



AGENDA

Ordinary Meeting of Council

24 October 2017

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

ON TUESDAY 24 OCTOBER 2017

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 10 October 2017

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

7. NOTICES OF MOTION

Nil

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. PETITIONS

Nil

10. GENERAL MANAGER'S REPORTS

Nil

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DR CATHERINE DALE
GENERAL MANAGER

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

E16.0041

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

Attachments: 1. Summary of submissions of proposed amendments
2. Summary of submissions not related to publicly advertised amendments
3. Under Separate Cover - Confidential - Submissions

Focus Area: Liveable Communities

Delivery Program Link: L1.3 Implement recreation and community development initiatives

Operational Plan Link: L1.3.8 Support capacity building of community and recreation groups

EXECUTIVE SUMMARY

This report details community submissions received to proposed amendments to Council's Companion Animal Management Plan 2015-19 (the Plan). These amendments to the Plan were in relation to dog recreation areas in Nelligen, Mundarra Way in Surfside and Corrigan's Reserve in Batemans Bay.

On 13 June 2017 Council resolved to publicly exhibit proposed amendments to the Plan, including the provision of an on-leash recreation dog park at Mundarra Way, Surfside and the provision of a 24 hour off-leash area for dogs at Nelligen.

On 27 June 2017 Council resolved to publicly exhibit a proposed amendment to the Plan for the removal of dog prohibition at the western end of Corrigan's Reserve to enable dogs on-leash.

All three proposed amendments to the Plan were publicly exhibited from Wednesday 5 July 2017 for 28 days. Fifteen (15) submissions received related to the matters on exhibition; a further 12 people provided submissions related to time-share arrangements at Long Beach and three people commented on more general matters related to the Plan.

In addition to addressing the proposed amendments to the Plan, a number of submissions addressed other issues such as responsible dog ownership, increased timed off-leash access at beaches, less dog access in public places, pollution and hazards for children, and the social benefits of companion animals.

While some amendments to the Plan are recommended for endorsement by Council as a result of the community engagement process, the diversity of issues raised and the views expressed, both for and against dogs in public spaces, indicates that further community and stakeholder engagement and consideration is required. This will be undertaken as part of the comprehensive review of Council's Companion Animal Management Plan.

RECOMMENDATION

THAT Council:

1. amend the Companion Animal Management Plan 2015-19 on a trial basis by:
 - a) allowing off-leash dog access to Lot 145 DP726765 at Nelligen
 - b) removing the prohibition on dogs at Corrigan's Reserve, enabling dogs on-leash, with such arrangements to be reviewed as part of the comprehensive review of

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the Companion Animal Management Plan

2. not proceed with the proposed on-leash dog recreation park at Mundarra Way, Surfside
3. not allocate the budgets proposed under resolution 17/180 and 17/181 and that any infrastructure and budget requirements be considered as part of the review of the Companion Animal Management Plan
4. submissions received be considered in the comprehensive review of the Companion Animal Management Plan
5. that people who made a submission be thanked and advised of Council's decision.

BACKGROUND

In May 2016, communications were received from members of the public expressing a need for a formalised dog recreation area in Batemans Bay.

Staff liaised initially with a small group of residents who indicated an interest in dog agility, dog training and general dog recreation facilities.

On 13 December 2016 (report 16/357 and NOM 16/10) Council resolved to address existing and emerging dog recreation venue requests in Eurobodalla Shire and seek further information from the Dog Park Supporters Group and other interested parties.

A meeting was held with interested people on 28 February 2017 to identify potential preferred locations, with the sites subsequently reviewed, assessed and presented to Council. On 13 June 2017 (17/180) Council resolved to:

1. *Select Mundarra Way, Surfside for the location of an on-leash recreational dog park in the Batemans Bay area.*
2. *Allocate a budget of \$4,000 for water, seating and bins at the selected site and consider further infrastructure, as part of recreation planning, as demand and use grows.*
3. *Publicly exhibit for twenty eight (28) days, a draft amendment to the Companion Animal Management Plan 2015-2019 on the use of the selected site for an on-leash area for dogs. Animals would be required to be under the care and control of a competent person at all times.*
4. *A further report be provided to Council containing a revised Companion Animal Management Plan 2015-19 inclusive of considerations of the submissions received during the exhibition period.*
5. *Council investigate funding options to secure fencing on this site.*

In regard to a dog exercise area in Nelligen, on 13 June 2017 at the Ordinary Meeting of Council, it was resolved (17/181) to:

1. *Allocate a budget of \$4,000 for water, seating and bins at the selected Nelligen site at the end of Tennis Court Lane.*
2. *Publicly exhibit for twenty eight (28) days a draft amendment to the Companion Animal Management Plan 2015-19 on the usage of Lot DP 145 726765, Nelligen as a 24 hour off-*

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leash area for dogs. Animals would be required to be under the care and control of a competent person at all times.

3. *A further report be provided to Council containing a revised Companion Animal Management Plan 2015-19 inclusive of considerations of the submissions received during the exhibition period.*

On 27 June 2017 (17/212) Council resolved to:

1. *Council remove the dog prohibition on Corrigans Reserve, enabling dogs on-leash.*
2. *Publicly exhibit for twenty eight (28) days a draft amendment to the Companion Animal Management Plan 2015-2019 to remove the prohibition of dogs on Corrigans Reserve, enabling dogs on-leash.*
3. *A further report be provided to Council containing a revised Companion Animal Management Plan 2015-19, inclusive of the submissions received during the exhibition period.*
4. *Include an Action in the Operational Plan to commence the review Council's Companion Animal Action Plan (CAMP) in 2017-18.*

Companion Animal Management Plan

Council resolved to include the commencement of the review of Council's Companion Animal Management Plan in 2017-18. The review of the Plan is being brought forward in response to the community interest, particularly in regard to regulating and providing recreational areas for dogs in public places.

The aim of the Plan is to balance community amenity, animal welfare and environmental management, while promoting the benefits of responsible pet ownership, consistent with the requirements of the *Companion Animal Act 1998*.

A community engagement plan is being prepared which will aim to seek community and stakeholder feedback to ensure that concerns and aspirations are understood and considered by Council in the review of the Plan and any proposed changes to the Plan. Preliminary actions taken to date includes:

- review of previous Council Companion Animal Management Plans
- review of similar plans and exercise area examples from other councils
- audit of dog signage across Eurobodalla Shire and signage usage in other local government areas
- review of informal areas that are commonly used for off-leash exercise
- review of statistics regarding complaints and issues associated with companion animals.

CONSIDERATIONS

The varied and opposing views, both for and against dogs in public spaces, highlights the need for a balanced and considered approach to managing competing usage and the limited number of suitable areas in Eurobodalla Shire. It is also important to provide areas for pet owners to readily exercise their pets, considering legislative requirements, public safety and environmental constraints.

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Legal

The *Companion Animals Act 1998* provides the legal framework for the effective and responsible care and management of companion animals. The Plan currently provides the mechanism to identify and regulate dog exercise areas and requirements.

Policy

The Plan, which was prepared in consultation with the community and stakeholders, includes details on animal, community and environmental issues, monitoring and review, exercise areas and prohibitions. A major focus of the Plan is the regulation of dog exercise areas, which includes the time-share, off-leash, leashed and prohibited areas. The Plan was developed with the view to allow for competing uses at a range of popular locations within Eurobodalla Shire.

Environmental

The use of Nelligen as an off-leash area and Corrigan Reserve as an on-leash area has minimal impact on the environment. Animals must be in the care and control of a competent person and failure to do so can result in fines.

Social Impact

The amendments to the Plan aim to balance competing demands for the use of public reserves by the community, taking into account the environment and in accordance with relevant legislation. The opportunity to review the Plan and consider the appropriateness of the two trial amendments will assist in formalising and managing dogs in public spaces across Eurobodalla Shire.

Financial

Given the recommended amendments to the Plan to trial arrangements at Nelligen and Corrigan Reserve, and not proceed with the proposal at Mundarra Way, Surfside, the budgets allocated by resolution 17/180 and 17/181 are not required at this time.

Financial costs to implement the two recommended amendments to the Plan will be borne by Council through existing budgets. This includes signage and their installation. Any additional requirements for the sites will be assessed as part of the review of the Plan in relation to infrastructure requirements and associated costs.

Community and Stakeholder Engagement

The proposed amendments to the Companion Animal Management Plan 2015-2019 included:

1. Mundarra Way, Surfside Lot 2, DP 1044536 provision of an on-leash recreation dog park
2. Nelligen Lot 145, DP 726765 for a 24 hour off-leash area for dogs
3. Corrigan Reserve with the removal of dog prohibition at the western end of the reserve to enable dogs on-leash.

The proposals were publicly exhibited for 28 days and were placed on Council's website and information was available at the Batemans Bay, Moruya and Narooma libraries and Moruya customer service centre. The proposals were also promoted via media release and public notice advertisement.

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Mundarra Way, Surfside – submissions were received from seven individuals - two were in favour and five were opposed to an on-leash recreation dog park. There was overall strong opposition to the provisions of an on-leash dog park in this location, specifically from Batemans Bay Public School and the school's P&C Association. Further discussions were held with the school in an attempt to address concerns and issues, however, resolution was not achieved. As a result, the provision of an on-leash dog recreation park at the Mundarra Way site is not recommended due to the proximity to the school and the associated concerns related primarily to children's safety.

Nelligen – the proposed amendments to the Plan to provide an off-leash area for dogs received two submissions from individuals - one for the proposal and one against. The submission opposed was concerned about excessive barking and public safety. The request to Council for the designated off-leash area was initiated by the Nelligen Progress Association and in response to activities that are currently occurring. The recommendation is to allow off-leash dog recreation at this site on a trial basis, with the arrangements reviewed in consultation with the community as part of the comprehensive review of the Plan.

Corrigans Reserve – the proposed removal of the dog prohibition, which means dogs would be permitted at the western end of the reserve on-leash, received six submissions. Three of these were supportive; one was not supportive of an off-leash park which was not proposed by the amendment; one was in favour of an enclosed off-leash dog park, which was not proposed by the amendment and; one submission related to appropriate and clear signage. It is recommended that the prohibition be removed as proposed and will provide an increased dog exercise area that is currently being used by dog owners now, and with few concerns raised.

Other matters – submissions were also received on other matters related to companion animals, particularly exercise areas unrelated to the specific items publicly exhibited. These items will be considered in the review of the Companion Animal Management Plan.

A community and stakeholder engagement plan will be developed for the Companion Animal Management Plan 2015-2019 review. This will ensure that broad consultation is undertaken with stakeholders, experts and users of public areas. The focus will be on dog exercise areas across Eurobodalla Shire, including the prohibited, off-leash, time share leashed and off-leash areas. In addition, signage will be reviewed, as well as requirements for dog dispenser bags and their associated costs.

Further investigation into an agreed dog recreational park location in Batemans Bay and as to what this should contain, options for staging a facility and associated costs, will require additional research and will be considered as part of the review of the Plan.

CONCLUSION

The proposed additional dog exercise areas include an off-leash area in Nelligen and removal of the dog prohibition at the western end of the reserve at Corrigans. These areas will be trialed and further considered during the review of the Companion Animal Management Plan.

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E16.0041

It is recommended that the on-leash dog recreation park proposed for Mundarra Way, Surfside not proceed.

The other matters raised by submissions that were unrelated to the proposed amendments to the Plan will be considered under the review of the Companion Animals Management Plan 2015-19.

Council recognises that there are varied views on dog exercise areas and seeks to find a balance between competing interests and views within the community.

Summary of submissions – proposed amendments to the Companion Animal Management Plan

NELLIGEN – 24 hour off-leash area (lot 145 DP 726765)				
Doc no.	Correspondent	For or against	Comment	Staff comment
45323 and 45111	Individual	Against	Excessive barking, safety issues, area used by children and is a public place. 2 submissions received.	Area is currently utilised for dogs and in recognition of current practices. Owners are required to have dogs in their care and control.
45380	Individual	For	Support the off-leash area.	
CORRIGANS – remove the prohibition on Corrigans Beach Reserve enabling dogs on-leash				
Doc no.	Correspondent	For or against	Comment	Staff comment
41405	Organisation	Against	Doesn't support an off-leash dog park for Corrigans and negative impact on the circus and other activities that occur in the reserve.	The amendment was for on-leash only.
42094	Individual	For	Support removal of dog prohibition.	
46964	Individual	N/A	In favour of an enclosed off-leash, 24 hour dog park. Ideal location is Corrigan Cove Park - north end. Believes Nelligen and Surfside too far removed from population.	The amendment was only for on-leash.
45376	Individual	For	Support removal of dog prohibition.	
46693	Organisation - RSPCA	For	Support removal of dog prohibition.	

Summary of submissions – proposed amendments to the Companion Animal Management Plan

CORRIGANS – remove the prohibition on Corrigans Beach Reserve enabling dogs on-leash				
Doc no.	Correspondent	For or against	Comment	Staff comment
47458	Individual	N/A	Concerns over grass area and beach permissibility for dogs. Confusion over map of Corrigans.	Any changes will be advertised and appropriate signage would be installed.
SURFSIDE – 24 hour on leash area - Mundarra Way				
Doc no.	Correspondent	For or against	Comment	Staff comment
42439	Individual	Against	Dangerous site for off-leash. Require a safe place for dogs off-leash.	Area was identified as on-leash.
45379	Individual	For	Support proposal if it is off-leash. Area is suitable for off-leash without fencing.	Area was identified as on-leash.
43148	Individual	Against	Opposed to proposal - dog owners not acting appropriately in managing their animals.	Dog owners are required to have animals under proper care and control.
46659	Individual	Against	Opposed due to proximity to school. McLeods Reserve - on-leash is enough in Surfside.	
47586, 48007	Batemans Bay Public School Principal	Against	Area is a thoroughfare - no buffers between area and classrooms and highway - area prone to flooding. Noise and safety for students.	Multiple concerns raised by the school. Major concern is potential negative impact on students.

Summary of submissions – proposed amendments to the Companion Animal Management Plan

SURFSIDE – 24 hour on leash area – Mundarra Way				
Doc no.	Correspondent	For or against	Comment	Staff comment
47551, 47584	Batemans Bay Public School P&C	Against	Negative impact on school and students - increased traffic - impact on wildlife.	Multiple concerns raised by the parents and citizens of the school. Major concern is potential negative impact on students.
46693	Organisation RSPCA	For	Support this move, but would urge a quick transition to an off-leash park where active dogs can run safely.	Support for off-leash park in Batemans Bay.

Summary of submissions – not related to advertised/publicly exhibited proposed amendments

OTHER GENERAL MATTERS		
Doc no.	Correspondent	Comment
38205	Individual	Dogs on Eurobodalla beaches permissibility at Malua Bay.
44002	Individual	Companion animals help strengthen the social fabric in our community.
44008	Individual	Provided information on companion animals.
46693	Eurobodalla RSPCA	Broader support for off-leash parks across Eurobodalla Shire.
LONGBEACH – timeshare arrangements		
Doc no.	Correspondent	Comment
36536 & 41520, 43427, 44013 & 43428	Individual	Change permissibility of dogs on Long Beach. 5 submissions.
38213, 38404, 41404, 43422, 45426, 45159	Individual	Change off-leash in Long Beach to 24 hour access. 6 submissions.
38208, 41400	Individual	24/7 dog off-leash for western end of Long Beach. 2 submissions.

Summary of submissions – not related to advertised/publicly exhibited proposed amendments

LONGBEACH – timeshare arrangements		
Doc no.	Correspondent	Comment
36540, 40469, 40669, 40682, 41402, 42376, 42739, 43425, 45442, 45460	Individual	Long Beach increase to 24/7 - consider all beaches timeshare to school holidays - improve signage. 10+ submissions.
39034 & 39455	Individual	Increase access for dogs to Long Beach.
41727	Individual	24 hour access at Long Beach at western end.
41413, 42418	Individual	24 hour access at Longbeach or from 10am to 4pm and only during Xmas holidays - increase fines for dog faeces.
41572	Individual	24hr off-leash dog area at west end of Long Beach.
42444	Individual	Increase dog access off-leash at Long Beach.
41399	Individual	24 hr access western end of Long Beach.
42652	Individual	No restrictions for dogs western end of Long Beach.
44015	Individual	Opposed to any change in dog access. Pollution and hazards for children.
Overall staff comment	The advertised proposed amendments did not include Long Beach. Consideration of changes to the permissibility of dogs in Long Beach, and the other general matters, is to be undertaken with the review of the Companion Animals Management Plan.	

IR17/062 PARKING IN CLYDE STREET, BATEMANS BAY

E00.4623

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Focus Area: Productive Communities

Delivery Program Link: P3.3 Provide road and traffic management planning, programs and infrastructure

Operational Plan Link: P3.3.1 Implement road safety programs and plans

EXECUTIVE SUMMARY

Following the Mayoral report (MR17/004 – Parking in Batemans Bay) to the Ordinary Meeting of Council held on 27 June 2017, it was resolved:

“THAT options for additional parking in Clyde Street precinct, Batemans Bay be prepared and a report brought back for Council's consideration in October 2017.”

Roads and Maritime Services (RMS) are now progressing the designs for the new Batemans Bay bridge and associated foreshore works. The new bridge will be over the top of Clyde Street providing additional opportunities to re-assess the amount of parking and green space available in the Clyde Street precinct.

RMS has indicated that it will provide a number of options for the foreshore area and that community engagement will be undertaken to assess feedback on the balance between additional parking and foreshore green space. It is therefore proposed that further work on options for increasing parking in the Clyde Street precinct be considered following RMS's community engagement process.

Council's submission to the proposed bridge alignment can be found at:

<http://www.esc.nsw.gov.au/inside-council/project-and-exhibitions/advocacy/infrastructure-priorities>

RECOMMENDATION

THAT:

1. The update report on the options for additional parking in the Clyde Street precinct at Batemans Bay be received and noted.
2. Council further consider options for additional parking in the Clyde Street precinct following the community engagement being undertaken by Roads and Maritime Services in conjunction with the proposed new Batemans Bay bridge over Clyde Street.

BACKGROUND

At the Council meeting held on 27 June, 2017 Council resolved:

IR17/062 PARKING IN CLYDE STREET, BATEMANS BAY

E00.4623

“THAT options for additional parking in Clyde Street precinct, Batemans Bay be prepared and a report brought back for Council's consideration in October 2017.”

RMS has proposed a route for the replacement of the Batemans Bay bridge. The RMS project page can be found at this link: <http://www.rms.nsw.gov.au/projects/south-coast/batemans-bay-bridge/index.html>

CONSIDERATIONS

The new bridge will travel over Clyde Street and the existing bridge and bridge approaches will be removed. This offers new opportunities for the provision of additional parking and/or foreshore activation and public use within the Clyde Street precinct. This work will need to include continuing the road (Clyde Street) underneath the new bridge.

RMS has advised a number of options will be proposed to the community to allow broad engagement prior to working with Council to determine a final solution for the Clyde Street precinct. A key issue is likely to be the amount of car parking provided compared to the amount of activation and public use of the foreshore.

RMS has confirmed a preparedness to work closely with Council on the final solution for the Clyde Street precinct.

Rather than Council separately preparing options for additional parking in the Clyde Street precinct, it is considered better to allow the community engagement process being undertaken by RMS to be completed. The community feedback on this important issue will aid Council in determining its own view on the most appropriate solution for the Clyde Street precinct.

CONCLUSION

The proposed new Batemans Bay bridge will offer new opportunities to provide additional parking and/or activation of the foreshore. RMS are developing options for the purposes of community engagement.

A further report will be provided to Council upon completion of the community engagement by RMS.

CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

E06.0278

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services
Attachments: 1. Confidential - Licence for Water Sports Adventure School
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

A water sports adventure school business, The Kite Bus has submitted an application to obtain a twelve-month licence to operate a water sports adventure school based on kite surfing, from within Crown reserves at South Durras and Hanging Rock and a Council reserve being community land at Long Beach.

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, as no other parties have expressed an interest in using the reserve during the same period it is appropriate the licence application be considered.

A Briefing was presented to Council on 4 April 2017 about The Kite Bus licence application to operate from these reserves. Following community consultation and submissions received, alternative sites at Long Beach and South Durras are proposed.

Public notification of proposed use of Crown land is not required in accordance with the *Crown Lands Act 1989*, however being guided Council's *Community Engagement Framework*, adopted by Council on 14 February 2017, public notice of 28 days has been given of Council's intention to grant a licence to The Kite Bus. Submissions were received and alternative sites were publicly notified for South Durras and Long Beach. No submissions were received in relation to these new sites.

There is no water sports adventure school currently operating from any of the proposed locations in. The granting of a licence will provide an attraction for both visitors and residents and will encourage visitors to the area to experience the sport of kite surfing.

It is considered reasonable and appropriate for Council to support the granting of a twelve-month licence to The Kite Bus for these locations.

RECOMMENDATION

THAT subject to the Licensee providing the relevant approvals from the Australian Maritime Safety Authority and the Marine Parks Authority, Council, as Trust Manager for the Eurobodalla (North) Reserve Trust, grant a twelve-month licence in accordance with Section 108 of the *Crown Lands Act 1989*, to The Kite Bus to operate a water sports adventure school within Crown Reserves 85399 Durras Lake Drive, South Durras, 72057 Bay Road, Long Beach, 66122 Hanging Rock with terms and conditions in line with similar licences including:

CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

E06.0278

1. Payment of a licence fee of \$1100 pa plus GST; and
2. Provision of evidence of public liability insurance cover in the amount of at least \$20million.

BACKGROUND

An application has been received from a business wishing to establish a water sports adventure school, with the main activity being kite surfing, to operate from two Crown reserves and one Council reserve in the north of the Shire.

The owner of the business, known as The Kite Bus, has managed and worked for water sports schools within Australia and overseas for some years. The proposal involves a van and trailer for transportation and storage of the school equipment being parked at the chosen location for the day, and a temporary gazebo erected on the reserve to offer shade in hot conditions. At days end all equipment and waste will be removed from the site.

Public consultation has taken place with submissions received, alternative sites were also publicly notified with no further submissions.

CONSIDERATIONS

Council's Traffic Officer has reviewed the proposed sites, which include public carparks, and has no concerns with the business operating from these sites.

The location of the selected Crown reserves and the proposed licence areas are shown in the diagrams below.



Crown Reserve 66122 – Lot 1 DP 1171024 Hanging Rock

CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

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Current proposed South Durras site
Crown Reserve 85399 – Lot 2 DP 1224658
(750 metres south of the previous location)

CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

E06.0278



South Durras sites – previous and current proposals

CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

E06.0278



Current proposed Long Beach site
Community Land – Lot 55 DP 849895 Long Beach



Long Beach sites – previous and current proposals

Legal

Crown Reserves 85399 South Durras and 66122 Hanging Rock are under the control of the Eurobodalla (North) Reserve Trust. Council as Trust Manager can grant a licence for use of the reserve for a period up to twelve months without the consent of the Minister administering the *Crown Lands Act 1989*, in accordance with Sections 102 and 103 of that Act.

www.legislation.nsw.gov.au/#/view/act/1989/6/part5/div5/sec102

www.legislation.nsw.gov.au/#/view/act/1989/6/part5/div5/sec103

CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

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Lot 55 DP 849895 Sandy Place, Long Beach is a Council public reserve classified as community land. Council can only issue a licence after giving public notice and considering any submissions in accordance with Section 47A of the *Local Government Act 1993*.

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

The water sports activities require a Certificate of Operations with the Australian Maritime Safety Authority (AMSA), the governing body for Hire and Drive Permits and a Marine Park Permit to conduct commercial water sport activities issued in accordance with the *New South Wales Marine Park Zoning Regulation 1999*.

www.legislation.nsw.gov.au/~view/regulation/1999/102/historical2009-09-01/part3

The granting of a temporary licence would be subject to the Licensee obtaining these approvals.

Policy

In line with the provisions of Council's Code of Practice - *Licencing of Council controlled Public Reserves and Associated Buildings*, an Expression of Interest (EOI) was called in February 2017 for parties interested in seeking a licence for periods up to five years to use any Council owned or controlled public reserves. No other party expressed an interest in using these locations during the same period.

www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licencing-of-council-controlled-public-reserves-and-associated-buildings-code-of-practice.pdf

Environmental

The Kit Bus water sports adventure school would not have any undue impact on other users of the reserves.

Asset

The Kite Bus will conduct business from an office in Batemans Bay and will use a reserve for parking the van and trailer used for storage and transportation of equipment. A collapsible gazebo will be erected to provide shade. The licence will not give exclusive use of the reserves.

Social Impact

The Kite Bus promotes the sport of kite surfing, surfing, paddle boarding and sailing, and safe water practices and provides the opportunity for locals and visitors alike to enjoy these activities in the Shire.

Economic Development Employment Potential

The proposal would increase the range of activities available for visitors, which may lead to increased visitation, length of stay and expenditure.

Financial

In line with similar aquatic hire activities within the Shire it is considered appropriate the licence fee be \$1,100 pa plus GST.

CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

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Community Engagement

An EOI was called from interested parties wishing to conduct activities on Council controlled public reserves for a period of up to five years. No other party expressed an interest in using the same reserves.

Public notification of proposed use of Crown land is not required in accordance with the *Crown Lands Act 1989*, however being guided by Council's *Community Engagement Framework*, public notice of 28 days has been given of Council's intention to grant a licence to The Kite Bus in regard to the various sites.

The proposed licence was publicly notified for 28 days commencing 12 April 2017 to 10 May 2017. This included a notice displayed on-site at each location in South Durras, Long Beach and Hanging Rock, inclusion in Council's Noticeboard in the local paper and letters to residents and stakeholders near the proposed licence areas advising of the proposed licence.

Long Beach

Four submissions were received regarding the original Long Beach site when first advertised. The main concern being the carpark and reserve are already used extensively by local families and tourists and The Kite Bus operation may reduce the space available to the general community. One submission suggested a Council reserve Lot 55 DP 849895 Sandy Place, Long Beach as an alternative site and more suitable for this type of operation. The owner of The Kite Bus agreed this alternative site is suitable. The new proposed site was publicly notified for 28 days commencing 31 May 2017 to 27 June 2017. This included a notice displayed on-site at the location in Long Beach, listing on Council's website and inclusion in Council's Noticeboard in the local paper. No new submissions were received.

South Durras

Two submissions were received regarding the original South Durras site when first advertised concerning the negative impact kite surfing may have on the adjoining endangered shorebird nesting area. National Parks and Wildlife Service Shorebird Recovery Coordinator also conveyed those concerns. A proposed alternative site is situated 750 metres south of the previous site. The owner of The Kite Bus agreed this alternative site is suitable. The new proposed site was publicly notified for 28 days commencing 7 July 2017 to 7 August 2017. This included a notice displayed on-site at the location in South Durras, listing on Council's website and inclusion in Council's Noticeboard in the local paper. No new submissions were received.

CONCLUSION

The Kite Bus has submitted an application to obtain a twelve-month licence to operate a water sports adventure school. There is no water sports adventure school currently operating from any of the proposed locations.

The granting of a licence for The Kite Bus to operate from two Crown reserves and one Council reserve in the north of the Shire will provide an attraction for both visitors and residents alike and will benefit the Shire encouraging visitors to the area to experience the sport of kite surfing.

CCS17/081 LICENCE FOR WATER SPORTS ADVENTURE SCHOOL

E06.0278

Consideration has been given to the concerns raised by submissions received on the original proposed sites at Long Beach and South Durras, and the alternative sites proposed received no submissions.

It is considered reasonable for Council to support The Kite Bus by granting a twelve-month licence subject to the Licensee obtaining the necessary aquatic approvals.

CCS17/082 LICENCE FOR KAYAK HIRE BUSINESS - NELLIGEN

E07.1579

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

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

Nelligen Kayak Hire has been operating a kayak/canoe hire business within Council's community land, Lot 1 DP 125594 Clyde River Foreshore Reserve, Wharf Street, Nelligen on a temporary twelve-month licence since December 2016. The current licence expires on 16 December 2017 and Nelligen Kayak Hire has requested a five-year licence be granted.

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, as no other parties have expressed an interest in using the same part of the reserve it is appropriate the licence application be considered.

In accordance with Section 47A of the *Local Government Act 1993*, and guided by Council's *Community Engagement Framework*, the proposed licence was publicly notified for 28 days from 13 September 2017 to 10 October 2017. No submissions were received.

It is considered reasonable and appropriate that a five-year licence be granted to Nelligen Kayak Hire.

RECOMMENDATION

THAT Council grant a five-year licence to Nelligen Kayak Hire to operate a kayak/canoe hire business from within Lot 1 DP 125594 Clyde River Foreshore Reserve, Wharf Street, Nelligen commencing 17 December 2017 and expiring 16 December 2022 under the same terms and conditions as the existing licence with terms and conditions including:

1. Payment of a licence fee of \$1100 pa plus GST; and
2. Provision of evidence of public liability insurance cover in the amount of at least \$20million.

BACKGROUND

At its meeting held on 22 November 2016 Council resolved to grant a 12 month licence to Nelligen Kayak Hire. Nelligen Kayak Hire has been operating a kayak/canoe hire business within Lot 1 DP 125594 Clyde River Foreshore Reserve, Wharf Street, Nelligen on a temporary twelve-month licence since December 2016. The current licence expires on 16 December 2017 and Nelligen Kayak Hire has requested a five-year licence be granted.

The business transactions are conducted from a 3m x 3m collapsible gazebo within the Reserve and launching of the kayaks and canoes takes place at the steps just north of the boat ramp and at the floating jetty. The kayaks and canoes not being used are stored on a trailer in the

CCS17/082 LICENCE FOR KAYAK HIRE BUSINESS - NELLIGEN

E07.1579

adjacent carpark or on the grass area next to the gazebo. At days end all equipment and waste is removed from the site.

CONSIDERATIONS

Nelligen Kayak Hire has requested a five-year licence be granted to operate a kayak/canoe hire business in Nelligen. No other party expressed an interest in using the same part of the reserve during this time therefore it is appropriate that consideration be given to the request.

The licence area is shown in the sketch below.



Lot 1 DP 125594 Clyde River Foreshore Reserve, Wharf Street, Nelligen

Lot 1 DP 125594 Clyde River Foreshore Reserve, Wharf Street, Nelligen is a Council public reserve classified as community land. Council can issue a licence for a period up to five years after giving public notice and considering any submissions in accordance with Section 47A of the *Local Government Act 1993*.

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

The activity requires a Certificate of Operations from the Australian Maritime Safety Authority (AMSA), the governing body for Hire and Drive Permits.

Policy

In line with the provisions of Council's Code of Practice - *Licencing of Council controlled Public Reserves and Associated Buildings*, an Expression of Interest (EOI) was called in February 2017 for parties interested in seeking a licence for periods up to five years to use any Council owned or controlled public reserves. No other party expressed an interest in using the same part of the reserve.

www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licencing-of-council-controlled-public-reserves-and-associated-buildings-code-of-practice.pdf

Environmental

The kayak/canoe hire business would not have any undue impact on the reserve.

CCS17/082 LICENCE FOR KAYAK HIRE BUSINESS - NELLIGEN

E07.1579

Asset

A condition of the licence includes the Licensee being responsible for maintaining the reserve in a satisfactory condition.

Social Impact

The business promotes the sport of kayaking and canoeing for all ages and provides the opportunity for locals and visitors alike to enjoy this activity in the Shire.

Economic Development Employment Potential

Nelligen Kayak Hire gives locals and tourists the opportunity to explore the Clyde River from a different vantage point. The activity encourages visitors to stay longer and spend more in the Shire with benefits to other businesses within the area.

Financial

In line with similar hire activities within the Shire it is considered appropriate the licence fee be \$1,100 plus GST, increased annually in line with the CPI.

Community and Stakeholder Engagement

An EOI was called from interested parties wishing to conduct activities on Council controlled public reserves for a period of up to five years. No other party expressed an interest in using the same part of the reserve.

In accordance with Section 47A of the *Local Government Act 1993* and guided by Council's *Community Engagement Framework* the intention to grant a five-year licence to Nelligen Kayak Hire over Council public reserve Lot 1 DP 125594 Clyde River Foreshore Reserve, Wharf Street, Nelligen was publicly notified for 28 days from 13 September 2017 to 10 October 2017. No submissions were received.

CONCLUSION

The temporary twelve-month licence to Nelligen Kayak Hire to operate a kayak/canoe hire business from within Lot 1 DP 125594 Clyde River Foreshore Reserve, Wharf Street, Nelligen expires on 16 December 2017. Nelligen Kayak Hire has requested a five-year licence be granted. The business promotes the sport of kayaking and canoeing for all ages and provides the opportunity for locals and tourists alike to enjoy this activity in the Shire.

It is considered reasonable and appropriate for Council to support Nelligen Kayak Hire by granting a five-year licence.

CCS17/083 LICENCE FOR MARKETS - NATA OVAL, NAROOMA

80.0926.D

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services
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

The Rotary Club of Narooma Inc (Rotary) has been operating charity markets within Crown Reserve R63051 NATA Oval, Narooma on the fourth Sunday of each month with up to three additional market days per year for seventeen years. The current licence expires on 11 November 2018. In response to Council's annual EOI process, Rotary has expressed its interest in renewing the licence for another five years, commencing on 12 November 2018.

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, as no other parties have expressed an interest in using the reserve during the same period it is appropriate the licence application be considered.

Public notification of proposed use of Crown land is not required in accordance with the *Crown Lands Act 1989*, however being guided by Council's *Community Engagement Framework* the proposed licence was publicly notified for 28 days from 13 September 2017 to 10 October 2017. No submissions were received.

It is considered reasonable and appropriate that, subject to Minister's consent, a five-year licence be granted to Rotary.

RECOMMENDATION

THAT

1. Subject to the consent of the Minister administering the *Crown Lands Act 1989*, in accordance with Sections 102 and 103 of the *Crown Lands Act 1989* Council as Trust Manager for the Eurobodalla (South) Reserve Trust grant a five-year licence to Rotary Club of Narooma Inc to conduct charity markets on the fourth Sunday of each month within Crown Reserve R63051 at NATA Oval, Narooma commencing on 12 November 2018 and expiring on 11 November 2023 with conditions generally in line with existing market licences.
2. Additional market days be permissible subject to consent of the Licensor.
3. The General Manager be given delegated authority to consent to additional market days.

CCS17/083 LICENCE FOR MARKETS - NATA OVAL, NAROOMA

80.0926.D

BACKGROUND

Rotary has been operating charity markets within Crown Reserve R63051 NATA Oval, Narooma on the fourth Sunday of each month with up to three additional market days per year for seventeen years. The current five-year licence to operate the markets expires on 11 November 2018 and Rotary has requested a further five-year licence be granted.

CONSIDERATIONS

The location of the proposed licence area is shown in the diagram below.



Crown Reserve R63051 Lot 7011 DP 1055108 NATA Oval, Narooma

Legal

Crown Reserve R63051 NATA Oval, Narooma is under the control of the Eurobodalla (South) Reserve Trust for which Council is Trust Manager. Council as Trust Manager cannot grant a licence for use of the reserve for a period greater than twelve months without the consent of the Minister administering the *Crown Lands Act 1989*, in accordance with Sections 102 and 103 of that Act.

www.legislation.nsw.gov.au/#/view/act/1989/6/part5/div5/sec102

www.legislation.nsw.gov.au/#/view/act/1989/6/part5/div5/sec103

Policy

In line with the provisions of Council's Code of Practice - *Licencing of Council controlled Public Reserves and Associated Buildings*, an EOI was called in February 2017 for parties interested in seeking a licence for periods up to five years to use any Council owned or controlled public reserves. No other party expressed an interest in using the same part of the reserve.

www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licencing-of-council-controlled-public-reserves-and-associated-buildings-code-of-practice.pdf

CCS17/083 LICENCE FOR MARKETS - NATA OVAL, NAROOMA

80.0926.D

Asset

A condition of the licence includes the Licensee being responsible for maintaining the reserve in a satisfactory condition.

Social Impact

Sunday markets in Narooma provide an attraction and activity for local residents as well as visitors to this area. The markets also provide Rotary the opportunity to raise funds on a regular basis to support a wide range of local and international Rotary projects.

Financial

A licence fee in accordance with Council's adopted fees and charges for markets within the Shire will apply.

Community and Stakeholder Engagement

An EOI was called from interested parties wishing to conduct activities on Council controlled public reserves for a period of up to five years. No other party expressed an interest in using the same part of the reserve.

Public notification of proposed use of Crown land is not required in accordance with the *Crown Lands Act 1989*, however being guided by Council's *Community Engagement Framework*, adopted by Council on 14 February 2017, the proposed licence was publicly notified for 28 days from 13 September 2017 to 10 October 2017. No submissions were received.

CONCLUSION

The continuation of markets at NATA Oval, Narooma is considered worthwhile as an attraction for locals and visitors as well as a regular source of fundraising for Rotary to support a wide range of local and international Rotary projects. No submissions were received during the 28 day public notification period and is considered reasonable and appropriate that, subject to Minister's consent, a five-year licence be granted to Rotary.

CCS17/084 LICENCE FOR COMMUNITY GARDEN - TUROSS HEAD

E11.5460

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

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

The five-year licence to Tuross Community Garden Inc (TCG) to operate a community garden within Council's community land, Lot 77 DP 260321 Hector McWilliam Drive, Tuross Head expired on 31 August 2017. TCG has advised its interest in renewing the licence for another five years.

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, as no other parties have expressed an interest in using the same part of the reserve it is appropriate the licence application be considered.

In accordance with section 47A of the *Local Government Act 1993*, the proposed licence was publicly notified for 28 days from 13 September 2017 to 10 October 2017. No submissions were received.

It is considered reasonable and appropriate a five-year licence be granted to TCG.

RECOMMENDATION

THAT

1. Council grant a licence to Tuross Community Gardens Inc over part Lot 77 DP 260321 Hector McWilliam Drive, Tuross Head for horticultural activities for a term of five years commencing on 1 September 2017 and expiring on 31 August 2022 with conditions in line with the previous licence and an annual fee in accordance with Council's adopted fees and charges.
2. Consent be granted to Tuross Community Gardens Inc to utilise one bay in the storage shed located within Lot 77 DP 260321 and this be incorporated into the licence agreement and licence fee.

BACKGROUND

At its meeting on 20 December 2011 Council resolved to grant a five-year licence to TCG to operate a community garden within Lot 77 DP 260321 being part of Kyla Park Recreation Area in accordance with Council's Community Gardens Policy. At its meeting on 13 November 2012 Council resolved to vary the licence to increase the licence area.

The five-year licence to TCG expired on 31 August 2017 and it has requested another five-year licence be granted. In accordance with Clause 11 of the current licence TCG can continue to

CCS17/084 LICENCE FOR COMMUNITY GARDEN - TUROSS HEAD

E11.5460

occupy the site on a holding over basis for up to twelve months until the new licence is finalised.

CONSIDERATIONS

TCG has requested to renew its licence to operate a community garden within part Lot 77 DP 260321 Hector McWilliam Drive, Tuross Head. No other party expressed an interest in using the same part of the reserve therefore it is appropriate that consideration be given to the request.

TCG is currently occupying one bay in a storage shed located within the Kyla Park Recreation Area and its use of the storage shed will be incorporated into the new five-year licence.

The community garden licence area is shown in the diagram below.



Licence Area -Lot 77 DP 260321 Tuross Head

Legal

Lot 77 DP 260321 Hector McWilliam Drive, Tuross Head is a Council public reserve classified as community land. Council can issue a licence for a period up to five years after giving public notice and considering any submissions in accordance with Section 47A of the *Local Government Act 1993*.

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

Policy

The five-year licence to TCG is supported in accordance with Council's Community Gardens Policy.

www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Community-Gardens-Policy.pdf

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, an EOI was called in February 2017 for parties interested in seeking a licence for periods up to five years to use any Council owned or controlled public reserves. No other party expressed an interest in using the same part of the reserve.

www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licensing-of-council-controlled-public-reserves-and-associated-buildings-code-of-practice.pdf

CCS17/084 LICENCE FOR COMMUNITY GARDEN - TUROSS HEAD

E11.5460

Asset

The TCG are to keep the gardens in good order and properly maintained.

Social Impact

The use of the land for an education and training facility for teaching sustainable agricultural and horticultural practices is beneficial for members of the public wishing to avail themselves of the education and training offered and to enjoy the social aspects of these community activities.

Financial

A licence fee in accordance with Council's adopted fees and charges for community gardens will apply.

Community and Stakeholder Engagement

An EOI was called from interested parties wishing to conduct activities on Council controlled public reserves for a period of up to five years. No other party expressed an interest in using the same part of the reserve.

In accordance with Section 47A of the *Local Government Act 1993* and guided by Council's *Community Engagement Framework* the intention to grant a five-year licence to TCG over Council public reserve Lot 77 DP 260321 Hector McWilliam Drive, Tuross Head was publicly notified for 28 days from 13 September to 10 October 2017. No submissions were received.

CONCLUSION

The use of part Lot 77 DP 260321 Hector McWilliam Drive, Tuross Head by TCG for an education and training facility for teaching sustainable agricultural and horticultural practices is considered to be a worthwhile venture. The proposed licence was publicly notified for 28 days and no submissions were received.

The granting of a five-year licence to TCG and incorporating its use of the bay within the storage shed into the licence is considered appropriate.

CCS17/085 LICENCE WITHIN MARA MIA WALKWAY, BATEMANS BAY

85.2226.D

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

Attachments: 1. Confidential - Confidential-Licence within Mara Mia Walkway

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

Development consent has been granted for the construction of a development including shop top housing and a kiosk on Lot 2 DP 1166711 which is on the boundary of Mara Mia Walkway, Batemans Bay.

The development company constructing within Lot 2 DP 1166711 have requested a licence for 15 square metres (2.5m x 6m) within part Crown Reserve 96919, Mara Mia Walkway to accommodate a temporary site office to assist with construction works be granted.

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, as no other parties have expressed an interest in using the reserve during the same period it is appropriate the licence application be considered.

A temporary licence for one-year within part Crown Reserve 96919 Mara Mia Walkway is proposed.

Public notification of proposed use of Crown land is not required in accordance with the *Crown Lands Act 1989*, however being guided by Council's *Community Engagement Framework*, adopted by Council on 14 February 2017, the proposed licence was publicly notified for 28 days from 13 September 2017 to 10 October 2017. No submissions were received.

It is considered reasonable and appropriate that a one-year licence be granted to the development company.

RECOMMENDATION

THAT:

1. Council grant a one-year licence to the development company set out in the Confidential Attachment to this report for a temporary site office within part Reserve 96919 Mara Mia Walkway, Batemans Bay commencing on 18 September 2017 and expiring on 17 September 2018 and including the following conditions:
 - (a) A one year term.
 - (b) Licence fee of \$1,890 plus GST for one year.
 - (c) Area is to be maintained in a clean and tidy and condition and any damage caused by the development is rectified.
 - (d) Provision of \$20 million public liability insurance.

CCS17/085 LICENCE WITHIN MARA MIA WALKWAY, BATEMANS BAY

85.2226.D

BACKGROUND

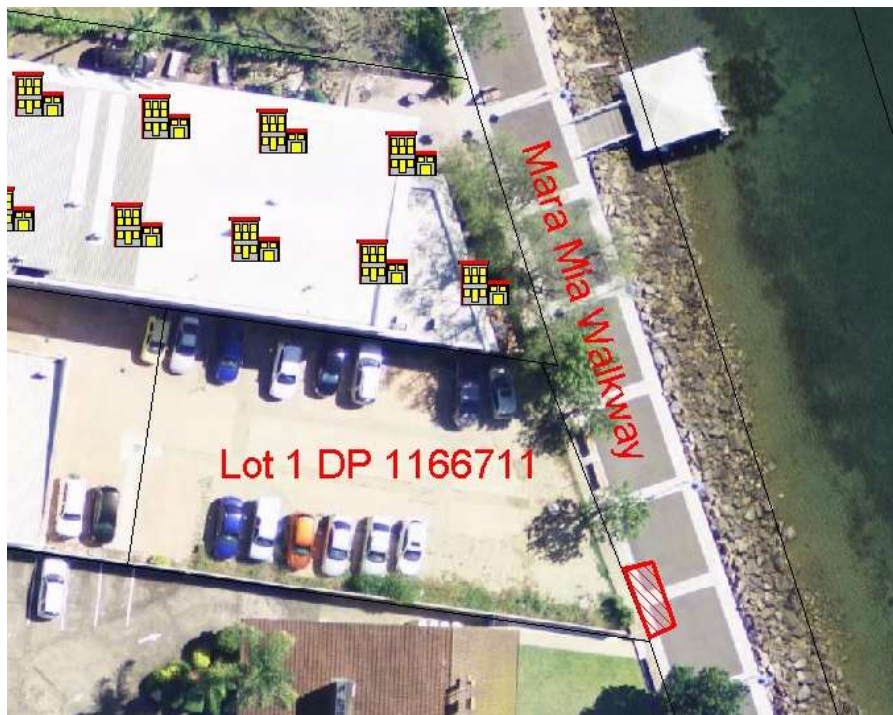
Development consent has been granted for the construction of a development including shop top housing and a kiosk on the boundary of Mara Mia Walkway and Lot 2 DP 1166711.

The development company have requested consent for the use of 15 square metres (2.5m x 6m) of the adjoining land on the Mara Mia Walkway for a site office to assist with construction works.

All construction works will be in accordance with approved Development Consent 577/15-M2 which will ensure that prior to the issue of the construction certificate, Council must receive and approve a detailed plan for reconstruction of Mara Mia Walkway for the full frontage of the property. The reconstruction is to be at or above the standard of the existing walkway and where possible and if required, trees replaced to the satisfaction of Council. All walkway reconstruction works are to be carried out prior to the issue of the occupation certificate

CONSIDERATIONS

The location of the licence area is shown in the diagram below.



Legal

Part Crown Reserve 96919 Batemans Bay is under the control of the Eurobodalla (North) Reserve Trust for which Council is Trust Manager. Council as Trust Manager can grant a licence for use of the reserve for a period no greater than twelve months without the consent of the Minister administering the *Crown Lands Act 1989*, in accordance with Sections 102 and 103 of that Act.

www.legislation.nsw.gov.au/#/view/act/1989/6/part5/div5/sec102

www.legislation.nsw.gov.au/#/view/act/1989/6/part5/div5/sec103

CCS17/085 LICENCE WITHIN MARA MIA WALKWAY, BATEMANS BAY

85.2226.D

Environmental

All construction will be managed in accordance with the development consent conditions.

Asset

The construction of the shop top housing and a kiosk will bring people into the area enhancing this busy precinct.

Social Impact

The temporary siting of a site office will result in the loss of part of the walkway however its location will not impede public access along the Mara Mia Walkway.

Economic Development Employment Potential

The development of this new residential accommodation and kiosk will contribute to the growth of economy in the Batemans Bay area.

Financial

Given the location of the licence, a fee in line with Council's adopted Fees and Charges for footpath trading is considered appropriate.

Community and Stakeholder Engagement

An EOI was called from interested parties wishing to conduct activities on Council controlled public reserves for a period of up to five years. No other party expressed an interest in using the same part of the reserve.

Public notification of proposed use of Crown land is not required in accordance with the *Crown Lands Act 1989*, however being guided by Council's *Community Engagement Framework*, adopted by Council on 14 February 2017, the proposed licence was publicly notified for 28 days from 13 September 2017 to 10 October 2017. No submissions were received.

CONCLUSION

Development consent has been granted for the construction of a shop top housing and a kiosk on Lot 2 DP 1166711 which is on the boundary of Mara Mia Walkway.

The development company has applied for a licence for 15 square metres of Mara Mia Walkway to accommodate a temporary site office to assist with construction works within Lot 2 DP 1166711. It is considered reasonable and appropriate for Council to support this application by granting a one-year licence with a licence fee as set out in the Confidential Attachment.

**CCS17/086 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE
2017 - REFERRAL TO AUDIT**

E17.1016

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services

Attachments: 1. Under Separate Cover - Confidential - Draft financial statements for year ended 30 June 2017
2. Financial Statements Timeline

Focus Area: Support Services

Delivery Program Link: SS1.1 Manage Council's financial assets and obligations

Operational Plan Link: SS1.1.2 Undertake forward budgeting and financial reporting

EXECUTIVE SUMMARY

The purpose of this report is to bring the draft Annual Financial Statements for the year ended 30 June 2017 to Council to consider referral to Audit which is being undertaken by the NSW Audit Office. The referral to audit is a statutory requirement. The draft Financial Statements were distributed to the Audit, Risk and Improvement Committee and Council on 12 October 2017.

RECOMMENDATION

THAT

1. The Draft Annual Financial Statements for the year ended 30 June 2017 be referred to audit.
2. The Statement by Councillors and Management be made pursuant to Section 413(2)(c) of the *Local Government Act 1993* (as amended) and signed by the Mayor, Deputy Mayor (or Councillor), General Manager and Responsible Accounting Officer at the Council meeting on 24 October 2017.
3. The audited Financial Statements, together with the Auditor's report and Financial Commentary be presented to the public at the Council meeting of 28 November 2017.

BACKGROUND

The *Local Government Act 1993* (as amended) requires Council to prepare financial statements for each year and refer them for audit as soon as practicable after the end of that year.

A council's financial statements must include:

- (a) A General Purpose Financial Statement;
- (b) Any other matter prescribed by the regulations, and
- (c) A statement in the approved form by the Council as to its opinion on the General Purpose Financial Statement.

The Annual Financial Statement Approval and Audit Process is outlined in Attachment 2 of this report. This process is largely governed by the requirements of the *Local Government Act 1993* (as amended) having regard to the timing of Council meetings.

**CCS17/086 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE
2017 - REFERRAL TO AUDIT**

E17.1016

CONSIDERATIONS

Section 413 of the *Local Government Act 1993* (as amended) requires the Council to form an opinion as to whether Council's Annual Financial Statements have been drawn up in accordance with the *Local Government Act 1993* and associated Codes and Australian Accounting Standards as prescribed by the Regulations. The Statements have been reviewed by Council's Auditors and are presented to Council for an opinion to be formed. Subsequent to these Statements being signed, Council's Auditor will present its Audit Report to Council.

Following the signing of opinions and receiving the Auditor's Report, a copy of the Audited Financial Statements will be submitted to the Office of Local Government in accordance with Section 417(5) of the *Local Government Act 1993* (as amended).

Section 418 of the *Local Government Act 1993* (as amended) requires that Council, as soon as practical after receiving a copy of the Auditor's Reports, fix a date for a meeting at which it proposes to present its Audited Financial Statements, together with the Auditor's Reports, to the public. The proposed date for this meeting is 28 November 2017.

The Council must give public notice of the date of the meeting at which the Audited Financial Statements and Auditor's Report will be presented. An advertisement will be included in Council's Noticeboard which is made available on Council's website and in local print newspapers on Wednesday, 15 November 2017. Copies of the Audited Financial Statements and the Auditor's reports will be made available on Council's website, at Council's three libraries and at the main Administration Building in Moruya.

Section 420 of the *Local Government Act 1993* provides that any person may make submissions to Council with respect to the Financial Statements and/or the Auditor's reports and those submissions must be made in writing and lodged with the Council within seven days of the public meeting. Any submissions received are to be provided to Councillors and the Auditor for consideration.

Legal

Legal requirements include:

- Adherence to the Local Government Code of Accounting Practice and Financial Reporting (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 2017.
- Seven days public notice of the 'presentation' of audited financial statements is required.

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.

Financial

The Annual Financial Statements are required to be prepared in accordance with the *Local Government Act 1993* (as amended), the Local Government Code of Accounting Practice and

**CCS17/086 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE
2017 - REFERRAL TO AUDIT**

E17.1016

Financial Reporting and the Australian Accounting Standards. Council has professionally qualified staff to ensure compliance with the reporting requirements.

No matters or occurrence have come to attention that would materially affect the Financial Statements or disclosures therein, or which are likely to materially affect the future results or operations of the Council. Additionally, we have not been advised by the external Auditor of any significant issues that need separate or additional disclosure during the audit process.

The draft Financial Statements were distributed to the Audit, Risk and Improvement Committee and Council on 12 October 2017.

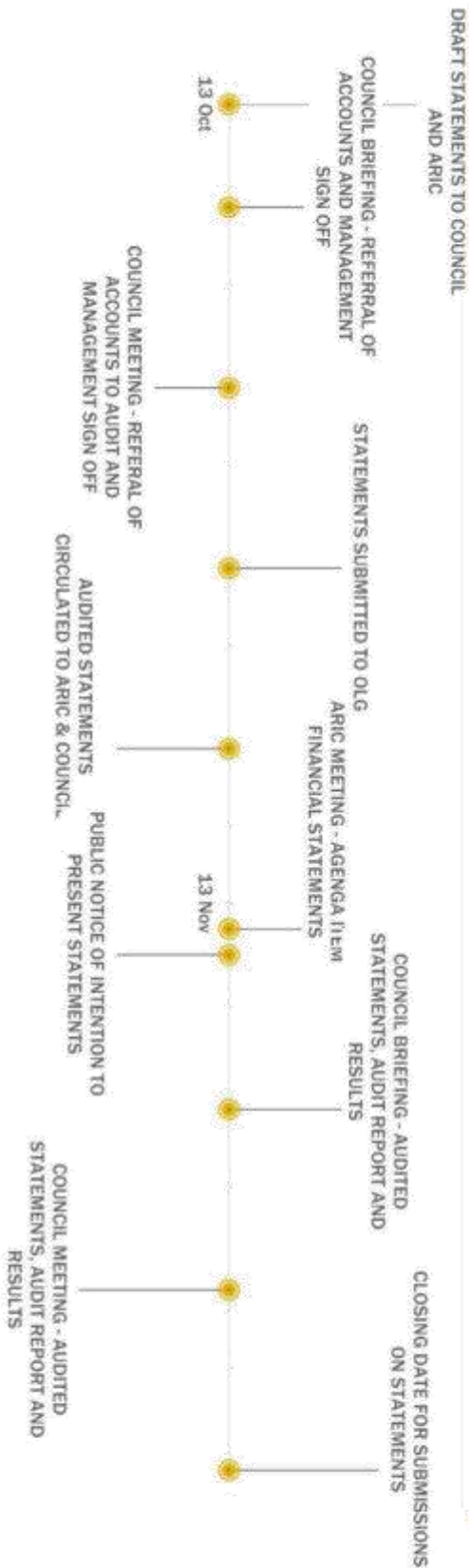
Community and Stakeholder Engagement

The audited Financial Statements will be presented at the 28 November 2017 Council meeting. The statements will be an attachment to the public agenda for this meeting and made available seven days prior to the meeting on Council's website, at Council's three libraries and at the main administration building in Moruya. Submissions may be made to Council for a minimum of seven days after they are presented to the public as per *Local Government Act 1993* (as amended), s418(2). Submissions will close 5 December 2017. The external auditor will be available to present the audited Financial Statements.

CONCLUSION

The Annual Financial Statements have been drafted and can now be endorsed and referred to audit, and if so endorsed the statements can be signed by the Mayor, Deputy Mayor (or Councillor), General Manager and Responsible Accounting Officer.

Financial Statements Timeline



DETAILS	
DATE	MILESTONE
13/10/2017	Draft Statements to Council and ARIC
17/10/2017	Council Briefing - Referral of Accounts and Management Sign off
24/10/2017	Council Meeting - Referral of accounts to Audit and Management Sign off
31/10/2017	Statements submitted to OLG
7/11/2017	Audited Statements circulated to ARIC & Council
14/11/2017	ARIC meeting - Agenda item Financial Statements
15/11/2017	Public Notice of intention to present statements
21/11/2017	Council Briefing - Audited Statements, Audit report and results
28/11/2017	Council Meeting - Audited Statements, Audit report and results
5/12/2017	Closing date for submissions on Statements

CAR17/029 BATEMANS BAY TENNIS COURT HIRE PROPOSAL

E16.0386

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: L1.3.5 Improve community awareness and usage of recreation facilities

EXECUTIVE SUMMARY

This report details a request from the Batemans Bay Tennis Club (the Club) to enter into an annual court hire agreement with Council. The Club has proposed paying an annual, in advance court hire fee for the non-exclusive hire of 6 courts. Under the terms of the proposed agreement the Club will have permanent bookings for up to six courts, of the twelve available, for set periods of time each week.

In 2016 Council called for tenders for the management of the Batemans Bay Tennis Centre. This process did not result in a successful tenderer, and the management options for the facility were re-assessed. Prior to this period, the facility had separate licence agreements for the club house and weekly court hire by the Club and the professional tennis coaching services based at the courts.

A review of tennis fees and charges included an extensive period of community consultation resulting in a reduction of some court hire fees for Club tournaments and competitions. Current hourly court hire fees range from \$8.70 per hour for daytime use up to \$12.00 for night hire, with lights. Court hire for coaching ranges from \$7.50 to \$10.00 per hour.

Due to a range of circumstances, Club membership has dropped significantly over recent years. To try and curb this trend, the new Club committee is working to increase community participation in the Batemans Bay area, with more competition, tournament and social opportunities for all levels. The Club is also seeking to engage with more than one coach to encourage affordable and accessible lessons and coaching for all ages.

To realise these goals, the Club has submitted a proposal where they would pay an annual hire fee of \$15,360 in advance. The agreement would afford the Club access to up to 6 courts and, based on current usage rates, this equates to approximately 20 hours per week, per court.

The in advance fee would be reviewed annually, taking into account membership numbers and usage patterns. The courts would be available for casual and coaching hire outside of the agreed Club use hours.

Totalling 120 hours per week, this allows for all Club competitions, social activities, tournaments and carnivals. At all other times, the 6 courts will be available for public hiring.

CAR17/029 BATEMANS BAY TENNIS COURT HIRE PROPOSAL

E16.0386

When combined with casual and coaching court hire fees, it is estimated the total Batemans Bay tennis court revenues received by Council would be approximately \$30,000. This amount would be used to meet the requirements of Council's asset maintenance schedule.

RECOMMENDATION

THAT:

1. Batemans Bay Tennis Club enter into an annual court hire agreement with Council.
2. Batemans Bay Tennis Club pay to Council an annual court hire fee of \$15,360 for the non-exclusive hire of 6 courts for a 12 month period. This fee would be paid in advance and be reviewed annually, taking into account membership numbers and usage patterns.
3. Batemans Bay Tennis Club to have permanent bookings for up to 6 courts for set periods of time each week. The courts will be available for casual hire outside of club use.

BACKGROUND

In 2016 Council called for tenders for the management of the Batemans Bay Tennis Centre. This process did not result in a successful tenderer, and the management options for the facility were re-assessed.

Prior to this period, the Club had a licence agreement for the facility club house and a local coach held a licence agreement to provide coaching services from the courts. The coach concerned had also entered into a coaching agreement with the Club to provide coaching services to members.

CONSIDERATIONS

The review of tennis fees and charges for the 2017-18 year included an extensive period of community consultation. This resulted in a continuation of the reduced court hire fees for tournaments and competitions for Club members again this year.

Current Batemans Bay Tennis Club Court Hire Fees for 2017-18

Type	Daytime	Evening
Club Hire	\$8.70 per hour	\$12.00 per hour
Tournament/ Competition	\$4.00 per day	—
Coaching Services	\$7.50 per hour	10.00 per hour

All fees for junior tournaments and competitions were removed.

The Club's annual membership has dropped considerably over the last 5 years. This was reportedly due to a general down turn in tennis participation rates across NSW.

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E16.0386

The new Club committee is working to increase community participation in the Batemans Bay area by increasing competition, tournament and social opportunities for all levels, and engaging with more than one coach to offer affordable and accessible lessons and coaching for all ages. (With the dissolution of the previous coach's licence agreement, the courts are now used by multiple coaches to deliver coaching services to individuals and groups).

The proposed agreement will provide the Club with access to up to 6 courts. Based on current usage rates, this equates to approximately 20 hours per week, per court.

Totaling 120 hours per week, this allows for all Club competitions, social activities, tournaments and carnivals. At all other times, the 6 courts will be available for public hiring.

Social Impact

The Club's proposal is aimed at reducing administration, providing greater certainty and enabling the Club to focus its energy on increasing participation in tennis. This will provide positive social and health benefits to the community, with more physical activity and social connection.

Financial

The Club has requested an annual court hire fee of \$15,360 for all 6 courts for a 12 month period. This fee would be paid in advance and be reviewed annually, taking into account membership numbers and usage patterns. The courts will be available for casual hire outside of club use.

Adoption of the Club annual lump sum fee proposal would:

- represent an overall discount to the Club, assuming the potential income historically generated by the hourly and competition hire fees continues into the future.
- enable the Club to offer a streamlined annual membership fee that incorporates all the court hire costs of all Club activities, including tournaments and competitions.
- provide Council with a guaranteed annual fund for essential asset maintenance.

When combined with the casual user court hire fees and coaching hire fees, it is forecast the total Batemans Bay tennis court revenues paid to Council would be approximately \$30,000. This would be used to meet the requirements of Council's asset maintenance schedule.

Community and Stakeholder Engagement

The Club collaborated with Council during the development of their proposal through various meetings, phone calls and correspondence.

CONCLUSION

The Club has requested an annual court hire fee of \$15,360 for all 6 courts for a 12 month period. This fee would be paid in advance and be reviewed annually, taking into account membership numbers and usage patterns. The courts will be available for casual hire outside of club use.

CAR17/029 BATEMANS BAY TENNIS COURT HIRE PROPOSAL

E16.0386

The approval of this annual hire agreement will demonstrate Council's support of the Club's efforts to increase club membership and participation levels in the sport, contribute to the cost of the maintenance of the facility and encourage the development of tennis in this area.

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.