



# **AGENDA**

**Ordinary Meeting of Council**

**12 June 2018**



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

**ON TUESDAY 12 JUNE 2018**

**COMMENCING AT 10.00AM**

**AGENDA**

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

- 1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY & EVACUATION MESSAGE**
- 2. APOLOGIES**  
Nil
- 3. PUBLIC FORUM (AGENDA ITEMS ONLY)**
- 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**  
4.1 Ordinary Meeting held on 22 May 2018
- 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**  
(Declarations also to be made prior to discussions on each item)
- 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

**Page No.**

<b>11. PLANNING AND SUSTAINABILITY REPORTS</b>	
Nil	
<b>12. INFRASTRUCTURE REPORTS</b>	
IR18/028	Funding Offer - Restart NSW - Cullendulla Drive, Long Beach..... 3
IR18/029	Local Traffic Committee No. 8 for 2017-18..... 7
<b>13. CORPORATE AND COMMERCIAL SERVICES REPORTS</b>	
CCS18/019	Tender - Water Tanker Support ..... 12
CCS18/020	Tender - Plant Hire Panel ..... 15
CCS18/021	Easement for Support - Bay View Street, Surf Beach ..... 17
CCS18/022	Former Batemans Bay Bowling Club Site - Lease to RMS ..... 20
CCS18/023	Narooma Surf Beach Holiday Park Lease ..... 25
CCS18/024	Investments made as at 30 April 2018..... 28
CCS18/025	Dividends from Water and Sewer Funds ..... 31
<b>14. COMMUNITY, ARTS AND RECREATION REPORTS</b>	
CAR18/016	Funding Extension - Community Transport ..... 34
CAR18/017	Funding Agreement - Commonwealth Home Support Program ..... 36
CAR18/018	Funding Acceptance - Youth Services Grant ..... 38
CAR18/019	Funding Acceptance - Children's Services 2019-21 ..... 41
CAR18/020	Youth Grants Program..... 44
CAR18/021	Eurobodalla NAIDOC WEEK Grants ..... 47
<b>15. DELEGATE REPORT</b>	
<b>16. URGENT BUSINESS</b>	
<b>17. DEALING WITH MATTERS IN CLOSED SESSION .....</b>	<b>49</b>
<b>18. CONFIDENTIAL MATTERS</b>	

**DR CATHERINE DALE  
GENERAL MANAGER**

---

**IR18/028 FUNDING OFFER - RESTART NSW - CULLENDULLA DRIVE, LONG BEACH**

**E08.2547**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services  
Attachments: Nil  
Outcome: Connected and Accessible Places  
Focus Area: 7.1 Work in partnership to provide an integrated transport network  
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network  
Operational Plan Link: 7.1.2.1 Provide a safe efficient and integrated transport network

**EXECUTIVE SUMMARY**

Council sought grant funding under the NSW Government's Restart NSW Fixing Country Roads Round Three Program in August 2017. The Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP, advised Council of its successful application of \$668,204 in funding to upgrade Cullendulla Drive at Long Beach, including the existing culvert crossing over Cullendulla Creek, in January 2018. This grant has been received.

This report seeks Council's endorsement of the actions taken to accept the grant.

These works form part of an overall strategic approach to widen Cullendulla Drive from the Princes Highway to Blairs Road, and complements the safety improvement works already carried out on Cullendulla Drive east of Kettle Road. This section of road carries approximately 1.3 million vehicles per annum.

This grant does not require matching funding. Council has allocated \$385,400 within the adopted 2017-18 Operational Plan. Council was also successful in gaining \$202,021 from the Australian Government's Bridges Renewal Program. The overall secured budget for this project is \$1,255,625.

Works are being undertaken over the 2017-18 and 2018-19 financial years and will be complete to the initial seal before Christmas 2019.

**RECOMMENDATION**

THAT:

1. Council endorse the actions taken to accept the funding offer of \$668,204 under the NSW Government's Restart NSW Fixing Country Roads Round Three Program for the upgrade of Cullendulla Drive, Long Beach.
2. Council write to the Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP thanking the NSW Government for the funding of \$668,204 provided under the NSW Government's Restart NSW Fixing Country Roads Round Three Program for the upgrade of Cullendulla Drive, Long Beach.

**BACKGROUND**

Council pro-actively applies for grants from various government programs to assist with the upgrade, renewal and maintenance of the road network for the benefit of all road users.

---

**IR18/028 FUNDING OFFER - RESTART NSW - CULLENDULLA DRIVE, LONG  
BEACH**

**E08.2547**

A funding application was submitted to the NSW Government's Fixing Country Roads Round Three program in August 2017 to upgrade Cullendulla Drive, Long Beach including the major box culvert.

Fixing Country Roads was introduced by the NSW Government as a targeted program to help local councils assess and tackle freight bottlenecks. This funding is part of Restart NSW managed by Infrastructure NSW.

The Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP, formally advised Council of its successful application in January 2018. The grant offer of \$668,204 has been accepted and this report seeks endorsement of the actions taken to accept the grant funding.

**CONSIDERATIONS**

This grant funding will allow Council to address the narrow road pavement width and safety issues surrounding the existing culvert crossing over Cullendulla Creek on Cullendulla Drive. The culvert is located approximately 70 metres from the intersection of the Princes Highway.

This project involves the extension of an existing 4 cell, 2.4 metre wide x 1.2 metre high reinforced concrete box culvert with provision of scour protection and reconstruction of a section of Cullendulla Drive, Long Beach. The extension of the box culvert will allow for two full width 3.5 metre lanes and 2.0 metre shoulders on either side of the road and new protective fencing.

These works form part of an overall strategic approach to widen Cullendulla Drive from the Princes Highway to Blairs Road, and complements the safety improvement works already carried out on Cullendulla Drive east of Kettle Road.

This offer of funding does not require matching funding. However, Council has provided funding within the adopted 2017-18 Operational Plan and was successful in gaining \$202,021 from the Australian Government's Bridges Renewal Program. These combined funding sources will allow Council to extend the upgrades to the Kettle Road intersection.

**Asset**

Council's goal is to provide a safe, reliable and efficient transport network. Achieving this outcome is only possible by adopting a focused strategic network management approach, and through the support of the Australian and NSW Government grant funding programs.

Council continues to progressively target works that address the condition of the asset, network deficiencies and capacity issues to deliver our goal.

This project to widen the major box culvert on Cullendulla Drive is part of a strategic approach to upgrade Cullendulla Drive with priority given to the higher trafficked section between the Princes Highway and Blairs Road. This section of the road carries approximately 1.3 million vehicles per annum.

---

**IR18/028 FUNDING OFFER - RESTART NSW - CULLENDULLA DRIVE, LONG  
BEACH**

**E08.2547**

Council has worked closely with the community associations at Long Beach and Maloneys Beach to successfully pursue funding to:

- upgrade the Princes Highway/Cullendulla Drive intersection by Roads and Maritime Services (complete)
- deliver road safety improvements on Cullendulla Drive from Kettle Road to Blairs Road (complete to initial seal with the second coat seal to be undertaken in 2018-19)
- upgrade Cullendulla Drive between the Princes Highway and Kettle Road.

The road works will:

- address the declining condition of the existing road pavement and ancillary assets over the box culvert
- provide widened traffic lanes and sealed shoulders with appropriate protective fencing suitable for current and future traffic volumes.

Cullendulla Drive is a regional road with the ongoing costs met, in part, through the funding provided by the NSW Government under the Regional Road Block Grant. The remaining 'whole of life costs' will be met through Council's own funding with suitable provision identified in our long term financial plan.

**Social Impact**

Across NSW there were 392 fatalities and over 12,000 serious injury crashes in 2017 resulting in an economic cost of approximately \$7.6 billion per annum.

Councils across NSW manage almost 90% of the total road network in NSW. Councils therefore have a vital role in managing the social wellbeing and equity of communities across NSW.

The proposed works on Cullendulla Drive are an example of this Council's continued focus on improving road safety outcomes on our local and regional road network.

The proposed additional works on Cullendulla Drive will have a positive effect on road safety outcomes with flow-on benefits to the social wellbeing of our community.

**Financial**

This grant does not require matching funding. Council has allocated \$385,400 within the adopted 2017-18 Operational Plan. Council was also successful in gaining \$202,021 from the Australian Government's Bridges Renewal Program. The overall secured budget for this project is \$1,255,625.

**Community and Stakeholder Engagement**

Council has worked pro-actively with the support of the Long Beach Community Association and the Maloneys Beach Residents Association to secure this grant funding. Included in the funding application were letters of support from both Associations.

We have informed the community by providing information on Council's website, written to the Long Beach Community Association and Maloneys Beach Residents Association, advertised in Council's noticeboard page, in two local newspapers and distributed a media release.

---

**IR18/028 FUNDING OFFER - RESTART NSW - CULLENDULLA DRIVE, LONG  
BEACH**

**E08.2547**

**CONCLUSION**

Council has been successful in gaining \$668,204 in funding under the NSW Government's Restart NSW Fixing Country Roads Round Three program to upgrade Cullendulla Drive, Long Beach.

This grant, combined with the successful Bridges Renewal grant of \$202,021 and Council's allocation of \$385,400 in the 2017-18 Operational Plan, will enable Council to complete the entire scope of this project from the Princes Highway to Kettle Road.

The project will be completed over the 2017-18 and 2018-19 financial years, with works expected to be completed before Christmas 2018 to the initial seal.

This report seeks Council's endorsement of the actions taken to accept the grant.



---

**IR18/029 LOCAL TRAFFIC COMMITTEE NO. 8 FOR 2017-18**

**E16.0002**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services  
Attachments: Nil  
Outcome: Connected and Accessible Places  
Focus Area: 7.1 Work in partnership to provide an integrated transport network  
Delivery Program Link: 7.1.2 Provide a safe efficient and integrated transport network  
Operational Plan Link: 7.1.2.5 Coordinate the Local Traffic Committee

**EXECUTIVE SUMMARY**

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for the Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting of 3 May 2018 were as follows:

- Signage and Line-marking – Carpark Upgrade within Moruya Showground, Moruya
- Signage and Line-marking – Crown Street, Guy Street and Bent Street reconstruction, Batemans Bay
- Special Event – Narooma Forest Rally
- Special Event Application – Rally of the Bay.

**RECOMMENDATION**

THAT

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 7 of 2017-18 held on 5 April 2018 be received and noted.
2. Council Plan No. 2755 Set D Sheets 11 and 18 detailing the signage and line-marking associated with raised pedestrian crossing and accessible parking spaces within the carpark at Moruya Showground be approved.
3. Council Plan No 5006 Set C Sheet 12 depicting the signage and line-marking on Crown Street, Guy Street and Bent Street, Batemans Bay, including regulating Crown Street 'One Way' be approved.

**BACKGROUND**

The Eurobodalla Local Traffic Committee Meeting No 8 for 2017-18 was held on 3 May 2018 in Council's Committee Room. The meeting was attended by Danielle Brice (representative for the Hon Andrew Constance MP), Jesse Fogg (Roads and Maritime Services), Amy Thomson (Roads and Maritime Services), Senior Constable Scott Britt (NSW Police), Dave Hunter (Traffic Officer) and Matt Cormick (Minute Taker).

---

**IR18/029 LOCAL TRAFFIC COMMITTEE NO. 8 FOR 2017-18**

**E16.0002**

**APOLOGIES**

Councillor Anthony Mayne (Chair) and Kate McDougall (Road Safety Officer). The Traffic Officer chaired the meeting in Councillor Mayne's absence.

**DEPUTATIONS**

Nil

**MINUTES OF PREVIOUS MEETING**

The minutes of the Eurobodalla Local Traffic Committee Meeting No 7 for 2017-18 held on Thursday 5 April 2018 were confirmed and accepted.

**OUTSTANDING ITEMS FROM PREVIOUS MEETING**

There were no outstanding items to discuss

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

**2018.RT.014 Signage and Line-marking – Carpark Upgrade within Moruya Showground, Moruya**

Council has commenced the reconstruction of the carpark within the Moruya Showground complex. This is stage 1 of an overall plan to upgrade parking and access road facilities. These works are consistent with Council's long term infrastructure asset management plans and strategies.

This carpark area is on the eastern side of the showground complex, between the rugby league playing field, poultry building and the indoor basketball building and clubroom/hall.

Rows of line-marked 90 degree spaces are being provided. A raised and line-marked pedestrian crossing will also be installed within this road related area.

The raised pedestrian crossing will reduce the risk to people walking between the oval and buildings.

There are 35 line-marked car spaces, 3 of which are designated accessible in this first phase of the works.

Council Plan No. 2755 Set D Sheets 11 and 18 detailing the signage and line-marking was reviewed by the Committee.

The Committee discussed the position of the raised pedestrian crossing in relation to the entry from Albert Street and also the location of the mid-block kerb ramp. The Traffic Officer agreed to discuss this with Council's Design Coordinator.

Note: Since the LTC meeting, information from Council's Design Coordinator is that the mid-block kerb ramp is to allow delivery of goods to the poultry building from the carpark. The entry speed to the showground area is low and no further measures are warranted near Albert Street. Works on this phase are now complete.

Recommendation

That Council Plan No. 2755 Set D Sheets 11 and 18 detailing the signage and line-marking associated with raised pedestrian crossing and accessible parking spaces within the carpark at Moruya Showground be approved.

---

**IR18/029 LOCAL TRAFFIC COMMITTEE NO. 8 FOR 2017-18**

**E16.0002**

**2018.RT.015 Signage and Line-marking – Crown Street, Guy Street and Bent Street reconstruction, Batemans Bay**

Council is about to commence work to reconstruct sections of Crown Street, Guy Street and Bent Street, Batemans Bay. This work includes installation of kerb and gutter and regulating Crown Street as 'One Way' west bound, between Old Princes Highway and Orient Street.

'No Stopping' signage is also proposed on the northern side of the 'One Way' section of Crown Street.

Public consultation, including a 'street meet' has been undertaken with adjoining residents who are generally satisfied with the changed traffic conditions. Several people wanted Crown Street to be completely closed off from Old Princes Highway by installation of a cul-de-sac, however this was not supported by others and it would be difficult to accommodate larger vehicles such as garbage trucks. Residents agreed that the works will improve traffic safety and amenity of the area.

Council Plan No 5006 Set C Sheet 12 depicting the proposed signage and line-marking on Crown Street, Guy Street and Bent Street, Batemans Bay, including regulating Crown Street one way was reviewed by the Committee.

The representative for RMS suggested that the proposed line-marked arrows on Crown Street be offset to the north side of the road as the southern side allows cars to park and that centre line-marking be installed at the intersection of Crown Street and Orient Street. This minor change will be made to the plans.

Recommendation

That Council Plan No 5006 Set C Sheet 12 depicting the signage and line-marking on Crown Street, Guy Street and Bent Street, Batemans Bay, including regulating Crown Street 'One Way' be approved.

**INFORMAL ITEMS FOR DISCUSSION**

**2018.SE.010 Special Event Application – Narooma Forest Rally**

A special event application has been received for the Narooma Forest Rally car rally to be conducted within State Forests to the west of Narooma on Saturday 21 July 2018.

This proposed car rally has been conducted successfully in previous years. The service area will be located at NATA Oval with the headquarters and finish at Bill Smyth Oval and no special traffic management arrangement is required in this area.

No Council public roads are proposed to be closed to accommodate the rally. The competition sections of the rally are to be solely on State Forest roads and as such do not require approval from the Committee. The route is identical to the 2017 event.

A detailed Traffic Management Plan was reviewed by the Committee.

Recommendation

That the 2018 Narooma Forest Rally on 21 July 2018 to be conducted on State Forest roads, based upon the submitted Traffic Management Plan, be noted.

---

**IR18/029 LOCAL TRAFFIC COMMITTEE NO. 8 FOR 2017-18**

**E16.0002**

**2018.SE.011 Special Event Application – Rally of the Bay**

Traffic Management documents have been received for the “Rally of the Bay” car rally to be conducted within State Forests and on Council roads, located in from the south west to the north west of Batemans Bay, on Saturday 11 August 2018.

The car rally has been conducted successfully in previous years. The service area will be located at Corrigans Reserve, Batehaven. The rally involves several stages using a mixture of State Forest and public roads.

There is also to be a “Ceremonial Start” to be conducted on Clyde Street, Batemans Bay. This will require the closure of Clyde Street from 7am to 11am on Saturday 11 August 2018.

Council public roads which are proposed to be closed under race conditions within Eurobodalla are:

- Runnyford Road from Saltwater Road north to Bolaro Mountain Road
- Old Nelligen Road from Iron Range Road east to 1km past Sproxtons Road.

These public road closures will be advertised by Council. Additional road closures are proposed further north within the Shoalhaven Local Government area.

State Forest roads to be closed under race conditions include Wallaby Road, Lyons Road, Old Nelligen Road, Lookout Road, Tomboye Road, Ross Ridge Road and Saltwater Road.

A detailed Traffic Management Plan and associated Traffic Control Plans will be forwarded separately.

Consultation is underway between the event organiser and the local Chamber of Commerce and shop owners / managers. Once approved by the Committee, the event organisers will notify bus and taxi operators.

A route map was shown to Committee members for their information.

The representative for the Hon Andrew Constance MP noted that the submitted documents relayed that the routes would be known to participants 3 weeks prior to the competition day and if this may be a risk to other road users. The Traffic Officer is to investigate.

Note: Since the LTC meeting, the organiser has relayed that in past years only a few competitors inspected the route prior to the day before (Friday) and that they will not be driving rally cars and are required to drive safely to road conditions.

Recommendation

That the submitted Traffic Management and Control Plans for the Rally of the Bay, to be conducted from the south west to the north west of Batemans Bay on Saturday 11 August, be approved.

**GENERAL BUSINESS**

**Perry Street and North Street intersection**

The NSW Police representative asked if consideration could be given to modifying the line-marking at the signalised intersection of Perry Street and North Street as he has witnessed several near misses as vehicles turning right onto North Street, cutting across the path of vehicles turning left onto Perry Street.

---

**IR18/029 LOCAL TRAFFIC COMMITTEE NO. 8 FOR 2017-18**

**E16.0002**

The representative for RMS advised that they will investigate further and liaise with Council to provide advice.

**Beach Road/Edward road merge lane**

The NSW Police representative asked if additional line-marking could be installed at the signalised intersection of Beach Road and Edward Road, Batehaven. It has been reported that vehicles heading south on Beach Road, leaving the intersection side by side have not been courteous when merging into one lane. There is no merge lane line-marking on this exit leg.

The RMS representative said that in this situation it is normal to have a short section of lane line-marking and that merge line-marking or signage is not required. The Traffic Officer will organise the installation of this line-marking.

Note: Since the LTC meeting lane line-marking has been installed.

**NEXT MEETING**

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 7 June 2018 in Council's Committee Room.

---

**CCS18/019 TENDER - WATER TANKER SUPPORT**

**E13.7092**

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

Attachments: 1. Confidential - Request for Tender No. 2018/FBD048 - Water Tank Support - Council's Grading Team

Outcome: Innovative and Proactive Leadership

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

Delivery Program Link: 9.2.3 Provide administrative, technical and trade services to support the organisation

Operational Plan Link: 9.2.3.6 Provide procurement and stores

**EXECUTIVE SUMMARY**

This report outlines the evaluation process in response to Request for Tender No. 2018/FBD048 – Water Tanker Support and provides a recommendation for the preferred tenderer.

The work covered by this contract is essential in completing Council's gravel road grading operations successfully.

**RECOMMENDATION**

THAT

1. Council endorses the selection of the preferred tenderer listed for Request for Tender No. 2018/FBD048 within the Confidential Attachment; and
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderer, subject to the terms specified in the Request for Tender unless otherwise varied in accordance with this report.

**BACKGROUND**

Gravel roads within the Eurobodalla Shire are maintained according to a grading schedule endorsed by Council each year.

In order to complete grading operations successfully, gravel roads must be dampened by a mobile water tanker.

The existing contract (as amended) for water tanker support is due to expire on 30 June 2018. Tenders for the implementation of a new contract were called on 3 April 2018 and closed at 2.00pm on 26 April 2018.

The contract proposed within the Request for Tender is for a period of two years from 1 July 2018 to 30 June 2020 with an option to extend the agreement by a further 2 x 12 month periods.

**CONSIDERATIONS**

Tenders were advertised in accordance with *Local Government (General) Regulation 2005 Reg 167*, and the *Local Government Act 1993* and advertised via the Sydney Morning Herald, on

---

---

**CCS18/019 TENDER - WATER TANKER SUPPORT**

**E13.7092**

Council's noticeboard in two local newspapers and on Council's Tenderlink web portal [www.tenderlink.com/eurobodalla](http://www.tenderlink.com/eurobodalla).

Seven tenders were received from:

Tenderer Name
Reid Family Contracting T/as Eurocoast Water
Sapphire Coast Tree Service and Tower Hire
Tilba Tippers & Tankers P/L
Welsh's Tipper & Water Hire P/L
Eurobodalla Tippers and Tankers
AJ & JA Wilson Trust
Rollers Australia Pty Ltd

Upon release of the Request for Tender a Tender Evaluation Plan was distributed amongst the Tender Evaluation Committee (TEC).

An assessment of the tenders received was carried out in accordance with the Tender Evaluation Plan.

A summary of the evaluation of the tenders received is included as a confidential attachment to this report.

**Legal**

Request for Tender No. 2018/FBD048 was advertised in accordance with *Local Government (General) Regulation 2005 Reg 167* and the *Local Government Act 1993*.

The tender was advertised on Council's noticeboard page, in the local newspapers, in the Sydney Morning Herald and on Council's Tenderlink web portal [www.tenderlink.com/eurobodalla](http://www.tenderlink.com/eurobodalla)

Upon release of the Request for Tender a Tender Evaluation Plan was distributed amongst the TEC.

An assessment of the tenders received was carried out in accordance with the Tender Evaluation Plan.

**Policy**

The procurement activity for which this report applies has been conducted in accordance with Council's Procurement Policy, Code of Practice – Procurement, Code of Practice – Tendering, the Local Government Procurement Guidelines, Local Government (General) Regulation 2005 and the *Local Government Act 1993*

---

**CCS18/019 TENDER - WATER TANKER SUPPORT**

**E13.7092**

**Environmental**

The successful contractor will be required to comply with environmental considerations outlined in Council's Work Method Statement and will be inducted to all specific sites accordingly.

**Financial**

After the first year of the contract, hire rates will be adjusted in accordance with the rise and fall clause of the contract. The rise and fall clause takes into account Consumer Pricing Index (CPI) – All Groups Sydney providing for a broader spread of economic factors, therefore minimising the risk of adverse price movement for both parties.

Funds have been allocated within the existing budget for the grading of the gravel road network across Eurobodalla. These funds are sufficient to cover the cost of the water tanker operations.

**Community and Stakeholder Engagement**

Subject to Council considering this report, and resolving to accept the tender, the community will be informed of the successful tender via Council's contract register found in Council's 'Public Access to Information' web link.

**CONCLUSION**

The evaluation process has determined that the lowest price offer is considered best value for money noting relevant experience, the suitability of the vehicles offered for the role and the tenderer's compliance with essential requirements for the Request for Tender.

The preferred tender as identified in the Confidential Attachment to this report is therefore recommended for the awarding of a contract for the requirement.



---

**CCS18/020 TENDER - PLANT HIRE PANEL**

**E18.1450**

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

Attachments: 1. Confidential - Request for Tender - No 2018/FBD040 - Plant Hire Panel

Outcome: Innovative and Proactive Leadership

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

Delivery Program Link: 9.2.3 Provide administrative, technical and trade services to support the organisation

Operational Plan Link: 9.2.3.6 Provide procurement and stores

### **EXECUTIVE SUMMARY**

This report outlines the associated evaluation process for Request for Tender No. 2018/FBD040 – Plant Hire Panel that was advertised on 27 February 2018 for the purpose of establishing Council's two year Plant Hire Panel.

Council has previously developed a panel for the supply of various items of equipment for hire, with and without operators. A database of panel suppliers is managed to determine rankings for specific works requirements based on hourly rate, nature and duration of works and the location of works. The current Plant Hire Panel expires on 30 June 2018.

If approved, A Deed of Standing Offer will be entered into with all 73 bidders who will be engaged subject to value for money.

### **RECOMMENDATION**

THAT

1. Council endorses the 73 submissions listed for the Request for Tender No. 2018/FBD040 Plant Hire Panel within the Confidential Attachment; and
2. Accordingly approves the entering into of Deeds of Standing Offers with all 73 bidders as listed in the Confidential Attachment.

### **BACKGROUND**

Council has previously developed a panel for the supply of various items of equipment for hire, with and without operators. A database of panel suppliers is managed to determine rankings for specific works requirements based on hourly rate, nature and duration of works and the location of works. The current Plant Hire Panel expires on 30 June 2018.

### **CONSIDERATIONS**

The current Plant Hire Panel expires on 30 June 2018. Tenders were called for the purpose of establishing a further two year Plant Hire Panel. A Deed of Standing Offer will be entered into with all 73 bidders who will be engaged subject to value for money.

---

**CCS18/020 TENDER - PLANT HIRE PANEL**

**E18.1450**

**Legal**

Tenders were advertised in accordance with Local Government (General) Regulation REG 167, and the *Local Government Act 1993* and advertised via the Sydney Morning Herald, Canberra Times, on Council's noticeboard in two local newspapers and on Council's Tenderlink web portal [www.tenderlink.com/eurobodalla](http://www.tenderlink.com/eurobodalla).

**Policy**

The procurement activity for which this report applies has been conducted in accordance with Council's Procurement Policy, Code of Practice – Procurement, Code of Practice – Tendering, the Local Government Procurement Guidelines, Local Government (General) Regulation 2005 and the *Local Government Act 1993*.

**Financial**

Council spends an estimated \$5m per annum on external plant hire across its programs. A panel arrangement, rather than many individual procurement activities provides greater value for money through economies of scale and significantly reduced procurement administration. All orders raised against the panel are funded individually by the relevant activity area.

**Community and Stakeholder Engagement**

Subject to Council considering this report and resolving to accept the Plant Hire Panel, the community will be informed of the panel via Council's contract register found in Council's 'Public Access to Information' web link.

**CONCLUSION**

A total of 793 plant items (including trucks) have been included in the proposed panel, across a pool of 73 (mainly local) suppliers. This report is provided to Council for Resolution. Deeds of Standing Offer will be entered into with all 73 bidders who will be engaged subject to value for money assessments for each plant hire requirement.

---

**CCS18/021 EASEMENT FOR SUPPORT - BAY VIEW STREET, SURF BEACH**

**92.8078.B**

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services  
Attachments: 1. Confidential - Easement for Support  
Outcome: Innovative and Proactive Leadership  
Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations  
Delivery Program Link: 9.2.2 Manage land under Council control to achieve a return for the community  
Operational Plan Link: 9.2.2.2 Facilitate property sales and development

**EXECUTIVE SUMMARY**

An Easement for Support (Easement) over part road reserve is sought by the registered proprietor of Lot 62 DP 6221101, 4 Bay View Street, Surf Beach. The name of the registered proprietor is in the confidential attachment to this report.

A retaining wall encroaches within the road reserve and is not contained within the legal boundary of Lot 62. Creating an easement will legalise the position of the retaining wall and avoid the owner having to demolish and rebuild the wall within the boundary of Lot 62 at a substantial cost.

The Easement will not adversely affect pedestrian access within the road reserve and will only remain in place for the lifetime of the existing structure.

All survey and legal costs associated with the Easement will be borne by the applicant.

It is considered reasonable and appropriate that the application for the Easement be supported in accordance with Council's *Land Acquisition and Disposal Policy*.

**RECOMMENDATION**

THAT:

1. Consent be given for the creation of an Easement for Support over part road reserve adjoining Lot 62 DP 6221101 and benefitting Lot 62.
2. All costs including Council's reasonable legal costs associated with the creation of the Easement for Support be borne by the applicant.
3. Compensation for the Easement for Support to be agreed as set out in the Confidential Attachment to this report.
4. Authority be given to affix the Common Seal of Council to the necessary documentation associated with the Easement for Support.

**CCS18/021 EASEMENT FOR SUPPORT - BAY VIEW STREET, SURF BEACH**

**92.8078.B**

**BACKGROUND**

Development consent was approved in August 2014 for a dwelling on Lot 62 DP 6221101. The approved plans included a retaining wall situated along the property boundary adjoining Bay View Street.

Following an inspection by Council engineers, a survey was conducted in December 2016 confirming the retaining wall encroached on the road reserve.

To resolve the situation an Easement for Support is considered appropriate. The registered proprietor of Lot 62 DP 6221101 has submitted an application to Council for the Easement.

The Easement will remain in place for the lifetime of the existing structure.

The location of the proposed easement is shown on the sketch below.



*Lot 62 DP 622011 – 4 Bay View Street, Surf Beach*

**CONSIDERATIONS**

**Legal**

Terms of the proposed easement will confirm the registered proprietor of the lot benefitted will keep the structure maintained in a good state of repair and will effect and keep in place insurance in an amount of not less than \$20 million.

The Easement will be registered at NSW Land Registry Services.

---

**CCS18/021 EASEMENT FOR SUPPORT - BAY VIEW STREET, SURF BEACH**

**92.8078.B**

**Policy**

The granting of the Easement will be in accordance with Council's *Land Acquisition and Disposal Policy*.

[www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Land-Acquisition-and-Disposal-Policy.pdf](http://www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Land-Acquisition-and-Disposal-Policy.pdf)

**Social Impact**

The Easement will not adversely affect pedestrian access within the road reserve.

**Financial**

All survey and legal costs associated with the Easement will be borne by the applicant.

Based on easement and land values in the Surf Beach area, compensation to Council for the Easement has been negotiated with the applicant who has agreed to pay compensation to Council as set out in the confidential attachment to this report.

**Community and Stakeholder Engagement**

Council's Engagement Planning Tool and relevant legislation have been used to guide the best approach to engagement on this matter. There is no legal requirement to advise the community through public notice, or to or seek feedback through public exhibition for easements within a road reserve. Given this Easement adjoining the property is less than one metre wide it will not impact normal use of the road reserve by the general public, the engagement method will be to 'inform' through this report.

**CONCLUSION**

An Easement for Support over the road reserve is sought by the registered proprietor of Lot 62 DP 6221101, 4 Bay View Street, Surf Beach to legalise the position of a retaining wall.

All survey and legal costs associated with the Easement for Support will be borne by the applicant.

Subject to the applicant paying all costs together with compensation to Council, it is appropriate an Easement for Support benefitting Lot 62 DP 6221101 be granted.

---

**CCS18/022 FORMER BATEMANS BAY BOWLING CLUB SITE - LEASE TO RMS**

**E12.6442**

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

Attachments: 1. Confidential - Former Batemans Bay Bowling Club site.  
2. Confidential - Lease document

Outcome: Innovative and Proactive Leadership

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

Delivery Program Link: 9.2.2 Manage land under Council control to achieve a return for the community

Operational Plan Link: 9.2.2.1 Manage leases and licences

**EXECUTIVE SUMMARY**

Council has received a request from NSW Roads and Maritime Services (RMS) seeking to lease the former Batemans Bay Bowling Club site in Vesper Street, Batemans Bay for a secure compound for the Batemans Bay Bridge Replacement Project.

As part of the request received, RMS has advised that its strong preference is to demolish the main building and remediate the asbestos contamination in the building and grounds so that the site can be used as the main compound for the bridge project.

An independent valuation by a registered valuer has assessed that the site is worth more as a clean and level site, which is more attractive to potential responders to the future Expression of Interest for the northern precinct. With the building demolished, Council will not incur any ongoing maintenance liabilities.

There is a portion of Crown Land adjacent to the Bowling Club that RMS are seeking to lease directly from the Crown. It is part of the car park immediately to the west of the building. This portion of the land will be subject to an additional lease between RMS and the Crown.

This report recommends that a lease for a term of three years with a one year option be granted.

**RECOMMENDATION**

THAT

1. Council grant a lease to Roads and Maritime Services for a secure compound for the Batemans Bay Bridge Replacement Project within Lots 282, 283 and 299 DP 755902 and Lot 304 DP 257116, Vesper Street, Batemans Bay subject to key terms including:
  - (a) A term of three years commencing on 1 July 2018 and terminating on 30 June 2021 with a one year option.
  - (b) Payment of rental as set out in the Confidential Attachment to the Report.
  - (c) Provision of evidence of public liability insurance cover in the amount of at least \$20 million.
  - (d) Demolition of the former Batemans Bay Bowling Club building by RMS or its

---

**CCS18/022 FORMER BATEMANS BAY BOWLING CLUB SITE - LEASE TO RMS**

**E12.6442**

contractors.

2. Consent be given to affix the Common Seal of Council to all documents associated with the granting of a lease over Lots 282, 283 and 299 DP 755902 and Lot 304 DP 257116.
3. Council to re-use or undertake the public sale of all useable non-fixed assets within the building.
4. The demolition of the building be undertaken in a manner that makes all reasonable attempts to reuse and recycle materials.

**BACKGROUND**

Lease negotiations with RMS have been progressing since RMS first formally notified Council of its desire to lease the property in December 2017.

This was made public at the same time as part of the RMS Review of Environmental Factors (REF), required for the new Batemans Bay bridge project to proceed. A copy of the REF can be found at [www.rms.nsw.gov.au/projects/south-coast/batemans-bay-bridge/index.html](http://www.rms.nsw.gov.au/projects/south-coast/batemans-bay-bridge/index.html)

RMS initially raised the possibility of leasing the former Bowling Club site from Council in May 2017. This was discussed in the Council report PSR034/17 presented in open session on 13 June 2017. At that meeting, Council resolved in part that:

*“3. Council receive a further report on options regarding the temporary use of the former Batemans Bay Bowling Club, once the position of the NSW RMS is known.”*

At the extraordinary Council meeting on 29 August 2017, Council considered a report PSR17/050 on the Business Case and Concept Plan options for the Mackay Park precinct. Council resolved in part that:

*“5. Council make a decision on the potential demolition of the former Batemans Bay Bowling Club building once a decision is made on the development of the Mackay Park Precinct.”*

At the Ordinary meeting of Council held on 27 March 2018 Council considered a Mayoral report MR18/001 Regional Aquatic, Arts and Leisure Centre at Mackay Park, Batemans Bay. At that meeting, Council resolved its position on the development of the Mackay Park precinct, in part...

*“3. Confirm that the Option 1 concept plan prepared by Otium Planning Group, is endorsed as the basis for undertaking the detailed design of the Regional Aquatic, Arts and Leisure Centre at Mackay Park Batemans Bay.”*

and

*“11. Proceed with the issuing of Request for Expressions of Interest from development companies or consortiums to redevelop the norther precinct of Mackay Park (the former Bowling Club site) for appropriate uses consistent with the preferred development outcomes previously identified and agreed by Council.”*

**CCS18/022 FORMER BATEMANS BAY BOWLING CLUB SITE - LEASE TO RMS**

**E12.6442**

In addition, Council has secured \$26M for the Regional Aquatic, Arts and Leisure Centre from the NSW Government. This includes \$8M towards the arts component of that project, further confirming that development will proceed on the southern precinct.

**CONSIDERATIONS**

The area RMS wish to lease from Council is show in the plan below:



If approved, the lease with RMS will commence on 1 July 2018 for a three year term with a one year option. RMS will use the site as a secure compound for the Batemans Bay Bridge Replacement Project and this will include; a temporary administration office, storage of vehicles, plant and equipment, stockpiling of materials and replacement car parking for the CBD.

Council has obtained a valuation from a registered valuer for the rent payable. It assesses the rent to be higher with the building demolished.

RMS and the recently appointed preferred contractor have both confirmed that demolition of the existing building is their strongly preferred option.

According to RMS, a clear site would facilitate more efficient use of the site including CBD replacement parking, safer access and egress to the site for heavy equipment (less visual obstruction) and more space for bridge component, stockpile and machinery storage. Retaining the building could also delay project commencement.

Rent and demolition costs are Commercial in Confidence and are covered in the Confidential Attachment to this report. RMS are in similar ongoing commercial negotiations with other affected land owners.



---

**CCS18/022 FORMER BATEMANS BAY BOWLING CLUB SITE - LEASE TO RMS**

**E12.6442**

**Consideration of demolition**

Whilst there has been community interest in the use of the building as is, the reasons to demolish the existing structure include:

- It is the RMS preferred option allowing it to deliver the new bridge in the most efficient and least impactful way for Batemans Bay.
- The valuation assesses the site as being worth more with the building demolished.
- It is more cost effective for Council, if RMS demolish the building, than it is for Council to demolish it at the end of the lease.
- Council is left with a clean and level site which is more attractive to potential responders to the Expression of Interest for the northern site.
- Council will not incur any cost to ongoing maintenance liabilities.

**Disposal of Items inside the building**

In May 2017, Council discussed the disposal of items inside the former Club and in the Council report PSR034/17 presented in open session on 13 June 2017 resolved in part that:

*“2. Council proceed with the disposal of items, other than chattels of everyday use, from the former Batemans Bay Bowling Club, and in doing so, consider how interested community groups may be able to receive items they are interested in at minimal, or no, cost to them.”*

Council staff have consulted with local members of the historical society and local bowling clubs, who have removed a number of items which are of local or sentimental value.

With the leasing of the site to the RMS, a revised resolution is proposed so that all usable items are either re-used by Council or sold to the public.

**Legal**

The former Batemans Bay Bowling Club site is on Council owned operational land.

There is a portion of Crown Land adjacent to the former Bowling Club site that RMS are seeking to lease directly from the Crown. It is part of the car park immediately to the west of the building. This portion of the land will be subject to an additional lease between RMS and the Crown.

**Asset**

The valuation obtained by Council assesses that Council’s land is worth more with the building demolished.

**Social Impact**

On completion of the bridge, there will be substantial positive impacts in terms of improved transport efficiency, improved road safety, reduced risk of disconnection (associated with failure of the current lifting span) and improved access for emergency response. The new bridge will also provide for higher productivity transport vehicles to utilise the Princes Highway.

---

**CCS18/022 FORMER BATEMANS BAY BOWLING CLUB SITE - LEASE TO RMS**

**E12.6442**

Providing a quality site office near the bridge will assist in the delivery of the project and will minimise construction traffic impacts on the town.

**Economic Development Employment Potential**

The new bridge and associated improvements to the Kings Highway and Princes Highway intersection will significantly improve the efficiency of our highway network. The removal of the lifting span in the existing bridge will also reduce incidences of traffic queuing along the Princes Highway which directly impact traffic movement within the Batemans Bay CBD. This will provide economic benefits into the future.

**Financial**

A lease fee as set out in the Confidential Attachment to this report is considered to provide a positive commercial return.

**CONCLUSION**

Council has received a request from Roads and Maritime Services (RMS) seeking to lease the former Batemans Bay Bowling Club site in Vesper Street, Batemans Bay for a secure compound for the Batemans Bay Bridge Replacement Project.

It is considered that granting a lease with a term of three years with a one year option, which permits demolition of the existing building, is a positive outcome for Council and the community.

---

**CCS18/023 NAROOMA SURF BEACH HOLIDAY PARK LEASE**

**E83.7806**

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

Attachments: 1. Confidential - Narooma Surf beach Holiday Park Lease  
2. Confidential - Draft lease - Narooma Surf Beach Holiday Park

Outcome: Innovative and Proactive Leadership

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

Delivery Program Link: 9.2.2 Manage land under Council control to achieve a return for the community

Operational Plan Link: 9.2.2.1 Manage leases and licences

**EXECUTIVE SUMMARY**

The lease of the Narooma Surf Beach Holiday Park (the Park) expires on 30 June 2018. The Lessee has requested that a new lease be granted.

Negotiations with the Lessee have been finalised and it is proposed that a 25-year lease be granted subject to the consent of the Minister administering the *Crown Lands Act 1989*.

**RECOMMENDATION**

THAT

1. Subject to consent from the Minister administering the *Crown Lands Act 1989*, Council as Trust Manager of the Eurobodalla (South) Reserve Trust grant a lease over Lot 921 DP 878393 being part Crown Reserve R91375 Narooma to the current Lessee named in the Confidential Attachment to this report with the following key terms:
  - (a) A term of 25 years commencing on 1 July 2018 and terminating on 30 June 2043.
  - (b) Payment of rental as set out in the Confidential Attachment to this report.
  - (c) Provision of evidence of public liability insurance cover in the amount of at least \$20 million.
2. Consent be given to affix the Common Seal of Council to all documents associated with the granting of a lease over Lot 921 DP 878393.

**BACKGROUND**

Council as Trust Manager manages the lease over the Park. The current lease expires on 30 June 2018 and a request has been received from the Lessee to renew the lease.

At its meeting on 13 February 2018 Council resolved that the General Manager be given delegated authority to enter into direct negotiations for a new lease with the current Lessee of the Park and a further report be presented to Council following those negotiations to approve the new lease. Crown Lands consented to Council dealing directly with the existing Lessee.

---

**CCS18/023 NAROOMA SURF BEACH HOLIDAY PARK LEASE**

**E83.7806**

A proposed business plan was attached to the Council report. This business plan has now been amended to provide the Lessee greater flexibility to adjust his investment plans and in exchange the term of the lease has been reduced from 30 to 25 years.

During negotiations involving staff from Council, advice was obtained from the Crown Lands Division of the Department of Industry and Council's solicitors, and agreement has been reached on the key terms for a new lease. The rental % negotiated compares favourably to other recent holiday park leases and is supported by the valuation obtained by Council.

The main lease document has been drawn up by Council's solicitors using the Crown Lands template.

**CONSIDERATIONS**

**Legal**

The Park is located on Crown Reserve under the trusteeship of the Eurobodalla (South) Reserve Trust for which Council is Trust Manager. In accordance with Section 102 of the *Crown Lands Act 1989* (CLA), a lease for a period over twelve months requires the consent of the Minister administering the CLA.

**Justification of Lease**

The granting of a lease accords with sections 10 and 11 of the CLA by providing for the business use of Crown land that delivers public benefits and a commercial return to the State. The applicant's proposal has the potential to substantially increase rent revenue and generate local economic activity.

It is expected that there will be substantial economic benefits to the area from a new lease as the applicant will make significant capital investment in the Park and make it more attractive as a tourism destination. The Park adjoins the Narooma Golf Course which is also on a Crown lease so patronage of this adjoining Crown Land will also increase.

As part of the negotiations, Council verified information provided by the Lessee.

**Economic Development Employment Potential**

The proposed improvements to the Park over the next five years will enhance its facilities and encourage further growth of tourism for Narooma. It should lead to increased use of local goods and services.

**Financial**

A lease fee as set out in the Confidential Attachment to the report has been negotiated.

**Community and Stakeholder Engagement**

The decision to enter into negotiations with the existing Lessee was considered and endorsed in public at the Council meeting on 13 February 2018.

Under Section 34(3) of the *Crown Lands Act 1989*, public notice must be given of the Minister's intent to approve the lease prior to it being signed by them.

---

**CCS18/023 NAROOMA SURF BEACH HOLIDAY PARK LEASE**

**E83.7806**

**CONCLUSION**

The negotiations for the granting of a 25-year lease have been finalised and if approved by Council and endorsed by Crown Lands will result in significantly improved facilities in the Narooma Surf Beach Holiday Park and a significant income stream for the Eurobodalla (South) Reserve Trust.

---

**CCS18/024 INVESTMENTS MADE AS AT 30 APRIL 2018**

**E99.3517**

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

Attachments: Nil

Outcome: Innovative and Proactive Leadership

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

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

Operational Plan Link: 9.2.4.3 Provide financial management and reporting

### EXECUTIVE SUMMARY

The purpose of this report is to:

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

### RECOMMENDATION

THAT the certification that the investments as at 30 April 2018, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, be received.

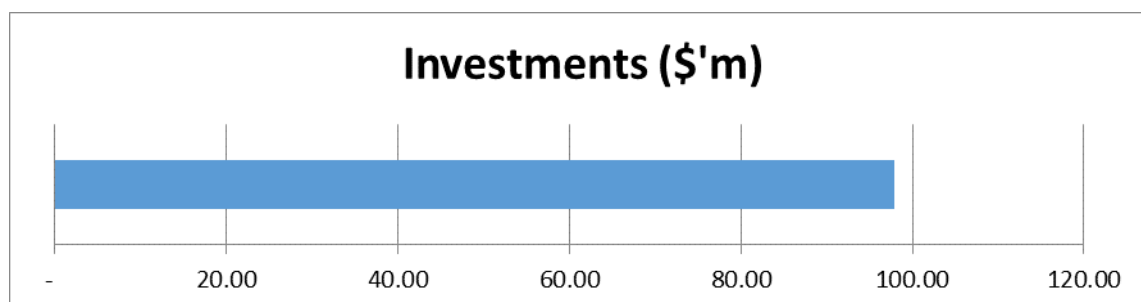
### CONSIDERATIONS

#### Policy

The portfolio is compliant with Council's Investment Policy.

#### Financial

##### Council investing overall



**CCS18/024 INVESTMENTS MADE AS AT 30 APRIL 2018**

**E99.3517**

Council has 100% (\$94.72m) invested in Bank Deposits. The Bank Deposits are held in banks rated A or greater, or covered by the AAA rated Government Guarantee, except for \$21.75m invested in banks rated below A, and in the 'some limited risk' category of the policy.

The 'some limited risk' category is now separated into two categories, the first being BBB+ rating institutions which allows up to 60% of all investments and the other is BBB which is restricted to 20% maximum. Currently there is 18.43% invested in BBB+ and 4.47% in BBB which complies with the current policy. Investment in Government Guaranteed Deposits is \$2.25m and represents 2.37% of the portfolio.

There are \$38.5m (40.54%) of funds invested in claimed fossil fuel free institutions.

The weighted average return for all investments for the month is 2.52%, which is above the Council policy benchmark of Bank Bill Swap rate (BBSW) + 0.25% (2.30%).

Collateralised Debt Obligation (CDO)

Funded legal action against one agency is continuing.

Summary investment information

The following table summarises investment categories and balances at month end.

<b>CATEGORY</b>	<b>(\$)</b>
At Call Deposit Government Guaranteed	250,000
At Call Deposit	2,722,484
Term Deposits	90,000,000
Term Deposits Government Guaranteed	2,000,000
	<b>94,972,484</b>
<i>Weighted average interest %:</i>	2.52%
<i>Average 90 day BBSW + 25%</i>	2.30%

Policy and liquidity risk

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

<b>Policy risk</b>	<b>Low liquidity risk %</b>	<b>Total % of investments</b>	<b>Policy risk % (max holdings)</b>
<b>Remote risk</b>	2.37	2.37	100.00
<b>Near risk free</b>	74.73	74.73	100.00

---

---

**CCS18/024 INVESTMENTS MADE AS AT 30 APRIL 2018**

**E99.3517**

<b>Some limited risk (BBB+)</b>	18.43	18.43	60.00
<b>Some limited risk (BBB)</b>	4.47	4.47	20.00
<b>Grand total</b>	<b>100.00</b>	<b>100.00</b>	

The unrestricted current ratio is the amount of unrestricted current assets compared to each dollar of current liability. The Office of Local Government suggests a minimum 1.5:1, and the audited unrestricted current ratio as at 30 June 2017 is 2.38:1. Council therefore has approximately \$2.38 of current assets for each \$1 of current liabilities.

**CONCLUSION**

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



---

**CCS18/025 DIVIDENDS FROM WATER AND SEWER FUNDS**

**E05.9535**

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

Attachments: Nil

Outcome: Innovative and Proactive Leadership

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

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

Operational Plan Link: 9.2.4.3 Provide financial management and reporting

**EXECUTIVE SUMMARY**

Each year there is an opportunity to pay Water and/or Sewer dividends providing certain criteria are addressed.

The Water and Sewer Funds have capacity to transfer funds to the General Fund based upon the final Water and Sewer Fund operating results for 2016-17 (as per the audited Special Purpose Financial Statements) and subject to achievement of substantial compliance of best practice audit and approval from the Department of Primary Industries, Water (DPIW).

*Guidelines for Best-Practice Management of Water Supply and Sewerage* encourage continuing improvement in performance and identify six criteria for best-practice management of water supply and sewerage.

The guidelines also set out the outcomes the NSW local government Local Water Utilities (LWU) need to achieve in order to be eligible for payment of dividend from the surplus of their water supply or sewerage businesses, including effective and sustainable water supply and sewerage businesses. Additionally best-practice management of these businesses as well as their compliance with *National Competition Policy* and the *National Water Initiative* needs to be demonstrated.

Any local government LWU wishing to pay a dividend from the surplus of its water supply and sewerage businesses are required to demonstrate achievement against these outcomes through substantial compliance with these guidelines for each of the six criteria.

The audit for the annual compliance of the Water and Sewer Funds is currently underway and it is envisaged this will be completed mid-June. Subject to relevant endorsements payment of the dividend is expected to occur the final week of June 2018.

Payment of these dividends will result in no net change to Council's overall cash position and will assist Council to continue to meet its Fit for the Future ratios.

**RECOMMENDATION**

THAT Council resolve to transfer dividends from the Water and Sewer Funds of \$602,402 and \$547,890 respectively based upon 2016-17 audited results in the Water and Sewer Funds, and subject to achievement of substantial compliance with Best Practice Guidelines and approval from the Department of Primary Industries, Water.

---

**CCS18/025 DIVIDENDS FROM WATER AND SEWER FUNDS**

**E05.9535**

**BACKGROUND**

Council's water supply and sewerage businesses are permitted to pay an annual dividend from its water supply or sewerage business surplus.

The NSW Government encourages best-practice by all LWUs. The purpose of best-practice management is:

- to encourage the effective and efficient delivery of water supply and sewerage services; and
- to promote sustainable water conservation practices and water demand management throughout NSW.

*Guidelines for Best-Practice Management of Water Supply and Sewerage* encourage continuing improvement in performance and identify six criteria for best-practice management of water supply and sewerage:

1. Strategic Business Planning
2. Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals)
3. Water Conservation
4. Drought Management
5. Performance Reporting
6. Integrated Water Cycle Management.

The guidelines also set out the outcomes local government LWUs need to achieve in order to be eligible for payment of a dividend from the surplus of their water supply or sewerage businesses, including effective and sustainable water supply and sewerage businesses. Additionally best-practice management of these businesses as well as their compliance with *National Competition Policy* and the *National Water Initiative* needs to be demonstrated.

Any local government LWU wishing to pay a dividend from the surplus of its water supply and sewerage businesses are required to demonstrate achievement against these outcomes through substantial compliance with these guidelines for each of the six criteria.

In order to make a dividend payment from a surplus, and LWU must:

- Demonstrate best-practice management compliance through an independent compliance audit report; and
- Obtain an unqualified financial audit report for its water supply and sewerage businesses;
- Resolve in a council meeting open to the public that it has achieved 'substantial compliance' with each criterion in the guidelines.

Each dividend must be calculated and approved in accordance with the DPIW guidelines and must not exceed:

- (i) 50% of this surplus in any one year, or
- (ii) The number of water supply or sewerage assessments at 30 June 2017 multiplied by \$30 (less the payment for tax equivalent charges, not exceeding \$3 per assessment).

---

**CCS18/025 DIVIDENDS FROM WATER AND SEWER FUNDS**

**E05.9535**

In accordance with the DPIW guidelines, a Dividend Payment Form, Statement of Compliance, Unqualified Independent Financial Audit Report and Compliance Audit Report are required to be submitted to the DPIW.

The proposed transfer of funds from the Water and Sewer Funds to the General Fund are based upon 2016-17 audited results in the Water and Sewer Funds, and subject to a satisfactory compliance of best practice audit and approval from the DPWI.

**CONSIDERATIONS**

**Financial**

The Water and Sewer Funds are in a healthy position and have capacity to transfer the full dividend amounts. They had operating surpluses (before capital revenue) of \$1.33 million (Water) and \$1.068 million (Sewer) in 2016-17. Payment of these dividends will result in no net change to Council's overall cash position and will assist Council to continue to meet its Fit for the Future ratios.

**Community and Stakeholder Engagement**

The 2016-17 Financial Statements, which included the Water and Sewer Funds, were referred to audit on 24 October 2017 and publicly exhibited on 15 November 2017 prior to being presented to Council for adoption at the Ordinary meeting of Council held on 28 November 2017.

**CONCLUSION**

Based upon 2016-17 audited results in the Water and Sewer Funds, and subject to achievement of substantial compliance of best practice audit and approval from the Department of Primary Industries, Water, it is appropriate to seek the endorsement of Council to transfer Dividends of \$602,402 (Water) and \$547,890 (Sewer) Funds to the General Fund.

---

**CAR18/016 FUNDING EXTENSION - COMMUNITY TRANSPORT**

**E11.5375/E09.3339**

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services  
Attachments: Nil  
Outcome: Strong Communities, Desirable Lifestyle  
Focus Area: 1.4 Ensure activities, facilities and services meet changing community needs  
Delivery Program Link: 1.4.2 Provide flexible, community based services to support older people, people with a disability and their carers  
Operational Plan Link: 1.4.2.2 Provide community transport service

**EXECUTIVE SUMMARY**

Council's Community Care services has received an offer of extension to current funding for the Community Transport Service Contract (CTSC) with Transport for NSW. The offer will provide a total of \$831,510 over two years, from 1 July 2018 to 30 June 2020.

In order to release the funds an authorised representative of Council needs to sign the Major Change document and initial each page of the associated Funding Tables.

**RECOMMENDATION**

THAT Council accepts the extension of the Community Transport Service Contract to 30 June 2020 by signing the Major Change document and initialing each page of the associated Funding Tables.

**BACKGROUND**

Transport for NSW has been successful in obtaining an extension to their Community Home Support Program (CHSP) funding agreement with the Australian Government until 30 June 2020. Accordingly they are offering Council's Community Transport Services an extension to the current contract between Council and Transport for NSW for community transport service delivery locally.

The extended contract includes clear minimum outputs to be met by service providers. Council's Community Transport service outputs in the accompanying Schedule of Services are set at 11,279 (CHSP) and 2,383 (CTP). These figures are already being met or exceeded by the service within the allocated budget, with approximately 20,000 trips achieved in total in 2016/17 and the service on track to deliver a similar volume in 2017/18.

**CONSIDERATIONS**

**Social Impact**

Council's Community Transport volunteers are fundamental to the provision of personalised transport services. Together with our paid staff, they provide a regular schedule of trips to frail older people, people with disability, transport disadvantaged people and people travelling for health reasons. This is a vital service which provides both an opportunity for those who enjoy

---

**CAR18/016 FUNDING EXTENSION - COMMUNITY TRANSPORT**

**E11.5375/E09.3339**

being able to 'give back' as volunteers and for eligible seniors who wish to lead full lives and participate in their community.

**Financial**

A total of \$831,510 will be received from Transport for NSW over the next two financial years:

\$765,906 CHSP

\$65,604 CTP (allocation for 2018/19 – allocation for 2019/20 to be advised)

**\$831,510 Total**

**Community and Stakeholder Engagement**

We will inform the community through providing information on Council's website; Online News; Living in Eurobodalla residents newsletter; posting on Council's Facebook and Twitter

**CONCLUSION**

Council's Community Care services has received an offer of extension to current funding for the Community Transport Service Contract (CTSC) with Transport for NSW. The offer will provide a total of \$831,510 over two years, from 1 July 2018 to 30 June 2020.

---

**CAR18/017 FUNDING AGREEMENT - COMMONWEALTH HOME SUPPORT PROGRAM E11.5375**

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services

Attachments: Nil

Outcome: Strong Communities, Desirable Lifestyle

Focus Area: 1.4 Ensure activities, facilities and services meet changing community needs

Delivery Program Link: 1.4.2 Provide flexible, community based services to support older people, people with a disability and their carers

Operational Plan Link: 1.4.2.4 Provide support services for older people

### **EXECUTIVE SUMMARY**

Council's Community Care services has received a new funding agreement from the Commonwealth Department of Health to provide continuing Commonwealth Home Support Program (CHSP) services, with a total of \$1,828,656 over two years from 1 July 2018 to 30 June 2020..

In order to release the funds an authorised representative of Council needs to sign two copies of the agreement.

### **RECOMMENDATION**

THAT Council accepts the funding agreement from the Commonwealth Department of Health to provide continuing Commonwealth Home Support Program (CHSP) services to 30 June 2020 by signing two copies of the agreement.

### **BACKGROUND**

The Commonwealth Department of Health have extended their funding for the Community Home Support Program (CHSP) until 30 June 2020. Accordingly they are offering Council's Community Care services a further two year contract. The purpose of the grant is to enable frail older people to maximize their independence at home and in the community.

Community Care's Active Living team currently provides social support and respite services to approximately 150 eligible seniors and their carers via referrals through the Commonwealth's My Aged Care system. A sub-section of the current grant also enables Community Care to provide sector support and development.

The new funding agreement is an extension of those services with the same required outputs and funding, but with a stronger emphasis on embedding wellness, re-enablement and restorative care approaches built into service delivery.

### **CONSIDERATIONS**

#### **Social Impact**

The purpose of the grant is to enable frail older people to maximise their independence and wellbeing at home and in the community. Our Active Living team, comprising both paid staff

---

---

**CAR18/017 FUNDING AGREEMENT - COMMONWEALTH HOME SUPPORT PROGRAM**

**E11.5375**

and volunteers, supports clients to attend individual and group social activities and connect with their local community. Services include help with shopping, attending appointments and we offer a variety of groups that meet to share hobbies and interests or visit local venues. Regular respite care is provided to people caring for an older person in their home, to give them a break to rest and re-energise.

**Financial**

A total of \$1,828,656 will be received from the Commonwealth Department of Health over the next two financial years:

\$922,874	Flexible Respite
\$397,622	Social Support (Groups)
\$280,695	Social Support (Individual)
\$227,465	Sector Support and Development
<b>\$1,826,656</b>	<b>Total</b>

**Community and Stakeholder Engagement**

We will inform the community through providing information on Council's website; Online News; Living in Eurobodalla residents newsletter; posting on Council's Facebook and Twitter; distributing a print brochure; community groups.

**CONCLUSION**

Council's Community Care services has received a new funding agreement from the Commonwealth Department of Health for two years from 1 July 2018 to 30 June 2020, with a total of \$1,828,656, to provide continuing Commonwealth Home Support Program (CHSP) services. The service provides essential social support and respite services to eligible seniors and their carers in our community.

---

**CAR18/018 FUNDING ACCEPTANCE - YOUTH SERVICES GRANT**

**E00.4938**

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services  
Attachments: Nil  
Outcome: Strong Communities, Desirable Lifestyle  
Focus Area: 1.4 Ensure activities, facilities and services meet changing community needs  
Delivery Program Link: 1.4.1 Plan for and provide opportunities, services and activities for youth  
Operational Plan Link: 1.4.1.3 Deliver the youth learner driver project

**EXECUTIVE SUMMARY**

This report is to advise that funding of \$124,950 has been accepted by Council via the NSW Government's Department of Justice's Community Safety Funds program to support the Y Drive Program for the next eighteen months.

The Y Drive project is a community support project to assist disadvantaged and at-risk young people to attain their required 120 hours of driving experience to achieve their 'P' plate licence.

The youth referred to the program are those that are disadvantaged for a variety of social and economic reasons, or have no licensed parent or family/carers with a car to enable the attainment of the hours. A comprehensive intake process has been developed to prioritise participants and match them with suitable mentors.

The success of the pilot program, which has been running for the past twelve months, has provided positive, practical outcomes and data to leverage further funding for the program.

**RECOMMENDATION**

THAT Council note the funding allocation under the NSW Government's Department of Justice's Community Safety Funds program to support the Y Drive Program and endorse action taken to accept this funding.

**BACKGROUND**

The Y Drive project provides support by making available a suitable vehicle and approved volunteer mentors to undertake supervised driving hours to achieve a licence. For many young people this will reduce the need to drive unlicensed, or take risks with others who may be unlicensed, which in turn creates a further cycle of disadvantage for young people. Furthermore being able to drive, and being taught to drive correctly improves road safety, life chances, employability and confidence.

The current Y Drive project has provided support to 12 Eurobodalla youth, of which, 50% are Aboriginal.

In addition to grant funds received, the project has been supported by 38 volunteers, with 12 currently active, as well as the generous donation of a vehicle by Alan May Holden.



---

**CAR18/018 FUNDING ACCEPTANCE - YOUTH SERVICES GRANT**

**E00.4938**

**CONSIDERATIONS**

Transport has been identified as a huge barrier for young people to access education, employment, healthcare, and social activities. There is a lack of regular public transport options between the three main towns of Eurobodalla (Batemans Bay, Moruya, Narooma), and feedback from community meetings routinely highlight that lack of transport is a major challenge for young people in Eurobodalla (Eurobodalla Shire Council Youth Action Plan 2016-2018). The new funding will enable an additional 30 young people to gain a licence.

The current Y Drive project has been shortlisted as a finalist in the NSW Local Government Professionals Excellence Awards to be announced on 7 June 2018.

The success of the program has also included Council being able to assist with replicating the service in the Bega Valley Shire with a community committee and local Bega services auspicing funds and coordinating the project based on systems and processes trialed over the past year in the Eurobodalla.

**Social Impact**

This project has already evidenced the impact that having a licence has on young people. Our first participant who gained their 'P' plates is now able to drop her child off at child care and attend TAFE independently. Another young participant was the first person in his entire family to ever gain a license. Another participant who is home schooled and cares for her mother, who has a disability, can go food shopping without the need to rely on others.

The project will continue to work with the existing steering committee made up of a range of local services to support participants through the process and continue the collaborative approach to the project.

The shire is now already benefitting from all young people now being able to access the 'Keys 2 Drive' program locally, as a result of the YDrive project. Driving schools registered as providers to support the project. This program entitles learner drivers with a free professional driving lesson with the person who will be supervising their driver hours.

All local young people can also now access the 'Safer Driver Program' in the shire due to YDrive. This program, once participants have completed, takes 20 hours off their driving hour requirements.

Furthermore due to the requirements of this project, participants have demonstrated high degrees of increased road safety awareness, confidence and have been taught to drive well.

**Economic Development Employment Potential**

The ability to obtain a driving license provides young people with the independence and means to access employment, training and social opportunities. The opportunity to have a license can be life-changing for some disadvantaged young people.

By Council taking a lead role in this project we are providing our youth with options to succeed and improve life chances.

---

**CAR18/018 FUNDING ACCEPTANCE - YOUTH SERVICES GRANT**

**E00.4938**

**Financial**

A total of \$124,950 has been accepted by Council via the NSW Government's Department of Justice's Community Safety Funds program to support the Y Drive Program for the next eighteen months.

**Community and Stakeholder Engagement**

We will inform the community through providing information on Council's website; Online News; Living in Eurobodalla residents newsletter; posting on Council's Facebook and Twitter; and distributing a media release.

We have collaborated with the community through by seeking advice, ideas, and recommendations from the project steering groups comprised of representatives from local police, PCYC, Department of Prime Minister and Cabinet, Alan May Holden, local professional driver training schools, homeless and support services, Campbell Page and the Roads and Maritime Service.

**CONCLUSION**

The Y Drive project has received a high level of support from the Eurobodalla and wider community including participants, volunteer mentors, families, service organisations and local referring services. The success of the pilot project has enabled positive leverage for Council to attract funds for a further 18 months to deliver practical and important outcomes for our community.

---

**CAR18/019 FUNDING ACCEPTANCE - CHILDREN'S SERVICES 2019-21**

**E10.4249**

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services

Attachments: Nil

Outcome: Celebrated Creativity, Culture and Learning

Focus Area: 2.2 Improve local access to higher education and lifelong learning opportunities, facilities and services

Delivery Program Link: 2.2.1 Develop and provide early education services and programs

Operational Plan Link: 2.2.1.2 Provide and manage Out Of School Hours and Vacation Care centres and activities

### **EXECUTIVE SUMMARY**

Funding of \$894,469 has been offered to Council via the Australian Government's Department of Education and Training Community Child Care Funds program to support operational subsidies over the next three years for:

- Eurobodalla Family Day Care Service (FDC) (Sustainability Support Program);
- Moruya After School and Vacation Care (Sustainability Support Program);
- Narooma After School and Vacation Care (Sustainability Support Program); and
- Batemans Bay Out of School Hours Care (OOSH) (Sustainability Support Program); and
- a new three year project 'Embracing Participation' to address early childhood development (Community Support Program).

The report to Council will recommend that the funding be accepted.

### **RECOMMENDATION**

THAT Council accept the Department of Education and Training Community Child Care Funding offer of \$894,469 to support Council's child care services until 2021.

### **BACKGROUND**

Since 1991 Council's Children's Services has automatically received operational funding each year from the Australian Government. Funding was calculated on utilisation of the service, the remoteness of the service and the socio-economic status of the community. The total amount of funding received for 2017-18 under the old funding model is tracking to total approximately \$155,700.00.

Under the new funding Council will receive \$237,000 in 2018/19 for existing services plus \$92,739 for the new program, totalling \$329,739.

For the 2019-20 and 2020-21 financial years we will receive \$281,591 and \$283,139 respectively.

In September 2016, the Minister for Education and Training announced changes to the Family Assistance Law affecting the Child Care Payments Compliance Framework which included

---

**CAR18/019 FUNDING ACCEPTANCE - CHILDREN'S SERVICES 2019-21**

**E10.4249**

payments made directly to families to reduce the cost of child care as well as support funding to education and care services.

Child care reforms were implemented by the government to address non-compliance and potential fraud by some child care services. This also includes a range of actions to address practices that do not align with the policy intent of child care fee assistance.

The reforms have required services to be highly accountable and now apply for sustainability support funds. Families will be required to re-register for child care fee assistance by 1 July 2018. Council will endeavour to assist families registered for our services regarding this process.

Council's Children's Services were eligible to apply for the competitive round of Community Child Care Funding in October 2017, as we provide the only Family Day Care service in the region. Council recently received confirmation of successfully being granted \$894,469 over three years, which means both an increase in funding and additional services to the community going forward.

**CONSIDERATIONS**

**Social Impact**

An additional early childhood development program has also been funded for three years to target 'hard-to-reach' families. This program will provide early literacy and socialisation support via home-visit volunteers, transport support to connect with early childhood services and activities, and more early childhood activities and events for families. This project will complement and enhance our successful services and the 3Bs playgroup program and seek to further increase early childhood learning opportunities and improve community outcomes in the shire.

**Economic Development Employment Potential**

Importantly, the provision of child care services by Council provides a not-for-profit care option in the shire. The range of services also provide flexibility and choice for families. This enables working parents and carers to attend work.

The Family Day Care program is coordinated by Council and is supported by 18 individual small businesses that provide accredited in-home care across the shire.

**Financial**

Funding of \$894,469 has been offered to Council via the Australian Government's Department of Education and Training Community Child Care Funds program to support operational subsidies over the next three years.

Under the new funding Council will receive \$237,000 in 2018/19 for existing services plus \$92,739 for the new program, totaling \$329,739.

For the 2019-20 and 2020-21 financial years we will receive \$281,591 and \$283,139 respectively.

In line with Council operational plans and in response to the new child care reforms, Council successfully incorporated into the recent funding application grant funds to undertake an independent professional review of the Children's Services business model. The review will

---

**CAR18/019 FUNDING ACCEPTANCE - CHILDREN'S SERVICES 2019-21**

**E10.4249**

assist in ascertaining key benchmarks, viability measures and resourcing requirements, as funding programs for education and care services are not guaranteed long term.

**Community and Stakeholder Engagement**

We will inform the community through providing information on Council's website; Online News; Living in Eurobodalla residents newsletter; and distributing a media release.

**CONCLUSION**

Council has coordinated Children's Services since 1991, ensuring the provision of quality flexible childcare for school age children within this Shire. Funding of \$894,469 from the Australian Government ensures the provision of relevant Education and Care Service to the children of families within this Shire for the next three years, a business model review, as well as providing additional services to our community.

---

**CAR18/020 YOUTH GRANTS PROGRAM**

**E00.4938**

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services  
Attachments: 1. Confidential - Youth Grants Program Confidential Attachment  
Outcome: Strong Communities, Desirable Lifestyle  
Focus Area: 1.4 Ensure activities, facilities and services meet changing community needs  
Delivery Program Link: 1.4.1 Plan for and provide opportunities, services and activities for youth  
Operational Plan Link: 1.4.1.2 Coordinate the Youth Committee and associated projects

**EXECUTIVE SUMMARY**

This report is to advise the proposed allocation of grant funds under Council's Youth Grants Program for the financial year 2017-18.

In 2017 Council revised the community donations policy. This provided an opportunity to enable a wider range of groups within the shire to be considered for local initiative support funds.

In 2017-18 a total of \$5000 was available to support local youth initiatives with a total of 15 applications being received, totalling \$9400.

Given that the amount applied for exceeded the amount available, the panel were able to prioritise assistance required, whether by reduced amounts or by way of referral to other existing programs that addressed the need of the application. This resulted in ten of the applications receiving funding via this grant program and five applications being supported by other existing programs. Full details are included in the confidential attachment.

**RECOMMENDATION**

THAT Council approve the recommendations detailed in the confidential attachment, awarding Youth grants to 10 organisations nominated for the 2017-18 financial year.

**BACKGROUND**

The Youth Grants Program aims to provide support for Eurobodalla's not-for-profit, community groups or services with the primary objective of supporting young people to run youth development initiatives.

Each applicant must demonstrate that the grant will achieve at least one of the following outcomes:

- Encourages people in the wider community to be socially engaged with young people

---

**CAR18/020 YOUTH GRANTS PROGRAM**

**E00.4938**

- Provides an opportunity for young people to be engaged in sporting and cultural activities and/or personal growth and development
- Develops a new skill in young people
- Builds the capacity of youth through leadership and training opportunities
- Develops employment and pathway opportunities for young people to work.

**CONSIDERATIONS**

The total grant amount available for the 2017-18 Youth Grants Program is \$5000. There were a total of 15 applications received, with a total amount of \$9400 requested this financial year.

A confidential summary sheet has been attached for Councillors' information.

**Eligibility**

To be eligible for a Youth Grant, applicants must:

- Be a Eurobodalla based and not-for-profit community group or able to prove that they are a bona fide Eurobodalla based community group or a service with the primary objective of supporting young people
- contribute some financial support or volunteer labour to the activity;
- show that they have adequate insurance coverage for the activity; and
- not have any outstanding debts to council.

A sub-committee made up of: a youth committee member; a Councillor; Coordinator - Community Development and Youth; and Divisional Manager - Community Development and Participation have reviewed applications, in line with the grant criteria, and present its recommendations in the confidential attachment.

**Social Impact**

Applications to the grant program had a diverse range of projects including those that focused on leadership, disability, entrepreneurial, self-development, healthy and recreation activities, Aboriginal programs and arts development.

---

**CAR18/020 YOUTH GRANTS PROGRAM**

**E00.4938**

**Financial**

The total grant amount available for the 2017-18 Youth Grants Program is \$5000.

**Community and Stakeholder Engagement**

We will inform the community through providing information on Council's website; Online News; Living in Eurobodalla residents newsletter; and distributing a media release.

**CONCLUSION**

In line with the directions of social, cultural and management planning processes, these grants have provided a broad range of community organisations with the opportunity to apply for grant funding to initiate and further enhance youth focused activities across the Eurobodalla. This leads to more activities for youth to participate in, which builds their knowledge and skills to assist them to reach their full potential.



---

**CAR18/021 EUROBODALLA NAIDOC WEEK GRANTS**

**E15.9174**

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services  
Attachments: 1. Confidential - Eurobodalla NAIDOC Week Grants Confidential Attachment  
Outcome: Celebrated Creativity, Culture and Learning  
Focus Area: 2.3 Embrace and celebrate local history, cultural heritage and diversity  
Delivery Program Link: 2.3.1 Acknowledge and involve traditional owners and members of the Aboriginal community  
Operational Plan Link: 2.3.1.3 Coordinate NAIDOC week activities and grants

**EXECUTIVE SUMMARY**

The Eurobodalla NAIDOC Week Grants aim to promote understanding of the history, culture and achievements of Aboriginal and Torres Strait Islander people by providing funds to celebrate NAIDOC and support participation in NAIDOC Week activities.

The criteria for Eurobodalla NAIDOC Week Grants reflect Council's social, cultural and management planning commitments to community development.

The total grant amount available in the 2017-18 NAIDOC Week grants was \$4500.

The confidential attachment lists applicants recommended for this year's funding round.

This year a total of 9 applications were received totaling \$4780.

**RECOMMENDATION**

THAT Council approve the recommendations detailed in the confidential attachment, awarding NAIDOC Week grants to nine organisations nominated for the 2017-18 financial year.

**BACKGROUND**

To be eligible for a Eurobodalla NAIDOC Week Grant, applicants must be a Eurobodalla based and not-for-profit community group. Applicants must also demonstrate adequate insurance coverage and in-kind support for the activity proposed. Council committees and private-for-profit organisations are excluded from applying for the grants and Government-funded organisations are viewed as a lower priority.

Each applicant must demonstrate that the grant will be used positively to engage the wider community and promote a greater understanding of NAIDOC. The grant funds are not transferable and projects will not be funded in retrospect.

Successful applicants are required to sign a waiver prior to the grant monies being issued absolving Council of all liability in relation to the funded activity. Successful applicants must also acknowledge Council's support on all publicity material, reports and awards.

---

**CAR18/021 EUROBODALLA NAIDOC WEEK GRANTS**

**E15.9174**

A sub-committee from the Aboriginal Advisory Committee (AAC) have reviewed applications in line with the grant application criteria and presents its recommendations in this report.

**CONSIDERATIONS**

**Social Impact**

The determinants of health that influence Indigenous peoples' health and wellbeing also include cultural factors, racism, disconnection to language and land and spiritual social and emotional wellbeing. Eurobodalla has a higher percentage of Aboriginal people living in the community compared to the state average. Annual NAIDOC week activities and celebrations are an important cultural event on the Aboriginal and Torres Strait Islander calendar and promote understanding and acceptance in the wider community of the unique place first Australians occupy in our cultural landscape.

Councils NAIDOC week grants demonstrate a commitment from Council to support and promote Aboriginal cultural activities within the Aboriginal and non-Aboriginal community.

**Economic Development Employment Potential**

NAIDOC grants provide Community and not for profit groups much needed funds to support the payment of Aboriginal artists, cultural educators and elders during NAIDOC week activities as well as providing a platform for promotion and publicity.

**Financial**

In 2016-17 \$1,663 of unallocated funding from the Healthy Communities and Seniors week grants were added to the NAIDOC week grants budget to cover the gap between amount applied for and available amount for funding.

The Aboriginal Advisory Committee requested additional funds be made available for NAIDOC Week given the demand not meeting the need. A budget of \$4,500 for grants was allocated in 2017-18 to support the activities of community groups, schools and/or non-profit organisations to celebrate NAIDOC Week. The combined total of applications recommended by the subcommittee for funding is \$4,500.

**Community and Stakeholder Engagement**

We will inform the community through providing information on Council's website; Online News; and distributing a media release.

We have collaborated with the community through by seeking advice, ideas, and recommendations from Council's Aboriginal Advisory Committee.

**CONCLUSION**

In line with the directions of social, cultural and management planning processes, it has been identified that working in collaboration with local not-for-profit groups to promote and initiate community focused activities during NAIDOC Week has valuable outcomes.

---

## 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.

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.



<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

---

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.