



AGENDA

Ordinary Meeting of Council

12 May 2015

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

ON TUESDAY 12 MAY 2015

COMMENCING AT 10.00AM

AGENDA

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

- | | | |
|------------|--|-----------------|
| 1. | ACKNOWLEDGEMENT OF COUNTRY, WELCOME AND EVACUATION MESSAGE | |
| 2. | APOLOGIES
Nil | |
| 3. | QUESTIONS FROM PUBLIC FORUM (AGENDA ITEMS ONLY) | |
| 4. | CONFIRMATION OF MINUTES OF PREVIOUS MEETING | |
| 4.1 | Ordinary Meeting held on 28 April 2015 | |
| 5. | DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA
(Declarations also to be made prior to discussions on each item) | |
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| 6. | MAYORAL REPORTS | |
| 7. | REPORTS OF COMMITTEE
Nil | |
| 8. | NOTICES OF MOTION
Nil | |
| 9. | QUESTIONS ON NOTICE
Nil | |
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DR CATHERINE DALE
GENERAL MANAGER

GMR15/009 FIT FOR THE FUTURE

E12.6443

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Strategic Objective: Support Services

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

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

EXECUTIVE SUMMARY

This report provides an update on Council's progress of our Fit for the Future proposal, an outline of the Fit for the Future improvement proposal template that needs to be submitted to IPART and an overview of the assessment methodology for council's Fit for the Future proposals which was released by IPART on 1 May 2015.

The NSW Government, in recognition of the financial challenges that face the local government sector, has been working with NSW councils since 2011 to address how to plan for a sustainable future. Part of this review was through the Local Government Acts Taskforce and the establishment of an Independent Local Government Review Panel (ILGRP) to review the structure, form and performance of local government in NSW. The panel assessed 152 local government areas in NSW to determine their ability to be financially sustainable now and into the future.

In September 2014, the NSW Government released the Fit for the Future package in response to the findings of the independent review. The Fit for the Future program includes a range of new measures in the form of benchmarks to help councils assess their performance and give communities further assurance that their councils' finances are being well managed. These benchmarks are to be achieved over a five to ten year period.

The NSW Government also adopted the Independent Panel's assessment in regard to all Council's scale and capacity in relation to potential mergers or as participants of Joint Organisations. Through this process, Eurobodalla has been identified as having the scale and capacity to continue as an independent organisation without amalgamation or boundary adjustments and is recommended to be a member of a Joint Organisation.

The NSW Government requires councils to consider their financial sustainability, infrastructure and service management and efficiency which will be measured by seven benchmarks designed to show how Council is working towards long term financial sustainability. Councils do not have to meet all benchmarks immediately, but they must show in a Council Improvement Plan how they plan to progress meeting them.

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The NSW Government has appointed Independent Pricing and Regulatory Tribunal as the independent expert advisory panel to assess Council's Improvement Plan and make recommendations to the government.

A consultation paper on the methodology for assessment of Council Fit for the Future proposals was released by IPART on Friday 1 May 2015. The paper is on exhibition and available at [http://www.ipart.nsw.gov.au/Home/Industries/Local Govt/Reviews/Fit for the future/Review of Local Council Fit For The Future proposals](http://www.ipart.nsw.gov.au/Home/Industries/Local_Govt/Reviews/Fit_for_the_future/Review_of_Local_Council_Fit_For_The_Future_proposals), with submissions closing on 25 May.

RECOMMENDATION

THAT Council:

1. Receives and notes the information in this report on the Fit for the Future – Council Improvement Plan proposal.
2. Prepares a submission to IPART's proposed Methodology for Assessment of Council Fit for the Future Proposals.

BACKGROUND

The NSW Government's Fit For The Future Program

The NSW Government, in recognition of the financial challenges that face the local government sector, has been working with NSW councils since 2011 to address how to plan for a sustainable future. Part of this review was through the Local Government Acts Taskforce and the establishment of an Independent Local Government Review Panel (ILGRP) to review the structure, form and performance of local government in NSW. The panel assessed 152 local government areas in NSW to determine their ability to be financially sustainable now and into the future.

In September 2014, the NSW Government released the Fit for the Future package in response to the findings of the independent review. The Fit for the Future program includes a range of new measures in the form of benchmarks to help councils assess their performance and give communities further assurance that their councils' finances are being well managed. These benchmarks are to be achieved over a five to ten year period.

Since launching the reform package, the NSW Government has run workshops and received feedback from councils across the state about mergers, development of shared service models, a rural council model and five pilot Joint Organisations (JOs) of councils in regional NSW.

The NSW Government requires councils to consider their financial sustainability, infrastructure and service management and efficiency which will be measured by seven benchmarks designed to show how Council is working towards long term financial sustainability. Councils do not have to meet all benchmarks immediately, but they must show in a Council Improvement Plan how they plan to progress meeting them over the next five to ten years.

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Councils will need to demonstrate how they currently meet, or are working towards meeting the benchmarks established by the NSW Government. These benchmarks have been based on the work of Treasury NSW (TCorp) and the Independent Local Government Review Panel and have been reviewed by IPART. Eurobodalla has previously been assessed by TCorp to show that its financial sustainability is moderate with a neutral outlook.

Councils which are assessed as Fit for the Future will have access to a range of benefits, including access to a streamlined rate variation process and a NSW Government borrowing facility, priority for other governments funding and grants and eligibility for additional devolved planning powers.

CONSIDERATIONS

Progress to date

Since 2009, Eurobodalla has been extensively engaging with our community through the development of our first Community Strategic Plan. This process allowed our community to provide feedback on the services and infrastructure it expects Council to deliver.

The Community Strategic Plan was reviewed with the community in 2012. Since then we have continued to ask for feedback through the annual exhibition of our plans and budgets, and with regular opportunities for feedback on our strategies, proposals and policies including;

- Recreation and Open Space Strategy
- Greenhouse Action Plan
- Pathways Strategy
- Disability Action Plan
- Property Strategy
- Business Development Strategy

Council has recently reviewed its Resourcing Strategy (Long Term Financial Plan, Workforce Strategy and Asset Management Plans). This has enabled Council to assess its current financial position and asset conditions. As a result, Council has made an application to Independent Pricing and Regulatory Tribunal (IPART) for a Special Rate Variation of 6.5%, including rate peg, for a three year period. Council's application identified that a rate variation is a financially responsible way to fund the increasing costs of infrastructure renewal and maintenance works on roads, bridges, sport and community facilities, playgrounds, pathways, and public toilets, and to support economic growth and deliver social benefits.

Council is also currently undertaking a number of service reviews to ensure Council is efficient, effective, meets community needs, support the strategic direction of the organisation and avoid any duplication of services with other service providers. The reviews consider:

- A review of the current position of each service
- Resources required to deliver each service

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- Assessment of statutory obligations
- Emerging trends
- Efficiencies opportunities
- Alternate service delivery methods

Outcomes of the completed reviews and other continuous improvement reviews and strategies have informed Council's Delivery Program and Operational Plan and will help to inform Council's Fit for the Future proposal.

Council has also participated in a range of benchmarking programs such as comparative data surveys coordinated by Office of Local Government, Human Resource Metrics Benchmarking report coordinated by Local Government NSW, service reviews and the *NSW Local Government Operational and Management Effectiveness* program conducted by Price Waterhouse Coopers (PwC) Analytics Department and hosted by NSW Local Government Professionals in the areas of:

- Workforce;
- Finance;
- Operations;
- Risk management; and
- Corporate leadership.

Council is also facilitating an internal audit program to monitor ongoing efficiencies and implementation of the Long Term Financial Plan and will play a key role should the SRV be approved by IPART. Council's audit committee is independently chaired and includes highly qualified and experienced community members.

Some key indicators of our current position include:

- 82% of residents are very satisfied or somewhat satisfied with Council's performance. This result is significantly higher than the NSW Regional Benchmark (Micromex).
- 89% of residents are very satisfied to somewhat satisfied with the level of service and facilities provided by Council (Micromex).
- Over 70% of councils in New South Wales have higher employee costs, as a percentage of total expenditure, than Eurobodalla (NSW Government Data).
- Eurobodalla is below the state and Group 4 average for employee costs as a percentage of total expenditure (NSW Government Data).
- The NSW Department of Planning Development performance monitoring showed that Eurobodalla's volume and value of development was higher than the Group 4 average for similar sized councils (NSW Department of Planning).
- Eurobodalla's average determination time was below the Group 4 and State average, and the number of applications determined per assessment officer was above the Group 4 and State average (NSW Department Planning).
- Eurobodalla's general rate has not increased more than the rate peg since 2006.

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- Eurobodalla has a rates income which is 20% below the average rates of comparable Group 4 councils, with residential and farmland rates being the fifth lowest of the group (NSW Government Comparative Data).

All these aspects will support the preparation of the Council Improvement Proposal in response to Fit for the Future program.

Council Improvement Proposal

Each council has been asked to look at its current situation and consider the future needs of its community and the recommendations of the Independent Local Government Review Panel. The starting point for all Fit for the Future proposals is therefore the Independent Panel's final report.

For Eurobodalla, the panel's recommendation is 'no change', as Council has been assessed as having sufficient scale and capacity to operate as a stand alone council. However the continuation of alternative service delivery models in cooperation with neighbouring councils will be achieved through the establishment of the South East Joint Organisations.

Since Council has not been identified to merge with neighbouring councils, Council is required to submit a Council Improvement Proposal. The NSW Government has provided a template to guide council's submission. Bega and Shoalhaven Councils have also not been identified by the NSW Government for merger or boundary change options.

This template will demonstrate Council's current performance against the seven Fit for the Future benchmarks as outlined below:

Performance	Benchmark	Requirement
SUSTAINABILITY		
Operating performance ratio	Greater than or breakeven average over 3 years	Must meet within 5 years
Own Source revenue	Greater than 60% average over 3 years	Must meet within 5 years
Building & Infrastructure Asset Renewal ratio	Greater than 100 average over 3 years	Meet or improve within 5 years
INFRASTRUCTURE AND SERVICE MANAGEMENT		
Infrastructure backlog	Less than 2%	Meet or improve/inform within 5 years
Asset maintenance	Greater than 100% average over 3 years	Meet or improve/inform within 5 years

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Performance	Benchmark	Requirement
Debt service	Greater than 0% and less than or equal to 20% average over 3 years	Meet within 5 years
EFFICIENCY		
Real operating expenditure per capita	A decrease in Real Operating Expenditure per capital over time	Must demonstrate operational savings (net of IPR supported service improvements) over 5 years

The template will also provide a mechanism for Council to demonstrate how it plans to meet all the benchmarks as adopted by the NSW Government for Council to be financially sustainable.

Eurobodalla's Council Improvement Proposal will build on the direction that Council has already taken in addressing how to improve its financial situation in an environment where revenue is reducing, costs are rising, demand for services is increasing and there is an infrastructure backlog.

The progress on Council's improvement strategies will be incorporated into Council's existing six monthly reporting process of the Operational Plan and the Annual Report.

Assessment methodology for Council Fit for the Future proposals

The NSW Government has announced that IPART and an independent advisor (Mr. John Comrie) will act as the Expert Advisory Panel to review local councils Fit for the Future submissions. Subsequently, a consultation paper on the methodology for assessment of council's Fit for the Future proposals was released by IPART on Friday 1 May 2015. The paper is on exhibition, with submissions closing on 25 May.

The proposed methodology will address the following four criteria:

1. **Sustainability** –generating sufficient funds over the long term to provide the agreed level and scope of services and infrastructure for communities as identified through the integrated planning and reporting (IPR) process.
2. **Effective infrastructure and service management** – maximising return on resources and minimising unnecessary burden on the community and business, while working strategically to leverage economies of scale and meet the needs of communities as identified in the IPR process.
3. **Efficiency** – efficient service and infrastructure delivery, achieving value for money for current and future ratepayers.
4. **Scale and capacity** – demonstrating strong organisational and regional capacity to mobilise resources to engage effectively across community, industry and government.

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Council will evaluate the proposed methodology and provide feedback to IPART as part of the consultation phase. Hence the above criteria may change as a result of the consultation phase.

Legal

Eurobodalla Shire Council is legally obliged to submit a Fit for the Future proposal to the NSW Government by 30 June 2015.

Communication / Consultation

The Community Strategic Plan was reviewed with the community in 2012. Since then we have continued seek feedback through the annual exhibition of our plans and budgets, and with regular opportunities for feedback on our strategies, proposals and policies as outlined in the table below.

The information gained from these consultations has and will continue to inform our actions towards becoming financially sustainable.

Timing	Method	Reach
September 2010	State of the Shire Report Public Exhibition	Shire-wide
October 2010 – November 2011	Community Strategic Plan Engagement And two public exhibitions Community visioning survey Focus groups Community Summit Community survey	Total: over 3,000 residents and ratepayers 517 participants 98 participants 99 participants 1,401 responses
November 2011- January 2012	Resourcing Options Paper and Delivery Program Information Paper Long Term Resource Planning Community Survey Focus Groups	733 participants 17 participants
March 2012	Council Performance and Planning for the future focus groups	3 Focus Groups 33 participants
May 2012 - June 2012	Delivery Program 2012-16 & Operational Plan 2012-13 Public	Shire-wide

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Timing	Method	Reach
	Exhibition	
July 2012	Community satisfaction and service delivery survey	400 participants
September 2012	Community satisfaction and service delivery focus groups	4 focus groups 25 participants
February 2013 – April 2013	Community Strategic Plan Review and Levels of service discussion paper public exhibition Community satisfaction survey Resourcing Strategy levels of service focus groups	Shire-wide 400 participants 4 focus groups 28 participants
May 2013- June 2013	Delivery Program 2013-17 & Operational Plan 2013-14 Public Exhibition	Shire-wide
May 2014 – June 2014	Delivery Program 2013-17 & Operational Plan 2014-15 Public Exhibition	Shire-wide
September 2014 – November 2014	Funding our Future Phase 1 – Inform and involve Mail out Community survey Public information sessions Telephone hotline Dedicated website	 21,700 ratepayers 602 participants <100 participants <70 contacts 1,180 visits
December 2014 – January 2015	Funding our Future Phase 2 – Inform and consult Revised Delivery Program 2013-17 including Special Rate Variation Public exhibition Mail out Telephone hotline	 21,700 ratepayers

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Timing	Method	Reach
		<30 contacts

The NSW Government does not require councils preparing a Council Improvement Plan (Template 2) to formally engage with their communities during the preparation of their proposal. Their advice is that, “....a Council Improvement Proposal, where the Independent Local Government Review Panel recommended that a council already had sufficient scale and capacity, would require more limited consultation, if any. Generally, the nature and extent of the consultation should be commensurate with the significance of the changes involved in the proposal and the possible impacts on the community. We will also consider the resources of the council in assessing consultation. (Page 36 IPART Methodology for Assessment of Council Fit for the Future proposal).

Council has developed a dedicated website to inform the community about the Fit for the Future program. The community is invited to the following information sessions about our 2013-17 revised Delivery Program and 2015-16 Draft Operational Plan where Fit for the Future will also be discussed:

1. Batemans Bay Library Wednesday 13 May 6pm to 7.30pm
2. Moruya Markets Saturday 16 May 9am to 12pm
3. Narooma Library Monday 18 May 6pm to 7.30pm.

Our proposal to become Fit for the Future in the next ten years will continue to involve further conversations with our community as we work together to refine and implement our Council Improvement Proposal to continue to build a financially sustainable future for Eurobodalla. The four yearly review of the Community Strategic Plan which is due to commence later in 2015 will be the start of this next phase of community conversations.

CONCLUSION

In the recent review of local government in NSW and TCorp financial reports, Eurobodalla Shire Council has been identified as having the scale and capacity as a standalone council into the future. Under the Fit for the Future, Council will develop a Council Improvement Proposal to identify how it will move to ensure it is working to achieve sustainability, effective infrastructure and service management and efficiencies. The process will support Council to continue to have conversations with our community about our five to ten year plans to become financially sustainable in the future.

GMR15/010 ORGANISATION SERVICE REVIEW - PUBLIC TOILETS

E13.7262

Responsible Officer: Dr Catherine Dale - General Manager
Attachments: Confidential attachment – under separate cover
Strategic Objective: Collaborative
Delivery Program Link: C2.2 Undertake organisation service review
Operational Plan Link: C2.2.2 Public and environmental health review

EXECUTIVE SUMMARY

Council has implemented a service review program to ensure all services deliver 'value for money' to support the strategic direction identified by the community through the Community Strategic Plan (CSP). The Service Review methodology and prioritisation of services to be reviewed has been adopted by Council.

In accordance with the service review schedule adopted by Council, public toilets has been examined and is presented for Council consideration.

The purpose of this report is to seek endorsement of the Public Toilets review report and its recommendations for service delivery moving forward.

RECOMMENDATION

THAT Council endorse the recommendations as per the Public Toilets Service Review report.

GMR15/010 ORGANISATION SERVICE REVIEW - PUBLIC TOILETS

E13.7262

BACKGROUND

The NSW Integrated Planning and Reporting (IPR) framework highlights the need for councils to rigorously examine their services to find productivity improvements and ensure 'value for money' for their ratepayers.

This has been confirmed by the report by the NSW Independent Local Government Review Panel – "Revitalising Local Government" which recommends the IPR Guidelines be amended to require councils to incorporate regular service reviews as part of their four year Delivery Programs.

Local government's role in delivering services has become broader and more complex over recent decades as community expectations have increased and other levels of government have divested various functions back to local government. This places significant pressure on local Councils in an environment where rate income is pegged by the NSW Government.

Council has taken a pro-active approach to these challenges by implementing a service review program under the 2013-17 Delivery Program. This program will assist Council to review the mix and level of service relevant to our community's needs to align with the strategic direction set by the community in the Community Strategic Plan (CSP).

In accordance with the adopted service review program, Public Toilets has now been reviewed.

The public toilets review followed the methodology adopted by Council:

1. Scope – identify the purpose and objectives, planning, analysis and identification of risks
2. Conduct – includes research, data collection and analysis, service specifications, communication with stakeholders
3. Consideration – draft report of recommendations to stakeholders for feedback
4. Determination – Executive Leadership Team and Council will be presented with the recommendations

Upon adoption of the recommendations, the remaining steps of the process will be completed:

5. Implementation – a change management plan will be developed and implemented based on the recommendations
6. Review – ongoing measuring and monitoring of the service.

CONSIDERATIONS

Public toilets are an important component of community infrastructure.

GMR15/010 ORGANISATION SERVICE REVIEW - PUBLIC TOILETS

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The provision of public toilets is important as people need to be able to access toilets when away from home. The toilets need to be visible, accessible and clean for users to feel safe.

Council currently provides 66 public toilet facilities on Council owned land, Crown Reserve, road reserves and in Council controlled buildings such as sporting and community facilities¹ and include:

- 54 open to the public during daylight hours (11 closed at night to reduce vandalism opportunities);
- 12 located within sporting complexes, opened by users on training and game days and for events.

Although there is no statutory requirement for councils to provide public toilets, there is generally an expectation that they do. Most, if not all councils in NSW, provide public toilets to their communities.

Toilets in a public environment are often the target of vandalism, resulting in damage and difficulties in maintaining a clean environment. Council currently takes extra measures to reduce vandalism such as closure of high risk facilities at night.

Council currently undertakes cleaning of the public toilets using contractors chosen through a competitive tendering process.

Council accepted a tender for the cleaning of Council's public toilets at its meeting of 21 April, 2015. The associated specification sets out the required frequency and standard of toilet cleaning. As part of the service review several improvement initiatives were built into the new tender documents including:

- Higher standards of cleaning
- Electronic record keeping of cleaning activities using GPS based technology
- Electronic reporting of damage and defects back to Council's depots
- Improved contractor management systems covering supervision, workplace health & safety and quality outcomes.

Alternate Provision of Toilets

Council is not the only provider of toilets that are accessible to the public. Other publicly accessible toilets are privately owned and are located in shopping centres, medical centres, service stations, restaurants and clubs. These supplement the provision of public toilets across Eurobodalla and are now expected by the community. Some business models include the provision of clean public toilets as attracting additional business.

Government enterprises also provide toilet facilities commonly used by the public and patrons, as do National Parks and the Roads and Maritime Services (at roadside stops).

The trend to provide more toilet facilities associated with private and government owned or leased facilities is likely to continue. The Building Code of Australia (BCA) sets out minimum facility requirements for all classes of buildings including specific requirements for café/restaurants, department stores and shopping centres.

¹ Toilet facilities in the libraries and administration building are not considered in this review.

GMR15/010 ORGANISATION SERVICE REVIEW - PUBLIC TOILETS

E13.7262

All major events are required to provide additional toilet facilities as needed to meet the demand created.

Public Toilet Review Findings

The availability, service level and condition of any public amenity such as public toilets has a very strong influence on the perceptions of both residents and visitors on the image of an area.

During this review, a number of service improvement initiatives were identified and implemented before the completion of the review including:

- Link to the National Toilet Map on Council's website to assist residents and visitors to navigate and plan their way around the Shire, in particular people with a disability.
- Revised Key Performance Indicators in the cleaning contract to improve contractor performance and accountability.

Council has also undertaken a significant amount of upgrade work on its high profile public toilet facilities over the last decade including increasing the number of accessible toilet facilities. However, despite this, the community surveys still indicate a gap between the importance of public toilets and the current level of satisfaction.

Needs and usage changes over time and consideration should be given to the provision of existing facilities where, perhaps new facilities have been constructed nearby, so that either over servicing or under use does not occur.

The key findings of this review on public toilets within the Eurobodalla include:

- The Recreation and Open Space Strategy (ROSS) and recent asset management reviews have identified a number of new toilet facilities that will be required over the next five years.
- Council has experienced an increasing trend in the costs to provide public toilets. There is opportunity to continue to manage the increase in the operating costs through implementing vandalism prevention measures, exploring energy saving initiatives and installing water saving devices to reduce unnecessary usage and removal of identified toilet facilities.
- Council currently provides 66 public toilets. There is scope to review the number and location of public toilets that are under-utilized. This is supported by the recommendations identified in the ROSS.

Legal

There is no specific legislative requirement for Council to provide public toilets however the Local Government Act 1993 (Sect 24) identifies the function of a council to include "providing goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public".

Policy

The Organisation Service Review is a key project in the 2014-15 Operational Plan.

GMR15/010 ORGANISATION SERVICE REVIEW - PUBLIC TOILETS

E13.7262

Environmental

During 2014 Council's Sustainability team conducted a night time audit of Council's buildings to inspect what lights were left on when they were not required. The audit found a number of public toilets with lights left on all night including locked toilets. Apart from the toilets that are locked overnight, it is a safety requirement to have lights on in public toilets. The Sustainability team has met with the Parks Supervisor to install more efficient lights in those toilets that need lights on overnight by the end of 2014/15. This is expected to save approximately \$3,000 pa in electricity costs.

Asset

Council's public toilets as Council assets, are addressed in the "*Community and Operational Facilities Asset Management Plan*". This asset management plan has recently been reviewed (February 2015) and covers all of the buildings and facilities Council provides across the Shire for the community's benefit.

Council's goal in managing public toilets is to meet the required level of service in a cost effective manner for present and future users. The key elements of managing Council's toilets is to:

- Take a life cycle approach,
- Develop cost-effective management strategies for the long-term,
- Provide a defined level of service and monitor performance,
- Understand and meet the demands of growth managing risks associated with asset failures.

Demand for new services will be managed by first maximising the utilisation of existing facilities. In some cases this may mean upgrading existing toilets to improve accessibility, parking, functionality and the like. Making these improvements may also encourage increase utilisation.

Communication / Consultation

It is important to understand what a community thinks about a service in order to determine where improvements can be made. In 2010, Council commissioned IRIS Research to conduct a community survey. In 2012 Micromex conducted a further community survey.

The provision and maintenance of public toilets was highly ranked in terms of importance to the residents in both surveys with 91% of the respondents in the IRIS survey and 89% in the Micromex survey rating the importance as high or very high.

The results of both surveys indicate that Council should aim to improve its performance, in both the provision and maintenance of public toilets, to better meet the community's expectations.

Further consultation may occur during the review of the Recreation and Open Space Strategy proposed in 2015-16.

GMR15/010 ORGANISATION SERVICE REVIEW - PUBLIC TOILETS

E13.7262

Financial

Net Cost to Council

The graph below shows an increase in costs to operate and maintain Council's public toilet facilities (excludes capital costs and overheads²) for the past six years plus the 2014/15 budget.

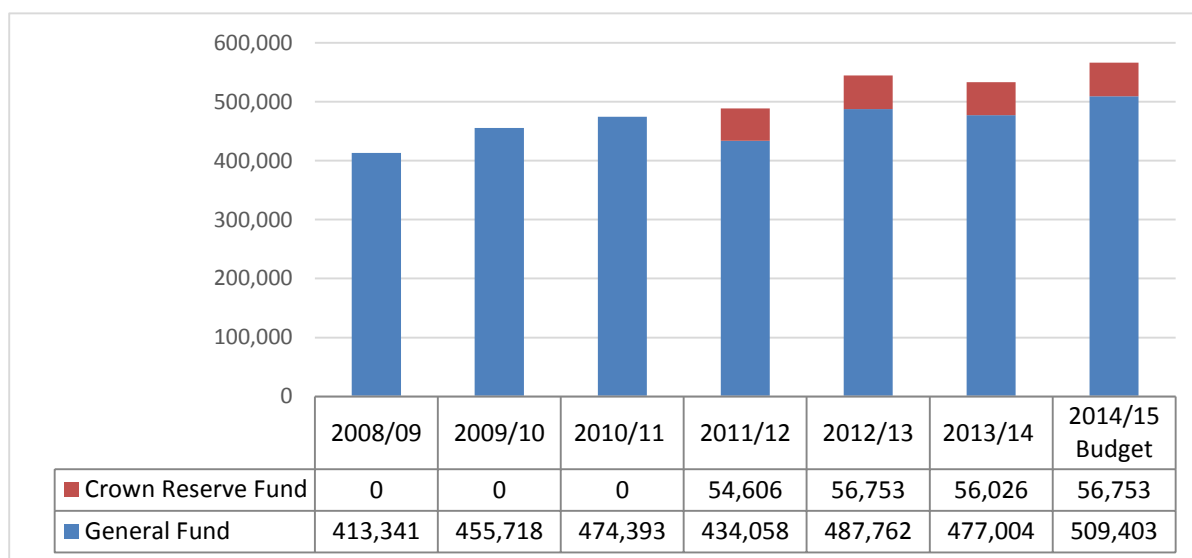


Chart 1: Public Toilet Costs

The graph also shows how Council funds the public toilets using general funds. Additional funds from Crown Reserve have been utilised since 2011/12 through to the current financial year to manage increasing costs to sustain the level of service. The utilisation of Crown Reserves is permissible as some of the public toilets are located on Crown Reserves and the provision of public toilets serves the wider community and not just local residents.

The increase in costs over the reporting period is largely due to vandalism and increased water usage.

Council is already committed to implementing vandalism prevention measures into the design of any new toilet facility built. These measures provide the opportunity to reduce the ongoing costs of public toilets due to vandalism.

In recent years Council has also implemented a number of water saving initiatives. These include:

- The installation of approximately 60 spring loaded, flow restricted taps in the toilets. These taps help lower flow rates and also eliminate the possibility of leaks and taps being left running, as they turn off automatically after a set period of time.
- The development of a reporting process that involves alerting the Parks team when a public toilet is recording excessive water usage. This enables leaks to be identified and rectified faster.

² The overheads model was revised during 2012/13 (overheads attributed to public toilets decreased between the two models – 2009 \$93,564 & 2013 \$16,488) and if it was included in this graph, it distorts the real increasing trend of public toilets.

GMR15/010 ORGANISATION SERVICE REVIEW - PUBLIC TOILETS

E13.7262

- A trial of installing automated leak detection and shut-off systems on some toilets. If a leak is detected a valve disables the water flow after the standard hours of use and an alarm is issued to the cleaners that a leak has been detected.
- On-going monitoring of high use toilets for excessive water use currently occurs with regular feedback to the Parks team who response to address any known issues.

Carrying out service reviews ensures Council is efficient and effective in the delivery of services. The reviews provide an opportunity to identify service improvements; service level adjustments; alternative modes of service delivery; improved resource usage; and cost savings through the continuation of energy saving initiatives.

CONCLUSION

The Public Toilets review has been completed having regard to the adopted service review methodology and is presented for Council endorsement.

PSR15/013 NATA OVAL - DRAFT COMPANION ANIMAL MANAGEMENT PLAN

**E98.2522;
E10.4150**

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: Nil

Strategic Objective: Liveable

Delivery Program Link: L4.1 Conduct regulatory compliance and enforcement activities

Operational Plan Link: 4.1.2 Monitor, inspect, enforce and investigate complaints in relation to public and environmental health

EXECUTIVE SUMMARY

This report seeks approval to formalise a dog off leash at NATA Oval, Narooma. The reserve has been utilised as an off leash area on a trial basis. It is recommended that Council publicly advertise a dog off leash area for NATA Oval, Narooma and seek community feedback on the formalisation of the proposal.

The NATA Oval has been utilised by the Animal Welfare League and dog owners as a leash free area and the formalisation of this arrangement or that deemed appropriate by Council, via the Companion Animal Management Plan 2015-2019 is recommended.

RECOMMENDATION

THAT Council:

1. Publicly exhibit for forty two (42) days a draft amendment to the Companion Animal Management Plan 2015-2019 on the usage of NATA Oval, Narooma as a 24 hour off leash area for dogs. Animals would be required to be under the care and control of a competent person at all times. Off leash is not permissible when authorised events are to be conducted on NATA Oval.
2. A further report be provided to Council containing a revised Companion Animal Management Plan 2015-2019 inclusive of considerations of the submissions.

PSR15/013 NATA OVAL - DRAFT COMPANION ANIMAL MANAGEMENT PLAN

**E98.2522;
E10.4150**

BACKGROUND

On the 18 December 2012 (report 012/260 and minute 12/338) Council adopted the following *THAT*:

1. *Council declare NATA Oval Narooma a leash free area from 5pm to 9am for the purpose of a six month trial, excluding when the area is being used for an activity approved by Council.*
2. *Council consult with the community on the proposed declaration of NATA Oval as a leash free area from 5pm to 9am excluding when the area is being used for an activity approved by Council and amendments to the Companion Animal Management Plan, and Plan of Management. Such consultation period should be for a minimum of six weeks and be promoted via advertising in the press, media release and by writing to relevant parties and groups who have regular bookings of the area.*
3. *Council use temporary signage if appropriate; if not permanent signage, declaring the area as a trial leash free area and the restrictions that apply.*
4. *A report be provided to Council at the conclusion of the consultation and following consideration of any submissions received.*

Due to the construction works associated with the roundabout and street beautification on the Princes Highway, Narooma, delays to enacting the resolutions occurred.

Recent consultation with representatives from the Animal Welfare League confirm that signage has been installed indicating that the NATA Oval is a 24 hour 'off leash' area and this has been in place for approximately the past 12 months or more. No formal advertising or broader community consultation was undertaken during this period.

NATA Oval is a crown reserve (numbers 63051 and 80515) and is utilised by the community as a public park, markets, children playgroups and potentially other users.

CONSIDERATIONS

The purpose of this report is to consider the desires of the community, the Animal Welfare League and legal requirements to ensure NATA Oval is appropriately utilised by all user groups and individuals.

Legal

The *Companion Animals Act 1998* provides the legal framework for the effective and responsible care and management of companion animals. The Companion Animal Management Plan 2015-2019 provides the mechanism to identify dog exercise areas and requirements.

Policy

The Companion Animal Management Plan 2015-2019 includes details on animal, community and environmental issues, monitoring and review and the exercise areas and prohibitions. A

**PSR15/013 NATA OVAL - DRAFT COMPANION ANIMAL MANAGEMENT PLAN E98.2522;
E10.4150**

major focus of the Plan is the dog exercise areas and this includes the time-share, off leash and leashed and prohibited areas. The Plan was developed with the view to allow for competing uses at a range of popular locations within the Shire.

Environmental

The usage of NATA Oval as an off leash area has minimal impact on the environment.

Social Impact

Council strategies aim to balance competing uses for finite space to considerably accommodate the best interests for the majority and in accord with relevant legislation.

Communication / Consultation

It is proposed that the amendment be put on public exhibition for forty two (42) days. This includes amendment to the Companion Animal Management Plan 2015-2019 requesting public comment and submissions on the usage or otherwise of NATA Oval as a 24 hour off leash area for dogs. Animals would be required to be under the care and control of a competent person at all times. Off leash is not permissible when authorised events are to be conducted on NATA Oval.

The public notice would be promoted via advertisement in the local press, media releases and in writing to Animal Welfare League, Narooma Rotary Markets, Crown Lands and other identified users of the Oval.

The proposed amendment will be exhibited on Council's website, Eurobodalla's three libraries, and at the Customer Service Centre in Moruya.

Financial

All financial costs associated with the advertisement of the NATA Oval as a leash free area is borne by Council. The requirements to fulfil further changes to the Companion Animal Management Plan 2011-2015 will be undertaken with existing staff resources.

CONCLUSION

Eurobodalla Shire Council seeks a draft amendment to the Companion Animal Management Plan 2015-2019 following public comment on the usage of NATA Oval as a 24 hour off leash area for dogs. Animals would be required to be under the care and control of a competent person at all times. Off leash is not permissible when authorised events are to be conducted on NATA Oval.

A further report will be provided to Council on submissions received.

PSR15/015 DRAFT TOWN SIGNS POLICY

E06.0376

Responsible Officer: Lindsay Usher - Director Planning and Sustainability Services

Attachments: 1. Draft Town Signs Policy
2. State Environmental Planning Policy No 64 Sch 1
3. Confidential Draft Town Signs on Public Land Policy - Submissions

Focus Area: Sustainable

Delivery Program Link: S7.2 Maintain, update and communicate planning informations and issues

Operational Plan Link: S7.2.3 Monitor, report and communicate and implement changes relating to land use planning

EXECUTIVE SUMMARY

This report seeks Council's adoption of the draft Town Signs Policy.

The Policy is designed to provide opportunity for communities to promote the location and character of their town or village in a simple and attractive form of signage that is sensitive to its environment in its location, size and design and presents a consistent theme and branding across the Eurobodalla.

The Policy will also ensure consistency in the way Council deals with enquiries for and approval of town signs.

The draft Town Signs Policy is included as an attachment to this report.

RECOMMENDATION

THAT Council:

1. Adopts the Town Signs Policy.
2. Notifies in writing all those who made submissions of its decision.
3. Places a notice in the local paper advising of adoption of the Town Signs Policy.

BACKGROUND

Council received a request from the Tuross Head Business Owners Association (THBOA) to erect a large directional sign on land approaching the Princes Highway turnoff to Tuross Head.

PSR15/015 DRAFT TOWN SIGNS POLICY

E06.0376

The sign is subject to *State Environmental Planning Policy No. 64 – Advertising and Signage* (SEPP 64). Much of this SEPP is quite general in nature and provides no guidance and limited assistance to parties wishing to understand what is and is not permissible or appropriate in the local context. Council does not have a relevant policy to address the proposal.

To provide assistance not afforded by the SEPP, it was considered appropriate to develop guidelines to ensure consistency in the way Council deals with enquiries for and the approval of town signs.

Existing town signs were surveyed (both approved and unapproved), and Roads and Maritime Services (RMS) standards and practices were examined to inform the development of the Policy.

Council endorsed exhibition of the draft policy at the Ordinary meeting of Council held on Tuesday 26 August 2014. Three submissions were received. Councillors were briefed on the submissions on 2 December 2014.

Council staff subsequently met with representatives from THBOA on 7 January 2015 to clarify their concerns with the draft policy.

Councillors were further briefed on 21 April 2015 as to the outcomes of the meeting with the THBOA and amendments to the draft policy.

Following that briefing, staff again met with representatives from THBOA on 29 April 2015 to discuss the latest draft of the policy. It was indicated at that meeting that the THBOA believed the draft policy was a satisfactory response to their concerns.

CONSIDERATIONS

In the development of this policy, the following aspects of signage were considered:

- Road safety – Studies have shown that signs of complex design or containing more than a small amount of information have the potential to distract drivers and increase the chances of an accident.
- Consideration of wider community views – While signs may be proposed by interest groups with a particular aim, signs of this nature impact on all users of the road.
- Visual impact – Eurobodalla Shire benefits from having an ‘unspoiled’ character. It is important to minimize any negative visual impacts.
- Tourism – Council invests in promoting Eurobodalla as a tourist destination. Consistency of design and an alignment with the tourism marketing brand and positioning statement, ‘Eurobodalla South Coast NSW’ would reinforce that message and the visitor experience.
- Conservation Areas – Where Council has created a Landscape Conservation Areas (LCA) through a listing in the Eurobodalla Local Environmental Plans, it would be inconsistent with objectives of the listing to allow inappropriate signs, by nature of their size, location or design, to compromise the heritage significance of the LCA.

PSR15/015 DRAFT TOWN SIGNS POLICY

E06.0376

- Legal – Signs are assessed in accordance with the policies and guidelines of the RMS and *State Environmental Planning Policy 64 – Advertising and Signage*. However, as the state policies do not provide sufficient guidance that relates to local context, a local policy will complement the state instruments.

Legal

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) applies to all land in NSW and provides general controls on the placement of advertising and signage in certain zones including some exemptions, restrictions and prohibitions.

The signage proposed for the Tuross Head highway approach is subject to clause 8 of the SEPP which requires that consent for signage:

- is consistent with the objectives of the SEPP set out in clause 3(1)(a)
- satisfies the assessment criteria in Schedule 1 of the SEPP.

An assessment of the sign initially proposed for Tuross Head against the objectives and criteria of the SEPP is contained in the submissions section below.

The majority of this SEPP is quite general in nature and of limited assistance to parties wishing to understand what is and is not permissible. Therefore, the draft Policy has been developed to provide that assistance not afforded by the SEPP.

Policy

Council's Development Control Plan and Signage Code apply to signs on private land only. The draft policy will also apply to town signs on public land.

Asset

In the case of main town signs (Batemans Bay, Moruya and Narooma) ownership will remain with, and all costs including installation and maintenance will be borne by, Eurobodalla Shire Council. Responsibility for the installation and maintenance of any approved heritage or other town sign will rest with the proponent(s). Failure to maintain may result in their removal.

Economic Development Employment Potential

Council's adopted Destination Management Plan 2011 to 2020 was developed in consultation with the community as part of Council's commitment to ensure the sustainable management, development and marketing of tourism for the Eurobodalla and its destinations.

Strategy 10.8 of the Plan identifies the importance of branding for the purpose of signage (town entry, directional, interpretative, etc.) as a reinforcement tool to support Council's destination marketing activities and the local industry. From a marketing point of view, inconsistency in destination signage reduces the effectiveness of the brand and the messages Council has established and the awareness it has built around the brand in the marketplace.

PSR15/015 DRAFT TOWN SIGNS POLICY

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The draft Policy will enable the delivery of effective signage that identifies towns using a community brand that is characterised by shared or consistent elements that make each town readily identifiable as part of a larger group or set – in this case, part of the Eurobodalla Council area.

Consultation

Following the identification of the need for a policy, a policy was drafted in consultation with Council's Communication, Infrastructure and Business Development sections to ensure consistency with existing Council projects and programs.

Consultation continued with other NSW coastal councils which sought to enable the installation of town signs, particularly with regard to towns off the Princes or Pacific. Surveyed councils stated that they relied on the considerations provided in Schedule 1 of SEPP 64 (Attachment 2) to conduct a merit assessment of such signage.

Community Consultation

The draft Town Signs on Public Land Policy, as it was named at the time, was exhibited for a period of twenty-eight (28) days.

A summary of the three submissions received in that period and the staff recommendations is below with copies of each submissions in the confidential attachment to this report.

Councillors were briefed on the submissions at the briefing on 2 December 2014.

Council staff subsequently met with THBOA on 7 January and 29 April 2015 to clarify their concerns with the draft policy.

PSR15/015 DRAFT TOWN SIGNS POLICY

E06.0376

Submissions

Three submissions were received during the exhibition period.

Submission	Recommendation
Suggestion with regard to sign element and enquired with regard to process of approval	<ol style="list-style-type: none"> 1. As the consent authority, Council will consult with town representatives such as Chambers of Commerce to agree upon 'the town slogan'. 2. Temporary event additions are subject to Council's existing, simple application process and: <ol style="list-style-type: none"> a) Must not include commercial advertising other than the name of the event sponsor. b) Must not be displayed earlier than 28 days before, or later than 14 days after, the event. c) Must not be used in relation to frequently recurring events. d) Must not be flashing. 3. The suite of examples of sign layouts are intended to be helpful for applicants designing their signs. As the Main Town signs will be professionally designed, examples are not considered necessary. 4. The inclusion of a web address on town sign will be considered on merit during the design process <p>Approval processes will be clarified either through a Practice Note or Code of Practice</p>
RMS has noted that it will have an approval role on signs fronting a classified road	Acknowledged within policy.
Request for a billboard	<p>Large billboards are not recommended as they have the potential to have a significant negative impact on the "unspoilt" nature and attractiveness of the Eurobodalla Shire as promoted by Destination NSW and Council. It is considered that the initially proposed billboard for Tuross Head does not satisfy the objectives and criteria of SEPP 64. In particular, the scale of the proposed sign would not be appropriate for the rural setting and would add to the clutter of existing signage in the location.</p> <p>Notwithstanding, an amendment to the draft policy has been made to provide for signs larger than the requirements to be considered on merit.</p>

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During the public consultation process there arose the possibility of town signs being located on private land where insufficient road reserve was available. The draft policy was therefore expanded to allow for such a case.

Amendments

In response to the submissions received, issues raised by councillors and by the THBOA, the following amendments have been made to the draft policy:

- expansion to cater for the potential for town signs on private land;
- name change to reflect the above;
- an increase to the maximum size for the signs;
- simplification of the policy wording; and
- flexibility to the provisions of the policy.

Financial

Due to the requirement for the design of the main town signs for Narooma, Moruya and Batemans Bay to be consistent with the Eurobodalla tourism brand, and as there are the three major centres in Eurobodalla, it is proposed that Council cover all costs associated with the installation and maintenance of those signs.

CONCLUSION

Approval is sought from Council to adopt the Town Signs Policy.

Adoption of the more flexible draft policy will provide opportunity for communities to promote the location and character of their town or village in a simple and attractive form of signage that is sensitive to its environment in its location, size and design.

The policy will also ensure consistency in the way Council deals with enquiries for and approval of town signs.

POLICY

Policy name	Town Signs Policy
Responsible manager(s)	Divisional Manager, Strategic Services
Contact officer(s)	Coordinator, Land Use Planning
Directorate	Planning and Sustainability Services
Approval date	

Purpose

The purpose of this policy is to provide opportunity for communities to promote the location and character of their town or village in a simple and attractive form of signage that is sensitive to its environment in its location, size and design.

The policy aims to:

- Ensure consistency in the manner in which Council deals with the approval of town signs;
- Ensure compliance with legislative requirements under the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993*, *Roads Act 1993* and *State Environmental Planning Policy No 64 Advertising and Signage*;
- Take such steps as are appropriate to ensure the erection of town signs does not detract from the use or amenity of the location;
- Make Council's policies and requirements for town signs readily accessible and understandable to the public.

Policy statement

1	1. Application 2. This policy applies to the erection of town signs.
2	3. Legislation 4. Eurobodalla Shire Council will comply with the; <ul style="list-style-type: none"> - <i>Environmental Planning and Assessment Act 1979</i>; - <i>Local Government Act 1993</i>; - <i>Roads Act 1993</i>; and - <i>State Environmental Planning Policy No. 64 Advertising and Signage</i>.
3	5. Policy Objectives 6. To provide direction & guidance in relation the erection of a town sign on public or private land.
4	7. Eligible towns or villages 8. To be eligible for a town sign the town or village must provide a range of services for visitors. As a minimum, eligible towns or villages are expected to provide a range of facilities and services that visitors can access, including accommodation, food and fuel.

5	<p>9. Roads and Maritime Services</p> <p>10. NSW Roads and Maritime Services is responsible for, and has installed, road signs and directional signage on the Princes Highway to towns, villages and suburbs accessed by the highway.</p> <p>11.</p> <p>12. These signs and all signs referred to in this policy must comply with Australian Standard AS1743 Road Signs Specifications.</p>
5	<p>13. Location</p> <p>14. As a general principle, town signs will be permitted on land fronting primary access roads leading to towns or villages to promote that town or village within the following guidelines:</p> <ol style="list-style-type: none"> 1. The sign is a permissible type or land use, or exempt land use on the land on which it is proposed; 2. The sign does not inhibit sightlines necessary for the safe passage of vehicles or pedestrians; and 3. The sign does not inhibit significant views. <p>15. Where an eligible town or village is located on a terminating road, the town sign may be located near the intersection between the nearest through road and the primary access road.</p> <p>16.</p>
6a	<p>17. Design – Main Town signs</p> <p>The design of Main Town signs will align with Council’s tourism marketing through the use of the positioning statement, ‘eurobodalla south coast NSW’ and inclusion</p> <p>18. of the design element of a linear mountain shape.</p> <p>19. Other design elements shall include:</p> <ol style="list-style-type: none"> 1. The Main Town sign shall have a surface area no greater than 3.5m². 2. The Main Town sign must be composed of no more than: <ol style="list-style-type: none"> a. “Welcome to [insert the name of the town]”; and b. the town slogan (optional). <p>20.</p> <p>21. Any design will also comply with guidelines 6c (4-7) below, Design - Other Towns.</p>
6b	<p>22. Design – Heritage towns</p> <p>23. Council may consider an alternate design where a town other than a Main Town has a significant and unique heritage character that:</p> <ol style="list-style-type: none"> 1. defines the town’s identity; and 2. is considered of tourism significance. <p>24.</p> <p>25. See Section 11 below for design options.</p> <p>26.</p> <p>27. Any design will also comply with guidelines 6c (1-7) below, Design - Other Towns.</p>

6c	<p>28. Design – Other town signs</p> <p>The design of other town signs shall be as follows:</p> <ol style="list-style-type: none"> 1. Size: <ol style="list-style-type: none"> a. have a surface area no greater than 2.8m²; with b. lettering from 150mm to 300mm in height. 2. The sign must have the appearance of a single panel with a consistent visual theme, style and colour scheme. 3. Sign design is encouraged to align with Council’s tourism marketing through the use of all or some of the positioning statement, ‘eurobodalla south coast NSW’ and inclusion of the design element of a linear mountain shape. 4. Where a town sign is visible to a person leaving the town, the rear of the sign carries a message thanking people for visiting. 5. Signs, which because of colour, animation, siting or aspect detract from the value of traffic signals or road line marking are not permitted. 6. The design includes provision for the addition of Temporary Event Additions (section 9 below) such that, when installed, the additional signs appear as part of the town sign. 7. Design specifications and content material of the signs shall, in the final event, be approved by the Council. <p>Notwithstanding point 1 above, larger signs for other towns will be considered by Council on merit having regard to the aims of this Policy, Schedule 1 Assessment criteria of SEPP 64 and the specific characteristics of the proposed sign and its location.</p>
7	<p>29. Sign Ownership and Responsibility</p> <p>30. NSW Roads and Maritime Services is responsible for signs on the Prince’s Highway, however Council will take responsibility for the installation and maintenance of Main Town signs. Council is also responsible for signs on local roads.</p> <p>31.</p> <p>32. Where a Heritage Town sign or Other Town sign is approved by Council, the cost of construction, installation and maintenance remains the responsibility of the applicant(s).</p>
8	<p>33. Maintenance and removal of Town Signs</p> <ol style="list-style-type: none"> 1. Signs must be kept intact and in good repair at all times; and 2. Council reserves the right to remove signs which no longer comply with the original approval or have fallen into disrepair.
9	<p>34. Temporary Event Additions</p> <p>35. Temporary signs for religious, cultural, social or recreational events signs will be permitted to be attached to the town sign if they:</p> <ol style="list-style-type: none"> 1. have a visual theme, style and colour scheme consistent with the town sign; and 2. comply with the requirements of Schedule 2 – Exempt Development of the <i>Eurobodalla Local Environmental Plan 2012</i>.

36. Layout for Town Signs approved for Heritage or Other towns

37. Examples of layouts for town signs are shown here at their maximum allowable areas (not to scale).

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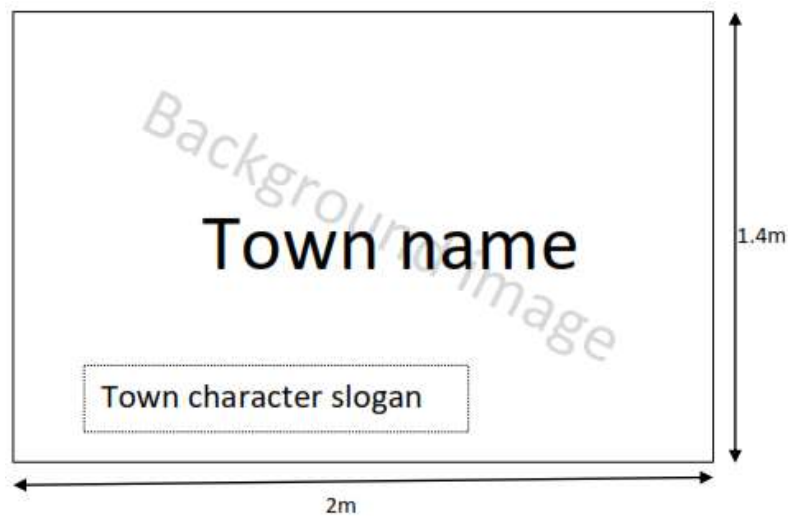
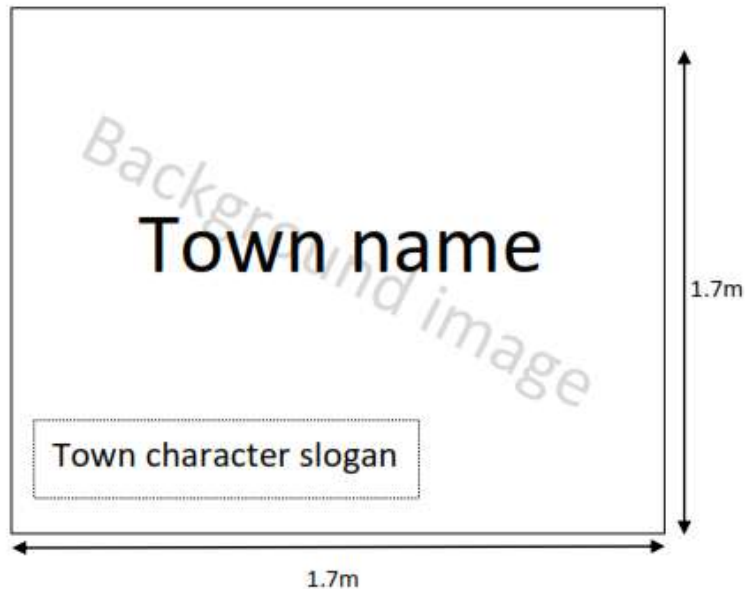
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Implementation

Requirements		Responsibility
1	76. Development Consent 77. A development application must be submitted pertaining to the town sign unless it is exempt development under the <i>State Environmental Planning Proposal (Exempt and Complying Development Codes) 2008</i> .	Development Assessment Officer
1a	78. Development on classified roads 79. Where development is proposed on or on land fronting a road classified under the <i>Roads Act 1993</i> written approval from NSW Roads and Maritime Services must accompany any development application lodged with Council.	Roads and Maritime Services
2	80. Staff 81. Under supervision, applicable Council staff will be responsible for ensuring that policies are implemented appropriately within their work area, after they have received relevant training to do so.	Environmental Compliance Officer
3	Concerns Concerns received regarding this policy will be recorded on Council's Customer Service Request (CSR) or records system and handled in accordance with council's Customer Service Request Policy. They will be used to analyse the history of concerns and requests and to help determine follow up actions.	Council Officers
4	Complaints Complaints received regarding this policy will be lodged with the Public Officer and handled in accordance with council's Complaints Policy.	Public Officer
5	82. Consultation 83. Consultation that may occur in relation to this policy and who will be involved	Development Services, Community Planning Coordinator, Land Use Planning Coordinator

Review

The policy will be automatically revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless council revokes it sooner. **Note:** *Automatic revocation of the policy is provided for by section 165(4) of the Local Government Act 1993. The next general local government election is expected to be held in September 2016.*

This policy may also be reviewed and updated as necessary when legislation requires it; or council's functions, structure or activities change; or when technological advances or new

systems change the way that council manages shipping containers in public reserves.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Concerns or Complaints registered	Council records
Customer Feedback Survey Responses	Surveys
Internal or external review	Audit

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Signage Code	http://www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Signage-Code.pdf
<i>Local Government Act 1993</i>	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/
<i>Crown lands Act 1989</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+6+1989+cd+0+N
<i>Roads Act 1993</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+33+1993+cd+0+N
<i>State Environmental Planning Policy No. 64 Advertising and Signage</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+199+2001+cd+0+N
<i>Eurobodalla Local Environmental Plan 2012</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+333+2012+cd+0+N

Related external references

Name	Link
Division of Local Government	www.dlg.nsw.gov.au/
Standards Australia	Australian Standard AS1743 – Road Signs Specification

Definitions

Word/Term	Definition
Public reserve Public land	Council owned land as classified under the <i>Local Government Act 1993</i> and Crown land where Council is the trust manager. Includes road reserves, natural areas, areas of cultural significance, community land (general), parks and sportsgrounds

Town Sign	A sign erected at an entrance point/way into a town or village that informs the travelling public of the imminent arrival to the town or village and the main character or important feature of the town or village.
Main Town	For the purposes of this policy the Main Towns in the Eurobodalla Shire are Narooma, Moruya and Batemans Bay.
Other Town	Towns not defined elsewhere in this policy.

Change history

Version	Approval date	Approved by	Min No	File No	Change
1	date	Council		E06.0376	Policy commenced

Internal use

Responsible officer		General Manager		Approved by		Council	
Min no	TBA	Report no		TBA		Effective date	TBA
File No	TBA	Review date		Sep 2016		Pages	3

State Environmental Planning Policy No 64—Advertising and Signage

Schedule 1 Assessment criteria

(Clauses 8, 13 and 17)

1 Character of the area

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

2 Special areas

- Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

3 Views and vistas

- Does the proposal obscure or compromise important views?
- Does the proposal dominate the skyline and reduce the quality of vistas?
- Does the proposal respect the viewing rights of other advertisers?

4 Streetscape, setting or landscape

- Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
- Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
- Does the proposal reduce clutter by rationalising and simplifying existing advertising?
- Does the proposal screen unsightliness?
- Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
- Does the proposal require ongoing vegetation management?

5 Site and building

- Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?
- Does the proposal respect important features of the site or building, or both?

- Does the proposal show innovation and imagination in its relationship to the site or building, or both?

6 Associated devices and logos with advertisements and advertising structures

- Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?

7 Illumination

- Would illumination result in unacceptable glare?
- Would illumination affect safety for pedestrians, vehicles or aircraft?
- Would illumination detract from the amenity of any residence or other form of accommodation?
- Can the intensity of the illumination be adjusted, if necessary?
- Is the illumination subject to a curfew?

8 Safety

- Would the proposal reduce the safety for any public road?
- Would the proposal reduce the safety for pedestrians or bicyclists?
- Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

IR15/022 FUNDING OFFER - BUS STOPS UPGRADE STAGE 2 - SHIRE WIDE

E02.6655

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Proposed List of Upgraded Bus Stops in Stage 2

Strategic Objective: Productive

Delivery Program Link: P2.2 Develop, renew and maintain the road network

Operational Plan Link: P2.2.1 Deliver capital and renewal works program

EXECUTIVE SUMMARY

Transport for NSW has formally advised Council of its success in seeking grant funding under the 2014-2015 Country Passenger Transport Infrastructure Grant Scheme (CPTIGS).

The offer of \$241,210 in funding will allow Council to implement Stage 2 of the shire wide bus stop and bus shelter upgrade to achieve disability access compliance at an additional 36 bus stops.

RECOMMENDATION

THAT Council accept Transport for NSW's offer of \$241,210 in grant funding obtained under the 2014-2015 Country Passenger Transport Infrastructure Grants Scheme for the upgrade of 36 bus stops across the shire to achieve disability access compliance.

BACKGROUND

Each year, local government providers may apply for funding to improve the amenity of passenger transport infrastructure in rural, regional and remote communities in NSW.

The grant covers capital costs of infrastructure projects to support and encourage public transport passengers. It also provides for works directly related to passenger transport infrastructure that assist with upgrades to meet the requirements of the Disability Standards for Accessible Public Transport (DSAPT).

Council has undertaken a shire wide review of bus stops. This review aided in identifying works needed to bring bus facilities up to current standards to comply with the DSAPT.

In July 2014, Council accepted \$175,850 in funding under the 2013-2014 CPTIGS to upgrade 57 bus stops across the shire. Stage 1 is nearing completion and will achieve 55% disability access compliance.

Council sought further grants to continue to work to upgrade additional facilities.

CONSIDERATIONS

The grant funding achieved will allow an additional 36 bus stops to be upgraded to current disability standards (list of proposed bus stops to be upgraded in Stage 2 is attached). This will achieve 90% compliance across the Shire.

The funding covers capital costs of infrastructure projects including improvements to seating, signage, standing areas, tactile indicators and other safety and comfort improvements to make

IR15/022 FUNDING OFFER - BUS STOPS UPGRADE STAGE 2 - SHIRE WIDE

E02.6655

an amenable environment for passengers. Such improvements will serve to facilitate an increase in public transport patronage.

Upgrading bus stops across the shire helps Council in delivering the goals and objectives within the Community Strategic Plan, Road Safety Strategic Plan 2013-2017, Positive Ageing Strategy and Disability Access Plan.

Asset

The funding will provide for replacement and upgrade of elements for our bus facilities making them fit for purpose.

Works are proposed to be completed within the 2015/16 financial year.

Social Impact

The upgrade works will improve the safety and comfort for all members of the community including those with a disability who wish to utilise public transport. In addition, the improvements should further encourage use of public transport network.

Communication/Consultation

When preparing the funding application, letters of support were provided from the Hon Andrew Constance MP, Member for Bega; the Eurobodalla Disability Advisory Committee; Priors Bus Service; Marshalls Bus and Coach Service and Symons Bus and Coach Service. The Disability Advisory Committee and local bus companies will be provided with a list of works associated with Stage 2 of the grant.

Financial

The total estimate to upgrade 36 bus stops is \$268,788. A new grant funding criteria is that Council must provide a cash contribution. As per the funding offer the required cash contribution from Council is \$27,578.

Council's cash contribution is provided in the forward budgets.

This successful grant funding substantially reduces the net cost to the ratepayer to upgrade our bus facilities to the accessibility standards.

CONCLUSION

The offer of \$241,210 in grant funding, combined with Council's own funding, will enable Stage 2 of the necessary upgrades to achieve 90% compliance with disability standards for accessible bus transport.

It is recommended that the offer of funding be accepted.

Council will seek further grant funding under the next round of CPTIGS grants to upgrade the remaining bus facilities to current accessibility standards.

EUROBODALLA SHIRE – BUS STOP REGISTER

CPTIG 2015 – Proposed Stage 2 Works – 29 October 2014

Stop Number	Locality	Location/Travel Direction
SN005	Batemans Bay	Beach Road – Pelican Point - westbound
SN006	Batemans Bay	Beach Road – Miller Street - eastbound
SN010	Catalina	Beach Road – “Birdland” - eastbound
SN013	Batehaven	Beach Road – Batehaven shops - westbound
SN030	Tomakin	George Bass Drive - southbound
SN031	Mossy Point	Surfside Avenue – near Pacific Street - northbound
SN032	Mossy Point	Pacific Street – opposite Surfside Avenue - eastbound
SN033	Broulee	Coronation Drive – opposite Candlagan Drive - southbound
SN036	Moruya	River Street – Moruya Hospital - eastbound
SN039	Moruya	Vulcan Street – opposite Apex Park - southbound
SN042	Surfside	landra Road near Wollara Street - westbound
SN043	Surfside	14 Peninsula Drive - westbound
SN052	Mogo	SH1 – near Ice Creamery -southbound
SN054	Tuross Head	SH1 – near Hector McWilliam Drive - southbound
SN056	Tuross Head	Hector McWilliam Drive – near Lake Street - eastbound
SN060	Dalmeny	SH1 – near Mort Avenue - southbound
SN063	Dalmeny	41 Mort Avenue - eastbound
SN064	Dalmeny	Mort Avenue – near shops - northbound
SN069	Dalmeny	Noble Parade – near Amherst Street - southbound
SN070	Dalmeny	Dalmeny Drive – near Barkala Street - southbound
SN073	Narooma	SH1 – opposite Burrawang Street – shops - southbound
SN082	Catalina	3 Heron Road - southbound
SN083	Catalina	35 Heron Road - southbound
SN084	Catalina	3 Calga Crescent - eastbound
SN085	Catalina	34 Yarrabee Drive - northbound
SN086	Catalina	2 Malaleuca Drive – retirement units - eastbound
SN088	Nelligen	Wharf Street - westbound
SN090	Broulee	SH1 – at Broulee Road - southbound
SN091	Moruya	Maunsell Street - northbound
SN092	Moruya	Albert Street - westbound
SN096	Tuross Head	Opposite 18 Birdwood Circle – westbound
SN100	Narooma	Harrington Street – near SH1 – southbound
SN102	Bodalla	Merriman Street – near Sutcliffe Street – northbound
SN104	Caseys Beach	John Street – near Beach Road – westbound
SN105	Central Tilba	Corkhill Drive opposite Bate Street – westbound
SN106	Narooma	SH1 – adjacent Club Narooma - northbound

**IR15/023 FUNDING OFFERS - SHARED PATHWAYS - BATEMANS BAY AND
TUROSS HEAD**

E01.5635

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Strategic Objective: Liveable

Delivery Program Link: L5.3 Provide and develop Council's shared pathway and cycleway network

Operational Plan Link: 5.3.2 Seek grant funding and partnership opportunities to develop network

EXECUTIVE SUMMARY

Council has successfully secured grant funding from the Roads and Maritime Services (RMS) under the Active Transport Program for 2014-15. The funding is for two projects. The first being a shared pathway under the Batemans Bay Bridge, identified within the Korner's Park upgrade works and secondly for the completion of the shared pathway/timber boardwalk along Nelson Parade, Tuross Head.

These grants have been accepted to secure the funding and will significantly reduce the cost to the ratepayer to provide these much sought after pathways.

This report seeks endorsement for the actions taken to secure these grants and to provide for the future maintenance costs for these new assets.

The construction of these new assets will also require an increase in the allowance for depreciation from 2015-16.

RECOMMENDATION

THAT Council:

1. endorse the actions taken in accepting the offers of grant funding from Roads and Maritime Services under their Network and Safety Management, Active Transport Program for 2014-15 for shared pathways along:
 - a. Batemans Bay Bridge underpass (\$41,000 grant)
 - b. Nelson Parade, Tuross Head (\$115,000 grant)
2. provide a \$2,700 increase in the annual maintenance vote for pathway maintenance from the 2015-16 financial year and recognise the increase in annual depreciation.

BACKGROUND

Council continues to provide strong support to improving pathway and cycling facilities based on the adopted Eurobodalla Shared Pathway Strategy 2010 which identifies high priority pathway projects.

Council has progressively allocated funds toward works to address high priority pathways, including missing linkages, with a specific emphasis on pathways within villages.

**IR15/023 FUNDING OFFERS - SHARED PATHWAYS - BATEMANS BAY AND
TUROSS HEAD**

E01.5635

We have also successfully pursued grant funding and worked with community groups to accelerate pathway work across the shire.

CONSIDERATIONS

Shared Pathway – Batemans Bay Bridge Underpass

RMS has offered \$41,000 for the installation of a shared pathway underneath and either side of, Batemans Bay Bridge in North Batemans Bay. When completed this will connect the existing Wharf Road shared pathway to Old Punt Road car park and boat ramp. The pathway also links Old Punt reserve to the accessible toilets in Korner's Park.

These works further assist in providing alternate transport options from North Batemans Bay into the CBD area, catering for pedestrians, cyclists and scooters.

This RMS funding requires matching Council funds. A matching funding allocation of \$41,000 has been provided within Council's 2014/15 budget within the Korner's Park upgrade project.

The works will be completed by 30 June 2015.

Shared Pathway – Nelson Parade, Tuross Head

RMS has offered \$115,000 for the construction of a shared pathway/timber boardwalk along Nelson Parade between Jellicoe Road and Jutland Avenue. When completed this will connect the existing pathway along the foreshore. It will also provide an iconic viewing point over the Tuross Lake inlet, beaches and ocean looking to Potato Point and Montague Island.

The RMS funding is required to be spent by 30 June 2015 and with Council's matching share of the funding provided in the 2015/16 budget.

The shared pathway/timber boardwalk along Nelson Parade was identified as a priority project to be funded from the proceeds of the sale of the old Tuross Progress Hall. Securing of grant funding for this shared pathway/boardwalk now provides the opportunity to complete the following priority projects (as already resolved by Council) during 2015/16:

- Nelson Parade boardwalk
- One Tree Point Headland viewing area
- One Tree Point reserve improvements
- Shared pathway Bridges Avenue (Tuross Boulevard to Chauvel Crescent)

Preliminary works for the latter project are being undertaken prior to June 2015 recycling materials from the Evans Street roadworks project.

These projects will be included in the final draft of the Delivery Program/Operations Plan to be considered by Council.

Asset

These two new pathway works contribute to the overall pathway network as identified within the Eurobodalla Pathways Strategy 2010.

**IR15/023 FUNDING OFFERS - SHARED PATHWAYS - BATEMANS BAY AND
TUROSS HEAD**

E01.5635

The construction of these assets will require an annual increase in funding of \$2,700 to provide for ongoing annual maintenance costs.

Financial

Council is required to match the additional grant funding made available from the RMS, dollar for dollar. The matching funding is already identified within Council existing and forward budgets (as outlined above).

The successful grants reduce the demand on ratepayer funds to deliver these high priority works.

The increased annual allocations outlined above will need to be provided within Council's long term financial plans.

Ongoing depreciation and maintenance will be incorporated into future budgets.

CONCLUSION

The success in gaining additional grant funding from the RMS is another major boost to the provision of shared pathways across the shire. The funding has been accepted to secure the funding and this report seeks Council's endorsement of the actions taken and of the changes to funding arrangements to support these grants.

Council has been successful in gaining \$156,000 of funding through the RMS 2014-15 Network and Safety Management, Active Transport Program. The projects and funding allocations are as follows:

1. \$41,000 towards the installation of a shared path underneath and either side of Batemans Bay Bridge, North Batemans Bay
2. \$115,000 to purchase materials for the installation of shared path along Nelson Parade, Tuross Head between Jellico Road and Jutland Avenue.

The construction of these new assets will require an annual increase in the maintenance allocation of \$2,700 for pathways and a recognition that there will be an increase in depreciation for the new assets.

The grant funding provided for the shared pathway in Tuross Head now permits Council to proceed with the projects identified by the community utilising net funds from the sale of the land at the corner of Jutland Avenue and Trafalgar Road.

**IR15/024 TENDER FOR THE ROOFING UPGRADE OF NAROOMA SPORT AND
LEISURE CENTRE**

E80.1837

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Confidential - Tender Assessment

Strategic Objective: Liveable

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

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

EXECUTIVE SUMMARY

The Narooma Sport and Leisure Centre is a well-used and important community facility in a prominent position in Narooma. The roof structure has reached the end of its useful life and is in need of replacement.

This report recommends that Council accept the preferred tenderer as per the confidential attachment to undertake to replace the roof and ancillary components at the Narooma Sport and Leisure Centre.

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

RECOMMENDATION

THAT council accept the preferred tenderer for the Roofing Upgrade of Narooma Sport and Leisure Centre as identified in the confidential attachment to this report.

BACKGROUND

In 2008, Council undertook a significant internal upgrade of the Narooma Sport and Leisure Centre, including the addition of disabled accessible toilets, upgrade of the kitchen and new high-quality sports flooring. Significant consultation was undertaken prior to this upgrade, with many local sporting and recreation groups participating and encouraging the upgrade to allow them to run activities within the centre.

In the last 12 months, the Police Citizens Youth Club (PCYC) has taken up residence in the facility with two new offices built; one to accommodate the PCYC area manager and the other provides office space for two uniformed police.

The roof was originally constructed in the early 1980's and due to its close proximity to salt water has started to deteriorate to the point that leaks are becoming more prominent and no longer able to be managed within routine maintenance programs and budgets. Other components such as facias have also reached the end of their useful life and are detracting from the overall appearance of the building.

**IR15/024 TENDER FOR THE ROOFING UPGRADE OF NAROOMA SPORT AND
LEISURE CENTRE**

E80.1837

CONSIDERATIONS

In March 2015, Council advertised for the tender for the Roofing Upgrade of the Narooma Sport and Leisure Centre which closed on 1 April 2015. On closure of the tender period, four tenders were received from the following companies:

- Aust Tech Engineering Supplies Pty Ltd
- Bay and Coast Metal Roofing
- Cercol Construction Services Pty Ltd
- Narooma Plumbing Services Pty Ltd

The confidential attachment provides an assessment of the tenders received and recommends the preferred tenderer be accepted to undertake this work.

During the process of replacing the roofing and ancillary components, the facility will be closed for a period of approximately four weeks (weather permitting). Staff will liaise with the PCYC and other users to find alternate venues where possible, such as the Dalmeny Hall, during this construction period.

It is proposed to commence the works following the Huntfest event (which is to be held on the June long weekend).

Legal

Request for Tender (RFT) No 2015/ISD037 was advertised in accordance with Local Government (General) Regulation 2005 REG 167 on 11 March 2015 and closed on 1 April 2015.

The tender was advertising on Council's noticeboard page in two local newspapers, in the Sydney Morning Herald and at Council's Tenderlink web portal (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.

Asset

The existing roof and related components has reached the end of its useful life and needs to be replaced. The proposed reroofing work will also protect the remainder of the building from potential damage (eg water damage).

The Narooma Sport and Leisure Centre is in a high profile location at the intersection of the Princes Highway and Bluewater Drive, Narooma. This area of Narooma was part of the recent extensive streetscape upgrade, which has vastly improved the appearance and appeal to locals and visitors alike. However, the Narooma Sport and Leisure Centre still retains the appearance of an older building. This upgrade will significantly improve the appearance of not only the facility, but will also add to the quality of the streetscape.

**IR15/024 TENDER FOR THE ROOFING UPGRADE OF NAROOMA SPORT AND
LEISURE CENTRE**

E80.1837

Social Impact

Council's community buildings provide the infrastructure to support local social activities and to help maintain a healthy community. This facility is used by a wide range of age groups.

The completion of the reroofing work will mitigate adverse impacts from leaks, reducing the risk to the community.

Communication/Consultation

Existing patrons of the Narooma Sport and Leisure Centre have been advised of the pending works with positive feedback from all users. Additionally, once a works program is established, thorough community consultation will take place including writing to user groups, providing information on Council's website; Online News; advertising on Council's noticeboard page in two local newspapers; distributing a media release.

Financial

This project is essential renewal work which will be funded from the internally restricted infrastructure fund. The final timing of the work will be determined once the successful tenderer has been determined. There may be an opportunity to undertake part of the works within 2014/15. Once this has been confirmed the appropriate budget adjustments will be made within the quarterly budget review.

CONCLUSION

The roof on the Narooma Sport and Leisure Centre needs to be replaced.

Tenders have closed for the Roofing Upgrade of Narooma Sport and Leisure Centre. All tenders have been assessed and the preferred tenderer as shown in the confidential attachment has provided a complying tender and is recommended for acceptance.

FBD15/033 BUDGET REVIEW MARCH 2015

E05.9535

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments:

1. Fund Flow Statement
2. Consolidated Income Statement
3. Capital Program Statement
4. Projected Fund Balances Statement
5. Budget Amendments Report
6. Contractors, Consultants and Legals
7. Ratios March 15
8. Mayor and Councillor Expenses

Strategic Objective: Support Services

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

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

EXECUTIVE SUMMARY

The purpose of this report is to advise of Council's performance against the current Operation Plan for the quarter ending 31 March 2015.

Council reviews its performance and financial results against the adopted Operation Plan quarterly, authorises adjustments to budget items and highlights variations from its original budget strategy. The financial results referred to in the report to Council are unaudited.

A summary of the consolidated results, which include all three quarters amendments, are included below. A more detailed review of the financial position, by fund, is included in the Detail section of this report.

Note: Figures are in \$M and are rounded.

Consolidated \$ M	Original Budget	Revised Annual Budget	March Only Review Changes
P&L Excluding Capital Revenue	(2.8)	(2.4)	0.9
P&L Including Capital Revenue	(0.2)	2.8	1.1
Net Cash Flow movement	1.2	1.1	1.8

Consolidated improvements have occurred from the initial 2014-15 budget estimates, including a higher than budgeted Southern Phone dividend, higher campground revenue, additional developer contributions and extra grants and contributions. The main offsetting unfavourable

FBD15/033 BUDGET REVIEW MARCH 2015

E05.9535

adjustments result from expenditure associated with the additional grants and contributions received.

There are no material concerns at this quarterly review about meeting Council's budget targets for 2014-15.

RECOMMENDATION

THAT

1. The budget review report for the quarter ended 31 March 2015 be received and noted.
2. The favourable variations of \$1.1M this review for the Operating Statement and favourable variations of \$1.8M as per the Consolidated Fund Flow Statement be adopted.

BACKGROUND

The following tables and analysis relates to individual fund performance, which when combined form the Consolidated Financial Position.

General (excl waste and enviro) \$ M	Original Budget	Revised Annual Budget	March Only Changes
P&L Excluding Capital Revenue	(3.5)	(4.7)	0.7
P&L Including Capital Revenue	(2.6)	(2.2)	0.5
Net Cash Flow movement	2.4	1.3	0.3

The positive P&L before capital revenue largely results from increased campground revenues and recognition of the Southern Phone dividend. Unfavourable capital revenue adjustments have been processed reflective of the deferral of some grant funded capital works. Overall fund flow this quarter is \$0.3M favourable.

Major year to date changes this year relating to the P&L excluding capital revenue include:

	\$M
Projects deferred from FY 13/14	(1.8)
Increase in Batemans Bay Beach Resort anticipated revenue due to higher patronage	0.2
Revised Southern Phone Dividend based on actual amount	0.2

FBD15/033 BUDGET REVIEW MARCH 2015

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Sewer \$ M	Original Budget	Revised Annual Budget	March Review Changes
P&L Excluding Capital Revenue	0.3	1.0	0.0
P&L Including Capital Revenue	1.4	2.2	0.2
Net Cash Flow movement	1.0	0.6	0.1

The main adjustments this quarter in capital revenue are the recognition of an additional \$0.2M of S64 developer contributions. These funds have been restricted in accordance with legal requirements. In capital works, the Rosedale Pump Station Construction budget has been realigned to the planned works and deferred to 2015-16. The saving to this year has been offset by the recognition of the full sewer dividend to be passed to General Fund. (An additional \$0.3M of the total dividend of \$0.53M).

The main YTD budget movement relating to the P&L is reduced depreciation of \$0.5M.

Water \$ M	Original Budget	Revised Annual Budget	March Review Changes
P&L Excluding Capital Revenue	0.3	0.8	0.0
P&L Including Capital Revenue	0.8	2.3	0.2
Net Cash Flow movement	(1.6)	(1.2)	0.4

Increased capital revenues of \$0.2M from developer contributions recognised and restricted. There has been a favourable adjustment to fund flow movement resulting from deferral of sludge management capital works to 2015-16 of \$0.4M.

The main YTD budget movement relating to the P&L is reduced depreciation of \$0.3M.

Waste \$ M	Original Budget	Revised Annual Budget	March Review Changes
P&L Excluding Capital Revenue	0.3	1.0	0.2
P&L Including Capital Revenue	0.4	1.0	0.2
Net Cash Flow movement	(0.6)	0.5	1.0

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Whilst there are several favourable operational savings impacting the P&L this quarter, the main fund movements are the revote of \$3.6M of Capital Works to 2015/16. \$2.7M of the revoted works are loan funded.

The main YTD budget movements include;

- Lower depreciation of \$0.2M
- Increased revenue from investment reflecting a higher cash balance \$0.1M
- Additional revenue due to increased volume of construction and demolition waste \$0.1M.

Environment \$ M	Original Budget	Revised Annual Budget	March Review Changes
P&L Excluding Capital Revenue	(0.2)	(0.5)	0.0
P&L Including Capital Revenue	(0.2)	(0.5)	0.0
Net Cash Flow movement	(0.1)	(0.1)	0.0

Minor amendments this quarter, mainly reflective of additional grants received.

The main YTD budget movement relates to deferring from 2013/14 of the Lantana Push Back project, impact of \$0.1M.

Further detail on the adjustments reflected in the above tables is included in attachment 1(e) of the Financial Report to be presented at the Council Meeting on 12 May 2015.

Financial reports (Attachment 1)

These reports provide information at a consolidated level on Council's performance against its financial objectives contained in the Operational Plan.

Financial reports include:

- a) Consolidated Fund Flow Statement – This report shows the impact of operational, financial and investing activities on working capital (unrestricted).
- b) Consolidated Income Statement – Provides sources of income and expenditure, including depreciation, in the program areas and associated services.
- c) Consolidated Capital Program Statement – Provides capital expenditure information for each program area and associated services.
- d) Projected Funds Balance Statement – Provides information on the balances and movements in both unrestricted and restricted fund accounts.

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- e) Budget Amendment Report – Provides details of all proposed significant adjustments to budgets.

Consultancy, Legals and Contractors Report (Attachment 2)

Provides information on major contracts entered into, legal fees and consultancy costs for the quarter ended 31 March 2015.

Key Financial Indicators (Attachment 3)

Provides information about key financial indicators designed to assist in monitoring Councils financial sustainability.

Mayoral and Councillor Expenses (Attachment 4)

Provides information about Mayoral and Councillor expenditure for the half year ended 31 March 2015.

CONSIDERATIONS

Consolidated Fund Flow Statement (Attachment 1(a)):

The revised budgeted movement of unrestricted funds this quarter is favourable by \$1.7M. This partially offsets the unfavourable movements in the previous quarter. The revised unrestricted fund flow is marginally positive at \$0.04M.

Net favourable income adjustments after capital revenue total \$1.2M. These are largely attributable to additional revenue associated with increased patronage from the Batemans Bay Beach Resort, the receipt of grants, revised Southern Phone dividend, contributions and investment revenues, partially offset by expenditure relating to the grants and contributions and other minor adjustments in Councils operational program. Favourable movements in capital expenditure are due in part to \$3.6M deferred from the Surf Beach landfill, Brou landfill and Moruya transfer station until next year. Further details on the capital program are included on Attachment 1(c).

Consolidated Income Statement (Attachment 1(b)):

The revised budgeted deficit before capital revenue has been reduced by \$0.9M this quarter to \$(2.5M). Budget amendments that make up these improvements are detailed in the *Budget Amendment Report (Attachment 1(e))*.

FBD15/033 BUDGET REVIEW MARCH 2015

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Main points to note include:

Income is \$1.3M favourable due to increased revenues relating to user fees and charges \$0.2M, investment revenues \$0.3M, operating grants and contributions \$0.6M and capital revenues of \$0.2M.

Adjustments to the 2014-15 original income and expense budgets include the following items;

Favourable

- Increase in anticipated revenue from Batemans Bay Beach Resort
- Higher Southern Phone dividend than budgeted
- Recognition of interest on audited cash balances
- Grants income for Corrigans Beach accessible playground.
- Increased Developer Contributions relating to Sections 64 and 94.
- Amendments to modelled interest payable on loans to reflect the current loan portfolio

Partially offset by the following unfavourable items

- Works relating to the grants and contributions received
- Other minor expenses

Consolidated Capital Program Statement (Attachment 1(c)):

Capital expenditure is net \$5.4M favourable. This is largely due to the deferral of \$3.6M of works relating to the waste facilities. The impact from the Rosedale Pump Station Construction deferral pending NSW Government approvals is \$0.45M. The Sludge Management Facility deferred to 2015-16 in line with reprioritised works program impacts capital by \$0.4M.

Whilst the deferral of some capital expenditure from this year to next is quite substantial, it must be noted that much of these works were grant or loan funded and these funding sources will be reallocated together with these expenditure budgets. These deferred projects are being included in the operational plan for 2015-16 which is currently being finalised.

FBD15/033 BUDGET REVIEW MARCH 2015

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Movements in externally and internally restricted funds are listed in (Attachment 1(d)).

Detailed budget amendments are presented in the Budget Amendments Report (Attachment 1(e)).

Council's 2014-15 borrowing program will be completed in the final quarter and will be based upon the revised projected capital spend as per the results of the March Quarterly Budget Review.

Legal

This review is based on the Quarterly Budget Review Statement Guidelines issued December 2010 pursuant to the provisions of the Local Government Act 1993 relating to integrated planning.

Policy

The accounting policies being used are based on the financial statements for the year ended 30 June 2014. The 2013-14 financial statements have been audited and are available on Council's website.

"Variations" in the Fund Flow Statement are changes in funding requirements where "funds" are net current assets (working capital) excluding both internal and externally restricted funds.

Financial Environmental

Interest rates continue to remain at low levels.

Financial

The 2014/15 borrowing program will be completed in the final quarter with the borrowing amount to be based on the revised projected capital spend as at that time.

**Eurobodalla Shire Council
 Fund Flow Statement
 For the period ending 31 March 2015**

Attachment 1 (a)

	Original Annual			Revised Annual			YTD Actual		Act/Bud %
	Budget	Previous Reviews	This Review	Budget					
INCOME STATEMENT									
Income	93,724,508	3,012,874	1,056,419	97,793,801		88,395,994		90.39%	
Expenses	(96,380,121)	(3,761,423)	(113,486)	(100,255,031)		(78,226,021)		78.03%	
Net Ordinary Surplus before Capital Rev	(2,655,614)	(748,549)	942,933	(2,461,230)		10,169,973			
Capital Revenue	2,417,520	2,666,544	208,814	5,292,878		3,543,002		66.94%	
Net Surplus(-Deficit)	(238,094)	1,917,995	1,151,747	2,831,648		13,712,975			
CASH/FUND FLOW STATEMENT									
Operations									
Net Surplus(-Deficit) from above	(238,094)	1,917,995	1,151,747	2,831,648		13,712,975		484.28%	
Adjusts for Non Cash/Fund Flows	29,426,729	(1,027,864)	-	28,398,865		28,936,834		101.89%	
	29,188,635	890,131	1,151,747	31,230,513		42,649,809			
Investing									
Proceeds from Asset Sales	1,507,157	764,090	(27,358)	2,243,889		1,033,250		46.05%	
Repayments from Deferred Debtors	19,400	(62,400)	-	(43,000)		(37,500)		87.21%	
Purchase of Assets	(29,169,167)	(5,827,050)	5,423,396	(29,572,821)		(15,861,634)		53.64%	
	(27,642,610)	(5,125,360)	5,396,038	(27,371,932)		(14,865,884)			
Financing									
Proceeds from Borrowing	10,982,441	(792,998)	(3,112,470)	7,076,973		-		0.00%	
Repayments of Borrowings	(12,503,322)	(406,247)	-	(12,909,569)		(4,038,697)		31.28%	
	(1,520,881)	(1,199,245)	(3,112,470)	(5,832,596)		(4,038,697)			
Net Inc(-Dec) in Funds Before Transfers	25,145	(5,434,474)	3,435,315	(1,974,015)		23,745,227			
Transfers From/To Restricted Funds	332,724	3,400,833	(1,723,873)	2,009,684		1,170,972		58.27%	
Net Inc(-Dec) in Unrestricted Funds	357,869	(2,033,641)	1,711,442	35,669		24,916,199			

Eurobodalla Shire Council Consolidated Income Statement For the period ending 31/03/2015							Attachment 1 (b)
	Original Annual Budget	Previous Reviews	This Review	Revised Annual Budget	YTD Actual	Act/Bud	
INCOME STATEMENT							
Income							
Rates & Annual Charges	52,472,285	-	701	52,472,986	52,576,038	100%	
User Fees and Other	22,405,817	230,277	248,164	22,944,258	18,505,377	81%	
Investment Revenue	3,006,335	(79,464)	253,500	3,180,371	2,726,717	86%	
Operating Grants & Contributions	14,979,902	2,802,060	554,055	18,336,017	14,400,898	79%	
Capital Grants & Contributions	2,417,520	2,666,544	208,814	5,292,878	3,543,002	67%	
Gain/(Loss) on Disposal	860,169	-	-	860,169	187,016	22%	
Total Income	96,142,028	5,679,418	1,265,233	103,086,679	91,939,049	89%	
Less Expenses							
Business Development, Events & Tourism	6,355,143	183,720	76,351	6,615,215	5,235,005	79%	
Community Care	3,919,978	957,308	78,094	4,955,380	3,197,308	65%	
Community Spaces	10,056,815	137,640	104,347	10,298,803	8,368,079	81%	
Development Services	3,247,002	16,000	(6,040)	3,256,962	2,608,404	80%	
Emergency Management	1,395,753	123,284	-	1,519,037	1,408,558	93%	
Executive Services & Communication	2,030,240	18,080	25,000	2,073,320	2,298,350	111%	
Finance & Governance	6,300,589	(703,657)	-	5,596,932	3,067,430	55%	
Integrated Planning	453,150	17,200	(65,442)	404,908	267,805	66%	
Land Use Planning	683,113	210,143	16,222	909,478	607,724	67%	
Libraries, Arts & Culture	1,829,339	173,960	3,210	2,006,509	1,620,908	81%	
Natural Environment Planning	711,432	462,040	21,143	1,194,615	318,405	27%	
Organisation Development	1,486,517	260,531	-	1,747,048	1,147,309	66%	
Organisation Support	(5,997,533)	53,893	(82,048)	(6,025,688)	(6,469,929)	107%	
Public & Environmental Health	1,762,805	(42,901)	(21,250)	1,698,654	1,395,144	82%	
Sewer Services	18,155,726	(573,043)	-	17,582,683	14,363,526	82%	
Social Inclusion	2,987,368	640,411	(96,481)	3,531,298	2,564,083	73%	
Stormwater & Flood Management	1,839,074	215	-	1,839,289	1,747,797	95%	
Sustainability	888,655	649,318	54,660	1,592,633	997,190	63%	
Transport	14,495,941	1,693,940	135,720	16,325,602	14,578,208	89%	
Waste Management	8,472,543	(232,763)	(130,000)	8,109,780	5,622,420	69%	
Water Services	15,306,471	(283,897)	-	15,022,575	13,286,619	89%	
Total Expenses	96,380,121	3,761,423	113,486	100,255,031	78,230,341	78%	
Surplus (Deficit) after Capital Revenue	(238,094)	1,917,995	1,151,747	2,831,648	13,708,707		
Surplus (Deficit) before Capital Revenue	(2,655,614)	(748,549)	942,933	(2,461,230)	10,165,705		

Eurobodalla Shire Council
Capital Program Statement
 For the period ending 31 March 2015
 Attachment 1 (c)

	Original Annual			Revised Annual		
	Budget	Previous Reviews	This Review	Budget	YTD Actual	Act/Bud
Business Development, Events and Tourism	146,622	224,300	-	370,922	132,066	36%
Community Spaces	3,979,574	1,841,094	25,652	5,846,320	3,302,813	56%
Emergency Management	-	194,686	(105,000)	89,686	192,121	214%
Executive Services & Communication	-	-	-	-	15,571	0%
Libraries, Arts & Culture	421,500	-	(100,000)	321,500	102,033	32%
Organisation Development	-	8,680	-	8,680	-	0%
Organisation Support	3,623,141	1,453,024	(450,000)	4,626,165	2,976,688	64%
Sewer Services	5,547,000	99,000	(450,000)	5,196,000	1,889,290	36%
Social Inclusion	15,000	26,500	(12,925)	28,575	28,929	101%
Stormwater & Flood Management	344,430	52,170	-	396,600	160,286	40%
Sustainability	-	4,000	-	4,000	41,689	1042%
Transport	7,790,900	1,412,320	(234,123)	8,969,097	5,135,596	57%
Waste Management	4,355,000	54,276	(3,640,000)	769,276	55,974	7%
Water Services	2,946,000	457,000	(457,000)	2,946,000	1,828,579	62%
Total Capital Expenditure	29,169,167	5,827,050	(5,423,396)	29,572,821	15,861,634	54%

Projected Fund Balances Statement
 Eurobodalla Shire Council
 For the period ending 31 March 2015

Attachment 1 (d)

	Opening Balances	Original Budget	Previous Reviews	This Review	Revised Budget	Closing Balances
Unrestricted Funds	25,924,000	1,564,683	(1,647,469)	287,645	204,858	26,128,858
Externally Restricted						
Water Fund	10,166,832	(1,573,374)	(21,350)	372,507	(1,222,218)	8,944,615
Sewer Fund	10,579,998	1,008,024	(478,597)	70,060	599,487	11,179,486
Waste Fund	7,086,181	(641,464)	113,776	991,530	463,841	7,550,023
Rest Inv - Other Developer Contributions	3,213,889	(375,012)	652,736	773,652	1,051,376	4,265,265
Rest Inv - Tree Fund	44,671	(5,233)	-	-	(5,233)	39,438
Rest Inv - Unexpended Grant	3,956,400	(285,000)	(2,242,903)	(30,865)	(2,558,768)	1,397,632
Rest Inv - CS Asset Replacement	27,231	-	-	-	-	27,231
Rest Inv - Unexpended Loans	803,713	-	(840,191)	36,481	(803,710)	3
Rest Inv - Crown Reserve (General)	382,659	(346,077)	(170,215)	-	(516,292)	(133,633)
Rest Inv - Crown Reserve Loan Pool	148,228	2,000	-	-	2,000	151,228
Rest Inv - Contributions	942,154	60,000	(174,423)	32,909	(81,514)	260,640
Rest Inv - S94A Contributions	75,717	150,000	234,490	-	384,490	460,207
Rest Inv - Stormwater Fund	30,692	-	-	701	701	31,393
Rest Inv - Voluntary Planning Agreements	43,852	-	(44,400)	-	(44,400)	(548)
Total Externally Restricted Funds	36,903,218	(2,006,136)	(2,971,077)	2,246,975	(2,730,239)	34,172,979
Internal Restricted Funds						
Rest Inv - Employee Leave Entitlements	1,530,173	75,000	-	-	75,000	1,605,173
Rest Inv - Unexpended General Fund Loans	253,520	-	(253,520)	-	(253,520)	-
Rest Inv - Works Income Equalisation Fund	574,530	50,000	113,275	15,022	178,297	752,827
Rest Inv - Council Funded Loan Pool	147,616	3,400	(60,000)	-	(56,600)	91,016
Rest Inv - Other Internal Restrictions	1,376,831	943,000	(406)	-	942,594	2,319,424
Rest Inv - Infrastructure Fund	644,246	(199,298)	(236,533)	(125,000)	(560,831)	83,415
Rest Inv - Gravel Pits	157,384	-	-	-	-	157,384
Rest Inv - Sports Liaison	95,424	-	-	-	-	95,424
Rest Inv - Management Committees	268,277	33,418	(258)	(11,093)	(11,093)	84,391
Rest Inv - Real Estate Disposal Fund	1,437,550	-	550,000	105,006	655,006	2,092,556
Rest Inv - Energy and Efficiency Fund	1,161,859	(358,922)	(240,754)	530,000	(69,676)	1,092,183
Rest Inv - Interest Equalisation Fund	1,151,805	-	-	-	-	1,151,805
Rest Inv - Community Development Infrastructure Fund	444,938	-	(97,057)	423,500	326,443	771,381
Rest Inv - IT Investment Fund	3,234,906	(80,000)	(590,674)	-	(670,674)	2,564,232
Rest Inv - Carbon Tax Fund	124,903	-	-	-	-	124,903
Total Internal Restricted Funds	12,603,960	466,598	(815,927)	910,995	561,666	13,165,626
Total Funds	75,431,179	25,145	(5,434,474)	3,446,615	(1,963,715)	73,467,464

Fund	Cost Centre	G/L Code	Fund Flow Type	Description	Favourable/ (Unfavourable)	Explanation
ENVIRONMENT FUND						
	Landscape		Revenue	Grants		
	Various		Expenses	Various		
	Total for Fund:				<u>57,330</u>	Funding from Department of Environment for Landscape and Bush Heritage Programs.
					<u>(12,660)</u>	Majority grants expenditure, partially offset by water testing now being funded within grant programs.
					<u>24,670</u>	
WASTE FUND						
	Bin Transfer		Revenue	Tipping/Landfill fees		
	Soft Beach Landfill		Expenses	Tip Maintenance		
	Various		Capital	Green Waste Recycling/Mulching		
	Various		Transfers	Project Funding		
	Various		Transfers	Loan utilizations		
	Various		Transfers	Developer Contribution utilizations		
	Total for Fund:				<u>60,000</u>	Increase in volumes of construction and demolition waste received.
					<u>80,000</u>	Reduced maintenance requirements resulting from a delay in the delivery of the waste transfer loader.
					<u>50,000</u>	Revised mulch loading and some monitoring practices resulting in efficiency gains.
					<u>3,560,000</u>	New cells and associated works delivered to 2015-16.
					<u>(12,744,470)</u>	Utilization of borrowings revised to reflect deferral of capital projects.
					<u>(94,000)</u>	Developer contribution utilizations revised to reflect deferred capital projects.
					<u>991,500</u>	
WATER FUND						
	Development Contributions - Water		Capital Revenue	964 Water Supply Contributions		
	Water Treatment		Capital Expenditure	W&S - Project Construction		
	Development Contributions - Water		Capital Expenditure	W&S - Project Construction		
	Various		Transfers	964 Water Supply Contributions		
	Total for Fund:			Other items less than \$50,000		
					<u>200,000</u>	964 Contributions received reflective of current development conditions. Funding restricted.
					<u>100,000</u>	Tendered price at MWTP solar lower than anticipated.
					<u>400,000</u>	Purchase of sludge management facility delivered to 2015-16.
					<u>(284,493)</u>	Restriction of developer contributions received and further adjustments reflective of deferred project.
					<u>(43,000)</u>	Other minor capital works
					<u>372,507</u>	
SEWER FUND						
	SDC Development Contributions - Sewer		Capital Revenue	964 Sewer Contributions		
	Pump Stations		Capital	W&S - Project Construction		
	Internal Overhead Transfer		Transfers	Diverted to General Fund		
	Development Contributions		Transfers	964 and other Contributions		
	Various		Transfers	Loans and Developer Contributions		
	Total for Fund:			Other items less than \$50,000		
					<u>200,000</u>	964 Contributions received reflective of current development conditions. Funding restricted.
					<u>450,000</u>	Roseville Pump Station construction to continue in 2015-16.
					<u>(300,000)</u>	Restrictive full dividend to be transferred to general fund pending best practice audit results.
					<u>(231,409)</u>	Restriction of 964 and low pressure sewer developer contributions received.
					<u>(91,540)</u>	Revised utilization of restricted funding as a result of project being deferred to 2015-16.
					<u>44,609</u>	Other
					<u>70,000</u>	

General Fund amendments on following page

Fund	Cost Centre	G/L Code	Fund Flow Type	Description	Favourable/ (Unfavourable)	Explanation
GENERAL FUND	Fire Control	Grants		Burntford Rural Fire Station	(125,000)	Grant funded construction deferred to 2015-16
		Capital Expenditure		Burntford Rural Fire Station	125,000	Construction deferred to 2015-17
	Children's Services	Revenue		COSSH/FFC - Childcare Benefit Income	(155,000)	Reduction of CCB based on current enrolments in Family Day Care
		Revenue		Supported Playgroup	50,000	Depreciation of Social Services grant for supported playgroup project.
		Expenses		Childcare Benefit	155,000	Adjustment of Childcare Benefit Expense to match revised Childcare Benefit Income
		Expenses		Supported Playgroup	(50,000)	Expenses relating to new grant received.
	Natural Environment Planning	Expenses		Consultancies	(87,760)	Rural Land Strategy inclusion in Q4 FY14/15
		Expenses		Salaries & Wages	91,303	Reduction in wages payable due to current vacancies.
		Expenses		Other items less than \$50,000	(20,985)	Various minor costs including recruitment, and software.
	Development Control - Strategic Unit			Consultancies	(72,240)	Rural Land Strategy inclusion in Q4 FY14/15
				Salaries & Wages	106,980	Reduction in wages payable due to current vacancies.
				Other items less than \$50,000	(52,942)	Various minor costs including recruitment, and software.
	Caravan Parks	Revenue		Caravan Parks Revenue	(16,222)	Revised FY 14/15 projection at the Maramurus Bay Beach resort based on current trend.
	Turpos Progress Hall	Asset Sales - L & B		Turpos Progress Hall	213,896	Recognise actual final net proceeds from sale of Turpos Progress Hall
				Rural Estate Disposal Fund - Transfers to	(67,318)	Recognise actual final net proceeds from sale of Turpos Progress Hall
					41,994	
					(25,344)	
	Parks & Recreation - Cap Expenditure	Capital		Corrigans Beach Res Between Disabled Playground	(90,000)	Record works supported by Dept of Trade & Investment funding for Corrigans Beach accessible playground
		Grants		Corrigans Beach Res Between Disabled Playground	90,000	Record Dept of Trade & Investment funding for Corrigans Beach accessible playground
	Sport & Recreation	Capital		Batemans Bay Tennis Courts	(50,000)	Renewal of Batemans Bay tennis court
	General Rates & Revenues	Revenue		Internal Dividend Transfers	300,000	Sever dividend estimate revised to reflect final audited 13-14 financial statements
		Revenue		Other Investment Revenues	203,500	Revised Southern Pione Division based on actual amount
		Revenue		Interest - Overdue Rates and Charges	50,000	Record additional interest on overdue rates based on trend
		Transfer		Energy and Efficiency Fund - Transfers to	(30,000)	Reduction of the dividend transferred from sewer to general fund as per Best Practice Guidelines
		Transfer		Community Development Infrastructure Fund	(423,500)	Revised full amount for Southern Pione Division
					(400,000)	
	Narrowm Sport & Leisure Centre	Capital		Buildings - Walls & Roofing	(125,000)	Roofing and other refurbishments works brought forward from 2015-16 for safety reasons
		Transfer		Infrastructure Fund - Uplication	125,000	As per Infrastructure Fund program 2015-16. Revised, replace hanging basketball system, external facade
	Car Park - Sale of Carpark Land - Mirrabooka Ave	Asset Sales		Asset Sales - L & B	147,000	Sale of property is at contract stage and will be finalised this year.
		Transfer		Rural Estate Disposal Fund - Transfers to	(147,000)	Restriction of the funds received for the sale of the Mirrabooka Avenue carpark land.

General fund amendments continued on following page

Fund	Cost Centre	GA Code	Fund Flow Type	Description	Financially (unrecoverable)	Explanation
General Fund amendments continued:						
	Development Contributions - Roads		Revenue Transfer	504 Road Works Contributions Developer Contributions - Transfers in	100,000 (100,000)	504 road works contributions received, reflective of current development conditions. Funding restricted. Restriction of developer contributions received to ensure correct future allocation.
	Local Rural		Revenue Expense	Contributions - RMS Other Client Cleaning by Sucker	91,575 (91,575)	91,575 Funding received from Roads and Maritime Services for disaster recovery works (December 2014 floods). Disaster recovery works (December 2014 floods) funded by Roads and Maritime Services.
	Local Urban Capital - Murray Shire		Capital	Project Planning	(250,000)	Raising of Murray Street as per 2014-15 Floodplain Management Program funding received.
			Revenue	Capital Grants - Roads & Bridges	250,000	2014-15 Floodplain Management Program funding received for Murray Street raising.
	Burnford Rural Fire Station		Capital Revenue	Project Planning Capital Grants - Bushfire & Emergency Services	106,000 (106,000)	Construction at Burnford Rural Fire Station continuing in 15-16. Deferred contribution from RMS in line with construction continuing in 15-16.
	Murray Cultural Precinct		Capital Transfer	Other Assets - Other Unap Gen Fund Loans - Utilisation	100,000 (100,000)	The Murray Cultural Precinct is still in design concept investigation stage and will proceed in 2015-16. Loan funding not required for utilisation this year due to works continuing in 2015-16.
	Nelligen Boat Ramp Upgrade & New Carpark		Capital Transfer	Project Planning Unap Gen Fund Loans - Utilisation	268,000 (268,000)	Funding for the purchase of land will not be required this year as negotiations are still underway. Utilisation of loan funding is not yet required due to land negotiations still being underway.
	Plant Operations		Capital	Plant & Equipment	345,000 (345,000)	Net funding not required this year as purchase and associated plant sales will be finalised in 2015-16.
	Total Above Other Items less than 550,000				99,887 161,088	
	Total General Fund				262,975	
CONSOLIDATED NET INCREASE/(DECREASE) IN FUNDS THIS QUARTER					1,773,742	

Eurobodalla Shire Council

Attachment 2

Consultancy, Legal and Contractors Expenses
 for the quarter ending 31 March 2015

Contractors Expenses

Contractor	Contract detail & purpose	Contract Value	Commencement Date	Duration of contract	Budgeted (Y/N)
Abergeldie Watertech Pty Ltd	Sewer relining	782,459	Jan-15	26 weeks	Y
Ted Wilson & Sons Pty Ltd	Augmentation of Sewage Pumping Stations BB20 & BB21	507,467	Feb-15	16 weeks	Y
SITA Australia Pty Ltd	Litter collection	1,976,965	Mar-15	5 Years	Y
Sydney Water Monitoring Services	Provision of analytical laboratory services to support monitoring programs	variable up to 376,000	Mar-15	3 years	Y
IQON Pty Ltd	Laboratory Services	246,993	Mar-15	26 weeks	Y

Consultancy and Legal Expenses

	\$ March Quarter	Budgeted (Y/N)	Comments
Consultants	347,945	Y	Sewer and Water capital design and reviews, environmental studies and management strategies, airport project plan review, equine consultant to develop business plan, project management costs and bridge design.
Legal Fees	114,289	Y	Rates recoveries, development application legal action, compliance legal action, general advice and assistance with contracts, documents and leases.

Definition of consultant:

A consultant is a person or organisation engaged under a contract on a temporary basis to provide recommendations, or high level specialist or professional advice, to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Eurobodalla Shire Council
Key Financial Indicators
 for the quarter ended 31 March 2015

Indicator	Target	Actual 2013-14	Budgeted 30 June 2015	Projected 30 June 2015
Unrestricted current ratio	> 2	2.85	>2	>2
Debt Service Ratio	0-20%	18.43%	10.17%	10.17%
Rates & Annual charges Coverage ratio	< 60%	49.70%	55.07%	51.33%
Rates, Annual charges Interest & Extra Charges Outstanding Percentage	< 5%	3.56%	4.01%	3.56%
Buildings & Infrastructure Renewals Ratio	100%	48.81%	42.35%	52.30%

Explanations:

Unrestricted Current Ratio - Indicates adequacy of working capital and the ability to satisfy obligations in the short term for the short term unrestricted activities of Council.

Debt Service Ratio - Indicates the impact of loan principal and interest repayments on the discretionary revenue of Council.

Rates & Annual charges Coverage ratio - Indicates the dependence upon revenue from rates and annual charges and to assess the security of Council's income.

Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage - indicates the impact of uncollected rates and annual charges on liquidity and the adequacy of recovery efforts.

Buildings & Infrastructure Renewal Ratio - indicates the rate at which these assets are being renewed against the rate at which they are depreciated.

Notes:

(a) Actuals from 2013/2014 Financial Statements.

(b) Budgeted ratios are based on the original budgets for 2014-15.

(c) Projected ratios are based on the revised budgets for 30 June 2015.

Mayor and Councillor Fees and Expenses January 2015 - March 2015

Attachment 4

Councillor	Councillor Allowance	Conference / Delegate Costs (Note 1)	Travelling Expenses	Phone / Fax / Internet etc	Training / Skill Development	Other	TOTAL
	\$	\$	\$	\$	\$	\$	\$
ice	4,373		593	248		80	5,294
own	13,913	1,921	3,942	488		139	20,402
inside	4,373	1,207	530	342			6,452
rding	4,373	456		243	-		5,072
nes	4,373			403			4,775
slight	4,373	1,401	503	514			6,790
illock OAM	4,373	3,614	1,316	495			9,798
hwarz	4,373		38	390	-	-	4,800
omson OAM	4,373	444	463	808			6,088
ITAL	48,893	9,043	7,385	3,932	-	219	69,471

Note 1

Conference / Seminar / Delegate Costs also includes LGA expenses.

FBD15/034 INVESTMENT POLICY

**E05.9513,
E06.0355**

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: 1. Investment Policy

Strategic Objective: Support Services

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

Operational Plan Link: SS1.1.1 Provide integrated corporate accounting and financial management systems and procedures

EXECUTIVE SUMMARY

The current Investment Policy requires 20% or more of Council's investments to be government guaranteed. This requirement was included in the investment policy to make sure that the portfolio was diversified between acceptable risk and risk free investments however, banks are now required to maintain proper leverage ratios and meet certain capital requirements. This improves the banking sector's ability to deal with financial and economic stress and will allow councils to simplify their investment procedures.

Council's Investment Policy has been updated to reflect these banking improvements and placed on public exhibition.

RECOMMENDATION

THAT Council adopt the amended Investment Policy.

BACKGROUND

Council's current Investment Policy was approved on 13 September 2013 and there have been a number of changes to the banking requirements (Basel iii) together with Council's situation in respect of investments in Collateralized Debt Obligations (COPs).

The new framework for banks sets out internationally agreed minimum requirements for higher and better quality for banks globally.

The result of the Basel iii legislation will be that banks are more able to absorb losses, however this regulation requires banks be given 31 days' notice to break a deposit. Council rarely has to break deposits because their cash flow is stable. There is enough money in on call deposits and Council's \$2.5m overdraft facility to cover emergencies.

CONSIDERATIONS

Due to the changes in the banking regulations it is considered that Council remove the government guaranteed component of the Investment Policy. Information received from Curve Securities, banking personnel and a review of policies from other councils, indicates that no other council has this government guaranteed requirement.

A change in the policy could increase the return on investment considerably and the increase risk would still be within Council's risk parameters of 'near risk free'.

FBD15/034 INVESTMENT POLICY

**E05.9513,
E06.0355**

The current Investment Policy has the 'near risk free' category as equal to / or better than Standard and Poors 'A' long term and 'A-1' short term rating. This has been amended to reflect the 'A' category (A-AA) being 'near risk free' and then restricting the Maximum % by the short term rating ie. 'A-1' 100% and 'A-2' restricted to 60% of the portfolio. The 'some limited risk' category can then be described as any investment below the 'A' category.

Legal

Councils are required to make all investments within the Minister's Order together with a number of other Acts and Regulations. They must exercise care, diligence and skill that a prudent person would exercise in investing council funds.

Policy

The latest investment report shows the current policy and liquidity risk percentages. The Audit Committee agreed with the recommended changes to the Investment Policy on 17 February 2015.

Communication / Consultation

We have consulted with the community by seeking feedback through a 28 day Public Exhibition where the amended Investment Policy was displayed on Council's website, at the Batemans Bay, Moruya and Narooma libraries and Moruya customer service centre and in the local newspaper. No submissions were received.

Financial

The policy needs to be clear so the long term and short term rating is grouped as a category and the only variation is the maximum percentage allowed in each category. The 'at risk' category has been removed because there are no investments allowed by the Minister that would fall into that category.

CONCLUSION

It is considered that the 'at risk category' is no longer necessary, and that Council's policy as amended reflects the changes to the banking industry legislation.



POLICY

Policy name	Investment Policy
Responsible manager(s)	Director Finance and Business Development
Contact officer(s)	Anthony O'Reilly
Directorate	Finance
Approval date	February 2015

Purpose

Eurobodalla Shire Council's policy is designed to ensure that Council's investments reflect the preference to reduce risk and comply with current NSW Local Government investing policy guidelines, 'best practice' and the current Ministerial Order.

This policy is a requirement of the *Local Government Code of Accounting Practice and Financial Reporting* issued by the Department of Local Government ('DLG') pursuant to section 412 of the *Local Government Act 1993 (NSW)* as set out below:

"Council must maintain an investment policy that complies with the Act and ensures it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds."

The *Trustee Amendment (Discretionary Investments) Act 1997 (NSW)* section 14A(2) provides further guidance on a "prudent person": *"A prudent person is expected to act with considerable duty of care, not as an average person would act, but as a wise, cautious and judicious person would."*

The Accounting Code defines "investments" as: *"money that is not, for the time being, required by the council for any other purpose"*.

Both the policy and investing practices of the Council must comply with Section 625 of the *Local Government Act 1993* as set out below:

"625 How may councils invest?"

- 1) A council may invest money that is not, for the time being, required by the council for any other purpose.*
- 2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.*
- 3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.*
- 4) The acquisition, in accordance with section 358, of a controlling interest in a corporation is not an investment for the purposes of this section."*

The Ministerial Investment Order as at 12 January 2011 was current at the date of adopting this policy and is included in this document (see [Appendix 1](#))

In formulating this policy the Council has also considered the 'Investment Policy Guidelines' issued by the DLG in May 2010. While it is the belief of the Council that these



guidelines are not binding, it is also the Council's belief that they represent best practice and should be incorporated within the adopted investment policy.

This policy aims:

- To ensure the Council has appropriate working capital funds available to carry out its strategic plans as outlined in its delivery program and operational plan (or management plan). Long term core investments are limited or avoided in favour of a focus on working capital investments so that funds are readily available if required.
- To ensure that a reasonable level of funds are immediately accessible in the event of a disaster or unexpected failure of infrastructure.
- To ensure that the Council is able to meet its liability commitments as they fall due.
- To ensure that legally restricted funds are appropriately accounted for and invested so as to earn reasonable income towards their purposes. Legally restricted funds include trusts, developer contributions, unexpended grants, crown reserves etc.
- To ensure that all statutory requirements are met.

Policy statement

1	Application This policy applies to the investment of Eurobodalla Shire Council's surplus funds.
2	Legislation Eurobodalla Shire Council will comply with Section 625 of the <i>Local Government Act (NSW) 1993</i> ; <i>The Trustee Amendment (Discretionary Investments) Act 1997 (NSW)</i> section 14A(2); <i>Local Government Code of Accounting Practice and Financial Reporting and Investment Policy Guidelines</i> dated May 2010 (issued by the DLG)
3	Australian Currency All investments must be denominated in Australian Dollars and comply with the Minister's determination.
4	Order of Priorities The order of priorities is firstly the preservation of capital, and second, the maintenance of liquidity. In this context 'liquidity' refers to the speed and ease with which an asset can be converted to cash.
5	Acceptable Risk Criteria For Financial Instruments Credit risk refers to the risk of ultimately not being able to redeem the funds. The average credit risk of the portfolio should reflect the conservative approach that a 'prudent person' would take to investing. This approach should be reinforced by investing in term deposits and remote risk investments.
5.1	Remote risk Up to 100% of all invested funds may be invested in deposits issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory. Investments held in the State and Territories must be diversified.



	<ul style="list-style-type: none">• Low liquidity risk 0% - 100%• Medium liquidity risk 0% - 70%• High liquidity risk 0% - 50%																																
5.2	<p>Near risk-free</p> <p>Up to 100% of all invested funds.</p> <p>Investments in this category must be issued by Australian authorised banks with a Standard and Poor's (S&P) rating equal to "A-1" or "A-2" short term and in the "A" category long term (A- to AA) or with an equivalent Moody's or Fitch rating equivalents. Noting that "senior debt" and like investments with banks meeting the above criteria is permitted within this risk category.</p> <ul style="list-style-type: none">• Low liquidity risk 0% - 80%• Medium liquidity risk 0% - 50%• High liquidity risk 0% - 30%																																
5.3	<p>Some limited risk</p> <p>Up to 20% of all invested funds.</p> <ul style="list-style-type: none">• Low liquidity risk 0% - 30%• Medium liquidity risk 0% - 20%• High liquidity risk 0% - 10% <p>Authorised banks with an S&P rating equal or better than "A-3" short term or "BBB" category long term or with an equivalent Moody's or Fitch Rating equivalents. Other authorised banks, building societies and credit unions are restricted to those with total assets in excess of \$1 billion including the Illawarra Mutual Building Society (IMB).</p>																																
5.4	<p>Investment Parameters</p> <p>The maximum holding in each rating category for Council's portfolio shall be:</p> <table><thead><tr><th>S&P Long Term Category</th><th>S&P Short Term Category</th><th>Maximum %</th><th>Risk Rating</th></tr></thead><tbody><tr><td>AAA (incl. government guaranteed deposits)</td><td>A-1+</td><td>100%</td><td>Remote Risk</td></tr><tr><td>AA</td><td>A-1</td><td>100%</td><td>Near Risk Free</td></tr><tr><td>A</td><td>A-1 to A-2</td><td>60%</td><td>Near Risk Free</td></tr><tr><td>BBB</td><td>A-3</td><td>20%</td><td>Some Limited Risk</td></tr><tr><td>ADI/Unrated *</td><td></td><td>10%</td><td>Some Limited Risk</td></tr></tbody></table> <p>The percentage per institution will restrict amount invested in one Bank, Building Society or Credit Union as shown below.</p> <table><thead><tr><th>S&P Long Term Category</th><th>S&P Short Term Category</th><th>Maximum % per Institution</th><th>Risk Rating</th></tr></thead><tbody><tr><td>AAA (incl. government guaranteed deposits)</td><td>A-1+</td><td>40%</td><td>Remote Risk</td></tr></tbody></table>	S&P Long Term Category	S&P Short Term Category	Maximum %	Risk Rating	AAA (incl. government guaranteed deposits)	A-1+	100%	Remote Risk	AA	A-1	100%	Near Risk Free	A	A-1 to A-2	60%	Near Risk Free	BBB	A-3	20%	Some Limited Risk	ADI/Unrated *		10%	Some Limited Risk	S&P Long Term Category	S&P Short Term Category	Maximum % per Institution	Risk Rating	AAA (incl. government guaranteed deposits)	A-1+	40%	Remote Risk
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	AA	A-1	30%	Near Risk Free	
	A	A-1 to A-2	20%	Near Risk Free	
	BBB	A-3	15%	Some Limited Risk	
	ADI/Unrated		5%	Some Limited Risk	
	*This category is restricted to banks, building societies and credit unions with total assets in excess of \$1 billion.				
6	Unacceptable investments Any investment that falls outside the Minister's order or not included in this policy.				
7	Safe custody arrangements It will not be acceptable for title to Council's investments to be held by other organisations unless the following criteria are met: <ul style="list-style-type: none"> • There is adequate documentation confirming the existence of the investments • The institution recording and holding the assets is "ASX Limited", or "ANZ Nominees", or has an S&P rating equal or better than "A-1" short term and "A" long term ("strong") or with an equivalent Moody's rating of "P1" short term and "A2" long term or Fitch Rating equivalents. <i>(Where Council's assets are held in safe custody by an institution, Council may be exposed to the creditworthiness of that institution.)</i>				
8	Other Forms of Investment Internal loans are acceptable subject to any legal requirements noting that Ministerial approval is, at the time of adopting this policy, required for internal investing/borrowing arrangements to or from externally restricted funds, however such arrangements must not compromise liquidity or compliance with industry standards for financial ratios. Interest-free loans to community organisations and the like are covered by separate Council policies.				

Implementation

Requirements		Responsibility
1	Code of Practice This policy will be implemented by following council's Investment Code of Practice, which specifies in detail the plan, procedures and matters to be considered.	Director Finance and Business Development
2	Staff Under supervision of the Responsible Accounting Officer council staff will be responsible for ensuring that policies are implemented appropriately within their work area.	Divisional Manager Finance/ Asset Accountant/ Asset Officer
3	Complaints and requests Complaints and requests received regarding the Investment Policy or investments will be recorded on Council's Records Database and handled in accordance with the complaints policy.	Divisional Manager Governance and Information



4	Consultation At least every 3 years, arrange a full comprehensive review of Council's policy and investing activities by an appropriately qualified (e.g. ASIC) adviser with the costs to be met by interest earnings and seek appropriate advice on other occasions as required. The Audit committee should meet quarterly to review the investing environment and strategy.	Director Finance and Business Development Audit Committee
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Review

The policy will be automatically revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless council revokes it sooner.

Note: Automatic revocation of the policy is provided for by section 165(4) of the Local Government Act 1993. The next general local government election is expected to be held in September 2016.

This policy may also be reviewed and updated as necessary if legislation requires it; or when council's functions, structure or activities change; or when technological advances or new systems change the way that council manages Investment.

Reviews of the effectiveness of this policy could include the following:

Performance indicator	Data source(s)
Complaints	Council records
Customer Feedback Survey Responses	Surveys
Internal or external audit	Audit
Interest exceeds the Average Bank Bill Swap Rate by 25 Basis Points	Report

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policies

Name	Link
Code of Practice	Hyperlink to COP on website
Local Government Act 1993	www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182
Trustee Amendment (Discretionary Investments) Act 1997	www.legislation.nsw.gov.au/sessionalview/sessional/act/1997-102.pdf
Ministerial Investment Order 12 January 2011 (p.597)	www.nsw.gov.au/sites/default/files/Government_Gazette_11_February_0.pdf



DLG Local Government Code of Accounting Practice and Financial Reporting 2009	www.dlg.nsw.gov.au/DLG/Documents/Standards/Code%2017%20Guidelines%20-%20General%20Purpose%20Financial%20Reports%202009.pdf
DLG Investment Policy Guidelines	www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/Investment%20Policy%20Guidelines%20May%202010.pdf

Related external references

Name	Link
Division of Local Government	www.dlg.nsw.gov.au/

Supporting documents

Name	Link
DLG Circular re: Revised Ministerial Order (17 Feb 2011)	www.dlg.nsw.gov.au/dlg/dlghome/documents/Circulars/11-01.pdf

Definitions

Word/Term	Definition
Prudent Person	A prudent person is expected to act with considerable duty of care, not as an average person would act, but as a wise, cautious and judicious person would.
Credit Risk	The risk of ultimately not being able to redeem the funds.
Investments	Money that is not, for the time being, required by the council for any other purpose

Change history

Version	Approval date	Approved by	Change
1	22 Sept 2011	Council	Previous version of policy
2	DD MM 2013	Council	Updated to new Policy Template, updated review date, updated references and links

Internal use

Responsible officer	General Manager		Approved by	Council	
File Reference:	E13.7095	Council report no:		Effective date:	
Min no:		Review date:	April 2016	Pages:	9



APPENDIX 1 – Ministerial Investment Order 12 Jan 2011

Extracted on 25/03/13 from:

www.nsw.gov.au/sites/default/files/Government_Gazette_11_February_0.pdf

NEW SOUTH WALES GOVERNMENT GAZETTE No. 14 pp597-598
OFFICIAL NOTICES 11 February 2011
LOCAL GOVERNMENT ACT 1993
Investment Order
(Relating to Investments by Councils)

I, the Hon. BARBARA PERRY, M.P., Minister for Local Government, in pursuance of section 625 (2) of the Local Government Act 1993 and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- a) any public funds or securities issued by or guaranteed by the Commonwealth, any State of the Commonwealth or a Territory;
- b) any debentures or securities issued by a council (within the meaning of the Local Government Act 1993 (NSW));
- c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit taking institution (as defined in the Banking Act 1959 (Cwth)), but excluding subordinated debt obligations;
- d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- i. Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- ii. Paragraph (i) only applies to these investments made before the date of this Order and does not apply to any restructuring or switching of investments or any reinvestment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.



All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons. When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12th day of January 2011.
The Hon. BARBARA PERRY, M.P.,
Minister for Local Government

FBD15/035 SALE OF COUNCIL LAND - AMENDMENTS TO MINUTE 15/31

E01.5076

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: Nil

Strategic Objective: Support Services

Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services

Operational Plan Link: SS3.3.4 Manage Council property to achieve best value to the community

EXECUTIVE SUMMARY

An error was made with the legal descriptions of two properties in the Council resolution No. 15/31 and should be amended to enable the intended action to be taken with those properties.

RECOMMENDATION

THAT the following amendments be made to the resolution of Council Minute No. 15/31 due to typographic errors:

- 1.(a) Replace "DP 7188667" with "DP 718667";
- 5.(n) Replace "DP 303365" with "DP 30365";
- 10.(t) Replace "DP 303365" with "DP 30365";
- 12.(a) Replace "DP 7188667" with "DP 718667";
- 12.(x) Replace "DP 303365" with "DP 30365".

BACKGROUND

At its Ordinary meeting held on 24 February 2015 Council considered report FBD15/019 Sale of Council Land on the sale of a number of properties considered surplus to needs and resolved to take actions to facilitate their sale.

CONSIDERATIONS

Legal

The legal description of two properties was incorrectly made with typographic errors in the resolution, namely Lot 38 DP 718667, Train Street, Broulee which was listed as Lot 38 DP 7188667 and Lot 14 DP 30365, Bay View Street, Surf Beach which was listed as Lot 14 DP 303365.

A resolution to amend this error in the Council Minute 15/31 is required to enable the intended action to be taken with those properties.

CONCLUSION

The error made with the legal descriptions of two properties in the Council resolution No. 15/31 should be amended to enable the intended action to be taken with those properties.

A more rigorous check of property descriptions will be taken in the future.

FBD15/036 LAND ACQUISITION - BROU WASTE MANAGEMENT FACILITY

93.5568.D

Responsible Officer: Anthony O'Reilly - Director Finance and Business Development

Attachments: Nil

Strategic Objective: Support Services

Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services

Operational Plan Link: SS3.3.4 Manage Council property to achieve best value to the community

EXECUTIVE SUMMARY

Council has previously resolved to acquire land in State Forest for the Brou Waste Management Facility by compulsory process with consent from Forestry Corporation. Part of the land is required for public road purposes. A more expedient means to achieve the desired outcome is to acquire part of the land specifically for public road purposes using Council's powers under the Roads Act rather than the Local Government Act.

RECOMMENDATION

THAT:

1. Application be made to the Minister for Local Government and the Governor to acquire part of Bodalla State Forest being part Lot 147 and part Lot 197 in the Deposited Plan 752131 and closed road for public road purposes by compulsory process in accordance with Council's power under Section 177(1) of the Roads Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
2. If consent is granted all necessary action be taken to finalise the acquisition of the land for public road purposes in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act.
3. Once acquired the land be dedicated as public road in accordance with the provisions of the Roads Act 1993.

BACKGROUND

Council has previously resolved to acquire land in State Forest for the Brou Waste Management Facility with consent from Forestry Corporation.

At its Ordinary meeting held on 25 February 2014 Council resolved:

THAT:

1. *The amount of compensation for the acquisition of approximately 44.5 hectares of Bodalla State Forest for the Brou Waste Management Facility set out in the confidential attachment to report Land Acquisition – Brou Waste Management Facility be accepted.*

FBD15/036 LAND ACQUISITION - BROU WASTE MANAGEMENT FACILITY

93.5568.D

2. *Application be made to the Minister for Local Government and the Governor to acquire part of Bodalla State Forest being part Lot 147 and part Lot 197 in the Deposited Plan 752131 for Waste Management purposes by compulsory process in accordance with Council's power under Section 187(2) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.*
3. *If consent is granted all necessary action be taken to finalise the acquisition in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act.*

Part of the land to be acquired was closed road in which access to the facility and private properties to the east is located.

CONSIDERATIONS

During the survey for the acquisition it was found that parts of Brou Lake Road were not fully contained within the existing road reserve.

The sealed road off the highway is within Forest land being closed road and will be required to be dedicated as public road.

A plan showing the proposed acquisition is below.



Legal

Council has power under both the Local Government Act, 1993 and the Roads Act, 1993 to compulsorily acquire land for public purposes. Its power under the Roads Act is specifically for the acquisition of land for public road.

The dedication of road and road widening could be achieved after the acquisition of the land from Forestry Corporation was finalised however a more expedient means to achieve the

FBD15/036 LAND ACQUISITION - BROU WASTE MANAGEMENT FACILITY

93.5568.D

desired outcome is for Council to use its powers under the Roads Act rather than the Local Government Act to compulsorily acquire that part of the State Forest required for public road.

This will negate the need for second plan of survey to be registered for the dedication of the public road and road widenings.

Forestry Corporation have raised no objection to the acquisition of the land in separate parts.

Asset

It is appropriate for public roads to be fully contained within a legal road reserve.

Financial

Forestry Corporation have previously agreed on the compensation for the acquisition of the whole area including the areas to be dedicated as public road.

Savings in time and money will be made as a second plan of survey will not be required.

CONCLUSION

Council has previously resolved to acquire land for the Brou Waste Management Facility from Forestry Corporation and acquiring part of this specifically for public road in the first instance will save time and money.

CAR15/005 LIBRARY DEVELOPMENT GRANT FUNDING FOR MORUYA LIBRARY EXPANSION E99.3143

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

Attachments: Nil

Strategic Objective: Liveable

Delivery Program Link: L3.1 provide quality library services, programs and resources

Operational Plan Link: L3.1.3 Maintain and improve library infrastructure including buildings and collections

EXECUTIVE SUMMARY

Council has been awarded a State Library of New South Wales Infrastructure Grant of \$200,000 towards the extension of Moruya Library, incorporating arts and cultural facilities.

RECOMMENDATION

THAT Council:

1. accept funding of \$200,000 from the State Library of New South Wales Infrastructure Grants Program 2014-15 for the extension of Moruya Library
2. sign the acceptance of funding letter and return to the State Library of New South Wales.

BACKGROUND

In 2014 a draft Design Brief was prepared to seek and allocate funding for the construction of an extended Moruya Library, incorporating arts and cultural facilities. The aim of this long term project is the creation of a vibrant hub of arts and cultural activity in well-designed spaces for the co-location of library, arts and information services. The development of such a facility in Moruya is in line with the *Eurobodalla Shire Situational Analysis: Arts and Cultural Infrastructure Report 2010 and the Libraries and Lifelong Learning Strategic Plan 2014 -2018*.

In October 2014 Council submitted a grant application under the State Library of New South Wales Public Libraries Infrastructure program. Of the fourteen Council's in the South East region of NSW, Eurobodalla is one of only two Council's to have been awarded a grant under the program, receiving funds of \$200,000 (the maximum).

CONSIDERATIONS

The expansion of Moruya library, incorporating arts and cultural facilities project was included in the suite of projects for consideration under the original package of community and transport infrastructure put to the community as part of the original Special Rate Variation (SRV).

At the meeting of 10 February 2015 Council resolved to remove the proposed Special rate variation schedule of works in relation to the multi-use community and exhibition space with meeting rooms at Moruya Library. However, the Motion included a recommendation to:

CAR15/005 LIBRARY DEVELOPMENT GRANT FUNDING FOR MORUYA LIBRARY EXPANSION E99.3143

'Investigate and report back to Council alternate funding options for the progression of the multi-use community and exhibition space with meeting rooms at Moruya Library, including libraries and cultural grant funding and philanthropic opportunities, noting the long term benefit that the project would generate for the community.'

The current grant supports Council's resolution to pursue alternate funding options. Further grant funding opportunities for arts infrastructure have been identified and will be pursued.

The proposed grant funds of \$200,000 will be used in conjunction with existing funds allocated in the 2015-16 budget of \$100,000 for the design of a cultural precinct in Moruya. This will include the development of design components that can be achieved in stages as funds become available. Under stage one of the redevelopment Council aims to:

- reconfigure the library space, with adaptable spaces for library/arts programs
- provide small multipurpose spaces for arts, storytelling, meetings
- improved IT resources and connectivity for the community

In addition, the design and layout of an exhibition space will be progressed, with additional arts infrastructure funding opportunities incorporated where possible.

Environmental

The extension of Moruya Library will be within the legal footprint of the current parcel of land and complement surrounding environs through environmentally sustainable design elements internally and externally.

Asset

The expansion of Moruya Library, incorporating arts and cultural facilities, will increase the size and configuration of the existing facility. The cost of the facility, including maintenance and depreciation is justified given the community's high use of the resource, and the anticipated increase in use as each stage of the project is realized.

Social Impact

The expansion of Moruya Library, incorporating arts and cultural facilities project will have a significant positive impact, providing modern purpose built facility, with increased community spaces for programs, meetings, activities, creative pursuits, exhibitions and events. The project is in line with the infrastructure and community benefit aims of the *Eurobodalla Shire Situational Analysis: Arts and Cultural Infrastructure Report 2010 and the Libraries and Lifelong Learning Strategic Plan 2014 -2018*.

Economic Development Employment Potential

When completed, the facility will provide economic opportunities for arts practitioners, tourism (eg arts trails, creative workshops, commercial bookings of exhibition space), travelling exhibitions (eg national touring programs), workshops, literary events, as well as a comprehensive community program. Opportunities will also exist for increased volunteering participation across the facility for both library and arts activities

CAR15/005	LIBRARY DEVELOPMENT GRANT FUNDING FOR MORUYA LIBRARY EXPANSION	E99.3143
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Communication / Consultation

Council will inform the community through providing information on Council's website; Online News; Living in Eurobodalla residents newsletter; posted on Council's Facebook and Twitter; fact sheet at Moruya Library, writing to residents, stakeholders, community groups; advertising on Council's noticeboard page in two local newspapers; distributing a news release.

Staff

Current staffing levels for library services will remain unchanged

Financial

The State Library of NSW Infrastructure Grant of \$200K will be part of a total funding package for the new facility. Additional external grant funding will be sought to assist in the final funding required for the overall project. Ongoing depreciation and maintenance costs will be incorporated into future budgets.

CONCLUSION

The expansion of Moruya library, incorporating arts and cultural facilities will provide social, economic and cultural benefits to the community. The State Library of New South Wales Infrastructure Grant of \$200,000 will contribute significantly to the achievement of the project. In order to receive this initial funding Council is required to sign a Letter of Acceptance under the terms of the State Library of New South Wales Infrastructure Grants Program.

19. 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.

Nil

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

CONFLICT OF INTEREST

A conflict of interest is a clash between private interest and public duty. There are two types of conflict: Pecuniary – regulated by the *Local Government Act* and Department of Local Government; and Non-Pecuniary – regulated by Codes of Conduct and policy, ICAC, Ombudsman, Department of Local Government (advice only).

THE TEST FOR CONFLICT OF INTEREST

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

IDENTIFYING PROBLEMS

- 1st** Do I have private interests affected by a matter I am officially involved in?
- 2nd** Is my official role one of influence or perceived influence over the matter?
- 3rd** Do my private interests conflict with my official role?

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

AGENCY ADVICE

Officers of the following agencies are available during office hours to discuss the obligations placed on Councillors, Officers and Community Committee members by various pieces of legislation, regulation and Codes.

CONTACT	PHONE	EMAIL	WEBSITE
Eurobodalla Shire Council Public Officer	4474-1000	council@eurocoast.nsw.gov.au	www.esc.nsw.gov.au
ICAC	8281 5999	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Local Government Department	4428 4100	dlg@dlg.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	8286 1000 Toll Free 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

Reports to Committee are presented generally by 'exception' - that is, only those items that do not comply with legislation or policy, or are the subject of objection, are discussed in a report.

Reports address areas of business risk to assist decision making. Those areas include legal, policy, environment, asset, economic, strategic and financial.

Reports may also include key planning or assessment phrases such as:

Setback Council's planning controls establish preferred standards of setback (eg 7.5m front; 1m side and rear);

Envelope taking into account the slope of a lot, defines the width and height of a building with preferred standard of 8.5m high;

Footprint the percentage of a lot taken up by a building on a site plan.

Acronym	Meaning	Description
ACR	Australian Capital Region	The political and strategic grouping of the ACT government and 17 adjacent councils.
AEP	Annual Exceedance Probability	For floods expressed as a % eg 1% = 1:100 year event. The NSW Flood Guidelines nominate types of development and controls.
AHD	Australian Height Datum	Floor levels for buildings set to remain at or above flood level (expressed as 'freeboard').
APZ	Asset Protection Zone	Area to be cleared and maintained around habitable buildings in bushfire prone areas.
AS	Australian Standard	Standards set by national body as minimum construction, service, system, planning or design requirements.

Acronym	Meaning	Description
BCA	Building Code of Australia	Prescribes minimum standards or performance base for building construction.
CAMP	Companion Animal Management Plan	Required by state law, plan nominating management of dogs and cats and areas for access for the exercise of dogs (eg beaches and reserves).
CC	Construction Certificate	Floor plans approved by council or private certifier in compliance with development conditions and BCA.
COPW	Condition of Public Works Report	Required by state law to define the condition of infrastructure assets, the cost to upgrade to defined standards, the current costs of maintenance and desired levels of maintenance.
CP	Cultural Plan	A cultural plan enables identification of cultural assets, identity and needs as well as providing a framework to develop cultural initiatives to increase opportunities for residents.
CSR	Complaint and Service Request	Requests received from public by phone, letter, email or Councillor to attend to certain works (eg pothole) or complain of certain service or offence (eg dogs barking).
DA	Development Application	Required by state law to assess suitability and impacts of a proposed development.
DAP	Disability Action Plan	Council plan outlining proposed works and services to upgrade facilities to progressively meet Disability Discrimination Act.
DCP	Development Control Plan	Local planning policy defining the characteristics sought in residential, commercial land.
DECCW	Department of Environment, Climate Change and Water (formerly EPA, NPWS, DEC)	State agencies (former Environment Protection and National Parks), DNR managing state lands and natural resources and regulating council activity or advising on development applications.
DWE	Department of Water and Energy	State agency managing funding and approvals for town and country water and sewer services and State energy requirements.
DoP	Department of Planning	State agency managing state lands and regulating council activity or advising on development applications or strategic planning.
DLG	Department of Local Government	State agency responsible for regulating local government.
DoL	Department of Lands	State agency managing state lands and advising on development applications or crown land management.
DoC	Department of Commerce	State agency (formerly Public Works) managing state public water, sewer and buildings infrastructure and advising/supervising on council infrastructure construction.

Acronym	Meaning	Description
DoH	Department of Health	State agency responsible for oversight of health care (community and hospital) programs. Also responsible for public warning of reportable health risks.
DOTAR	Department of Infrastructure, Transport and Regional Development and Local Government	Federal agency incorporating infrastructure, transport system, and assisting regions and local government.
EBP	Eurobodalla Bike Plan	Strategic Plan identifying priorities and localities for cycleways in the Shire.
EIS	Environmental Impact Statement	Required for designated and state developments researching and recommending solutions to social, economic and environmental impacts.
EMP	Estuary Management Plan	Community based plan, following scientific research of hydrology and hydraulics, recommending actions to preserve or enhance social, economic and environmental attributes of estuary
EMS	Environmental Management System	Plans prepared by council (such as waste management and strategic planning) around AS14000.
EOI	Expressions of Interest	Often called in advance of selecting tenders to ascertain capacity and cost of private sector performing tasks or projects on behalf of council.
EP&A	Environment Planning & Assessment Act	State law defining types of development on private and public lands, the assessment criteria and consent authorities.
ESC	Eurobodalla Shire Council	
ESD	Ecologically Sustainable Development	Global initiative recommending balance of social, economic and environmental values in accord with 7 ESD principles.
ESS	Eurobodalla Settlement Strategy	Council strategy prepared with assistance of government to identify best uses and re-uses of urban lands, the appropriate siting of private and public investment (eg institutions, employment areas or high density residential) based on current and planned infrastructure and land capacity.
ET	Equivalent Tenement	Basis of calculation of demand or impact of a single dwelling on water and sewer system.
FAG	Financial Assistance Grant	Federal general purpose grant direct to local government based on population and other 'disability' factors.

Acronym	Meaning	Description
FSR	Floor Space Ratio	A measure of bulk and scale, it is a calculation of the extent a building floor area takes up of an allotment.
GIS	Geographic Information System	Computer generated spatial mapping of land and attributes such as infrastructure, slope, zoning.
IPART	Independent Pricing & Regulatory Tribunal	State body that reviews statutory or government business regulatory frameworks and pricing levels.
IPWEA	Institute Public Works Engineers Australia	Professional association.
IWCMS	Integrated Water Cycle Management Strategy (or Plan)	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation to water, sewer and stormwater systems.
IWMS	Integrated Waste Management (Minimisation) Strategy	Council plan identifying risk and social, economic and environmental benefit of proposed augmentation of waste (solids, effluent, contaminated, liquid trade waste).
LEP	Local Environment Plan	The statutory planning instrument defining the zones and objectives of urban and rural areas.
LGAct	Local Government Act	State law defining the role of Mayor, Councillors, staff, financing, approvals etc.
LGMA	Local Government Managers Australia	Professional association.
LGNSW	Local Government NSW	Representative advisory and advocacy group for councils in NSW.
MOU	Memorandum of Understanding	Agreement in principle between parties (eg council and agency) to achieve defined outcomes.
NPWS	National Parks & Wildlife Service	Now merged into DECCW.
NRM	Natural Resource Management	
NVC	Native Vegetation Act 2003	State law defining means of protection of threatened legislation and approval processes to clear land.
OC	Occupation Certificate	Issued by council or private certifier that building is safe to occupy and in compliance with development conditions and BCA.
OSMS	On site sewage management system	Includes septic tanks, aerated systems, biocycles etc.
PCA	Principal Certifying Authority	The person or organisation appointed by applicant to inspect and certify structures.

Acronym	Meaning	Description
PIA	Planning Institute of Australia	Professional association.
POEO	Protection of the Environment Operations Act	State law outlining standards for emissions and discharges and penalties for pollution.
PoM	Plan of Management (usually for community land)	Council plan nominating type of uses for community land and range of facilities progressively to be provided on land.
PPP	Public Private Partnerships	
PTS	Public Transport Strategy	Council strategy to initiate mechanisms to promote and facilitate public transport (bus, taxi, community transport, cycles) in design of subdivisions, developments and council works.
REF	Review of Environmental Factors	Council examination of risk and social, economic and environmental benefit of proposed works, assessed against state planning, environment and safety laws.
REP	Regional Environment Planning Policy	Outlines compulsory state planning objectives to be observed in development assessment and strategic planning.
RFS	Rural Fire Service	State agency responsible for providing equipment and training for volunteer firefighter brigades, and the assessment and approval of developments in bushfire prone lands.
RLF	Regional Leaders Forum	The group of mayors and general managers representing the councils in the ACR.
RMS	Roads & Maritime Service	State agency responsible for funding, construction and maintenance of state roads, the approval of council works on arterial roads and development applications.
S64	S64 Contributions Plan	Developer contributions plan to enable, with council and state funds, the augmentation of water, sewer and stormwater infrastructure.
S94 S94A	S94 Contributions Plan S94A Contributions Plan Levy Plan	Developer contributions to enable construction of public infrastructure and facilities such as roads, reserves, carparks, amenities etc.
SCG	Southern Councils Group	Political and strategic grouping of councils along the NSW south coast from Wollongong to the border, lobbying government for assistance (eg highways) and resourcing sharing initiatives.
SCRS	South Coast Regional Strategy	Regional Strategy prepared by DoP for ESC, BVSC and part SCC to guide new LEPs.

Acronym	Meaning	Description
SEA	Strategic Environment Assessment	Spatial assessment of environmental constraints of land considered in design and assessment of subdivision and infrastructure. Scientific research behind assessment of capacity of land and waterways in rural residential and urban expansion lands to sustain human settlement.
SEPP	State Environmental Planning Policy	Outlines compulsory state planning objectives.
SNSWLHD	Southern NSW Local Health Districts	State board commissioned with oversight of health care in Highlands, Monaro and Far South Coast.
SoER	State of the Environment Report	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social, economic and environmental features of the Shire and appropriate responses to address or preserve those issues.
SP	Social Plan	Required by state law, the comprehensive assessment (every four years) of the condition and the pressures on the social framework of the community, their services and facilities and economic interactions.
.....SP	Structure Plan	Plan promoting landuses and siting of infrastructure and facilities in towns (eg, BBSP – Batemans Bay Structure Plan).
SRCMA	Southern Rivers Catchment Management Authority	State agency commissioned with assessment and monitoring of health and qualities of catchments from Wollongong to the border, and determine directions and priorities for public and private investment or assistance with grants.
STP	Sewer Treatment Plant	Primary, secondary and part tertiary treatment of sewage collected from sewers before discharge into EPA approved water ways or irrigation onto land.
TAMS	Total Asset Management System	Computer aided system recording condition and maintenance profiles of infrastructure and building assets.
TBL	Triple Bottom Line	Commercial term coined to encourage business to consider and disclose social and environmental risk, benefit and costs in the conduct of business to guide investors as to the long term sustainability and ethics of a business. Taken up by Council to record the basis of prioritisation, the review of condition, the monitor of progress and the financial disclosure of preventative or maintenance investment in council based social and environmental activities.
ToR	Terms of Reference	
TSC	Threatened Species Conservation Act 1995	State law governing the protection of nominated species and relevant assessment and development controls.

Acronym	Meaning	Description
WCF	Water Cycle Fund	Combination of water, sewer and stormwater activities and their financing arrangements.
WSUD	Water Sensitive Urban Design	Principle behind the IWCMS and council development codes requiring new developments to reduce demand and waste on water resources through contemporary subdivision and building design.