



AGENDA

Ordinary Meeting of Council

26 June 2018

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

ON TUESDAY 26 JUNE 2018

COMMENCING AT 10.00AM

AGENDA

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

- 1. WELCOME, ACKNOWLEDGEMENT OF COUNTRY & EVACUATION MESSAGE**
 - 2. APOLOGIES**
Nil
 - 3. PUBLIC FORUM (AGENDA ITEMS ONLY)**
 - 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
4.1 Ordinary Meeting held on 12 June 2018
 - 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**
(Declarations also to be made prior to discussions on each item)
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18. CONFIDENTIAL MATTERS

DR CATHERINE DALE
GENERAL MANAGER

MR18/003 WHARF ROAD, BATEMANS BAY

File Ref: E12.6263

Attachments: 1. Aerial view with cadastral boundaries

EXECUTIVE SUMMARY

The area of Batemans Bay coastline known as Wharf Road, has generated significant interest in regard to the impacts of coastal hazards and how they should be managed.

The NSW Government identified the area as one of fifteen coastal erosion hot spots and issued a Ministerial Direction to Council to produce a coastal zone management plan (CZMP) and coastal erosion action plan in recognition of the immediate risk of coastal erosion. Both of these plans have been prepared with the NSW Minister for the Environment recently certifying the CZMP for the area.

A coastal hazard study of the area undertaken in 2009 by BMT WBM, identified that it was at immediate risk of coastal hazards and not suitable for development. The subsequent CZMP, in recognition of the site's lack of suitability for development and requests by some owners for their properties to be purchased by Government, proposes acquisition of the properties by the NSW Government. With the recent certification of the CZMP by the Minister, this is now possible subject to satisfactory negotiations between the property owners and the NSW Government.

Recently I attended a meeting at Wharf Road with a representative of a consortium who are a major land owners in the area. This meeting was also attended by my fellow Councillors Maureen Nathan, Jack Tait and Pat McGinlay. At the meeting the property owner advocated for a new study of the area to be undertaken to examine all existing information and potential remediation options, along with the site's suitability for development. It was suggested that this study should be funded by Council or the NSW Government.

At the meeting I gave a commitment to raise the matter with councillors via a Mayoral report, to enable a position to be determined, hence my presenting this report to Council.

Given that the primary beneficiaries arising from the outcomes of such a study are the property owners, I believe that the property owners requesting the study should, as a minimum, provide 50% of the cost of the study and that Council should limit its contribution to a maximum amount of \$10,000.

RECOMMENDATION

THAT Council consider the request to fund or contribute to the funding of a study of the Wharf Road area and determine a position in regard to such request.

REPORT

The area of land known as Wharf Road, is located on the northern shore of Batemans Bay. Attachment 1 contains an aerial photograph of the area and includes cadastral boundaries of the allotments. As can be seen, a large percentage of the allotments are, and have been for some time, underwater.

A development application (871/02), over part of the land at Wharf Road, was lodged with Council in 2002 for 33 Residential Units. Development consent was issued as a deferred

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commencement consent and included a number of conditions requiring matters associated with stormwater management, coastal hazard management and engineering details to address coastal hazards, to be provided to Council for approval to enable the consent to be operable. As the requirements of the condition were not met within the required time frame, the deferred consent lapsed and as per the requirements of the Environmental Planning & Assessment Act, is taken to have never existed. This history highlights the difficulty, as a direct result of the coastal hazards impacting the area, to develop this location.

In recognition of the area being at immediate risk of coastal erosion, the NSW Government identified it as one of fifteen coastal erosion hot spots and directed Council to prepare a coastal zone management plan (CZMP) and coastal erosion action plan.

The original coastal hazard assessment was undertaken by BMT WBM. This study found the area to be at immediate risk of coastal erosion and inundation. In recognition of the immediate risk of coastal hazards, the study found that the site was not suitable for development and recommended that the area should be rezoned and voluntary resumption (acquisition) pursued.

The CZMP prepared for the area in response to the Ministerial direction, considered the independent technical studies and requests from some property owners, and proposed that the NSW Government acquire the properties. The Minister for the Environment recently certified the plan, making way for the opportunity for land owners in the area to enter negotiations with the NSW Government to acquire the properties.

Recently I attended a meeting at Wharf Road with a representative of a consortium who are a major land owners in the area. This meeting was also attended by my fellow Councillors Maureen Nathan, Jack Tait and Pat McGinlay. At the meeting the property owner advocated for a new study of the area to be undertaken to examine all existing information and potential remediation options, along with the site's suitability for development. It was suggested that this study should be funded by Council or the NSW Government.

At the meeting it was suggested that the NSW Government should be asked to fund the study. Council wrote to the NSW Office of Environment and Heritage in February of this year, following a similar request to that discussed above, seeking advice, among other matters, on if the Government would fund such a study. Council is yet to receive a formal response to the letter, however informal advice to staff suggests that the NSW Government is unlikely to fund a new study given that they have already funded the previous technical study (BMT WBM) and the subsequent CZMP undertaken by Spurway and Associates and has provided significant funding toward the current preparation of a coastal management program.

On 4 June 2018, the Director Planning and Sustainability met with two representatives of the consortium who own property in the Wharf Road area. The purpose of the meeting was to define their objectives of the requested study. The following are the objectives which they have set:

1. assess and describe (from existing reports) the current known characteristics of the coastal processes within Batemans Bay and specifically at Wharf Road

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2. develop options to reclaim land to achieve a coastline consistent with that in existence at the time that DA 871/02 was lodged and to manage ongoing coastal hazards both now and into the future
3. identify the costs, both for construction and ongoing management actions of recommendations arising from Point 2
4. assess and make recommendations in regard to suitability of the site for development (public and private), the types of development, any conditions related to that development and appropriate zoning of the site, subject to consideration of the outcomes of Points 1, 2 and 3
5. facilitate the purchase of the land by the NSW Government and enable the owners to recover costs in line with the value of the site had it not been rezoned to a non-operational zone.

The property owners have requested that the work be undertaken by a coastal engineer who they prefer. It has been explained that if Council were to fund or contribute to the funding of the requested study, Council could not directly deal with their preferred consultant. Any procurement process would have to be competitive.

Given that the owners of the properties are the people likely to benefit most from any study, should it identify any positive outcomes for the future development of the site, I believe that they should be contributing to the cost of the requested study. As the Wharf Road Coastal Zone Management Plan has now been certified, there is the potential that some of the land may end up in public ownership. Additionally, one of the objectives identified by the property owners is that the study assess the suitability of the site for both public and private development. I therefore believe that if Council is of a mind to proceed with the requested study then it should be on the basis that:

- Council contribute 50% of the cost of the study up to a total cost to Council, of \$10,000
- the property owners requesting the study pay for 50% of the cost of the study and if the total cost exceeds \$20,000 any costs in excess of the Council's capped 50% contribution of \$10,000
- before Council staff proceed to prepare a project brief, the owners of the property who have requested the study, provide a written guarantee to meet the above costs
- the procurement process proceed in accordance with Council's normal process, other than that, the Request for Tender be referred to Council to determine which, if any firm, is awarded the project
- the project be managed by Council staff.

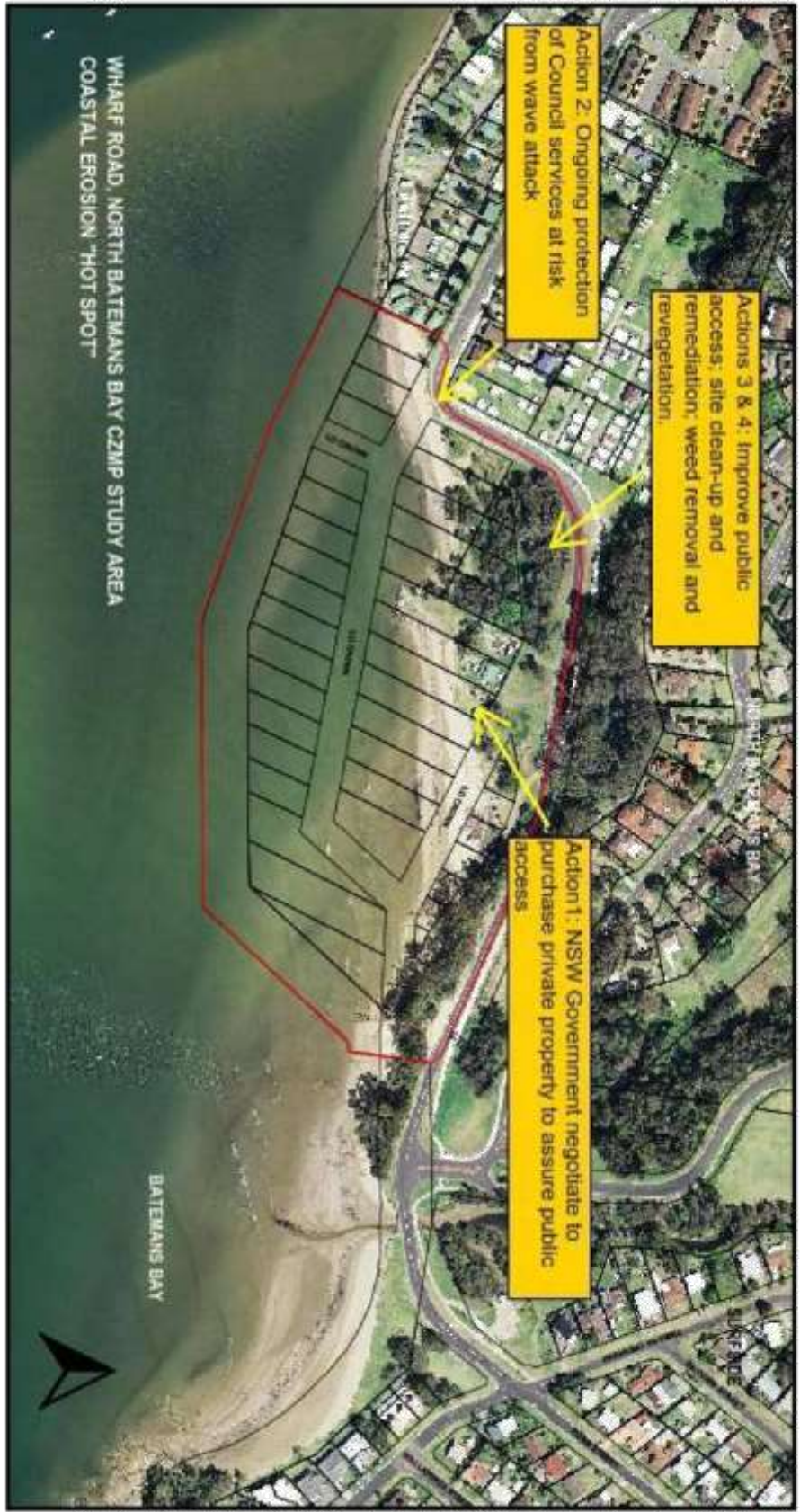


Figure 10 Action Plan Summary - Wharf Road CZMP

QON18/002 RURAL LANDS STRATEGY

E12.6191; E16.0182

Responsible Officer: Anthony Mayne - Councillor

Attachments: Nil

The following questions on notice were received from Councillor Mayne:

Question

Rural Fire Service (RFS) concerns raised in their letter to Eurobodalla Shire Council of 4 December 2015.

'Reduction of Minimum Lot Size, the RFS states:

The Draft Rural Lands Strategy (DRLS) seeks an increase in subdivision potential of some areas which the RFS are of the opinion are highly constrained and may be identified as isolated rural locations. Constraints such as steep slopes, heavily timbered land, limited access (i.e one way in one way out) and areas of high conservation value should not be subject to increased densities without first undertaking a thorough investigation of the likely impacts including matters of bush fire protection'.

What investigations have been done into these areas and is it possible to protect possible new residents and fire fighters from these identified hazards?

Response

Council has consulted on a number of occasions with the Rural Fire Service regarding the Rural Lands Strategy and the planning proposal to implement the Strategy recommendations:

- During the public exhibition of the Draft Rural Lands Strategy in October-November 2015.
- During the preparation of the planning proposal, Council sought comment from the Rural Fire Service on a preliminary draft planning proposal in May 2016.
- In September 2016, Council staff undertook a range of site inspections throughout the rural areas of the Shire with officers of the Rural Fire Service, Office of Environment and Heritage and Department of Planning and Environment.
- During the current exhibition of the draft planning proposal.

Council considered all submissions received to the Draft Rural Lands Strategy before adopting the Strategy in February 2016. The following response was provided to the submission from the Rural Fire Service:

"The Rural Lands Strategy provides for minimal additional lots and dwellings in remote rural locations. In the planning proposal that follows the adoption of the Strategy by Council, the potential lot and dwelling yields in each location will be justified having regard to Ministerial Direction 4.4. The RFS will be consulted during this process."

For each area where the planning proposal facilitates possible additional subdivision or dwellings, the planning proposal provides a high-level assessment of the area having regard to Planning for Bushfire Protection. At the planning proposal stage, the exact nature of future

QON18/002 RURAL LANDS STRATEGY

**E12.6191;
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subdivision proposals or future locations of proposed dwellings are not known. It is therefore not possible to undertake detailed bushfire assessments. Given the scale of additional potential development in most areas is very small, it is also not considered reasonable that more detailed bushfire assessments be undertaken at this stage.

More detailed bushfire assessments will be required to be undertaken as part of development applications for specific subdivision or dwelling proposals. Planning for Bushfire Protection provides acceptable solutions as well as the potential to propose alternative solutions where the deemed to comply standards cannot be met. Development applications in bushfire prone areas are required to be referred to the Rural Fire Service for comment.

Question

Will subdivision or development be allowed on steep slopes, heavily timbered land, limited access or high conservation value land?

Response

The question “will subdivision or development be allowed...” is not a question that can be answered at this stage. Where additional subdivision or dwellings are facilitated by the planning proposal, a development application is required to be submitted to Council and the details of the proposal have to be assessed on merit and having regard to the relevant requirements, including those contained in Planning for Bushfire Protection.

It is important to note that, under current planning rules, certain developments are permitted with consent in steep, heavily timbered, limited access or high conservation value land. These constraints are matters for consideration, not prohibitions on development. Any development proposal in these lands needs to be assessed having regard to those constraints, the relevant legislation (including the Rural Fires Act 1997, the Environmental Planning and Assessment Act 1979 and the Biodiversity Conservation Act 2016) and the potential impacts of the specific development proposed.

Question

Planning for Bushfire Protection, the RFS states:

- a. *Minimising the interface to the bush fire hazard is a key planning principle of Planning for Bushfire Protection (PBP) 2006 and Section 117(2) 4.4 Direction. This is most commonly achieved through the use of perimeter roads, something that is unlikely to be viable given the moderate lot yield of future subdivisions in each locality subject to the proposed reduced minimum lot sizes (MLS), the rural residential nature of the zoning and existing standard of road infrastructure in these areas.*

Has the viability of the proposed Minimum Lot Sizes been assessed for the interface to the bush fire hazard?

QON18/002 RURAL LANDS STRATEGY

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Response

Almost the whole of Eurobodalla is bushfire prone. This fact does not prohibit further development in Eurobodalla. The impacts of potential bushfire on development is a matter for consideration when preparing planning proposals and assessing development applications.

As noted in the response to question 1, a high level assessment has been undertaken of each area where additional potential development is facilitated by the planning proposal. More detailed assessment will be undertaken at the development application stage.

Question

Will lot sizes be amended where adequate protection is unlikely to be viable?

Response

Should a specific subdivision development proposal not be able to comply with the provisions of Planning for Bushfire Protection and suitable alternative solutions are not proposed, the development application may be refused. Alternatively, the applicant may propose to modify the proposal, for example by increasing the size of proposed lots, by redesigning the subdivision or by incorporating alternative access arrangements.

Question

- a. *(i) Planning for Bushfire Protection (PBP) 2006 has certain requirements for access to and from development. For example, the acceptable solutions for public roads in subdivisions require roads to be through roads. Dead end roads are not recommended, but where unavoidable, dead ends shall not be more than 200m in length. For property access roads, the acceptable solutions require that where a dwelling is located greater than 200 metres from a public through road, a secondary access road shall be provided. Where the acceptable solutions of PBP cannot be met, the development is considered under the "merit based provisions" and required to satisfy the intent of the relevant 'performance criteria'.*
- (ii) A preliminary overview of a number of locations included in the DRLS some sites may be unlikely to comply with the acceptable solutions for property access roads and public road access of PBP 2006. Therefore where applicable, future planning proposals and subdivisions within the site would need to demonstrate that they can satisfy the intent of the public road access 'performance criteria' that 'public road widths and design that allow safe access for firefighters while residents are evacuating an area' and the property access 'performance criteria' that 'road widths and design enable safe access for vehicles'.*
- (iii) At a future planning proposal stage, where it is determined that the acceptable solutions are unlikely to be satisfied, the RFS considers the relevant 'performance criteria', the existing subdivision potential of the land, the subdivision potential of the land sought under the proposal, in combination with the level of bushfire risk posed. These matters are considered to determine the likely ability that a suitable suite of bushfire protection measures could be provided, such that the proposal may be*

QON18/002 RURAL LANDS STRATEGY

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supported. This includes measures such as perimeter roads which, as discussed above, may be unlikely to be viable for future subdivisions in this area.

(iv) The RFS recommends that Council consider the strategic access of rural isolated localities within the DRLS as part of an overall assessment of bush fire protection measures. This includes considering provision of alternate accesses for relevant areas, which does not involve traversing areas of high bushfire risk such as heavily timbered vegetation and/or steep slopes.

What has Council done to satisfy these concerns of the RFS?

Response

Council provided a detailed response to the concerns raised by the Rural Fire Service to the Draft Rural Lands Strategy and a preliminary planning proposal that was provided to the Rural Fire Service for comment. Council's response was also provided to the Minister for Planning as part of Council's request for a Gateway Determination to allow the planning proposal to be placed on public exhibition.

Council's response included the following:

"In summary, the Rural Fire Service are recommending that a "strategic based study of bush fire" be prepared wherever one or more lots or dwellings could be provided in bush fire prone areas. The Rural Fire Service also state that they would have serious concerns with the establishment of land uses involving tourist accommodation in isolated rural locations.

Council understands the concerns of the RFS regarding bush fire safety to residents and fire fighters. However, the approach taken by the RFS in relation to this planning proposal is not considered appropriate or reasonable in the circumstances. The RFS are effectively saying that no further development of housing or tourism accommodation should be permitted in bush fire prone rural areas of Eurobodalla unless such developments are located within 200m of a major sealed through road.

This suggests that the RFS would like to sterilise all rural land designated as bush fire prone that is located further than 200m of a major sealed through road from further development opportunities beyond what current Local Environmental Plans allow. This seems to Council to be the establishment of a de-facto State-wide policy that opposes any amendments to Local Environmental Plans that would make development permissible in rural, bush fire prone areas even where a strategic study (eg Rural Lands Strategy) has identified the need for such a development outcome. This is a policy position that should be considered by the Rural Fire Service at a State level and considered by the NSW Minister for Planning.

QON18/002 RURAL LANDS STRATEGY

**E12.6191;
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The RFS comments on the planning proposal are considered unreasonable for the following reasons:

- *Dwellings currently exist lawfully in some remote bushfire prone areas in Eurobodalla.*
- *Some vacant properties in remote bushfire prone areas currently have a lawful dwelling entitlement.*
- *In most areas, the planning proposal will facilitate less than 5 additional dwellings and will therefore not create an additional fire fighting burden than currently exists.*
- *For all remote bushfire prone land in Eurobodalla that is currently zoned RU1 Primary Production, tourist accommodation is currently a permissible development.*
- *Rezoning the majority of rural land to RU1 Primary Production does increase the opportunity for development applications to be submitted for tourist developments, however the actual number of proposals are likely to be small and it is impossible to predict their location at this time. Each application will need to be assessed on its individual merits which will include the requirement for a bush fire safety authority from the NSW RFS.*
- *An assessment of bushfire risk for a development will depend on the type of development, the location of the development, the proposed construction standard, access to water supplies, amongst other things. This assessment is best undertaken at the development application stage.*
- *In some locations where access is currently through bush fire prone land, there may be opportunities for a land owner to propose alternative access arrangements in the event of a bush fire. In some locations the provision of a suitable refuge may be an appropriate alternative arrangement, as outlined in Planning for Bushfire Protection 2006."*

The Minister for Planning provided Council with a Gateway Determination on 31 October 2017 that allowed public exhibition following the preparation of additional mapping and other information to include with the public exhibition material. The Gateway Determination did not require any further bushfire assessment prior to public exhibition. The Gateway Determination did require further consultation with the Rural Fire Service. The planning proposal was provided to the Rural Fire Service for further comment during the public exhibition period. At the time of preparing this response, further comments from the Rural Fire Service have not been received by Council.

Question

What additional road construction would be required to allow safe access to these areas?

Response

The answer to this question depends on the nature of any specific development application submitted to Council for assessment. It also depends on the detailed bushfire assessment provided by the proponent to support the development application, including whether any

QON18/002 RURAL LANDS STRATEGY

**E12.6191;
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alternative solutions are proposed to address the requirements of Planning for Bushfire Protection.

Question

Can Council proceed with the Rural Lands Strategy before satisfying the objections of the RFS?

Response

Council has received a Gateway Determination from the NSW Government to place the planning proposal on public exhibition. Following public exhibition Council will review all submissions received and consider whether to adopt a final planning proposal. Council does not have delegation to make the amendments to ELEG 2012 in this planning proposal. Therefore, should Council resolve to adopt a final planning proposal, it will be forwarded to the Department of Planning and Environment with a request for the Minister for Planning to make the LEP amendments.

Question

What is the forecast total land clearing as a result of the proposed 255 new dwellings and related road infrastructure, bush fire protection requirements and fencing?

Response

The total amount of land clearing that could be facilitated by the planning proposal is not able to be calculated. The amount of clearing proposed for any future development proposal depends on the nature of proposal itself. For example, on some land that will benefit from the planning proposal, there are already cleared areas that could be used to locate a dwelling or dwellings.

Any proposed clearing associated with a development application would be assessed in accordance with the relevant legislation, including the Biodiversity Conservation Act 2016.

RECOMMENDATION

THAT the response to the questions regarding Rural Fire Service concerns in regard to the draft Rural Lands Strategy raised by Councillor Mayne be received and noted.

QON18/003 PRINCES HIGHWAY CORRIDOR STRATEGY UPDATE

E00.4623; E17.1041

Responsible Officer: Phil Constable - Councillor

Attachments: 1. Response to Question on Notice QON17/004
 2. Letter to the Hon. Andrew Constance MP

The following question on notice was received from Councillor Phil Constable:

Question

What steps have been undertaken to enact motion NOM17/002 Princes Highway Corridor Strategy as resolved by Council on 14 February 2017; what impediments have occurred to the facilitation of the intent of the motion and what suggestions do staff offer to overcome these impediments and enact the intention of the motion.

Response

This matter was subsequently addressed via Question On Notice 17/004. A copy of the response to that question is attached to this document.

Council subsequently resolved:

'THAT:

- 1. The response to the question regarding Future Redevelopment of Princes Highway and Kings Highway raised by Councillor Phil Constable be received and noted.*
- 2. Council report against its advocacy work to seek progressive upgrades to the Princes Highway and Kings Highway when it reports against the adopted 2017-21 Delivery Program and 2017-18 Operation Plan each six months*
- 3. Council write to Minister Constance thankfully acknowledging his response and expressing gratitude for his works on behalf of our Shire's residents. Further, that Council accept Minister Constance invitation for a meeting in September and again request those persons nominated in the adopted Question on Notice 17/002 to attend.'*

In relation to point 2, the following information was included in the response to the Delivery Program 2017-21 and Operational Plan 2017-18 as part of the six monthly December 2017 review, presented to Council on 27 February 2018 (refer page 39). This is as follows:

"Roads Maintenance Council Contract work undertaken on the Kings Highway for Roads and Maritime Services.

Letter forwarded to Hon Andrew Constance MP thanking him for his efforts to secure funding for improvements to the Kings and Princes Highways, and accepting his offer to meet with Councillors in September with request to invite Ministers Hon Melinda Pavey; Hon John Barilaro; Hon Bronwyn Taylor and Ms Renae Elrington.

Letters forwarded to Hon Andrew Constance MP and Hon Melinda Pavey MP and RMS.

Letters forwarded to the Hon Andrew Constance MP and Ann Sudmalis MP.

South East Australian Transport Strategy Inc (SEATS) meetings attended.

Attended the Canberra Region Joint Organisation (CBRJO).

QON18/003 PRINCES HIGHWAY CORRIDOR STRATEGY UPDATE

**E00.4623;
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RMS regional meeting on Kings Highway roads maintenance contract in Goulburn.

Letter sent to the Hon Andrew Constance MP on urging action from RMS to connect the South Batemans Bay Bypass (Link Road) to the Princes Highway."

In relation to point 3, Council wrote to the Minister for Transport and Infrastructure Hon Andrew Constance MP on 9 August 2017. A copy of the response is attached. Subsequently, the Hon Andrew Constance MP has met with the Mayor and Council officers on a number of occasions.

Council has also made submission to the various transport plans advocating for upgrades to the Princes Highway and Kings Highway and these can be found at the following links.

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

On 22 May 2018, Council also considered the work required specifically on the Princes Highway, and resolved (Min 18/106):

'THAT:

i) Council support the 'Fix It Now' campaign being advocated by the South East Australian Transport Strategy Inc (SEATS) to seek major upgrading of the Princes Highway south of Nowra to the Victorian border.

ii) Write to the Member for Gilmore Ann Sudmalis MP and Member for Eden Monaro Dr Mike Kelly MP advocating to the Australian Government to provide a funding deal to match the NSW Government on an 80/20 basis to deliver major upgrading of the Princes Highway south of Nowra with a key focus on:

a. Provision of funding to undertake detailed route audit and planning for the Princes Highway and road corridor acquisition from south Nowra to Moruya, and subsequently from Moruya to the Victorian border.

iii) At this point in time, and pending the outcome of the detailed route audit of the Princes Highway, Council's priority be confirmed to be as follows:

a. the section of the Princes Highway between Cullendulla Drive and Mogo township, inclusive of

- an appropriate intersection treatment to connect the Princes Highway and South Batemans Bay Link Road*
- provision of four through lanes continuously through Batemans Bay*
- provision of additional capacity at the Princes Highway and Cranbrook Road intersection*
- provision of an off-road shared pathway from Surfside Primary School along the Princes Highway to the South Batemans Bay Link Road*

b. delivering a comprehensive bridge widening and strengthening program to enable safer road travel, a better working environment for transport operators and 26m HML B-double access from Nowra to Eurobodalla and then onto Bega with more immediate attention given to:

QON18/003 PRINCES HIGHWAY CORRIDOR STRATEGY UPDATE

**E00.4623;
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i. Narooma bridge, Wagonga Inlet

ii. Mogo bridge, Mogo

iii. Alsops bridge, Brogo

c. provision of appropriate traffic facilities along the Princes Highway to provide a more pedestrian friendly environment and intersection upgrades within the townships of Batemans Bay, Mogo, Moruya, Bodalla and Narooma

iv) Council write to the local State member, Andrew Constance MP, thanking him for his strong advocacy and support to secure funding and upgrading of the Princes Highway and for his ongoing efforts to secure funding to complete the intersection to connect the Princes Highway and South Batemans Bay Link Road.

v) Council write to SEATS thanking them for their strong advocacy and support to secure funding and upgrading of the Princes Highway including through the Fix it Now campaign.'

This resolution is being progressed.

Representations by the Mayor have also been made directly to the Federal Member for Gilmore Ann Sudmalis MP seeking the support of the Australian Government for the Princes Highway/South Batemans Bay Link Road connection.

As part of the NSW Government budget, Minister for Transport and Infrastructure the Hon Andrew Constance MP announced \$1.5B in funding for the Princes Highway. This is an unprecedented amount of funding for the upgrading of the Princes Highway and includes the allocation for the Batemans Bay bridge, and \$10M in road safety improvements between Ulladulla and Batemans Bay. It also includes \$155M to match the commitment of \$155M towards a new bridge at Nowra.

The allocation by the NSW Government adds further weight for calls on the Australian Government to deliver a funding deal to match the NSW Government allocations, similar to that in place for the Pacific Highway. Council has already resolved to pursue this action under part (ii) of the resolution Min 18/106.

The recommended priority action for the NSW and/or Australian Government to fund, remains for the section of the Princes Highway immediately south of Batemans Bay which needs to be upgraded to address the significant road safety record on the Princes Highway. This should incorporate a new intersection to connect the South Batemans Bay Link Road and realise the previous investment of \$10m by the NSW Government on the Link Road (now known as Glenella Road).

Council may wish to seek a further meeting with the parties identified in NOM17/002 and the Opposition candidates leading into the next NSW Government election. Council may also wish to seek similar meetings with candidates for the Australian Government elections.

QON18/003 PRINCES HIGHWAY CORRIDOR STRATEGY UPDATE

**E00.4623;
E17.1041**

RECOMMENDATION

THAT the response to the question regarding Princes Highway Corridor Strategy Update raised by Councillor Constable be received and noted.

QUESTION ON NOTICE REPORT TO ORDINARY MEETING OF EUROBODALLA SHIRE COUNCIL
HELD ON TUESDAY 25 JULY 2017

Page 1

QON17/004 FUTURE REDEVELOPMENT OF PRINCES HIGHWAY AND KINGS HIGHWAY

E17.1041

Responsible Officer: Phil Constable - Cllr

Attachments: 1. Letter from Member for Bega

The following question on notice was received from Councillor Phil Constable:

Question

At the February 14 2017, Notice of Motion 17.002 Council meeting Councillors resolved to Invite the Hon. Melinda Pavey MP in her capacity as NSW Minister for Roads maritime and Freight, and the Hon. Andrew Constance MP in his dual capacity as the Local Member and NSW Minister for Transport and Infrastructure, the Hon. John Barilaro MP, in his capacity as Deputy premier, Minister for Regional NSW and member for Monaro and the Southern NSW, together with the Roads Maritime Services Southern Region Manager Ms Renae Elrington to a meeting with Councillors and the necessary Council Staff, as soon as it can be arranged to engage in a discussion about the vital importance of:

- i. advancing the upgrading of the Princes Highway and Kings Highway, noting the critical role these highways have in servicing Eurobodalla Shire residents, businesses and transport needs, the greater South Coast and Canberra regions and the international market place via Canberra airport.
- ii. developing longer term plans for the Future Redevelopment of the Princes Highway and Kings Highway to meet the medium and long-term needs.

(The Motion on being put was declared CARRIED)

Can Council be advised as to the actions undertaken to facilitate the enactment of this motion; including correspondence between Council and the nominated individuals; and the progress to date of enabling the enactment of the motion.

Response

Further to the Council Resolution NOM17/002 (Council Meeting 14 February 2017), as per normal protocols, Council wrote to the Hon Andrew Constance MP requesting a meeting with Ministers Hon John Barilaro MP, in his capacity as Deputy Premier, Minister for Regional NSW and Member for Monaro, Hon Melinda Pavey MP, Minister for Roads, Maritime and Freight and the Hon Bronwyn Taylor MLC, in her capacity as Parliamentary Secretary for Deputy Premier and Southern NSW, on 21 February 2017. A response from the Hon. Andrew Constance MP, Member for Bega is attached.

Subsequently, a meeting was arranged with the Hon Melinda Pavey MP and Hon Andrew Constance MP on 3 March 2017. Councillor Phil Constable presented to the two Ministers at this meeting to inform them of the importance of the highway transport corridors to the Eurobodalla. The Hon John Barilaro MP was due to meet with Council on 3 April 2017. This meeting was cancelled by Minister Barilaro's office due to other commitments. The Hon Bronwyn Taylor separately attended a meeting at Council on 21 April 2017.

The issues identified in Council's resolution were discussed at these meetings.

QUESTION ON NOTICE REPORT TO ORDINARY MEETING OF EUROBODALLA SHIRE COUNCIL
HELD ON TUESDAY 25 JULY 2017

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**QON17/004 FUTURE REDEVELOPMENT OF PRINCES HIGHWAY AND KINGS
HIGHWAY**

E17.1041

Separately, Council has continued to advocate for improvements to the Kings Highway and Princes Highways via direct contact with Andrew Constance MP, Lt General Ken Gillespie (Regional Infrastructure Coordinator); Ms Renae Elrington Regional Manager RMS Wollongong; Transport for NSW; and through attendance at the NSW Local Roads Congress and South East Australian Transport Strategy Inc (SEATS). We are grateful to SEATS for its support of Council by writing to the relevant Ministers to highlight our needs.

Additionally, Council has gained the support of community groups such as the Nelligen Progress Association and Broulee Mossy Point Community Association for joint advocacy to NSW Government.

Council has since made a formal submission to the proposed review of the NSW Transport Plan. A copy of this submission is available on Council's website at:
<http://www.esc.nsw.gov.au/inside-council/project-and-exhibitions/advocacy/infrastructure-priorities>

Council has incorporated the essence of this resolution into the recently adopted 2017-21 Delivery Program and 2017-18 Operational Plan (DP-OP) on Page 51 as follows:

Delivery Program	Operational Plan
7.4.2 Advocate for improved road and freight access into and out of Eurobodalla	7.4.2.1 Work with key partners to advocate for the progressive upgrade of the Princes and Kings Highway

Action taken to pursue this advocacy work will be reported back to open Council as part of the six monthly report against the DP-OP. It is recommended that for efficiency, this be the reporting mechanism against this action.

Information on the Princes Highway Corridor Strategy is provided by the Roads and Maritime Services website at:
<http://www.rms.nsw.gov.au/projects/south-coast/corridor-strategies/index.html>

These include substantial expenditure between Kiama and Nowra including the recently opened Berry By-pass, Dignams Creek realignment and the proposed new Batemans Bay bridge. These works represent an unprecedented commitment to upgrading the Princes Highway by the NSW Government.

Current works on the Kings Highway are listed on the Roads and Maritime Services website at:
<http://www.rms.nsw.gov.au/projects/south-coast/kings-highway/index.html>

Council will continue to advocate to see significant upgrades to the Kings Highway and Princes Highway for, with and on behalf of, our community.

QUESTION ON NOTICE REPORT TO ORDINARY MEETING OF EUROBODALLA SHIRE COUNCIL
HELD ON TUESDAY 25 JULY 2017

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RECOMMENDATION

THAT:

1. The response to the question regarding Future Redevelopment of Princes Highway and Kings Highway raised by Councillor Phil Constable be received and noted.
2. Council report against its advocacy work to seek progressive upgrades to the Princes and Kings Highway when it reports against the adopted 2017-21 Delivery Program and 2017-18 Operational Plan each six months.



Our Reference: E17.1041

9 August 2017

The Hon Andrew Constance MP
Minister for Transport and Infrastructure
Member for Bega
PO Box 758
BEGA NSW 2550

beqa@parliament.nsw.gov.au

Dear Minister

Future Development of Princes and Kings Highways

Thank you for your letter dated 17 July 2017 regarding further improvements to the Princes and Kings Highways. We gratefully acknowledge your personal efforts to secure funding for the works being undertaken on both the Princes Highway and Kings Highway.

We accept your invitation for a meeting in September, to further discuss advancing the upgrading of the Princes Highway and Kings Highway, to meet the medium and long term needs of the region.

We kindly request that your office also extend an invitation to have the following join with you to meet with the Councillors:

- Hon John Barilaro MP, in his capacity as Deputy Premier, Minister for Regional NSW and Member for Monaro
- Hon Melinda Pavey MP in her capacity as NSW Minister for Roads, Maritime and Freight
- Hon Bronwyn Taylor MLC, in her capacity as Parliamentary Secretary for Deputy Premier and Southern NSW
- RMS Southern Region Manager Ms Renae Elrington

Please contact Council's Executive Support Officer, Kylie Green, on telephone 02 4474 1005 to arrange a suitable date and time at Council's Administration building, Moruya.

Yours sincerely

A handwritten signature in black ink, appearing to read "Liz Innes", with a stylized flourish at the end.

Councillor Liz Innes
Mayor

QON18/004 PROPOSED LOANS TO COUNCIL FROM TCorp

E18.1570

Responsible Officer: Pat McGinlay - Councillor

Attachments: Nil

The following questions on notice were received from Councillor Pat McGinlay:

Question

One of the conditions for granting these loans by TCorp is that Council was required to amend its current "Investment Policy" in accordance with its credit policies. This effectively decreased the percentage of term deposit funds that could be invested by Council in institutions with a BBB rating. This recommended change to comply with TCorp demands was also accepted by Council to be put out for public exhibition until 20 June 2018.

In relation to the loans I ask the following:

- 1. Within the schedule of the loans documentation what is the 'adoption day' of the loans?*
- 2. After the 22 May Council meeting, Councillors were verbally advised that TCorp had included a clause that affirms the requirement to maintain Council's investment policy as is throughout the term of the loans. I consider this to mean that once the loans are formalised, Council may not change its "Investment Policy" for the terms of the loans without the express written approval of TCorp. Can you confirm that this is correct?*
- 3. Are there any mechanisms open to Council in the future to cancel these loans and thus regain autonomy in determining and amending its own "investment policy" within the term of the loan? Can you also confirm the term of the loans?*
- 4. If there are mechanisms to get out of these loans in future what are likely to be the kind of financial costs to Council?*
- 5. In its report to Council (CCS 18/018) T-Corp...provides discounted borrowing rates and it is financially responsible to pursue these loans". What is the 'differential' in the costs to Council to accepting these loans rather than going to the best the normal financial market has to offer?*

Response

1. The Loan documentation states an acceptance date of 30 June 2018. For processing purposes it was requested that the documents be lodged COB 22 June 2018. Clarification of this request has resulted in the acceptance of the signed loan documents by COB 26 June 2018.
2. Yes, however any change can be discussed with TCorp. TCorp has requested its position regarding investments be protected. Council can change its policy without consent however should TCorp not agree to a change, this could allow TCorp to immediately recall the loans. Should TCorp agree with the change it is not envisaged that the loans will be impacted.

QON18/004 PROPOSED LOANS TO COUNCIL FROM TCorp

E18.1570

3. As noted above Council can choose to close out the loans through noncompliance within the term of the loan. The length of the loans are Commercial in Confidence.
4. Without disclosing Commercial in Confidence information, the usual cost of breaching a loan condition is immediate repayment of the capital outstanding, any interest due and payable, and consequently any refinancing costs which may include higher interest rates. It is also likely future loans with TCorp would not be available.
5. This information is Commercial in Confidence, however it is clear TCorp has the most competitive interest rates for these loans as Council has previously been advised. The discounted rates are only made available to Council given it is Fit for the Future.

RECOMMENDATION

THAT the response to the questions regarding proposed loans to Council from TCorp raised by Councillor Pat McGinlay be received and noted.

**GMR18/015 2018-19 DETERMINATION OF THE LOCAL GOVERNMENT
REMUNERATION TRIBUNAL**

E95.8749

Responsible Officer: Dr Catherine Dale - General Manager
Attachments: Nil
Outcome: Innovative and Proactive Leadership
Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision
Delivery Program Link: 9.1.2 Implement effective governance
Operational Plan Link: 9.1.2.3 Assist the Councillors in meeting their statutory obligations and roles

EXECUTIVE SUMMARY

The Local Government Remuneration Tribunal has set the mayoral and councillor fees for the 2018-19 financial year, with effect from 1 July 2018, and has determined that an increase of 2.5% should apply.

RECOMMENDATION

THAT Council:

1. Make a determination in regard to the Remuneration Tribunal's determination of a 2.5% increase in fees for Councillors and the additional Mayoral allowance.
2. Note that the maximum fees for Regional Rural councils for 2018-19, including the full Tribunal determination, are set at \$19,790 for Councillors and \$43,170 for the additional Mayoral allowance.

BACKGROUND

The Local Government Remuneration Tribunal is constituted under the *Local Government Act 1993* and is responsible for categorising councils, county councils and mayoral offices to determine the maximum and minimum fees to be paid to councillors, members of county councils and mayors in each category.

The Tribunal's Report and Determinations can be viewed at:

www.remtribunals.nsw.gov.au/local-government/current-lgrrt-determinations

CONSIDERATIONS

Categorisation of Councils

The Local Government Remuneration Tribunal is required under section 239 of the *Local Government Act 1993* to determine the categories of councils and mayoral offices at least once every three years. In 2017 the Tribunal undertook a significant review of the categories and the allocation of councils into each category. The review was prompted by the amalgamation of councils resulting in the creation of 20 new councils and an overall reduction in the number of councils in NSW from 152 to 128.

**GMR18/015 2018-19 DETERMINATION OF THE LOCAL GOVERNMENT
REMUNERATION TRIBUNAL**

E95.8749

Eurobodalla Shire Council continues to be classified as a Regional Rural council.

Fees for Councillors and the Mayor

Under the provisions of the *Local Government Act 1993*, councils are required to fix and pay an annual fee based on the Tribunal's determination. A council cannot fix a fee higher than the maximum amount determined by the Tribunal and must pay at least the minimum fee. The level of fees paid will depend on the category that the council is in.

The Tribunal is required to have regard to the same policies on increases in remuneration as the Industrial Relations Commission is required to give effect to under the *Industrial Relations Act 1996*, relating to the conditions of employment of public sector employees. The current policy is that public sector wages cannot increase by more than 2.5%, and this includes the fees payable to councillors and mayors.

The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and finds that the full increase of 2.5% available to it is warranted.

As a result, the minimum and maximum fees for a Regional Rural council for 2018-19 are determined as follows:

	Councillor Annual Fee		Mayoral Annual Fee	
	Minimum	Maximum	Minimum	Maximum
Regional Rural	\$8,970	\$19,790	\$19,100	\$43,170

Financial

The allocation in the 2018-19 budget is sufficient and there are no budget amendments required as a result of the 2.5% determination.

CONCLUSION

The Local Government Remuneration Tribunal has determined an increase to the minimum and maximum mayoral and councillor fees of 2.5% for the 2018-19 financial year, with effect from 1 July 2018.

Under the provisions of the *Local Government Act 1993*, councils are required to fix and pay an annual fee based on the Tribunal's determination. A council cannot fix a fee higher than the maximum amount determined by the Tribunal and must pay at least the minimum fee.

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

E18.1549

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - 2017-21 Delivery Program and 2018-19 Operational Plan
2. Under Separate Cover - 2018-19 Fees and Charges

Outcome: Innovative and Proactive Leadership

Focus Area: 9.1 Provide strong leadership and work in partnership to strategically plan for the future and progress towards the community vision

Delivery Program Link: 9.1.1 Undertake sound, best practice long term community and corporate planning

Operational Plan Link: 9.1.1.1 Review Council's Delivery Program and prepare the Operational Plan

EXECUTIVE SUMMARY

The purpose of this report is to seek adoption of Council's revised Delivery Program 2017-21 and Operational Plan 2018-19, incorporating the Budget, Fees and Charges, Revenue Policy and the making of the general rate and water, sewer, waste, stormwater and liquid trade waste charges.

Under NSW Integrated Planning and Reporting legislation, councils are required to prepare a Community Strategic Plan, Delivery Program and Operational Plan for each term of council. Council's Community Strategic Plan 2017 – One Community was adopted on 13 June 2017. Council's Delivery Program 2017-21, developed through an extensive community and stakeholder engagement, was adopted on 27 June 2017.

The NSW Integrated Planning and Reporting legislation requires councils to review their Delivery Program on an annual basis. The revision this year included Councillor and staff workshops. The revised draft Delivery Program 2017-21 and Operational Plan 2018-19 was exhibited for 28 days between 25 April and 22 May 2018 and the community was invited to provide feedback.

The Delivery Program 2017-21 sets out the activities that Council aims to deliver in its current four year term and the measures used to track its progress. The Operational Plan 2018-19 shows the actions, key projects, capital works and infrastructure renewals and maintenance that Council plans to deliver in the year ahead. The aim is to meet the needs of our community in a financially responsible way while focusing on building a sustainable future for Eurobodalla.

The annual Ordinary Rates for 2018-19 are in accordance with the rate peg set by IPART of 2.3%.

Five submissions were received and considered in the final version of the Delivery Program 2017-21 and Operational Plan 2018-19 and the 2018-19 Fees and Charges (attached).

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

E18.1549

To meet the statutory requirement for Council to endorse its budget by 30 June 2018, the revised Delivery Program 2017-21 and Operational Plan 2018-19, incorporating the Budget, Capital Works program, Statement of Revenue Policy and Fees and Charges for 2018-19 is reported to Council for adoption, incorporating amendments since exhibition as outlined in this report.

RECOMMENDATION

THAT:

1. Council makes the annual Ordinary Rates for 2018-19 in accordance with the rate peg set by IPART which is 2.3%, as contained in the table in the report.
2. Council make each annual charge for water, sewer, waste, stormwater and liquid trade waste for 2018-19 in accordance with the Revenue Policy and Fees and Charges as contained in the tables in the report.
3. Council make each fee and charge for 2018-19 in accordance with the amended Revenue Policy and Fees and Charges as attached to the report.
4. Council adopt the Delivery Program 2017-21 and Operational Plan 2018-19 attached to the report as per the statutory requirements with implementation to commence 1 July 2018.
5. Council thank the community members who made a submission and provide them with a response.

BACKGROUND

The *Local Government Act 1993* requires all NSW councils to review and adopt key Integrated Plans within 12 months following local government elections. Under NSW Integrated Planning and Reporting legislation, councils are required to prepare a Community Strategic Plan, Delivery Program and Operational Plan.

The Community Strategic Plan is the highest level Plan that Council prepares and is a whole of community plan, reviewed and developed in partnership with the community. It identifies and articulates the community's long term aspirations, priorities and vision. Council's Community Strategic Plan 2017 – One Community was adopted on 13 June 2017.

The Delivery Program details the activities that the Council will deliver over its four year term and the strategies it will implement in consultation with the community and contained in the Community Strategic Plan. Council's Delivery Program 2017-21 was adopted on 27 June 2017.

The Operational Plan details the actions to be undertaken during the next financial year and includes the annual budget and fees and charges for the year ahead.

At the close of the exhibition period there were five submissions. A summary of the public submissions is provided under the Community Engagement section of this report.

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

E18.1549

Councillors have been briefed on the submissions received during the exhibition period.

To meet statutory requirements for Council to endorse its budget by 30 June 2018, the revised Delivery Program 2017-21 and Operational Plan 2018-19, incorporating the Budget, Capital Works program, Statement of Revenue Policy and Fees and Charges for 2018-19 is reported to Council for adoption, incorporating amendments since exhibition as outlined in this report.

CONSIDERATIONS

The Delivery Program 2017-21 and Operational Plan 2018-19 has been developed with the aim of building a sustainable future, in line with Council's Fit for the Future Plan. The Delivery Program 2017-21 and Operational Plan 2018-19 will enhance Council's ability to meet ongoing Fit for the Future requirements, while maintaining a focus on meeting identified community needs and aspirations.

The focus of the Delivery Program 2017-21 and Operational Plan 2018-19 is building a sustainable future for Eurobodalla and delivering services, key projects, capital works and infrastructure maintenance to support the community in its daily activities, economic development and employment growth.

Legal / Financial

The Office of Local Government's Integrated Planning and Reporting Manual and Integrated Planning and Reporting Guidelines are comprehensive tools which have been used in the development of the Delivery Program 2017-21 and Operational Plan 2018-19.

The combined Delivery Program 2017-21 and Operational Plan 2018-19 has been prepared in accordance with the *Local Government Act 1993*.

- Section 404 requires Council to have a Delivery Program to implement the strategies established in its Community Strategic Plan within the resources available.
- Section 405 requires Council to have an Operational Plan which details the activities to be engaged in by the Council during the year as part of the Delivery Program. The Operational Plan must include a statement of the Council's revenue policy for the year covered by the Plan. The statement of revenue policy must include the statements and particulars required by the regulations.
- Section 535 requires a council resolution to make a rate or charge.

The following presents the rates and charges as detailed in the Revenue Policy and Fees and Charges Schedule for making:

General Revenue Increase

The General-Purpose rate income will increase 2.3% in accordance with the rate peg amount approved by IPART.

In accordance with Section 494 of the *Local Government Act 1993*, it is recommended that Council makes the following Ordinary Rates for 2018-19:

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

E18.1549

Ordinary Rate Name	Rate (cents in \$)	Base Charge (\$)	% of total Rate
Residential	0.2666	500.00	49.71
Business	1.0305	500.00	13.87
Farmland	0.1999	500.00	32.47
Business Inactive	0.2666		

Interest Charges on Overdue Rates and Charges

The Minister for Local Government has determined the maximum rate of interest that may be charged on overdue rates and charges for 2018-19 will be 7.5%.

In accordance with Section 566(3) of the *Local Government Act 1993*, it is recommended that Council resolves to adopt the maximum interest rate allowed.

Domestic Waste Management Charges

Council provides a waste collection and management service to the community. Waste management charges are designed to recover costs from people who actually benefit from the availability or the use of Council's waste management system.

Waste collection, management and availability charges will increase by 2.3%.

In accordance with Section 496 of the *Local Government Act 1993*, it is recommended that Council makes the following Domestic Waste Management Charges for 2018-19:

Domestic Waste Charge	Total Charge (\$)
Domestic waste availability charge	18.25
Domestic waste collection service charge	244.00
+Additional service 240L recycling bin	66.55
+Additional service 240L garden organics bin	66.55
Waste management charge	51.65

Stormwater Management Service Charges

In 2006-07 Council introduced a Stormwater Charge on all developed urban properties. A special 'Stormwater Fund' was established as part of the General Fund to record and report the income and expenditure related to this charge.

Stormwater charges will remain the same.

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
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In accordance with Section 496A of the *Local Government Act 1993*, it is recommended that Council makes the following Stormwater Management Service Charges for 2018-19:

Stormwater Management Service Charge		Total Charge (\$)
Land categorised as residential		25.00
Residential strata (per lot)		12.50
Land categorised as business	25.00 (for land up to 1,050 square metres)	
	50.00 (for land 1,051 to 2,100 square metres)	
	75.00 (for land 2,101 to 3,150 square metres)	
	100.00 (for land greater than 3,150 square metres)	
	The charge for business strata is for the business divided by the number of units	

Environment

In 1996-97 Council introduced an Environmental Levy to provide funds to assist with the preservation and protection of the environment. A separate fund, the Environment Fund, was established for the levy to ensure that monies collected are accounted for separately from other activities of Council.

The Environment Levy will increase 2.3% in accordance with the rate peg amount approved by IPART.

In accordance with Section 495 of the *Local Government Act 1993*, it is recommended that Council makes the following Environmental Levy for 2018-19:

Category	Rate (cents in \$)	Base charge (\$)	% of total rates
Environmental Levy	0.01005	19.70	49.65

Water

Supplying water to the community is one of the major activities of Council. To pay for this supply, Council collects revenue from people who benefit from the availability and use of the water supply. All consumers are charged a fixed availability charge and a water consumption charge. The charges have been balanced to maintain best practice established by the NSW Office of Water.

The water consumption charge will increase by 1.4% to maintain best practice pricing. The water availability charge will increase by 3.6%.

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
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In accordance with Sections 502 and 552 of the *Local Government Act 1993*, it is recommended that Council makes the following Water Charges for 2018-19:

Water Availability	Charge (\$)
Residential connection – metered, unmetered, strata unit	320.00
Business and multi residential (non-strata flats)	
Meter size (mm)	Charge(\$)
20	320.00
25	512.00
32	832.00
40	1,280.00
50	2,016.00
80	5,120.00
100	8,000.00

Water Consumption		
Category	Usage charge	Charge (\$)
Residential and business	Meter size	3.60 per kL
A service fee of \$10.00 applies to all accounts 0-2kL		

Sewer

Council is responsible for the sewerage services within the Shire. Sewerage charges collect revenue from people who actually benefit from the availability or use of Council's sewerage system.

The sewer availability charge will increase by 2.2%.

In accordance with Sections 502 and 552 of the *Local Government Act 1993*, it is recommended that Council makes the following Sewer Charges for 2018-19:

Residential	Charge(\$)
General Service – metered, unmetered, strata unit	950.00
Turlinjah general service (85%)	807.50
Dual occupancy single meter (assessed at a single 25mm availability charge)	1,520.00
Business and Multi Residential (non-strata flats) Availability	
Water meter size (mm)	Availability factor
20	1.0
25	1.6
32	2.6
40	4.0

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
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50	6.3	5,985.00
80	16.0	15,200.00
100	25.0	23,750.00
vacant	1.0	950.00
strata	1.0	950.00

Category	Usage charge	Charge (\$)
Business	meter size	1.88 per kL

Special Sewer Charges

In 2008-09 special sewer charges were introduced for Bodalla urban residential and business areas at the rate of \$200 per assessment in order to contribute toward the cost of survey investigation and design. It is planned that once commissioned the full sewer charge will apply.

In accordance with Sections 501 and 552 of the *Local Government Act 1993*, it is recommended that Council makes the following Special Sewer charges for 2018-19:

Category	Charge (\$)
Residential general service	950.00
Bodalla sewer	200.00
Business	Meter size
Business	Trade waste

Liquid Trade Waste charges

Dependent on the type of business listed on the schedule, properties are charged a usage fee discounted by a discharge factor. The liquid trade waste discharge factor is the ratio of the volume of liquid trade waste discharged into the sewerage system divided by the volume of water consumed.

Liquid trade waste charges will increase by 3.03%.

In accordance with Sections 502 and 552 of the *Local Government Act 1993*, it is recommended that Council makes the following Liquid Trade Waste Charges for 2018-19:

Liquid trade waste annual fee	\$102.00
Liquid trade waste annual fee (large discharger)	\$542.00
Discharge	\$1.50/kL
Discharge (without appropriate treatment)	\$13.95/kL

Proposed Amendments

During the public exhibition period, necessary amendments to the exhibited Delivery Program 2017-21, Operational Plan 2018-19 and Budget were identified.

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

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These have arisen due to the carry forward of works from 2017-18, as adopted from the March Quarterly Review report presented to Council during the exhibition period (Minute No. 18/116 of Ordinary Meeting of Council held on 22 May 2018).

Operational Plan 2018-19

Operating Result:

- Minor favourable impact (less than \$0.01 million). This relates to the delay in a grant funded Environmental Management project and an interest expense adjustment as a result of the carried forward capital works.

Operating Result after Capital Grants and Contributions:

- \$3.24 million favourable impact as a result of the abovementioned operational adjustments and the inclusion of additional capital grants and contributions funding associated with the revised timing of some capital works projects.

Fund Flow Result:

- \$6.97 million increase to capital works expenditure. This includes significant projects such as the Airport, Basil Sellers Exhibition Centre (Moruya Cultural Precinct), Fleet Purchases and Recreation works.
- \$0.13 million increase to asset sales due to adjusted timing of disposals of large plant items.
- These items and associated adjustments to funding, including borrowings and transfers to/from Council reserves, result in the proposed use of an additional \$0.73 million of unrestricted funds.

Delivery Program - outer years

- Minor adjustments due to revised borrowings program.

Budget items in the Delivery Program 2017-21, Operational Plan 2018-19 and Budget have been updated where required.

Fees and Charges 2018-19

- Companion Animal statutory fees have been updated to reflect 2018-19 legislated fees.

Additional minor editorial amendments to the documents have been made to phrasing, punctuation and format to improve the quality and clarity of the documents presented.

Asset

The 2018-19 Capital Program included in the Operational Plan 2018-19 includes a continued focus on sustaining community infrastructure through the renewal of assets, particularly short lived assets. The Program includes the provision of new infrastructure to meet demand from growth and progressively address network deficiencies.

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
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The Plan also includes Council continuing to work with peak bodies to advocate to the NSW and Australian governments for enhanced asset funding models to better support regional communities across NSW.

Social Impact

The Community Strategic Plan provides an overarching framework for all other Council plans and policies. The purpose of the Community Strategic Plan is to identify the community's priorities and aspirations for the future and plan strategies to achieve them. The Delivery Program 2017-21 and Operational Plan 2018-19 are Council's response to the Community Strategic Plan and provide a range of programs, services and infrastructure projects to meet identified community needs.

Economic Development Employment Potential

The Delivery Program 2017-21 and Operational Plan 2018-19 focus on building a sustainable future for Eurobodalla and delivering key services, key projects, capital works and infrastructure maintenance that support economic development and employment growth within the Eurobodalla.

Attracting people to live, work, invest and visit Eurobodalla will be supported by the implementation of Advancing Eurobodalla, which will include a focus on providing, renewing and maintaining assets and infrastructure, managing environmental change, planning for sustainable development and growth in population, business and tourism.

The Delivery Program 2017-21 and Operational Plan 2018-19 set out the activities that support Council's role in helping to grow the local economy and employment potential.

The activities will support Council to:

- advocate for funding for major projects, and legislation to support growth
- provide and maintain public infrastructure
- promote tourism and provide visitor services
- promote and support business investment and employment growth
- partner with business and industry to attract funding and investment
- provide support services, networking and training opportunities
- partner with industry to develop opportunities for job growth
- provide opportunities for cadetships, apprenticeships and work experience.

Community and Stakeholder Engagement

Council's original Delivery Program 2017-21 was developed through an extensive community and stakeholder engagement. The Delivery Program 2017-21 and Operational Plan 2018-19 were revised during Councillor and staff workshops.

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

E18.1549

The revised Delivery Program 2017-21 and Operational Plan 2018-19 was endorsed for public exhibition from 25 April to 22 May 2018. Council continued to engage the community during this period by:

- making the revised draft Delivery Program 2017-21 and Operational Plan 2018-19 available for the community to read on Council's website, in Eurobodalla's three libraries, and at the Customer Service Centre in Moruya
- informing the community about the public exhibition and inviting the community to have their say through information on Council's website, Eurobodalla News - Council's online newsletter, media release and advertisement in local newspapers
- notifying and inviting community associations, groups and business chambers to have their say
- consulting the community by considering and acknowledging submissions received, and providing the community's feedback to Council prior to any decisions being made about the Delivery Program 2017-21 and Operational Plan 2018-19.

Five public submissions were received during the exhibition period. Councillors received and considered all submissions in the final combined document. The table below provides a summary of the issues raised in the submissions and Council's response.

Issue	Response
Durras Lake boat ramp - public toilet and car park construction and Durras Drive footpath near headland.	<p>Council was successful in gaining \$225,000 under the NSW Government's Boating Now Program for the Durras Lake Boat Ramp public toilet and car park construction.</p> <p>Council is continuing the design of the car park, and has already committed to consulting with the community when the draft design is finalised.</p> <p>Council has completed public consultation on the construction of the new accessible public toilet and is now waiting on an Aboriginal Heritage Impact Permit (AHIP) to be finalised with the NSW Government before construction can commence. This project is included in the 2018-19 Capital Program.</p> <p>Construction of the footpath from Lakeside Drive to Durras Headland is included in the 2018-19 Capital Program and Council will continue to consult with the community on the design of the footpath. Council appreciates this project is funded by community contributions and grant funds received under the Stronger Country Communities Program.</p>

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

E18.1549

<p>The partnership of all levels of government to develop and enhance the Eurobodalla Regional Botanic Gardens (ERBG) and Visitor Centre.</p>	<p>Developing and managing the Eurobodalla Regional Botanic Gardens (ERBG) is included in Council's Delivery Program 2017-21 (1.3.3). Council recently congratulated the Friends of Eurobodalla Regional Botanic Gardens in their successful application resulting in \$2.13M funding for the Visitor Centre Redevelopment Project. This included \$660,000 from the Australian Government under the Regional Jobs and Investment Packages Program and \$1.47M from the NSW Government's Tourism and Environment Fund Program. Council looks forward to working with the Friends to develop the ERBG.</p>
<p>The reconstruction and tarring of Ridge Road, Central Tilba.</p>	<p>Council has allocated \$550,000 toward the next stage of the reconstruction of Ridge Road at Tilba in the Operational Plan 2018-19.</p> <p>Council is currently in negotiation to acquire the land required to facilitate the construction of the next stage. Works will progress from the end of the works undertaken in 2017-18 heading east.</p> <p>Upon finalisation of the detailed design, Council will make the plans available to residents.</p> <p>Future stages of the reconstruction and sealing beyond this stage will be considered against other priorities when Council formulates forward budgets in future Operational Plans.</p>
<p>More focus and inclusion of Public Art in the document and on capital projects.</p>	<p>Council has allocated \$8,000 in the capital budget towards the acquisition of public art in the 2018-19 Capital Program. This will provide the opportunity to develop an art collection that celebrates and reflects our creative community.</p> <p>Additionally Council is currently finalising the draft Creative Arts Action Plan. A key action in the Plan will be to develop a public art strategy to inform the acquisition and commissioning of public art for key locations in our community. This will include consideration of funding, both internal and external, to support the process.</p> <p>In our most recent grant for the Moruya Library</p>

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

E18.1549

	and Basil Sellers Exhibition Centre Council has included a request for funds towards public art at the expanded facility.
Capital works in Long Beach and Council's communications.	<p>Council has allocated funds for the upgrade of Cullendulla Drive, Long Beach in the 2018-19 Capital Program. The most recent works at the site have been made possible due to the leveraging of grant funding against the allocation of \$385,400 under the approved rate variation. These grants included \$202,021 under the Australian Government's Bridges Renewals Program and \$668,204 under the NSW Government's Fixing Country Roads Program. This funding should allow Council to complete the section of Cullendulla Drive between the Princes Highway and Kettle Road, with works anticipated to be completed to the initial 'prime' seal by Christmas 2018.</p> <p>Replacement of playground at Sandy Place, Long Beach. The existing playground at Higgins Park will be removed at the end of its useful life. A new playground will be provided in Sandy Place prior to the removal of the existing playground. The precise timing of this work is currently being assessed and will be advised to the community once determined.</p> <p>The proposed pathways planned for Long Beach and Maloneys Beach are outlined in the adopted Eurobodalla Pathways Strategy 2016. The priorities for pathway construction are outlined in the 2018-19 Operational Plan. Pathways in the Long Beach and Maloneys Beach areas will be considered in future budget consideration.</p> <p>A customer service request has been raised to assess if any sections of the existing sand dune fence require attention and or removal, and to determine if any maintenance is required to the current access points. There are no separate funds identified to upgrade an access point to accessible standards in the 2018-19 Operational Plan and this request will need to be considered in future budget.</p>

**GMR18/016 ADOPTION OF THE REVISED 2017-21 DELIVERY PROGRAM AND
2018-19 OPERATIONAL PLAN**

E18.1549

	The positive comments about the reach of Council's communications is noted and the feedback welcomed. Council will continue to endeavour to engage with our community in a constructive manner to enhance our decision making.
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CONCLUSION

The revised Delivery Program 2017-21 and Operational Plan 2018-19 has been developed taking into account the various inputs and responses provided by stakeholders and community members. This included five submissions received during the public exhibition period 25 April to 22 May 2018.

Council is required to adopt the Delivery Program 2017-21, Operational Plan 2018-19 incorporating the Budget, Capital Works Program, Statement of Revenue Policy and Fees and Charges by 30 June 2018.

PSR18/063 TENDER - APPOINT CONSULTANTS TO PREPARE BATEMANS BAY URBAN CREEKS FLOOD STUDY E18.1475.T

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

Attachments: 1. Confidential - Confidential Attachment. Batemans Bay Urban Creeks Flood Study

Outcome: Protected and Valued Natural Environment

Focus Area: 3.1 Respond to our changing environment and build resilience to natural hazards

Delivery Program Link: 3.1.2 Minimise the impact of flooding on development and people

Operational Plan Link: 3.1.2.2 Prepare the Batemans Bay Urban Creek Flood Study

EXECUTIVE SUMMARY

This report outlines the evaluation of offers submitted in response to Request for Tender No. RFT 2018/PLS 028 and provides a recommendation for the preferred source of service provider.

RECOMMENDATION

THAT Council:

1. Endorses the selection of the preferred tenderer listed for RFT 2018/PLS 028 Batemans Bay Urban Creeks Flood Study within the confidential attachment.
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderer, subject to the terms specified in the Request for Tender unless otherwise varied in accordance with this report.

BACKGROUND

A requirement exists for the preparation of a Batemans Bay Urban Creeks Flood Study as a result of Councils' statutory role in floodplain management.

The Batemans Bay Urban Creeks Flood Study is the first stage of the Flood Plain Risk Management Process identified in the NSW Floodplain Development Manual 2005. This stage will determine flood behavior and identify the flood risk in Batemans Bay urban areas.

RFT No. 2018/PLS 019 was advertised on 19 February 2018 with a closing date of 16 March 2018. Offers were received from the following tenderers and assessed in accordance with the Tender Evaluation Plan dated 11 April 2018:

- Rhelm (Sydney, NSW)
- Hydrospatial (Sydney, NSW)
- WMA water (Sydney, NSW)
- NSW Department of Finance (Sydney, NSW)
- Salients Pty Ltd (Newcastle, NSW)
- GRC Hydro (Sydney, NSW)

PSR18/063 TENDER - APPOINT CONSULTANTS TO PREPARE BATEMANS BAY URBAN CREEKS FLOOD STUDY E18.1475.T

- BGE Pty Ltd (Lismore, NSW)
- Lyall and Associates (North Sydney, NSW)
- Engineering and Environmental Services (Lismore, NSW)

A summary of the evaluation including each tenderer's scoring against the evaluation criteria is provided in the Confidential Attachment to this report.

CONSIDERATIONS

Legal

Request for Tender (RFT) RFT 2018/PLS 028 was advertised in accordance with Local Government (General) Regulation 2005 REG 167 and Local Government Act 1993.

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)

Upon release of the RFT a Tender Evaluation Plan was distributed amongst the Tender Evaluation Board.

The offer submitted by the preferred tenderer has been assessed as representing best value for money for Council. All members of the assessment panel independently scored preferred tenderer in their evaluations. The preferred tenderer has the requisite technical skills and experience to prepare the management study stage of the process. The company directors will be directly responsible for preparing and delivering the project adding additional value to the tender.

Compliance with Council's relevant policies and legal tendering obligations.

- Development Services to prepare

Preparation of the standard technical brief and ensuring outcomes will guide future development assessment requirements.

- Office of Environment and Heritage
 - Completing the standard technical brief provided by the Department to all councils in New South Wales.
 - Tender review as both independent assessors and technical supervisors.

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. The procurement activity satisfies Council's funding agreement with the Office of Environment and Heritage that stipulates consultants must be engaged via a competitive process.

PSR18/063 TENDER - APPOINT CONSULTANTS TO PREPARE BATEMANS BAY E18.1475.T
URBAN CREEKS FLOOD STUDY

Social Impact

Flooding in NSW costs the economy around \$200 million each year. The human impacts of flooding are even greater. These impacts include loss of life, damage to property, economic hardship and the resulting trauma of these losses.

A Batemans Bay Urban Creek Flood Study will contribute towards mitigating these losses and reducing the human impacts of flooding in the Batemans Bay area.

Community and Stakeholder Engagement

The community will be informed of the tender outcome(s) via Council's contract register found in Council's 'Public Access to Information' web link.

CONCLUSION

The tender process has been conducted in accordance with mandatory Council and Local Government requirements and the preferred tenderer has been assessed, through an extensive evaluation as representing best value for money.

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

**PSR18/064 TENDER - APPOINT CONSULTANTS TO PREPARE NAROOMA
COASTAL INLETS FLOOD RISK MANAGEMENT STUDY AND PLAN**

E18.147

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

Attachments: 1. Confidential - Narooma Coastal Inlets Flood Risk Management Study and Plan

Outcome: Protected and Valued Natural Environment

Focus Area: 3.1 Respond to our changing environment and build resilience to natural hazards

Delivery Program Link: 3.1.2 Minimise the impact of flooding on development and people

Operational Plan Link: 3.1.2.1 Prepare the Narooma Coastal Flood Management Plan

EXECUTIVE SUMMARY

This report outlines the evaluation of offers submitted in response to Request for Tender No. RFT 2018/PLS 109 and provides a recommendation for the preferred source of service provider.

RECOMMENDATION

THAT Council:

1. Endorses the selection of the preferred tenderer listed for RFT 2018/PLS 109 Narooma Coastal Inlets Flood Risk Management Study and Plan within the confidential attachment; and
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderer, subject to the terms specified in the Request for Tender unless otherwise varied in accordance with this report.

BACKGROUND

A requirement exists for the preparation of a Narooma Coastal Inlets Flood Risk Management Study and Plan as a result of Councils' statutory role in floodplain management.

Council adopted the Wagonga Inlet, Kianga and Dalmeny Flood Study on 28 June 2016 (Minute No: 16/183). The Narooma Coastal Inlets Flood Risk Management Study and Plan is the next stage of the Flood Plain Risk Management Process identified in the NSW Floodplain Development Manual 2005. This stage will recommend actions to manage the flood risk.

RFT No. 2018/PLS 019 was advertised on 19 February 2018 with a closing date of 16 March 2018. Offers were received from the following tenderers and assessed in accordance with the Tender Evaluation Plan dated 11 April 2018.

- Hydrospatial (Sydney, NSW)
- WMA water (Sydney, NSW)
- NSW Department of Finance (Sydney, NSW)
- GRC Hydro (Sydney, NSW)
- Lyall and Associates (North Sydney, NSW).

**PSR18/064 TENDER - APPOINT CONSULTANTS TO PREPARE NAROOMA
COASTAL INLETS FLOOD RISK MANAGEMENT STUDY AND PLAN**

E18.147

A summary of the evaluation including each tenderer's scoring against the evaluation criteria is provided at the Confidential Attachment to this report.

CONSIDERATIONS

Legal

Request for Tender (RFT) No. 2018/PLS 019 was advertised in accordance with Local Government (General) Regulation 2005 REG 167 and Local Government Act 1993.

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).

Upon release of the RFT a Tender Evaluation Plan (TEP) was distributed amongst the Tender Evaluation Board (TEB). The offer submitted by the preferred tenderer has been assessed as representing best value for money for Council. All members of the assessment panel independently scored preferred tenderer in their evaluations. The preferred tenderer has the requisite technical skills and experience to prepare the management study stage of the process. The company directors will be directly responsible for preparing and delivering the project adding additional value to the tender.

The following stakeholders were consulted in the development of the Request for Tender:

- Governance and Administration (Procurement and Fleet)

Compliance with Council's relevant policies and legal tendering obligations.

- Development Services

Preparation of the standard technical brief and ensuring outcomes will guide future development assessment requirements.

- Office of Environment and Heritage
 - Completing the standard technical brief provided by the Department to all councils in New South Wales.
 - Tender review as both independent assessors and technical supervisors.

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. The procurement activity satisfies Council's funding agreement with the Office of Environment and Heritage that stipulates consultants must be engaged via a competitive process.

Social Impact

Flooding in NSW costs the economy around \$200 million each year. The human impacts of flooding are even greater. These impacts include loss of life, damage to property, economic hardship and the resulting trauma of these losses.

**PSR18/064 TENDER - APPOINT CONSULTANTS TO PREPARE NAROOMA
COASTAL INLETS FLOOD RISK MANAGEMENT STUDY AND PLAN**

E18.147

Proceeding with the tender will contribute towards mitigating these losses and reducing the human impacts of flooding in the Narooma area.

Community and Stakeholder Engagement

The community will be informed of the tender outcome(s) via Council's contract register found in Council's 'Public Access to Information' web link.

CONCLUSION

The tender process has been conducted in accordance with mandatory Council and Local Government requirements and the preferred tenderer has been assessed, through an extensive evaluation as representing best value for money.

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

The community will be informed of the tender outcome(s) via Council's contract register found in Council's 'Public Access to Information' web link.

PSR18/065 EASY TO DO BUSINESS

E88.0056

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

Attachments: 1. Council Benefit Flyer
2. Frequently Asked Questions
3. Council and Service NSW MoU

Outcome: Vibrant & Diverse Economy

Focus Area: 5.1 Diversify the region's economy, attract investment and target new and emerging employment sectors

Delivery Program Link: 5.1.1 Encourage and attract new business industry, investment and employment opportunities

Operational Plan Link: 5.1.1.3 Investigate the feasibility of providing new businesses with incentives to establish in Eurobodalla

EXECUTIVE SUMMARY

This report seeks Council support to enter into a contract with Service NSW for the 'Easy to do Business' Program. The program is a partnership with Service NSW with an opportunity for Council to become a member of the Regional Council Reference Group to influence regulatory policy change across government and inform the Easy to do Business program.

RECOMMENDATION

THAT Council:

1. Delegate authority to the General Manager to enter into a contract with Service NSW for the Easy to do Business initiative.
2. Consent be given to affix the Common Seal of Council to all necessary documents associated with the Easy to do Business initiative.

BACKGROUND

The 'Easy to do Business' Program is a joint initiative between the Department of Premier and Cabinet, the Customer Service Commissioner, the Office of NSW Small Business Commissioner and Service NSW. This initiative has a direct link to NSW State Priority "Make NSW the easiest state to start a business".

The initiative brings agencies, local councils and industry bodies together with the intent of making the process of opening or expanding a small business simpler and faster. The initiative was piloted at the City of Parramatta Council in June 2016 and since then it has also started to expand to other local government areas. To date, the initiative has reported excellent results including the time taken to open a new business being reduced from 18 months to less than 90 days.

In accordance with Service NSW (One-stop Access to Government Services) Act 2013, a council resolution is required to enter into a Service Partnership Agreement and to delegate the relevant customer service functions related to the administration of 'Easy to do Business' Program to the Chief Executive Officer, Service NSW.

PSR18/065 EASY TO DO BUSINESS

E88.0056

As a result of a Mayoral report presented to the Ordinary Meeting of Council held on 12 December 2017, the following Minute was adopted (Minute 17/392):

THAT Council investigate the 'Easy to do Business' Program and report back to a future Council meeting.

Subsequently, Council staff reviewed the program and liaised with other participating councils. It was determined that the 'Easy to do Business' Program provides potential benefits to Eurobodalla Shire Council.

A briefing of the investigation was then presented to Councillors on 15 May 2018.

The initiative aims to streamline the processes for opening a new business, which typically require a business owner to deal with 13 agencies, including Council, and to complete 48 forms. The entire process can take up to 18 months. The initiative has initially focused on the café, small bar and restaurant subsector. However, the initiative will also expand to other subsectors such as clothing retail, print businesses and road freight, etc., in the future.

Service NSW provides a digital platform and upfront information regarding what is required by a potential new business owner from all the approval authorities, including Council. A single digital form replaces the 48 existing forms. A business concierge service, via a single phone number, is also provided to support customers through the process.

The key benefits of the partnership with Service NSW as part of 'Easy to do Business' program are reported to include:

- The business concierge team will provide support for people with new business ideas. This should promote economic activity within the local government area.
- A single digital form will assist customers to enter information quickly and to avoid the need for repeated entry of the same data.
- The initiative will allow Council to maintain its status as a "Business Friendly Council" with the NSW Small Business Commissioner's Office.
- Council will benefit from exploring further future collaboration opportunities with Service NSW because of this partnership.

CONSIDERATIONS

Legal

Council will still undertake its assessments as per appropriate legislation.

Economic Development Employment Potential

By Council supporting this initiative, the local business community and potential business investors can have further confidence that Council is supportive of small business and is active in reducing the costs and complexities associated with small business set up.

Financial

The program is at no cost to Council. Implementation of the program is intended to lead to reduced processing time and costs relating to applications covered under the program.

PSR18/065 EASY TO DO BUSINESS

E88.0056

Community and Stakeholder Engagement

Council will communicate and promote its involvement in the program through media and the Invest Eurobodalla website.

CONCLUSION

The 'Easy to do Business' Program will benefit Council and those wishing to establish or expand a business in Eurobodalla with a more streamlined process for opening a café, small bar and restaurant. It is anticipated that the initiative will support Council's continued focus on business improvement to make processes and systems easier for local residents, and those wishing to do business in Eurobodalla.

As a small business-friendly Council, this initiative is important and will support the creation of new businesses in Eurobodalla.

Opening and running a café, restaurant or small bar just got easier



We're working with the Office of the NSW Small Business Commissioner to make it easier to do business.

Previously, cafes, small bars and restaurants would have to deal with up to 13 agencies, 75 regulations, up to 30 phone numbers and complete 48 forms, taking as long as 18 months to navigate. Our program has seen this reduced to one digital application and one phone number, reducing the opening time for businesses to 90 days or less.

We are creating a brand new way for businesses to interact with government through one online portal. Businesses in your community will receive step-by-step guidance and support across local, state and federal government requirements, whether they wish to open, grow or finalise their business.

Benefits for Councils include:

- Increased productivity with 'decision ready' applications and reduced transaction costs
- Effective tools to help boost your local economy, enabling more jobs in your region - and assisting Council to deliver on its strategic plan

You can also become a member of the Office of the NSW Small Business Commissioner Small Business Friendly Council initiative that supports Councils with information and resources, access to a networking group and free conferences to help build small business friendly capability.

With new sectors such as housing and construction being added in the near future, we are working hard to make it easier to do business in NSW.

For more information visit service.nsw.gov.au/business

service.nsw.gov.au • 13 77 88



**Small
Business
Commissioner**



Frequently asked questions

Cafés, small bars and restaurant industry

Program	
What is Easy to do Business?	<p>Easy to do Business (EtdB) is joint initiative of the Office of the Small Business Commissioner and Service NSW to make NSW the easiest state to do business. Through a single digital portal, EtdB supports customers to transact with three levels of government to start or grow a café, small bar or restaurant.</p> <p>EtdB has commenced a state-wide rollout of its café, small bar and restaurant solution and launched a proof of concept for the Housing and Construction industry, which will be available late 2018.</p> <p>EtdB will be partnering with you to launch additional industries and initiatives targeting the needs of your business communities based on your feedback.</p>
Digital solution for cafés, small bars and restaurants	
Which applications are involved?	<p>All government licencing and approvals across local, state and federal agencies are involved.</p> <p>EtdB will guide each customer through the most efficient path to secure their premise approvals from Council, liquor approvals from Liquor and Gaming NSW and Federal approvals through ASIC and the ATO, as well as various other agencies.</p>
What is the Service NSW Business Concierge?	<p>The Business Concierge is a dedicated contact for each customer when starting, growing or running their business.</p> <p>They provide business owners with general guidance, connect them with existing specialist support and advisory networks, and provide quality assurance on their application to make sure only high quality, decision ready applications are lodged.</p>
Will other Councils be involved?	<p>EtdB will be available across NSW.</p> <p>Service NSW and the Office of the NSW Small Business Commissioner are engaging with all Councils to join the program.</p>
Why is only one industry currently available?	<p>We have started with one of the most complex industries: cafés, small bars and restaurants. Business owners in NSW who wish to start a business in this industry have to navigate a great deal of red tape, confusion and complication.</p>
What are the customer benefits?	<ul style="list-style-type: none"> Business owners receive step by step guidance through the application process. They have the support of a free dedicated Business Concierge who can answer questions, liaise with Council and agencies, and review their applications to ensure they are decision ready and therefore processed faster

	<ul style="list-style-type: none"> Customers get a unique digital profile where they can see the upfront time, fees and effort involved as well as view the approval process across local, state and federal government
What are the Council benefits?	<ul style="list-style-type: none"> EtdB is a free service for Councils Stimulate economic growth in local communities to help boost your local economy, producing more jobs in your region and assisting Council to deliver on its strategic plan We will significantly reduce the time your team spends reviewing forms that aren't complete or correct. Our Business Concierges will work with business owners to ensure you receive decision ready applications Improve end-to-end time to open a business Maintain a reputation for efficiency with your customers
Council staff FAQs	
What has changed for Council's customer service / front desk staff?	<p>We make it easier for council staff.</p> <p>Each application lodged with Council will have an EtdB cover letter attached. Applications have been pre-validated by the Business Concierge and can be passed directly to the assessment team.</p>
A business customer has an enquiry, how do I assist?	<p>Council specific enquiries will continue to be addressed by Council as it does currently.</p> <p>Councils can now refer customers to Service NSW, if they have non-council related questions about starting or growing their café, small bar or restaurant. Councils can also refer customers to our website service.nsw.gov.au/business</p>
Has the lodgement or payment processes changed?	<p>No. The lodgement and payment processes for customers are unchanged.</p>
Has the process changed for the assessment teams?	<p>Yes. Applications will arrive with the relevant sections completed. The assessment teams are asked to let the EtdB Concierges know about the outcome of each application.</p>
Which customers will benefit from the program?	<p>Any café, small bar or restaurant owner who is:</p> <ul style="list-style-type: none"> researching starting out, or wanting to grow their business.
Who in Council can provide more information?	<p>Name:</p> <p>Role:</p> <p>Email:</p> <p>Ph:</p>

Easy to do Business

Memorandum of
Understanding



**Service
NSW**

Memorandum of Understanding

1. MOU Details

1. Duration of MOU	
Commencement Date	
2. Service NSW Details	
Address	Level 20, 2-24 Rawson Place, Sydney NSW 2000
ABN	37 552 837 401
Service NSW Representative	Executive Director, EtdB – Kylie De Courteney
Phone	02 8059 2359
Email	kylie.decourteney@service.nsw.gov.au
3. [COUNCIL NAME] Details	
Address	
ABN	
Council Representative	
Phone	
Email	

2. Parties

This MOU is made between:

The State of New South Wales represented by Service NSW, ABN 37 552 837 401, whose address is Level 20, 2-24 Rawson Place, Sydney NSW 2000 (SNSW);

and

[Council], ABN [XX XXX XXX XXX], of [STREET ADDRESS] (The Council).

3. Background

- 3.1 This MOU sets out the agreed understanding of the parties and basis upon which the arrangement is entered into. The MOU is not legally binding.

- 3.2 Easy to do Business is a joint initiative of the Department of Premier and Cabinet, the Customer Service Commissioner, the Office of the NSW Small Business Commissioner and SNSW to make NSW the easiest state to do business.
- 3.3 SNSW has partnered with the Council to promote and deliver the Easy to do Business program to small business across New South Wales.
- 3.4 The purpose of this collaboration is to:
- 3.4.1 help business owners open and grow a café, small bar or restaurant by providing a single online digital solution and personalised support, and
 - 3.4.2 make it easier to set up a business in New South Wales.
- 3.5 The Easy to do Business program is a free service for the Council and customers.
- 3.6 The Easy to do Business program will expand to include other industries and the entire small business lifecycle, in the future.

4. Term

This MOU commences on the Commencement Date specified in MOU Details and will continue unless terminated by either party.

5. Termination

Either Party may terminate this MOU by giving the other Party ninety (90) days' written notice.

6. SNSW's obligations

SNSW will:

- (a) ensure the Business Concierge will be the customer's single point of contact for queries relating to opening or growing their business
- (b) within two working days, call the customer to establish and understand the customer's ambition with respect to their business and outline how the program may be able to help
- (c) provide tailored information specific to each customer's needs
- (d) address customer queries relevant to any stage of the end-to-end journey
- (e) provide to the customer a detailed case management plan outlining all licences and approvals required to open or grow their business and the suggested pathway to completion
- (f) where a customer query cannot be immediately addressed, make contact with Council or the relevant federal or state government agency to source the additional information required and respond back to the customer as promptly as possible
- (g) escalate customer queries to the Council specialist team wherever questions become advice-based or highly complex
- (h) guide and support the customer through the online licence application processes

- (i) review, verify and validate customer applications against agreed criteria so as to improve the quality of applications submitted to Council.

7. Council's obligations

The Council will:

- (a) refer eligible customers to EtdB
- (b) provide guidance and information to the EtdB team to assist it to respond to customer queries, as required
- (c) communicate application outcomes to the customer and the EtdB team
- (d) provide updates on changes in the local area that may impact EtdB
- (e) identify local events and organisations that are opportunities to inform customers about EtdB
- (f) provide feedback on the effectiveness and performance of EtdB in the local area.

8. Review of MOU

The Parties agree to meet to discuss the terms and conditions of this MOU and to consider whether any variations or amendments need to be made.

9. Variations

This MOU may be varied by agreement of the Parties in writing.

10. Relationship

10.1 Cooperation

In carrying out its respective obligations under this MOU, the Parties agree to co-operate in a timely and effective manner with each other and to act in good faith.

10.2 Meetings

The SNSW Representative and the Council Representative agree to meet and discuss any matters relating to this MOU.

10.3 Issues

Each Party will keep the other informed in writing as to any issues arising and keep an ongoing written record of the status of each issue and when and how it was resolved.

11. Representatives of the Parties

11.1 Change of Representatives

- (a) The Parties should inform the other party about any change of Representative from that specified in MOU Details.

11.2 Power and authority of Representatives

The SNSW Representative and the Council's Representative:

- (a) are the agent of the respective Party for the purposes of doing anything to be under this MOU; and
- (b) have the authority to make and give, or accept, on the Party's behalf, any approvals, acceptances, directions, notice and other decisions that the Party may make and give, or accept, under this MOU.

12. Resolution of Disputes

- 12.1 Both Parties agree to attempt to act in good faith in carrying out their obligations under this MOU and to attempt to resolve any Dispute in good faith.
- 12.2 In the event of any dispute between the Parties under or in connection with this MOU, the Parties will:
 - (a) within seven days (or such other period agreed between the parties) of a Party providing notice of a dispute to the other Party, ensure that the SNSW Representative and Council Representative meet with a view to resolving the dispute; then
 - (b) if the dispute is not resolved, within 14 days (or such other period agreed between the Parties) of that meeting, the Chief Executive of the Council (or delegate) will meet with the Chief Executive Officer of Service NSW (or delegate) with a view to resolving the dispute.
- 12.3 Any Disputes arising out of or in connection with the MOU which cannot be settled by negotiation between the Parties under clause 12 (b) shall be referred to mediation via the Resolution Institute - <https://www.iama.org.au>.
- 12.4 If a dispute arises from, out of, or in connection with this MOU, the Parties must attempt to resolve it in accordance with the Premier's Memorandum M1997 – 26 Litigation Involving Government Authorities.

13. Notices

13.1 General

Any notices under this MOU must be given by an Authorised Representative of the Parties.

13.2 Change of address

Each Party must notify the other Party in writing of any changes to notice details specified in MOU Details.

14. Non-binding Memorandum of Understanding

- 14.1 This MOU is not intended to create legally enforceable rights or obligations for either Party.
- 14.2 This MOU merely constitutes a statement of the mutual intentions of the Parties with respect to its contents and each Party represents to the other that:
 - (a) no reliance will be placed on it;

- (b) it does not constitute an obligation binding either side;
- (c) it does not contain all matter upon which agreement must be reached in order for an agreement to be consummated;
- (d) it creates no rights in favour of either party; and
- (e) for the avoidance of doubt and without limiting the above in any way, this MOU imposes no commitment on any person to proceed with an agreement.

15. Miscellaneous

15.1 Legal costs

Subject to any express provision in this MOU to the contrary, each Party must bear its own legal and other costs and expenses relating directly or indirectly to the preparation of, and performance of its obligations under this MOU.

15.2 Amendment

All amendments to this MOU and all consents, approvals, waivers and agreements made under this MOU must be evidenced in writing.

Signed for and on behalf of SNSW

Name: _____

Signature: _____

Position: _____

Date: _____

Signed for and on behalf of the Council

Name: _____

Signature: _____

Position: _____

Date: _____

IR18/030 MAINTENANCE AND RENEWAL SCHEDULES FOR ROADS 2018-19

**E99.3954:
E99.3955**

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: 1. Grading Schedule 18-19
2. Reseal Schedule 18-19

Focus Area: Connected and Accessible Places

Delivery Program Link: 7.1 Work in partnership to provide an integrated transport network

Operational Plan Link: 7.1.2 Provide a safe efficient and integrated transport network

EXECUTIVE SUMMARY

Each year a schedule of works is prepared for the maintenance grading of unsealed roads and for the resealing of sealed roads.

The grading schedule is based on delivering a reasonable level of service taking into account the various factors impacting on the performance of the road network, in particular, traffic volumes, type of traffic, terrain, amount and quality of gravel and the available budget.

The reseal program is vital from a road safety perspective as it reinstates grip between the vehicle and the road surface and reduces the number of pavement defects such as potholes. Resealing also assists in keeping maintenance costs down, and by extending the life of the underlying structural road pavement by minimising the ingress of moisture. This helps minimise more expensive pavement rebuilding work.

Council has a legal responsibility under the Civil Liabilities Act 2002 to appropriately manage risk within available resources. It is prudent for Council to adopt schedules on behalf of the community to allocate resources appropriately.

All of the proposed works are an integral part of keeping the local road network to a reasonable condition.

The 2018-19 Operational Plan provides a budget of \$1,587,244 for reseals on local roads and car parks, being a decrease of \$182,926 from the previous financial year. The decrease is due to Roads to Recovery funding being brought forward by the Australian Government and expended in the 2017-18 financial year. Council's long term financial plan includes restoration of the full budget for the annual resealing program from 2019-20 onwards with the addition of the Roads to Recovery funding.

Once adopted by Council, the schedules will be placed on our website for the information of the community.

RECOMMENDATION

THAT the schedules for the maintenance grading of unsealed roads and the resealing of sealed roads for 2018-19 be adopted.

IR18/030 MAINTENANCE AND RENEWAL SCHEDULES FOR ROADS 2018-19

**E99.3954:
E99.3955**

BACKGROUND

Each year a schedule of works is formulated for the maintenance grading of unsealed roads and for the resealing of sealed roads.

When adopted, both schedules are placed on Council's website for the information of the community. Minor adjustments to the programs are occasionally made with the approval of the Director Infrastructure Services, to account for variations in costs, to take advantage of any opportunities for efficiencies of work and to treat any significant problems that might arise as the year progresses due to weather or other issues. These outcomes are reported to Council via the annual report.

The proposed schedules for each of the activities are provided as attachments to this report.

CONSIDERATIONS

Historically, funding levels for resealing road works have been well below desirable levels, resulting in a significant amount of deferred maintenance and renewal work.

The introduction of the Infrastructure Fund during the mid-2000's, combined with the Australian Government's Road to Recovery Program and additional funding provided under Council's Fit for Future plan, has allowed Council to significantly improve its response to the infrastructure renewal funding gap, providing a more sustainable position.

The consequence of insufficient renewal funding is to increase routine maintenance costs (eg pothole repair, heavy patching), reduce the level of service to the public, increase the risk to the community and inevitably pass these *deferred* costs on to future generations. It also means that additional work is required when these elements are renewed (eg additional surface preparation, additional build-up of roadside debris to be removed from gravel roads).

Council's long-term financial plan now includes sufficient funds to sustain the annual renewal of resurfacing in future years, providing future budgets account for growth of the network and pricing increases remain in line with rate pegging. Council has adopted a sound management strategy whereby the ongoing cycle of annual renewal will address both asset renewal and infrastructure backlog over time. This strategy will contribute positively to improving Council's asset renewal and backlog ratios.

1. Maintenance Grading Schedule for Unsealed Roads

There are approximately 418km of unsealed roads maintained by Council.

The grading schedule is based on delivering a reasonable level of service taking the various factors impacting on the performance of the road network into account, in particular, traffic volumes, type of traffic, terrain, amount and quality of gravel and the available budget. The annual schedule is adjusted prior to presentation to Council, using feedback from the maintenance grading team and customers.

The schedule rolls on from the end of the 2017-18 work. The same grading frequency as set for 2017-18 is proposed to be adopted for 2018-19.

The gravel resheeting program for 2018-19 is already included in the draft 2018-19 Operational Plan. The impact of gravel resheeting will continue to be monitored. Improvements in gravel

IR18/030 MAINTENANCE AND RENEWAL SCHEDULES FOR ROADS 2018-19

**E99.3954:
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resheeting work over a period of time has, in the past, allowed a reduction in grading frequency on some roads, where drainage, vegetation and other issues do not over-ride, and an increase in grading frequency on others (eg from once every two years to once per year). This has allowed a more equitable level of service across the unsealed road network. Gravel resheeting also provides an improved level of surface between grades.

It should be noted that the grading team has the responsibility (and is accountable) to make judgements regarding the method of maintenance grading based on the condition of the road. These include:

- do nothing and record for future inspection
- do drains and culvert and vegetation only and record for future road surface inspection
- work to a depth of 80-100mm and re-compact
- deep rip and re-compact to remove deep corrugations or potholes.

The proposed maintenance grading schedule for 2018-19 is attached.

2. Reseal Program for Sealed Roads

Sealed roads should be resealed every 10-15 years depending on traffic volumes and the type of bitumen seal. Research for our part of New South Wales indicates that bitumen will oxidise and crack at about 10-11 years.

The reseal program is vital in keeping maintenance costs down, extending the life of the underlying road pavement and minimising more expensive pavement rehabilitation work. It is also vital from a road safety perspective.

The reseal program is determined through inspection of the road network and with consideration to cracking, ravelling (ie loss of stone) and other failure mechanisms given consideration to known problem areas and feedback from the maintenance teams. The reseal program has a strong focus on treating roads to manage the risk to the public and minimise the risk of pavement failure.

The proposed reseal program for 2018-19 is attached.

Legal

Council has a legal responsibility under the Roads Act 1993 and Civil Liabilities Act 2002 to appropriately manage risk within available resources. It is prudent for Council to adopt schedules on behalf of the community to allocate resources appropriately.

Policy

The proposed works are in line with Council's Asset Management Policy and Local and Regional Roads Risk Management Policy.

Asset

All of the proposed works are an integral part of keeping the local road network in a reasonable condition. The annual renewal of road resurfacing is fully funded in forward years and meets the Office of Local Government's requirement to have a renewal ratio of 100%.

IR18/030 MAINTENANCE AND RENEWAL SCHEDULES FOR ROADS 2018-19

**E99.3954:
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Social Impact

The provision of roads of reasonable standard is essential to the wellbeing of our community, particularly as we are so heavily dependent on road transport.

The proper maintenance and renewal of roads is required to minimise the risk to the public and the potential for claims against Council (and its community). This is particularly the case since the removal of the non-feasance protection previously afforded to road authorities by the High Court.

Economic Development Employment Potential

The provision and maintenance of a road network to a reasonable standard is integral to the economic wellbeing of the community.

The completion of these works by a mixture of day labour staff and local contractors provides an important role in maintaining and boosting local employment within Eurobodalla and the immediate surrounds.

Financial

The 2018-19 Operational Plan provides a budget of \$1,587,244 for reseals on local roads and car parks. A budget of \$841,427 is provided for the maintenance of unsealed rural roads which includes the maintenance grading works as per the proposed schedule.

CONCLUSION

The proposed 2018-19 Maintenance Grading Schedule for unsealed roads and the proposed 2018-19 Reseal Program for sealed roads are vital to sustain our local road network. Once adopted the schedules will be placed on Council's website.

2018-19 GRADING SCHEDULE FOR UNSEALED ROADS

Below is the list of Roads under Council's care and control that are graded as part of Council's maintenance program. The list is alphabetical with a description of the extent of Council's maintenance in each case. The table shows the expected date the grading will be completed on for each road (subject to good weather). In the case where there is more than a single grade per year, the expected week ending dates of the subsequent grade(s) are shown in the relevant column. Please be advised that this schedule is ONLY A GUIDE and could be affected by unforeseen events that may lead to the schedule falling behind such as long periods of rain. If this occurs a revised schedule will be posted.

Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Akolele	Youngs Road	Bermagui Road	gate	1.2	28/06/2019			
Batemans Bay	Catalina Res Rd (heron - The Ridge Rd)	The Ridge Road	reservoir	0.6	20/09/2018			
Batemans Bay	Catalina Res Rd (heron - The Ridge Rd)	driveway @ 91	Heron Road	0.2	21/09/2018			
Batemans Bay	Lattas Point Road	(null)	Lattas Point oyster sheds	4.9	18/09/2018	14/02/2019		
Batemans Bay	Rotary Drive	seal off Kings Highway	Holmes Lookout	1.2	16/07/2018	23/01/2019		
Batemans Bay	The Ridge Road	Princes Highway	Catalina Reservoir Road	0.8	20/09/2018	19/02/2019		
Batemans Bay	The Ridge Road	Catalina Reservoir Road	Dog Trap Road	3.8	21/09/2018			
Belowra	Woila Crk Firetrail - From Woila Causeway (Badja)	Belowra Road	end	4.9	31/05/2019			
Benandarah	Donovan Creek Road	Old Princes Highway	forest boundary	1.3	29/08/2018			
Benandarah	Old Nelligen Road	Sproxtons Road	Bridge Creek (2nd creek crossing)	1.0	8/08/2018			
Benandarah	Sproxtons Road	Old Nelligen Road	Timber Barge Lane	0.4	8/08/2018			
Benandarah	Timber Barge Lane	Sproxtons Road	end	0.3	9/08/2018			
Benandarah	Wild Pig Road	forest boundary	end of maintenance	0.5	31/08/2018			
Benandarah	Windywoppa Road	forest boundary	end of maintenance	2.5	30/08/2018			
Bergalia	Beashels Lane	Bergalia Link Road	(null)	1.8	22/11/2018	19/03/2019		
Bergalia	Noggarula Drive	Princes Highway	end	1.8	23/11/2018	20/03/2019		
Bimbimble	Bimbimble Lane	Bimbimble Road	end	0.5	1/10/2018			
Bingie	Alcheririga Lane	seal	end of maintenance	0.7	23/11/2018			
Bingie	Bingie Road	Priory Lane	seal @ Kelly Road	0.7	21/11/2018	17/03/2019		
Bingie	Bingie Road	seal @ Kelly Road	park boundary	0.5	21/11/2018	18/03/2019		

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Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Bingie	Mullimburra Point Road	seal @ dog leg	Pinnacles Close	0.7	24/11/2018	18/03/2019		
Bingie	Munjeroo Lane	dust seal	end of maintenance	0.2	24/11/2018			
Bingie	Pinnacles Close	Mullimburra Point Road	end	0.2	24/11/2018			
Bingie	Priory Lane	seal	end of maintenance	0.6	21/11/2018			
Bodalla	Borang Lake Road	Horse Island Road	end of maintenance	1.5	29/03/2019			
Bodalla	Brou Lake Road	Brou Tip	park boundary	1.4	4/06/2019			
Bodalla	Bumbo Bridge Access Road	Bumbo Road	Redex Road	0.3	26/03/2019			
Bodalla	Bumbo Road	seal	Redex Road	1.3	25/03/2019			
Bodalla	Bumbo Road	Redex Road	seal	0.6	26/03/2019			
Bodalla	Bumbo Road	seal	Crapp's Bridge	2.4	26/03/2019			
Bodalla	Comerang Farm Road	(null)	Widgett Road	1.5	1/04/2019			
Bodalla	Comerang Forest Road	Eurobodalla Road	end of maintenance	2.9	3/04/2019			
Bodalla	Coopers Island Road	Princes Highway	end	0.9	25/03/2019			
Bodalla	Horse Island Road	Potato Point Road	(null)	2.3	26/11/2018	28/03/2019		
Bodalla	Horse Island Road	(null)	Horse Island Bridge	1.5	29/03/2019			
Bodalla	Redex Road	Bumbo Road	Bridge	0.1	26/03/2019			
Bodalla	Widgett Road	Comerang Farm Road	end of maintenance	1.3	2/04/2019			
Broulee	Bengello Beach Road	Grant Street	carpark	0.7	3/10/2018			
Broulee	Bengello Beach Road	carpark	(null)	1.2	3/10/2018			
Buckenbowra	Hanns Road	(null)	Old Bolaro Road	5.5	1/08/2018			
Buckenbowra	Quarptot Road	seal	Hanns Road	7.9	27/07/2018			
Cadgee	Eurobodalla Road	seal @2472	Murphys 2 Bridge (359)	1.7	4/12/2018	18/04/2019		
Cadgee	Wattlegrove Road	seal @ Eurobodalla Road	end	9.2	10/04/2019			

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Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Central Tilba	Haxstead Road	cattle grid	Little Lake Cemetery Road	0.2	4/07/2018			
Central Tilba	Little Lake Cemetery Rd	Haxstead Road	cemetery	1.1	4/07/2018	14/01/2019		
Central Tilba	Punkalla Tilba Road	last house #518	Ridge Road	1.0	2/07/2018	14/01/2019		
Central Tilba	Ridge Road	Punkalla Tilba Road	Old Highway	4.2	2/07/2018	14/01/2019		
Central Tilba	Sunnyside Road	(null)	(null)	3.1	5/07/2018	16/01/2019		
Coila	Coila Creek Road	seal @ Princes Highway	end of maintenance	1.2	21/03/2019			
Coila	Creek Street	Princes Highway	end	0.6	21/03/2019			
Congo	Congo Road	seal @ Congo Creek	seal @ Congo	0.8	1/10/2018	21/12/2018	14/03/2019	28/06/2019
Congo	Congo Road	seal @ park boundary	Collett Place	2.7	20/11/2018	15/03/2019		
Corunna	Old Highway	Brushgrove Lane (Princes Hwy)	seal south of Watertank Road	1.2	6/07/2018	18/01/2019		
Corunna	Old Highway	seal north of Watertank Road	seal north of Ridge Road	0.7	9/07/2018	18/01/2019		
Corunna	Old Highway	seal @ Corunna Bridge	seal @ #613	1.9	9/07/2018	21/01/2019		
Currowan	Black Flat Road	(null)	The River Road	10.2	9/08/2018	23/01/2019		
Currowan	The River Road	dust seal	seal@Currowan Causeway	11.8	16/08/2018	30/01/2019		
Currowan	The Western Distributor	Kings Highway	shire boundary	1.6	9/08/2018			
Deua River Valley	Araluen Road	Larrys Mountain Road	seal	0.4	17/10/2018	28/02/2019		
Deua River Valley	Araluen Road	seal @ 1885	seal @2149	2.2	17/10/2018	28/02/2019		
Deua River Valley	Araluen Road	dust seal west of Knowles Road	seal south of McGregors Creek	3.9	18/10/2018	1/03/2019		

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Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Deua River Valley	Araluen Road	seal @ 2662	park boundary @2857	2.0	22/10/2018	5/03/2019		
Deua River Valley	Araluen Road	park boundary @2857	Pidgeon Gully	16.6	23/10/2018			
Deua River Valley	Araluen Road	Larrys Mountain Road	seal @ 1520	2.7	2/11/2018	6/03/2019		
Deua River Valley	Araluen Road	seal @1447	I Ridge Road	4.9	5/11/2018	7/03/2019		
Dignams Creek	Reedy Creek Road	Wild Horse Creek Road	Morts Folly Road	2.3	11/07/2018			
Eurobodalla	Cheese Factory Road	Eurobodalla Road	end of maintenance	0.3	1/05/2019			
Eurobodalla	Eurobodalla Road	Murphys 2 Bridge (359)	Reedy Creek Road	6.0	5/12/2018	19/04/2019		
Eurobodalla	Eurobodalla Road	Reedy Creek Road	seal west of #981	6.6	10/12/2018	25/04/2019		
Eurobodalla	Reedy Creek Road	Boundary Bridge	Wyoming	3.5	12/07/2018			
Eurobodalla	Reedy Creek Road	Eurobodalla Road	#304	3.5	24/04/2019			
Eurobodalla	Waincourt Road	seal @97	Bullockys Hut Road	1.2	1/05/2019			
Guerrilla Bay	Barlings Beach Access Rd	George Bass Drive	Barlings Beach	0.4	25/09/2018			
Jeremadra	Goldfields Drive	Old Mossy Point Road	Jeremadra Grove	2.2	27/09/2018			
Jeremadra	Jeremadra Grove	Goldfields Drive	end of maintenance	0.7	28/09/2018			
Jeremadra	Jeremadra Grove	Goldfields Drive	Old Mossy Point Road	1.1	28/09/2018			
Jeremadra	Old Mossy Point Road	seal	end of maintenance	0.6	27/09/2018			
Jeremadra	Onslow Close	Old Mossy Point Road	end of maintenance	0.4	26/09/2018			
Kianga	Box Cutting Rd	Kianga Forest Road	Wagonga Scenic Drive	2.2	10/06/2019			
Kianga	Duesburys Road	Dalmeny Drive	end of maintenance	1.3	5/06/2019			
Kianga	Kianga Forest Road	Princes Highway	Box Cutting Road	4.2	13/12/2018	6/06/2019		

2018-19 GRADING SCHEDULE FOR UNSEALED ROADS

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Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Kianga	Kianga Forest Road	Box Cutting Road	lookout	1.3	10/06/2019			
Kianga	Rifle Range Pit Road	(null)	gravel pit	1.8	13/12/2018			
Kianga	Wagonga Scenic Drive	Box Cutting Road	Wagonga Picnic Area	6.4	11/06/2019			
Kiora	Araluen Road	I Ridge Road	seal @ Stewarts Road	1.9	8/11/2018	11/03/2019		
Kiora	I Ridge Road	Araluen Road	end of maintenance (just past #105)	1.4	7/11/2018			
Kiora	Stewarts Road	Araluen Road	end of maintenance (#116)	1.1	9/11/2018			
Meringo	Meringo Road	seal @ Bingie Road	dust seal	1.8	22/11/2018	18/03/2019		
Mogendoura	Clouts Road	Larrys Mountain Road	end of maintenance	2.6	10/10/2018			
Mogendoura	Hawdons Road	cattle grid	forest boundary	2.8	8/10/2018	19/02/2019		
Mogendoura	Larrys Mountain Road	seal	Araluen Road	6.9	12/10/2018	22/02/2019		
Mogendoura	Maulbrooks Road	Larrys Mountain Road	forest boundary	2.7	9/10/2018	21/02/2019		
Mogendoura	Meadows Road	seal	end of maintenance	0.6	10/10/2018			
Mogo	Buckenbowa Road	Park Street	basalt quarry access	0.4	16/07/2018	23/01/2019		
Mogo	Buckenbowa Road	basalt quarry access	Quartpot Road	8.2	17/07/2018			
Mogo	Buckenbowa Road	Quartpot Road	Mullendaree Creek Causeway	2.6	20/07/2018			
Mogo	Maulbrooks Road	seal @153	Driveway @282	1.3	26/09/2018			
Mogo	Runnyford Road	Egans Road	seal @ Princes Highway	8.0	12/09/2018	8/02/2019		
Mogo	Short Street	Creek Street (unformed)	Forestry	0.5	26/09/2018			
Moruya	Bengello Beach Road	George Bass Drive	windsock	0.4	4/10/2018			
Moruya	Bengello Beach Road	windsock	Bengello Creek	2.1	4/10/2018			
Moruya	Brierley Avenue	seal	end of maintenance	0.9	5/10/2018			
Moruya	Bushland Road	seal	end	0.4	5/10/2018			

2018-19 GRADING SCHEDULE FOR UNSEALED ROADS

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Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Moruya	Dwyers Creek Road	seal	Spring Creek Road	0.3	4/10/2018			
Moruya	Guthrie Street	Princes Highway	Main Street	0.7	1/10/2018			
Moruya	Kiora Street	seal	end of maintenance	0.3	4/10/2018			
Moruya	Main Street	Guthrie Street	end of maintenance	0.1	2/10/2018			
Moruya	Malabar Drive	seal	end of maintenance	0.7	5/10/2018			
Moruya	Moruya Reservoir Road	dust seal	reservoir	0.8	19/11/2018			
Moruya	Noads Drive	(null)	(null)	1.0	20/11/2018	14/03/2019		
Moruya	Patons Road	Dwyers Creek Road	creek crossing	1.3	4/10/2018			
Moruya	Percy Davis Drive	seal	east boundary @280	0.8	2/10/2018			
Moruya	Phyllis Price Drive	seal	end	2.8	1/10/2018			
Moruya	Ryans Creek Reserve Road	Riverside Carpark	end of maintenance	1.1	2/10/2018	18/02/2019		
Moruya	Spencer Street - West Of Vulcan St	Dwyers Creek Road	Vulcan Street	0.3	4/10/2018			
Moruya	Spring Creek Road	Dwyers Creek Road	Donkey Hill Road	0.2	4/10/2018			
Moruya	Summerhill Road	Dwyers Creek Road	end of maintenance	0.1	4/10/2018			
Moruya	Turnbills Lane	seal	Hawdon Street	0.5	3/10/2018	13/03/2019		
Moruya	Valley View Lane	Mollie Road	end of public road	0.2	5/10/2018			
Moruya	Windus Road	Dwyers Creek Road	end of maintenance	0.2	4/10/2018			
Moruya	Yarragee Reserve Carpark	(null)	(null)	0.0	20/11/2018			
Mystery Bay	Mystery Bay Camping Ground Carpark	Mystery Bay Loop Road	end	0.1	18/12/2018			
Narooma	Handkerchief Beach Carpark	(null)	(null)	0.0	28/06/2019			

2018-19 GRADING SCHEDULE FOR UNSEALED ROADS

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Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Narooma	Mount Dromedary Trail (north)	Punkalla Tilba Road	National Park boundary	3.7	26/06/2019			
Narooma	Nangudga Beach Road	Princes Highway	end	0.9	17/12/2018			
Narooma	Old South Coast Road	seal @ #136	end of maintenance	1.0	10/07/2018	22/01/2019		
Narooma	Punkalla Tilba Road	Wagonga Scenic Drive	1st house north of forest #1044	1.6	20/12/2018	20/06/2019		
Narooma	Punkalla Tilba Road	1st house north of forest #1044	last house #518	5.1	24/06/2019			
Narooma	Ringlands Road	Flying Fox Road	#40	0.4	17/12/2018			
Narooma	Shingle Hut Road	Wild Horse Creek Road	end of maintenance (#80)	1.0	21/06/2019			
Narooma	Wagonga Scenic Drive	(null)	dust seal @117	6.9	17/12/2018	14/06/2019		
Narooma	Wagonga Scenic Drive	dust seal @117	seal @ #74	0.6	20/12/2018	20/06/2019		
Narooma	Wild Horse Creek Road	Punkalla Tilba Road	Shingle Hut Road	0.3	21/06/2019			
Narooma	Wonga Road	Old Highway	Old South Coast Road	1.5	10/07/2018	21/01/2019		
Nelligen	Nelligen Creek Road	Old Bolaro Road	end of maintenance (#140)	1.4	29/08/2018			
Nelligen	Old Bolaro Road	seal @ Kings Highway	220m west of Nelligen Creek Road	4.1	24/08/2018			
Nelligen	Old Bolaro Road	Hanns Road	Misty Mountain Road	3.9	2/07/2018			
Nelligen	Old Nelligen Road	seal @ Kings Highway	Sproxtons Road	3.9	6/08/2018			
Nelligen	Paradise Road	Old Bolaro Road	end of maintenance	2.3	28/08/2018			
Nelligen	Runnyford Road	seal @ Nelligen	Bolaro Mountain Road (Gollarabee)	3.9	31/08/2018			
Nelligen	Runnyford Road	Bolaro Mountain Road (Gollarabee)	Runnyford Bridge	7.2	4/09/2018			
Nerrigundah	Belowra Road	Byrnes Street	Wolla Creek Firetrail	43.1	1/05/2019			

2018-19 GRADING SCHEDULE FOR UNSEALED ROADS

Below is the list of Roads under Councils care and control that are graded as part of Council's maintenance program. The list is alphabetical with a description of the extent of Council's maintenance in each case. The table shows the expected date the grading will be completed on for each road (subject to good weather). In the case where there is more than a single grade per year, the expected week ending dates of the subsequent grade(s) are shown in the relevant column. Please be advised that this schedule is ONLY A GUIDE and could be affected by unforeseen events that may lead to the schedule falling behind such as long periods of rain. If this occurs a revised schedule will be posted.

Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Nerrigundah	Byrnes Street	seal	Belowra Road	0.1	1/05/2019			
Nerrigundah	Cadgee Mountain Road	Nerrigundah Mountain Road	Eurobodalla Road	2.4	3/12/2018	17/04/2019		
Nerrigundah	Eurobodalla Road	(null)	dust seal east of Sinclairs Bridge	3.2	29/11/2018	9/04/2019		
Nerrigundah	Moruya Street	Gulph Street	William Street	0.1	9/04/2019			
Nerrigundah	Nerrigundah Mtn Road	seal east of Cadgee Mountain Road	(null)	5.0	27/11/2018	4/04/2019		
Nerrigundah	William Street	Eurobodalla Road	Moruya Street	0.2	8/04/2019			
Nerrigundah	William Street	end of Moruya Street	end	0.1	9/04/2019			
North Batemans Bay	Batemans Road	seal	end of maintenance	0.4	16/07/2018			
North Narooma	Riverview Road	seal @ 135	seal @ 209	0.5	13/12/2018	5/06/2019		
North Narooma	Riverview Road	seal @ 360	end of maintenance @ Paradise Point	0.9	13/12/2018			
Rosedale	Bevian Road	seal @ George Bass Drive	driveway @ #73	0.7	25/09/2018			
Rosedale	Burri Road	seal	Bevian Road	1.2	24/09/2018			
Runnyford	Buckenbours P/station Rd	Quartpot Road	pump station	0.8	26/07/2018			
Runnyford	Egans Road	Runnyford Road	272 Egans Road	2.7	11/09/2018			
Runnyford	Quartpot Road	Buckenbours Road	Buckenbours Pump Stn Road	5.1	24/07/2018			
Runnyford	Quartpot Road	Buckenbours Pump Stn Road	seal	0.9	26/07/2018			
Runnyford	Runnyford Road	Runnyford Bridge	Egans Road	2.2	10/09/2018	7/02/2019		
Tilba Tilba	Meads Lane	Meads Road	end	0.2	15/01/2019			

2018-19 GRADING SCHEDULE FOR UNSEALED ROADS

Below is the list of Roads under Councils care and control that are graded as part of Council's maintenance program. The list is alphabetical with a description of the extent of Council's maintenance in each case. The table shows the expected date the grading will be completed on for each road (subject to good weather). In the case where there is more than a single grade per year, the expected week ending dates of the subsequent grade(s) are shown in the relevant column. Please be advised that this schedule is ONLY A GUIDE and could be affected by unforeseen events that may lead to the schedule falling behind such as long periods of rain. If this occurs a revised schedule will be posted.

Town/Locality	Road Name	Location Grading Starts	Location Grading Ends	Length of Grading (km)	1st Grade	2nd Grade	3rd Grade	4th Grade
Tilba Tilba	Meads Road	Princes Highway	Meads Lane	1.1	15/01/2019			
Tilba Tilba	Mount Dromedary Trail	The Avenue	end of esc maintenance	0.9	14/01/2019			
Tomakin	Bevan Road Southern Access	driveway @246	George Bass Drive	0.2	25/09/2018			
Turlinjiah	Old Mill Road	dust seal @ Princes Highway	forest boundary	1.3	22/03/2019			
Turlinjiah	Western Boundary Rd	seal	forest boundary	1.1	22/03/2019			
Wampan	Cherryrise Road	Wampan Road	grid	0.2	19/11/2018			
Wampan	Donalds Creek Road	Wampan Road	(null)	8.6	13/11/2018			
Wampan	Mymossa Road	Donalds Creek Road	end of maintenance	1.1	19/11/2018			
Wampan	Wampan Road	seal W of Wampan Bridge #1	seal #302	1.3	9/11/2018	12/03/2019		
Wampan	Wampan Road	(null)	Wampan Bridge #2	1.5	12/11/2018	13/03/2019		

2018-19 Reseal Schedule		
Suburb	Street Name	Distance
Akolele	Bermagui Road	From Wallaga Lake Bridge - North for Approximately 2.5km
Batehaven	Bernadette Boulevarde	Full length
Batehaven	Clare Crescent	Full length
Batehaven	Corrigan Crescent	Full length
Batehaven	Crag Road (part)	North-western Section
Batehaven	Dominic Drive	Paul Pl to Joseph St
Batehaven	Edward Road	Beach Road to Joseph St
Batehaven	Irene Avenue	Full length
Batemans Bay	Camp Street	Full length
Batemans Bay	South Street	Pacific St to Bavarde Ave
Broulee	Casuarina Lane	Full length
Catalina	Crosby Drive	Curtis Rd to Law Lane
Catalina	Curtis Road	Full length
Catalina	Heron Road	Full length
Congo/Bingie	Barrington Street	Full length
Congo/Bingie	Bingie Road	End of rehab to Kelly Rd
Congo/Bingie	Brindabella Street	Full length
Congo/Bingie	Charms Place	Full length
Congo/Bingie	Congo Road	Noads Road east to markings
Congo/Bingie	Lancaster Street	Full length
Dalmeny	Dalmeny Drive	Barkaria St - South for Approximately 900m
Guerilla Bay	Bay Street	Full length
Kianga	Viewhill Road	East of Kianga Parade
Lilli Pilli	George Bass Drive	Denise Dr to Baringa Cr
Lilli Pilli	Grandfathers Road	Full length
Long Beach	Cullendulla Drive	Blairs Rd to Lucas Rd
Long Beach	Cullendulla Drive	Blairs Rd to Kettle Rd
Long Beach	Innes Place	Full length
Maloneys Beach	Belbowrie Parade	Full length
Maloneys Beach	Blue Gum parade	Full length
Maloneys Beach	Bottlebrush Place	Full length (not bowl)
Maloneys Beach	Cedar Parade	Full length
Maloneys Beach	Eugenia place	Full length (not bowl)
Maloneys Beach	Excelsa Court	Full length (not bowl)
Maloneys Beach	Tristiana Parade	Full length
Maloneys Beach	Willow Court	Full length (not bowl)
Malua Bay	Illabunda Drive	Pyang Ave to Millamurra St
Malua Bay	Kuppa Avenue	Full length (not bowl)

2018-19 Reseal Schedule		
Suburb	Street Name	Distance
Malua Bay	Yugura Street	Karoo to cul de sac
Mogo	Park Street	Church St to Dhurga Way
Moruya	Araluen Road	Pump Station South to markings
Moruya	Araluen Road	Sealed Section North of Larrys Mountain Rd
Moruya	Araluen Road	All sealed bridge approaches to boundary
Moruya	Campbell Street	Hawdon to Thomas St
Moruya	Church Street	West of highway to Shore St
Moruya	Fitzroy Street	Full length
Moruya	Flanagan Place	Full length
Moruya	Francis Street	Spencer St to Maluka Ave
Moruya	Turnbulls Lane	Western section adjacent to Water Reservoir
Moruya	Jeffery Place	Full length (not bowl)
Moruya	Mountain View	Full length
Moruya	River Street	Hawdon St east to tennis courts
Moruya	Woodbridge Avenue	Full length
Narooma	Albert Park Lane	Full length
Narooma	Angle Street	Full length
Narooma	Bar Rock Road	Bluewater Dr to VRA access
Narooma	Bay Street	Full length
Narooma	Brushgrove Lane	Full length
Narooma	Corunna Road	Full length
Narooma	Corunna Street	Full length
Narooma	Harper crescent	Ballingalla St to Marine Dr
Narooma	Riverside Drive	Bettini Lane to Davison St
Narooma	Taylor Street Access	Full length
North Batemans Bay	Lincoln Crescent	Full length
North Batemans Bay	Lord Place	Full length
North Batemans Bay	Wray Street	Old Punt Road west to markings
North Moruya	Bimbimbie Road	Highway to markings
North Moruya	Shelley Road	300m From Highway to end (not Asphalt portions)
Rosedale	Dale Place	Full length
Rosedale	Innes Place	Full length
Rosedale	Nicholas Grove	Full length
Rosedale	Roseby Drive	Full length
Rosedale	Tallwood Crescent	Full length
Rosedale	Tranquil Bay Place	Full length

2018-19 Reseal Schedule		
Suburb	Street Name	Distance
Rosedale	Yowani Road	Full length
South Heads	South Head Road	Service Road 307-299
South Heads	The Anchorage Lane	Full length
Sunshine Bay	Bronte Crescent	Full length
Sunshine Bay	George Bass Drive	Glenella Rd to Tallgums Way
Sunshine Bay	Thomas Mitchell Crescent	Full length
Surf Beach	Bass Street	Full length
Surf Beach	Bay View Street	Full length
Surf Beach	Beach Road (serv 649-657)	Full length
Surf Beach	Billabong Place	Full length
Surf Beach	Burkes Way	Full length
Surf Beach	Dunns Creek Road	Duns Creek Bridge to The Ridge Road
Surf Beach	High View Avenue	Full length
Surf Beach	Tasman Street	Surf Beach Ave to Bass St
Surf Beach	Wimbie Street	Full length
Surfside	Wharf Road	Mundarra Way to Timbara Crescent
Tomakin	Kingston Place	Full length
Tomakin	Melville point Road	Full length (from Sunpatch Pde)
Tomakin	Yarralumla Crescent	Full length
Tuross Head	Beach Street	Allenby Rd to Marlin St
Tuross Head	Birdwood Circle	Full length
Tuross Head	Bondi Street	Anderson Ave to Foam St
Tuross Head	Clifford Parade	Full length
Tuross Head	Hector McWilliam	Allenby Rd to Trafalgar Rd
Tuross Head	Kitchener Road	Birdwood Circle to Morwong Crescent
Tuross Head	Marlin Street	Beach St to Island View Rd
Tuross Head	Nelson Parade	Clive Court to Jutland Ave
Tuross Head	Swordfish Street	Norfolk Blvd to Tuna St (end k&g)
Tuross Head	Viewpoint Court	Full length

IR18/031 LOCAL TRAFFIC COMMITTEE NO. 9 FOR 2017-18

E16.0002

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

EXECUTIVE SUMMARY

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

The minutes of the Eurobodalla Local Traffic Committee meeting are included in this report for the Councillors' review. The main issues covered at the Eurobodalla Local Traffic Committee meeting of 7 June 2018 were as follows:

- Signage – No Parking and No Stopping on the Ocean Boat Ramp Access Road, South Durras
- Linemarking – Accessible Parking in the off-street carpark at the intersection of Corkhill Drive and Bate Street, Central Tilba
- Road Safety - Davidson Street, Narooma.

RECOMMENDATION

THAT

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 8 of 2017-18 held on 3 May 2018 be received and noted.
2. Council Plan No. 5156 Set BB Sheets 10 detailing the 'No Parking' and 'No Stopping' signage along the boat ramp access road adjacent to Murramarang Resort, South Durras, be approved.
3. Council Plan No. 5156 Set BP Sheets 01 detailing the linemarking associated with two accessible parking spaces in the off-street carpark at the intersection of Corkhill Drive and Bate Street, Central Tilba, be approved.

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 9 for 2017-18 was held on 7 June 2018 in Council's Committee Room. The meeting was attended by Councillor Anthony Mayne, Danielle Brice (representative for the Hon Andrew Constance MP), Jesse Fogg (Roads and Maritime Services), Senior Constable Scott Britt (NSW Police), Dave Hunter (Traffic Officer), Kate McDougall (Road Safety Officer) and Matt Cormick (Minute Taker).

IR18/031 LOCAL TRAFFIC COMMITTEE NO. 9 FOR 2017-18

E16.0002

APOLOGIES

Nil.

DEPUTATIONS

Nil

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 8 for 2017-18 held on Thursday 5 April 2018 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

There were no outstanding items to discuss.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2018.RT.016 Signage – No Parking & No Stopping on the Boat Ramp Access Road, South Durras

A resident of South Durras has requested that signage be placed along the boat ramp access road that leads from Banyandah Street to the ocean boat ramp.

This sealed road adjoins Murramarang Resort, with camping as close as 10 metres from the edge of road. There is no continuous fence to restrict pedestrian access from the camp sites to the road shoulder.

This two way sealed road is about 4 metres wide and vehicles often have to drive partially off the seal to pass. In peak holiday periods vehicles have been observed parking close to the seal edge adjoining the resort for long periods, including overnight.

To reduce the risk to all road users, it is proposed to install 'No Parking' signage along the length of road adjoining Murramarang Resort. Additionally two 'No Stopping' sign are proposed on the inside corner of the boat ramp access road and Banyandah Street intersection.

The managers of the resort have been contacted and have no objection to this proposal. The Durras Community Association have also indicated their verbal support for the proposal.

Council Plan No. 5156 Set BB Sheets 10 detailing the 'No Parking' and 'No Stopping' signage along the boat ramp access road was reviewed by the Committee.

Recommendation

That Council Plan No. 5156 Set BB Sheets 10 detailing the 'No Parking' and 'No Stopping' signage along the boat ramp access road adjacent to Murramarang Resort, South Durras, be approved.

2018.RT.015 Linemarking – Accessible Parking in the off-street carpark at the intersection of Corkhill Drive and Bate Street, Central Tilba

The Tilba District Chamber of Commerce have requested that accessible parking spaces for people with disabilities be provided in the Central Tilba business district.

There are currently no accessible parking spaces in the area. Two spaces can be practically installed in the southern off-street carpark (corner Corkhill Drive and Bate Street).

IR18/031 LOCAL TRAFFIC COMMITTEE NO. 9 FOR 2017-18

E16.0002

The car park at the northern end of town is not suitable for accessible parking spaces due to excessive grades.

The new accessible parking spaces will benefit people with disabilities and their friends / carers.

Council Plan No. 5156 Set BP Sheets 01 detailing the line marking associated with two accessible parking spaces in the off-street carpark at the intersection of Corkhill Drive and Bate Street was reviewed by the Committee.

Recommendation

That Council Plan No. 5156 Set BP Sheets 01 detailing the linemarking associated with two accessible parking spaces in the off-street carpark at the intersection of Corkhill Drive and Bate Street, Central Tilba, be approved.

INFORMAL ITEMS FOR DISCUSSION

2018.IN.008 Road Safety - Davison Street, Narooma

Council has received several letters from residents with concerns that large vehicles including trucks, caravans and other recreational vehicles are using Davison Street as an alternative route to the Princes Highway, to travel through Narooma.

Davison Street has a designated 3 tonne load limit in place under NSW Road Rule number 104. Under this road rule vehicles over 3 tonne are permitted to travel onto the street if the destination is beyond the route and there is no viable other route to the destination. There are signs at each end of Davison Street, at the Princes Highway intersection to the east and at the Riverside Drive intersection to the west. The street is very steep with an average grade of over 17%.

There are two reported non-injury crashes in the TfNSW database at the intersection of Davison Street and Riverside Drive – in May 2014 a 4WD travelling west on Davison Street collided with a car travelling along Riverside drive and in March 2017 a 4WD rolled over.

In addition to the TfNSW database, the March 2017 crash was reported to Council by one of the concerned residents. It is likely the 2017 4WD roll over occurred when a large Recreation Vehicle (RV) towing a small 4WD turned left from Riverside drive and, due to the steepness of Davison Street lost traction, then attempted to reverse back down Davison Street and jack-knifed, resulting in the trailer carrying the 4WD overturning.

The Committee discussed options to reduce the risk to road users with the following be further investigated and reported back to the Committee for consideration:

- The various data companies including Google and Navman be contacted to determine if the Riverside Drive and Davison Street alternate route can include a warning that it has a 3 tonne load limit
- The RMS be asked to undertake occasional enforcement of the load limit route
- The RMS be asked to install a G9-321 sign on the Princes Highway north bound lane in advance of the Davison Street left turn. This sign includes text "3 Tonne Load Limit on Side Road"

IR18/031 LOCAL TRAFFIC COMMITTEE NO. 9 FOR 2017-18

E16.0002

- Consideration be given to installing a Stop Sign at the intersection of Davison Street and Riverside Drive
- Consideration be given to extending the 3 tonne load limit to include the southern end of Riverside Drive, from Davison Street north to the intersection of McMillan Road, subject to seeking prior feedback from the businesses on Riverside Drive
- If the 3 Tonne Load Limit is extended to include Riverside Drive southern end, the RMS be asked to install a G9-321 sign on the Princes Highway south bound lane in advance of the Riverside Drive right turn.

GENERAL BUSINESS

- The Committee discussed concerns raised by residents that some drivers may be exceeding the 50km/hr speed limit in Mossy Point (in accessing the boat ramp) and in Edward Road, Batehaven. The Traffic Officer will install speed monitors at strategic locations to confirm if there is a speeding issue in either of these location and advise the NSW Police so they can initiate enforcement if required.
- Councillor Anthony Mayne thanked the NSW Police for their assistance in managing traffic for the Sorry Day Moruya Bridge Walk on Friday 25 May 2018. This walk, which included participants travelling along the south bound lane of Vulcan Street, starting on the north side of the bridge, finished at the “Mini-Vivid” *Yuin Country: Art and Land Revealed* on Friday night (held at Council’s administration building).

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 5 July 2018 in Council’s Committee Room.

CCS18/026 INVESTMENTS MADE AS AT 31 MAY 2018

E99.3517

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

Attachments: Nil

Outcome: Innovative and Proactive Leadership

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

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

Operational Plan Link: 9.2.4.3 Provide financial management and reporting

EXECUTIVE SUMMARY

The purpose of this report is to:

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

RECOMMENDATION

THAT the certification that the investments as at 31 May 2018, made in accordance with the *Local Government Act 1993*, Council's Investment Policy and the provision of Clause 1 (Reg. 212) of the *Local Government (General) Regulation 2005*, be received.

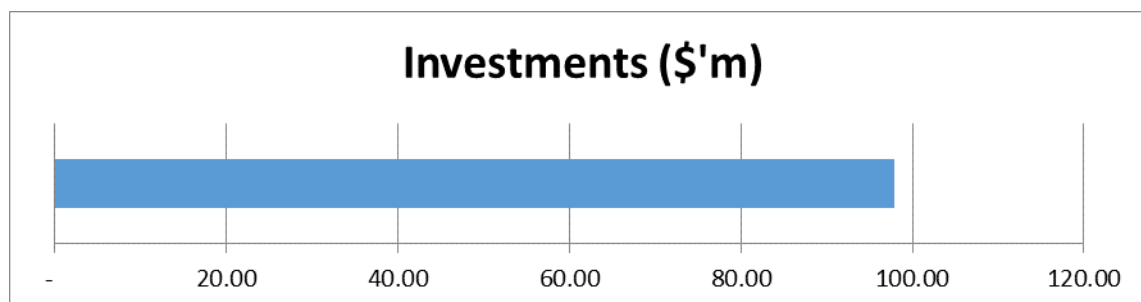
CONSIDERATIONS

Policy

The portfolio is compliant with Council's investment Policy

Financial

Council investing overall



Council has 100% (\$95.98m) invested in Bank Deposits. The Bank Deposits are held in banks rated A or greater, or covered by the AAA rated Government Guarantee, except for \$24.57m invested in banks rated below A, and in the 'some limited risk' category of the policy.

CCS18/026 INVESTMENTS MADE AS AT 31 MAY 2018

E99.3517

The 'some limited risk' category is now separated into two categories, the first being BBB+ rating institutions which allows up to 60% of all investments and the other is BBB which is restricted to 20% maximum. Currently there is 21.36% invested in BBB+ and 4.43% in BBB which complies with the current policy. Investment in Government Guaranteed Deposits is \$2.25m and represents 2.34% of the portfolio.

There are \$41.5m (43.24%) of funds invested in claimed fossil fuel free institutions.

The weighted average return for all investments for the month is 2.54%, which is above the Council policy benchmark of Bank Bill Swap rate (BBSW) + 0.25% (2.21%).

Collateralised Debt Obligation (CDO)

Funded legal action against one agency is continuing.

Summary investment information

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

CATEGORY	(\$)
At Call Deposit Government Guaranteed	250,000
At Call Deposit	2,727,029
Term Deposits	91,000,000
Term Deposits Government Guaranteed	2,000,000
	95,977,029
<i>Weighted average interest %:</i>	2.54%
<i>Average 90 day BBSW + 25%</i>	2.21%

Policy and liquidity risk

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

Policy risk	Low liquidity risk %	Total % of investments	Policy risk % (max holdings)
Remote risk	2.34	2.34	100.00
Near risk free	71.87	71.87	100.00
Some limited risk (BBB+)	21.36	21.36	60.00

CCS18/026 INVESTMENTS MADE AS AT 31 MAY 2018

E99.3517

Some limited risk (BBB)	4.43	4.43	20.00
Grand total	100.00	100.00	

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

CONCLUSION

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

CCS18/027 LICENCE FOR OUTDOOR EATING AREA - BATEMANS BAY

80.2452.D

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

Attachments: 1. Confidential - Licence for Outdoor Eating Area - Batemans Bay

Outcome: Innovative and Proactive Leadership

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

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

Operational Plan Link: 9.2.2.1 Manage leases and licences

EXECUTIVE SUMMARY

The three-year licence held by the proprietor of a business at Shop 12, 4 Perry Lane, Batemans Bay to operate an outdoor eating area on the walkway within Lot 1 DP 1152433 adjacent to their business expired on 31 October 2017. The Licensee has expressed an interest in renewing the licence.

As the walkway is classified as community land, public notification was given during March and April and no submissions were received.

The business proprietor has requested the licence area be moved from its current location to be adjacent to the business boundary. The proposal does not comply with the provisions of Council's Footpath Trading Code, which in most cases requires any footpath trading to be carried out adjacent to the kerb as opposed to adjacent to the business boundary.

It is considered reasonable that a variation to the Footpath Trading Code be allowed and a further three-year licence with a two year option be granted to the proprietor of a business at Shop 12, 4 Perry Lane, Batemans Bay.

RECOMMENDATION

THAT:

1. An exemption to Council's Footpath Trading Code be made to permit a trade zone for an outdoor eating area to be adjacent to the boundary of Shop 12, 4 Perry Lane, Batemans Bay.
2. A licence be granted to the proprietor of a business at Shop 12, 4 Perry Lane, Batemans Bay for an outdoor eating area to be located adjacent to the shop boundary with terms and conditions including:
 - (a) A three-year term with a two-year option.
 - (b) Payment of a licence establishment fee in accordance with Council's fees and charges.
 - (c) Payment of a rental fee in accordance with Council's fees and charges.

CCS18/027 LICENCE FOR OUTDOOR EATING AREA - BATEMANS BAY

80.2452.D

- (d) Payment of an annual licence administration fee in accordance with Council's fees and charges.
- (d) Provision of evidence and maintenance of public liability insurance in the amount of \$20 million during the licence period.
- (e) Compliance with the Operator's responsibilities set out in Council's Footpath Trading Code.

BACKGROUND

At its meeting on 26 August 2014 Council resolved to grant a three-year licence over Council land being part Lot 1 DP 1152433 to the proprietor of a Batemans Bay business to operate an outdoor eating area adjacent to Shop 12, 4 Perry Lane, Batemans Bay.

The three-year licence expired on 31 October 2017 and the proprietor has requested another licence be granted. In accordance with Section 4 Clause 2 of the current licence the Licensee can continue to occupy the site on a holding over basis for up to twelve months until a new licence is finalised.

Adjoining business

The adjoining business at Shop 10, 4 Perry Lane, Batemans Bay has a licence for an outdoor eating area adjacent to the business boundary. This business is currently applying to renew its three-year licence with an increased area adjacent to the business boundary. By moving the licence area of Shop 12, 4 Perry Lane adjacent to the business boundary, it will make an unhindered pedestrian walkway along the whole building.

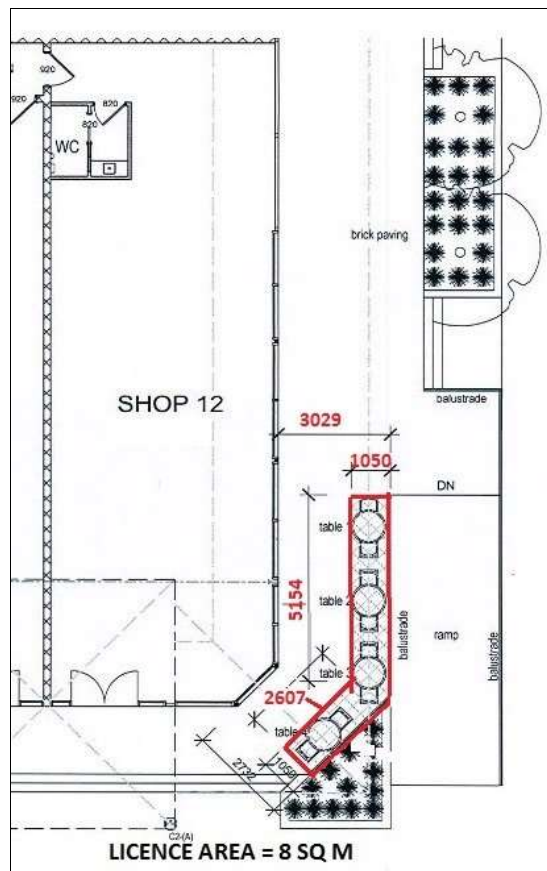
CONSIDERATIONS

The sketches below show the location of the current and proposed licence areas.

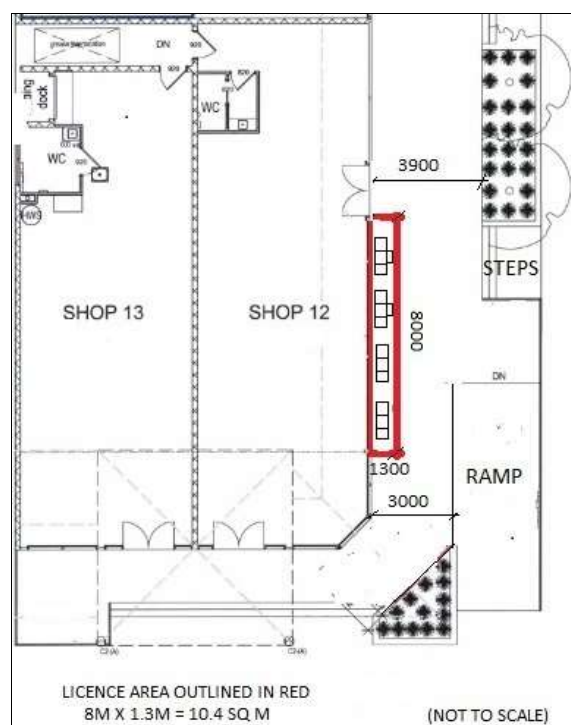
CCS18/027 LICENCE FOR OUTDOOR EATING AREA - BATEMANS BAY

80.2452.D

Current Licence Area



Proposed Licence Area



CCS18/027 LICENCE FOR OUTDOOR EATING AREA - BATEMANS BAY

80.2452.D

The photograph below shows the tables and chairs in the proposed licence area.



Legal

Lot 1 DP 1152433 Batemans Bay is Council owned community land. Council can grant a licence for a period of up to five years after giving public notice and considering any submissions in accordance with Section 47A of the *Local Government Act 1993*.

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

Policy

Council adopted its Footpath Trading Code in August 2010 which in most cases requires any footpath trading, either outdoor eating or display of goods to be carried out adjacent to the kerb as opposed to adjacent to the business boundary.

www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Footpath-Trading-Code.pdf

There is no legislative requirement preventing an exemption to the Code.

Asset

It will be a condition of the licence that the Licensee keeps the licensed area in a clean, tidy and hygienic condition.

Social Impact

The development of outdoor eating areas adds to the cultural streetscape and should be encouraged but not at the cost of pedestrian safety.

Economic Development Employment Potential

Additional trading space for restaurants and cafes allows development of those businesses, enhancing their financial viability.

Financial

A licence fee in accordance with Council's adopted fees and charges for commercial use of public land within the Eurobodalla will apply.

CCS18/027 LICENCE FOR OUTDOOR EATING AREA - BATEMANS BAY

80.2452.D

Community and Stakeholder Engagement

The intention to grant a three-year licence with a two-year option to the proprietor of a business at Shop 12, 4 Perry Lane, Batemans Bay to operate an outdoor eating area on community land was publicly notified for 28 days from 14 March to 10 April 2018 in accordance with Section 47A of the *Local Government Act 1993* and Council's *Community Engagement Framework*. No submissions were received.

CONCLUSION

The proposed location of the outdoor eating area adjacent to Shop 12, 4 Perry Lane, Batemans Bay does not comply with Council's Footpath Trading Code. However, an exemption to the Code in terms of permitting the trade area adjacent to the business boundary will allow for continued safe and unhindered access for pedestrians accessing the shops. It is considered reasonable to grant a three-year licence with a two-year option.

CCS18/028 MORUYA AIRPORT CAFÉ

E81.2168

Responsible Officer: Anthony O'Reilly - Director Corporate and Commercial Services
Attachments: Nil
Outcome: Innovative and Proactive Leadership
Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations
Delivery Program Link: 9.2.2 Manage land under Council control to achieve a return for the community
Operational Plan Link: 9.2.2.1 Manage leases and licences

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with a recommendation to renegotiate the commercial terms of the licence for the Moruya Airport Café.

Upgrades to the terminal building at Moruya Airport include a café space. Following a public expression of interest process, a licence was granted for a term of 15 months with a 2 year option which commenced on 1 December 2017.

Although passenger volumes have increased significantly, trading conditions have not developed to the level anticipated and the operator would like to re-negotiate the licence agreement to enable business growth.

RECOMMENDATION

THAT the General Manager be given delegated authority to renegotiate the commercial terms of the licence for the Moruya Airport Café to ensure its continued operation.

BACKGROUND

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

At its meeting on 14 November 2017 Council resolved to grant a licence for the operation of a café within the terminal building with a term of 15 months plus a 2 year option and a licence fee of \$100 plus GST per week for the initial period. The 15 month licence commenced on 1 December 2017.

A public expression of interest process was conducted to seek operators for the café and the current licensee was the only one to express interest.

The Café provides a valuable service to terminal users, airport businesses, campground visitors and users of the newly built extension of the bike path from Broulee. Since the introduction of improved capacity and cheaper fares from Rex, passenger volumes have increased significantly and both the Café and the new terminal have received positive feedback. However, despite this trading conditions have not been favourable or sustainable for the operator.

CCS18/028 MORUYA AIRPORT CAFÉ

E81.2168

In order to maintain service levels to the passengers it is proposed to give the General Manager delegated authority to renegotiate the commercial terms of the licence with the operator.

CONSIDERATIONS

Legal

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

A public expression of interest process was conducted to seek potential operators. As the current licensee was the only one to express an interest, it is appropriate for Council to negotiate directly with them.

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 has improved the terminal and is being utilised by terminal users, airport businesses, campground visitors and users of the bike path from Broulee.

Social Impact

Use of the Café enhances 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.

Financial

The current rent for the Café is \$100 per week plus GST. Any changes to the commercial terms will be accommodated within the existing airport budget.

Community and Stakeholder Engagement

Council's Engagement Planning Tool and relevant legislation have been used to guide the best approach to engagement on this matter. There is no legal requirement to advise the community through public notice, or to or seek feedback through public exhibition for land dealings within operational land.

CONCLUSION

Despite increased passenger volumes at the Moruya Airport, trading conditions at the Moruya Airport Café have not been favourable. It is considered reasonable that the General Manager be given delegated authority to renegotiate the commercial terms of the existing licence to operate the Café in order to maintain service levels to passengers.

CAR18/023 DRAFT MORUYA SHOWGROUND LANDSCAPE MASTERPLAN

E95.9434

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

Attachments: 1. Under Separate Cover - Draft Moruya Showground Landscape Masterplan

Outcome: Strong Communities, Desirable Lifestyle

Focus Area: 1.3 Encourage and enable healthy lifestyle choices

Delivery Program Link: 1.3.2 Plan for and provide a safe and accessible network of recreation and community facilities

Operational Plan Link: 1.3.2.3 Build, renew, operate and maintain recreation and community facilities

EXECUTIVE SUMMARY

The draft Moruya Showgrounds Landscape Masterplan 2018 (draft Masterplan) is presented for Council's consideration and endorsement of a 28 day public exhibition period.

The draft Masterplan provides a framework for future redevelopment of the Moruya Showground. It establishes a clear and consistent direction for the site to deliver the Showground vision 'to create a contemporary event, exhibition and activity space that respects the venue's agricultural and heritage characteristics.'

The draft Masterplan is an aspirational document, balancing the Showground's current and forecast future demand, while recognising the key heritage characteristics associated with the site.

The draft Masterplan provides a basis to guide the future development and operations of the Moruya Showground, with an evidence based approach that informs the allocation of Council resources as well as external funding applications for the Showground's redevelopment.

Similar to the development of the [Recreation and Open Space Strategy](#) (ROSS 2018) the initial Masterplan research and preliminary engagement was undertaken by the consultants, ROSS Planning P/L in 2016-17. Further engagement with key user groups and internal stakeholders was undertaken by Council staff in 2017 to expand on the consultant's initial findings, including four on-site meetings with the Showground user groups over the past six months.

This engagement has informed the development of the Masterplan which is now at a stage for public exhibition and has the endorsement of the Moruya Showground Section 355 Management Committee.

The draft Masterplan contains 36 ranked Priority Actions with a total indicative cost to implement of \$4.42 million. These Actions will be funded over time through a combination of annual capital bids, ROSS funded allocations and external grants. Council has already lodged two funding applications totaling \$2.83 million based 'in principle' on the draft Masterplan.

When adopted, the Moruya Showground Landscape Masterplan will inform the development of a Plan of Management for the Showground Reserve to meet obligations under the new Crown Land Management Act 2016, set to commence on 1 July 2018.

CAR18/023 DRAFT MORUYA SHOWGROUND LANDSCAPE MASTERPLAN

E95.9434

If approved for exhibition the Draft Masterplan will be made available on Council's website and copies (2) will be placed at the Council Offices and each of the three libraries.

RECOMMENDATION

THAT:

1. The Draft Moruya Landscape Masterplan be endorsed for the purpose of public exhibition for 28 days.
2. A further report, detailing any submissions received, be presented to Council following the conclusion of the exhibition period.

BACKGROUND

Currently the main uses of the Showground are:

- Annual Show and Rodeo
- Dog training and education
- Dressage and show jumping
- Poultry Exhibition
- Rugby League
- Basketball.

The development of the draft Masterplan commenced in 2016 in conjunction with the development of Council's Recreation and Open Space Strategy (ROSS 2018), which was adopted on 27 February 2018. The adoption of the draft Masterplan will complete the ROSS 2018 high priority Action C8 - 'Finalise the Masterplan for the Moruya Showground'.

The draft Masterplan provides a basis to guide the future development and operations of the Moruya Showground, guide the allocation of Council resources and provide evidence to secure revenue and external funding for the Showground's rehabilitation and redevelopment.

The objective of the the draft Masterplan is to provide a clear framework for future redevelopment of the Moruya Showground. It establishes a clear and consistent direction for the site to deliver the Showground vision 'to create a contemporary event, exhibition and activity space that respects the venue's agricultural and heritage characteristics'.

The benefits of an adopted Masterplan include:

- Attract more regional and larger scale events to the Eurobodalla Shire
- Improve the facilities that currently accommodate regular local community user groups (eg, canine, dressage, rodeo, rugby league and basketball clubs)
- Provides a clear vision and plan based on evidence and community feedback
- Improves the levels and frequency of agricultural shows, rodeo/horse competitions and increases the capacity for broader annual community events to be held at the venue
- Enhances and preserves the historical nature of the Showground

CAR18/023 DRAFT MORUYA SHOWGROUND LANDSCAPE MASTERPLAN

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- Facilitates more cost effective operations and use of the Showgrounds through increased utilisation
- Better positions the venue to attract grant funding for rehabilitation and redevelopment.
- Improved carparking and increased public amenities
- Recognises and enhances the venue's ability to act as a Shire Emergency Response Centre including capacity to house animal evacuations and short term emergency community accommodation.

CONSIDERATIONS

The Showground was established at its present site in 1914. The Exhibits Pavilion and original Secretary's office were relocated from the riverside site, with various elements having substantial heritage value.

Consultation has identified:

- The heritage nature of the Showground should be made a feature of the site
- The majority of Showground facilities are identified as being in poor condition and in need of renovation or redeveloped
- Many of the facility components are run down/dated and are not sympathetic to the heritage style and values of the site
- User groups have identified that use would increase if facilities were improved (eg, stabling, enclosures, seating, storage, indoor meeting and event spaces)
- Community and user group feedback indicates that the visual appeal, accessibility, safety and user-friendliness of the site needs to be improved.

Legal

On 1 July 2018, the Crown Lands Management Act 2016 (the Act) will be enacted. While the exact detail of the requirements and implications of this new legislation are yet to be fully detailed, Council has been advised that within three years it will need to prepare Plans of Management for all Crown Land situated within this Shire and managed by Council. The draft Masterplan has been developed to be able to be incorporated into a future Moruya Showground Plan of Management as required by the Act.

Policy

The Showground Reserve is 36.8 hectares of Crown Reserve Land (Lot 1 DP 1141031). The Showground precinct is almost 7 ha of this reserve with the balance of the Reserve being leased to the Moruya Golf Club. The Showground precinct is operated by a Section 355 Management Committee.

Environmental

Advice from Council's Heritage Advisor is the scattered nature of the small buildings between the exhibits pavilion and the grandstand create part of the character of the Showground, however each of these buildings are in poor condition. The implementation of the Masterplan will maintain the character component while renewing, and in some instances relocating, each of these buildings.

CAR18/023 DRAFT MORUYA SHOWGROUND LANDSCAPE MASTERPLAN

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All building works will be undertaken above identified flood levels and in accordance with the Building Code of Australia (BCA).

Asset

The draft Masterplan includes renewals and increased levels of service for buildings within the Showground site. The current asset base at the showground has a below average condition grade for most of the buildings onsite. The draft Masterplan aims to improve those levels, whilst still retaining a heritage sympathetic architectural design.

The implementation of the draft Masterplan Actions will make the buildings more functional and compliant, with an expectation that the renewal of these assets will increase usage, patronage and increase revenues for Showground operations and maintenance.

Social Impact

Implementation of the draft Masterplan will positively impact on community wellbeing, health and safety by providing regular quality events and community recreation opportunities that can support both physical activity, community participation and social interaction. Situated close to the Moruya CBD and being the geographical heart of this Shire, the redeveloped Showground infrastructure will also provide a significant central location for communities to gather and socialise while providing enhanced visual amenity in a heritage based setting.

Economic Development Employment Potential

Data collected to support the grant application lodged to date estimate the proposed investment in the high and medium draft Showground Action Priorities to be \$2.3 million. Based on this figure the incremental costs and benefits linked with the project have been contrasted over a 25 year period and discounted back to present day values using a discount rate of 4% real, the implementation of the Masterplan High and Medium Actions would result in:

- Net Present Value (NPV) = \$11.47million
- Benefit Cost Ratio (BCR) = 2.84.

Financial

By renewing and replacing the Showground infrastructure this will assist improving the building and asset ratio as required by the "Fit for the Future" regime.

Indicative costings to implement the full Masterplan is \$4.42 million.

By way of background, Council has recently submitted two grant applications for a total of \$2.83 million, for upgrades to the Moruya Showground.

A Council budget of \$300,000 has also be included in the draft 2018-19 Operational Plan for construction of a shared maintenance compound and facilities.

If these grants are successful and the Masterplan is approved, the funding will enable the delivery of the majority of the Masterplan's high and medium priority actions.

A return on investment is expected from increased use and hiring, reduced maintenance spend due to updated infrastructure and improvements to the overall functionality of the site. This

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includes provision for a caretaker to reside on site to help reduce vandalism and potentially support events and revenue raising activities, such as the collection of primitive camping fees in the future (subject to further investigation).

Community and Stakeholder Engagement

Extensive community and stakeholder engagement has contributed to the development of the draft Masterplan. The consultation process has guided a realistic and achievable landscape design and Action Plan, detailing high, medium and low priorities.

The Masterplan was prepared by Council staff with input by ROSS Planning Pty Ltd, originally contracted to perform the initial consultation and prepare a draft document. Council staff have subsequently undertaken additional external and internal engagement, and further developed the document and landscape design.

The Masterplan includes a background review and assessment of current trends, a description of the current site, engagement outcomes, the proposed landscape masterplan design, design considerations and an Action Plan with indicative costs.

Consultation was performed with identified user groups, including:

- Moruya Showground Management Committee
- Moruya Show Society
- Moruya Rodeo Committee
- Eurobodalla Canine Club
- Eurobodalla Dressage Association
- Mirrabooka Riding Club Show Jumping
- Moruya District Poultry Club
- Moruya Rugby League Club
- Moruya Basketball Association
- Moruya Golf Club
- Moruya High School; and
- the broader community through the Recreation and Open Space Strategy surveys and community engagement process.

Substantial internal consultation was also performed and feedback incorporated, including on behalf of Council's tourism and events section and Council's heritage advisor.

Design considerations were developed as a result of the information gathered through the extended engagement process. These present identified current and future needs and demands for the Showground, relevant site opportunities and constraints and the solutions proposed as part of the Masterplan.

Key actions included in the Masterplan include:

- Renovation and upgrade of existing heritage features
- Engagement of a heritage architect to define the requirements, style, materials, colour schemes and design principles for all new and restored Showground structures.

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- Relocation of select heritage buildings and demolition of out-dated infrastructure to create a functional open green space in the centre of the precinct
- Demolition and rebuild of the bar and amenities building adjoining the grandstand to increase functionality and better complement the heritage characteristics of the site
- Improved spectator viewing areas over the rodeo arena and Ack Weyman oval, including shaded seating
- New caretaker and operational storage facility
- New shared maintenance facility
- New 24-bay covered stables and secure animal drug testing facility
- Fenced dog agility training area/gated animal enclosure
- New animal loading ramp and wash bays
- Sewage dump point
- Repurposing/renovation of the basketball stadium.

CONCLUSION

The draft Moruya Showground Landscape Masterplan 2018 has been prepared, incorporating input from all regular user groups, the community and Council staff.

The draft Masterplan is presented for Council's consideration to endorse a 28 day public exhibition period.

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.