

AGENDA

Ordinary Meeting of Council

27 April 2021

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

ON TUESDAY 27 APRIL 2021

COMMENCING AT 11.00AM

AGENDA

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

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|---|-----------------|
| 1. WELCOME | |
| 2. ACKNOWLEDGEMENT OF COUNTRY | |
| 3. APOLOGIES
Nil | |
| 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
4.1 Ordinary Meeting held on 23 March 2021 | |
| 5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA
(Declarations also to be made prior to discussions on each item) | |
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| 6. MAYORAL REPORTS
Nil | |
| 7. NOTICES OF MOTION
Nil | |
| 8. QUESTIONS ON NOTICE FROM COUNCILLORS
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| 9. PETITIONS
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**DR CATHERINE DALE
GENERAL MANAGER**

QON21/001 OUTCOME OF NSW BUSHFIRE INQUIRY RECOMMENDATIONS

S008-T00025

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services

Attachments: Nil

The following question on notice was received from Councillor Maureen Nathan:

Question

The NSW Bushfire Inquiry resulted in a final report with 76 recommendation for improvements as to how New South Wales proposes to improve preparation and response to bushfires.

The preparedness for bushfire is broadly addressed within recommendations 15-21. Recommendations 22-29 allude to asset protection zones (APZs).

Several of these recommendations raise the issue of preventative measures including work on APZs.

I therefore ask the following questions to seek clarification for our community.

1. What is Council's role in maintaining asset protection zones and what is the annual cost?

Council is responsible for managing bushfire risk from all Council owned public reserves, Crown reserves under Council's care and control and all Council freehold land.

This includes regular maintenance of asset protection zones (through hand clearing, mowing and slashing, tree removal and pile burns), and management of strategic fire advantage zones (SFAZs) and land management zones (LMZs) as identified in the Eurobodalla Bushfire Risk Management Plan.

Council pursues grant funding each year to assist in undertaking works on APZs. Management of SFAZs and LMZs is typically undertaken by burning by the Rural Fire Service when conditions permit, and in accord with the frequencies specified for the various forest types (as defined in the Bush Fire Environmental Assessment Code 2006).

The expenditure of fire mitigation over the last five financial years is as follows:

ESC Funded Fire Mitigation Costs	
Year	Actual Spend \$
20/21	335,150
19/20	335,150
18/19	330,197
17/18	328,707
16/17	320,492

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S008-T00025

Council also pursues grants to supplement fire mitigation work under the Rural Fire Fighting Fund (RFFF) and the Bushfire Mitigation and Resilience Fund (BFRM).

Fire Mitigation Grants				
Year	Grant – RFFF	Grant -BFMRP	Total RFS Grants	Actual Spend \$
20/21	125,100	-	125,100	In progress
19/20	124,700	-	124,700	123,240
18/19	37,500	81,370	118,870	112,615
17/18	35,000	99,300	134,300	115,595
16/17	40,000	36,000	76,000	72,880

2. What are the responsibilities applying to the NSW Government for maintaining asset protection zones under their control, in particular Crown Land, State Forest and National Parks?

The NSW Government has responsibility for managing the bushfire risk from all State owned and controlled lands including State Forests, National Parks, Crown Lands and State owned freehold lands in accord with the Eurobodalla Bushfire Risk Management Plan. Each agency is represented on and reports back to the Eurobodalla Bushfire Risk Management Committee.

This includes work on asset protection zones, strategic fire advantage zones and land management zones.

Council has chosen not to take control of some Crown reserves as this would transfer the cost of managing bushfire risk, hazardous trees, weeds and other matters from the NSW Government to local ratepayers.

3. What are the responsibilities applying to the Federal Government for maintaining asset protection zones under their control?

The Australian Government would be similarly responsible for managing the bushfire risk from any freehold parcels of land they own. As most Government land is typically owned by the States or Council, the role of managing bushfire risk in Eurobodalla rests with the States or Council.

4. When development is proposed, how does this impact Council and the NSW Government in terms of adding additional asset protection zones, and is there provision for this to be shared between private landowners and the owners of public lands?

New development (and most development in general) is required to achieve their asset protection zones on their own land and not rely on public land. Council would typically

QON21/001 OUTCOME OF NSW BUSHFIRE INQUIRY RECOMMENDATIONS

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only let a landowner rely on public land for an APZ where the land is already being maintained for another purpose, i.e. a park or an easement where a sewer mains runs.

5. What are the implications for landowners in particular those who have properties bordering on or close to bushfire prone areas?

All property owners need to ensure their properties are well maintained as each property owner has the same legislative requirements to manage bushfire risk on their land under the Rural Fires Act, 1997. The Rural Fire Service can serve notice on any State agency, Council or private landholder to address bushfire risk.

Where a private landholder adjoins State or Council controlled lands, the asset protection zone should ideally be wholly within their own private property.

This is usually relatively easy to achieve in rural areas without impinging on neighbouring properties (either private or Government owned).

However, in existing urban areas, part of the asset protection zone is often within the Council or Government managed lands at the urban interface, or from reserves within the urban footprint. This pre-existing condition requires Council and Government to allocate resources to managing the APZs to assist manage the overall risk to the community.

In more recent subdivisions, the APZ has been incorporated into the lot and provided by ring roads with development on one side of the road only in new subdivision layouts. Planning for Bush Fire Protection 2019 covers these more recent subdivisions.

6. Broadly, what would be the implications for Council if asset protection zones are increased by the NSW Government following on from the NSW Bushfire Inquiry?

Any increase in the scale of asset protection zones by the NSW Government, or any modification in interpretation of the Environmental Guidelines by the RFS, would increase the extent and cost of works required by all landowners including Council. If for instance, the distances involved in providing asset protection zones were to be increased, then these new APZs would first need to be established. This could require additional tree removal to create canopy separation as well as ground levelling and under-scrubbing. Once established the new APZ area would need to be added to the regular program of works. If any changes were to be made to the size of the APZ, then the NSW Government would also need to address the extent of any environmental reviews required to establish any new APZ and take account of how this may conflict with existing legislations and constraints.

The RFS does appear to be seeking additional tree canopy separation works (that is tree removal and/or canopy works), which has rapidly exhausted available fire mitigation funds in 2020-21.

QON21/001 OUTCOME OF NSW BUSHFIRE INQUIRY RECOMMENDATIONS

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7. What is Council's contribution to the provision of NSW Government emergency services agencies (NSW Rural Fire Service, NSW State Emergency Services and NSW Fire and Rescue)?

Emergency Services Levy		
Year	Subsidy	Levy
21/22	0	Yet to be advised.
20/21	351,245	1,318,366
19/20	140,246	967,121
18/19	0	792,698
17/18	0	822,241
16/17	0	808,147

The subsidy has only been agreed by the NSW Government to be extended to 30 June 2021.

Council has advocated through its submissions to the NSW Bushfire Inquiry and Royal Commission into National Natural Disasters, through direct representations by the Mayor to NSW Country Mayors and via presentations by the Director Infrastructure Services to the NSW Roads Conference and ALGA Roads, Regions and Resilience Conference, and separately as the then IPWEA NSW President direct to LGNSW for:

- i) the NSW Government to fully fund Local Government's share of contributions to these NSW Government agencies.*
- ii) the restructure of emergency services to bring about improved integration and efficiencies, improved support for volunteers and cost savings in provision of supporting infrastructure and governance.*
- iii) the construction of the Eurobodalla Regional Integrated Emergency Services Precinct in Moruya to house:*
 - a. NSW Rural Fire Services (State office, Regional office, Fire Control office and Moruya RFS Station)*
 - b. NSW Fire and Rescue (office and fire station)*
 - c. NSW Ambulance*
 - d. NSW State Emergency Services*
 - e. Eurobodalla Emergency Operations Centre.*

Council should continue to advocate in this space.

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Links:

- Bush Fire Environmental Assessment Code, 2006.
https://www.rfs.nsw.gov.au/data/assets/pdf_file/0014/24332/Bush-Fire-Environmental-Assessment-Code.pdf
- Planning for Bush Fire Protection, 2019.
https://www.rfs.nsw.gov.au/data/assets/pdf_file/0005/174272/Planning-for-Bush-Fire-Protection-2019.pdf
- Eurobodalla Shire Council – Bushfire Inquiries and Eurobodalla Council Submissions
<https://www.esc.nsw.gov.au/community/bushfire-recovery/bushfire-inquiries>
Eurobodalla Bush Fire Management Plan 2019 – Bush Fire Risk Management Plan
https://www.rfs.nsw.gov.au/data/assets/pdf_file/0017/2366/Eurobodalla-BFRMP.pdf

RECOMMENDATION

THAT the response to the question regarding the outcome of the NSW Bushfire Inquiry Recommendations raised by Councillor Maureen Nathan be received and noted.

**QON21/002 CLARIFICATION OF THE ROLE OF THE AUDIT, RISK AND IMPROVEMENT
COMMITTEE**

S012-T00024

Responsible Officer: Anthony Mayne - Councillor

Attachments: Nil

The following question on notice was received from Councillor Anthony Mayne:

Questions

The Audit Risk and Improvement Committee (the Committee) plays an important role within our Council. The Committee is made up from 3 community members and 2 elected councillors.

One of the functions of the Committee is to “*Review the risks, progress, controls, finances and performance surrounding major projects*”.

1. What is the role of the Committee when it comes to major projects, including Mackay Park?
2. Under what circumstances would Council not seek recommendations from the committee and for what reason?
3. What are the Confidentiality provisions that the Committee is required to operate within?

Response

1. What is the role of the Committee when it comes to major projects, including Mackay Park?

The Audit, Risk and Improvement Committee (ARIC) is directly responsible and accountable to the Council for the exercise of its powers and responsibilities.

Under the Terms of Reference (TOR) for the Audit Risk and Improvement Committee, the ARIC is advisory to Council and the General Manager and has no executive powers. The terms of reference specifically state:

‘The Council authorises the Committee, within the scope of its role and responsibilities to:

- *Require any information it needs from any employee or external party (subject to legal obligations to protect information)*
- *Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations)*
- *Request the attendance of any employee or councillor at Committee meetings*
- *Obtain external legal or other professional advice considered necessary to meet its responsibilities.’*

The TOR also state *‘the Committee must at all times recognise that the primary responsibility for management of Council rest with the Council and the General Manager’* as defined by the *Local Government Act 1993*.

Further, under the *Local Government Act 1993*, Council is unable to delegate its financial functions. Section 377 of the *Local Government Act* specifically states:

**QON21/002 CLARIFICATION OF THE ROLE OF THE AUDIT, RISK AND
IMPROVEMENT COMMITTEE**

S012-T00024

'1. A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following—

(g) the voting of money for expenditure on its works, services or operations'

Therefore, it should be noted that the ARIC do not have accountability to set budgets or adopt expenditure. This rests with the Council and cannot be delegated.

Further, specifically relating to significant projects and the Committee's responsibilities as outlined in terms of reference are:

'Significant Projects

Review the risks, progress, controls, finances and performance surrounding major projects.

Risk Management

Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings'

In relation to the Batemans Bay Aquatic, Arts and Leisure Centre as a significant project, the ARIC have had multiple briefings on the project, including the estimate financials in the business cases prepared by Otium Planning Group. Consultants from Otium briefed the ARIC on the revenues and expenditure expected over a ten-year period and a comprehensive briefing on the financials including the long-term costs was also provided.

This project was first listed on the ARIC agenda on 28 February 2018 with the initial business case uploaded on 11 December 2018.

Since December 2018, each meeting has included an updated briefing on the progress of the project, documented in the meeting agendas.

The purpose of these briefings was to keep ARIC informed with the latest information on the project, and provide the opportunity for members to raise any concerns or queries. Member of ARIC have also been provided with an open invitation to visit the site.

It should be noted that the ARIC has not raised any concerns in regards to this project.

2. Under what circumstances would Council not seek recommendations from the committee and for what reason?

This question can only be explored with a hypothetical context, as any response would need to take into account the specific circumstances at the time and the particular issue in question. However, as outlined in the response to question1, the ARIC is advisory to Council.

Further, Part 4A, Section 428A of Local Government Amendment (Governance and Planning) Act 2016 No 38 states:

'428A Audit, Risk and Improvement Committee

(1) A council must appoint an Audit, Risk and Improvement Committee.

**QON21/002 CLARIFICATION OF THE ROLE OF THE AUDIT, RISK AND
IMPROVEMENT COMMITTEE**

S012-T00024

- (2) *The Committee must keep under review the following aspects of the council's operations:*
- a) compliance,*
 - b) risk management,*
 - c) fraud control,*
 - d) financial management,*
 - e) governance,*
 - f) implementation of the strategic plan, delivery program and strategies,*
 - g) service reviews,*
 - h) collection of performance measurement data by the council,*
 - i) any other matters prescribed by the regulations.*
- (3) *The Committee is also to provide information to the council for the purpose of improving the council's performance of its functions.'*

Based on the *Local Government Act 1993* and the ARIC Terms of Reference it is noted that the role of the Committee is to provide independent advice to the general manager and governing body. However, there is no requirement or obligation for Council to seek any recommendation from the ARIC.

3. What are the Confidentiality provisions that the Committee is required to operate within?

Consistent with all Advisory Committees, ARIC members are required to sign an individual confidentiality agreement. Further obligations are outlined in Council's Code of Conduct policy.

RECOMMENDATION

THAT the response to the question regarding clarification of the role of the Audit, Risk and Improvement Committee raised by Councillor Anthony Mayne be received and noted.

**GMR21/014 EXHIBITION OF THE DELIVERY PROGRAM 2017-22 AND
OPERATIONAL PLAN 2021-22**

**S004-T00028,
S004-T00029**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Under Separate Cover - Draft Delivery Program 2017-22 and
Operational Plan 2021-22
2. Under Separate Cover - Draft Fees and Charges 2021-22

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

Under the NSW Integrated Planning and Reporting legislation councils are required to prepare a Community Strategic Plan, Delivery Program and Operational Plan. Council's Community Strategic Plan 2017 – One Community was adopted on 13 June 2017. It is proposed to place Council's revised combined draft Delivery Program 2017-22 and Operational Plan 2021-22 on public exhibition for 28 days.

Council's original Delivery Program 2017-22 was developed through an extensive community and stakeholder engagement. The Operational Plan 2021-22 was revised as a result of a Councillor workshop held in February 2021.

The Delivery Program 2017-22 and revised draft Operational Plan 2021-22 (DP/OP) is structured around the nine outcomes in the Community Strategic Plan 2017 – One Community:

1. Strong communities, desirable lifestyle
2. Celebrated creativity, culture and learning
3. Protected and valued natural environment
4. Sustainable living
5. Vibrant and diverse economy
6. Responsible and balanced development
7. Connected and accessible places
8. Collaborative and engaged community
9. Innovative and proactive leadership

The document outlines the five-year activities and annual actions Council will undertake to contribute to achieving our community's vision to be friendly, responsible, thriving and proud. Each service that assists in achieving the outcome is identified. Measures to track and report on progress in achieving each activity is also provided.

This document also includes financial information that supports the revised draft Delivery Program 2017-22 and Operational Plan 2021-22, including the budgets, capital program, revenue policy and draft 2021-22 Fees and Charges.

**GMR21/014 EXHIBITION OF THE DELIVERY PROGRAM 2017-22 AND
OPERATIONAL PLAN 2021-22**

**S004-T00028,
S004-T00029**

RECOMMENDATION

THAT:

1. The revised draft Delivery Program 2017-22 and Operational Plan 2021-22 incorporating the Budget, Capital Works Program, Statement of Revenue Policy and Fees and Charges be placed on public exhibition for a period of not less than 28 days.
2. Following public exhibition, a further report be submitted to Council for the consideration of submissions and adoption of the Delivery Program 2017-22 and Operational Plan 2021-22.

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 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.

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.

Due to the COVID-19 pandemic, the Local Government elections were postponed for 12 months. As per Office of Local Government circular 20-15 (1 May 2020) Council's existing Delivery Plan 2017-21 is to be extended for a further 12 months and include the Operational Plan 2021-22.

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.

CONSIDERATIONS

Council's original Delivery Program 2017-21 was developed through an extensive community and stakeholder engagement. Due to the COVID-19 pandemic, the Local Government elections were postponed for 12 months. As per Office of Local Government circular 20-15 (1 May 2020) Council's existing Delivery Plan 2017-21 is to be extended for a further 12 months and include the Operational Plan 2021-22. The draft Delivery Program 2017-22 and Operational Plan 2021-22 were revised as a result of a Councillor workshop and consultation with managers.

The document outlines the five-year activities and annual actions Council will undertake to contribute to achieving our community's vision to be friendly, responsible, thriving and proud. Each service that assists in achieving the outcome is identified. Measures to track and report on progress in achieving each activity is also provided.

This year the Operational Plan also includes an update on the bushfire recovery phase that continues to involve the whole community, government, business associations, private entities

**GMR21/014 EXHIBITION OF THE DELIVERY PROGRAM 2017-22 AND
OPERATIONAL PLAN 2021-22**

**S004-T00028,
S004-T00029**

and not-for-profit organisations. We have highlighted throughout the plan (using a leaf symbol), the activities that will include bushfire recovery elements.

Legal

Section 404 of the *Local Government Act 1993* requires Council to have a Delivery Program to implement the strategies established in its Community Strategic Plan, within the resources available as identified under the Resourcing Strategy.

Section 405 of the *Local Government Act 1993* requires Council to adopt an Operational Plan before the beginning of each financial year 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 revenue policy must include the statements and particulars required by legislation.

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 revision of the draft Delivery Program 2017-22 and Operational Plan 2021-22.

Policy

The Delivery Program and Operational Plan draws on and implements actions contained in adopted Council policy documents.

Asset

The revised draft Delivery Program 2017-22 and Operational Plan 2021-22 has a focus of Council continuing to work with peak bodies to advocate to the NSW and Australian governments for enhanced funding models to better support regional communities across NSW.

The maintenance allocations are indexed to account for cost escalation for materials supply, wages and plant hire costs. Additionally, focus is being placed on grant applications with a substantial renewal component.

The 2021-22 Capital Program included in the draft Operational Plan 2021-22 has a focus on sustaining community infrastructure through the renewal of assets, particularly short-lived assets. The plan also includes the provision of new infrastructure to meet demand from growth and progressively address network deficiencies.

Financial

In preparing the budget for 2021-22, a conservative approach was taken incorporating known factors, examining prior year performance and trends, and making prudent assumptions for forecasting. The focus is to ensure long term financial sustainability while ensuring the continued delivery of a broad range of services and capital works as informed by Council's underlying strategies.

Council's operations are separated into three funds for financial purposes. The three funds are the General Fund (which includes waste and environment activities), the Sewer Fund and the Water Fund. Key considerations for Water and Sewer operations are ensuring a stable pricing path for ratepayers and meeting NSW Office of Water Best Practice requirements. Council's 30

**GMR21/014 EXHIBITION OF THE DELIVERY PROGRAM 2017-22 AND
OPERATIONAL PLAN 2021-22**

**S004-T00028,
S004-T00029**

years Integrated Water Cycle Management Strategy continues to inform the development of the budgets for these funds.

The key projected financial results for each fund and a consolidated outlook is shown in the table below, table is subject to rounding:

Key Results 2021-22 (\$'000)	General Fund	Sewer Fund	Water Fund	Consolidated Fund
Total income (before capital grants and contributions)	80,715	22,515	20,153	123,383
Total expenses	85,594	22,307	16,887	124,788
Net operating result (before capital grants and contributions)	(4,879)	208	3,265	(1,406)
Net operating result (after capital grants and contributions)	21,576	2,159	9,866	33,601
Total capital program	56,325	22,220	9,790	88,335
Cash position – increase/(decrease) in unrestricted funds	2,451	(1,083)	6,262	7,630

**Numbers subject to rounding*

A key financial objective when preparing this plan is to ensure a balanced net operating result for all of Council (consolidated entity) and within each of Council's separate funds (General, Sewer and Water).

All funds project an Operating Surplus after capital grants and contributions. The use of cash and level of unrestricted cash reserves are closely managed to ensure Council remains in a strong position to meet its obligations when they fall due.

The Revenue Policy incorporated into the budget and disclosed in this plan outlines the proposed changes for rates, levies and annual charges, pricing policies and proposed borrowings for 2021-22.

Proposed changes include:

- The general rate increases by 2%, the rate peg amount for 2021-22.
- The environmental levy rate increases by 2%.
- The waste collection charge increases by 2% for the typical household.
- The water access charge increases by 2.9% to \$350 (20mm connection access charge) and the usage charge increases by 1.3% to \$3.80 per kilolitre. Water charges are determined taking account of the NSW Best Practice Pricing Guidelines.
- The sewer access charge increases by 2% to \$1,010 (20mm connection access charge) and the usage charge increases by 2% to \$2.00 per kilolitre.

Community and Stakeholder Engagement

If the revised draft Delivery Program 2017-22 and Operational Plan 2021-22 are endorsed for public exhibition, Council will continue to engage the community from 28 April to 25 May 2021 by:

**GMR21/014 EXHIBITION OF THE DELIVERY PROGRAM 2017-22 AND
OPERATIONAL PLAN 2021-22**

**S004-T00028,
S004-T00029**

- making the revised draft Delivery Program 2017-22 and Operational Plan 2021-22 available for the community to read on Council's website. In previous years, we have had hard copies available through our libraries and customer service centres, however due to COVID-19 restrictions, this year we are strongly encouraging people to review the plan via our website. Any specific requests for hard copies can be made through the executive services team on 4474 1358.
- informing the community about the public exhibition and inviting the community to have their say through information on Council's website.
- 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 2017-22 and Operational Plan 2021-22.

The goals for engaging the community on the revised draft Delivery Program 2017-22 and Operational Plan 2021-22 are to:

- give the community the opportunity to read the plans, and to provide their feedback to Council through a 28 day public exhibition
- provide the community with information and opportunities to ask questions and provide feedback and suggestions about the revised draft Delivery Program 2017-22 and Operational Plan 2021-22.

CONCLUSION

The revised draft Delivery Program 2017-22 and Operational Plan 2021-22 will be publicly exhibited for 28 days. The community will be invited to have their say on the draft plans during the exhibition period and make a submission. At the end of the public exhibition period Council will be provided with all submissions for consideration prior to its adoption by 30 June 2021.

GMR21/015 INVESTMENTS MADE AS AT 31 MARCH 2021

**S011-T00006,
S012-T00025**

Responsible Officer: Scott Westbury - Chief Financial Officer
Attachments: Nil
Outcome: 9 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: 9.2.4.2 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 March 2021, 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.

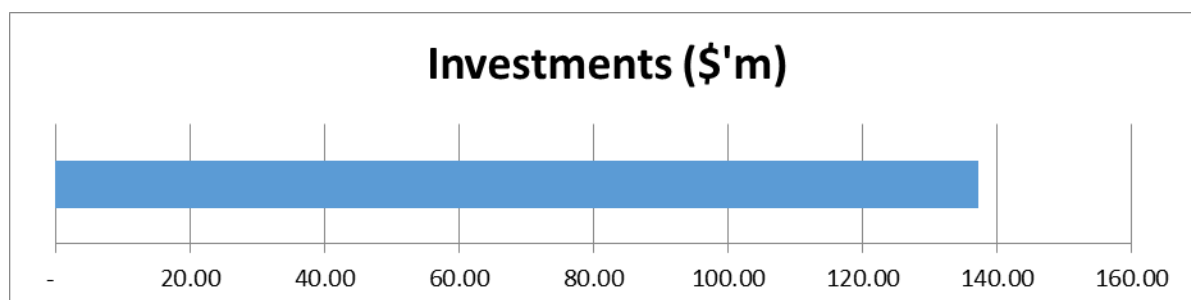
CONSIDERATIONS

Policy

The portfolio is compliant with Council's investment policy adopted by Council on 31 July 2018 (Minute 18/182).

Financial

Council investing overall



GMR21/015 INVESTMENTS MADE AS AT 31 MARCH 2021

**S011-T00006,
S012-T00025**

Council has \$137.09M (100%) 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 \$36.50M invested in banks rated below A, and in the 'some limited risk' category of the policy.

Investments increased by \$5.0m during March 2021 due to normal variations in timing of cash flows.

The 'some limited risk' category is now restricted to BBB+ rating institutions which allows up to 30% of all investments. Currently there is 26.62% invested in BBB+. Investment in Government guaranteed deposits is \$1.75M representing 1.28% of the portfolio.

There are \$50.0M (36.47%) of funds invested in claimed fossil fuel free institutions.

The weighted average return for all investments for the month is 0.63%, which is above the Council policy benchmark of bank bill swap rate (BBSW) + 0.25% (0.28%).

Summary investment information

The following table is a summary of investment categories and balances at month end.

CATEGORY	(\$)
At call deposit	16,843,048
Term deposits	118,500,000
Term deposits Government guaranteed	1,750,000
	137,093,048
<i>Weighted average interest %:</i>	0.63%
<i>Average 90 day BBSW + 0.25%</i>	0.28%

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	1.28	1.28	100.00
Near risk free	72.10	72.10	100.00
Some limited risk (BBB+)	26.62	26.62	30.00
Grand total	100.00	100.00	

GMR21/015 INVESTMENTS MADE AS AT 31 MARCH 2021

**S011-T00006,
S012-T00025**

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 2020 is 3.47:1. Council therefore has approximately \$3.47 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.

GMR21/016 ABORIGINAL GEOGRAPHICAL NAMES

S017-T00018

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 2 Celebrated Creativity, Culture and Learning

Focus Area: 2.3 Embrace and celebrate local history, cultural heritage and diversity

Delivery Program Link: 2.3.1 Acknowledge and involve traditional owners and members of the Aboriginal community

Operational Plan Link: 2.3.1.2 Implement the Aboriginal Action Plan

EXECUTIVE SUMMARY

Council received a request from the NSW National Parks & Wildlife Service (NPWS) in March 2021 to endorse a dual naming application for three sites in Eurobodalla.

NPWS is processing the dual naming applications on behalf of and at the request of the Biamanga and Gulaga National Parks Board of Management, working with the NSW Geographical Names Board (GNB). As part of the application process NPWS is currently consulting with each affected Local Aboriginal Land Council to request their endorsement for the proposal, as well as seeking Council endorsement.

This report provides background information and recommends endorsement of the request.

RECOMMENDATION

THAT Council endorse dual naming of the three geographical sites, as outlined in Table 1 and provide a letter of support for the proposal to the National Parks and Wildlife Services.

BACKGROUND

Council received the request from the NPWS in March 2021. Table 1 outlines the proposal received for each geographical locale:

Table 1

LGA	Existing Place Name	Proposed Aboriginal Name	Location	Joint Board Recommendation
Eurobodalla Shire Council	Montague Island	Barunguba	Montague Island Nature Reserve	Seek to dual name
Eurobodalla Shire Council	Mount Dromedary	Gulaga	Gulaga National Park	Seek to dual name
Eurobodalla Shire Council	Little Dromedary	Najanuka	Off-park	Seek to dual name

CONSIDERATIONS

The request received from NPWS is in line with state government policy and strategic direction.

GMR21/016 ABORIGINAL GEOGRAPHICAL NAMES

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The New South Wales Government, via the NSW Geographical Names Board, is committed to recognising Aboriginal cultural heritage by registering original place names given by Aboriginal people so that they sit side by side with existing European names.

Since June 2001 the government has supported a dual naming policy for geographical features and cultural sites. This community-driven system acknowledges the significance of Aboriginal culture and, in doing so, represents a meaningful contribution to the process of reconciliation in NSW.

Consequently, the Board preferences traditional Aboriginal place names or names with Aboriginal origin wherever it can and restores traditional Aboriginal names to features with introduced names through its dual naming policy, recognising important traditional Aboriginal placenames alongside longstanding introduced names.

Policy

Aboriginal Action Plan

The dual naming request is in line with Council's Aboriginal Action Plan, specifically under Focus Area Two: Respect:

Objective: Promote and celebrate Aboriginal Community and Culture

Action: Council priorities the application of Aboriginal names and words for naming new roads, services and places.

Aboriginal Advisory Committee

At its meeting on 22 March 2021, Council's Aboriginal Advisory committee resolved the following:

Motion: The committee unanimously agree with the application for dual naming of each traditionally significant geographical place listed in the request and recommend Council supply a letter of support to NPWS to endorse the proposal.

Community and Stakeholder Engagement

We have collaborated with the community by seeking recommendations from Council's Aboriginal Advisory Committee.

CONCLUSION

NPWS are processing the dual naming applications on behalf of and at the request of the Biamanga and Gulaga National Parks Board of Management, working with the NSW Geographical Names Board (GNB). Council endorses the naming applications as outlined in this report.

GMR21/017 REMOTE ATTENDANCE BY COUNCILLORS AT COUNCIL MEETINGS

**S012-
T00025**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: 1. Submission

Outcome: 9 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: 9.1.2.2 Assist the Council in meeting its statutory obligations and roles

EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement of the draft submission to the [Remote attendance by Councillor at Council Meetings consultation paper](#).

In response to COVID-19, amendments were made to the Local Government (General) Regulation 2005 (the Regulation) relating to the Model Code of Meeting Practice, to permit Councillors to attend meetings of Council and Committees of Council remotely by audio-visual link. These provisions expired on 25 March 2021, meaning that from 26 March 2021 attendance by Councillors at meetings reverts to 'in-person' only.

The Office of Local Government (OLG), in Circular 21-01 (Attachment 1), has advised that the Regulation is to be amended again to permit Councillors to attend and participate in meetings remotely but only in 'exceptional circumstances'.

OLG has also issued a consultation paper to seek views on proposed amendments to the Model Code of Meeting Practice for councils in NSW to allow councillors to attend meetings remotely by audio-visual link in certain circumstances (Attachment 2).

Council effectively facilitated Council meetings via zoom during Covid-19 restrictions. The proposed amendments require Council to undertake the meetings via a hybrid medium whereby one councillor would be joining the meeting via audio-visual link whilst the remaining councillors would physically attend the meeting. Under the proposed provisions and the proposed restrictions, there are a number of concerns about the effective conduct of the Council meeting via a hybrid medium.

RECOMMENDATION

THAT Council:

1. Endorse the draft submission attached to this report.
2. Forward the submission to the Office of Local Government for consideration.

BACKGROUND

Under the proposed new provisions, councils will only be able to give approval for individual councillors to attend a meeting remotely by audio-visual link where the councillor is prevented from attending the meeting because of ill health, disability, carer responsibilities, natural disaster or, on a limited number of occasions in each year, because they are absent from the local area due to a prior work commitment.

GMR21/017 REMOTE ATTENDANCE BY COUNCILLORS AT COUNCIL MEETINGS

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However, a councillor will not be permitted to attend an ordinary or extraordinary meeting of the council or a meeting of a committee of the council by audio-visual link on these grounds on any more than three occasions in each year (inclusive of all ordinary, extraordinary and committee meetings attended by the councillor by these means).

Where a councillor is proposing to seek the council's or a committee's approval to attend a meeting by audio-visual link at the meeting concerned, they must first give the general manager at least 5 working days' notice that they will be seeking the council's or committee's approval, to allow sufficient time for the necessary arrangements to be made for them to attend the meeting remotely, should the council or committee give its approval. Where attending a meeting by audio-visual link, councillors will be required to do so from a location within NSW or within 100km of the NSW border.

It is understood that, if adopted by the Office of Local Government, it would be included as a non-mandatory provision within the Model Code of Meeting Practice. Council would then need to re-consider its Code of Meeting Practice to reflect changes made by the Office of Local Government.

CONSIDERATIONS

The Office of Local Government has invited comment on the following questions:

1. Do you support the proposed changes to the Model Meeting Code to allow councillors to attend meetings remotely by audio-visual link?
2. Do you have any concerns about the proposed changes?
3. What are your concerns?
4. Do you have any suggestions for how the proposed new provisions could be improved?

Detailed responses to these questions are included in the attached submission.

Legal

The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2005 (the Regulation).

Policy

It is important to note that Council is only providing a submission to proposed non-mandatory provisions of the Model Code of Meeting Practice. If these provisions are endorsed by the OLG and included as non-mandatory provisions of the Model Meeting Code, Council will need to review its current Code of Meeting Practice.

Community and Stakeholder Engagement

Council's submission is due to the OLG on 3 May 2021. Councillors were asked to provide input into the submission via the Councillor newsletter on 1 April 2021 and during a briefing session on 20 April 2021.

GMR21/017 REMOTE ATTENDANCE BY COUNCILLORS AT COUNCIL MEETINGS

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CONCLUSION

A submission has been prepared in response to the Remote Attendance by Councillors at Council meetings consultation paper. A copy of the submission is attached to this report.

Council's draft submission highlights the concerns it has with the proposed non-mandatory provisions for remote attendance of Councillors at Council meetings.

Remote attendance at Council and committee meetings

Thank you for the opportunity to provide input into the consultation on Remote attendance by Councillor at Council meetings.

The submission provides comment on the consultation paper issued by the Office of Local Government in March 2021.

Question	Comment
Do you support the proposed changes to the Model Meeting Code to allow councillors to attend meetings remotely by audio-visual link?	<p>By way of background, Council effectively facilitated Council meetings via zoom during Covid-19 restrictions. The proposed amendments require Council to undertake the meetings via a hybrid medium whereby one or more councillors would be joining the meeting via audio-visual link whilst the remaining councillors would physically attend the meeting. Under the proposed provisions, Council is concerned about the effective conduct of the Council meetings via a hybrid medium. Council would however, welcome changes to legislation that enable Council's to undertake full Council zoom meetings.</p> <p>Under the proposed new provisions, councils will only be able to give approval for individual councillors to attend a meeting remotely by audio-visual link where the councillor is prevented from attending the meeting because of ill health, disability, carer responsibilities, natural disaster or, on a limited number of occasions in each year, because they are absent from the local area due to a prior work commitment.</p> <p>However, a councillor will not be permitted to attend an ordinary or extraordinary meeting of the council or a meeting of a committee of the council by audio-visual link on these grounds on any more than three occasions in each year (inclusive of all ordinary, extraordinary and committee meetings attended by the councillor by these means).</p> <p>Where a councillor is proposing to seek the council's or a committee's approval to attend a meeting by audio-visual link at the meeting concerned, they must first give the general manager at least 5 working days' notice that they will be seeking the council's or committee's approval, to allow sufficient time for the necessary arrangements to be made for them to attend the meeting remotely, should the council or committee give its approval. Where attending a meeting by audio-visual link, councillors will be required to do so from a location within NSW or within 100km of the NSW border.</p>

	<p>Council does understand that, if adopted by the Office of Local Government, it would be included as a non-mandatory provision within the Model Code of Meeting Practice.</p>
<p>Do you have any concerns about the proposed changes? What are your concerns?</p>	<p>The current configuration of the Council Chamber and technical requirements associated with undertaking a Council meeting through a hybrid medium would be extremely difficult for this Council.</p> <p>It should be noted that it is a requirement that the meeting and any Councillor on audio-visual link would also need to be included on Council's webcast. This would not be possible with Council's current technology and configuration. Further, it could also make the chairing of the meeting challenging.</p> <p><i>'Councillor can apply to attend a meeting remotely by visual link where the councillor is prevented from attending the meeting because of ill health, disability, carer responsibilities, natural disaster'.</i> Under these circumstances, a Councillor may not have at least five days' notice to the General Manager to request attendance remotely. In most cases, ill health, carer responsibilities and natural disasters may occur less than 24 hours prior to the meeting.</p> <p>Further, in 2020, Eurobodalla had six declared natural disasters and the three-limit attendance per calendar year would have prevented the use of audio-visual links for half of those disasters. It is our understanding that these provisions are for individual councillors only and in the circumstances surrounding a natural disaster it is more than likely that more than one Councillor will be affected requiring remote attendance. This is why Council recommends a provision to allow councils to facilitate whole Council meetings via audio-visual link.</p> <p><i>'Where attending a meeting by audio-visual link, councillors will be required to do so from a location within NSW or within 100km of the NSW border.'</i> Council is concerned on the requirement of proving that the Councillor who is attending a meeting via audio-visual link is within NSW or within 100km on NSW border. This appears to be an arbitrary distance. It is unclear why a Council who needs to travel to say Tasmania for valid reasons, should be excluded from joining via audio-visual link.</p> <p><i>'The council or committee will be required to act reasonably when considering whether to grant a councillor's request to attend a meeting by audio-visual link'.</i> Should a Councillor not have support from their fellow Councillors, they could be denied access via audio-visual link.</p>

	<p><i>'A councillor will also be permitted to attend a meeting of the council or a committee of the council by audio-visual link with the prior approval of the council or committee, or approval granted by the council or committee at the meeting concerned.'</i></p> <p>Council is concerned that if there is a natural disaster and Council is unable to achieve a quorum, under the proposed provisions, Councillors would be unable to attend via audio-visual link.</p> <p>If a Council has included the ability to access the meeting via audio-visual link and has gone through the community engagement process and resolved as such, then it should be automatic that it is permissible.</p>
Do you have any suggestions for how the proposed new provisions could be improved?	<p>Removal of the requirement to be within 100km of the NSW border as this would negate the need for the General Manager to prove compliance.</p> <p>Provide a provision that enables a Council to facilitate a whole Council meeting via Zoom as required. This could be used in the event of a natural disaster or when Councillors are outside of their local government area due to Council business. This provision would be at the discretion of the general manager and mayor.</p> <p>Remove the requirement for the Council to grant a Councillor attendance by audio-visual link and make it at the discretion of the general manager and mayor.</p>

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Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

Outcome: 3 Protected and Valued Natural Environment

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

Delivery Program Link: 3.1.3 Collaborate with agencies and emergency services to support coordinated emergency management

Operational Plan Link: 3.1.3.3 Support emergency services agencies in planning and responding to disasters

EXECUTIVE SUMMARY

At its meetings on 11 February, 24 March, 23 June, 22 September and 8 December 2020, Council received reports relating to the recovery efforts undertaken by Council for the community in response to the 2019-20 bushfires.

The recovery phase continues to involve the whole community, government, business associations, private entities and not-for-profit organisations.

Council working alongside the Australian and NSW government agencies and other councils, continues to implement the actions listed in its Eurobodalla Recovery Action Plan.

This report provides Council and the community with an update on the actions undertaken since December 2020 on recovery efforts.

RECOMMENDATION

THAT Council:

1. receive and note this report;
2. acknowledge the ongoing support from the NSW and Australian governments, and the many community, private and not-for-profit groups.

BACKGROUND

At its meetings on 11 February, 24 March, 23 June, 22 September and 8 December 2020, Council considered reports on the bushfire emergency and recovery response.

In total the Currowan, Clyde Mountain and Badja fires burnt over 397,789 hectares of land and caused significant impact to Eurobodalla.

Within Eurobodalla more than 271,000 hectares of our 343,000 hectares, or 81% of our Shire, was directly fire impacted.

Building Impact Assessments undertaken confirmed significant damage to property.

In early 2020, Council commenced the recovery phase. In collaboration with Office of Emergency Management (OEM), Council arranged the opening of a Bushfire Recovery Centre in Batemans Bay, and later Narooma. These centres provided a comprehensive range of services to assist our community during this critical and challenging time, with over 6,000 households registered during operation.

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Key actions implemented by Council during the early recovery phase to support the community include:

- Coordination of 14 outreach sessions with over 500 people attending.
- Managed the Bushfire Recovery Centre, registering over 6,000 families.
- Assistance with Building Impact Assessments.
- Tasking Australian Defence Force personnel.
- Support with set up of Headspace.
- Set up of recovery webpages on Council's website to provide a 24/7 source of truth for residents seeking recovery support – www.esc.nsw.gov.au/recovery.
- Working with media and using Council's communication platforms to provide information and interview opportunities to ensure the community is aware of recovery support.
- Worked with the Bushfire Housing Assistance Response Team (NSW Dept. of Communities and Justice) and non-government agencies and charities to identify housing opportunities and solutions, with the aim of addressing identified housing needs and gaps as a result of the bushfires.
- Advocacy for essential needs, including attendance at regional recovery meetings and meetings with Australian and NSW Government Ministers, relevant NSW authorities and companies, and appointed recovery personnel about immediate and future community needs to aid the recovery process.

There are numerous funding grants from the NSW and Australian Governments and not-for-profit and private organisations that have been available for individuals and businesses directly impacted by the bushfires.

The National Bushfire Recovery Agency has put measures in place to ensure that families and individuals affected by bushfires can access resources quickly to ease the stress during the recovery phase.

The Australian Government has provided financial support directly to affected residents. The following information provides a summary of the support provided to Eurobodalla residents and business owners to date:

Payment Type	No. of Payments	\$ Paid
Disaster Recovery Allowance	523	\$2.14 million
Disaster Recovery Payment	15,820	\$17.78 million
Additional Payment for Children	5,018	\$2.01 million

The following information provides a summary of the support provided to rural producers and small business owners:

Payment Type	No. of Payments	\$ Paid
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Payment Type	No. of Payments	\$ Paid
Concessional Loans		\$5.13 million
Primary Producer Grants	101	\$5.98 million
Small Business Grants (\$50,000)	338	\$9.33 million
Small Business Grants (\$10,000)	1,806	\$18.06 million

* SOURCE: <https://www.bushfirerecovery.gov.au/progress-to-date/local-communities>

CONSIDERATIONS

Council, under the *State Emergency and Rescue Management Act 1989*, has a key role in the recovery stage for the community. Council has many responsibilities and will maintain support for the community over the long term.

Council continues to coordinate the local recovery committee and actively participates in recovery committees at all levels of government to ensure immediate and future community needs are met. In addition, Council has established a local Health and Wellbeing sub-committee, with over 20 government and non-government agencies to support recovery and wellbeing.

Council continues to implement its actions from the Eurobodalla Bushfire Recovery Action Plan. The Plan, which is an evolving document, outlines the activities and strategies Council will undertake to rebuild Eurobodalla's social, built, economic and natural environments. The recovery actions also link with Council's Operational Plan 2020-21 and was reported through Council's Annual Report 2019-20.

Social Environment

Eurobodalla Bushfire Recovery Support Service

This service is jointly funded by the Australian and NSW governments and ensures that people who have been impacted by the fires can access the recovery support they need. The service offers a single point of contact with a Case Management Officer who will provide practical and personal support to help manage recovery needs, access relevant services and assist in decision making.

The service has recently been extended to end December 2021, including an increase of three additional case management officers. As at end March 2021, approximately 650 clients are receiving support from our service, including twenty-three new clients who registered in the last month.

Clients continue to receive information, advice and assistance regarding grants, mental health, legal and financial counselling services, re-building, donations through GIVIT and other supports. New clients are still coming forward, who had previously not applied for any grants or assistance. It is very heartening when our team have been able to assist them. One new client for example, has recently received nearly \$20,000 in grants from the Salvation Army and others.

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This service successfully negotiated Disaster Relief Australia (DRA) to conduct secondary clean-up, fence line clearing, fencing, tree assessment and felling and clearing of burnt materials and tidying up of properties. Resilience NSW has funded this work via a Disaster Access Grant.

- Damage assessments were conducted on 113 properties; this included aerial assessment.
- Jobs were conducted on 50 properties. These figures exclude jobs scheduled to be done by their Arborist or Civil Works contractor.
- The value of the work carried out to date is estimated by DRA as approximating \$266,000.
- 144 DRA volunteers have spent more than 5,600 hours in the Eurobodalla shire.

The work attracted considerable media attention, including a cross-live broadcast on a TV breakfast program. The link to photos is at -

<https://www.flickr.com/photos/disasterreliefaus/albums/72157718144814477>

Part of the DRA effort included an opportunity for one of their partners, Bankstown Sports Club, to make a donation to Malua Bay facilities.

DRA will be conducting their final round of jobs in the last week of April 2021. The DRA Arborist and Civil Works contractor will be working in the region a little longer. The service is also exploring other solutions for those property owners that, for various reasons, were ineligible for initial clean-up.

Housing and temporary accommodation continues to be a concern among a small but significant number of clients. Rentals are rare and expensive. The service has managed to broker public housing for some clients with the relevant housing agencies.

Very few clients were impacted by the recent flooding; most of them have moved from their properties to stay in town or with family and friends. For those clients who were impacted, it has exacerbated their feelings, fatigue and frustration.

New staff have recently been recruited in mental health counselling services (Catholic Care), filling a gap in services. As the recovery service continues, anecdotally we hear that even a very small positive change to a person's situation makes a huge beneficial impact on their resilience and wellbeing. An example of this is when one of our case management officers enabled payment from multiple sources of a skip bin service, for DRA to then fill with burnt materials, lifting a big emotional and physical burden for the client.

Although our focus is on individual case management, we continue to support community bushfire recovery efforts and community outreach. In January in response to an expressed need by some individuals, we trialled an outreach service at Mogo. As only one new client availed themselves of this service, it therefore ceased after the trial period.

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To foster joined-up bushfire recovery service provision, we established and chair a regional case managers' network; two meetings have been held since December 2020 and were well attended.

The bushfire service was visited by the NSW Premier, Deputy Premier and Member for Bega in February 2021.

In addition to the work outlined above, two meetings have occurred during 2021 with Mogo community representatives and agencies regarding current and predicted needs for the village with a view to the development and implementation of a Mogo Local Community Planning in May 2021.

Eurobodalla Disaster Relief Fund

Eurobodalla has been overwhelmed by generous donations to our fire affected residents. To date \$319,353 has been received. The funds were broken down into phases as follows:

- *Phase 1* - Supporting individuals whose primary place of residence was significantly impacted by the bushfires. 127 successful applicants (172 applications received) each successful application received \$1,350 – a total of \$171,450 paid.
- *Phase 2* – Grants to lift community's spirits. 8 successful applicants (40 applications received) – a total of \$80,398 paid.
- *Phase 1 relaunch* - Supporting individuals whose primary place of residence was significantly impacted by the bushfires. 43 additional successful applicants (75 applications received) each successful application received \$1350 – a total of \$58,050 paid.
- *Business Resilience Grants* – Helping local businesses to build resilience and recover from the bushfires. 86 successful applicants (89 applications received) were deemed eligible for assistance totalling \$267,015. Applicants have until 30 June 2020 to complete and returned required documentation. To date, 39 applicants have received reimbursements totalling \$110,022.

Mental Health

In addition to the Eurobodalla Health and Wellbeing Sub-Committee, Council hosted the Eurobodalla Mental Health Forum on 17 March 2021. 60 agency delegates attended this planning day to establish an effective ongoing mental health network. A mental health working group has now been established to deliver the specific projects and actions that were identified by the Forum.

Community Led Recovery Events

Since December 2020, the following Community Led Recovery events were organised by community groups and associations with assistance from Council staff and bushfire recovery agencies:

- Eurobodalla Agricultural Show
- Eurobodalla Youth Holiday Program

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- Katungul Healing Day
- Salvation Army Mobile Winnebago Moruya, Batemans Bay, Mogo
- 'We recovery together' sessions held in Bodalla x2 and Mogo x3
- Club Malua Bay – First Dig
- Elders Thank You to the RFS Moruya, Batemans Bay, Narooma
- Narooma Business Chamber Bushfire Recovery Lunch.

The following events were postponed due to wet weather and flooding, however will be rescheduled at a later date:

- Groove is in the Park - Youth recovery outdoor dance events in Narooma.
- BlazeAid Welcome BBQ in Moruya Showground.

Council's Community Recovery Officer has worked in partnership with the Recovery Support Service, National Bushfire Recovery Agency and Service NSW to identify roles for incoming volunteer groups wishing to support bushfire impacted communities. These groups include: Disaster Relief Australia, Connecting Communities Australia, People Helping People and Helping Hands and Hearts.

Volunteers for Recovery Program

Eurobodalla Shire Council's Volunteers for Bushfire Recovery Program will provide opportunities for volunteers to make a difference and contribute to the health and wellbeing of people in our community who have been impacted by the bushfires. Council has been successful in obtaining funding to coordinate this program.

The program is funded by COORDINARE SE NSW Public Health Network and will focus on reducing social isolation for vulnerable bushfire impacted residents by increasing opportunities for socialisation and community connectedness. People aged over 18 from all backgrounds have been invited to sign up as volunteers.

Volunteer roles include:

- Assist residents to access social, recreational and community activities and appointments.
- Provide social support and companionship.
- Support residents who wish to try new social, recreation or vocational experiences.
- Local transportation to appointments.

Specialist training in mentoring and participatory support is also available to eligible volunteers.

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Natural Environment

Council is assisting with free weed control for eligible rural properties to assist with blackberry, crofton weed, bitou bush, African boxhorn and Lantana. This program is being funded under the Australian government's Communities combating pest and weed impacts during drought program which totals \$249,988 over an 18 month project.

This assistance is mostly for heavily impacted primary production areas, and landowners of semi-rural properties and or bush blocks in primary producing areas, such as the Belowra and Buckenbowra valleys, Runnyford, Cadgee and Nerrigundah.

Built Environment

Council is experiencing an increase in development enquiries and Development Applications (DA) associated with rebuilding following the bushfires. Council has established an internal team to give priority to these enquiries and applications.

As at 16 April 2021, Council has received a total of 287 DAs, including modifications of existing approvals, lodged for rebuild. Of the 287 applications lodged, 231 have been approved with an average turnaround time of 35.35 days.

The 231 approvals are made up of 59 outbuildings, 140 dwelling houses, 12 commercial buildings and 20 alterations. Of the 231 development applications approved, 155 have also had construction certificates determined. This is a strong indication of intention to commence rebuild. Of the 231 development applications approved 22 have had a final occupation certificate issued. The 22 occupation certificates are made up of 11 outbuildings, 10 dwelling houses and 1 alteration.

In some cases, Council has been able to facilitate rebuild without the need for a DA, and simply a construction certificate. Construction certificates can be issued by both Council and private certifiers. The total construction certificates that have been issued for the rebuilding process without the need for a DA is 33 and 2 complying development certificate (CDC) application.

Eligible ratepayers can submit an application through the Eurobodalla Disaster Relief Fund for up to \$1,000 to assist with Development Application fees if they owned the subject property during the bushfires. To date, 86 applications have been approved, with \$70,666 being reimbursed.

Infrastructure

Council continues to advocate to the Australian and NSW government for critical resilience strategies to be identified, funded and implemented for public infrastructure.

This advocacy includes:

- i) continued requests for the NSW Government to fund the Eurobodalla Regional Integrated Emergency Services Precinct in Moruya inclusive of a new purpose built Incident Management Centre and Emergency Operations Centre.
- ii) seeking fundamental changes in the emergency management arrangements in NSW to have the NSW Government fund the cost currently paid by Local Government and to better integrate emergency services agencies and infrastructure.

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- iii) seeking approval to replace single lane timber bridges with single lane concrete bridges. This has been achieved with 16 of the 18 fire impacted bridges to be replaced with a concrete structure (culvert, box culvert or bridge – see list below)
- iv) seeking additional funding to provide for managing the risk from secondary tree death adjacent our local transport network. The extent of work associated with secondary tree death has grown significantly with numerous trees now dying as a consequence of the bushfire. To manage this on-going risk, agreement to fund this work under the natural disaster relief arrangements has been granted to the 30 June 2021. The extent of work will require this approval to be extended, with negotiations commenced.
- v) advocating directly to the NSW Local Roads Conference 2020 and National Roads, Resilience and Regions Conference 2020 for improved arrangements for Local Government under the Natural Disaster Relief and Recovery Arrangements, particularly relating to the upfront payment requirements placed upon Councils to 'opt-in' and betterment.
- vi) seeking additional funding to cover the damage to roads from the clean-up of private property. Two amounts have been agreed. The first is based on the amount of waste material carted across Council roads for additional maintenance \$130,573.50 and the second is for specific damage to road pavements \$230,040 for maintenance grading and resheeting of Araluen Road, Runnyford Road, Eurobodalla Road, Cadgee Mountain Road, Nerrigundah Mountain Road, Short Street
- vii) seeking funding from the Australian Government for the Eurobodalla Southern Water Supply Storage to improve resilience of our region's water supply. Community associations have also joined with Council in advocating for this critical infrastructure outcome.
- viii) seeking Government funding and cooperation from providers to increase the resilience of telecommunications systems including:
 - a. additional power back-up systems to towers and exchanges as approximately 85% of telecommunication losses were due to power outage. This has been achieved.
 - b. for telecommunications structure to be made more resilient. This is now being pursued by telecommunications providers.
 - c. improved vegetation maintenance arrangements by those responsible for telecommunication sites. This has been raised both directly and via the Eurobodalla Bushfire Risk Management Committee and Local Emergency Management Committee with a positive response from both Government agencies and the telecommunications providers.
 - d. improved response to the loss of telecommunications during disasters. Telstra indicate they have increased their capability in this respect.
- ix) seeking improved resilience of the power supply network working with Essential Energy and Governments, particularly power to critical infrastructure sites. These discussions are continuing. Discussions have also been held with businesses who service the whole of the community such as fuel service stations to seek self-initiated improvements to their resilience to the loss of power. At least one service station has installed a permanent on-

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site generator to enable continuity of business and provision of fuel during power outages and two others were re-wired to receive a generator during the response to the bushfires. Similarly, Council continues to advocate to the Australian Government to incentivize power back-up and telecommunications systems for all aged care providers to better care for our most vulnerable during disasters. At least one aged care provider has since installed permanent on-site power generation. Health NSW are now working directly with aged care providers in respect to self-initiating action to improve the resilience of aged care facilities.

- x) seeking funding to allow Transport for NSW to improve the resilience of the Kings Highway and Princes Highway. Both highways have had significant works undertaken during 2020 since the bushfires and further is being planned to commence shortly. Transport for NSW have also agreed to considering resilience as a key consideration in future works along these highways
- xi) advocate to and work with Forestry NSW and National Parks to restore access across the broader unsealed road network under the care of these agencies

Works have been undertaken on permanent repair or reconstruction of the following bridges:

- a. Clarkson Bridge, Wagonga Scenic Drive, Narooma (repair complete)
- b. Rosedale footbridge (replaced with a composite structure)
- c. Four Gums bridge, Belowra Road, Belowra (replaced with pipe culverts)
- d. Cheese Factory Bridge, Eurobodalla Road, Eurobodalla (replaced with a concrete bridge)
- e. Sinclairs Bridge, Eurobodalla Road, Nerrigundah (replaced with a concrete bridge)
- f. Gulph Creek Bridge, Nerrigundah Mountain Road (replaced with a concrete bridge)
- g. Comans Bridge, Gulph Creek Road, Nerrigundah (replaced with concrete box culverts)
- h. Old Tomakin Road Bridge, Mogo (replaced with concrete box culvert)
- i. Pigeon Gully Bridge, Araluen Road, Merricumbene (replaced with concrete box culverts)
- j. Reedy Creek Bridge, Eurobodalla Road, Nerrigundah (replaced with a concrete bridge)
- k. Peach Tree Bridge, Eurobodalla Road, Nerrigundah (replaced with a concrete bridge)
- l. Belowra Bridge, Belowra Road Belowra (replaced with a concrete bridge)

The following bridges will be completed in 2021:

- a. Sitters Ditch Bridge, Belowra Road, Belowra – will be replaced with piped culvert (underway). Expected to be completed in first half of 2021.
- b. Belimbla Bridge Belowra Road, Belowra – will be replaced with a concrete bridge (underway). Expected to be completed in first half of 2021.

GMR21/018 DISASTER RECOVERY UPDATE

S012-T000025

- c. Old Bolaro Mountain Road – to be replaced with a concrete structure - design in progress.
- d. Murphys Bridge, Eurobodalla Road, Nerrigundah – will be replaced with a concrete bridge. Procurement of bridge components underway. Expected to be replaced in 2021.

Progress on the bridge replacement and other bushfire recovery works has been adversely impacted by the six declared natural disaster floods/storms between February 2020 and March 2021.

The following bridges have been deferred pending resolution of the major slips on Araluen Road. Temporary bridge repairs have been undertaken and the bridges are in operation.

- a. Kennys Creek Bridge, Araluen Road, Moruya west – contracts have been let, access to site impeded. Alternate access currently being investigated.
- b. McGregors Creek Bridge, Araluen Road – contracts let, access to site impeded. Alternate access being investigated

In addition to the above bridge works, Council is also rebuilding the following rural bridges:

- i) Bradburys bridge on Araluen Road was damaged in the flood and has been replaced with a concrete bridge funded under the Natural Disaster Relief and Recovery Arrangements (NDRRA) funding (complete)
- ii) Codys bridge, Larrys Mountain Road, Moruya west has been replaced with a concrete bridge funded from Local Roads and Community Infrastructure Program (complete)
- iii) the two major causeways immediately south of Nerrigundah village on Eurobodalla Road have been damaged in the multiple flood events. Proposals have been submitted to Transport for NSW to fund extensions on the southern causeway and to replace the northern causeway with a concrete bridge under a cost sharing arrangement (Council's component to be funded from the bridge renewal program).

The six natural disaster floods have caused extensive and problematic damage to our local road network, particularly to the unsealed road network. This damage is a result of the declared natural disaster floods in February, July, August, October and December 2020, and March 2021. The extent of damage and solutions to repair some of the more problematic sites is still under investigation, with these recovery works expected to extend well into 2022. Additional temporary and specialist resources have been engaged to manage this recovery program. The physical work will be undertaken by a mixture of temporary staff engaged for flood recovery work and contractors, with funding under the NDRRA.

The full extent of infrastructure response and recovery works funded under the NDRRA on the local transport network alone from the bushfires and floods is still being assessed, is climbing with the most recent March flood event and is likely to be well over \$30 million.

Other infrastructure damaged in the bushfires includes:

- i) Water and sewer

GMR21/018 DISASTER RECOVERY UPDATE

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Repairs have been affected to damaged water and sewer infrastructure where required. Replacement of sewer pods in Rosedale will proceed in conjunction with the rebuilding on each lot to give landowners greater flexibility in the choice of rebuild.

ii) Eurobodalla Region Botanic Gardens

Work continues to restore the natural environment and replacement of fire damaged property. Development and Construction Application have been issued and construction has commenced. Timbers from some of the damaged bridge structures have been recycled and incorporated into rebuilding footbridges within the gardens.

iii) State Emergency Services – Batemans Bay

Council is working with the SES on replacement options including investigating the more central location at Surf Beach. The relocation of the Sunshine Bay RFS shed is also being considered to allow greater integration. In the meantime, temporary housing and storage arrangements are in place for the Bay unit of the SES.

Agriculture

Council continues to work with Local Land Services, Eurobodalla Farmers Network and the local agricultural sub-committee to resolve recovery issues within the agriculture sector.

Council is coordinating, along with the NSW Government and Minderoo, temporary on-farm accommodation for landowners while they rebuild. To date, 47 housing pods have been approved and delivered.

Fencing

The Blazeaid camps at Moruya and Belowra ceased on 30 October 2020, after building 151,000 metres of fencing and clearing 100,000m of fencing since January 2020. This work was undertaken on 263 properties. BlazeAid estimates this volunteer fencing saved the community \$1,060,000. The Moruya camp recommenced operations in March 2021 to complete outstanding works.

Economic Environment

Council continues to work with business chambers and industry representatives to understand and address the impacts on businesses and their needs.

Council continues to publish its Tourism and Business Industry newsletters with a focus on financial assistance and support.

The recent Spendmapp data continues to show good economic growth in Eurobodalla

Spendmapp data below indicates an increase in economic growth in Eurobodalla for the period July to September on a three-year comparison.

	July	August	September	October	November	December
2018	\$45.2m	\$44.6m	\$45.6m	\$50.3m	\$58.1m	\$83.1m
2019	\$57.6m	\$56.7m	\$58.5m	\$67.0m	\$63.6m	\$75.3m
2020	\$72.7m	\$60.1m	\$70.8m	\$79.7m	\$76.2m	\$101m

Spendmapp data for Eurobodalla for the period January to June on a two-year comparison:

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	January	February	March	April	May	June
2019	\$86.8m	\$54.4m	\$63.8m	\$68.1m	\$57.0m	\$54.6m
2020	\$62.2m	\$63.5m	\$71.1m	\$48.4m	\$60.2m	\$70.8m
2021	\$100m	\$69.7m				

As of end of February 2021, over the past 12 months accommodation revenue has increased by 19.8% across Eurobodalla.

Community and Stakeholder Engagement

Council uses its communications platforms to share important recovery information with the community, with the focus on providing media-friendly content to ensure the broadest possible reach. Content covers a range of information, from specifics about recovery centre operations, to stories about bush regeneration, and the practical assistance Council is providing to the community. 60 recovery-related media releases have been distributed since 17 January 2020, and 56 Facebook posts. An additional 18 Facebook posts relate to COVID-19 and 4 relate to wild weather and floods.

Council's recovery webpages – www.esc.nsw.gov.au/recovery - collect the range of recovery information in one convenient place for the community. Topics include financial assistance, NSW cleanup program, BlazeAid, rebuilding and repairing (including a list of Eurobodalla's building design professionals), waste services, legal services and looking after your mental health. There are many resources on offer and we test them before adding to our site to make sure they work for residents. Resources are updated daily.

Nine dedicated recovery newsletters have been published which provides updates on practical and financial support available from different government bodies, rebuilding bushfires, and related community or neighbourhood meetings. To sign up for the updates residents can register at <https://www.esc.nsw.gov.au/living-in/about/emergency-information/eurobodalla-community-recovery/bushfire-recovery-community-updates>

CONCLUSION

This report outlines the key issues relating to the Eurobodalla's Recovery phase. It has provided a summary of the recovery activities to date. This is the fifth report regarding recovery and ensures that Council is kept informed of our progress as our community rebuilds.

**PSR21/007 ROTARY MARKETS - RENEWAL OF LICENCE - CORRIGANS
BEACH RESERVE**

**S023-T00017
LAND ID: 13742**

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

Attachments: Nil

Outcome: 9 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 seek Council approval to grant a licence to the Rotary Club of Batemans Bay (Rotary Club) to operate markets at Corrigan's Beach Reserve.

The Rotary Club has expressed an interest in renewing the licence for markets at Corrigan's Beach Reserve for an additional five years. The current term expired on 13 March 2021. However they are currently operating within the hold over period.

The Rotary Club has been operating charity markets within Crown Reserve R66122, Lot 7 DP1041103 Corrigan's Beach Reserve, Batehaven on the third Sunday of each month for many years.

The intention to grant a licence to the Rotary Club to operate markets within Corrigan's Beach Reserve was publicly notified for a period of 28 days from 10 February to 9 March 2021. No submissions were received.

It is recommended that Council supports the Rotary Club in granting a further five-year licence for the use of Corrigan's Beach Reserve.

RECOMMENDATION

THAT:

1. Council grant a five-year licence to Rotary Batemans Bay to operate fundraising markets within Lot 7 DP 1041103, Corrigan's Beach Reserve commencing on 14 March 2021 and expiring on 13 March 2026, including the following conditions:
 - a. the licence fee in accordance with Council's adopted fees and charges for not for profit markets within Eurobodalla Shire will apply
 - b. the licence area is to be left clean and tidy after use, and any damage caused is to be rectified by the licence holder
 - c. the provision of \$20 million public liability insurance
 - d. conditions generally in line with similar licences.
2. The General Manager be given delegated authority to negotiate further licences.

**PSR21/007 ROTARY MARKETS - RENEWAL OF LICENCE - CORRIGANS
BEACH RESERVE**

**S023-T00017
LAND ID: 13742**

BACKGROUND

The Rotary Club has been successfully operating charity markets on the third Sunday of each month at Corrigans Beach Reserve for many years.

At the Ordinary Council Meeting of 8 March 2016, Council resolved to grant a five-year licence to the Rotary Club (Minute 16/59). As the five-year licence expires on 13 March 2021, the Rotary Club has requested the granting of a further five-year licence for the use of Corrigans Beach Reserve.

Volunteer Marine Rescue NSW also has a five-year licence, which commenced on 1 July 2018 to operate charity markets at the same location on the first Sunday of each month.

CONSIDERATIONS

The licence area is shown in the sketch below.



*Part Lot 7 DP 1041103 – Corrigans Beach Reserve, Batehaven
Crown Reserve 66122*

Legal

Crown Reserve R66122 Corrigans Beach, Batehaven is under the management of Council as Crown Land Manager.

Council can only issue a licence for a period of up to five years for public reserves classified as community land and Crown reserves for which Council is Crown Land Manager, after giving public notice and considering any submissions in accordance with Section 47A of the *Local*

**PSR21/007 ROTARY MARKETS - RENEWAL OF LICENCE - CORRIGANS
BEACH RESERVE**

**S023-T00017
LAND ID: 13742**

Government Act 1993.

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

Council will comply with any relevant legislation and procedures in relation to Native Title and Aboriginal land rights and interests.

Policy

In line with the provisions of Council's Code of Practice – *Licencing of Council controlled Public Reserves and Associated Buildings*, an Expression of Interest (EOI) was sought in February 2021 for parties interested in seeking a licence for a period of up to five years to use any Council-owned or controlled public reserves.

[Licencing-of-councilcontrolled-public-reserves-and-associated-buildings-code-of-practice.pdf](#)

No other party expressed an interest in using that part of the reserve at that time.

Environmental

Issuing this licence would not have any undue impact on other users of the reserves.

Asset

It will be a condition of the licence that the reserve be kept clean and tidy.

Social Impact

The markets provide an enjoyable recreational activity for locals and visitors alike. Rotary's fundraising efforts assist the local community.

Economic Development Employment Potential

The markets provide economic activity, work to activate the area, bringing members of the public and visitors to the region and provide opportunities for increased trade with existing businesses.

Financial

A licence fee in accordance with Council's adopted fees and charges for not for profit markets within Eurobodalla Shire will apply.

Community and Stakeholder Engagement

Expressions of Interest were sought in February 2021 for interested parties wishing to conduct activities on Council-managed public reserves for a period of up to five years. No other party expressed an interest in using the same part of Corrigan's Beach Reserve.

In accordance with Section 47A of the *Local Government Act 1993* and Council's Community Engagement Framework, the intention to grant a licence to operate within Corrigan's Beach Reserve was publicly notified for a period of 28 days from 10 February to 9 March 2021.

CONCLUSION

The licence to the Rotary Club for use of Corrigan's Beach Reserve expired on 13 March 2021.

**PSR21/007 ROTARY MARKETS - RENEWAL OF LICENCE - CORRIGANS
BEACH RESERVE**

**S023-T00017
LAND ID: 13742**

The continuation of markets at Corrigan's Beach Reserve is considered worthwhile as an attraction for locals and tourists, as well as a regular source of fundraising for the Rotary Club of Batemans Bay.

As no other party has expressed an interest in using that part of Corrigan's Beach Reserve at the same time, it is recommended for Council to support the Rotary Club by granting a five-year licence to operate fundraising markets at Corrigan's Beach Reserve.

PSR21/008 LICENCE FOR RALLY FOR RECOVERY

**S023-T00017
LAND ID 4684**

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

Attachments: Nil

Outcome: 9 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 seek approval to renew the licence to Rally for Recovery at Tomakin.

Rally for Recovery has been operating from the former Tomakin Fire Shed since 2001. The current five year licence to Rally for Recovery over Council community land being part Lot 33 DP 207386 expired in October 2020 however Rally for Recovery are currently operating within the holding over period. Rally for Recovery have requested another five year licence.

The intention to grant a licence to Rally for Recovery has been publicly notified and submissions were received regarding Rally for Recovery's use of the site in the early mornings and its impact on the safety of children catching school buses. These safety concerns can be addressed by including a condition in the licence, restricting use of the site by Rally for Recovery prior to 8.45am on school days. Rally for Recovery are agreeable to this change.

It is recommended that Council support Rally for Recovery in granting a further five year licence.

RECOMMENDATION

THAT:

1. Council grant a five year licence to Rally for Recovery for fundraising activities within part Lot 33 DP 207386 with conditions including the following:
 - a. The licence fee be in line with similar licences
 - b. The licenced premises to be maintained by the licensee and left clean and tidy after use, and any damage caused is to be rectified by the licence holder
 - c. The provision of \$20 million public liability insurance
 - d. Conditions generally in line with similar licences
 - e. Rally for Recover is not permitted to use the site prior to 8:45 am on school days.
2. The General Manager be given delegated authority to negotiate further licences.

PSR21/008 LICENCE FOR RALLY FOR RECOVERY

**S023-T00017
LAND ID 4684**

BACKGROUND

Rally for Recovery has been operating from the former Tomakin Fire Shed since 2001.

Rally for Recovery by way of approved development consent, have made improvements to the current facilities including the construction of minor additions. Rally for Recovery's functions that assist the community are extremely popular and the group are very successful fundraisers. Over the years Rally for Recovery has raised more than \$1.2 million.

Their current licence is due for renewal and the group wishes to secure a further five year licence to continue their fundraising activities from the site. One of the conditions of the licence is that the licensee must keep the premises clean, tidy and in a good state of repair.

CONSIDERATIONS

The indicative licence area is shown in the sketch below.



Legal

Lot 33 DP 207386 is Council owned community classified land. Council can only issue a licence for a period up to five years for public reserves classified as community land 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

PSR21/008 LICENCE FOR RALLY FOR RECOVERY

**S023-T00017
LAND ID 4684**

Policy

In line with the provisions of Council's Code of Practice - *Licencing of Council controlled Public Reserves and Associated Buildings*, an Expression of Interest (EOI) was called in February 2021 for parties interested in seeking a licence for periods up to five years to use any Council owned or controlled public reserves. No other party expressed an interest in using the land.

www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licencing-of-council-controlled-public-reserves-and-associated-buildings-code-of-practice.pdf

Asset

A condition of the licence is that the Licensee ensures the premises are kept clean and tidy and in good order and condition.

Social Impact

Rally for Recovery's functions that assist the community are extremely popular and the group are very successful fundraisers. Over the years Rally for Recovery has raised more than \$1.2 million.

Financial

In accordance with other licences granted to not-for-profit groups for the use of public buildings, a fee in line with the Crown Land Statutory Minimum rent, currently \$507 p.a. plus GST is considered appropriate.

Community and Stakeholder Engagement

The annual EOI was called in February 2021 from interested parties wishing to conduct activities on Council managed public reserves for a period of up to five years. No other party expressed an interest in using the land.

The intention to grant a five-year licence to Rally for Recovery has been publicly notified for 28 days in accordance with Section 47A of the *Local Government Act 1993* and Council's *Community Engagement Framework* and submissions were received regarding Rally for Recovery's use of the site in the early mornings and its impact on the safety of children catching school buses.

These safety concerns can be addressed by including a condition in the licence, restricting use of the site by Rally for Recovery prior to 8:45am on school days. Rally for Recovery are agreeable to this change.

CONCLUSION

Rally for Recovery is a successful fundraising organisation. Following public notification submissions received have been addressed and the granting of a further five year licence is recommended.

**PSR21/009 BELL'S AMUSEMENTS - RENEWAL OF LICENCE - CORRIGANS
BEACH RESERVE**

**SO23-T00017
LAND ID:13742**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services
Attachments: Nil
Outcome: 9 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 seek approval to issue a licence to Bell's Amusements Hire Pty Limited (Bell's Amusements).

Bell's Amusements has expressed its interest in renewing the licence for a carnival at Corrigans Beach Reserve for an additional five years. The current term expired on 31 January 2021.

Bell's Amusements has been operating a carnival within Crown Reserve R66122, Lot 7 DP1041103 Corrigans Beach Reserve, Batehaven during the summer holidays for over 30 years.

The intention to grant a licence to Bell's Amusement to operate a carnival within Corrigans Beach Reserve was publicly notified for a period of 28 days from 10 February to 9 March 2021 and no submissions were received.

It is recommended that Council supports Bell's Amusements in granting a further five-year licence for the use of Corrigans Beach Reserve.

RECOMMENDATION

THAT:

1. Council grant a five-year licence to Bell's Amusements to conduct an annual amusement carnival within Lot 7 DP 1041103, Corrigans Beach Reserve commencing on 1 February 2021 and expiring on 31 January 2026, including the following conditions:
 - a. the licence fee in line with the daily rate for circus set up and dismantle days will apply
 - b. an annual sewer pump maintenance fee will apply, currently \$2,950.00 plus GST, with annual increases, the greater of CPI or 3%
 - c. the licence area is to be left clean and tidy after use, and any damage caused is to be rectified by the licence holder
 - d. the provision of \$20 million public liability insurance
 - e. conditions generally in line with similar licences.
2. The General Manager be given delegated authority to negotiate further licences.

**PSR21/009 BELL'S AMUSEMENTS - RENEWAL OF LICENCE - CORRIGANS
BEACH RESERVE**

**SO23-T00017
LAND ID:13742**

BACKGROUND

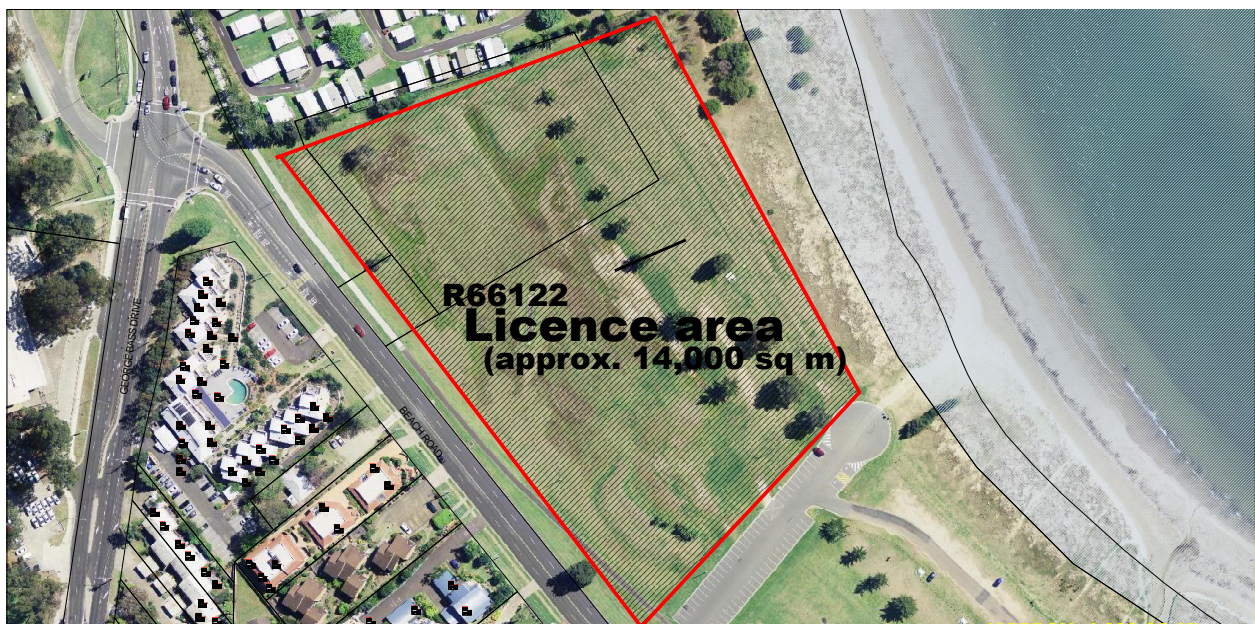
Bell's Amusements has been successfully operating an amusement carnival during the summer school holidays at Corrigans Beach Reserve for over 30 years. During this time, the operation has grown and has proven to be an asset to Eurobodalla Shire as a popular attraction for tourists and local residents.

At the Ordinary Council Meeting of 11 October 2016, Council resolved to grant a five year licence to Bell's Amusements (Minute 16/295). As the five-year licence expired on 31 January 2021, Bell's Amusements has requested the granting of a further five year licence for use of Corrigans Beach Reserve.

The Licensee pays an annual maintenance fee for the sewerage pump station.

CONSIDERATIONS

A sketch of the licence area is set out below.



*Part Lot 7 DP 1041103– Corrigans Beach Reserve, Batehaven
Crown Reserve R66122*

Legal

Crown Reserve (R66122) Corrigans Beach, Batehaven is under the management of Council as Crown Land Manager.

Council can only issue a licence for a period up to five years for public reserves classified as community land and Crown reserves for which Council is Crown Land Manager, 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

**PSR21/009 BELL'S AMUSEMENTS - RENEWAL OF LICENCE - CORRIGANS
BEACH RESERVE**

**SO23-T00017
LAND ID:13742**

Council will comply with any relevant legislation and procedures in relation to Native Title and Aboriginal land rights and interests.

Policy

In line with the provisions of Council's Code of Practice - *Licencing of Council controlled Public Reserves and Associated Buildings*, an Expression of Interest (EOI) was sought in February 2021 for parties interested in seeking a licence for a period of up to five years to use any Council-owned or managed public reserves.

[Licencing-of-councilcontrolled-public-reserves-and-associated-buildings-code-of-practice.pdf](#)

No other party expressed an interest in using the same part of the reserve at that time.

Asset

It will be a condition of the licence that the reserve be kept clean and tidy.

Social Impact

For over thirty years, the carnival has become a regular attraction to the area, well attended by the local community and visitors alike during the summer school holidays.

Economic Development Employment Potential

The proposal would increase the range of activities available for visitors, which may lead to increased visitation, length of stay and expenditure.

Financial

The licence fee will be the daily rate for circus set up and dismantle days adopted by Council in its annual fees and charges (currently \$359.00). This is considered reasonable given the length of time the carnival operates.

The Licensee pays an annual maintenance fee for the sewerage pump station. The annual maintenance fee for the sewerage pump station is based on the previous maintenance fee. It is recommended the proposed initial fee be \$2,950.00 plus GST, and increased annually by the greater of 3% or CPI.

Community and Stakeholder Engagement

Expressions of interest were sought in February 2021 for interested parties wishing to conduct activities on Council-managed public reserves for a period of up to five years. No other party expressed an interest in using the same part of Corrigan's Beach Reserve.

In accordance with Section 47A of the *Local Government Act 1993* and Council's Community Engagement Framework, the intention to grant a licence to operate within Corrigan's Beach Reserve was publicly notified for a period of 28 days from 10 February to 9 March 2021.

No submissions were received.

CONCLUSION

The licence to Bell's Amusements for the use of Corrigan's Beach Reserve expired on 31 January 2021.

**PSR21/009 BELL'S AMUSEMENTS - RENEWAL OF LICENCE - CORRIGANS
BEACH RESERVE**

**SO23-T00017
LAND ID:13742**

For over thirty years the carnival has become a regular attraction to the community during the summer school holidays.

As no other party has expressed an interest in using that part of Corrigan's Beach Reserve at the same time, it is recommended for Council to support Bell's Amusements by granting a five-year licence, together with further renewals to operate an annual amusement carnival at Corrigan's Beach Reserve.

IR21/011 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2020-21

S030-T00018

Responsible Officer: Warren Sharpe OAM - Director Infrastructure Services
Attachments: Nil
Outcome: 7 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: 7.1.2.4 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 review. The main issues covered at the Eurobodalla Local Traffic Committee meeting, held 4 March 2021, are as follows:

- Signage - 'No Parking' at Mill Bay Boat Ramp, North Narooma
- Signage – 'No Parking' and 'No Stopping' Herarde Street and Heradale Street, Batemans Bay
- Signage and Line marking – Roundabout at intersection of Ford Street and Ford Lane, Moruya
- Informal item - Driver Reviver site upgrade, Bodalla
- Special Event - ANZAC Day Marches, Various Locations.

RECOMMENDATION

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 6 for 2020-21 be received and noted.
2. Council Plan No. Set BP Sheet 12 detailing the 'No Parking' signage around the boat ramp and fish cleaning table at Mill Bay, North Narooma be approved.
3. Council Plan No. 5156 Set BB Sheet 26 detailing the 'No Parking' and 'No Stopping' signage adjoining NSW Fire and Rescue building at the intersection of Herarde Street and Heradale Street, Batemans Bay be approved.
4. Council Plan No. 4409 Set C Sheet 03 detailing the signage and line marking associated with the proposed roundabout at the intersection of Ford Street and Ford Lane, Moruya be approved.

BACKGROUND

The Eurobodalla Local Traffic Committee Meeting No 6 for 2020-21 was held on 4 March 2021. The meeting was attended by Senior Constable Scott Britt (NSW Police), Michael Travers (Transport for NSW), Danielle Brice (representative for the Hon Andrew Constance MP), Dave

IR21/011 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2020-21

S030-T00018

Hunter (Traffic Coordinator), Tom Franzen (Transport and Stormwater Engineer), Kate McDougall (Road Safety Officer), and Matt Cormick (Minute taker)

APOLOGIES

Councillor Anthony Mayne (Chair).

DEPUTATIONS

Nil.

MINUTES OF PREVIOUS MEETING

The minutes of the Eurobodalla Local Traffic Committee Meeting No 5 for 2020-21 held on 4 February 2021 were confirmed and accepted.

OUTSTANDING ITEMS FROM PREVIOUS MEETING

Nil.

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT FOR DETERMINATION

2021.RT.013 Signage – ‘No Parking’ at Mill Bay Boat Ramp, North Narooma

Several customers have requested that the Mill Bay boat ramp that accesses Wagonga Inlet, North Narooma be made more accessible to patrons driving vehicles with boat trailers.

Other drivers who park near these facilities appear to be patrons of the nearby marine businesses or board walk users.

Allowing vehicles to park near the boat ramp and adjoining fish cleaning table presents a risk to all facility users, particularly when drivers reverse or turn as they access the boat ramp.

Additionally, a section of grass area that is used to park vehicles with boat trailers will be signed for their exclusive use, using signage enforceable under the Local Government Act.

There is ample parking nearby to cater for all users of the various facilities.

Plan No. 5156 Set BP Sheet 12, detailing the ‘No Parking’ signage around the boat ramp and fish cleaning table at Mill Bay, was reviewed by the Committee.

Recommendation:

That Council Plan No. Set BP Sheet 12 detailing the ‘No Parking’ signage around the boat ramp and fish cleaning table at Mill Bay, North Narooma be, be approved.

2021.RT.014 Signage – ‘No Parking’ and ‘No Stopping’ Herarde Street and Heradale Street, Batemans Bay

A request has been received from an officer from Batemans Bay NSW Fire and Rescue (NSWF&R) to install signage adjoining their operations building at the intersection of Herarde Street and Heradale Street, Batemans Bay.

A large, five story residential complex located nearby on Herarde Street is currently being constructed.

IR21/011 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2020-21

S030-T00018

Construction workers often park on the street adjoining NSW Fire and Rescue building and the officer is concerned that in the case of an emergency, his staff will not be able to find a park nearby and this could compromise their required response time.

It is envisaged that once the residential complex is complete there will still be a significant decrease in available on-street parking caused by people who live at or visit the complex.

Installing 'No Parking' and 'No Stopping' signage with exceptions for emergency vehicles adjoining NSW Fire and Rescue at Herarde Street and Heradale Street will assist their staff to respond to emergencies within the prescribed time.

Plan No. 5156 Set BB Sheet 26 detailing the regulatory adjoining NSW Fire and Rescue at Herarde Street and Heradale Street, was reviewed by the Committee.

Recommendation:

That Council Plan No. 5156 Set BB Sheet 26 detailing the 'No Parking' and 'No Stopping' signage with exceptions for emergency vehicles adjoining NSW Fire and Rescue building at the intersection of Herarde Street and Heradale Street, Batemans Bay be approved.

2021.RT.015 Signage and Line marking – Roundabout at intersection of Ford Street and Ford Lane, Moruya

At the time of this meeting, Council is in the process of installing a mountable roundabout on Ford Street at the intersection of Ford Lane (leading into Woolworths). The project is fully funded by the NSW Government.

A Traffic Speed Management and Pedestrian Activation Plan (TSM&PAP) for Moruya CBD east that identifies key sites for infrastructure installation has been developed in recent years. The area is within a 50km/h speed zone and Council has applied to TfNSW for a speed zone reduction to 30km/h.

The TSM&PAP was presented to the Local Traffic Committee on 10 September 2020 and the Committee resolved to support the plan. The Committee in September and October 2020 has also approved the installation of four (zebra) pedestrian crossings on Ford Street and Shore Street. Three of these key components are now operational.

The roundabout on Ford Street at the intersection leading into Woolworths via Ford Lane is another key component of the TSM&PAP.

To reduce the short-term impact on traffic, the concrete roundabout (5.4m diameter annulus) has been prefabricated off-site. Construction is planned to be completed in the lead up to Easter 2021 over a three-day period.

Council Plan No. 4409 Set C Sheet 03 detailing the signage and line marking associated with the proposed roundabout at intersection of Ford Street and Ford Lane, was reviewed by the Committee.

Recommendation:

That Council Plan No. 4409 Set C Sheet 03 detailing the signage and line marking associated with the proposed roundabout at intersection of Ford Street and Ford Lane, Moruya, be approved.

IR21/011 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2020-21

S030-T00018

INFORMAL ITEMS FOR DISCUSSION

2021.SE.002 Informal – Driver Reviver site upgrade, Bodalla

Council has partnered with the Bodalla Rural Fire Service (BRFS) to apply for funding to upgrade the Driver Reviver site, located on the Princes Highway, adjoining the RFS building and school bus interchange.

The Australian Government has provided an opportunity for local Driver Reviver organisations to upgrade their sites under Round 2 of their Driver Reviver Site Upgrades Program. This is a 100% funded grant.

If successful, Council will provide new pavement and bitumen seal to the existing gravel side road. BRFS will install a larger awning and concrete slab on the side of their building and have effective temporary signs made up. Council will also install a roof over the recently installed picnic table. The upgrade will make the site more attractive to people travelling long distances, encouraging more drivers to stop and subsequently reduce the risk to all road users.

This site is multi-purpose, providing off-street parking to accommodate Driver Reviver, public park users, parking for both emergency service vehicles and student pick-up and drop-off for the adjoining school bus interchange.

Between 2015 and 2017, the Local Traffic Committee approved modifications to the Princes Highway bus zone and adjoining side road. This included a one-way system on the side road. This is reflected in Plan 4988-D-01 prepared for the funding application.

Recommendation:

That the proposal to upgrade the Bodalla Driver Reviver site on Princes Highway just south of Sutcliffe Street that includes the service road upgrade and awning on the Rural Fire Service building be supported.

2021.SE.006 Special Event – ANZAC Day Marches, Various Locations

ANZAC Day marches will be conducted in the following locations on 25 April:

- (a) Batemans Bay
- (b) Tomakin
- (c) Moruya
- (d) Tuross Head
- (e) Narooma.

As the marches in Batemans Bay, Moruya and Narooma affect the major road networks, traffic management and control plans are required.

Council will assist the event organisers to submit applications for Road Occupancy License's (ROL's) to Transport for NSW (TfNSW) for the Moruya and Narooma marches, as they require the use of the Princes Highway.

Traffic Management and Control Plans were reviewed by the Committee.

Recommendation:

That the submitted traffic management and control plans for the ANZAC Day marches for Batemans Bay, Moruya and Narooma to be conducted on 25 April 2021, subject to approval by

IR21/011 LOCAL TRAFFIC COMMITTEE NO 6 FOR 2020-21

S030-T00018

the NSW Police and lodgment of a Road Occupancy License to Transport for NSW for the Moruya and Narooma events be approved.

GENERAL BUSINESS

Nil.

NEXT MEETING

The next meeting of the Eurobodalla Local Traffic Committee will be held on Thursday 1 April 2021 in Council's Glass Meeting Room commencing at 9am (dependent on COVID-19 protocol at that time).

CAR21/007 LIBRARIES FUNDING

S003-T00026

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services
Attachments: Nil
Outcome: 2 Celebrated Creativity, Culture and Learning
Focus Area: 2.2 Improve local access to higher education and lifelong learning opportunities, facilities and services
Delivery Program Link: 2.2.2 Provide quality library services, programs and resources
Operational Plan Link: 2.2.2.2 Provide access to information via a range of technologies and formats

EXECUTIVE SUMMARY

This report provides Council with information in relation to the acceptance of two external funding grants, offered to Council to support the Library Service's ongoing technology and digital literacy training programs.

A total of \$1,265.00 plus GST has been offered to Council from Telstra via the NSW State Library for the continuation of the existing 'Tech Savvy Seniors' training program. This funding is for training to be delivered prior to the end of financial year July 2021.

Council has also been successful in securing a \$2,500.00 plus GST grant from Good Things Foundation Australia for the delivery of 'Be Connected, Building Digital Skills' 2020/21 training.

This Library service applied for these two quick-turn-around grant opportunities to support the continuation of its technology training programs.

This is a total of \$3,765.00 plus GST of external funding to the Council that directly supports the building of digital literacy skills for members of our local community aged 50 and over.

RECOMMENDATION

THAT Council notes the acceptance of funding grants totaling \$3,765.00 plus GST:

1. \$2,500.00 from Good Things Foundation Australia for the delivery of 'Be Connected, Building Digital Skills' 2020/21 training; and
2. \$1265.00 from Telstra via the NSW State Library for the continuation of the existing 'Tech Savvy Seniors' training programs.

BACKGROUND

Council's Libraries play an important role in assisting the seniors in our community to build the digital knowledge and skills needed to meet the challenges of an increasingly digital future. Lifelong learning and the ability to acquire new skills and literacies is essential in an era of change and ongoing technological developments.

The service has received several rounds of these funding opportunities over the past few years which has enabled approximately 30 tech skilling sessions to be run across the three libraries, with more than 230 seniors attending to gain new skills. One of the funded projects provided 5 iPads that could be borrowed by community to help them connect. This has been popular with 16 people borrowing the iPads since November 2020.

CAR21/007 LIBRARIES FUNDING

S003-T00026

Over the next 12 months our Libraries will continue to offer and deliver the 'Tech Savvy Seniors' and the 'Be Connected' training to our local seniors to help build their confidence and digital capacity.

CONSIDERATIONS

Tech Savvy Seniors

'Tech Savvy Seniors' is a partnership between the NSW Government and Telstra, providing free or low-cost technology training to seniors through NSW public libraries and community colleges. The program aims to help seniors with little or no digital experience develop skills and confidence in using technology for socialising, accessing services or conducting personal business. Training is fun and hands-on, and includes basic introductory courses on using computers, tablets, smart phones, the internet, email and social media. Training is offered in public libraries free of charge.

This \$1,265.00 grant funding will allow our libraries to continue deliver training to at least an additional 50 seniors.

'Be Connected' Building Digital Skills grant program

The aim of the grant program is to enable organisations to support older Australians 50 years and older through free face-to-face contact in small groups, to develop their digital skills and confidence, utilising the learning courses available on the 'Be Connected' learning site. The grants help organisations to continue delivering their 'Be Connected' digital literacy programs.

This grant of \$2,500.00 will allow the library to offer free small group training sessions on a variety of topics including how to use an iPhone or iPad or navigating the internet.

Social Impact

The Library's technology training programs aim to help seniors with little or no digital experience to develop the skills and confidence in using technology for socialising, accessing services or conducting personal business. Participation in these training sessions helps ensure that our older community members are not being left behind in the digital world.

Financial

These grants totaling \$3,765.00 will provide the funds required to ensure our libraries are able to continue to deliver technology training programs to meet the needs of the local community over the next 12 months.

Community and Stakeholder Engagement

We will inform the community about training opportunities via information on Council's website; the Library's e-newsletter; posting on Council's Facebook and Twitter; and distributing printed brochures and posters in the Batemans Bay, Moruya and Narooma libraries.

CONCLUSION

Libraries play an important role in assisting seniors in our community to build the digital knowledge and skills needed to meet the challenges of an increasingly digital future.

CAR21/007 LIBRARIES FUNDING

S003-T00026

The 'Tech Savvy Seniors' and the 'Be Connected' technology grants help to ensure that we are able to continue to provide training opportunities that meet this growing demand for technology training.

CAR21/008 COUNCIL GRANTS FOR NAIDOC WEEK AND YOUTH

**S003-T00045;
S003-T00040**

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

Attachments: 1. Confidential - Council Grants for NAIDOC Week and Youth
Confidential Attachment

Outcome: 2 Celebrated Creativity, Culture and Learning

Focus Area: 2.3 Embrace and celebrate local history, cultural heritage and diversity

Delivery Program Link: 2.3.1 Acknowledge and involve traditional owners and members of the
Aboriginal community

Operational Plan Link: 2.3.1.4 Coordinate NAIDOC Week grant program

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of recommendations for the allocation of grant funds under the Eurobodalla NAIDOC Week and Youth Grants for the financial year 2020-2021.

RECOMMENDATION

THAT Council approve the recommendations detailed in the confidential attachment awarding NAIDOC grants to nine (9) local groups/organisations and youth grants to nine (9) local groups/organisations.

BACKGROUND

Council's Eurobodalla NAIDOC Week Grants aim to promote an understanding of the history, culture and achievements of Aboriginal and Torres Strait Islander people by providing funds to celebrate NAIDOC Week and support participation in NAIDOC Week activities. This year's NAIDOC theme is 'Heal Country'.

Youth grants are available to support education, connection, support, leadership and employment opportunities for young people.

The criteria for Eurobodalla NAIDOC Week and Youth Grants reflect Council's social, cultural and management planning commitments, and to build capacity of the community to present and manage local activities and projects.

The total grant amount available in the 2020-2021 for NAIDOC Week grants is \$4,615 and Youth grants is \$5,244.

CONSIDERATIONS

To be eligible for a Eurobodalla NAIDOC Week or Youth Grant, applicants must show that they:

- are a Eurobodalla based and not-for-profit community group or able to prove that they are a bona fide Eurobodalla based community group
- can contribute some financial support or volunteer labour to the activity
- have adequate insurance coverage for the activity
- do not have any outstanding debts to Council.

CAR21/008 COUNCIL GRANTS FOR NAIDOC WEEK AND YOUTH

**S003-T00045;
S003-T00040**

Eurobodalla based services with a primary objective of supporting young people are also eligible for Youth grants.

A total of five (5) applications were received for the youth grants and fourteen (14) applications received for the NAIDOC grants. All grant applications were assessed against the eligibility criteria and all applications were assessed as meeting the requirements.

The NAIDOC review panel recommended that nine (9) grant applications be allocated funding and one application be referred to an alternate funding source.

The NAIDOC grant round was oversubscribed, and the youth grants were undersubscribed.

As several of the NAIDOC applications were from schools, the review panel recommended that consideration of residual youth grant funding be used to support NAIDOC week activities that primarily targeted young people.

The youth review panel has recommended that all 5 youth grant applications be allocated funds requested totaling \$2,937 and supported the recommendation that 4 of the school NAIDOC week activities be funded to a total of \$2,300. A confidential summary sheet has been attached.

Eurobodalla Shire Council is committed to acknowledging, respecting and working with the traditional custodians of the land. Reinforcing relationships between Council and Aboriginal people is an important step to building community strength and resilience in Eurobodalla. Building healthy relationships through open communication and the provision of opportunities will reinforce our commitment to remove the barriers that prevent Aboriginal people from participating in the same opportunities as non-Aboriginal people.

Eurobodalla has a higher percentage of Aboriginal people living in the community compared to the state average. Annual NAIDOC week activities and celebrations are an important cultural event on the Aboriginal and Torres Strait Islander calendar and promote understanding and acceptance in the wider community of the unique place first Australians occupy in our cultural landscape.

Council also recognises that young people are an integral part of our community. Our youth provide energy, vitality, creativity and optimism which are essential elements of community wellbeing. Many of our youth leave the area to pursue careers and study interests once they finish school, but a determining factor for young people deciding to return is the contribution they perceive they can make to their communities.

Councils NAIDOC week and Youth grants demonstrate a commitment from Council to support and promote Aboriginal cultural activities and improve opportunities and services for young people.

Financial

In 2020- 2021 an annual budget of \$4,615 was provided for NAIDOC week grants to support the activities of community groups, schools and/or non-profit organisations in celebrating NAIDOC Week. The combined total of NAIDOC applications recommended by the subcommittee for funding is \$4,615.

CAR21/008 COUNCIL GRANTS FOR NAIDOC WEEK AND YOUTH

**S003-T00045;
S003-T00040**

The 2020- 2021 annual budget of \$5,244 was provided for Youth grants to support for education, connection, support, leadership, and employment opportunities for young people. The combined total of Youth applications along with the additional NAIDOC grants recommended by the subcommittee for funding is \$5,237.

Community and Stakeholder Engagement

We have informed the community of the NAIDOC week and youth grants through providing information on Council's website; Online News; posting on Council's Facebook; distributing information directly via email mailing lists; advertising on Council's noticeboard page in two local newspapers; and distributing a media release.

CONCLUSION

The NAIDOC Week and Youth Grants allow Council to collaborate positively and effectively with local not-for-profit community groups and youth focused services to promote and initiate community development activities. The grants are valued by members of the community involved in the celebration of NAIDOC Week and youth activities in Eurobodalla.

15. 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.