a permissible activity subject to the granting of a licence. In accordance with the provisions of Section 108 of the Crown Lands Act 1989, Council as Trust Manager can grant a licence for a period of twelve months or less.

It is proposed a three day licence be granted.

Policy

The event complies with Council's Events Policy.

Environmental

The precinct is increasingly being set up as a major events precinct because noise impacts on the environment are more limited than other venues. Decibel limits are in place and the event finishes at 9.30pm to further limit the potential for noise complaints. Previously, the Blues Festival has been held at the same venue which finished at midnight.

FBD15/072 LICENCE FOR RED HOT SUMMER TOUR EVENT - MACKAY PARK

89.2899.B

Licence Conditions

- Electricity usage will be charged in accordance with Council's adopted fees and charges.
- Payment of a bond in the amount of \$3,000 paid 30 days prior to the event.
- The provision of public liability insurance in the amount of \$20 million.
- Compliance with the provisions of the attached event plan.
- Compliance with the provisions of an approved DA for events held on Mackay Park.
- Compliance with a Parking Management Plan approved by the Eurobodalla Local Traffic Committee
- The Licensee to be responsible for the disposal of all waste brought onto or generated on the site and the reserve should be left in a clean and tidy state.
- No glass receptacles are to be brought onto the reserve.
- The Licensee to be responsible for making good any damage to the oval and other facilities used at Mackay Park during the event.

Social Impact

The event organiser has advised the event is aimed at a diverse market of legendary Australian rock fans and music enthusiasts generally in the 25-year old plus demographic.

It states its aims include the provision of high quality entertainment to regional areas and first class entertainment in a safe environment for all patrons.

Economic Development Employment Potential

While the company is obviously planning the event for financial gain, it states its objectives also include:

- Generation of positive economic impact with local food, hospitality and trade services
- Creation of economic opportunities for local community groups – local community groups will be invited to apply for catering marquees at the event, and
- Enhance the visitor experience and increase in tourism visitation to the Shire – it is anticipated patrons will come from outside the Shire.

The public advertising of the event carried out by Red Hot Summer Tour has generated significant community interest and will increase the region's reputation as a vibrant destination.

Financial

The proposed fee structure and other costs are set out in the Confidential Attachment.

A \$3,000 bond should be applied and provided 30 days prior to the staging of the event.

CONCLUSION

The Red Hot Summer Tour as promoted should provide entertainment and economic benefit to the Shire and has the potential, if successful, to become a biennial attraction.

FBD15/072 LICENCE FOR RED HOT SUMMER TOUR EVENT - MACKAY PARK 89.2899.B

The lodgement of a DA for this and future events will assist in making Mackay Park an event friendly venue.

Subject to the approval of the DA for events at Mackay Park it is considered appropriate for a licence to be granted to stage the Red Hot Summer Tour event.

FBD15/073 ROAD CLOSURE - MILLER STREET, BATEMANS BAY

04.8630.E

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: 1. Under Separate Cover - Confidential - Valuation
2. Confidential - Applicant
3. Confidential - Recommended Sale Price

Focus Area: Support Services

Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services

Operational Plan Link: SS3.3.4 Manage Council property to achieve best value to the community

EXECUTIVE SUMMARY

Miller Street south of Golf Links Drive Batemans Bay is a gravel road that currently provides access to 6 Miller Street, 28 Golf Links Drive, 30 Golf Links Drive and is a legal access to the adjoining golf course.

An application has been received for the closure and purchase of that part of Miller Street providing for the creation of an easement for access in favour of the properties with direct access off that part of Miller Street including the golf course.

The applicant is a development company of which the registered proprietor of 30 Golf Links Drive is a director. If the road is closed and purchased by the company it is understood that the intention is to lodge a DA for a multi-storey residential complex over the combined site.

In accordance with Council's procedure for road closure applications, the proposal has been referred to relevant Council staff and notification given to appropriate authorities, neighbouring property owners and the general public, giving 42 days for submissions.

Objections have been received from the Catalina Country Club, however it is considered the basis for the objections is insufficient to warrant not supporting the application.

This report recommends that subject to the applicant entering into a Deed of Agreement undertaking to pay all costs, to consolidate the area of closed road with the adjoining property, to create easements for access in favour of the adjoining properties and to construct an access within the easement to a heavy vehicle standard approved by Council, Council make application to Crown Lands to close that part of Miller Street and if closed sell it to the applicant for fair sale value determined by a registered valuer.

RECOMMENDATION

THAT:

1. Subject to a Deed of Agreement being entered into with the applicant for the closure of part of Miller Street, Batemans Bay requiring the applicant to undertake to:
 - i. Pay all costs associated with the closure of part of Miller Street;
 - ii. Consolidate the area of closed road with the adjoining Lot 1 DP 1178623; and
 - iii. Construct an access to a heavy vehicle standard approved by Council within the

FBD15/073 ROAD CLOSURE - MILLER STREET, BATEMANS BAY

04.8630.E

easement servicing Lots 14 and 15 DP31469 and Lot 1 DP 1036103.

and under the same Deed of Agreement for Council to undertake to:

- i. Make application to the Crown Lands Division of the Department of Primary Industries to close that part of Miller Street, Batemans Bay south of Golf Links Drive subject to the creation of an easement for access 6 metres wide in favour of Lots 14 and 15 DP 31469 and Lot 1 DP 1036103 with the burdened property to be responsible for the construction and maintenance of the access; and
 - ii. sell the road, if closed, to the applicant for an amount set out in the Confidential Attachment to Report FBD15/070.
2. Application be made to the Crown Lands Division of the Department of Primary Industries to close that part of Miller Street, Batemans Bay south of Golf Links Drive subject to the creation of:
 - (a) An easement for access 6 metres wide in favour of Lots 14 and 15 DP 31469 and Lot 1 DP 1036103 with the burdened property to be responsible for the construction and maintenance of the access to a heavy vehicle standard; and
 - (b) An easement for water supply 6 metres wide.
 3. All costs associated with the closure application including Crown Lands' fee, survey and plan registration fees and Council's stage 2 processing fee of \$1,160 be borne by the applicant.
 4. If closed, the land be sold to the applicant for the amount set out in the Confidential Attachment to Report FBD15/070.
 5. Consent be given to affix the Common Seal of Council to:
 - (a) The Deed of Agreement
 - (b) The Contract for Sale
 - (c) The Transfer for the closed road.

BACKGROUND

Miller Street south of Golf Links Drive, Batemans Bay is a gravel road that currently provides access to 6 Miller Street (Lot 15 DP 31469), 28 Golf Links Drive (Lot 14 DP 31469), 30 Golf Links Drive (Lot 1 DP 1178623) and is a legal access to the adjoining golf course (Lot 1 DP 1036103).

An application has been received for the closure and purchase of that part of Miller Street providing for the creation of an easement for access in favour of the properties with direct access to that part of Miller Street.

The applicant is a development company of which the registered proprietor of 30 Golf Links Drive is a director. If the road is closed and purchased by the company, it intends to lodge a DA for a multi-storey residential complex over the combined site.

The name of the applicant and company members is set out in the Confidential Attachment.

FBD15/073 ROAD CLOSURE - MILLER STREET, BATEMANS BAY

04.8630.E

In accordance with Council's procedure for road closure applications, the proposal has been referred to relevant Council staff and notification given to appropriate authorities, neighbouring property owners and the general public allowing 42 days for submissions.

A plan showing the proposal is below.



CONSIDERATIONS

Asset

The closure of part of Miller Street and creation of an easement for access 6 metres wide in favour of the properties currently fronting Miller Street, will release Council from future maintenance obligations in that part of Miller Street.

A water main on the western side of the road will require an easement for water supply but will be contained within the site of the proposed easement for access.

No objections were received from other statutory authorities to the proposed closure.

Legal

In accordance with the Roads Act 1993, Council is the Roads Authority for public roads and whilst Council can recommend the closure of a road, it must be approved by the responsible Minister, currently the Minister for Lands and Water.

Before an application is made to Crown Lands for a road closure the proposal must be advertised in a local paper and notification given to all affected landowners and authorities giving a minimum 28 day submission period. This was extended to 42 days in this case.

Submissions are to be considered and objections resolved, or if Council forms the opinion that no further progress can be made, a report with a summary and assessment of the submissions/objections with a recommendation sent to Crown Lands for determination.

FBD15/073 ROAD CLOSURE - MILLER STREET, BATEMANS BAY

04.8630.E

As that part of Miller Street is formed and public money has been expended on it, upon closure the land will be vested in Council and able to be sold to the applicant.

An 88B Instrument will be required to create the easement for access and the easement for water supply.

To safeguard the interest of the landowners who will be benefitted by the easement for access, the registered proprietor of the former road will be responsible for the construction and maintenance costs of the access. This has been agreed to by the applicant.

To ensure the access is constructed, Council should enter into a Deed of Agreement with the applicant prior to the road closure application being made to Crown Lands providing for the Council to make the application subject to the applicants undertaking to construct the access to a heavy vehicle standard whether or not the proposed multi-storey residential development proceeds.

The Deed of Agreement should also provide for the area of closed road being consolidated with the adjoining Lot 1 DP 1178623.

Social

There is no adverse impact to the public as the road does not provide access to public facilities. The creation of a larger property within the R3 Medium Density Residential Zoning area will allow larger and more appropriate development in line with the zone objectives.

Policy

In accordance with Council's Land Acquisition and Disposal Policy the public road must be closed under the Roads Act 1993 to enable the sale of the land to proceed.

Community Engagement

Public notice of the proposal was published in the local print media and the landowners adjoining that part of Miller Street were contacted directly with a period of 42 days given for the receipt of submissions.

Objections were received from the registered proprietors of 6 Miller Street and 28 Golf Links Drive, however after discussions between the landowners and the applicants the objections were withdrawn.

An objection was also received from the Catalina Country Club Limited and despite discussions with the Club's President and CEO, it maintains its objections, namely:

"Miller Street is the only Emergency vehicle and Heavy vehicle access to the Clubs land. The Club requires a minimum of 99ft wide access for Heavy vehicle floating of earth works machinery to gain access to the golf course."

In accordance with the proposal, the easement for access will maintain access to the golf course at this point. As a fully constructed and maintained driveway it will provide improved emergency access than currently exists and will be constructed to a standard to accommodate heavy vehicles. The proposed 6 metre wide easement would be sufficient to accommodate

FBD15/073 ROAD CLOSURE - MILLER STREET, BATEMANS BAY

04.8630.E

heavy vehicles, “99ft” (30 metres) is not required and is not currently available. Miller Street is only 20 metres wide and contains a number of trees and other vegetation which currently impedes access to the golf course.

There are also existing and potential alternate accesses available for heavy vehicles. These are shown on the plan below.



The aerial photo and terrestrial photos below show the impediments to the current access in Miller Street to the golf course.



FBD15/073 ROAD CLOSURE - MILLER STREET, BATEMANS BAY

04.8630.E



Photo taken from Golf Links Drive.



Photo looking up Miller Street from the golf course.

FBD15/073 ROAD CLOSURE - MILLER STREET, BATEMANS BAY

04.8630.E

In an address during Public Forum at Council's Ordinary meeting held on 22 September 2015 a Club representative also raised a further objection claiming Miller Street may be required for access if in the future the Club decided to subdivide part of the links for residential development.

The land is currently zoned RE2 Private Recreation and would be required to be rezoned to a residential zoning to permit subdivision and given the land is subject to flooding it would be unlikely to be supported especially given there is flood free land within the Club's holding with road access that is better suited to residential use.

The Club's representative also advised the Club would like the opportunity to purchase the road if it were to be closed. However, unless the current applicants to the closure are guaranteed of purchasing the land to consolidate with the adjoining property, their application would be withdrawn and Council would have no basis to make an application to Crown Lands to close the road. If the Club made an application to close and purchase the road, the closure would look something like the following, leaving an 8 metre wide unencumbered strip between two rights of way which would not be viable for any development.



Financial

In accordance with Council's Land Acquisition and Disposal Policy all costs associated with the closure and purchase including Crown Lands' fee, survey and plan registration fees and Council's stage 2 processing fee of \$1,160 should be borne by the applicant together with payment of fair sale price determined by a registered valuer.

At the request of the applicant and at the applicant's cost, a registered valuer was commissioned to determine fair sale value prior to the lodgement of the closure application.

A copy of the valuation is set out in the Confidential Attachment.

The valuer has verbally advised that there has been no significant increase in vacant land value and therefore it is considered reasonable to rely on that determination.

FBD15/073 ROAD CLOSURE - MILLER STREET, BATEMANS BAY

04.8630.E

The recommended sale price is set out in the Confidential Attachment.

CONCLUSION

The proposal to close and sell part of Miller Street south of Golf Links Drive subject to the creation of an easement for water supply and an easement for access in favour of properties fronting that part of Miller Street including the golf course is considered acceptable despite the objections from Catalina Country Club Limited.

It is considered there is no sound basis for the objection as access will be maintained, indeed improved access for heavy machinery and emergency vehicles will be provided as a result of the proposed road closure proposal.

The closure and sale of part of Miller Street is considered beneficial as it will devolve Council of future maintenance responsibilities and facilitate quality development in this area.

Support for the closure is recommended.

FBD15/074 RELOCATION OF EMERGENCY HELIPAD - BATEMANS BAY

04.8526.D

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: Nil

Focus Area: Support Services

Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services

Operational Plan Link: SS3.3.4 Manage Council property to achieve best value to the community

EXECUTIVE SUMMARY

Redevelopment of the Batemans Bay Marina in accordance with the conditions of the lease granted by the Crown to Batemans Bay Marina Development Pty Limited has resulted in the cessation of emergency helicopter operations and critical patient transfers from Batemans Bay Hospital using the existing Helipad in Spinnaker Reach Reserve, Batemans Bay. There is now the immediate need to secure a permanent new site.

Operations are temporarily being undertaken at Mackay Park or alternatively Hanging Rock Reserve, however, neither of these reserves is suitable for a permanent location.

Southern NSW Local Health District which is responsible for the helipad is seeking to secure a new permanent helipad site as soon as practicable.

An alternate site has been identified within Spinnaker Reach Reserve but whilst Council as an approvals authority can approve a DA for a new facility, Council as Trust Manager for the Eurobodalla (North) Reserve Trust controlling the reserve cannot consent to a licence for the proposed new facility. It will require the Minister administering the Crown Lands Act 1989 to grant a licence under the provisions of the Crown Lands Act.

This report recommends Council as Trust Manager for the Eurobodalla (North) Reserve Trust support the relocation of the helipad and the granting of a long term licence to Southern NSW Local Health District over the new site by the Minister administering the Crown Lands Act 1989.

RECOMMENDATION

THAT Council as Trust Manager for the Eurobodalla (North) Reserve Trust support the relocation of the emergency helipad within Crown Reserve R89405 to an alternate site within the reserve and the granting of a long term licence to Southern NSW Local Health District over the new site by the Minister administering the Crown Lands Act 1989.

BACKGROUND

The emergency helipad located on Spinnaker Reach Reserve (being part of the area formerly known as Rotary Park) adjacent to the Batemans Bay Marina on Beach Road has been in operation for many decades. The facility was constructed by the Batemans Bay Rotary Club and maintained by the Club ever since. However, no formal arrangements or agreements were ever entered into. The site is used by a number of operators providing emergency rescue and critical patient transfer services, predominantly airlifting patients from Batemans Bay Hospital to specialist metropolitan hospitals.

FBD15/074 RELOCATION OF EMERGENCY HELIPAD - BATEMANS BAY

04.8526.D

As a result of the redevelopment of the Marina complex in accordance with the conditions of the lease granted by the Crown to Batemans Bay Marina Development Pty Limited, the existing helipad site is no longer usable.

Operations from the site have ceased and helicopter services are currently operating out of Mackay Park or alternatively Hanging Rock Reserve until a permanent site is established.

Southern NSW Local Health District is seeking to secure a new permanent helipad site as soon as practicable.

CONSIDERATIONS

Asset

The change in location is necessary because of the redevelopment of the adjoining Marina which is a requirement of the Marina's lease with Crown Lands.

Due to the requirements for this type of facility - proximity to the hospital, set back from residential development and clearance specifications surrounding the helipad, there are limited areas available. The uncertainty of timing of its use and the need for its 'immediate' use make sporting areas such as Mackay Park and Hanging Rock Reserve unsuitable as a permanent solution.

Spinnaker Reach Reserve is a passive recreation park and an alternate site west of the existing helipad is considered the most appropriate site. Whilst it would affect different residents, the proposed site is no closer to residential development than the existing facility.

A plan showing the relationship between the existing facility, the proposed site and the hospital is below.



Legal

Spinnaker Reach Reserve, being Crown Reserve R89405 for Public Recreation is under the trusteeship of the Eurobodalla (North) Reserve Trust for which Council is Trust Manager.

FBD15/074 RELOCATION OF EMERGENCY HELIPAD - BATEMANS BAY

04.8526.D

Whilst the zoning of the reserve, RE1 Public Recreation, permits a helipad, the purpose of the reserve, 'public recreation', under the Crown Lands Act 1989 precludes the same and therefore Council as Trust Manager would not be able to grant a licence for the operation of a helipad.

However, the Minister administering the Crown Lands Act 1989, currently the Minister for Lands and Water, can in accordance with Section 34AA of the Crown Lands Act grant a licence for a purpose not consistent with the reserve purpose if the Minister is of the opinion the 'secondary interest' is in the public interest and not likely to materially harm the use of the reserve.

As a passive recreation reserve, the relatively infrequent use of the helipad is unlikely to materially harm the reserve and the use is in the public interest.

Southern NSW Local Health District will be required to lodge a DA for the new facility and enter into a licence agreement directly with Crown Lands.

Policy

Section 1.1 of the Community Strategic Plan states 'Improve local access to health services'.

Environmental

There is no additional impact to the surrounding area as the existing helipad site is close by.

Social Impact

The provision of a helipad is paramount to the local community for ongoing emergency rescue operations and critical patient transfers from Batemans Bay Hospital to specialist hospitals in Canberra, Sydney and Wollongong.

Financial

All costs associated with the establishment of a new helipad facility will be the responsibility of Southern NSW Local Health District.

Community Engagement

Community consultation for the proposed new facility will be undertaken as part of the DA process.

CONCLUSION

The establishment of a new permanent helipad close to Batemans Bay Hospital is essential for the Batemans Bay community.

An alternate site within Spinnaker Reach Reserve is considered the most appropriate site given the requirements for the facility and the constraints associated with other reserves.

Support for the alternate site and the granting of a long term licence by the Minister administering the Crown Lands Act is considered appropriate.

**FBD15/075 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE
2015 - REFERRAL TO AUDIT**

E14.8016

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: Nil

Strategic Objective: 8: We work together to achieve our goals

Delivery Plan Link: Finance & Governance

Operational Plan Link: Provide reliable and timely financial information

EXECUTIVE SUMMARY

The purpose of this report is to refer the accounts to Audit and for Council and Management to sign off on the Draft Financial Statements for the year ended 30 June 2015. The Draft Financial Statements were distributed to the Audit Committee members on 14 October 2015. The Audit Committee is meeting prior to this Council meeting with the purpose of providing assurance to Council on signing the accounts.

RECOMMENDATION

THAT

1. The Draft Financial Statements for the year ended 30 June 2015 be referred to audit.
2. The Statement by Councillors and Management to be made pursuant to Section 413(2)(c) of the Local Government Act 1993 (as amended)(LGA) be signed by the Mayor, Deputy Mayor (or Councillor), General Manager and Responsible Accounting Officer at the Council Meeting on 27 October 2015.

BACKGROUND

A detailed timeline has been used to deliver the accounts in accordance with statutory timeframes.

Activity	Responsibility	Date (2015)
Draft trial balance – to auditors	Financial Accountant	3 October
Draft set of accounts – to Audit Committee	Financial Accountant	14 October
Auditors on site	Auditor	29 Sept - 2 October
Deadline for referral report	Financial Accountant	13 October for 27 October meeting
Audit Committee to discuss draft	Responsible Accounting Officer (RAO)/ Audit Committee	20 October
Council resolves to refer draft Financial Reports to Audit	RAO /Council/GM	27 October
Auditor sign-off	Auditor	28 October

**FBD15/075 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE
2015 - REFERRAL TO AUDIT**

E14.8016

Lodge Financial Reports with DLG	Financial Accountant	31 October
Public notification (min 7 days S418 (2))	Financial Accountant	14 November
Present Financial Reports to Council	RAO/Auditor C. Millington	24 November
Submissions close	Records	1 December (within seven days of presentation S420 (2))
Submissions – initial consideration	Audit Committee (if necessary)	To be determined (if required)
Receive report on submissions	RAO	TBD if required

In prior years only the General Purpose Financial Statements (GPFS) and the Special Purpose Financial Statements (SPFS) have been auditable. As per advice received from the Office of Local Government (OLG), methodologies applied in the completion of Special Schedule 7(a) are now also auditable.

The referral provides the authority or delegation for Councillors and Management to sign off on the Financial Statements. Following any required amendments Council will be provided with signed audit reports. The Financial Statements are then required to be lodged with the Office of Local Government (OLG) by 31 October 2015.

Following lodgment with the OLG the statements will be presented to Council at its ordinary meeting to be held 24 November 2015. The Council's external auditor assists Council with this. Preceding the meeting the statements will be publicly notified. Following the presentation seven days are allowed for submissions on the accounts for consideration by Council. An executive summary is then prepared and the auditor's presentation will be made available. Information will be available on the web site and included in the Annual Report.

CONSIDERATIONS

1. There is a positive net operating result after capital revenue of \$8.0m (2013-14 : \$3.5m). The result before capital grants and contributions is a surplus of \$1.5m. (2013-14 : \$(2.9)m). These are significant improvements on last year's results and are largely due to the receipt of an additional \$4m in capital grants and contributions, additional user charges from waste fees, campground and caravan park visitation and additional investment revenues. Other notable favourable increases result from operational cost savings in water and sewer of \$1.6m and \$0.4m in waste. Partially offsetting these favourable variations is the loss on sale of infrastructure assets that have been renewed before the end of their useful lives.
2. The Year End Budget Review, presented to Council at the Ordinary Meeting of 8 September 2015, indicated that Council had a year-end operating surplus of \$7.8m. The minor improvement in the operating surplus to \$8.0m is largely due to final allocation of expense accruals after all teams had completed their end of year procedures.

**FBD15/075 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE
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3. There is an operating surplus before capital items in the Sewer Fund of \$1.6m. (2013-14: \$0.1m). The improvement is mainly due to an increase in access and usage charges and savings in expenditure, reflective of current operational requirements. The Water Fund result is a surplus of \$0.5m before capital items. (2013-14: \$(0.1)m). The improved result is primarily due to an increase in water access and usage charges.
4. The unrestricted current ratio has increased to 3.09:1 and remains above the Office of Local Government benchmarked minimum of 1.5:1. This ratio is considered sound and demonstrates Council's ability to satisfy its short term financial obligations. The increase from last year's 2.85:1 is largely due to an increase in Council's long term investments from \$69.0m to \$79.5m.
5. Council assets are revalued on a five year cyclical basis. This year Council completed the road and carparks revaluation that commenced during 2013-14 and also revalued bridges, footpaths and stormwater drainage. The net effect of the revaluation is an increase in asset values of \$67.2m. Over the next financial year 'other structures', which include all of Council's parks and reserves will be revalued. This data is presented in Special Schedule 7 and the methodologies used are now auditable as per OLG requirements.
6. Infrastructure, plant and equipment asset additions of \$26.5m were recorded in 2014-15. (2013-14 : \$27.1m). As per last year the largest increase has been in road assets.

There are no known significant matters to be addressed at the time of writing the report (12 October 2015). An initial copy of the trial balance was provided to the auditors prior to their onsite audit and there have been no material changes to the audit documents since then. The auditor provides Council with a management letter in due course after the audit is completed.

Legal

Legal requirements include:

- Adherence to the OLG accounting code (which is based on generally accepted accounting practice).
- Annual Financial Statements must be referred to audit as soon as practicable after the end of the financial year.
- Audited statements must be lodged with the OLG by 31 October 2015.
- Seven days public notice of the "presentation" of audited financial statements is required.

Submissions may be made to Council on the statements up to seven days after they are presented to the public.

**FBD15/075 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE
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E14.8016

Policy

The principal accounting policies used in the preparation of these consolidated financial statements are disclosed in Note 1 of the draft statements. These policies have been consistently applied to all the years presented, unless otherwise stated.

CONCLUSION

The annual financial statements have been drafted and can now be referred to Audit for sign off, and be signed by Councillors and Management.

CAR15/012 HEALTHY COMMUNITIES AND SENIORS WEEK GRANTS 2015-16

E15.9006

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

Attachments: Nil

Focus Area: Liveable Communities

Delivery Program Link: L1.3 Implement recreation and community development initiatives

Operational Plan Link: L1.3.4 Coordinate Healthy Communities, Seniors Week and NAIDOC Week grants

EXECUTIVE SUMMARY

The Healthy Communities and Seniors Week Grants are funded annually by Council to eligible community groups in our Shire, promoting health and social participation. Grants are generally to the value of \$500.

In 2015 eighteen (18) applications were received. Eighteen (18), to the value of \$10,540 were assessed as eligible.

RECOMMENDATION

THAT:

1. Council approve the recommendations detailed in the confidential attachment, awarding Healthy Communities Grants and Seniors Week Grants to the value of \$10,540.00 to 18 local groups and organisations for the 2015-16 financial year.
2. Council approve the transfer of \$1,915.00 in unallocated Healthy Communities Grants and Seniors Week Grants to the fund for NAIDOC Week Grants in June 2016.

BACKGROUND

The Eurobodalla Healthy Communities and Seniors Week Grants aim to foster a community that is prepared to contribute energy and initiative to improve the health and wellbeing of people in this Shire. Grants are available to not for profit community groups to supplement their costs. Groups can apply for a Healthy Communities Grant or a Seniors Week Grant, not both. Seniors Week Grants must be used to celebrate Seniors Week, 1-10 April 2016. In 2015-16 Council has a budget of \$12,455.00 and received applications to the value of \$10,540.00.

CONSIDERATIONS

Healthy Communities and Seniors Week Grants

There were 18 applications received. A confidential summary sheet is attached for Councillors' information, and original applications are available for viewing from file E15.9006.

All applications received for 2015-16 were assessed as meeting the eligibility criteria. Of this, fourteen (14) were for Healthy Communities Grants and four (4) were for Seniors Week

CAR15/012 HEALTHY COMMUNITIES AND SENIORS WEEK GRANTS 2015-16

E15.9006

Grants. Four (4) Grant applications include a recommendation for additional funding due to the level and type of community benefit they attract.

One organisation requested \$2,500.00 and one group requested 'any amount as deemed appropriate'. The review panel have recommended a grant of \$1,000.00 for each, in line with other applications which are recommended for grants between \$390.00 and \$1,000.00.

NAIDOC Week Grants

Council's NAIDOC Week grants currently provide \$1500 in funds annually. In 2014-15 Council received twelve (12) applications to the value of \$5,990.00, with three (3) funded.

Council has recently received a request from the community to increase the amount allocated to NAIDOC Week grants in 2015-16. With the addition of the unallocated Healthy Communities and Seniors Week grant funding of \$1,915.00, the amount available to support the NAIDOC Week Grant round would be \$3,415.00, providing the opportunity to support additional community projects.

Reviewing the Grant process

Council is reviewing the Financial Assistance (Donations and Grants) policy and procedures. As part of this process the Healthy Communities and Seniors Week Grants and NAIDOC Week Grants will be reviewed, with any changes to be approved by Council and implemented from 2016-17.

Eligibility for a Eurobodalla Healthy Communities Grant

1. Your group needs to be not for profit and either incorporated or able to prove that they are a bona fide Eurobodalla based community group.
2. Your group can give some financial support or volunteer labour to the activity.
3. Your group can show that it has adequate insurance coverage for the activity.

CAR15/012 HEALTHY COMMUNITIES AND SENIORS WEEK GRANTS 2015-16

E15.9006

4. Your group will use the grant to achieve one or more of the following results in your local community:
- people are encouraged to meet and help each other;
 - people become active and healthier;
 - people participate as community volunteers;
 - community safety is improved;
 - access to information, a service or facility is improved;
 - people use fewer natural resources;
 - there is an increased understanding of people from different cultures;
 - your Group is not receiving any other Government Funding.

Eligibility for a Eurobodalla Seniors Week Grant

1. Seniors Week Grants must be used during in Seniors Week 12-20 March 2016.
2. Groups need to be not for profit and either incorporated or able to prove that they are a bona fide Eurobodalla based community group.
3. Your group can give some financial support or volunteer labour to the activity.
4. Your group can show that it has adequate insurance coverage for the activity.
5. Your group will use the grant to achieve one or more of the following results in your local community:
 - celebrate older people and their contribution to family, friends, workplaces and communities
 - provide enjoyable opportunities for getting together, both with older people and across the generations
 - demonstrate that seniors can be healthy, active and continue to learn
 - promote and celebrate the diversity of older people in our community
 - challenge some of society's stereotypes around getting older to improve attitudes towards older people.

Recommended applications

The applicants recommended to the Council for funding under the Healthy Communities and Seniors Week Grants Scheme are in a confidential attachment to this report.

Social Impact

The Eurobodalla Healthy Communities and Seniors Week Grants aim to foster a community that is prepared to contribute energy and initiative to improve the health and wellbeing of people in the Eurobodalla.

The criteria for the Healthy Communities Grant scheme was developed to reflect Council's social, cultural and management planning commitments to improving community wellbeing.

The program receives applications from a range of groups. If approved, 2015-16 funding

CAR15/012 HEALTHY COMMUNITIES AND SENIORS WEEK GRANTS 2015-16

E15.9006

will support sporting events and 'come and try' days, art and cultural experiences, social events for seniors, community garden development, safety equipment, accessible programs for people with a disability, healthy eating and heritage programs.

Financial

In 2015-16 Council has a budget of \$12,455.00 for Healthy Communities and Seniors Week Grants. The combined total of applications recommended by the assessment panel is \$10,540.00 of which fourteen (14) are for Healthy Communities Grants and four (4) for Seniors Week Grants, with a request to add the unallocated funding to the NAIDOC Week Grant program in July 2016.

Community Engagement

We have informed the community through providing information on Council's website, distributing application forms, advertising on Council's noticeboard page in two local newspapers and distributing a media release.

CONCLUSION

The Healthy Communities and Seniors Week Grants provide the opportunity to support local not for profit community groups and organisations by strengthening their capacity to promote health and wellbeing and increase community participation in a range of activities.

17. DEALING WITH MATTERS IN CLOSED SESSION

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

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

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

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

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

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

CONFLICT OF INTEREST

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

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

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

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

AGENCY ADVICE

Officers of the following agencies are available during office hours to discuss the obligations placed on Councillors, Officers and Community Committee members by various pieces of legislation, regulation and Codes.

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@eurocoast.nsw.gov.au	www.esc.nsw.gov.au
ICAC	8281 5999	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Local Government Department	4428 4100	dlg@dlg.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	8286 1000 Toll Free 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

Reports to Committee are presented generally by 'exception' - that is, only those items that do not comply with legislation or policy, or are the subject of objection, are discussed in a report.

Reports address areas of business risk to assist decision making. Those areas include legal, policy, environment, asset, economic, strategic and financial.

Reports may also include key planning or assessment phrases such as:

Setback Council's planning controls establish preferred standards of setback (eg 7.5m front; 1m side and rear);

Envelope taking into account the slope of a lot, defines the width and height of a building with preferred standard of 8.5m high;

Footprint the percentage of a lot taken up by a building on a site plan.

Acronym	Meaning	Description
ACR	Australian Capital Region	The political and strategic grouping of the ACT government and 17 adjacent councils.
AEP	Annual Exceedance Probability	For floods expressed as a % eg 1% = 1:100 year event. The NSW Flood Guidelines nominate types of development and controls.
AHD	Australian Height Datum	Floor levels for buildings set to remain at or above flood level (expressed as 'freeboard').
APZ	Asset Protection Zone	Area to be cleared and maintained around habitable buildings in bushfire prone areas.
AS	Australian Standard	Standards set by national body as minimum construction, service, system, planning or design requirements.

Acronym	Meaning	Description
BCA	Building Code of Australia	Prescribes minimum standards or performance base for building construction.
CAMP	Companion Animal Management Plan	Required by state law, plan nominating management of dogs and cats and areas for access for the exercise of dogs (eg beaches and reserves).
CC	Construction Certificate	Floor plans approved by council or private certifier in compliance with development conditions and BCA.
COPW	Condition of Public Works Report	Required by state law to define the condition of infrastructure assets, the cost to upgrade to defined standards, the current costs of maintenance and desired levels of maintenance.
CP	Cultural Plan	A cultural plan enables identification of cultural assets, identity and needs as well as providing a framework to develop cultural initiatives to increase opportunities for residents.
CSR	Complaint and Service Request	Requests received from public by phone, letter, email or Councillor to attend to certain works (eg pothole) or complain of certain service or offence (eg dogs barking).
DA	Development Application	Required by state law to assess suitability and impacts of a proposed development.
DAP	Disability Action Plan	Council plan outlining proposed works and services to upgrade facilities to progressively meet Disability Discrimination Act.
DCP	Development Control Plan	Local planning policy defining the characteristics sought in residential, commercial land.
DECCW	Department of Environment, Climate Change and Water (formerly EPA, NPWS, DEC)	State agencies (former Environment Protection and National Parks), DNR managing state lands and natural resources and regulating council activity or advising on development applications.
DWE	Department of Water and Energy	State agency managing funding and approvals for town and country water and sewer services and State energy requirements.
DoP	Department of Planning	State agency managing state lands and regulating council activity or advising on development applications or strategic planning.
DLG	Department of Local Government	State agency responsible for regulating local government.
DoL	Department of Lands	State agency managing state lands and advising on development applications or crown land management.
DoC	Department of Commerce	State agency (formerly Public Works) managing state public water, sewer and buildings infrastructure and advising/supervising on council infrastructure construction.

Acronym	Meaning	Description
DoH	Department of Health	State agency responsible for oversight of health care (community and hospital) programs. Also responsible for public warning of reportable health risks.
DOTAR	Department of Infrastructure, Transport and Regional Development and Local Government	Federal agency incorporating infrastructure, transport system, and assisting regions and local government.
EBP	Eurobodalla Bike Plan	Strategic Plan identifying priorities and localities for cycleways in the Shire.
EIS	Environmental Impact Statement	Required for designated and state developments researching and recommending solutions to social, economic and environmental impacts.
EMP	Estuary Management Plan	Community based plan, following scientific research of hydrology and hydraulics, recommending actions to preserve or enhance social, economic and environmental attributes of estuary
EMS	Environmental Management System	Plans prepared by council (such as waste management and strategic planning) around AS14000.
EOI	Expressions of Interest	Often called in advance of selecting tenders to ascertain capacity and cost of private sector performing tasks or projects on behalf of council.
EP&A	Environment Planning & Assessment Act	State law defining types of development on private and public lands, the assessment criteria and consent authorities.
ESC	Eurobodalla Shire Council	
ESD	Ecologically Sustainable Development	Global initiative recommending balance of social, economic and environmental values in accord with 7 ESD principles.
ESS	Eurobodalla Settlement Strategy	Council strategy prepared with assistance of government to identify best uses and re-uses of urban lands, the appropriate siting of private and public investment (eg institutions, employment areas or high density residential) based on current and planned infrastructure and land capacity.
ET	Equivalent Tenement	Basis of calculation of demand or impact of a single dwelling on water and sewer system.
FAG	Financial Assistance Grant	Federal general purpose grant direct to local government based on population and other 'disability' factors.

Acronym	Meaning	Description
FSR	Floor Space Ratio	A measure of bulk and scale, it is a calculation of the extent a building floor area takes up of an allotment.
GIS	Geographic Information System	Computer generated spatial mapping of land and attributes such as infrastructure, slope, zoning.
IPART	Independent Pricing & Regulatory Tribunal	State body that reviews statutory or government business regulatory frameworks and pricing levels.
IPWEA	Institute Public Works Engineers Australia	Professional association.
IWCMS	Integrated Water Cycle Management Strategy (or Plan)	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation to water, sewer and stormwater systems.
IWMS	Integrated Waste Management (Minimisation) Strategy	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation of waste (solids, effluent, contaminated, liquid trade waste).
LEP	Local Environment Plan	The statutory planning instrument defining the zones and objectives of urban and rural areas.
LGAct	Local Government Act	State law defining the role of Mayor, Councillors, staff, financing, approvals etc.
LGMA	Local Government Managers Australia	Professional association.
LGNSW	Local Government NSW	Representative advisory and advocacy group for councils in NSW.
MOU	Memorandum of Understanding	Agreement in principle between parties (eg council and agency) to achieve defined outcomes.
NPWS	National Parks & Wildlife Service	Now merged into DECCW.
NRM	Natural Resource Management	
NVC	Native Vegetation Act 2003	State law defining means of protection of threatened legislation and approval processes to clear land.
OC	Occupation Certificate	Issued by council or private certifier that building is safe to occupy and in compliance with development conditions and BCA.
OSMS	On site sewage management system	Includes septic tanks, aerated systems, biocycles etc.
PCA	Principal Certifying Authority	The person or organisation appointed by applicant to inspect and certify structures.

Acronym	Meaning	Description
PIA	Planning Institute of Australia	Professional association.
POEO	Protection of the Environment Operations Act	State law outlining standards for emissions and discharges and penalties for pollution.
PoM	Plan of Management (usually for community land)	Council plan nominating type of uses for community land and range of facilities progressively to be provided on land.
PPP	Public Private Partnerships	
PTS	Public Transport Strategy	Council strategy to initiate mechanisms to promote and facilitate public transport (bus, taxi, community transport, cycles) in design of subdivisions, developments and council works.
REF	Review of Environmental Factors	Council examination of risk and social, economic and environmental benefit of proposed works, assessed against state planning, environment and safety laws.
REP	Regional Environment Planning Policy	Outlines compulsory state planning objectives to be observed in development assessment and strategic planning.
RFS	Rural Fire Service	State agency responsible for providing equipment and training for volunteer firefighter brigades, and the assessment and approval of developments in bushfire prone lands.
RLF	Regional Leaders Forum	The group of mayors and general managers representing the councils in the ACR.
RMS	Roads & Maritime Service	State agency responsible for funding, construction and maintenance of state roads, the approval of council works on arterial roads and development applications.
S64	S64 Contributions Plan	Developer contributions plan to enable, with council and state funds, the augmentation of water, sewer and stormwater infrastructure.
S94 S94A	S94 Contributions Plan S94A Contributions Plan Levy Plan	Developer contributions to enable construction of public infrastructure and facilities such as roads, reserves, carparks, amenities etc.
SCG	Southern Councils Group	Political and strategic grouping of councils along the NSW south coast from Wollongong to the border, lobbying government for assistance (eg highways) and resourcing sharing initiatives.
SCRS	South Coast Regional Strategy	Regional Strategy prepared by DoP for ESC, BVSC and part SCC to guide new LEPs.

Acronym	Meaning	Description
SEA	Strategic Environment Assessment	Spatial assessment of environmental constraints of land considered in design and assessment of subdivision and infrastructure. Scientific research behind assessment of capacity of land and waterways in rural residential and urban expansion lands to sustain human settlement.
SEPP	State Environmental Planning Policy	Outlines compulsory state planning objectives.
SNSWLHD	Southern NSW Local Health Districts	State board commissioned with oversight of health care in Highlands, Monaro and Far South Coast.
SoER	State of the Environment Report	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social, economic and environmental features of the Shire and appropriate responses to address or preserve those issues.
SP	Social Plan	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social framework of the community, their services and facilities and economic interactions.
.....SP	Structure Plan	Plan promoting landuses and siting of infrastructure and facilities in towns (eg, BBSP – Batemans Bay Structure Plan).
SRCMA	Southern Rivers Catchment Management Authority	State agency commissioned with assessment and monitoring of health and qualities of catchments from Wollongong to the border, and determine directions and priorities for public and private investment or assistance with grants.
STP	Sewer Treatment Plant	Primary, secondary and part tertiary treatment of sewage collected from sewers before discharge into EPA approved water ways or irrigation onto land.
TAMS	Total Asset Management System	Computer aided system recording condition and maintenance profiles of infrastructure and building assets.
TBL	Triple Bottom Line	Commercial term coined to encourage business to consider and disclose social and environmental risk, benefit and costs in the conduct of business to guide investors as to the long term sustainability and ethics of a business. Taken up by Council to record the basis of prioritisation, the review of condition, the monitor of progress and the financial disclosure of preventative or maintenance investment in council based social and environmental activities.
ToR	Terms of Reference	
TSC	Threatened Species Conservation Act 1995	State law governing the protection of nominated species and relevant assessment and development controls.

Acronym	Meaning	Description
WCF	Water Cycle Fund	Combination of water, sewer and stormwater activities and their financing arrangements.
WSUD	Water Sensitive Urban Design	Principle behind the IWCMS and council development codes requiring new developments to reduce demand and waste on water resources through contemporary subdivision and building design.