

EUROBODALLA SHIRE COUNCIL

PUBLIC FORUM

All members of the community who have registered have been advised that they have a **maximum of seven minutes** to put their case.

Ordinary Meeting of Council on **8 December 2020**

| Name | Subject/Comments |
|---------------------------------------------------|------------------------------------------------------------------------|
| Public Forum – 9.30am | |
| Lei Parker | PSR20/029 Mogo Adventure Trails Hub Draft Masterplan – Post Exhibition |
| Margaret Turner obo Ross Thomas U3A | CCS20/054 Lease of Batemans Bay Community Centre |
| Henk Roubos obo Susan Mackenzie | CCS20/054 Lease of Batemans Bay Community Centre |
| Brett Stevenson obo A Better Eurobodalla | CCS20/054 Lease of Batemans Bay Community Centre |
| Kim Sinclair obo SEARMS | CCS20/054 Lease of Batemans Bay Community Centre |
| Not presenting | |
| Maryrose Whale/ Fiona O'Brien/ Phil McGrath | PSR20/029 Mogo Adventure Trails Hub Draft Masterplan - Post Exhibition |
| Judy Mckibbin | PSR20/029 Mogo Adventure Trails Hub Draft Masterplan - Post Exhibition |

Councillors,

PSR20/022 MOGO ADVENTURE TRAILS HUB DRAFT MASTERPLAN

Before you today is a report suggesting that you have considered all the submissions received during the public exhibition period and should now adopt the amended Mogo Adventure Trail Hub Master Plan.

The draft Plan was on public exhibition place from 11 September 2020 to 18 October 2020 for a period of 39 days.

Council received sixty (60) submissions during the exhibition period and one (1) submission after the close of exhibition. Council staff summarised the submissions and said *"In general, the submissions are supportive"*.

Councillors, along with the very weighty agenda of today that has several major issues being dealt such as the Mogo Adventure Hub, the Batemans Bay Foreshore and the leasing of the Batemans Bay Community Centre, all with many submissions to digest, can you put your hand on your heart and say you have read them all – or have you simply relied on the staff summary of each submission provided , such as the following:

ORDINARY MEETING OF EUROBODALLA SHIRE COUNCIL ON TUESDAY 8 DECEMBER 2020
PSR20/029 MOGO ADVENTURE TRAILS HUB DRAFT MASTERPLAN - POST EXHIBITION
ATTACHMENT 4 SUMMARY OF SUBMISSIONS

| | | |
|-------------------------|-------------------------------------------|--------|
| 4353116 | Comments regarding funding of the project | Noted. |
|-------------------------|-------------------------------------------|--------|

For your interest the above submission (435116) was mine and the comments I made regarding funding should be MORE THAN NOTED. And who noted my nine page submission? This single word comment is incredibly dismissive. By who?

I have no doubt that most of you did not read my submission (that I also emailed to each of you on October 19th) and that will be evident by the failure of any of you to ask me any questions at the end of my presentation.

I ask that you concentrate now on the following FACTS:

Council, under an Informal GIPA (Dec 2nd 2020), has stated that they *“applied for funding to implement the Mogo Adventure Trails Hub project through the Growing Local Economies (GLE) Fund.”*

And that

“Council provided a full business case relating to the GLE funding application on 3 March 2020.”

It is important that you comprehend the following:

The Growing Local Economies (GLE) Fund was placed on Temporary Pause in July 2019.

<https://www.nsw.gov.au/regional-growth-fund/growing-local-economies>

Temporary pause on new applications

The NSW Government is committed to ensuring the GLE fund maximises the benefit to our towns and communities in regional NSW. A review of the program will make sure the program is being administered effectively and is on track to deliver the stated objectives.

A pause on new applications will start from **midnight 14 July 2019**. The fund will not be open to new applications from this date until further notice.

The reasoning given was “A review of the program will make sure the program is being administered effectively and is on track to deliver the stated objectives. A pause of the program will also allow time to finalise the assessment of existing applications.”

A full fifteen months after the pause the local member, Andrew Constance, announced that the Mogo project was a winning applicant and had been awarded \$3 million.

Monday, 12 October 2020

\$3 MILLION FUNDING FOR MOGO ADVENTURE TRAILS

Tourists, hikers and mountain bikers will soon be able to experience adventures on a new nature trail network at Mogo that will attract new visitors to the region and boost the local economy, thanks to NSW Government funding.

Member for Bega, Andrew Constance today announced \$3 million from the Growing Local Economies fund will deliver Mogo Adventure Trail upgrades, including upgrading and marking existing tracks and trails and building crucial missing links.

So let us assume that Eurobodalla Council made application to the GLE fund before July 14th 2019.

This could have been possible *“a stakeholder workshop was held in June 2019 and was attended by a variety of stakeholders, including NSW government agency representatives, Mogo Business Chamber, business operators, mountain bike and trail bike riders, trail runners, bush walkers, horse riders, road cyclists and Council staff.”*

This would have given Council staff six weeks to lodge an application.

WE do know that a draft Strategy had been prepared and Councillors were briefed on Tuesday 20 August 2019.

If they had been an application made pre July 14th 2019 there were set criteria in place to be met:

Applications

All applications must:

- show capacity to improve economic growth and productivity for the state of NSW
- help regional communities capitalise on their strengths or broaden and reposition their industry base
- demonstrate benefits to multiple organisations or businesses
- align with the relevant NSW Government Regional Economic Development Strategy
- have a Benefit to Cost Ratio higher than 1.0 as assessed by the NSW Government
- seek a minimum grant amount of \$1 million
- have a minimum financial co-contribution of 25 per cent of the total grant amount. The co-contribution for the project must be from sources other than the Restart NSW Fund and must be confirmed
- provide information on how the project will be operated and/or maintained upon completion.

Ineligible projects

The Growing Local Economies Fund will not support projects that:

- are not in eligible locations
- are on private land unless there is a clear public benefit
- have exclusive private benefits
- relate to buying or upgrading non-fixed equipment
- relate to marketing, advertising or product promotion
- require ongoing funding from the NSW Government or Commonwealth Government
- request grant funding for operational expenditure, including but not limited to regular repairs and maintenance.

Examples of ineligible projects include:

- street beautification
- construction of a building that will return a commercial rent to a single organisation or entity
- projects that do not involve building infrastructure, such as dredging or earthworks as the sole activity
- non-fixed equipment such as road machinery.

Let's look at the above in detail:

All applications **MUST** have a minimum financial co-contribution of 25 per cent of the total grant amount. The co-contribution for the project must be from sources other than the Restart NSW Fund and must be confirmed

Councillors, the 25% of \$3 million is minimum financial co-contribution \$750,000. And the source for this must be confirmed.

But Councillors, you have not confirmed any such co-contribution to the \$3 million grant you now have in hand. And under an Informa GIPA (Dec 2nd 2020) your staff advise that:

“The business case does not need to be endorsed by Councillors and is an operational matter, however; Councillors were verbally briefed in 2019 that

the project would be applied for through the GLE fund. Council sought \$1m (25%) co-funding under the Building Better Regions Fund in 2019 but were unsuccessful. We are continuing to seek alternate co-funding.”

Of interest is that the 2018 criteria advises an exemption may be granted from the minimum 25 per cent co-contribution requirement where a project is located in a disadvantaged area of NSW.

To qualify *“Applicants must submit a case for the exemption with evidence demonstrating the disadvantage. The starting point for measuring disadvantage for this fund is the Socio-Economic Index for Areas (SEIFA), published by the ABS.*

The SEIFA Index of Disadvantage for Eurobodalla Shire in 2016 was 962 which is average for the State.

Other considerations suggested for the 25% exemption were : • impact of significant industry decline or business closure • recovery from a significant natural disaster • significant recent change in population or community demographics • other exceptional circumstances.

Note that the application cut off was July 2019, well before the bushfires, Covid so at the time we DID NOT qualify.

Council staff, under an Informal GIPA (Dec 2nd 2020) confirm that Council did NOT qualify for this exemption by advising *“Council sought \$1m (25%) co-funding under the Building Better Regions Fund in 2019 but were unsuccessful. We are continuing to seek alternate co-funding.”*

Councillors, unless that co-funding is found you will not be able to access any of the \$3m grant.

Yet today you are advised by staff, in the report in front of you that *“A proposed development budget and staging plan for the detailed design and construction of the trails is provided as a Confidential attachment, as it contains commercial information of a confidential nature.*

Hopefully it advises you where the \$750,000 is coming from. This co-contribution does not appear to be budgeted for.

Councillors, should you adopt the amended Mogo Adventure Trail Hub Master

Plan before you then you will also be adopting the proposed development budget that is provided *“as a Confidential attachment, as it contains commercial information of a confidential nature.”*

Alas, once again, your community have no idea what that budget is, as it is, alas, once again hidden behind the veil of “Commercial in Confidence”.

Council staff, in response to an Informal GIPA (Dec 2nd 2020) have advised me that *“Unfortunately, other business case information cannot be provided at this stage as Council are currently pursuing further grant funding opportunities early next year therefore any information that was used in the GLE funding application will be used again and cannot be released until all grant opportunities have been exhausted.”*

“Please find attached the Mogo Adventure Trails Hub Strategy that provides some information that builds a business case for the project.”

The next **REQUIRED** criteria of the Growing Local Economies (GLE) Fund

- All Applicants **MUST** provide information on how the project will be operated and/or maintained upon completion.

Yet Council could not have provided this information, had they made a timely application, as they clearly state, under an Informal GIPA (Dec 2nd 2020) that : *“Investigations are also continuing in regard to the potential management options and structures and in regard to the funding of ongoing maintenance. This includes the potential for maintenance and coordination to be funded through sponsorship.*

During the workshops with users the following point was raised:

“A sustainable maintenance system will need to be developed as there are very few dedicated community members who maintain the trails. There are lots of users but very few maintain the trails. Will Council pay for maintenance? Will the work be done by a contractor?”

This raises the question of Council’s commitment to ongoing funding to the project in terms of maintenance. Once again we have no detail of any such commitment as it to is cloaked in a veil of “Commercial in Confidence”.

All the report before you says is *“Given the potential national significance of the proposal, the likelihood of sponsorship funding or significantly supporting maintenance is high.”*

It is noted that the business case *“cannot be released until all grant opportunities have been exhausted”*.

As such the community will remain non-the-wiser on how Council intends to fund maintenance.

Councillors, in my submission, [435116](#), that was “noted” by staff, you might have also read of the *“Comments regarding funding of the project”*, specifically in reference to the qualification of, and timing of the announcement of the \$3million The Growing Local Economies (GLE) Fund.

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In terms of qualifying, the Growing Local Economies Fund is very clear that it WILL NOT support projects that: • do not involve building infrastructure, such as dredging or earthworks as the sole activity

The Mogo Mountain Bike project has as its SOLE activity earthworks to *“150kms of trails identified in the draft Plan”*

Council staff might suggest the project *builds infrastructure* in order to comply with Grant criteria however the report before you states:

*It is recommended that the trail head be **supported** with bike infrastructure such as bike stands, bike washes, trail maps, water refill station, car parking, change rooms and toilets in Mogo village.*

*This connectivity between the trail network and Mogo village is sought after and **will effectively utilise the existing services** and amenity of the village. A secondary trail head is proposed for Batemans Bay, this trail head will only feature signage and minor infrastructure, providing clear and functional entry*

and exit to the trail network.

The bottom line is that the Mogo Toilet and Carpark already exist so all Council might commit to by way of Infrastructure is bike stands, bike washes?, trail maps, some signs and a tap (water refill station). That DOES NOT fit the criteria of the funding.

Once again: In terms of qualifying, the Growing Local Economies Fund is very clear that it **WILL NOT** support projects that: • **do not** involve building infrastructure, **such as** dredging or **earthworks as the sole activity**

As it stands the NSW Shadow Ministry is currently investigating how Eurobodalla Council managed to qualify for this grant.

The Growing Local Economies Fund is a serious fund. It is administered by the Department of Premier and Cabinet. Applying for the Growing Local Economies Fund is a two-step process.

The first step requires the applicant to submit an expression of interest and a brief data sheet for assessment.

The next stage requires a business case for consideration providing significantly more detail regarding the project, including information on the ability to carry out the project in the appropriate time frame and the competitiveness of the proposal against factors such as value for money, sustainability and the level of contingency/risk.

*“Applicants **MUST** demonstrate that proposed projects are financially viable in the future, taking into account net life cycle cost impacts and allowing for ongoing operating and maintenance costs.*

*Project applications **MUST** include construction, operating and maintenance costs, noting that regular operating and maintenance costs will not be covered by this fund.*

*The construction cost estimates **SHOULD** be supported by estimations or quotes, and include all margins and overheads, project and construction management costs, and an appropriate amount of contingency for the project*

stage and risks.

However, the only information that the Eurobodalla public can see in regards to value for money, sustainability and the level of risk is the statement in the report before you saying *“The ongoing, management, maintenance and governance of the network will be the subject of future reporting to council.*

Under *Financial* the staff suggest:

“As with other mountain bike track networks both in NSW and elsewhere, risk associated with use of the tracks will be managed through track design, construction and sign posting in accordance with the relevant standards.”

There is no statement regarding the risk to the community of Council committing ratepayer funds to taking responsibility of signposting and managing tracks to “relevant standards” where any failure will come back to Council (and ratepayers) in the first instance. It appears that neither the Crown nor Forestry Corp will be required to share such risk.

What is the projected cost beyond the construction? What is the projected budget?

Yet today you will no doubt endorse the plan and the confidential budget knowing that there are no such details available. It is impossible that any business plan, drafted in less than a month, would anticipate the true costs of such a project and the required financial commitment required by Eurobodalla ratepayers to pursue such a venture.

A further thorn in the side of this project is that the proposed trail network moves through the Mogo State Forest and Deep Creek Dam. This land is owned and managed by Forestry Corporation of NSW (FCNSW) and NSW Crown Lands respectively. The development of the trail network will require a permit from FCNSW and Council will need to consider changing the current licence or become the land manager over Deep Creek Dam (Crown Lands).

None of this is in place and idle threats to Forestry Corporation of NSW that *“Council has friends in high places”* won't deliver the desired outcome.

It has always been understood that Forestry Corporation of NSW will continue to sustainably harvest the Mogo State Forest and that the trail hub would need to work around this activity.

And as for the timing of the announcement of the \$3 million from the Growing Local Economies by the Local member on October 12th 2020.

The exhibition period for public submissions from the Eurobodalla community to the Mogo Mountain Bike project was from 11th September 2020 to 18th October 2020 for a period of 39 days.

It was exhibited in accordance with Council's Community Engagement Framework and Participation Plan requiring a further report addressing the submissions received be presented to Council following the exhibition period.

Yet, on October 12th, 2020, in the middle of the submission period that sought opinion from the community, for or against, for your consideration, the local member announced that the project was now funded.

The local Member, in his media release on October 10th said *"the Growing Local Economies fund **WILL** deliver Mogo Adventure Trail upgrades, including upgrading and marking existing tracks and trails and building crucial missing links.*

*"This funding **WILL** deliver an adventure trail network that will be both a significant tourism asset and encourage visitors to return to Mogo and the broader region, providing a much needed long term economic boost for the community."*

In the same media release it stated:

Eurobodalla Shire Mayor, Cr Liz Innes said, this is fantastic news for our entire region.

*"We **WILL** deliver a project that will have far reaching benefits and will be such a huge economic driver in the natural destination tourism sector."*

Keep in mind that this was at the same time the community were being

encouraged to make submissions, for and against, for YOU to consider BEFORE voting to endorse the project and commit further ratepayer funds to it.

So before you today Councillors, is a report that is a token gesture at best, to have you officially rubber stamp the Mogo Adventure Hub. The project, however, appears already to be endorsed by your Mayor and funded by a NSW State Fund based on a business case that remains confidential, whilst appearing to fly in the face of the fund's required criteria.

But you probably know all this because the report in front of you says that the nine page submission I made (and emailed to each and all of you October 19th, 2020) has been "**NOTED**".

Huzzah !!

Lei Parker

Good morning Mayor Innes and Councillors.

My name is Margaret Turner and I am the Treasurer of Batemans Bay U3A. I am representing our organisation at this meeting because our President, Ross Thomas, is interstate and unable to participate in this meeting.

Ross has, however, asked me to say these words on behalf of U3A.

First, as far as our U3A is concerned, now would be the worst time possible for Council to lease the BBCC. It would be tantamount to evicting our 600 members and leaving the majority of them with no suitable place in which to meet and hold their classes. While the staff in the Community Centre have been very helpful in trying to find other venues for us, the fact is that their help has not resolved our problems. Their assistance has been helpful in a small number of cases, such as for our book groups, but it has been of no use to the majority of our courses.

As has been stated many times before, the BBCC is the only building in Eurobodalla which has the size, ease of access, technical equipment and versatility which is necessary to meet our requirements. And that, of course, means that until the new Arts, Aquatic and Leisure Centre is built and can be demonstrated to be a suitable substitute for the Community Centre, there is simply no case for disallowing organisations like ours from having access to the existing Community Centre.

To lease the Centre, while we are having to cope with the difficulties we face because of the pandemic, makes matters even worse. Social distancing requirements mean that few of our tutors can conduct their classes from their own homes. A consequence of this is that our venue hire costs next year will be significantly greater than they have ever been. Any not-for-profit organisation like ours has to operate on a shoe-string at the best of times, but now is the worst of times. Our access to the Community Centre is crucially important to us.

Now is most definitely not the time to proceed with the suggested lease the Community Centre.

We therefore request Council not to proceed with this option.

Thank you.

My name is Henk Roubos. I am here to speak against the motion to lease the Batemans Bay Community Centre, agenda item CCS20/54 on behalf of Dr Sue Mackenzie, President of Perfex.

As you know Perfex has campaigned long and hard for a vibrant, interactive Visual and Performing Arts centre, but **NOT** at the expense of losing central (excuse the pun) assets to community life, and when what is being built does NOT replicate the Community centre facilities, as promised.

*

Today you are meeting to decide whether to lease the Batemans Bay Community Centre and disperse the volunteer groups who use it to other venues.

The Council has pre-empted that decision by moving groups on already and locking the centre and its public toilets. This has caused a lot of heartache disruption, and anger.

You would all know the history of the CC– of a previous Council demolishing the community-funded and community-built centre near the PO, and the campaign to get a Community Centre in lieu – the present site and building.

Now we have that story being replayed.

You will become part of that story, of that history.

*

A Community centre plays a vital role as an anchor, and fosters feelings of community and civic pride. They give people a sense of place and belonging.

While the value of the work of the two organisations wanting the Centre for their own ends is undisputed, the consequences of taking a Community Centre, while not immediately visible, are dire for community groups and that perception of belonging, their future sustainability, and of relations with the Council - Some will fold.

The idea of removing this asset from diverse volunteer and community groups and giving it to specialised funded organisations is unthinkable.

*

While all the parties interested in using the Centre are social welfare groups, directly or indirectly, the two organisations indicating an interest in leasing the Centre have their own venues, coordinated organisational structures and support mechanisms, including outside funding, and have very targeted interest areas.

The volunteer organisations that use the CC are diverse and self-supporting. Their contribution to the community is enormous, supporting well-being, mental health, physical health, and social engagement, and all as free labour.

They have no 'home'. They find venues where they can, they rely on goodwill and accumulated life experience. They focus on giving where they see a need, often a small, non-profitable scenario. These activities save Council enormous amounts of money and work.

*

Unfortunately, though the community centre may serve SEARM and SCColleges, the other venues Council has on offer do not serve the needs of most (if not all) other community groups **or we would be using them already**.

As well, there is no guarantee community groups will use the other Council facilities as you hope – they just do not fit us well. So we will need to look further afield. This will add more costs to groups already operating on donations and so is likely to reduce what they offer. The spiral begins.

The charts in the agenda report look plausible **except**

- The stove is so poor at Malua Bay Community Centre and took so long to work that, on Thursday, Meals on Wheels Outreach could only use the microwave to cook lunch for 12 people!!
- If expected to fill underutilised space, we at least need the infrastructure to cook, work and exercise, and space to store our gear.
- No mention is made of the pervasive damp smell at the Mackay Park function centre
- or ambience of a centre (imagine a 'talk' for 20 people in the basketball court?) or

- the history of trying to lease the Basketball court and being discouraged because chairs scratch the floor (fair enough) or
- that there is only a one-person lift at Hanging Rock, often broken.
- No mention is made of the sprung floor at the BBCC and there being no other in Council venues
- Or of the cold of Malua Bay hall and its unforgiving concrete and lino floor!
- Or the noise associated with pre-schoolers at the Childcare centre and lack of parking on the narrow curve there
- OR the lack of a comparable COMBINATION of features anywhere else including technology, as at the BBCC,
- Or of the Centre having the only public toilets up that end of town!

*

The role of a Council is to promote social cohesion* because it enables a vibrant social fabric, is an enormous resource to support the community and to call upon in times of crises. We saw this with the fires, flood and pestilence in our Shire this very year.

Dispersing the users of the BBCC will do nothing to enhance Social Cohesion or goodwill in the Bay, nor will leasing it – in fact, it would only further damage the relationship with Council, especially with the older and the more vulnerable sections, some 40% and rising.

These sectors need opportunities for being actively part of the community – through social, educational and community works. On the whole, we generate those ourselves, through organisations like the U3A, Outreach, Probus, Meals on wheels etc. We cannot afford commercial rent, and all administration and labour is voluntary.

*

So my question remains: how is dispersing community groups from a Centre, so hard won and seen as ‘central’ to volunteer activities, going to support ‘social cohesion’ for the Bay????

It would seem the answer would be: it does not.

Therefore we ask again: please **do all you can** to ensure this vital community asset remains a core resource for the wide range of volunteer and community groups who use it, as it has been up until recently, including its clean, accessible public toilets. Thankyou.

Dr S Mackenzie (President Perfex Inc)

<https://www.landcom.com.au/assets/Publications/Statement-of-Corporate-Intent/2c92f5c3bc/community-centre-ideas.pdf>

Community Centre Guidelines showcasing a collection of case studies of centres around Australia.

**‘Social cohesion... is the bond or ‘glue’ that binds people. A socially cohesive society ... works towards the wellbeing of all its members, fights exclusion and marginalisation, creates a sense of belonging, promotes trust and offers its members the opportunity of upward mobility.’* This from the Australian Centre of Excellence for Local Government for the Australian Human Rights Commission

https://humanrights.gov.au/sites/default/files/document/publication/WEB_Building_social_cohesion_A4_brochure.pdf

Sue

A Better Eurobodalla (ABE) presentation to the Ordinary Meeting of Council on Tuesday 8 December 2020 opposing Agenda item CCS20/054 Lease of Bateman's Bay Community Centre

Good morning. Thank you for the opportunity to address Council this morning.

I am presenting on behalf of A Better Eurobodalla (ABE), a community forum dedicated to having open, accountable and inclusive government in our region. ABE expects that before governments, at any level, make decisions that will impact their communities, they will undertake broad and meaningful consultation, listen to and share expert advice, and proceed using a transparent decision-making process so that the community understands who makes decisions, when and why.

ABE has applied these principles to the issue of the Batemans Bay Community Centre (BBCC), which leads it to reject the current lease proposal.

ABE notes the following aspects in support of this position:

- 1) The Eurobodalla community have been significantly impacted by both natural disasters of bushfire, drought and flooding, as well as the COVID-19 pandemic.
- 2) Today's agenda paper is a repackaged version of CCS20/046 from the Council meeting of 24th November, with the same recommendation for consideration by Councillors. ABE rejected that recommendation, and today's agenda paper has not presented any additional evidence which would alter this conclusion.
- 3) The most recent public consultation mentioned in today's agenda paper occurred back in July 2020, when Headspace wisely opted not to proceed with leasing the BBCC. This extended hiatus in consultation indicates that Council has not really been genuinely engaging with the community for many months now, which is poor practice, particularly in such fraught times as the present.
- 4) Today's agenda paper has been padded-out by the inclusion of a number of tables which purport to provide comparisons of various venues across a series of basic attributes via means of a "tick the box" approach, which conveniently ignores critical site aspects such as location, proximity to other facilities, availability of parking, surrounding noise levels and specialised features in the community centre, such as a sprung dance floor. These tables are intended to provide the illusion of false equivalence, and do not really provide a meaningful comparison of facilities.

- 5) The paper mentions the underutilised capacity at other comparable venues, but makes no mention of how this spare capacity matches with the timetabling requirements of current existing user groups at the BBCC. The paper is silent on whether unwillingly-relocated groups will be able to schedule their existing activities at suitable timeslots for their community members at these alternative venues.
- 6) The paper trivialises the legitimate concerns of a variety of community groups by characterizing the proposal's impact as an "inconvenience" for these groups. This does not reflect comprehensive community consultation.
- 7) The paper is also silent on the proposal's impact on the availability of public toilets in the Bateman's Bay CBD area, which is also about to lose the public toilets at the Visitors Centre. Council is failing to provide the most fundamental of public amenities, to the great detriment of both local community members and our tourist visitors, many of whom are incapacitated or aged.
- 8) If there really is a surfeit of underused comparable Council facilities, as this agenda paper indicates, then why not consider leasing one of these other "underutilised" facilities to an interested party, rather than proceed with the current proposal where 15 current regular users and many other periodic users will have their community activities severely disrupted just to allow 1 new group to use the BBCC. Why couldn't Council apply a principle of 'minimal community disruption' in its choice of which community facilities it should lease? Instead Council is evidently placing the chase for more dollars over community needs.
- 9) What confidence can community groups have in Council's assurances that Meals on Wheels will have ongoing access to the BBCC when Council's previous undertaking regarding ongoing community access to the BBCC until the opening of Batemans Bay Regional Arts & Leisure Centre (BBRALC) in May 2022 has been disregarded?
- 10) The proposal is at odds with both the NSW State Recovery Plan (which states that "*Supporting self-help and strengthening the resources, capacity and resiliency already present within individuals and communities are the keys to successful recovery*"), as well as Council's own Eurobodalla Bushfire Recovery Action Plan, which states that Council will "*Assist the community to restore confidence and strengthen resilience. This is achieved by coordinating activities to rebuild, restore and rehabilitate the social, built, economic and natural environment of the Eurobodalla community*".
- 11) This is a time when the community needs all the assistance, support and co-operation it can get, yet Council is basically telling the community that "*It knows best*". In this case, it does not.

Brett Stevenson - 8 December 2020

In the light of the above circumstances, which reflect lack of transparency and meaningful consultation, as well as being at odds with informed advice regarding effective post-disaster community recovery practices, ABE cannot support the proposal to lease out the Batemans Bay Community Centre and asks Councillors to similarly reject the lease proposal.

Christmas is a time for giving, not taking away.

Thank you for your attention today.

Purpose:

1. To provide more information about SEARMS and it's value and purpose to the Eurobodalla Shire Community
2. To provide more information about our intended use of the Community Centre should we be successful in our EOI



SEARMS is a community organisation. We are not-for-profit and do not receive ongoing funding from government. We have Deductible Gift Recipient status.

We serve the community by caring and looking after many Aboriginal people who are in need of housing and other social supports. We provide a home for the families and maintain the properties for the Aboriginal People in the Batemans Bay, Mogo, Bodalla, Narooma and Wallaga Lake areas (and greater Capital region). We provide a housing option that is culturally appropriate, affordable, secure and responds to local community needs and supports the tenants and families. We have limited resources and do not have the financial ability to lease at commercial rates.

Our bid to operate out of the Batemans Bay Community Centre is to create a hub & spoke model whereby we seek to improve our service offerings to our community with housing and related services, and where possible (will be dependent on space configuration) retain and support the various charitable services and community groups that have used and operated from there previously.

One thing that was very prevalent in the wake of the bushfires was the service segregation in the emergency and then recovery response. We hope that by operating from the community centre, while still renting to other community/charitable groups as able, this will assist in addressing any perceived barriers - so we can join forces and serve the community more effectively together.

We already work alongside other Aboriginal and other Australians from different communities/organisations, who also care about community development and cohesion. We are passionate about advocacy, human rights and helping or supporting the homeless.

As stated earlier, our EOI will seek to work with current user groups where possible. Indeed our EOI includes a commitment to working alongside Meals on Wheels to retain their service from the site.

We are committed to serving vulnerable and disadvantaged people in our community and strongly believe in a housing first approach which ultimately improves community for all.

Kim Sinclair

Chief Executive Officer



SEARMS Aboriginal Corporation

Ph: 02 4472 2644 Mob: 0417 961 765

Batemans Bay NSW 2536 / Forde ACT 2914

www.searms.com.au

I acknowledge the Traditional Owners and Custodians "The First Peoples" of this land



PRESENTATION TO PUBLIC FORUM OF COUNCIL MEETING 8 DECEMBER 2020

RE: DRAFT MOGO ADVENTURE TRAILS HUB MASTER PLAN

We wished to Zoom to the Public Forum. However, we are both otherwise engaged in family matters at the time of the meeting and so are unable to attend a Zoom conference.

However, we wish to make our point of view clear that there should be SAFE access for all users in the Mogo State Forest. This is public land and as such no one should be locked out.

Safety for horse riders is our main concern as horses are not machines and have a fight or flight reaction to dangerous situations. A major problem is that horses and riders do not hear the approaching mountain bike riders and so they tend to appear out of nowhere. This becomes a major safety concern for both the rider and anyone else that may be nearby. Mountain bike riders do not seem to understand this situation as only the other day on Bimbimbi Hill a rider was confronted from behind at speed by a pack of mountain bike riders who overtook her on both sides with no warning or concern for her, her horse or their safety. Luckily it was an old steady horse but it still became upset and the rider was left very frightened. These bike riders had absolutely no idea of the affect of their actions. It could have been so much worse if the horse had seriously spooked and the rider had fallen off. As we are all aware the law is that horses must be given right of way on public roads and lands. If the bike riders are not able to do the correct thing when riding on a public road how will they do the correct thing on tracks or trails. We have all experienced incidents similar to this at times while riding through the bush over many years. All we would like is to ride our horses safely on public land that adjoins our properties as we have done for the last 30 years or more.

As far as we can see the education of the mountain bike riders is essential as they are not the only people using this State Forest. Other stake holders are bush walkers, dog walkers, 4WD, motorbikes and adjoining landowners to mention a few. **SEPARATE TRACKS FOR DIFFERENT USER GROUPS SEEMS TO BE THE ONLY SOLUTION.** These stake holders must be consulted and involved in the creation of these tracks. An excellent example of this would be Stromlo Forest Park in the ACT.

With Safety considerations comes Risk Management. Insurance, liability, public risk and registration must be considered. If the concept is to go ahead there needs to be major consideration given to how the area can be used safely. Collisions with wildlife need to be taken into account. Not to mention the fact that the Eurobodalla Shire has very limited hospital facilities. No thought seems to have been given to what happens when there are serious injuries which would be inevitable.

We have been told by council staff that this is a 4-5 million dollar project and on reading the draft plan it states that "the current demographic of riders is predominately male, with an age of 25-45 years and a high disposable income" this seems to be a small demographic to benefit from such a large expenditure. Since a grant for 3 million dollars has been announced by the state government where is the extra money coming from? It is also quite interesting that the state government has made this statement when in reality we are only at Draft Plan level. In all the press releases except for the last one from Dirt Art it reads as though it is a done deal. Which has led to other users to believe that this is a done deal and that there was no point in putting a submission in to council on this plan. Funnily enough when we suggested to council staff that the word proposed should appear in these releases it suddenly appeared in the press release on Dirt Art's Facebook page on 13 October 2020.

Maryrose Whale/Fiona O'Brien/Phil McGrath - Not presenting

We also find it interesting that Dirt Art has been announced as the trail builders and are advertising for excavator drivers for the south coast to build mountain bike trails. As Dirt Art was paid to do this Draft Plan this seems to be a huge conflict of interest.

If this plan is to go ahead then it should be local contractors used to construct these tracks, and locals should be considered for all future jobs in running and maintaining these tracks. We have also been told by council staff that there is no plan to charge for the use of these tracks so where is the funding to maintain the tracks coming from.

In our research on this matter we have noticed numerous similar mountain bike trail developments are being proposed including several more on the South Coast. This suggests to us that Mogo will not have a monopoly on attracting tourists for this sport. What a shame to ruin the whole area for other users for an unsubstantiated mountain bike fueled tourist boom.

If you require any further information on our opinion of the Draft Mogo Adventure Trails Master Plan please refer to the submission we emailed to all councillors previously.

In conclusion we thank you for this opportunity to voice some of our concerns regarding this draft plan and hope for better consultation on this matter in the future. Without careful planning we are in danger of "loving" our favorite state forest and Eurobodalla water catchment to death. Just because you build it does not mean that they will come just look at Wagga Wagga.

We are happy to have a meeting to discuss our concerns and issues of access to Mogo State Forest for all with you at any time.

Maryrose Whale 0417771708

Fiona O'Brien 0416152115 – fionaobe@gmail.com

Phil McGrath 44743331

Judy McKibbin - Not presenting

To whom it may concern

11.7 Overview of Ranking Criteria

Social Compatibility

I would like to comment on the Mogo adventure trails hub. I noted in the draft no mention of other users and would like to be reassured in future documents proposed that all existing users Horse riders, Bush walkers, 4WD enthusiasts, legal firewood collection and motorbike users still have access to Mogo State Forest, once they advertise this area as a mountain bike park.

Remember we have lost a lot lately and this is our back yard 365 days of the year. I would find it devastating to ride into this area and find fences gates or a big sign with little pictures of all of the above with a line through, NO ENTRY or paid parking!

All the locals have managed to use these areas in a polite and friendly manner and hope future users may take a country attitude with some education, remaining friendly and courteous perhaps with a heads up if they see us first or a cooee or nod.

On another matter I hope council will supply more parking for Mogo as it is already over flowing.

Kind Regards
Judy McKibbin