



AGENDA

Ordinary Meeting of Council

8 February 2022

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

ON TUESDAY 8 FEBRUARY 2022

COMMENCING AT 11.00AM

AGENDA

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

- 1. WELCOME**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
- 3. APOLOGIES**
- 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
 - 4.1 Ordinary Meeting held on 26 October 2021 and the Extraordinary Council Meeting held on 9 November 2021.
- 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**

(Declarations also to be made prior to discussions on each item)
- 6. MAYORAL REPORTS**

MR22/001 Livestream Public Forum..... 3
- 7. NOTICES OF MOTION**

Nil
- 8. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil
- 9. PETITIONS**

Nil
- 10. GENERAL MANAGER'S REPORTS**

GMR22/001 Oath and Affirmation for Councillors..... 5

GMR22/002	Declaration of Poll for Mayor	8
GMR22/003	Declaration of Poll for Councillors	10
GMR22/004	Position of Deputy Mayor	13
GMR22/005	Decision on using countbacks to fill casual vacancies	19
GMR22/006	Councillor Superannuation	22
GMR22/007	Joint Regional Planning Panel	24
GMR22/008	Investments made as at 31 October 2021	26
GMR22/009	Investments made as at 30 November 2021	29
GMR22/010	Investments made as at 31 December 2021	32
GMR22/011	2022 Conferences	35
11.	PLANNING AND SUSTAINABILITY REPORTS	
	Nil	
12.	INFRASTRUCTURE REPORTS	
IR22/001	Local Traffic Committee No 4 for 2021-22.....	39
13.	COMMUNITY, ARTS AND RECREATION REPORTS	
	Nil	
14	DELEGATE REPORT	
15	URGENT BUSINESS	
16.	DEALING WITH MATTERS IN CLOSED SESSION	46
17.	CONFIDENTIAL MATTERS	

DR CATHERINE DALE
GENERAL MANAGER

MR22/001 LIVESTREAM PUBLIC FORUM

File Ref: S012-T00025, S012-T00028

Attachments: Nil

EXECUTIVE SUMMARY

Council's Code of Meeting Practice is based on the Model Code of Meeting Practice for Local Councils in NSW. The Council must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code. Council's Code of Meeting Practice has provisions that enable the Council meeting to be webcast. These provisions are mandatory.

The webcasting of Council meetings increases the transparency of Council decision-making.

Up to and including the Ordinary Meeting of Council held on 11 June 2019, Public Access and Public Forum occurred one after the other, on the day of a meeting. Public Access, in which community members could present to councillors on council-related matters not included on the agenda for the day's meeting, took place just prior to the commencement of the meeting. Public Forum, in which community members could present to councillors on matters included on the agenda, took place at the commencement of the meeting, as part of the meeting.

In recognition of my election as mayor, I am committed to delivering on my platform of greater transparency and open, democratic, and accountable processes within council. The reinstatement of the live streaming of Public Forum will provide an important opportunity for community members to watch and listen from their homes, as fellow community members make their presentations to Councillors.

With the support of our new, fresh, and reformatory council, I intend to lead a Council that does all it can to ensure Council is open and accessible to those whom it is obligated to serve.

Council's Code of Meeting Practice currently does not allow the webcast of Public Forum. Clauses relating to Public Forum are non-mandatory provisions and therefore able to be amended. A number of community members have expressed their views that webcasting of Public Forum would enable greater community awareness of issues affecting residents.

I propose to amend the Council's Code of Meeting Practice as follows:

Current Code of Meeting Practice	
3.12	Public forum will not be webcast.

Proposed Amendment to Code of Meeting Practice	
3.12	Public forum will be webcast.

The Code authorises the General Manager to reissue the Code without public exhibition, to incorporate any relevant amendments to the *Local Government Act 1993* or the Local Government (General) Regulation 2021, and where Council is of the opinion that an amendment required is insubstantial. It is considered that these amendments are insubstantial and do not require the Code to be placed on public exhibition.

MR22/001 LIVESTREAM PUBLIC FORUM

**S012-T00025,
S012-T00028**

The amendments to be made to the Code, which do not conflict with the mandatory provisions of the Model Code, are as follows:

Clause 3.12 be amended to read “Public Forum will be webcast” and clause 3.30 be amended to read “Public Access sessions will be webcast and commence at 9.15 am unless there are no registered speakers.

RECOMMENDATION

THAT:

1. The live streaming of Public Forum be reinstated, effective from 22 February 2022
2. The live streaming of Public Access be commenced, effective from 1 March 2022 unless a speaker opts out, and
3. Prominent notice of both Public Forum and Public Access, and of the meeting itself, including identification of the items to be presented on, be placed on Council’s website and Facebook page, by 4 pm on the working day before the scheduled presentations.

GMR22/001 OATH AND AFFIRMATION FOR COUNCILLORS

S012-T00020

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Focus Area: 9 Innovative and Proactive Leadership

Delivery Program Link: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Operational Plan Link: 9.1.2 Implement effective governance

EXECUTIVE SUMMARY

This report provides Councillors with the opportunity to fulfill their obligations under the *Local Government Act 1993* regarding taking an oath or make an affirmation of office.

The prescribed words of the oath and affirmation are provided below:

Oath of office

"I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment."

Affirmation of office

"I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment."

RECOMMENDATION

THAT in accordance with Section 233A of the *Local Government Act 1993*, Councillors be invited to take either the Oath of Office or Affirmation of Office, before the General Manager, as outlined below:

1. Oath of Office:

"I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment."

Or

GMR22/001 OATH AND AFFIRMATION FOR COUNCILLORS

S012-T00020

2. Affirmation of Office:

"I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment."

BACKGROUND

Since 2016, Councillors are required to take on oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.

CONSIDERATIONS

Section 233A of the *Local Government Act 1993*, states:

- (1) A councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.
- (2) The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a justice of the peace and is to be in the following form:

Oath

"I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment."

Affirmation

"I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment."

- (3) A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or make the affirmation.
- (4) Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.

GMR22/001 OATH AND AFFIRMATION FOR COUNCILLORS

S012-T00020

- (5) Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.
- (6) The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise.)

Policy

Undertaking the oath or affirmation is prescribed under section 4.1 of Council's Code of Meeting Practice.

CONCLUSION

The *Local Government Act 1993* requires councillors to take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected. The oath or affirmation can be taken or made before the General Manager and it is proposed that this be done at the Council meeting on 8 February 2022.

GMR22/002 DECLARATION OF POLL FOR MAYOR

S012-T00023

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Declaration of Poll of Mayor

Focus Area: 9 Innovative and Proactive Leadership

Delivery Program Link: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Operational Plan Link: 9.1.2 Implement effective governance

EXECUTIVE SUMMARY

To report the declaration of the poll for the position of Mayor.

RECOMMENDATION

THAT the information on the Declaration of the Poll for the election of Mayor of Eurobodalla Shire Council, following the general election held on Saturday 4 December 2021, be noted.

BACKGROUND

The formal declaration of the poll for the election of a popularly elected Mayor to the Eurobodalla Shire Council, following the general election held on 4 December 2021 was made by the Returning Officer, Fay Steward, on Tuesday 21 December 2021.

Mathew Hatcher was elected to the position of Mayor of Eurobodalla Shire Council for the term of the Council until the next general election due to be held in September 2024.

A copy of the Declaration of the Poll for the position of Mayor is attached to this report.

Declaration of Mayor - LG.561



Council: Eurobodalla

Election Day: 04 December 2021

An election was held on Saturday 04/12/2021 to elect the Mayor.

The counting of votes resulted in the election of HATCHER Mat as Mayor and I declare them duly elected as Mayor until the next ordinary election of the Council.

Candidates	1st Preference Votes	Elected Candidate
WORTHINGTON Alison	2,947	
GRACE David	3,715	
SMITH Gary	633	
HATCHER Mat	5,583	Elected
HARRISON N (Tubby)	3,716	
POLLOCK Rob	4,555	
STARMER Karyn	4,377	
Formal	25,526	
Informal	1,078	
TOTAL	26,604	

A full copy of the results may be viewed on the NSW Electoral Commission website

FAY STEWARD

RETURNING OFFICER'S NAME

Fay Steward

RETURNING OFFICER'S SIGNATURE

21/12/2021

DATE

GMR22/003 DECLARATION OF POLL FOR COUNCILLORS

S012-T00020

Responsible Officer: Dr Catherine Dale - General Manager
Attachments: 1. Declaration of Poll for Councillors
Focus Area: 9 Innovative and Proactive Leadership
Delivery Program Link: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision
Operational Plan Link: 9.1.2 Implement effective governance

EXECUTIVE SUMMARY

To report the declaration of the poll for the election of eight Councillors.

RECOMMENDATION

THAT the information on the Declaration of the Poll, for the election of eight Councillors to the Eurobodalla Shire Council, following the general election held on 4 December 2021, be noted.

BACKGROUND

The formal declaration of the poll for the election of eight Councillors to the Eurobodalla Shire Council, following the general election held on 4 December 2021 was made by the Returning Officer, Fay Steward, on Thursday 23 December 2021.

The following have now been duly elected as Councillors until the next general election due to be held in September 2024.

Councillor Rob Pollock OAM
Councillor Amber Shutz
Councillor Anthony Mayne
Councillor David Grace
Councillor Tubby Harrison
Councillor Alison Worthington
Councillor Peter Diskon
Councillor Tanya Dannock

A copy of the Declaration of the Poll for the election of eight Councillors is attached to this report.

Declaration of Councillor - LG.560**Council:** Eurobodalla**Ward (if applicable):****Election Day:** 4 December 2021**Candidates to be Elected:** 8**Quota:** 2,764

The counting of votes resulted in the election of the candidates with the word "Elected" next to their name and I declare those candidates duly elected as Councillors until the next ordinary election of the Council.

Candidates	1st Preference Votes	Elected Candidates
POLLOCK Rob	4,375	Elected
DISKON Peter	50	Elected
TAIT Jack	29	
MOTBEY Robert	39	
MUNRO Jennifer	197	
HARRISON N (Tubby)	3,422	Elected
SMITH Gary	116	
ROSEVEAR Jackilyn	22	
GILLET John	28	
MAYNE Anthony	3,672	Elected
HAMROSI Michelle	116	
STARMER Karyn	503	
MOORE Trevor	16	
HATCHER Mat	0	Elected as Mayor
SCHUTZ Amber	4,368	Elected
DANNOCK Tanya	55	Elected
COXON Natasha	50	
MEEK Sandra	28	
ROWLEY Georgina	145	
STUART Charles	43	
WORTHINGTON Alison	2,627	Elected
HILLS Nadine	57	
RYDER Kylie	14	
BELL Charlie	13	
GRACE David	3,612	Elected
SEARSON Maureen	21	
FINDLAY Matthew	57	

Declaration of Councillor - LG.560

Council: Eurobodalla



Ward (if applicable):

Election Day: 4 December 2021

Candidates to be Elected: 8

Quota: 2,764

The counting of votes resulted in the election of the candidates with the word "Elected" next to their name and I declare those candidates duly elected as Councillors until the next ordinary election of the Council.

Candidates	1st Preference Votes	Elected Candidates
MCASH Claire	26	
RUSSACK Deirdre	43	
EGAN Jack	14	
THOMSON James	1,060	
STARLING Jo-Anne	16	
LAWLER Catherine	24	
CAMPBELL Jennifer	17	

A full copy of the results may be viewed on the NSW Electoral Commission website

FAC STEWARD

RETURNING OFFICER'S NAME

FAC STEWARD

RETURNING OFFICER'S SIGNATURE

23/12/2021

DATE

GMR22/004 POSITION OF DEPUTY MAYOR

S012-T00020

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Schedule 7 LG (General) Regulation

Focus Area: 9 Innovative and Proactive Leadership

Delivery Program Link: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Operational Plan Link: 9.1.2 Implement effective governance

EXECUTIVE SUMMARY

Council may elect a councillor to be the Deputy Mayor. This report seeks Council's decision on whether it wishes to create the position of Deputy Mayor and if so, the term of that position and the method of voting for the position.

RECOMMENDATION

THAT in accordance with section 231 of the *Local Government Act 1993*:

1. Council resolve to create the position of Deputy Mayor;
2. Council determine the term of appointment for the position of Deputy Mayor;
3. Council determine whether the method of voting for election to the position of Deputy Mayor is to be by open voting, ordinary ballot or preferential ballot;
4. Nominations be called for the position of Deputy Mayor and the election be conducted as determined in (3) above;
5. The result of the election be provided to the Chief Executive of the Office of Local Government, along with the local media and other councils in New South Wales.

BACKGROUND

For many years, Eurobodalla Shire Council has created the position of Deputy Mayor, usually for a period of one or two years. The Deputy Mayor may be elected for the mayoral term or a shorter term. The previous Council resolved to create the position of Deputy Mayor for a period of two years. Voting was by open voting on a show of hands.

The Deputy Mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor. This includes being called upon to chair the meeting in the absence of the Mayor, conducting Citizenship ceremonies, and signing the Council's financial statements for Audit. The position of Deputy Mayor does not receive additional remuneration.

CONSIDERATIONS

Section 231 of the *Local Government Act 1993* provides that:

- (1) *The councillors may elect a person from among their number to be the deputy mayor.*

GMR22/004 POSITION OF DEPUTY MAYOR

S012-T00020

- (2) The person may be elected for the mayoral term or a shorter term.*
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

[Schedule 7](#) of the *Local Government (General) Regulations 2021* outlines the process for nomination to the position of Deputy Mayor. In summary, this states:

1. The general manager (or a person appointed by the general manager) is the returning officer.
2. A councillor may be nominated without notice for election as deputy mayor.
3. The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
4. The nomination is to be delivered or sent to the returning officer.
5. The returning officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

Nomination forms for the position of Deputy Mayor have been provided for Councillors. Additional copies will also be available at the meeting.

[Schedule 7](#) of the *Local Government (General) Regulations 2021* provides details on the methods of voting.

After calling for nominations, the General Manager as returning officer will determine if an election is necessary and if so, an election will be conducted in accordance with the method adopted by Council.

Council must resolve the method of voting it wishes to follow for the position of Deputy Mayor, in accordance with the provisions of the *Local Government Act 1993* and *Local Government (General) Regulations 2021*. Voting is either by ordinary (secret) ballot, open voting (show of hands) or preferential ballot.

A copy of Schedule 7 of the *Local Government (General) Regulation 2005* is attached to this report.

The nomination form for the position of Deputy Mayor has been circulated to Councillors.

Legal

The *Local Government Act 1993* and *Local Government (General) Regulation 2021 – Schedule 7* provide for the election of a Deputy Mayor.

CONCLUSION

Council is required to determine if it wishes to create the position of Deputy Mayor, and if so determine the term of the Deputy Mayor.

GMR22/004 POSITION OF DEPUTY MAYOR

S012-T00020

The General Manager as returning officer will then call for nominations for the position of Deputy Mayor and conduct the ballot in accordance with the method of voting determined by Council.



New South Wales Consolidated Regulations

[\[Index\]](#) [\[Table\]](#) [\[Search\]](#) [\[Search this Regulation\]](#) [\[Notes\]](#) [\[Noteup\]](#) [\[Previous\]](#) [\[Next\]](#)
[\[Download\]](#) [\[Help\]](#)

LOCAL GOVERNMENT (GENERAL) REGULATION 2005 – SCHEDULE 7

SCHEDULE 7 – Election of mayor by councillors

(Clause 394)

Part 1 - Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause:

"**ballot**" has its normal meaning of secret ballot.

"**open voting**" means voting by a show of hands or similar means.

Part 2 - Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

6 Count-2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

7 Count-3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 - Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.

(3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.

(4) In this clause,

"absolute majority", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

(1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal-the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.

(2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes-the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 - General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Association of New South Wales.

GMR22/005 DECISION ON USING COUNTBACKS TO FILL CASUAL VACANCIES S012-T00025

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 9 Innovative and Proactive Leadership

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

Delivery Program Link: 9.1.2 Implement effective governance

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

EXECUTIVE SUMMARY

Following the 2021 local government elections, Council has the option of using a countback of votes cast on 4 December 2021 to fill casual vacancies in Councillors occurring in the first 18 months after the election.

This will allow Council to use a countback to fill vacancies at a lower cost than the cost of holding a by-election.

To exercise the option of using a countback to fill casual vacancies, Council must resolve at the first meeting after the election to use a countback to fill casual vacancies.

If Council does not resolve this at the first meeting after the election, they will be required to fill casual vacancies through a by-election.

It should be noted that when a casual vacancy occurs for a popularly elected mayor (for example through resignation or death), the vacancy is filled by way of a by-election, unless it occurs within 18 months before the next ordinary election. If so, the Governor of New South Wales will appoint a Councillor nominated by the council to the vacant office. If the council does not nominate a Councillor, the Governor may appoint one of the Councillors to the office.

RECOMMENDATION

THAT Pursuant to section 291A (1)(b) of the *Local Government Act 1993* (the Act) Eurobodalla Shire Council declares that casual vacancies occurring in the office of Councillor within 18 months after the last ordinary election of Councillors for the Council on 4 December 2021 are to be filled by a countback of votes cast at the election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of the Council's decision within 7 days of the decision.

**GMR22/005 DECISION ON USING COUNTBACKS TO FILL CASUAL
VACANCIES**

**S012-
T00025**

BACKGROUND

Section 291A of the *Local Government Act 1993*, states the following provisions concerning the use of a countback instead of holding a by-election for a casual vacancy in the office of Councillor:

291A Countback to be held instead of by-election in certain circumstances

- (1) *This section applies to a casual vacancy in the office of a councillor if -*
 - (a) *the casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and*
 - (b) *the council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.*
- (2) *This section does not apply to a casual vacancy in the office of a councillor if the councillor who vacated office was elected--*
 - (a) *in an election using the optional preferential voting system (including the election of a mayor elected by the electors of an area), or*

Note: See [section 285](#) (Voting system for election of councillors).
 - (b) *in an election without a poll being required to be held.*

Note: See [section 311](#) (Uncontested elections).
- (3) *A casual vacancy to which this section applies is to be filled by a countback election conducted in accordance with the regulations.*
- (4) *A countback election to fill a casual vacancy to which this section applies must be conducted*
 - (a) *if the election at which the person whose departure created the casual vacancy was elected was administered by the Electoral Commissioner--by a returning officer appointed by the Electoral Commissioner, or*
 - (b) *if the election at which the person whose departure created the casual vacancy was elected was administered by a returning officer appointed by an electoral services provider engaged by the council--by a returning officer appointed by the electoral services provider.*
- (5) *If a countback election fails or the returning officer is otherwise unable to fill the casual vacancy by a countback election--*
 - (a) *the returning officer must notify the general manager of the council concerned, and*
 - (b) *a by-election in accordance with this Part must be held to fill the casual vacancy.*
- (5A) *If an electoral services provider engaged by the council is unable to appoint a returning officer for the purposes of subsection (4)(b), a by-election in accordance with this Part must be held to fill the casual vacancy.*

**GMR22/005 DECISION ON USING COUNTBACKS TO FILL CASUAL
VACANCIES**

**S012-
T00025**

- (6) *This section does not apply to a casual vacancy in the office of a councillor if the vacancy occurs before the day prescribed for the purposes of this section by the regulations.*

The election of the Popular Elected Mayor and Councillors for Eurobodalla Shire Council was administered by the NSW Electoral Commission through an appointed returning officer.

CONSIDERATIONS

Council, pursuant of section 291 (1) (b) of the *Local Government Act 1993* is able to determine to fill casual vacancies in the office of Councillor within 18 months after the last ordinary election of Councillors for the Council on

Given the costs of conducting a by-election are substantial, it is recommended that Council determine that any casual vacancy that occurs within 18 months of the last ordinary election be filled by a countback of votes cast at the last election for that office.

A vacancy in the office of Popularly Elected Mayor must be filled by a by-election unless it is within 18 months of the next ordinary local government election. If this is the case, the Governor of New South Wales will appoint a Councillor nominated by the council to the vacant office. If the council does not nominate a Councillor, the Governor may appoint one of the Councillors to the office.

It should be noted that if a vacancy occurs within 18 months before the date specified for the next ordinary local government election the Minister, under section 294 (2) of the *Local Government Act 1993* may order that the vacancy not be filled. The next ordinary local government election for Eurobodalla Shire Council is currently scheduled for September 2024.

Legal

This report is written in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

CONCLUSION

This report provides Council with information regarding the option to use a countback of votes cast at the local government election on 4 September 2021 to fill casual vacancies in the office of Councillor occurring in the Council in the first 18 months after the election. It also notes that a vacancy in the office of popularly elected Mayor must be filled by a by-election, unless it occurs within 18 months before the next ordinary election.

GMR22/006 COUNCILLOR SUPERANNUATION

S012-T00020

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 9 Innovative and Proactive Leadership

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

Delivery Program Link: 9.1.2 Implement effective governance

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

EXECUTIVE SUMMARY

The Local Government Amendment Act 2021 (Amendment Act) was passed by NSW Parliament on 13 May 2021. Among other amendments, the Act now includes a clause relating to Councillor superannuation.

Councils will have the option to make superannuation contribution payments for Councillors from 1 July 2022 equivalent in amount to superannuation guarantee payments. The decision to make superannuation contribution payments must be made by resolution at an open meeting.

RECOMMENDATION

THAT Council, in accordance with Section 254B of the Local Government Act, determine whether to apply superannuation payments to the Mayor and Councillor allowance from 1 July 2022.

BACKGROUND

The Mayor and Councillors are paid an allowance in accordance with the Council resolution and the Local Government Remuneration Tribunal's annual determination. Eurobodalla is classified as a Regional Rural council for 2021-22, and the Council determined to pay the Tribunal determination of \$20,690 for Councillors and \$45,140 for the additional Mayoral allowance.

Council will consider the determination for the remuneration for 2022-23 in early June.

Up until now, Councillors have not been eligible for superannuation payments. However, an amendment was made to the Local Government Act in 2021 to allow individual councils to determine whether they will be paid superannuation or not.

CONSIDERATIONS

Clause 254B of the Local Government Act states:

'254B Payment for superannuation contributions for councillors

- (1) A council may make a payment (a **superannuation contribution payment**) as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.*
- (2) The amount of a superannuation contribution payment is the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the councillor were an employee of the council.*

GMR22/006 COUNCILLOR SUPERANNUATION

S012-T00020

- (3) A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the councillor.*
- (4) A council is not permitted to make a superannuation contribution payment—*
 - (a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or*
 - (b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or*
 - (c) to the extent the councillor has agreed in writing to forgo or reduce the payment.*
- (5) The Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a mayor or other councillor.*
- (6) A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.*
- (7) A superannuation contribution payment does not constitute salary for the purposes of any Act.*
- (8) Sections 248A and 254A apply in relation to a superannuation contribution payment in the same way as they apply in relation to an annual fee.*
- (9) In this section—*

Commonwealth superannuation legislation means the [Superannuation Guarantee \(Administration\) Act 1992](#) of the Commonwealth.

superannuation account means an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth superannuation legislation applies.’

It should be noted that the super guarantee is the minimum amount of super you must pay to avoid super guarantee charge. The super guarantee is currently 10% of base earnings.

Legal

Payment of superannuation to Councillors is in accordance with Clause 254B of the Local Government Act 1993.

Policy

Once adopted, the payment of superannuation will be incorporated into the Councillor’s Professional Development, Expenses and Remuneration Policy.

Financial

The determination of payment of superannuation for Councillors from 1 July 2022 will cost around \$23,000. The final figure is dependent on the Local Government Remuneration Tribunal determination for 2022-23.

CONCLUSION

Council has the option to pay superannuation to its Councillors from 1 July 2022. Council must make a determination on this.

GMR22/007 JOINT REGIONAL PLANNING PANEL

S017-T00002

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 9 Innovative and Proactive Leadership

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

Delivery Program Link: 9.1.2 Implement effective governance

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

EXECUTIVE SUMMARY

The Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making for regionally significant development and certain other planning functions under the *Environment Planning and Assessment Act 1979 (EP&A Act)*.

Eurobodalla is part of the Southern Regional Planning Panel.

Each Panel consists of five members, with three of the members, including the chair, appointed by the Minister (State members) and two members nominated by the relevant council (council members).

Two council members are appointed by each council. At least one council member must have expertise in one or more in the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.

Council's Director Planning and Sustainability, Mr Lindsay Usher is Council's expert representatives on the Southern Regional Planning Panel. Mr Usher's membership remains until October 2023. Councillor Rob Pollock is Council's other member on the Panel.

Council received notification from the Planning Panels Secretariat that it should reconsider if the nomination to the Panel is appropriate within 12 months following a council election. The appointment of a Councillor representative will be for this term of office.

RECOMMENDATION

THAT Council:

1. Nominate a Councillor to be the second member for Council on the Southern Regional Planning Panel for the term of this Council.
2. Forward the nominations and any supporting information to the NSW Government Planning Panels Secretariat.

BACKGROUND

The Planning Panels are independent bodies representing the Crown and are not subject to the direction of the Minister, except on matters relating to Planning Panel procedures or where the Minister issues a formal direction under the EP&A Act.

Joint Regional Planning Panels:

- determine regionally significant development applications (DAs), certain other DAs and s4.55(2) and s4.56 modification applications

GMR22/007 JOINT REGIONAL PLANNING PANEL

S017-T00002

- act as the Planning Proposal Authority (PPA) when directed
- undertake rezoning reviews
- provide advice on other planning and development matters when requested
- determine site compatibility certificates under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

CONSIDERATIONS

The Planning Panels Operational Procedures set out that the Panels have two council members appointed by each council. At least one council member must have expertise in one or more in the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.

Council's Planning and Sustainability Director, Mr Lindsay Usher is Council's expert member on the Panel.

Council should consider nominations from Councillors for the second member of Council on the Southern Regional Planning Panel.

Policy

The Sydney District and Regional Planning Panels operational procedures are the Planning Panels charter and have been developed to explain the objectives, powers and authorities of the Planning Panels. They also detail the means of operating the Planning Panels and clarify the roles of various parties in the work of the Planning Panels.

The procedures should be read in conjunction with the Planning Panels Code of Conduct which explains the standard of conduct expected of Planning Panel members.

These procedures will be kept under review and may be amended periodically.

The procedures can be found at: https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub_pdf/000/00/Sydney%2BDistrict%2Band%2BRegional%2BPlanning%2BPanels%2BOperational%2BProcedures%2BAugust%2B2020.pdf

It should be noted that a Council representative does not participate on the Panel when there is a conflict of interest or application concerning Eurobodalla.

CONCLUSION

Council's Director Planning and Sustainability, Mr Lindsay Usher is Council's expert representatives on the Southern Regional Planning Panel. Council needs to consider nominations from Councillors for the second member of Council on the Southern Regional Planning Panel.

GMR22/008 INVESTMENTS MADE AS AT 31 OCTOBER 2021

**S011-T00006,
S012-T00025**

Responsible Officer: Dr Catherine Dale - General Manager
Attachments: Nil
Outcome: 9 Innovative and Proactive Leadership
Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program Link: 9.2.4 Responsibly manage Council's finances and maintain Fit for the Future status
Operational Plan Link: 9.2.4.2 Provide financial management and reporting

EXECUTIVE SUMMARY

The purpose of this report is to:

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

RECOMMENDATION

THAT the certification of investments as at 31 October 2021, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, be received.

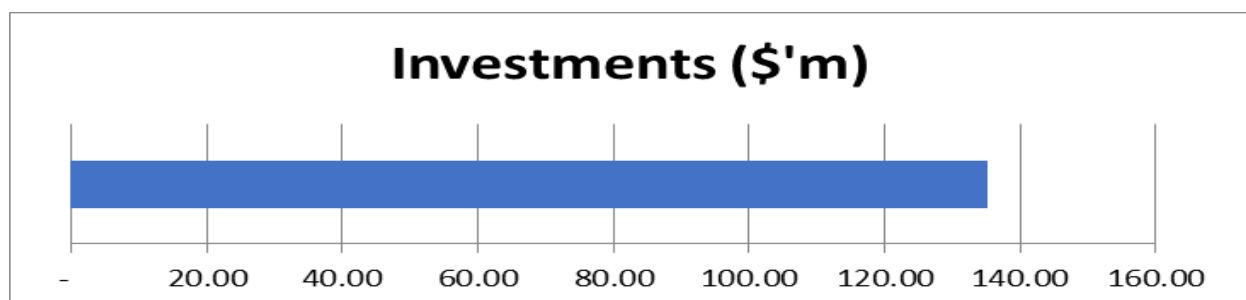
CONSIDERATIONS

Policy

The portfolio is compliant with Council's investment policy adopted by Council on 31 July 2018 (Minute 18/182).

Financial

Council investing overall



GMR22/008 INVESTMENTS MADE AS AT 31 OCTOBER 2021

**S011-T00006,
S012-T00025**

Council has \$135.12M (100%) invested in bank deposits. The bank deposits are held in banks rated A or greater, or covered by the AAA rated Government guarantee, except for \$39.50M invested in banks rated below A, and in the 'some limited risk' category of the policy.

Investments decreased by \$2.0m during October 2021 due the normal variations in timing of cash flows.

The 'some limited risk' category is now restricted to BBB+ rating institutions which allows up to 30% of all investments. Currently there is 29.23% invested in BBB+. Investment in Government guaranteed deposits is \$1.75M representing 1.30% of the portfolio.

There are \$51.0M (37.74%) of funds invested in claimed fossil fuel free institutions.

The weighted average return for all investments for the month is 0.35%, which is above the Council policy benchmark of bank bill swap rate (BBSW) + 0.25% (0.28%).

Summary investment information

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

CATEGORY	(\$)
At call deposit	12,870,602
Term deposits	120,500,000
Term deposits Government guaranteed	1,750,000
	135,120,602
<i>Weighted average interest %:</i>	0.35%
<i>Average 90 day BBSW + 0.25%</i>	0.28%

Policy and liquidity risk

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

Policy risk	Low liquidity risk %	Total % of investments	Policy risk % (max holdings)
Remote risk	1.30	1.30	100.00
Near risk free	69.47	69.47	100.00
Some limited risk (BBB+)	29.23	29.23	30.00

GMR22/008 INVESTMENTS MADE AS AT 31 OCTOBER 2021

**S011-T00006,
S012-T00025**

Grand total	100.00	100.00	
--------------------	---------------	---------------	--

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

CONCLUSION

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

GMR22/009 INVESTMENTS MADE AS AT 30 NOVEMBER 2021

**S011-T00006,
S012-T00025**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 9 Innovative and Proactive Leadership

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

Delivery Program Link: 9.2.4 Responsibly manage Council's finances and maintain Fit for the Future status

Operational Plan Link: 9.2.4.2 Provide financial management and reporting

EXECUTIVE SUMMARY

The purpose of this report is to:

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

RECOMMENDATION

THAT the certification of investments as at 30 November 2021, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, be received.

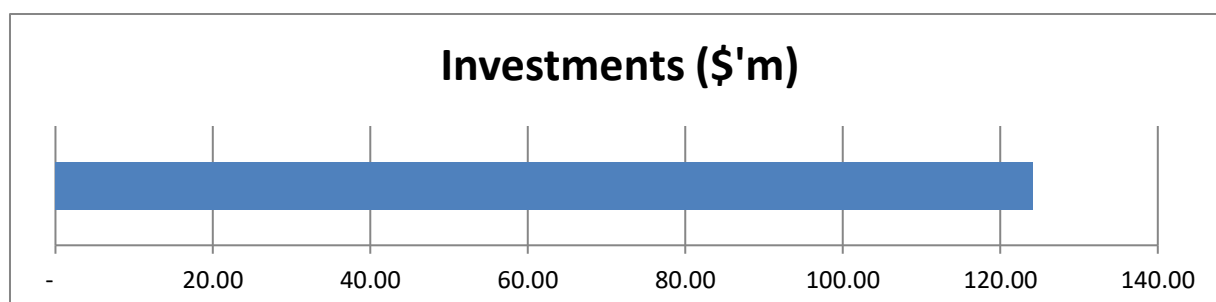
CONSIDERATIONS

Policy

The portfolio is compliant with Council's investment policy adopted by Council on 31 July 2018 (Minute 18/182).

Financial

Council investing overall



GMR22/009 INVESTMENTS MADE AS AT 30 NOVEMBER 2021

**S011-T00006,
S012-T00025**

Council has \$124.12M (100%) invested in bank deposits. The bank deposits are held in banks rated A or greater, or covered by the AAA rated Government guarantee, except for \$36.50M invested in banks rated below A, and in the 'some limited risk' category of the policy.

Investments decreased by \$11.0m during November 2021 to ensure cash flows during December were covered. The Christmas period normally leads to an increase in accounts payable requests and if there is surplus cash at the end of December it will be reinvested.

The 'some limited risk' category is now restricted to BBB+ rating institutions which allows up to 30% of all investments. Currently there is 29.41% invested in BBB+. Investment in Government guaranteed deposits is \$1.75M representing 1.41% of the portfolio.

There are \$45.0M (36.25%) of funds invested in claimed fossil fuel free institutions.

The weighted average return for all investments for the month is 0.35%, which is above the Council policy benchmark of bank bill swap rate (BBSW) + 0.25% (0.30%).

Summary investment information

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

CATEGORY	(\$)
At call deposit	12,874,402
Term deposits	109,500,000
Term deposits Government guaranteed	1,750,000
	124,124,402
<i>Weighted average interest %:</i>	0.35%
<i>Average 90 day BBSW + 0.25%</i>	0.30%

Policy and liquidity risk

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

Policy risk	Low liquidity risk %	Total % of investments	Policy risk % (max holdings)
Remote risk	1.41	1.41	100.00
Near risk free	69.18	69.18	100.00
Some limited risk (BBB+)	29.41	29.41	30.00

GMR22/009 INVESTMENTS MADE AS AT 30 NOVEMBER 2021

**S011-T00006,
S012-T00025**

Grand total	100.00	100.00	

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

CONCLUSION

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

GMR22/010 INVESTMENTS MADE AS AT 31 DECEMBER 2021

**S011-T00006,
S012-T00025**

Responsible Officer: Dr Catherine Dale - General Manager
Attachments: Nil
Outcome: 9 Innovative and Proactive Leadership
Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program Link: 9.2.4 Responsibly manage Council's finances and maintain Fit for the Future status
Operational Plan Link: 9.2.4.2 Provide financial management and reporting

EXECUTIVE SUMMARY

The purpose of this report is to:

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

RECOMMENDATION

THAT the certification of investments as at 31 December 2021, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, be received.

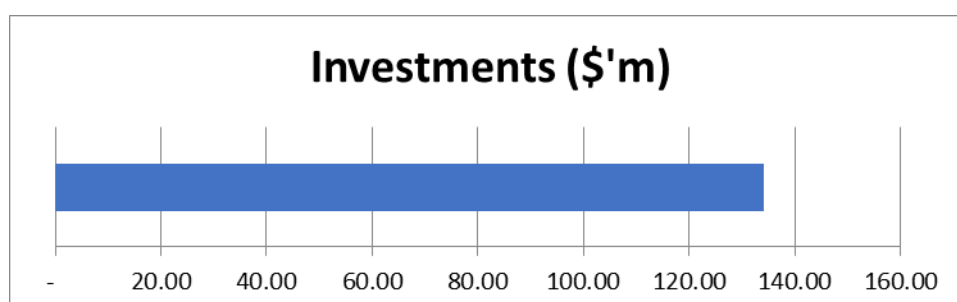
CONSIDERATIONS

Policy

The portfolio is compliant with Council's investment policy adopted by Council on 31 July 2018 (Minute 18/182) except for the "Some Limited Risk" category which is 0.94% over and will be made compliant when investments mature.

Financial

Council investing overall



GMR22/010 INVESTMENTS MADE AS AT 31 DECEMBER 2021

**S011-T00006,
S012-T00025**

Council has \$134.12M (100%) invested in bank deposits. The bank deposits are held in banks rated A or greater, or covered by the AAA rated Government guarantee, except for \$41.50M invested in banks rated below A, and in the 'some limited risk' category of the policy.

Investments increased by \$10.0M during December 2021. The Christmas period normally leads to an increase in accounts payable requests and surplus cash not required was reinvested.

The 'some limited risk' category is now restricted to BBB+ rating institutions which allows up to 30% of all investments. Currently there is 30.94% invested in BBB+ rating category and will be made compliant when investments mature. Investment in Government guaranteed deposits is \$1.75M representing 1.30% of the portfolio.

There are \$50.0M (37.28%) of funds invested in claimed fossil fuel free institutions.

The weighted average return for all investments for the month is 0.39%, which is above the Council policy benchmark of bank bill swap rate (BBSW) + 0.25% (0.31%).

Summary investment information

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

CATEGORY	(\$)
At call deposit	12,878,330
Term deposits	119,500,000
Term deposits Government guaranteed	1,750,000
	134,128,330
<i>Weighted average interest %:</i>	0.39%
<i>Average 90 day BBSW + 0.25%</i>	0.31%

Policy and liquidity risk

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

Policy risk	Low liquidity risk %	Total % of investments	Policy risk % (max holdings)
Remote risk	1.30	1.30	100.00
Near risk free	67.76	67.76	100.00
Some limited risk (BBB+)	30.94	30.94	30.00

GMR22/010 INVESTMENTS MADE AS AT 31 DECEMBER 2021

**S011-T00006,
S012-T00025**

Grand total	100.00	100.00	

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

CONCLUSION

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

GMR22/011 2022 CONFERENCES

**S004-T00019,
S012-T00025**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: Innovative and Proactive Leadership

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

Delivery Program Link: 9.1.2 Implement effective governance

Operational Plan Link: 9.1.2.4 Provide professional development opportunities for Councillors

EXECUTIVE SUMMARY

Council has a commitment to continuing professional development for Councillors. Attendance at sector conferences provides the individual Councillor with new skills and knowledge on particular issues to ensure that they can perform their duties and represent residents to the best of their ability. It also provides Councillors with the opportunity to network and advocate with councillors from other local government areas.

To ensure each Councillor is given the opportunity to participate in the conferences that are of interest to them, this report has been prepared outlining a number of conferences known to be available to Councillors during 2022. The conferences included are:

1. LGNSW Special Conference on 28 February – 2 March 2022.
2. LGNSW Destination and Visitor Economy Conference on 17-29 May 2022.
3. Floodplain Management Australia National Conference on 17-20 May 2022.
4. NSW Coastal Conference on 31 May – 1 June 2022.
5. National General Assembly (NGA) on 19-22 June 2022.
6. Australia Local Government Women's Association NSW Conference on 7-9 July 2022.
7. LGNSW Annual Conference on 23-25 October 2022.
8. NSW Local Roads Congress - date to be determined.
9. National Local Roads and Transport Congress – date to be determined.

Under the *Councillor's Professional Development, Expenses and Facilities* Policy, Councillors are entitled to an annual amount of \$3,500 per year to attend conferences and seminars.

RECOMMENDATION

THAT:

1. Council determine which Councillors will attend each of the following Conferences being held in 2022:

GMR22/011 2022 CONFERENCES

**S004-T00019,
S012-T00025**

- a. LGNSW Special Conference on 28 February – 2 March 2022.
- b. LGNSW Destination and Visitor Economy Conference on 17-19 May 2022.
- c. Floodplain Management Australia National Conference on 17-20 May 2022.
- d. NSW Coastal Conference on 31 May – 2 June 2022.
- e. National General Assembly (NGA) on 19-22 June 2022.
- f. Australian Local Government Women’s Association NSW Conference on 7-9 July 2022.
- g. LGNSW Annual Conference on 23-25 October 2022.
- h. NSW Local Roads Congress – date to be determined.
- i. National Local Roads and Transport Congress – date to be determined.
2. Council representatives be reimbursed out of pocket expenses in accordance with the Councillors’ Professional Development, Expenses and Facilities Policy.
3. Councillors are required to provide a written delegates report to Council following the Conference.

BACKGROUND

This schedule of conferences provides the opportunity for Councillors to plan their professional development and keep within the allocated budget.

Below is the detailed information of conferences available for Councillors to attend in 2022 in order of when they occur throughout the year.

The **Local Government NSW Special Conference** is being held on 28 February – 2 March 2022 at the Hyatt Regency in Sydney. This event provides an opportunity to share ideas, seek inspiration, and help determine our sector’s policy directions for the coming year. The conference will focus on how councils can drive a “Locally Led” employment and economic recovery, as we continue to grapple with the complex challenges posed by the global pandemic. Council is a non-voting delegate of LGNSW. The conference and registration brochures are available on the conference website: <https://lgnswconference.org.au/>

The **LGNSW Destination and Visitor Economy Conference** is being held on 17-19 May 2022 in Orange, NSW. The conference gives Councillors and Council staff the opportunity to meet, listen to experts and peers, and find out how other councils are engaging and managing their tourism industry. The conference will aim to embrace not just tourism, but also a wider aspect of economic development relevant to regional and metropolitan councils. The conference and registration brochures will be available closer to the date on the conference website: https://lgnsw.org.au/public/Events/Tourism-Conference/2022/2022-DVE-Conference-tbs.aspx?WebsiteKey=bcab1257-cbc9-4447-bab4-a1399a95e4c7&New_ContentCollectionOrganizerCommon=1#New_ContentCollectionOrganizerCommon

GMR22/011 2022 CONFERENCES

**S004-T00019,
S012-T00025**

The **Floodplain Management Australia National Conference** is being held on 17 – 20 May 2022 at the Empire Theatre, Toowoomba, QLD. The theme of the conference is “Integrated Floodplain Management: creating safer, stronger communities”. The 2022 Conference will be hybrid and include an online component for those attendees that are unable to travel. The conference and registration brochures will be available closer to the date on the conference website: <https://floodplainconference.com/>

The **NSW Coastal Conference** is being held on 31 May to 2 June 2022 in Kingscliff, NSW. The conference will bring together delegates from a diverse range of fields, including: all aspects of coastal, estuarine and marine management, science and research, and education, planning, policy and law; and includes representatives from government, the private sector and community groups and the interested public. The conference and registration brochures are available on the conference website: <https://www.coastalconference.com/>

The **National General Assembly (NGA)** is being held on 19-22 June 2022 at the National Convention Centre in Canberra. This event provides an opportunity for Local Government to engage directly with the Federal Government, to develop national policy and to influence the future direction of our councils and our communities. The theme for the 2022 NGA is Partners in Progress. Council is a non-voting delegate of LGNSW. The conference and registration brochures will be available closer to the date on the conference website: <https://conferenceco.eventsair.com/nga22>

The **Australian Local Government Women’s Association (ALGWA) NSW Conference** is being held on 7-9 July 2022 in Fairfield, NSW. ALGWA supports and promotes women in local government through advocacy, advice and action. The Annual Conference is an opportunity to come together and engage in learning and networking that will foster personal and professional development. The conference and registration brochures will be available closer to the date on the conference website: <https://www.fairfieldcity.nsw.gov.au/Your-Council/About-Council/2022-Australian-Local-Government-Womens-Association-Conference>

The **Local Government NSW Annual Conference** is being held on 23-25 October 2022 at the Crowne Plaza Hunter Valley, NSW. Council is a non-voting delegate of LGNSW. The conference and registration brochures will be available closer to the date on the conference website: <https://lgnsw.org.au/Public/Events-and-Learning/2022-Annual-Conference/Public/Events/Annual-Conferences/2022/2022.aspx?hkey=7dd5050c-2940-4b15-9d41-989effca7cc9>

The **NSW Local Roads Congress** provides an annual forum for local community representatives managing our road and freight networks to discuss better outcomes for the safe and efficient movement of passengers and freight across the extensive network of local and regional roads in NSW. The Director Infrastructure Services will be attending the Congress as the paying delegate. Registration for Councillors attending this conference is free with a paying delegate. The Congress date is yet to be determined and information will be available on the congress website once announced: <https://www.ipweansw.org/local-roads-congress>

The **National Local Roads and Transport Congress** is critical in providing a platform to engage on road and infrastructure policies and initiatives. The Congress date is yet to be determined and information will be available on the congress website once announced <https://alga.asn.au/>

GMR22/011 2022 CONFERENCES

**S004-T00019,
S012-T00025**

CONSIDERATIONS

Policy

Council's Councillor Professional Development, Expenses and Facilities Policy provides that attendance of Councillors at each conference will normally be limited to two. The principle of having one councillor attend will be considered as 'best practice' for attending seminars and conferences. This may be varied from time to time by resolution of Council.

Councillors attending training, seminars and conferences are to provide a detailed report to Council on the outcome and issues. Where there are a number of Councillors attending the same conference, a joint report is acceptable. Councillors not meeting these criteria without reasonable explanation may not receive priority or opportunities for future events.

Financial

Councillors are allocated the annual sum of \$3,500 annually to attend conferences and/or seminars. Additional expenses associated with conferences and seminars, such as travel and accommodation, are covered in line with section 2.0 to 2.4 of the Councillor Professional Development, Expenses and Facilities Policy.

CONCLUSION

It is considered appropriate that Councillors attend conferences throughout the year to enable them to be both knowledgeable and up-to-date on particular issues to ensure that they can perform the duties and represent the residents to the best of their ability.

IR22/001 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2021-22

S030-T00018

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services
Attachments: Nil
Outcome: 7 Connected and Accessible Places
Focus Area: 7.1 Work in partnership to provide an integrated transport network
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network
Operational Plan Link: 7.1.2.4 Coordinate the Local Traffic Committee

EXECUTIVE SUMMARY

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for review. The main issues covered at the Eurobodalla Local Traffic Committee meeting, held 2 December 2021, are as follows:

- Signage and Line marking – Stop Sign on Hawdon Street at intersection of River Street, Moruya
- Signage and Line marking – ‘No Stopping’ at Intersection of Guy Street and Princes Highway, Batemans Bay
- Signage and Line marking – Pedestrian Refuge on Noble Parade between William Street and Jocelyn Street, Dalmeny
- Signage and Line marking – Wombat crossings on Sunshine Bay Road adjoining Sunshine Bay Public School, Sunshine Bay
- Special Event Application – Crank it Up Rock and Roll, Batemans Bay
- Special Event Application – Batemans Bay Triathlon, based in Tomakin.

RECOMMENDATION

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 3 for 2021-22 be received and noted.
2. That the installation of a Stop Sign and associated line marking on Hawdon Street, at intersection of River Street, Moruya be approved
3. Council Plan No. 5156 Set BB Sheet 35, detailing the ‘No Stopping’ signage and line marking at the intersection of Guy Street and Princes Highway (southern corner) be approved
4. Council Plan No. 4492 Set E Sheet 01, detailing the signage and line marking associated with the Pedestrian Refuge on Noble Parade between William Street and Jocelyn Street, Dalmeny, be approved

IR22/001 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2021-22

S030-T00018

5. Council Plan No. 5156 Set BH Sheet 04 detailing the signage and line marking associated with the wombat crossings on Sunshine Bay Road adjoining Sunshine Bay Public School, Sunshine Bay, be approved

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 4 for 2021-22 was held on 2 December 2021. The meeting was attended by Dave Hunter (Traffic Coordinator and Chair), Senior Constable Scott Britt (NSW Police), Andrew Gaudiosi (Transport for NSW), Danielle Brice (representative for the Hon Andrew Constance MP), Kate McDougall (Road Safety Officer), Daniel Weekes (Maintenance Planning Officer), James Thompson (Cadet Engineer) and Matt Cormick (minute taker).

APOLOGIES

Nil

DEPUTATIONS

Nil.

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 3 for 2021-22 held on 7 October 2021 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

Nil.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2022.RT.007 Signage and Line Marking – Stop Sign on Hawdon Street at intersection of River Street, Moruya

A resident on Hawdon Street has relayed concerns on the safety at the 'T' intersection of Hawdon Street and River Street, Moruya.

River Street is the through road and a public hospital adjoins this street to the east. A recent subdivision to the west has added additional traffic to the road.

On most days, on-street parking demand along River Street adjacent to the hospital is high. This parking demand also filters through to the adjoining urban streets (including Hawdon Street).

There is limited sight distance to the east from Hawdon Street (approximately 40 metres) due to the proximity of parked vehicles. This presents a risk to road users and installing a stop sign will reduce this risk

Recommendation:

That the installation of a Stop Sign and associated line marking on Hawdon Street at the intersection of River Street, Moruya be approved.

IR22/001 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2021-22

S030-T00018

2022.RT.008 Signage and Line Marking – ‘No Stopping’ at Intersection of Guy Street and Princes Highway, Batemans Bay

Council’s Rangers have requested that ‘No Stopping’ signage be installed at the intersection of Guy Street and Princes Highway on the southern side.

The adjoining commercial property has a driveway close to the corner on Guy Street. A service station is located opposite also with a driveway on Guy Street, close to the corner.

Vehicles have been observed parking close to the corner on the southern side, obstructing traffic.

Installing ‘No Stopping’ signage around the southern corner will allow the intersection and driveway to operate more efficiently and reduce the risk to road users.

Plan No. 5156 Set BB Sheet 35 detailing the ‘No Stopping’ signage at the intersection of Guy Street and Princes Highway was reviewed by the Committee.

The Transport for NSW representative suggested that the no stopping should continue along Princes Highway to the south where vehicles cannot practically park. The Traffic Coordinator agreed to modify the plan and work with TfNSW to determine the extent of no stopping along the highway, probably defined by a yellow no stopping line. The plan has since been amended and circulated to the Committee members.

Recommendation:

That Plan No. 5156 Set BB Sheet 35 detailing the ‘No Stopping’ signage and line marking at the intersection of Guy Street and Princes Highway (southern corner) be approved.

2022.RT.009 Signage and Line Marking – Pedestrian Refuge on Noble Parade between William Street and Jocelyn Street, Dalmeny

As part of governments’ continuing program to improve road safety around schools, Council has received funds under Federal Stimulus Road Safety Program to improve road safety for school students in the Eurobodalla. This is a joint funding venture between the Australian and NSW Governments.

In Dalmeny, a pedestrian refuge will be installed on Noble Parade between William Street and Jocelyn Street. This will provide a safe crossing point for school students, linking the footpath system on this busy regional road with the school bus stop and shelter located 60 metres to south of the crossing.

There is also an added benefit to the wider community having this safer crossing point at this location.

Plan No. 4492 Set E Sheet 01 detailing the pedestrian refuge on Noble Parade was reviewed by the Committee.

The Transport for NSW representative recommended that the unbroken line marking either side of the refuge be modified to unbroken (double barrier). The plan has since been amended and circulated to the Committee members.

IR22/001 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2021-22

S030-T00018

Recommendation:

That Plan No. 4492 Set E Sheet 01 detailing the signage and line marking associated with the Pedestrian Refuge on Noble Parade between William Street and Jocelyn Street, Dalmeny be approved.

2022.RT.010 Signage and Line Marking – Wombat crossings on Sunshine Bay Road adjoining Sunshine Bay Public School, Sunshine Bay

As part of governments' continuing program to improve road safety around schools, Council has received funds under Federal Stimulus Road Safety Program to improve road safety around various schools in the Eurobodalla. This is a joint funding venture between the Australian and NSW Governments.

In Sunshine Bay, the school crossings on Sunshine Bay Road adjoining Sunshine Bay Public School will be converted to become permanent (zebra) raised pedestrian priority crossings, known as wombat crossings.

This 2 lane 2 way road has a 7 metre grass median separating the lanes. There is a separate crossing on each lane.

It is accepted that wombat crossings are an improvement on school crossings. Benefits include that vehicles will travel slower and the onus is taken off the schools to manage the crossings.

The school crossing will be removed and the location modified to include raised (road hump) platforms with appropriate signage and line marking. Existing street lighting is adequate. The wombat crossings will be similar to those recently installed in Moruya CBD adjoining Moruya Public School.

Plan No. 5156 Set BH Sheet 04 detailing the wombat crossings on Sunshine Bay Road was reviewed by the Committee.

The Transport for NSW representative suggested that traffic risks could be reduced if the 7 metre section between the two crossing was staggered and or a deflection created using a fence or bollards and chains. The Traffic Coordinator will amend the plans and circulate to the Committee members.

Recommendation:

That Plan No. 5156 Set BH Sheet 04 detailing the signage and line marking associated with the wombat crossings on Sunshine Bay Road adjoining Sunshine Bay Public School, Sunshine Bay be approved.

2022.RT.011 Signage – 'No Parking' – Imlay Street cul-de-sac, Broulee

Council's contracted kerb side waste management collection business has raised concerns that their truck is often unable to turn around safely at the Imlay Street cul-de-sac, Broulee.

IR22/001 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2021-22

S030-T00018

This cul-de-sac has a mix of general residential and unit development along the south west side and a foot access track to South Broulee Beach on the south east side.

There is a wide driveway at the end unit development that could accommodate a '3 point turn' when parked vehicles reduce the turnaround width, however the proximity of the beach access presents a risk for pedestrians if they emerge from this access track during this maneuver.

The truck services this area every Wednesday morning up until 10am.

Installing 'No Parking 1am to 10am Wednesday' signage around the cul-de-sac will allow waste collection with a reduced risk to pedestrians.

Recommendation:

That a proposal to install 'No Parking 1am to 10am Wednesday' signage around the Imlay Street cul-de-sac, Broulee be approved.

INFORMAL ITEMS FOR DISCUSSION

2022.SE.002 Special Event Application – Crank it Up Rock and Roll, Batemans Bay

A Special Event Application including Traffic Management and Control Plan documentation has been received for the Crank it Up Rock and Roll Event to be conducted in the Batemans Bay CBD on Saturday 19 February 2022 on Clyde Street and Orient Street.

A similar event was approved by the Committee on 10 June 2021 and was to be held on Saturday 17 July 2021. Due to Covid 19, that event was cancelled.

Crank it Up is a three day rock n roll event overall from Friday 16 to Sunday 18 February 2022. The event is proposed to be held in Batemans Bay and presented by Batemans Bay Rock n Rollers in partnership with the Batemans Bay Soldiers Club.

Various activities are proposed including dancing, unique food experiences, eight bands and custom car showings.

The part of the event that requires traffic management is only on Saturday 17 February 2022 on Clyde Street (along the foreshore park to the bridge) and North Street between Perry Street and Clyde Street (temporary bus stop and dedicated parking).

The previous approved event also included Orient Street however this is no longer required as the carpark near the new bridge is now open and will be utilised.

On the Saturday, traffic management will commence at 9am and finish at 5pm. Clyde Street will be closed between Bridge Plaza truck exit driveway (opposite the T Wharf) through to North Street intersection.

Bridge Plaza delivery vehicles / trucks will drive in and out of that site as normal and on exit will be then directed through the Clyde Street road closure by traffic controllers under a 10km/hr temporary speed zone. Additionally, drivers requiring access to Clyde Street west will be directed through Bridge Plaza by signage and will also be directed south through the Clyde Street road closure by traffic controllers under a 10km/hr temporary speed zone.

IR22/001 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2021-22

S030-T00018

Extensive consultation has been undertaken by the event organisers including discussion with all shop front businesses in the area (refer consultation map).

The Traffic Management and Control Plans as well as other event specific documentation were reviewed by the Committee.

Recommendation:

That the Crank it Up Rock and Roll Event, to be conducted in Batemans Bay CBD on Saturday 19 February 2022 on Clyde Street based on the submitted Traffic Management Plan, Traffic Control Plan and Communications Plan be approved.

2022.SE.003 Special Event Application — Batemans Bay Triathlon, based in Tomakin

Council has received a special event application with associated traffic management documents for the Batemans Bay Triathlon to be conducted on George Bass Drive and North Head Drive, between Tomakin and Moruya and on local roads within Tomakin Village, on Saturday 5 February 2022.

The event will be based at Tomakin Sports and Social Club.

The 'Batemans Bay Triathlon Festival' is a one day event, consisting of 4 triathlon distances:

- o Super Sprint – 300m Swim, 10km Bike and 2km Run
- o Sprint – 600 Swim, 20km Bike and 5km Run
- o Standard – 1.5km Swim, 40km Bike and 10km Run
- o Ultimate – 2km Swim, 60km Bike and 20km Run
- o TriKidz – 150/50m Swim, 6/3km Bike and 2/1km Run.

The transition and finish line will be located on the grassed area behind Tomakin Sports and Social Club. The bike course takes athletes along George Bass Drive to North head Drive and through Tomakin Village. The run course takes athletes through Tomakin Village. The swim course is in the Tomaga River.

The following road closures are requested on Saturday 5 February 2022:

1. George Bass Drive, controlled access (emergency and official vehicles exempt with resident vehicles and adjoining business patrons allowed when safe to do so), from Sunpatch Parade Tomakin to Annetts Parade Mossy Point, from 8.30am to 1.30pm.
2. George Bass Drive – controlled access (emergency and official vehicles exempt), from Annetts Parade Mossy Point to Broulee Road from 8.30am to 1.30pm.
3. George Bass Drive and North Head Drive, road closed – controlled access (emergency and official vehicles exempt with resident and airport patrons allowed when safe to do so), from Broulee Road Broulee to a turnaround point 300m east of Malabar Weir Moruya from 8.30am to 1.30pm.

The northern turnaround point on George Bass Drive for the longer events will be at Broulee Road intersection.

IR22/001 LOCAL TRAFFIC COMMITTEE NO 4 FOR 2021-22

S030-T00018

This event with a similar route was undertaken in 2021. After the previous event, feedback was received from some individuals and groups that event traffic control was inadequate.

At the Local Traffic Committee meeting held on 2 September 2021, a debrief and review of the traffic management arrangements for the previous event to be held on the 6 February 2021 was undertaken along with a review of the 2022 proposal. Feedback was provided to the event organizer including that:

- Access to IGA supermarket on George Bass Drive from Broulee and Mossy Point be via Annett Parade, Mossy Point only (this requires the access via Train Street, Broulee to be closed off)
- A Council Officer will inspect implemented temporary event traffic management on-site against the plans approved by the Local Traffic Committee for compliance

The revised Traffic Management and Control Plans were again reviewed by the Committee. It was noted that the revised Plans do not reflect the required changes to Train Street (access to IGA). The event organizer is required to submit modified plans with those changes to the Traffic Coordinator at least 4 weeks prior to the event taking place.

Due to the continuing Covid 19 Pandemic, the Committee advise that in the week prior to the competition day, the event organiser consider and implement any requirements of NSW Health.

Recommendation:

That subject to submission of revised Traffic Management and Control Plans for the Batemans Bay Triathlon to be held on Saturday 5 February 2022, incorporating the changes required to George Bass Drive/Train Street intersection, the traffic plans be approved.

GENERAL BUSINESS

The were no general business matters to be discussed.

NEXT MEETING

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

15. DEALING WITH MATTERS IN CLOSED SESSION

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

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

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

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

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.