



AGENDA

Ordinary Meeting of Council

14 November 2017

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

ON TUESDAY 14 NOVEMBER 2017

COMMENCING AT 10.00AM

AGENDA

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

- | | |
|---|-----------------|
| 1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY & EVACUATION MESSAGE | |
| 2. APOLOGIES
Nil | |
| 3. PUBLIC FORUM (AGENDA ITEMS ONLY) | |
| 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
4.1 Ordinary Meeting held on 24 October 2017 | |
| 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA
(Declarations also to be made prior to discussions on each item) | |
| | Page No. |
| 6. MAYORAL REPORTS
Nil | |
| 7. NOTICES OF MOTION | |
| NOM17/010 Investigate criteria to nominate for UNESCO Geopark..... | 3 |
| NOM17/011 Albert Ryan Park, Batemans Bay | 5 |
| NOM17/012 Companion Animals Management Plan - Exercising Dogs at Long Beach | 8 |
| 8. QUESTIONS ON NOTICE FROM COUNCILLORS
Nil | |
| 9. PETITIONS | |
| PET17/003 Off-Leash Dog Park at Evans Point, Dalmeny..... | 9 |

10. GENERAL MANAGER'S REPORTS	
Nil	
11. PLANNING AND SUSTAINABILITY REPORTS	
PSR17/059 Dog Recreation - Proposed Dog Exercise Areas.....	11
12. INFRASTRUCTURE REPORTS	
IR17/063 Local Traffic Committee No 3 for 2017-18.....	22
13. CORPORATE AND COMMERCIAL SERVICES REPORTS	
CCS17/087 Moruya Airport Cafe	30
14. COMMUNITY, ARTS AND RECREATION REPORTS	
CAR17/030 Healthy Communities and Seniors Week Grants 2017-18.....	33
15. DELEGATE REPORT	
16. URGENT BUSINESS	
17. DEALING WITH MATTERS IN CLOSED SESSION	36
18. CONFIDENTIAL MATTERS	

DR CATHERINE DALE
GENERAL MANAGER

NOM17/010 INVESTIGATE CRITERIA TO NOMINATE FOR UNESCO GEOPARK

E00.4623

Responsible Officer: Councillor Maureen Nathan

Attachments: Nil

Councillor Maureen Nathan has given notice that at the Ordinary Meeting of Council on 14 November 2017 she will move the following motion.

MOTION

THAT Council:

1. Investigate the criteria to nominate areas within Eurobodalla as UNESCO Global Geopark(s)
2. Research and collate Eurobodalla Shire's areas of unique marine and coastal geology with the view to informing nomination for inclusion as UNESCO Geopark(s).

BACKGROUND

The purpose of this Notice of Motion is to seek Council's support to investigate the feasibility to nominate areas within Eurobodalla as [UNESCO Global Geoparks](#).

UNESCO describes a Global Geoparks as *"single, unified geographical areas where sites and landscapes of international geological significance are managed with a holistic concept of protection, education and sustainable development. A UNESCO Global Geopark uses its geological heritage, in connection with all other aspects of the area's natural and cultural heritage, to enhance awareness and understanding of key issues facing society, such as using our earth's resources sustainably, mitigating the effects of climate change and reducing natural disasters-related risks. By raising awareness of the importance of the area's geological heritage in history and society today, UNESCO Global Geoparks give local people a sense of pride in their region and strengthen their identification with the area. The creation of innovative local enterprises, new jobs and high quality training courses is stimulated as new sources of revenue are generated through geotourism, while the geological resources of the area are protected."*

Geoparks give a complete picture of celebrating our geological heritage while at the same time conserving the world's cultural, biological and geological diversity, and promoting sustainable economic development.

Eurobodalla has several unique geological features listed on the National Heritage register including Cullendulla, Melville Point and Denhams Beach. Other areas of geological interest include Bingi Point, Narooma and South Durras. At a regional scale, Eurobodalla has a diversity in geology that few other coastal local government areas have. Geology is an under-exploited feature of our local tourism potential that a Global Geopark could promote.

Coastal tourism is seasonally based and a highly competitive market. A UNESCO Geopark has potential to provide a unique point of interest to service year round tourism in Eurobodalla.

There are currently no UNESCO Geoparks in Australia therefore nomination will provide a unique marketing feature for Eurobodalla. Attending the Sydney Melbourne Touring session, it was made abundantly clear that having a declared UNESCO Geopark would give us a unique

NOM17/010 INVESTIGATE CRITERIA TO NOMINATE FOR UNESCO GEOPARK

E00.4623

selling proposition for a self-drive that could be integrated with other existing attractions, particularly the growing food trails.

The benefit to tourism of Geoparks can be demonstrated by an example from France, where the park complements the existing wine and tourism industries: [International Example - Demarche Geopark](#)

The only Geopark proposed in Australia has stalled because it covered public and private property, and there were objections from some private land owners: [Plans for Australia's First Geopark Stalled.](#)

All unique geological features in Eurobodalla are on public land therefore the issues associated with the aforementioned Australian nomination do not apply.

The subject of this Notice of Motion is supported by the objectives of the Community Strategic Plan, is consistent with the 'Unspoilt' tourism campaign, promotes sustainable economic growth through educational tourism and by harnessing our unique marketing features.

4635NOM17/011 ALBERT RYAN PARK, BATEMANS BAY

E00.4635; E16.0196

Responsible Officer: Councillor Lindsay Brown

Attachments: Nil

Councillor Lindsay Brown has given notice that at the Ordinary Meeting of Council on 14 November 2017, he will move the following motion.

MOTION

THAT

1. Council write to the NSW Roads and Maritime Service (RMS) acknowledging that Lots 9, 10 and 11, identified as the public reserve Albert Ryan Park, are under Council's care, control and management, and seek clarification on the ownership of all assets therein, including the toilets.
2. Resolve to retain and maintain Albert Ryan Park and its assets, pending advice from RMS.
3. Return the incorrect Certificate of Title for Lot 11 DP236342 to the Land & Property Information Office for reissue in the name of RMS, noting that Lots 9, 10 and 11 known as Albert Ryan Park will continue to be under Council's care, control and management as a public reserve, in line with the NSW Government Gazette (31.5.1974 Folio 2062) of 1974.

BACKGROUND

Albert Ryan Park is currently zoned RE1 Public Recreation, has frontage to Beach Road and is located between the Batemans Bay town centre and R3 Medium Density land starting at the corner of Pacific Street and Beach Road.

Over the past two years there has been significant community interest in the future of Albert Ryan Park and a need to clarify ownership of the site.

On 24 October 2017 the matter was again raised in Public Access. The speaker asked for clarification regarding Council's intentions for Albert Ryan Park and requested that Council retain the park and the infrastructure therein, specifically the toilets. In response to the community, this Notice of Motion seeks to provide a clear direction to resolve the matter going forward.

Considerations

The area identified as Albert Ryan Park, specifically Lots 9, 10 and 11 was gazetted by the NSW Government as a public reserve under the care, management and control of Council in 1974. However, the land is still owned by the Department of Main Roads, which is now the NSW Roads and Maritime Service.

The Recreation and Open Space Strategy (2010) recommended that the toilets in Albert Ryan Park be investigated for disposal and the Public Toilet Review (2015), adopted by Council on 12 May 2015, recommended that the public toilets on the land be decommissioned. Neither recommendation has been actioned to date.

In April 2016, Council resolved in part to proceed with initial consultation with the community, prior to the preparation of any planning proposal to amend the *Local Environmental Plan 2012*

NOM17/011 ALBERT RYAN PARK, BATEMANS BAY

**E00.4635;
E16.0196**

(LEP). The purpose of the consultation was to gauge community attitude to the idea of disposing of the subject land.

The submissions received to this initial consultation were overwhelmingly opposed to proceeding any further. Having considered the submissions, Council resolved not to proceed with the proposal to amend the *Local Environmental Plan 2012* (LEP) to rezone and reclassify Lots 10 and 11, DP 236342, being part of Albert Ryan Park, Beach Road, Batemans Bay. (16/182).

Prompted by community feedback, an examination of the land dating back to 1974 shows that the land is under Council care, control and management, not ownership.

In November 2016 the Land & Property Information Department (the Department) wrote to Council and advised that the Certificate of Title 11/236342 was issued in error to Eurobodalla Shire Council. The Department advised that on 14 May 2009 on registration of Conversion Action 121684, it was incorrectly presumed that the owner(s) of the Old System title land comprised in Gov. Gaz. 31.5.1974 Folio 2062 situated at Batemans Bay was Eurobodalla Shire Council. The land had been converted to Torrens title and the new title reference being 11/236342 was issued in the name 'Eurobodalla Shire Council' rather than the 'Commissioner for Main Roads'. The Department's search also identified Lots 8-11 DP236342, which were not required for the purposes of the main Roads Act 1924, (now subject to Roads Act 1993), to be a public reserve within the meaning of the Local Government Act 1993.

Council responded to the Department in December 2016, advising that Council would do further research. A review was undertaken, considering heritage and planning records. In addition, Council surveyors have checked the government gazette information to confirm its accuracy.

Given this verification has occurred it is now appropriate to return the incorrect Certificate of Title for Lot 11 to the Department, for reissue in the name of RMS, noting that Lots 9, 10 and 11 known as Albert Ryan Park will continue to be under Council's care, control and management as a public reserve, in line with the NSW Government Gazette (31.5.1974 Folio 2062) of 1974.

The aim of this notice of Motion and the proposed recommendations is to progress the matter and provide clarity and certainty for the community.

NOM17/011 ALBERT RYAN PARK, BATEMANS BAY

E00.4635;
E16.0196



**NOM17/012 COMPANION ANIMALS MANAGEMENT PLAN - EXERCISING DOGS AT LONG
BEACH**

E17.1258

Responsible Officer: Councillor Maureen Nathan

Attachments: Nil

Councillor Maureen Nathan has given notice that at the Ordinary Meeting of Council on 14 November 2017, she will move the following motion.

MOTION

THAT Council amend the Companion Animal Management Plan so that:

1. Long Beach to the west of the toilet block, be off-leash for the purposes of exercising dogs.
2. Long Beach to the east of the toilet block be prohibited to dogs.

BACKGROUND

Concerns have been raised from residents in the Long Beach area in regard to the exercising of their dogs on public reserves and beaches.

Presently, an off-leash time share arrangement is in place for dogs to be exercised on the beach from the Bay Road carpark south to the National Park; a distance of some 1600m.'

Notwithstanding the upcoming review of the Companion Animal Management Plan given the concerns expressed by some members of the community, I propose that an amendment be made to the Companion Animal Management Plan now.

I propose that when you enter Long Beach in proximity to the new toilet block, that the area to the right (west) be designated as an off leash area for the purpose of exercising dogs and the area to the left (east) be prohibited to dogs.

PET17/003 OFF-LEASH DOG PARK AT EVANS POINT, DALMENY

E17.1042; E06.0429

Responsible Officer: Councillor Liz Innes - Mayor

Attachments: 1. Confidential - Petition

Mayor Liz Innes has given notice that at the Ordinary Meeting of Council on 14 November 2017, she will submit a petition provided to her by Mr Ron Rawlins.

MOTION

THAT Council consider this petition in the review of the Companion Animal Management Plan 2017-18.

BACKGROUND

The petition specifically states:

Dalmeny is currently served by a full time off leash area for dogs at Duesburys Beach and a part time facility at Josh's Beach off Ocean Parade. There is currently no formal off leash facility for dogs at north Dalmeny near Mummaga Lake.

For over a decade local residents have used parkland at Evans Point at the end of Attunga Street in Dalmeny as an informal dog exercise area. The signage on this park currently totally bans dogs, whether on or off leash.

This area is grassed, surrounded on three sides by Mummaga Lake and on the land side by a series of posts used to restrict parking on the grassy area. Evans Point also hosts an informal boat launching area for Mummaga Lake.

Considerations

This informal dog exercise area is used daily by the local senior citizens to exercise their pets and as a meeting place. Local residents are able to walk to the area although some people drive to the area in their cars because they have mobility issues with the other nearby dog exercise facilities.

Residents already contribute substantially to the amenity of this area of this area by collecting rubbish and extinguishing campfires in the area. Local residents also report suspicious activities to Police and Rural Fire Service.

There are no nesting birds at Evans Point because of the disruption already caused by powerboats being launched and retrieved. The proposed area is at least 200m from the nearest residential properties.

The ratepayers and residents propose that Council lift the ban on dogs in the park and create a formal off leash dog exercise area at the end of Attunga Street Dalmeny (Evans Point) on the grassy area bounded by Lake Mummaga and the existing parking restriction posts. This area should be provide with appropriate signage reminding users to clean up after their pets and a dispenser for bags to assist with the removal of animal waste.

PET17/003 OFF-LEASH DOG PARK AT EVANS POINT, DALMENY

**E17.1042;
E06.0429**

GENERAL MANAGER'S RESPONSE

The dog recreation areas will be considered in the review of the Companion Animal Management Plan which is to commence in 2017-18.

Council will write to the head petitioner with the outcome of this resolution.

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

E17.1258

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

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

Focus Area: Liveable Communities

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

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

EXECUTIVE SUMMARY

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

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

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

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

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

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

RECOMMENDATION

THAT Council:

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

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

E17.1258

the Companion Animal Management Plan

2. not proceed with the proposed on-leash dog recreation park at Mundarra Way, Surfside
3. not allocate the budget of \$8,000 proposed under resolution 17/180 and 17/181 and that any infrastructure and budget requirements be considered as part of the review of the Companion Animal Management Plan
4. submissions received be considered in the comprehensive review of the Companion Animal Management Plan
5. that people who made a submission be thanked and advised of Council's decision.

BACKGROUND

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

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

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

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

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

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

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

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

E17.1258

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

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

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

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

Companion Animal Management Plan

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

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

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

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

CONSIDERATIONS

The varied and opposing views, both for and against dogs in public spaces, highlights the need for a balanced and considered approach to managing competing usage and the limited number of suitable areas in Eurobodalla Shire. It is also important to provide areas for pet owners to

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

E17.1258

readily exercise their pets, considering legislative requirements, public safety and environmental constraints.

Legal

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

Policy

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

Environmental

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

Social Impact

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

Financial

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

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

Community and Stakeholder Engagement

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

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

The proposals were publicly exhibited for 28 days and were placed on Council's website and information was available at the Batemans Bay, Moruya and Narooma libraries and Moruya

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

E17.1258

customer service centre. The proposals were also promoted via media release and public notice advertisement.

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

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

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

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

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

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

PSR17/059 DOG RECREATION - PROPOSED DOG EXERCISE AREAS

E17.1258

CONCLUSION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

E16.0002

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

Focus Area: Productive Communities

Delivery Program Link: P3.1 Undertake advocacy activities to further the development of transport infrastructure and support future growth

Operational Plan Link: P3.1.2 Coordinate the Local Traffic & Development Committees

EXECUTIVE SUMMARY

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for the Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting of 13 October 2017 were as follows:

- Signage – No Stopping, Beach Road west side, from the CBD to George Bass Drive
- Special Event Application – Commonwealth Games Queen's Baton Relay, Batemans Bay
- Special Event Application – Mogo Christmas Gala
- Special Event Application – Capital Coast / Batemans Bay Triathlon 2018, modified routes
- Local Government Road Safety Officer Program 2017/2018
- Traffic Management Plan – Remembrance Day Ceremony, Batemans Bay
- Traffic Management Plan – Remembrance Day Ceremony, Moruya.

RECOMMENDATION

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 1 of 2017-18 held on 20 July 2017 and Meeting No 2 of 2017-18 held on 15 September 2017 be received and noted.
2. The 'No Stopping 8am – 10am and 3pm – 5pm MON-FRI' signs currently in place on south-western side of Beach Road, between the Batemans Bay CBD and George Bass Drive have the time reference removed from the signs.
3. Council endorse the actions taken to accept the \$17,630 in grant funding for road safety projects under the Local Government Road Safety Program.

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

E16.0002

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 3 for 2017-18 was held on 13 October 2017 in Council's Committee Room. The meeting was attended by Councillor Anthony Mayne (Chairperson), Danielle Brice (representative for the Hon Andrew Constance MP), Jesse Fogg (Roads and Maritime Services), Acting Superintendent Angela Burnell (NSW Police), Senior Constable Scott Britt (NSW Police), Dave Hunter (Traffic Officer), Kate McDougall (Road Safety Officer) and Matt Cormick (Minute Taker).

APOLOGIES

Suketu Bhatt (Divisional Manager Technical Services)

The Chair advised the Committee that he would need to leave the meeting at about 10.30am.

DEPUTATIONS

Nil

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 2 for 2017-18 held on Friday 15 September 2017 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

The action sheet outlining all outstanding items was distributed to members.

Bodalla bus zone on the Princes Highway and changes to the associated carpark configuration. The Chair thanked the representative for Andrew Constance MP for her hard work and advocacy in pushing for greater safety.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2018.RT.007 Signage – Beach Road 'No Stopping' modification, Batemans Bay CBD to George Bass Drive

A majority of the 'No Stopping' signs on the south-western (northbound travel lane) side of Beach Road, between the Batemans Bay CBD and George Bass Drive, show a time period '8am – 10am and 3pm – 5pm MON-FRI'.

To improve the flow of traffic on Beach Road and to reduce the risk of rear end collisions, it is proposed to remove the time period from these signs. Anecdotal evidence is that vehicles rarely park on this left hand northbound lane at any time.

The Local Traffic Committee recommended removal of the timed period from the No Stopping signs located on the eastern (southbound) side of Beach Road on 12 May 2016. There was no community consultation undertaken prior to the modification of these No Stopping signs and no subsequent feedback was received by Council.

Given that vehicles rarely park in the north bound left hand lane of Beach Road at any time, it is not necessary to undertake consultation prior to removal of the time period from the No Stopping signs. Council will '*inform*' residents of Council's decision by writing to residents prior to changing the signs.

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

E16.0002

Recommendation:

That the 'No Stopping 8am – 10am and 3pm – 5pm MON-FRI' signs currently in place on the south-western side of Beach Road, between the Batemans Bay CBD and George Bass Drive, have the time reference removed from the signs.

INFORMAL ITEMS FOR DISCUSSION

2018.SE.002 Special Event Application – Commonwealth Games Queen's Baton Relay, Batemans Bay

The XXI Commonwealth Games will be held in Brisbane from 4 to 15 April 2018.

As part of the lead up to this worldwide sporting event, Eurobodalla Shire has been chosen as one of 28 Councils in NSW to host the Queen's Baton Relay. This baton carries the Queen's message, to be read at the start of the Games.

On the morning of Tuesday 6 February 2018, selected members of our local community will carry the baton through Batemans Bay, between Surfside and Batehaven.

The baton bearers relay route will be predominantly by road, starting at the Batemans Bay Public School at 9:35am and finishing on the foreshore at Corrigans Reserve at 11:08am. As part of the route, the baton will be carried across the Clyde River on a small yacht, from Korner's Park across to the foreshore park on Orient Street.

Celebrations at Corrigans Reserve will also be undertaken starting at 10:30am and concluding at 11:30am. This event will see school students from 11 local schools partake in the celebrations and conclude with the baton bearer leaving the site via a seaplane at 11:33am.

Eurobodalla Shire Council will host the baton relay, working with the designated organiser GOLDOC. A security convoy supplied by GOLDOC, including buses, cars, cyclists and runners will surround the baton bearers on their journey. A minimum of four police vehicles will accompany the convoy.

Road closures will be required along most of the route including sections of Mundarra Way, Wharf Road, Orient Street and Beach Road.

The northbound section of Beach Road, from Corrigans Reserve / George Bass Drive, through to Country Club Drive will remain open for part of the time, from about 10:20am to 10:45am with traffic diverted into the left hand lane. This traffic will then be diverted through the traffic signals onto Golf Links Drive. This will allow all northbound traffic coming from Batehaven and beyond to travel through to the Batemans Bay CBD.

The northbound section of Beach Road, from Corrigans Reserve / George Bass Drive, through to Country Club Drive will then be closed, from about 10:45am until 11:02am with traffic directed to stop by the police. This will be a rolling closure and once the convoy moves past Hanging Rock Place and other driveways such as Birdland, the service station and the tourist park, the road for northbound vehicles can be opened at these locations.

A detour for south bound vehicles will also be established, directing traffic south onto the Princes Highway. The detour will then be on the newly named and constructed Glenella Road, starting at the intersection with a left turn only from the Princes Highway, about 2km from the

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

E16.0002

CBD. This will lead traffic south east, either through to Catalina via Heron Road or onto George Bass Drive, to a point about 1km south of Batehaven. Currently there is no access for traffic from the Princes Highway onto Glenella Road. A temporary opening of the closed section will be provided under a manned traffic control arrangement. This will be closed immediately after the event.

As well as qualified traffic control staff, the local police force will assist in traffic management, including controlling traffic signals under flashing yellow, at various intersections along the route and holding traffic on the Beach Road northbound section, under a rolling road closure.

Council has prepared a Traffic Management Plan and associated Traffic Control Plans to accommodate the baton relay. The Traffic Management Plan and Traffic Control Plan No. 5156 Set BL detailing the proposed traffic control was reviewed by the Committee.

The Committee discussed the Traffic Management and Control Plans. The Police representatives emphasised that management of security risks is a high priority. Traffic controllers and the Police will work together to minimise the risks. Police will also assist in traffic management, including at traffic signals and in the rolling road closures.

It was agreed that to inform the public, in addition to media releases, electronic Variable Message Boards and a letter drop to adjoining residents along Beach Road would be appropriate.

The Roads and Maritime Services (RMS) representative informed the Committee that a Road Occupancy License (ROL) will need to be submitted to RMS due to the impact on the Princes Highway, and that a 40 km/h speed zone should be considered approaching the detour intersection with Glenella Road.

The NSW Police representatives thanked the Traffic Officer for his effort in preparing the Traffic Management and Control Plans.

Recommendation:

That the submitted Traffic Management Plan and the associated Traffic Control Plan No. 5156 Set BL for the Commonwealth Games Queen's Baton Relay, Batemans Bay to be held on Tuesday 6 February 2018, be approved.

2018.SE.003 Special Event Application – Mogo Christmas Gala

A special event application has been received from the Mogo Village Business Chamber to conduct a Christmas Gala Day on Saturday 9 December 2017.

It is proposed to close off Annett Street and provide stalls and entertainment. Children's activities including a jumping castle and a petting zoo will be included, with a visit from Santa to hear children's wishes. The organisers propose the event will promote community vibrancy and showcase this historic village and the many interesting shops.

The event will start at 11:00am and finish at 6:00pm. Annett Street will be closed from 8.00am to 7.00pm. A small section at the northern end of the Charles Street car park will also be closed to accommodate portable toilets and emergency vehicles.

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

E16.0002

The road closure will have a minimal impact as Annett Street has limited parking and there is ample parking in other sections of Mogo, including the Charles Street off-street car park.

The submitted Event Management Plan, including Appendix 7 – Traffic Management Plan and the Traffic Control Plan No. 5156 Set BM Sheets 01 was reviewed by the Committee.

The RMS representative advised the Traffic Officer to liaise with the RMS Operations Teams to determine if a Road Occupancy Licence (ROL) was also required for this event.

Recommendation:

That the submitted Traffic Management Plan and associated Traffic Control Plan No. 5156 Set BM Sheets 01 for the Mogo Village Business Chamber Christmas Gala Day to be held on Saturday 9 December 2017, be approved.

2018.SE.004 Special Event Application – Capital Coast / Batemans Bay Triathlon 2018, modified routes

The organisers of the 2018 Batemans Bay Triathlon are considering changing the location of some sections of the races. The event is proposed for Sunday 8 April 2018 and will be renamed the Capital Coast Triathlon.

The proposal is to centre the Triathlon around Tomakin, including conducting the run and swim wholly within the suburb. The road bike component will be along George Bass Drive, from Tomakin to the Airport and then loop back to Mogo Zoo, along Tomakin Road. The swim will be in the Tomaga River.

The Triathlon has been held annually since 2011, starting at Corrigans Reserve, Batehaven. The bike ride route was along George Bass Drive through to the Airport, via Dunns Creek Road, Tomakin Road and back onto George Bass Drive. The run was along Beach Road to the CBD then across to Surfside and return.

With the 2018 proposal, there will be significantly less impact on Council's road system. The road bike sections will have similar road closures to the last year over about 15 km of George Bass Drive and Tomakin Road. Last year other roads including Beach Road, Dunns Creek Road and North Head Drive were also closed. The additional road closures will be required in Tomakin for the run sections in April 2018.

A Traffic Management Plan and associated Traffic Control Plans will be submitted to Council as part of a special event application. The organiser has been informed that this special event application should be submitted to Council at least four months prior to the start date to allow adequate time for processing the Traffic Management Plan.

The Chair commented that the whole community living in Tomakin should be consulted to ensure there is strong support for the Triathlon, particularly given the impact of road closures during the run legs within Tomakin.

Recommendation:

The routes for the Capital Coast Triathlon 2018, to be conducted on Sunday 8 April, starting at Tomakin is noted and the Committee approval for traffic management will be subject to submission and assessment of suitable plans.

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

E16.0002

2018.IN.002 Local Government Road Safety Officer Program 2017/2018

The Local Government Road Safety Program is a partnership between Transport for NSW (TfNSW), Roads and Maritime Services (RMS) and participating local councils in NSW. With an emphasis on community education Council's Road Safety Officer position is 50 per cent funded by the State Government, contributing toward the salary of the 3 days per week position.

Council lodged applications for funding through TfNSW under the Local Government Road Safety Program to be undertaken in 2017/18.

RMS advised Council of its success in securing \$17,630 to fund road safety projects under the Local Government Road Safety Program on 6 October 2017. All programs must adhere to the Roads and Maritime Services Local Government Program's Road Safety Project Funding Guidelines 2014, and subsequent versions, and be in accordance with the Local Government Road Safety Program Performance Funding Agreement between Council and Roads and Maritime Services. The grants do not require a matching contribution from Council. This grant offer was accepted by Council on 11 October 2017.

The Eurobodalla Road Safety Officer is employed 21 hours per week. Each financial year the Road Safety Officer applies for funding based on NSW statewide initiatives and campaigns and dedicated local road safety campaigns and initiatives. The focus of these road safety projects is primarily educational and aimed at behavioural change.

Funding for programs includes:

1. Child Road Safety Project - \$700

The aim of the Child Road Safety Project is to educate parents and carers of children on the correct use of vehicle restraints, and to provide free child restraint safety checks. The project is based on the Centre for Road Safety campaign that showed "2 in 3" child restraints are not fitted correctly.

2. Motorcycle Project - \$2450

In the current Road Safety Strategic Plan 2013-2017, motorcycles riders are identified as vulnerable road users with unique safety needs. Between January 2011 and December 2016 there were 84 motorcycle crashes resulting in 89 casualties. To help raise awareness of motorcycles and their vulnerability a motorcycle project has been developed to increase community awareness of motorcycles on our roads. The campaign called "Joe Rider – Motorcycle awareness campaign" will be conducted 27 November – 1 December 2017 and will involve radio and social media to raise awareness and promote discussion in the community.

3. Look Out Before You Step Out - \$2530

The Eurobodalla will host at least two music festivals in 2017-2018. These two events will see an increase in tourists and pedestrian activity. The "Look Out Before You Step Out" project will realise this slogan in non-permanent chalk paint at pedestrian crossing facilities in Moruya in time for Granite Town Festival and Batemans Bay leading up to the Red Hot Summer Tour booked for early February. The wording is to remind pedestrians even at crossing facilities they

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

E16.0002

should look out before they step out onto the road. Moruya and Batemans Bay have been identified as areas of concern for pedestrian crashes with 4 serious and 7 moderate injury crashes respectively in the last five years.

4. Kings Highway Road Safety Partnership - \$10,150

This program has been operating since 2007. It is a partnership originally formed between Eurobodalla Shire Council, Shoalhaven City Council, Palerang Shire Council, Queanbeyan Shire Council, NSW Police, ACT Police, Roads and Maritime Services and ACT Government. The partnership will continue with the recently merged Queanbeyan – Palerang Regional Council. The Road Safety Officer from Eurobodalla Shire Council coordinates this partnership.

The aim of this partnership is to reduce road trauma, both in number and severity, on the Kings Highway during peak holiday seasons by coordinating inter-agency education and enforcement strategies.

5. Graduate Licencing Scheme Workshops - \$1800

The purpose of the Graduated Licencing Scheme Workshops is to educate the supervisors of learner drivers on how to use their learner driver log book, provide tips and hints on how to teach a learner driver, and advise on how to plan on-road driving lessons. As of June 30 2017 there were 907 learner drivers in Eurobodalla.

The Committee acknowledged the importance of the Road Safety Officer role in organising these community education projects.

Recommendation:

That the Committee note the Transport for NSW / Roads and Maritime Services, Local Government Road Safety Program funding offer of \$17,630, and acknowledge the importance of these community education projects.

Note: The Local Traffic Committee has noted the grants provided under this Local Road Safety Program. A Council resolution will be sought to endorse the actions of staff in accepting the grant funds on offer under the Road Safety Program.

2018.SE.005 Traffic Management Plan – Remembrance Day Ceremony, Batemans Bay

The ceremony will be conducted by the Batemans Bay RSL Sub-Branch on 11 November 2017, between 10:45am and 11:30am. It will be held in Clyde Street near the Batemans Bay Honour Stone.

During the ceremony the length of Clyde Street between the Princes Highway and North Street will be closed to traffic.

The Traffic Management Plan and associated Traffic Control Plan No. 5156 Set P Sheets 05 for the closure of this length of Clyde Street was reviewed by the Committee.

IR17/063 LOCAL TRAFFIC COMMITTEE NO 3 FOR 2017-18

E16.0002

Recommendation:

That the submitted Traffic Management Plan and associated Traffic Control Plan No. 5156 Set P Sheets 05 for the Remembrance Day Ceremony to be conducted in Clyde Street, Batemans Bay on 11 November 2017 between 10:45am and 11:30am, be approved.

2018.SE.006 Traffic Management Plan – Remembrance Day Ceremony, Moruya

The ceremony will be conducted by the Moruya RSL Sub-Branch. It will be held on 11 November 2017 between 10:40am and 11:05am. It will be held in Page Street near the Moruya RSL Hall.

During the ceremony it is proposed that Page Street between Campbell Street and Queen Street along with the western end of Mirrabooka Avenue be closed to traffic.

The Traffic Management Plan and associated Traffic Control Plan No. 5156 Set P Sheets 06 for the closure of this length of Clyde Street was reviewed by the Committee.

Recommendation:

That the submitted Traffic Management Plan and associated Traffic Control Plan No. 5156 Set P Sheets 06 for Remembrance Day Ceremony to be conducted in Page Street, Moruya on 11 November 2017 between 10:45am and 11:30am, be approved.

GENERAL BUSINESS

The Chair made positive comments on the recently announced NSW Government Black Spot grant announcement for road safety improvements on a section of Tomakin Road. This includes widening of the pavement, with the Chair noting that any road pavement widening improves safety for cyclists.

The Representative for Andrew Constance MP made special mention of the funding recently announced by the Hon Andrew Constance MP for a pathway project on South Head Road, from Keightley Street, Moruya through to the Anchorage, Moruya Heads.

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee is to be held at 9.00am on 17 November 2017 in Council's Committee Room.

CCS17/087 MORUYA AIRPORT CAFE

E81.2168

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services
Attachments: 1. Confidential - Moruya Airport Cafe
Focus Area: Support Services
Delivery Program Link: SS3.3 Provide administrative, technical, professional and trade services
Operational Plan Link: SS3.3.4 Manage Council property to achieve best value to the community

EXECUTIVE SUMMARY

Upgrades to the terminal building at Moruya Airport include a café space and the purpose of this report is to advise of the outcome of the EOI process and recommend a licence is granted.

An Expression of Interest (EOI) process was conducted between July and September 2017. Despite promotion of the EOI and an extension of the EOI period, no responses were received.

One experienced operator did make enquiries about the licence but did not submit an EOI. Following on from the EOI, direct discussions have been held with that operator and a licence is proposed on a slightly amended basis from that in the original EOI.

It is considered reasonable and appropriate that a fifteen month licence with a two year option be granted to the operator.

RECOMMENDATION

THAT:

1. Council grant a licence to the operator set out in the Confidential Attachment to this report for a café within the Moruya Airport terminal with terms and conditions including:
 - (a) A fifteen month term with a two year option.
 - (b) Licence fee of \$100 plus GST per week for the initial period.
 - (c) Area is to be maintained in a clean and tidy and condition.
 - (d) Provision of \$20 million public liability insurance.

BACKGROUND

Following Council's successful application for \$4.5 million from the NSW Government for Moruya Airport, upgrades to the terminal building have delivered a café space.

Customers of the café will be terminal users, airport businesses, campground visitors and users of the newly built extension of the bike path from Broulee.

An Expression of Interest (EOI) process was conducted between July and September 2017 however no responses were received.

CCS17/087 MORUYA AIRPORT CAFE

E81.2168

Following on from the EOI, direct discussions have been held with an experienced operator who had made enquiries during the EOI process, and he is willing to proceed but on a slightly amended basis from that in the original EOI.

The differences are:

- A shorter initial term of 15 months to February 2019, rather than 2 years
- Shorter minimum opening hours so that the café is open to cover the morning flights rather than all day.

Other key conditions of the licence will be:

- A two year option after the initial period
- The operator will be required to provide audited accounts each year
- Rent of \$100 a week plus GST for the initial period
- Focus on quality service
- A rent review will occur after the initial term when a trading performance has been established

It is intended there will be a vending machine in the airport for use by passengers, especially when the café is not open. The café operator will have the option to operate and take profits from the vending machine.

CONSIDERATIONS

Legal

The licence site being part Lot 11 DP 1229406 is classified as operational land and there is no impediment to granting a licence.

Policy

The addition of a café at the Moruya Airport is in keeping with The Community Strategic Plan Clause 1.4 which states 'Ensure activities, facilities and services meet changing community needs'.

Asset

The upgrade of Moruya Airport terminal building has delivered a café space which will further improve the terminal and is expected to be well utilised by terminal users, airport businesses, campground visitors and users of the bike path from Broulee.

Social Impact

Use of the café will enhance the experience of tourists and locals alike at the upgraded terminal building.

Economic Development Employment Potential

The minimum café hours are initially to cover the morning flights. These hours will be monitored as the business progresses.

CCS17/087 MORUYA AIRPORT CAFE

E81.2168

Financial

Basic fit out of the café space is covered by the airport grant.

The rent for the airport café is \$100 per week plus GST (\$5,200 per annum) for the first 15 month period reflecting the new nature of the business and the lack of response to the EOI.

The proposed rent is low because the trading performance is unknown, hence a relatively short tenure and there will be a rent review after the initial period.

CONCLUSION

Following Council's successful application for \$4.5 million from the NSW Government for Moruya Airport, upgrades to the terminal building have delivered a café space and a licence to operate a café in the Moruya Airport terminal is proposed.

It is considered reasonable and appropriate for Council to grant a fifteen month licence with a two year option to the operator set out in the Confidential Attachment.

CAR17/030 HEALTHY COMMUNITIES AND SENIORS WEEK GRANTS 2017-18

E17.1006

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services
Attachments: 1. Confidential - Healthy Communities & Seniors Week Grants 2017-18
Focus Area: Liveable Communities
Delivery Program Link: L1.3 Implement recreation and community development initiatives
Operational Plan Link: L1.3.4 Coordinate Healthy Communities, Seniors Week and NAIDOC Week grants

EXECUTIVE SUMMARY

The Healthy Communities and Seniors Week Grants are funded annually by Council to eligible community groups in our Shire, promoting health and social participation. Grants are generally to the value of \$500. The review panel has recommended for grants between \$60 and \$1,000. In 2017-18 Council has a budget of \$12,641 Council received twenty seven (27) applications to the value of \$14,468. All but two applications were assessed as eligible.

RECOMMENDATION

THAT Council approve the recommendations detailed in the confidential attachment, awarding Healthy Communities and Seniors Week Grants to the value of \$12,641 to 27 local groups and organisations for the 2017-18 financial year.

BACKGROUND

The Eurobodalla Healthy Communities and Seniors Week Grants aim to foster a community that is prepared to contribute energy and initiative to improve the health and wellbeing of people in this Shire.

Grants are available to not for profit community groups to supplement their costs and support activities that promote participation. Groups can apply for a Healthy Communities Grant or a Seniors Week Grant, not both. Seniors Week Grants must be used to celebrate Seniors Week in 2018. In 2017-18 Council has a budget of \$12,641 and is recommending that Council award applications to the value of \$12,641.

Council received applications from a range of groups. If approved, 2017-18 funding will support sporting events, a venomous snake course, social events for seniors, art and singing workshops, breakfast programs and a junior member development surf camp.

CONSIDERATIONS

Healthy Communities and Seniors Week Grants

There were 27 applications received. A confidential summary sheet is attached for Councillors' information.

All but two applications received for 2017-18 were assessed as meeting the eligibility criteria. Of the applications received, nineteen (19) were for Healthy Communities Grants and eight (8) were for Seniors Week Grants. Six (6) applications include a recommendation for additional

CAR17/030 HEALTHY COMMUNITIES AND SENIORS WEEK GRANTS 2017-18

E17.1006

funding due to the level and type of community benefit they attract. Two (2) applicants will not receive funding as they do not meet the criteria.

The review panel has recommended grants between \$60 and \$1,000.

Reviewing the Grant process

Council recently reviewed the Financial Assistance (Donations and Grants) policy and procedures. As part of this process the Healthy Communities and Seniors Week Grants have for the first time been conducted electronically through the Smarty Grants program. The majority of the applicants found the process easy to use. There were some applicants that needed to be guided through the application process.

Eligibility for a Eurobodalla Healthy Communities Grant

1. Your group needs to be not for profit and either incorporated or able to prove that they are a bona fide Eurobodalla based community group.
2. Your group can contribute some financial support or volunteer labour to the activity.
3. Your group can show that it has adequate insurance coverage for the activity.
4. Your group does not have any outstanding debts to Council.
5. Your group will use the grant to achieve one or more of the following outcomes in your local community:
 - makes a positive contribution to the community
 - encourages people in the Eurobodalla to be healthy and active
 - celebrates cultural diversity and inclusion
 - provides opportunities for volunteering and/or social interaction
 - improves access to information, a service or a facility
 - improves community safety
 - teaches or develops a new skill.

Eligibility for a Eurobodalla Seniors Week Grant

1. Seniors Week Grants must be used during Seniors Week 2018.
2. Your group needs to be not for profit and either incorporated or able to prove that they are a bona fide Eurobodalla based community group.
3. Your group can give some financial support or volunteer labour to the activity.
4. Your group can show that it has adequate insurance coverage for the activity.
5. Your group does not have any outstanding debts to Council.
6. Your group will use the grant to achieve one or more of the following outcomes in your local community:
 - celebrates older people and their contribution to the community
 - creates intergenerational opportunities for social interaction
 - encourages seniors to be healthy and active
 - encourages lifelong learning
 - promotes and celebrates the cultural diversity of older people in our community
 - raises community awareness of the benefits and positive and active ageing.

CAR17/030 HEALTHY COMMUNITIES AND SENIORS WEEK GRANTS 2017-18

E17.1006

Recommended applications

Recommended applications for funding under the Healthy Communities and Seniors Week Grants Scheme are contained in a confidential attachment to this report, for the information of Councillors.

Social Impact

The Eurobodalla Healthy Communities and Seniors Week Grants aim to foster a community that is resilient, capable and active. The grants assist volunteers and groups across this Shire to run grass roots activities and events that increase participation in community life.

The criteria for the Healthy Communities Grant scheme was developed to reflect Council's social and cultural planning commitments to improve and promote community wellbeing, as outlined in the Community Strategic plan.

Financial

In 2017-18 Council has a budget of \$12,641.83 for Healthy Communities and Seniors Week Grants. The combined total of applications recommended by the assessment panel is \$12,641 of which 19 (nineteen) are the Health Communities Grants and eight (8) are for Seniors Week Grants.

Community Engagement

We have informed the community through providing information on Council's website, posting on Council's Facebook, advertising on Council's noticeboard page in two local newspapers and distributing a media release.

CONCLUSION

The Healthy Communities and Seniors Week Grants provide the opportunity to support local not for profit community groups and organisations by strengthening their capacity to promote health and wellbeing and increase community participation in a range of activities.

17. DEALING WITH MATTERS IN CLOSED SESSION

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

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

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

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

EUROBODALLA SHIRE COUNCIL

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

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

CONFLICT OF INTEREST

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

THE TEST FOR CONFLICT OF INTEREST

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

IDENTIFYING PROBLEMS

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

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

AGENCY ADVICE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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