



# **AGENDA**

**Ordinary Meeting of Council**

**22 September 2020**



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

**ON TUESDAY 22 SEPTEMBER 2020**

**COMMENCING AT 11.00AM**

**AGENDA**

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

- 1. WELCOME**
  - 2. ACKNOWLEDGEMENT OF COUNTRY**
  - 3. APOLOGIES**  
Nil
  - 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**  
2.1 Ordinary Meeting held on 8 September 2020
  - 3. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**  
(Declarations also to be made prior to discussions on each item)
- Page No.**
- 4. MAYORAL REPORTS**
  - 5. NOTICES OF MOTION**  
Nil
  - 6. QUESTIONS ON NOTICE FROM COUNCILLORS**  
Nil
  - 7. PETITIONS**  
Nil
  - 8. GENERAL MANAGER'S REPORTS**  
GMR20/026 Position of Deputy Mayor .....3  
GMR20/027 New Model Code of Conduct for local Councils in NSW and

	procedures .....	6
	GMR20/028 Disaster Recovery Update .....	10
<b>9.</b>	<b>PLANNING AND SUSTAINABILITY REPORTS</b>	
	PSR20/023 Energy Procurement .....	18
	PSR20/024 Landcare Project Proposals 2020 .....	23
<b>10.</b>	<b>INFRASTRUCTURE REPORTS</b>	
	Nil	
<b>11.</b>	<b>CORPORATE AND COMMERCIAL SERVICES REPORTS</b>	
	CCS20/031 Licence For Bike Hire Business- Narooma.....	28
	CCS20/032 Easement to Drain Water - Mulgowrie Street, Malua Bay .....	32
	CCS20/033 Neighbour Request to Purchase Adjoining Council Land - Malua Bay .....	35
	CCS20/034 Investments made as at 31 August 2020 .....	39
	CCS20/035 Plant hire panel - tender outcome.....	42
	CCS20/036 Acquisition of unnecessary road to Transport NSW Princes Highway, Dignams Creek .....	46
<b>12.</b>	<b>COMMUNITY, ARTS AND RECREATION REPORTS</b>	
	CAR20/015 Library Strategic Plan .....	49
<b>13.</b>	<b>DELEGATE REPORT</b>	
<b>14.</b>	<b>URGENT BUSINESS</b>	
<b>15.</b>	<b>DEALING WITH MATTERS IN CLOSED SESSION .....</b>	<b>52</b>
<b>16.</b>	<b>CONFIDENTIAL MATTERS</b>	

**DR CATHERINE DALE  
GENERAL MANAGER**

---

**GMR20/026 POSITION OF DEPUTY MAYOR**

**S012-T00025**

Responsible Officer: Dr Catherine Dale - General Manager

Attachments: Nil

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**

This report seeks Council's decision on whether it wishes to create the position of Deputy Mayor and if so, the term of that position and the method of voting for the position.

**RECOMMENDATION**

THAT in accordance with section 231 of the *Local Government Act 1993*:

1. Council resolve to create the position of Deputy Mayor;
2. Council determine the term of appointment for the position of Deputy Mayor be until the declaration of polls for the 2021 local government election;
3. Council determine whether the method of voting for election to the position of Deputy Mayor is to be by ordinary ballot or open voting;
4. Nominations be called for the position of Deputy Mayor and the election be conducted as determined in (3) above;
5. The result of the election be provided to the Chief Executive of the Office of Local Government, along with other councils in New South Wales.

**BACKGROUND**

For many years, Eurobodalla Shire Council has created the position of Deputy Mayor, usually for a period of one or two years. Deputy Mayors have assumed the role of Mayor on occasions when the Mayor has been absent.

On 25 September 2018, Council resolved:

*THAT in accordance with section 231 of the Local Government Act 1993 Council determine the term of appointment for the position of Deputy Mayor to be two years.*

The Minister for Local Government has published orders in the Gazette under section 318B of the *Local Government Act 1993* postponing the next ordinary local government elections in response to the COVID-19 pandemic.

On 4 August 2020, the Office of Local Government (OLG) released a circular that stated that Councils must hold an election for the position of deputy mayor if the deputy mayor's term has expired. The elected deputy mayor will continue to hold their civic offices until council elections are held on 4 September 2021.

---

**GMR20/026 POSITION OF DEPUTY MAYOR**

**S012-T00025**

**CONSIDERATIONS**

Section 231 of the *Local Government Act 1993* provides that:

- (1) *The councillors may elect a person from among their number to be the deputy mayor.*
- (2) *The person may be elected for the mayoral term or a shorter term.*
- (3) *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

[Schedule 7](#) of the *Local Government (General) Regulations 2005* outlines the process for nomination to the position of Deputy Mayor. In summary, this states:

1. The general manager (or a person appointed by the general manager) is the returning officer.
2. A councillor may be nominated without notice for election as deputy mayor.
3. The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
4. The nomination is to be delivered or sent to the returning officer.
5. The returning officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

An electronic copy of the nomination form for the position of Deputy Mayor has been provided to the Councillors.

Council must resolve the method of voting it wishes to follow for the position of Deputy Mayor, in accordance with the provisions of the *Local Government Act 1993* and *Local Government (General) Regulations 2005*. Voting is either by ordinary (secret) ballot or by open voting (show of hands).

[Schedule 7](#) of the *Local Government (General) Regulations 2005* provides details on the methods of voting.

After calling for nominations, the General Manager as returning officer will determine if an election is necessary and if so, an election will be conducted in accordance with the method adopted by Council.

**Legal**

The *Local Government Act 1993* and *Local Government (General) Regulation 2005 – Schedule 7* provide for the election of a Deputy Mayor.

**CONCLUSION**

Council is required to determine if it wishes to create the position of Deputy Mayor, and if so determine the term of the Deputy Mayor and the method of voting for the position.

---

**GMR20/026 POSITION OF DEPUTY MAYOR**

**S012-T00025**

The General Manager as returning officer will then call for nominations for the position of Deputy Mayor and conduct the ballot in accordance with the method of voting determined by Council.

---

**GMR20/027 NEW MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW  
AND PROCEDURES**

**S012-  
T00004**

Responsible Officer: Dr Catherine Dale - General Manager  
Attachments: 1. Under Separate Cover - Model Code of Conduct and Procedures  
Outcome: 8 Collaborative and Engaged Community  
Focus Area: 8.3 Work together to enhance trust, participation and community pride  
Delivery Program Link: 8.3.2 Provide advice and public relations management in response to issues  
Operational Plan Link: 8.3.2.1 Manage media and public relations issues

**EXECUTIVE SUMMARY**

The new *Model Code of Conduct for Local Councils in NSW 2020 (Conduct)* and *Procedures for the Model Code of Conduct for Local Councils in NSW 2020 (Procedures)* were prescribed under the *Local Government (General) Regulation 2005* in August 2020. They take effect from this date.

It is recommended by Office of Local Government (OLG) that councils should adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible.

Councils cannot dilute or weaken the standards prescribed in the Model Code of Conduct in their adopted code of conduct. If standards are less onerous than those prescribed under the Model Code of Conduct, they will be invalid, and the equivalent provisions of the Model Code of Conduct will override them through the operation of section 440 of the LGA.

It is recommended that Council adopt the Model Code of Conduct and Procedures in their entirety.

**RECOMMENDATION**

THAT Council adopt the *2020 Model Code of Conduct for Local Councils in NSW and Procedures for the Model Code of Conduct for Local Councils in NSW* as prescribed under the *Local Government (General Regulation 2005)* in August 2020.

**BACKGROUND**

Council adopted the *2018 Model Code of Conduct for Local Councils in NSW and Procedures for the Model Code of Conduct for Local Councils in NSW* at the Council meeting of 9 April 2019. Owing to the decision by the Supreme Court in the matter *Cornish v Secretary, Department of Planning, Industry and Environment* [2019] NSWSC 1134 the Procedures have been changed to reflect the Court's decision and a number of minor changes have been made to the Code.

On 7 August 2020, the NSW Government published new *Model Code of Conduct for Local Councils in NSW 2020* and the new *Procedures for the Model Code of Conduct for Local Councils in NSW 2020*.

The Office of Local Government (OLG) has advised that councils should adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible.



---

**GMR20/027 NEW MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW  
AND PROCEDURES**

**S012-  
T00004**

**CONSIDERATIONS**

There are several changes made in the 2020 Model Code of Conduct and Procedures.

**Amendments to the Model Code of Conduct**

- Remove as a breach, failure to comply with council resolution requiring action in relation to a code of conduct (because it is now redundant)
- Update the language used to describe the various heads of discrimination in clause 3.6 to reflect more contemporary standards
- Include in the definition of council committees (Audit Risk Improvement Committee's (ARIC)) in anticipation of the commencement of the requirement for all councils to appoint an ARIC following the next local government elections.
- Gifts and Benefits provision of the Model Code of Conduct in response to feedback from some councils relating to:
  - lift the \$50 cap on the value of gifts that may be accepted to \$100
  - clarify that items with a value of \$10 or less are not "gifts or benefits" for the purpose of the Model Code of Conduct and do not need to be disclosed
  - clarify that benefits and facilities provide by councils (as opposed to third parties) to staff and councillors are not "gifts or benefits" for the purpose of the Model Code of Conduct, and
  - remove the cap on the value of meals and refreshments that may be accepted by council officials in conjunction with the performance of their official duties.
- Councils are not obliged to amend their codes of conduct to lift the cap on the value of gifts that may be accepted if they do not wish to. It is open to councils to retain the existing \$50 cap or impose another cap that is lower than \$100 and other related provisions in Personal Benefit Section (Part 6).

**Amendments to the Procedures**

- Consistent with the Supreme Court's decision, councils now have the following options when taking disciplinary action against councillors for breaches of their codes of conduct under the new Procedures:
  - That a councillor be formally censured for the breach under Section 440G of the *Local Government Act 1993 (the Act)*, or
  - That a councillor be formally censured for a breach under Section 440G and the matter referred to the Office of Local Government (OLG) for further disciplinary action under the misconduct provisions of the Act.
- The process for censuring councillors for breaches of the code of conduct has been significantly strengthened to ensure councillors are made publicly accountable to their electors for their conduct. When censuring councillors, councils are required to specify in their resolution the grounds on which the councillor is being censured by disclosing the investigator's finding and determination and any other grounds that the council considers may be relevant or appropriate.
- Councillors may seek to avoid public censure for breaches of the code of conduct by voluntarily agreeing to undergo training or counselling, to apologise for their conduct or

---

**GMR20/027 NEW MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW  
AND PROCEDURES**

**S012-  
T00004**

to give undertakings not to repeat their conduct before the investigator finalises their report to the council. Investigators can finalise their investigations without a report to the council where they consider these to be an appropriate outcome to the matter they are investigating. However, it will remain open to investigators to finalise their report and to recommend censure where they consider this is appropriate and warranted.

- The process for referral by councils of code of conduct breaches by councillors to OLG for further disciplinary action under the misconduct provisions of the Act has been streamlined. Investigators are required to consult with OLG before recommending the referral of matters to ensure the conduct in question is sufficiently serious to warrant disciplinary action for misconduct and there is sufficient evidence of the breach to allow OLG to take further disciplinary action.
- Other amendments have been made to the Procedures to:
  - Allow panels of conduct reviewers to be appointed without a resolution of the council, and
  - Allow the referral of investigators' report to OLG for action under the misconduct provisions of the Act where the council will not have a quorum to deal with the matter.

### **Legal**

Under Section 440 of the Act, Council must adopt a code of conduct that incorporates the provisions of the *Model Code of Conduct for Local Councils in NSW* and *Procedures for the Model Code of Conduct for Local Councils in NSW* as published by the OLG.

### **Policy**

Council has a Code of Conduct policy that is an overarching document that allows the Code of Conduct to be applied not only to councilors and Council staff but Council advisory committees, reserve trusts, contractors and volunteers.

### **Community and Stakeholder Engagement**

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

OLG has advised that councils should adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible.

Councils cannot dilute or weaken the standards prescribed in the Model Code of Conduct in their adopted code of conduct. If standards are less onerous than those prescribed under the Model Code of Conduct, they will be invalid, and the equivalent provisions of the Model Code of Conduct will override them through the operation of section 440 of the LGA.

Therefore, it is not envisaged that the new 2020 Model Code of Conduct and Procedures will be placed on public exhibition.

---

**GMR20/027 NEW MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW  
AND PROCEDURES**

**S012-  
T00004**

**CONCLUSION**

The Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW have been amended in response to the decision by the Supreme Court and amendments to the Model Code of Conduct are minor in nature.

It is recommended Council adopt the *Model Code of Conduct for Local Councils in NSW* and *Procedures for the Model Code of Conduct for Local Councils in NSW*.

---

**GMR20/028 DISASTER RECOVERY UPDATE**

**S008-T00007;  
SO12-T000025**

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 and 23 June 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.

Restrictions and regulations as a result of COVID-19 continue to provide significant challenges for our community during the recovery phase. However, Council has continued to deliver modified services whilst ensuring the safety of the community and staff.

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

Council welcomed the NSW Government bushfire enquiry and its 76 recommendations, noting that more work needs to be undertaken to determine funding structures for future natural disasters.

This report provides Council and the community with an update on the action undertaken since June 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 and 23 June 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.

---

**GMR20/028 DISASTER RECOVERY UPDATE**

**S008-T00007;  
SO12-T000025**

Within Eurobodalla more than 271,000 hectares of our 343,000 hectares, or 79% 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.

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.
- 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](http://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. These can be found at <https://www.bushfirerecovery.gov.au/recovery-assistance/familiesindividuals>

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:

**GMR20/028 DISASTER RECOVERY UPDATE**

**S008-T00007;  
SO12-T000025**

<b>Payment Type</b>	<b>No. of Payments</b>	<b>\$ Paid</b>
Disaster Recovery Allowance	524	\$2.14 million
Disaster Recovery Payment	15,791	\$17.75 million
Additional Payment for Children	5,016	\$2.01 million

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

<b>Payment Type</b>	<b>No. of Payments</b>	<b>\$ Paid</b>
Concessional Loans	79	\$4.34 million
Primary Producer Grants	90	\$5.30 million
Small Business Grants (\$50,000)	310	\$8.56 million
Small Business Grants (\$10,000)	1,809	\$18.09 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.

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 will be reported through Council's Annual Report.

In early July, Council participated in the public hearing of the Australian Government Royal Commission into National Natural Disaster Arrangements (<https://naturaldisaster.royalcommission.gov.au/submissions>) and advocated for funding for the Eurobodalla Southern Water Storage and an integrated NSW emergency services agencies.

Council recently welcomed the NSW Government's 76 recommendations from its Bushfire Inquiry and will continue to advocate for increased funding for NSW emergency services agencies and facilities to ensure adequate resources are available during natural disasters.

### **Social Environment**

Council has recently employed a Community Recovery Officer, overseen by Resilience NSW and funded by both the NSW and Australian governments. Future plans include the establishment of a Health and Wellbeing subcommittee, reporting to Council's Local Recovery committee. The

---

**GMR20/028 DISASTER RECOVERY UPDATE**

**S008-T00007;  
SO12-T000025**

subcommittee will focus on areas of health, housing, mental health, community recovery and resilience, ensuring supports and activities are coordinated and relevant to our community's needs.

*Eurobodalla Recovery Helpdesk*

During COVID-19 restrictions, Council's Recovery Helpdesk assisted fire affected residents with a direct contact point to assist with enquiries. This service commenced at the closure of the Recovery Centre in late March until the Eurobodalla Bushfire Recovery Support service commenced in August 2020. During that time, more than 120 calls were received from community members.

*Eurobodalla Bushfire Recovery Support Service*

On 3 August 2020, Council opened the Eurobodalla Bushfire Recovery Support Service. This service is joint 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.

In the past month, the team have contacted and are providing ongoing support to more than 135 clients across Eurobodalla. The help provided has included: securing more comfortable and suitable temporary accommodation, enabling some residents to return to their land, emergency food vouchers, vouchers for hardware and tools, referral to specialised mental health counselling services, referral to financial counsellors and explaining information on the progress of DA applications.

The team is working closely with other government and non-government agencies with case managing clients and resolving practical issues. Council staff have also assisted with more complex issues facing bushfire affected residents such as rebuilding, trees and on-site sewerage systems.

*Eurobodalla Disaster Relief Fund*

Eurobodalla has been overwhelmed by generous donations to our fire affected residents. To date \$294,098 has been received.

*Phase 1* of the fund provided financial assistance to households significantly impacted by bushfires. 172 applications for grant funding were received for Phase 1 and Council distributed \$127,000 to affected residents.

*Phase 2* is currently open and aims to provide financial support to Eurobodalla businesses impacted by bushfires. Business chambers and community associations can apply for grants up to \$10,000 to run events or projects that help the Eurobodalla Shire's social and economic recovery and,

---

**GMR20/028 DISASTER RECOVERY UPDATE**

**S008-T00007;  
SO12-T000025**

Phase 2 grants are open until 30 September 2020 and more information is available at <https://www.esc.nsw.gov.au/inside-council/council/grants/eurobodalla-disaster-relief-fund>

At its meeting on 14 July 2020, Council allocated \$35,000 from the Australian Government Disaster Recovery Funding to deliver community sport sustainability training for local volunteer sport and recreation clubs. This funding will assist grass roots sporting clubs explore alternate revenue streams, improve financial management, committee governance, participation growth and achieve a sustainable business model.

**Natural Environment**

Council has been involved with environmental bushfire recovery efforts including supporting Landcare volunteers; WIRES and animal welfare groups; Marine Debris program; coast and estuary works; vegetation monitoring; invasive species control and environmental education.

Following rainfall, there has been a natural regeneration of the landscape and regrowth of forested areas. The restoration of ecosystems and natural areas will take significant resources to realise full recovery.

At its meeting on 14 July 2020, Council endorsed the allocation of \$1.8M in grants on projects associated with environmental bushfire recovery. A list of the projects can be found at <https://www.esc.nsw.gov.au/inside-council/council/meetings/2020/july/ordinary-council-meeting-14-july-2020/Agenda-Public.pdf>

Council, working alongside Local Lands Service, continues to provide ongoing assistance to impacted rural landowners with weed and pest management.

**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.

Council has received a total of 124 DAs, this includes modification of existing approvals, lodged for rebuild from 1 January 2020 –11 September 2020. Of the 124 applications lodged, 94 have been approved with an average turnaround time of 30.02 days.

The 94 approvals are made up of 27 outbuildings, 53 dwelling houses, 6 commercial buildings and 8 alterations. Of the 94 development applications approved, 56 have also had construction certificates determined. This is a strong indication of intention to commence rebuild.

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 is 15 and 1 complying development certificate (CDC) application.

At its meeting on 23 June 2020, Council endorsed the allocation of \$200,000 from the *Disaster Recovery Funding – Commonwealth Government, Councils Affected by Bushfires*, to assist significantly impacted ratepayers, as categorised by the NSW Government, with Development Application fees. 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



---

**GMR20/028 DISASTER RECOVERY UPDATE**

**S008-T00007;  
SO12-T000025**

the subject property during the bushfires. To date, 37 applications have been approved, with \$27,854 being reimbursed.

Council has been successful in its advocacy to the NSW Government for changes to the Biodiversity Conservation Act and Koala SEPP, to facilitate the rebuilding of homes lost in the recent bushfires. The intention is to facilitate the most efficient process possible to enable the rebuilding of homes lost to fires and to do so in a manner whereby the homes are compliant with current standards for asset protection zones (APZ), making them safer and more resilient. In many cases this will require the clearing of land around the replacement dwelling to achieve an appropriate APZ and access.

The NSW Government, through the Minister for Planning and Public Spaces, The Hon. Rob Stokes MP, has amended the Koala SEPP to facilitate the rebuilding of destroyed home and businesses. The NSW Minister for the Environment, The Hon. Matt Kean MP, has publicly stated that the NSW Government will amend biodiversity legislation to facilitate the rebuild process. The Department of Primary Industries and Environment are currently preparing the amended legislation in consultation with councils.

Council successfully collaborated with the NSW Government and Laing O'Rourke to ensure that the bushfire cleanup waste would not adversely impact Council's ability to manage waste during and after bushfire cleanup. Council successfully advocated for the Surf Beach waste management facility to be increased with a three-metre high overtop creating an additional 100,000 cubic metres of landfill, or the equivalent of four years' capacity under normal circumstances.

To date, 759 properties have been cleared equating to 67,500 tonnes of waste.

It should be noted that there is still a small amount of properties that have not been cleaned up and the NSW Government and Laing O'Rourke are working with affected property owners to arrange cleanup.

*Botanic Gardens*

On 4 July 2020, the Eurobodalla Regional Botanic Gardens officially reopened to the public after the initial cleanup, reconstruction of the access bridge and signage installed. Work continues to occur restore the natural environment and replacement of fire damaged property.

*Infrastructure*

A key focus for Council has been advocacy to the Australian and NSW governments for critical resilience strategies to be identified, funded and implemented for major infrastructure. This includes advocacy to the NSW Government for a Regional Integrated Emergency Services Precinct and fundamental changes in the emergency management arrangements in NSW.

Council has also successfully advocated for funding to address road dilapidation as a result of the bushfire residential cleanup program. This program will ensure that Council will be able to claim direct funding to address general road deterioration and accelerated reduction of asset lifespan arising from the residential bushfire waste cleared by Laing O'Rourke.

On 14 July 2020, Council endorsed the projects for the Australian Government funding under the Local Roads and Community Infrastructure Program to enable local councils to deliver

---

**GMR20/028 DISASTER RECOVERY UPDATE**

**S008-T00007;  
SO12-T000025**

priority projects with a focus on local roads and community infrastructure upgrades and maintenance. The allocation for Eurobodalla is \$1,039,292. The list of projects can be found at <https://www.esc.nsw.gov.au/inside-council/council/meetings/2020/july/ordinary-council-meeting-14-july-2020/Agenda-Public.pdf>

Four of 18 bridges have been completed including Four Gums bridge, Comans bridge, Pigeon Gully bridge and Clarksons bridge. Contracts have been completed for three more bridges with a further two bridges currently out for tender. With favourable weather, it is anticipated that 12 bridges will be rebuilt by Christmas 2020 and all 18 bridges repaired or replaced by late 2021. Council appreciates the support provided by the NSW Government to streamline the tender process to enable Council to let tenders and get the construction underway.

Council has successfully advocated for the replacement of Kennys Bridge and McGregors Creek Bridge on Araluen Road to be constructed as concrete structures. This is a fantastic outcome for the community of Deua Valley ensuring future resilience of this road network.

The Rosedale footbridge was officially opened on 24 July 2020. This rebuild enables connection between north and south Rosedale.

*Agriculture*

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

Council advocated on behalf of the Deua River Valley and Araluen fruit growers for funding under the Local Government Area's Regional Economic Development Strategy for fruit tree and farm infrastructure damaged.

Council is coordinating, along with the NSW Government and Minderoo, temporary on-farm accommodation for landowners while they rebuild. To date, 46 housing pods have been approved with 29 delivered.

*Fencing*

BlazeAid is continuing its camp at Moruya Showground. To date, over 89,000 metres of fencing has been installed in through this program.

**Economic Environment**

Council continues to work with business chambers and industry representatives to understand 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.

Eurobodalla participated in an initiative driven by Ernst and Young (EY) and the Department of Regional NSW (RNSW) to establish a *virtual business drop-in centre* in our Shire. The initiative started with EY having discussions with RNSW about delivering tailored and intensive support for communities originally affected by bushfire and in particular the small and medium sized business in the southern region. The drop-in centres provided free, tailored support needed by local businesses to help them move from the immediate bushfire response phase into a mid-term recovery phase. During the 17 weeks of the program there were over 500 interactions with separate businesses, 131 businesses were directly supported and approximately \$544K of

---

**GMR20/028 DISASTER RECOVERY UPDATE**

**S008-T00007;  
SO12-T000025**

additional funding was identified. Blending EYs skills with local knowledge on the ground is what has contributed to the success of this program.

The EY virtual business drop-in support service was so successful it was extended for an additional seven weeks during August. Whilst the program has now ended Council is anticipating it will be extended further.

Council has received funding from the Australian Government Regional Tourism Bushfire Recovery Program of \$340,000 for Narooma Oyster Festival, Tilba Festival, Eurobodalla Food Trail, Observation Point Coastal Walk, River of Art and Taste of Eurobodalla. This funding provides an opportunity to support tourism products and local events that had been impacted or cancelled as a consequence of the bushfires.

At its meeting on 23 June 2020, Council allocated \$200,000 from funding received from the Australian Governments Disaster Recovery Funding to support small to medium local businesses that have been impacted with up to \$5,000 in the 'Eurobodalla Business Resilience Grants Program' to assist with marketing, e-commerce, business expansion, business development and business based events.

**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. 53 recovery-related media releases have been distributed since 17 January, and 48 Facebook posts. An additional 17 Facebook posts relate to COVID-19.

Council's recovery webpages – [www.esc.nsw.gov.au/recovery](http://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.

A dedicated recovery newsletter has commenced 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 you 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 fourth report regarding recovery and ensures that Council is kept informed of our progress as our community rebuilds.

---

**PSR20/023 ENERGY PROCUREMENT**

**S004-T00002;  
S004-T00003**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services  
Attachments: Nil  
Outcome: 4 Sustainable Living  
Focus Area: 4.4 Work together to reduce our environmental footprint and develop a clean energy future  
Delivery Program Link: 4.4.1 Plan for and work towards reducing Council's environmental footprint  
Operational Plan Link: 4.4.1.1 Implement and review the Emissions Reduction Plan

**EXECUTIVE SUMMARY**

The purpose of this report is to advise Council that with our electricity contracts due to expire on 30 June 2021 and with energy prices currently around their lowest levels since 2015, it should be a good time to go to market.

Council has been investigating renewable energy Power Purchase Agreements (PPA) to meet the target of sourcing 100% renewable by 2030 and to reduce exposure to volatile energy prices. The PPA market has grown and matured making it possible for Council to now seek competitive offers on its own. It is timely to seek offers for renewable energy PPAs alongside standard offers and renew council's electricity contracts.

Electricity contract offers are normally only valid for short periods of time which means a standard tendering evaluation process cannot be completed. Electricity contracts have historically been approved directly by the General Manager within this short time frame. However, in the absence of a tender administered by Local Government Procurement or Procurement Australia it would be necessary for Council to provide the General Manager with delegation to negotiate and accept tenders for Council's electricity contracts. For this reason, exemption is sought under Section 155(3) (i) to allow for direct negotiation with the preferred bidder if deemed appropriate. External expertise would be engaged to advise and support this process.

**RECOMMENDATION**

THAT

1. Council notes that one or more electricity contracts will need to be entered into to address the electricity load associated with all Council electricity accounts (including small, large and streetlighting) before the current contracts expire on 30 June 2021 (Electricity Contracts);
2. Council resolves that because of extenuating circumstances a satisfactory result would not be achieved by inviting tenders for the Electricity Contracts;
3. Council notes that the reasons for Council's decision that a satisfactory result would not be achieved by inviting tenders for the Electricity Contracts are that:
  - (i) Council understands that the current market conditions are favourable for entering into contracts in the nature of the Electricity Contracts;

---

**PSR20/023 ENERGY PROCUREMENT**

**S004-T00002;  
S004-T00003**

- (ii) electricity pricing offers for contracts in the nature of the Electricity Contracts are normally only valid for a very short period; and
  - (iii) Council would not be able to enter Electricity Contracts within such short period if Council was required to first invite tenders in accordance with s55 of the *Local Government Act 1993 (NSW)*;
4. Council delegates authority for the General Manager to enter into direct negotiations with one or more preferred bidders selected from a procurement process in respect of Electricity Contracts;
  5. Council delegates authority for the General Manager to execute any resulting for Electricity Contracts with the preferred bidders; and
  6. Council be advised of the outcome of the procurement process.

**BACKGROUND**

Council adopted the 2017-2021 Emissions Reduction Plan on 13 June 2017 (Minute 17/175). This plan sets out Council's strategy to minimize the greenhouse gas emissions from Council operations. Progress to date in reducing greenhouse gas emissions has resulted in substantial savings in energy costs. The plan included a commitment by Council to source 100% renewable energy for Council facilities by 2030.

In 2018 Council received independent expert advice on options to achieve the 100% renewable energy target. A report was presented to Council on 28 August 2018 (PSR18/071) where the following Motion was moved (Minute 18/217):

*Investigate a renewable energy Power Purchase Agreement and opportunities to partner with other councils to increase the size of the electricity load to be contracted.*

Investigations were conducted into renewable energy Power Purchase Agreements (PPA) to meet the target of sourcing 100% renewable by 2030. It was also expected to reduce Council's exposure to volatile energy prices with the potential to reduce costs. On 12 February 2019, Council considered the PPA being developed by Procurement Australia (PSR19/001) and moved the following motion (Minute 19/7):

*Council commits to the Power Purchase Agreement process with Procurement Australia.*

Council joined a tendering exercise with Procurement Australia (PA) in 2019 for a renewable energy PPA. This process concluded in February 2020 and was not able to deliver a satisfactory outcome for Council at the time.

Council's existing electricity contracts are due to expire on 30 June 2021.

Historically Council always contracted electricity either with Local Government Procurement (LGP) or Procurement Australia (PA). LGP and PA are prescribed under s55 of the Local Government Act 1993 (NSW), allowing councils to utilise supply arrangements coordinated by these bodies without the need to go to tender in their own right. When electricity contracts are renewed, contract offers are typically only valid for a matter of days and are approved directly by the General Manager.

---

**PSR20/023 ENERGY PROCUREMENT**

**S004-T00002;  
S004-T00003**

**CONSIDERATIONS**

Since initial advice on PPAs and renewable energy options was considered by Council in 2018, there have been significant developments in the broader electricity market as well as the PPA market.

Electricity market trends

COVID-19 has had a dramatic impact on society as well as the electricity market. In its recent Quarterly Energy Dynamics Quarter 2 2020 report (22/07/2020) the Australian Energy Market Operator (AEMO) observed that wholesale electricity prices reduced by between 48-68% compared to the 2<sup>nd</sup> Quarter 2019, reaching their lowest levels since 2015. COVID-19 reduced overall demand in the grid slightly but drove significant price volatility in oil, Liquefied Natural Gas and thermal coal markets. Other drivers of reduced electricity prices included the easing of coal constraints at Mount Piper, increased rainfall (and hydro output), and new renewable supply. Electricity prices trading in the futures market out to 2023 are at similarly low levels.

It is uncertain how long prices will remain low and if the current market conditions will be sustained. If Council sought to renew its electricity contracts now, a significant saving on the wholesale energy component of its electricity bills may be secured. The current low wholesale electricity prices also means that the firming component of a renewable energy PPA, (the portion of the load not delivered by a contracted renewable energy generator, eg if the wind isn't blowing) will be highly competitive at the moment.

Power Purchase Agreement trends

Renewable energy Power Purchase Agreements were a relatively new product for the Australian market in 2018 when Council first considered this as an option. New developments in the PPA market include:

- Large loads (>50GWh/yr) are no longer essential to attract market interest and competitive offers. PPA contracts have been signed for ≤1GWh/yr. Council's load is ~10GWh/yr.
- Contracts can be secured more quickly with several NSW councils signing contracts within months from going to market.
- Shorter contract terms can be brokered for PPAs as low as three years.
- PPAs are becoming more common and accepted with more standardised (and quicker) contracts.

Aggregating the Council load with others remains likely to attract more market interest and competitive offers. However, it is no longer essential, with many smaller PPA contracts being executed in recent years. Based on Council's own experience and the advice provided by other consortium PPAs such as the Melbourne Renewable Energy Project, a group PPA can be a very complex and more time-consuming process with no guarantee of success.

Tendering alone for Council's electricity contracts provides council with more autonomy and flexibility in what is specified and when to tender. In the last year several other councils in NSW have been able to secure competitive pricing through long-term renewable energy PPAs.

---

**PSR20/023 ENERGY PROCUREMENT**

**S004-T00002;  
S004-T00003**

Council should be able to seek and compare offers for both standard and renewable energy PPAs through a tendering exercise. External expertise would be engaged to advise and support this process.

**Legal**

Procurement exercises greater than \$250,000 in value typically requires a detailed tendering process and Council approval. Exceptions may be made where the process or supplier has been managed or approved by Local Government Procurement (LGP) or Procurement Australia (PA).

In addition, Section 55 (3) (i) of the Local Government Act 1993 states:

*A contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.*

Extenuating circumstances

Due to the volatile and changing nature of the electricity market, electricity pricing offers are often valid for only a matter of days. In this context this makes it difficult to conduct a normal tendering exercise with a standard evaluation period, council briefing and resolution process on tender responses. Allowing for a 14-day evaluation period and Council briefing and resolution deadlines, this may take six weeks. Offers for electricity pricing would not remain valid for this length of time. It is recommended for Council to provide the General Manager with delegation to negotiate and accept tenders for Council's electricity contracts. This has not been required in the past when electricity tenders were managed by Local Government Procurement or Procurement Australia but will be necessary if Council intends to manage this process independently.

**Policy**

The 2017-21 Emissions Reduction Plan was adopted by Council (Minute 17/175) on 13 June 2017 and includes the target to source 100% renewable energy for council assets by 2030.

The proposal has been given thorough consideration under Section 55 of the Local Government Act 1993 and Council's Procurement Policy.

**Environmental**

Council's goal of sourcing 100% renewable energy has the potential to make a significant impact on reducing greenhouse gas emissions. Council can make qualified claims that it is sourcing renewable energy and supporting the renewables industry.

**Financial**

Renewing Council's electricity contracts in the current market conditions is likely to deliver a favourable financial outcome compared to the current contract rates.

A PPA can also achieve investment certainty, more effectively manage market risk, and deliver financial rewards. A long term contract would mitigate the risks of being exposed to future energy pricing volatility and make energy budgeting more predictable.

---

**PSR20/023 ENERGY PROCUREMENT**

**S004-T00002;  
S004-T00003**

**CONCLUSION**

Renewing Council's electricity contracts in the current market conditions is likely to deliver a favourable outcome for council. Independent expertise should be engaged to support the decision making and tendering process. Seeking market prices and options for both standard offers and renewable energy PPAs will enable comparison of options and assist in making a well-informed decision.

Council has undertaken reasonable steps to determine the most suitable method for electricity contracting. Due to extenuating circumstances specific to electricity contracting a public tender process would not be suitable on this occasion. For this reason, exemption is sought under Section 155(3) (i) to allow for direct negotiation with the preferred bidder if deemed appropriate.



---

**PSR20/024 LANDCARE PROJECT PROPOSALS 2020**

**S010-T00028**

Responsible Officer: Lindsay Usher - Director, Planning and Sustainability Services  
Attachments: 1. Nelligen Landcare  
Outcome: 3 Protected and Valued Natural Environment  
Focus Area: 3.2 Value, protect and enhance our natural environment and assets  
Delivery Program Link: 3.2.2 Work in partnership to provide natural resource management  
Operational Plan Link: 3.2.2.1 Assist Landcare and community groups and projects

**EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's endorsement for two new Landcare projects/works.

New projects must be approved by Council and every five years Council's re-approval is sought for existing Landcare projects to ensure that works being undertaken, align with Council's plans and programs, and relevant legislation.

Funding to assist Landcare groups to undertake their work is procured from external grants.

**RECOMMENDATION**

THAT Council

1. Receive and note the report titled Landcare Project Proposals 2020.
2. Endorse the Nelligen Landcare project.
3. Endorse the Tuross Rivercare project.

**BACKGROUND**

Eurobodalla Landcare groups operate in a diverse range of areas throughout our Shire and they work across all land tenure. Works include weed control, revegetation, erosion control, Indian Myna Bird control, community education and general maintenance of public assets and reserves. During 2020, groups have also contributed to fire recovery by assisting with wildlife water and food stations, nest box construction and regeneration monitoring.

In 2019-2020 Landcare groups undertook 6,722 hours of volunteer work which equates to \$268,880 of labour (as reported 14 July 2020, PSR20/011).

The network and groups are coordinated by the part time Landcare Coordinator who is employed by Council with external grant funding.

Approximately 90% of Landcare work occurs on Council land. Council must ensure that works are aligned with legislation, and Council's plans and programs. They are carried out in compliance with Work, Health and Safety (WHS) procedures and an internal approval process is conducted which ensures that the works meet the requirements and that constraints have been considered.

Landcare projects are approved through the Landcare Project Proposal process and reported to Council as required for new projects with existing projects reapproved by Council every five years.

---

**PSR20/024 LANDCARE PROJECT PROPOSALS 2020**

**S010-  
T00028**

Two new Landcare projects have been proposed, both involving the formation of new groups in Nelligen and the Tuross River.

**CONSIDERATIONS**

New project proposals are accepted at any time. The process for approval is:

1. The Landcare Group develops the project proposal with assistance from the Landcare Coordinator, who undertakes a pre-project checklist and risk assessment to ensure it meets Council requirements and fulfils Council priorities.
2. The proposal is submitted to Council and is reviewed by relevant officers in Infrastructure Services (Maintenance; Parks and Gardens; Technical Services, and Water and Sewer) and Property to assess against the Native Title Act and Environmental Services.
3. The Project Proposal is signed off once it meets the requirements of each section.
4. New projects are reported to Council for endorsement.

Council mapping overlays are updated to show current Landcare approved works which can be accessed by all sections of Council.

**Legal**

All projects will be conducted in compliance with the relevant legislation and legal responsibility of Council, and affected land managers/owners.

For works on private property, volunteers are covered by independent insurance through the Eurobodalla Landcare Network Inc. (INC1700254) as well as adhering to the Eurobodalla Landcare Network project activity register and obtaining the landholder's written consent for the works.

Volunteers working on Council endorsed projects on public land are covered by Council's insurance. Volunteers undertake inductions and WHS obligations and are assisted by the Landcare Coordinator.

**Environmental**

Landcare groups work with Council staff, contractors, other agencies and independently to tackle environmental issues in their local area. Each group is managed by a local group Coordinator with active groups in the following suburbs: Broulee/Mossy Point, Budd Island, Burra Creek (private property PP), Burrawang (PP), Catalina, Congo, Dalmeny, Deua Rivercare (predominately PP), Guerilla Bay, Indian Myna control group (PP), Lilli Pilli/Malua Bay, Long Beach, McKenzies Beach, Mosquito Bay, Mystery Bay, Narooma Little Lake, Narooma Bill Smythe, Rosedale, South Durras, Surf Beach, Surfside, Tilba, Tomakin and Tuross.

There are two new project proposals seeking council endorsement:

1. Nelligen Landcare project

Community members have come together after the bushfires with a willingness to maintain and enhance the remaining intact urban bushland reserves of Nelligen. Nelligen is the gateway to the shire from the Canberra region and the group wish to enhance the

---

**PSR20/024 LANDCARE PROJECT PROPOSALS 2020**

**S010-  
T00028**

public reserves in Nelligen through weed control, litter collection and general beautification.

The group are seeking Council endorsement to work on the mapped reserves, see attachment.

Sites are: Lot 2 DP1237119; Lot 118 DP238007; Lot 117 DP238007; Lot 2 DP1139661; Lot 10 Sec 9 DP758762; Lot 1 Sec 9 DP758762; Lot 2 Sec 9 DP758762; Lot 145 DP726765.

2. Tuross Rivercare project

Residents of the Tuross Valley have come together to form a new Landcare group in response to the bushfires. The objective of the group is to share knowledge and resources for weed control and land restoration on their properties and adjoining waterways that have been bushfire affected. The works will be conducted primarily on private lands with landholder consent.

The Eurobodalla Landcare Coordinator and council staff have met with the group and introduced them to the various grant funded programs and land management advice that can assist landholders in their bushfire recovery efforts.

Ongoing working bees and communications via an email group will keep the landholders connected and informed on land management matters.

The Landcare groups will be supported by the Eurobodalla Landcare Coordinator and other Council officers delivering specific projects in the Tuross Valley

**Asset**

The Eurobodalla community value the environment and enhancement of the natural assets. The Landcare projects continue to maintain the natural assets on Council managed lands and significantly reduces the maintenance costs to Council for managing these assets and reduces the environmental impacts from other land tenure.

**Social Impact**

Landcare provides opportunities for residents and visitors of all abilities to get involved and volunteers report that it is a great source of fitness, socialising and giving back to the community.

The Nelligen Landcare and Tuross Rivercare groups will allow landholders to connect over a shared focus in land restoration after the bushfires.

**Economic Development Employment Potential**

Where works fall outside the capability of volunteers or to complement and enhance Landcare projects, grants are sought. These grants allow for engagement of bush regeneration contractors, nursery suppliers, consultant botanists or other specialised services, tree management services and caterers from local providers as available.

Council's recently secured grants for bushfire recovery will assist the groups with their weed control and erosion control activities in bushfire impacted reserves and properties.

---

**PSR20/024 LANDCARE PROJECT PROPOSALS 2020**

**S010-  
T00028**

**Financial**

The Eurobodalla Landcare Coordinator is currently grant funded through the Local Land Services. Current funding allows employment of a coordinator for 10 hours per week.

The proposed works will be undertaken by volunteers with assistance from grant funds when available.

**Community and Stakeholder Engagement**

Landcare proposals are submitted with engagement of Landcare volunteers and Eurobodalla Landcare Network meetings.

All residents are welcome to be involved with Landcare and more information can be found on Council's [Landcare](#) page and on the NSW Landcare Gateway with group Coordinator contact details [members-listing](#).


**CONCLUSION**

The Nelligen Landcare group and the Tuross Rivercare group are seeking Council's endorsement to undertake environmental works on Council land. The Landcare projects proposed will extend the area managed by Landcare volunteers thereby assisting Council with implementing natural resource management in Eurobodalla Shire and provide benefits to the volunteers and wider community.

Council's internal approval process has been completed with input from the relevant sections to ensure that these proposals meet the requirements of legislation and Council's plans and programs and site constraints have been considered.

All Landcare activities will occur within the COVID-19 restrictions and with consideration of the bushfire and flood impacts in the Eurobodalla.



	<p><b>Nelligen Landcare - proposed areas of work, weed control</b></p>	<p>Printed By Emma Patyus On 24/08/2020</p>	
<p>This information is released by Eurobodalla Shire Council on the condition that the recipient of this document, or the reader of it, acknowledges that should they rely on any aspect of this document, they do so at their own risk and release Eurobodalla Shire Council of all liability and responsibility for any errors, omissions or inaccuracies contained within or arising from this information. This diagram has been compiled on the best available information, but can only be taken as a guide. Exact location should be physically determined on site.</p>		<p>Scale 1:2743 at A4</p>	

---

**CCS20/031 LICENCE FOR BIKE HIRE BUSINESS- NAROOMA**

**S023-T00017**

Responsible Officer: Amanda Jones - Acting Director Corporate and Commercial 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**

Southbound Escapes have requested a licence to operate a mobile bike hire business within Crown Reserve 85364, Lot 7318 DP 1166668 in Narooma.

This is a Crown Reserve 85364 being Quota Park on Riverside Drive and is under the management of Council as Crown Land Manager.

Public notice has been given and no submissions have been received.

It is considered reasonable and appropriate that Southbound Escapes be granted a licence for 12 months and further renewals upon successful completion of an initial licence period.

**RECOMMENDATION**

THAT:

1. The General Manager be given delegated authority to grant an initial one-year licence to Southbound Escapes to operate a bike hire business within Crown Reserve 85364 at Quota Park, Narooma, with terms and conditions in line with similar licences including but not limited to;
  - a. The licence fee be in line with similar licences
  - 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.
  
2. The General Manager be given delegated authority to negotiate further licences.

**BACKGROUND**

Southbound Escapes primarily provides recreational activities for the enjoyment of locals and tourists. Southbound Escapes' bike hire business will provide another recreational activity in the area to be enjoyed by visitors and locals alike.

The bikes will be stored in a trailer, patrons set up with their bike within the licence area. Customers then can ride on the cycle path along the adjoining footpath through the surrounding Narooma area.

**CCS20/031 LICENCE FOR BIKE HIRE BUSINESS- NAROOMA**

**S023-T00017**

At days end, all equipment and any waste are removed from the site.

**CONSIDERATIONS**

Southbound Escapes has requested a 12 month licence be granted to operate its bike hire business within Crown Reserve 85364, Narooma.

The proposed licence area is shown in the sketches below.



CCS20/031 LICENCE FOR BIKE HIRE BUSINESS- NAROOMA

S023-T00017



### Legal

Crown Reserve 85364, Narooma, is under the management of Council as Crown Land Manager. Under the *Crown Land Management Act 2016*, Council can grant new licenses for a period of 12 months 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](http://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.



---

**CCS20/031 LICENCE FOR BIKE HIRE BUSINESS- NAROOMA**

**S023-T00017**

**Policy**

In line with the provisions of Council's Code of Practice - *Licensing of Council controlled Public Reserves and Associated Buildings*, an EOI was advertised in February 2020 for parties interested in seeking a licence for periods up to 5 years to use any Council owned or controlled public reserves. No other party expressed an interest in using the same part of the reserve.

[www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licensing-of-councilcontrolled-public-reserves-and-associated-buildings-code-of-practice.pdf](http://www.esc.nsw.gov.au/inside-council/council/council-policies/codes/Licensing-of-councilcontrolled-public-reserves-and-associated-buildings-code-of-practice.pdf)

**Environmental**

Southbound Escapes would not have any undue impact on other users of the reserves. In issuing this licence, Council is supporting environmentally sustainable business.

**Asset**

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

**Social Impact**

Southbound Escapes provides additional recreational activity to be enjoyed by locals and visitors.

**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**

It is considered appropriate the licence fee be in line with similar licenses (currently \$1242.00 plus GST increased annually by CPI).

**Community and Stakeholder Engagement**

An EOI was called from interested parties wishing to conduct activities on council controlled public reserves for a period of up to five years. No other party expressed an interest in using the same part of the reserve.

In accordance with section 47A of the *Local Government Act 1993* and *Council's Community Engagement Framework* the intention to grant a 12 month licence to Southbound Escapes within Crown Reserve 85364 Narooma was publicly notified for 28 days and no submissions were received.

**CONCLUSION**

Southbound Escapes has advised its interest in obtaining a licence to operate a bike hire business from Crown Reserve 85364, Narooma within Quota Park. The business would provide an additional sustainable recreation activity for locals and tourists alike.

It is considered reasonable and appropriate for Council to support Southbound Escapes by granting a 12 month licence with renewals considered on successful completion of initial term.

---

**CCS20/032 EASEMENT TO DRAIN WATER - MULGOWRIE STREET,  
MALUA BAY**

**S023-T00001  
LAND ID: 3748**

Responsible Officer: Amanda Jones - Acting Director Corporate and Commercial Services

Attachments: 1. Confidential - Landowners of Lot 1088 DP 236653 Mulgowrie Street Malua Bay

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: 9.2.2.2 Facilitate property sales and development

**EXECUTIVE SUMMARY**

As part of Council's Urban Stormwater Renewal Program, Mulgowrie Street Malua Bay has been identified for renewal and upgrade.

The project will upgrade the efficiency and capacity of the urban stormwater drainage system to assist with issues currently being experienced by residents during heavy rainfall events.

The proposed works necessitate creating an easement over Lot 1088 DP 236653 to drain water. The owners of Lot 1088 have agreed to the easement and associated works and for a valuation to be undertaken to determine compensation.

**RECOMMENDATION**

THAT:

1. Consent be given for the creation of an easement to drain water within Lot 1088 DP 236653,
2. All costs including Council's reasonable legal and valuation costs associated with the creation of the easement be borne by Council,
3. Compensation for the easement be determined following a valuation by a registered valuer,
4. Authority be given to affix the Common Seal of Council, if required, to the necessary documentation associated with the easement.

**BACKGROUND**

The stormwater drainage works are to be completed within the 2020/21 financial year. The project involves installation of drainage pipes and pits. The drainage infrastructure is to be installed within the 2 metre easement along the eastern edge of the property. As part of the proposed pipe installation, some clearing of vegetation will be required.

The proposed works necessitate creating an easement over Lot 1088 DP 236653 to drain water. An easement to the south of the adjoining property has previously been created for the works.

The details of the landowners of Lot 1088 DP 236653 are set out in the confidential attachment.

**CCS20/032 EASEMENT TO DRAIN WATER - MULGOWRIE STREET,  
MALUA BAY**

**S023-T00001  
LAND ID: 3748**

### CONSIDERATIONS

The location of the proposed easement is shown on the sketch below.



*Lot 1088 DP 236653 Mulgowrie Street – Site of proposed easement*

### Legal

The proposed works necessitate creating an easement over Lot 1088 DP 236653 giving Council the legal means to construct and maintain the stormwater infrastructure.

The acquisition of an interest in land for easement purposes is in accordance with *Local Government Act 1993 Section 186 (1)*.

[http://www8.austlii.edu.au/cgi-in/viewdoc/au/legis/nsw/consol\\_act/lga1993182/s186.html](http://www8.austlii.edu.au/cgi-in/viewdoc/au/legis/nsw/consol_act/lga1993182/s186.html)

---

**CCS20/032 EASEMENT TO DRAIN WATER - MULGOWRIE STREET,  
MALUA BAY**

**S023-T00001  
LAND ID: 3748**

### **Policy**

The acquisition of easement for drainage purposes will proceed in accordance with Council's Land Acquisition and Disposal Policy.

<http://www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Land-Acquisition-and-Disposal-Policy.pdf>

### **Asset**

The installation of the drainage pipes and pits will upgrade the efficiency of the stormwater drainage system during heavy rainfall.

### **Financial**

Compensation for the easement will be determined following a valuation by a registered valuer in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*. In addition to the compensation, Council will be responsible for costs associated with the acquisition including survey and legal fees, and the landowners' reasonable legal costs.

### **Community and Stakeholder Engagement**

Council has written to the landowner regarding the proposed drainage easement and have received agreement to the easement and associated works.

### **CONCLUSION**

The proposed Stormwater Renewal Program at Mulgowrie Street Malua Bay necessitates creating an easement over Lot 1088 DP 236653 to drain water. The project will upgrade the efficiency of drainage system to assist with issues experienced by residents during heavy rainfall in the area.

---

**CCS20/033 NEIGHBOUR REQUEST TO PURCHASE ADJOINING COUNCIL  
LAND - MALUA BAY**

**S023-T00014  
LAND ID 17588**

Responsible Officer: Amanda Jones - Acting Director Corporate and Commercial Services

Attachments: 1. Confidential - Landowner details Lot 6 DP 819973 Malua Bay

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: 9.2.2.2 Facilitate property sales and development

### **EXECUTIVE SUMMARY**

A small section of Lot 574 as indicated on the map below has been reclassified to operational land for the purpose of sale to an adjoining landowner. This reclassification was carried out following a request from an adjoining owner.

Following extensive community consultation, Council resolved that part Lot 574 be reclassified as operational land. This reclassification was finalised in July 2020 as part of the *Eurobodalla Environmental Plan 2012 (Amendment No.17)*.

There is minimal vegetation on the land and no known community use of this small area.

The bulk of Lot 574 remains Council community land.

In accordance with Council's Property Strategy it is appropriate for this land to be sold.

### **RECOMMENDATION**

THAT:

1. Council take all actions necessary to complete the sale of part Lot 574 DP 32008 in accordance with Council's Land Acquisition and Disposal Policy.
2. The General Manager be given delegated authority to negotiate the sale of part Lot 574 DP 32008 for an amount not less than 10% below market value determined by a registered valuer.
3. Consent be given to affix the Common Seal of Council, if required, to all necessary documents associated with the subdivision, transfer and sale of the subject property.

### **BACKGROUND**

Lot 574 DP 32008 Tallawang Avenue Malua Bay is Council community land. Part of Lot 574 being approximately 120m<sup>2</sup> has been reclassified to operational land for the purpose of sale to an adjoining landowner. This reclassification was carried out following a request from an adjoining owner. The reclassification normalises the lot shape, prevents landlock of the area by boundary fencing and transfers responsibility for the ongoing maintenance of the small triangle of land. The landowner proposes to landscape the area and erect a fence.

**CCS20/033 NEIGHBOUR REQUEST TO PURCHASE ADJOINING COUNCIL  
LAND - MALUA BAY**

**S023-T00014  
LAND ID 17588**

Council determines which land holdings are suitable for potential reclassification and sale following extensive evaluation. Following community consultation, Council resolved that part Lot 574 DP 32008 be reclassified to operational land which has now been finalised by the gazettal of LEP 2012 (Amendment No. 17).

The subdivision of Lot 547 DP 32008 and consolidation of the reclassified land with Lot 6 DP 819973 will be assessed as an exempt and complying boundary adjustment under the *State Environmental Planning Policy* (SEPP).

**CONSIDERATIONS**

Part Lot 574 DP 32008 – reclassified section outlined in yellow



**CCS20/033 NEIGHBOUR REQUEST TO PURCHASE ADJOINING COUNCIL  
LAND - MALUA BAY**

**S023-T00014  
LAND ID 17588**

Part Lot 574 DP 32008 proposed land to be sold outlined in yellow  
and adjoining Lot 6 DP819973



### **Legal**

The land proposed to be sold has been reclassified as operational land and as such there is no impediment to its sale. The land will be consolidated with the adjoining residential lot on sale of the land.

The landowner of the adjoining property will, following transfer of the land, consolidate part Lot 574 DP 32008 with Lot 6 DP819973.

### **Policy**

All actions in respect of the sale of this land will be in accordance with Council's *Land Acquisition and Disposal Policy*.

<https://www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Land-Acquisition-and-Disposal-Policy.pdf>

### **Financial**

The sale price be determined following receipt of a valuation report from a registered valuer.

---

**CCS20/033 NEIGHBOUR REQUEST TO PURCHASE ADJOINING COUNCIL  
LAND - MALUA BAY**

**S023-T00014  
LAND ID 17588**

**Community and Stakeholder Engagement**

Public consultation was undertaken as part of the reclassification. There are two neighbours adjoining part Lot 574 DP 32008 Tallawang Avenue Malua Bay who have been contacted. The neighbour who originated the request has reaffirmed their interest in purchasing the land.

The other adjoining owner has confirmed in writing they are not interested in purchasing the land and have no objection to it being sold to the other party.

There is no legal requirement to advise the community through public notice, or to or seek feedback through public exhibition for land dealings within operational land.

**CONCLUSION**

Part Lot 574 DP 32008 Tallawang Avenue Malua Bay has been reclassified as operational land and is able to be sold in accordance with Council's *Land Acquisition and Disposal Policy*. The residue of Lot 574 will remain as Council community land.



**CCS20/034 INVESTMENTS MADE AS AT 31 AUGUST 2020**

**S011-T00006,  
S012-T00025**

Responsible Officer: Scott Westbury - Chief Financial Officer  
Attachments: Nil  
Outcome: Innovative and Proactive Leadership  
Focus Area: 9.2 Ensure financial sustainability and support the organisation in achieving efficient ongoing operations  
Delivery Program Link: 9.2.4 Responsibly manage Council’s finances and maintain Fit for the Future status  
Operational Plan Link: 9.2.4.3 Provide financial management and reporting

**EXECUTIVE SUMMARY**

The purpose of this report is to:

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

**RECOMMENDATION**

THAT the certification that the investments as at 31 August 2020, 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.

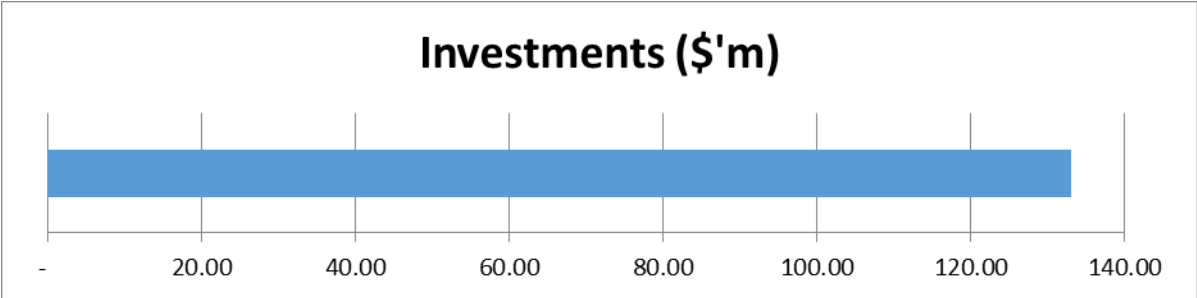
**CONSIDERATIONS**

**Policy**

The portfolio is compliant with Council’s Investment Policy adopted by Council on 31 July 2018 (Minute 18/182).

**Financial**

Council investing overall



**CCS20/034 INVESTMENTS MADE AS AT 31 AUGUST 2020**

**S011-T00006,  
S012-T00025**

Council has \$133.05M (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 \$4.0M during August 2020 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 27.47% invested in BBB+. Investment in Government Guaranteed Deposits is \$1.50M and represents 1.16% of the portfolio.

There are \$52M (39.08%) of funds invested in claimed fossil fuel free institutions.

The weighted average return for all investments for the month is 1.20%, which is above the Council policy benchmark of Bank Bill Swap rate (BBSW) + 0.25% (0.35%).

Summary investment information

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

<b>CATEGORY</b>	<b>(\$)</b>
At Call Deposit	11,030,571
Term Deposits	120,520,342
Term Deposits Government Guaranteed	1,500,000
	<b>133,050,913</b>
<i>Weighted average interest %:</i>	1.20%
<i>Average 90 day BBSW + 0.25%</i>	0.35%

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.

---

**CCS20/034 INVESTMENTS MADE AS AT 31 AUGUST 2020**

**S011-T00006,  
S012-T00025**

<b>Policy risk</b>	<b>Low liquidity risk %</b>	<b>Total % of investments</b>	<b>Policy risk % (max holdings)</b>
<b>Remote risk</b>	1.13	1.13	100.00
<b>Near risk free</b>	71.44	71.44	100.00
<b>Some limited risk (BBB+)</b>	27.43	27.43	30.00
<b>Grand total</b>	<b>100.00</b>	<b>100.00</b>	

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 2019 is 1.96:1. Council therefore has approximately \$1.96 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.

---

**CCS20/035 PLANT HIRE PANEL - TENDER OUTCOME**

**S022-T00003;  
S022-T00004**

Responsible Officer: Amanda Jones - Acting Director Corporate and Commercial Services  
Attachments: 1. Confidential - Plant Hire Panel - Tender submissions  
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: 9.2.3 Provide administrative, technical and trade services to support the organisation  
Operational Plan Link: 9.2.3.3 Manage fleet and procurement services

**EXECUTIVE SUMMARY**

Request for Tender (RFT) No. 2020/CCD007 was advertised on 10 March 2020 for the purpose of establishing Council's Plant Hire Panel for the period 1 July 2020 to 30 June 2022, with an option to extend the arrangement for a further 12 months. Due to the COVID-19 pandemic, a revised commencement of 1 October 2020 is now proposed. This report outlines the associated evaluation process and will inform Council resolution of the resultant panel arrangement.

**RECOMMENDATION**

THAT:

1. Council endorse the proposed panel composition Request for Tender (RFT) No. 2020/CCD007 within the Confidential Attachment to this report.
2. Accordingly approve the entering-into of Deeds of Standing Offer with the proposed panellists, subject to the terms specified in the RFT No. 2020/CCD007.

**BACKGROUND**

Council establishes a Plant, Machinery and Truck hire panel every 2 years to maximise competitiveness, reduce hire administration and holistically manage contractor WHS and other risks associated with construction and other Council works activities.

The current panel is due to expire on 30 September 2020 having been extended by three months, in accordance with its extension clause due to the COVID-19 pandemic.

In order to further reduce administration for all parties an option to extend the panel by a further 12 months (three years in total), with a price refresh point and ability to take on new providers has been built into the proposed arrangement.

A total of 90 offers were received in response to the Request for Tender which was the largest field on record (previously exercise received 73) and indicative of growing confidence in this local industry category.

**CCS20/035 PLANT HIRE PANEL - TENDER OUTCOME**

**S022-T00003;  
S022-T00004**

Offers were received from:

52nd Earthworx & Haulage Pty Ltd	Emery Excavations Pty Ltd	Nicol Contracting Pty Ltd
Allcott Hire Pty Ltd	Eurobodalla Coast Pumpouts	NJ & SC Nasser
APF Civil Pty Ltd	Eurobodalla Tippers and Tankers	Patrick Jeffrey Transport
A-Plant Equipment	Eurobodalla Weed Control	Porter Excavations Pty Ltd
Armpell Civil Works	Eurocoast Water	Purely Water South Coast
Australian Regional Investments Pty Ltd	Fether P Constructions	RD Miller Specialised Earthworks
Avijohn Contracting Pty Ltd	GCM Enviro Pty Ltd	RJ & JE Shepherd Pty Ltd
AW Dummett Pty Ltd	George Clulee Earthmoving	Rollers Australia Pty Ltd
Batemans Bay Crane Hire	Glen Johnson Backhoe and Tipper Hire	S & K Brown
Batemans Bay Excavations	GMA Environmental Services Limited	Sapphire Waste Services
Batemans Bay Sand and Gravel	Grassit Pty Ltd	Sea to Summit Drilling Pty Ltd
Bay & Coast Plumbing	Greenlands Garden Centre	Shepherd Contractors
Bay Removals	Hunternet	SJ & MA Ziegler
BCJ Global Investments Pty Ltd	Hydra-Wash Pty Ltd	Smithies Excavations and Concreting Pty Ltd
Beno Excavations Pty Ltd	Jason Sirl Excavations Pty Ltd	Southern Infrastructure and Hire
Brooks Hire Service Pty Ltd	JB & CL Gauslaa	Stabilco Pty Ltd
Brown Building Services	JTD's Tilt Tray Hire	STOK Marine
Bussa Earthmoving Pty Ltd	Kelton Rentals	Suez Recycling and Recovery
BW & AJ Omeley	Kennards Hire Pty Ltd	T & G Equip
CCH South Coast Pty Ltd	Kerin Kay Transport Pty Ltd	Tablelands Explosives Pty Ltd
CJ Murphy Tree Recycling Services	Kerry Reid Earthmoving	The Handiest Man
Coates Hire Operations Pty Ltd	Louis Geraets Pty Ltd	The Mining Pty Ltd
Conplant Pty Ltd	MAC Haulage Pty Ltd	Tilba Tippers & Tankers
Constable's Earthmoving	Millikin Earthworx	TJ Concrete & Excavations
Cutting Edge Plant	Moons Bobcat Service	Total Drain Cleaning Services Pty Ltd
D & A Excavations & Haulage	Moruya Tilt & Tow	Universal Mobile Tower Hire
Dambrosio Pipelayers	Narooma Bobcat Contractors	Wayne Coppin Earthmoving Pty Ltd
Denrith Pty Ltd	Narooma Cranes P/L	Webber Earthmoving
Drew's Excavations	Narooma Sand Soil and Gravel	Welsh's Tipper and Tanker Hire
DWL Holdings	Narooma Water Cartage	
Emery Excavations	NGB Earthmoving Pty Ltd	

---

**CCS20/035 PLANT HIRE PANEL - TENDER OUTCOME**

**S022-T00003;  
S022-T00004**

**CONSIDERATIONS**

**Legal**

RFT No. 2020/CCD007 was advertised in accordance with *Local Government (General) Regulation 2005 REG 167* and the *Local Government Act 1993*.

The tender was advertised on Council's noticeboard page in two local newspapers, in the Sydney Morning Herald and at Council's Tenderlink web portal [www.tenderlink.com/eurobodalla](http://www.tenderlink.com/eurobodalla)

A Tender Evaluation Plan (TEP) was distributed amongst the Tender Evaluation Committee (TEC) prior to tenders being un-encrypted and opened.

An assessment was carried out in accordance with the Tender Evaluation Plan. This report with a Confidential Attachment details the preferred tenderer determination and assessment rationale.

**Policy**

The tendering activity and associated evaluation for which this tender applies has been administered in compliance with Section 55 of the *Local Government Act 1993*, The *Local Government (General) Regulation*, Tendering Guidelines for NSW Local Government and Council's Procurement Policy/Codes of Practice.

**Environmental**

All contractors are required to undertake works in accordance with the directions of Council's associated works teams with consideration of Environmental Factors.

**Economic Development Employment Potential**

Council's use of external hire to supplement its construction and maintenance capability provides considerable opportunity for local economic development. In an industry where geographic location is a significant factor in price competitiveness (e.g. cost of equipment transport), local providers have a natural advantage.

**Financial**

As the proposed arrangement is a panel under which contracts are raised from a variety of areas within Council, funding of the associated works will be specific to the related project or maintenance programs.

**Community and Stakeholder Engagement**

Council's Fleet and Procurement team continue to consult with local industry to improve confidence in Council's external plant hire system, increase the administrative capability for local suppliers to respond to tenders and build healthy competition. This has occurred through a process of capturing lessons learned, holding industry briefs and continuously improving Council's solicitation methods and business practices.

---

**CCS20/035 PLANT HIRE PANEL - TENDER OUTCOME**

**S022-T00003;  
S022-T00004**

**CONCLUSION**

The tender process has been conducted in accordance with mandatory Council and Local Government requirements and the panel composition has been assessed, through an extensive evaluation process.

Despite the challenges of early to mid-2020, Council has achieved an unprecedented level of participation (including local participation) in its proposed plant hire panel. Subject to the Council resolution, deeds of standing offer will be entered into with conforming bidders who will be engaged subject to value for money assessments for each plant hire requirement procured under the panel.

---

**CCS20/036 ACQUISITION OF UNNECESSARY ROAD TO TRANSPORT NSW S023-T00023**  
**PRINCES HIGHWAY, DIGNAMS CREEK**

Responsible Officer: Amanda Jones - Acting Director Corporate and Commercial 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: 9.2.2.2 Facilitate property sales and development

### **EXECUTIVE SUMMARY**

Transport NSW have completed the works on the highway at Dignams Creek as part of the Princes Highway upgrade. The new section of highway was opened 4 April 2019.

The highway upgrade included realignment of part of the highway through Dignams Creek, requiring the acquisition of private land by Transport NSW.

Transport NSW has now advised that part of the existing road reserve is not required due to the realignment creating unnecessary Council road reserve.

As part of the finalisation of the upgrade project, the unnecessary road reserve is to be compulsorily acquired from Council by Transport NSW and Council concurrence is sought.

### **RECOMMENDATION**

THAT:

1. Council consent to Transport NSW acquiring part Princes Highway no longer required being road reserve adjacent to Lot 246 DP 752155 Dignams Creek by compulsory process from Council in accordance with the *Roads Act 1993* and the *Land Acquisition (Just Terms Compensation) Act 1991*,
2. Consent be given to affix the Common Seal of Council, if required, to all necessary documents associated with the acquisition.

### **BACKGROUND**

In 2013 Transport NSW (formerly Roads and Maritime Services) confirmed that following all required investigations and submissions received (and responded to) from the community and various government agencies; including Council, that the Princes Highway upgrade at Dignams Creek would proceed.

The upgrade included realignment and upgrade of the Princes Highway from about 1.5 kilometres north of the Dignams Creek Road intersection to around 2.2 kilometres south of the intersection.

Work commenced in March 2017 and the new section of highway was opened on 4 April 2019.

The upgrade is now complete and the unnecessary road reserve is to be acquired by Transport NSW. The area of acquisition is shown by blue hatch in the sketch below. The 5930m<sup>2</sup> northern

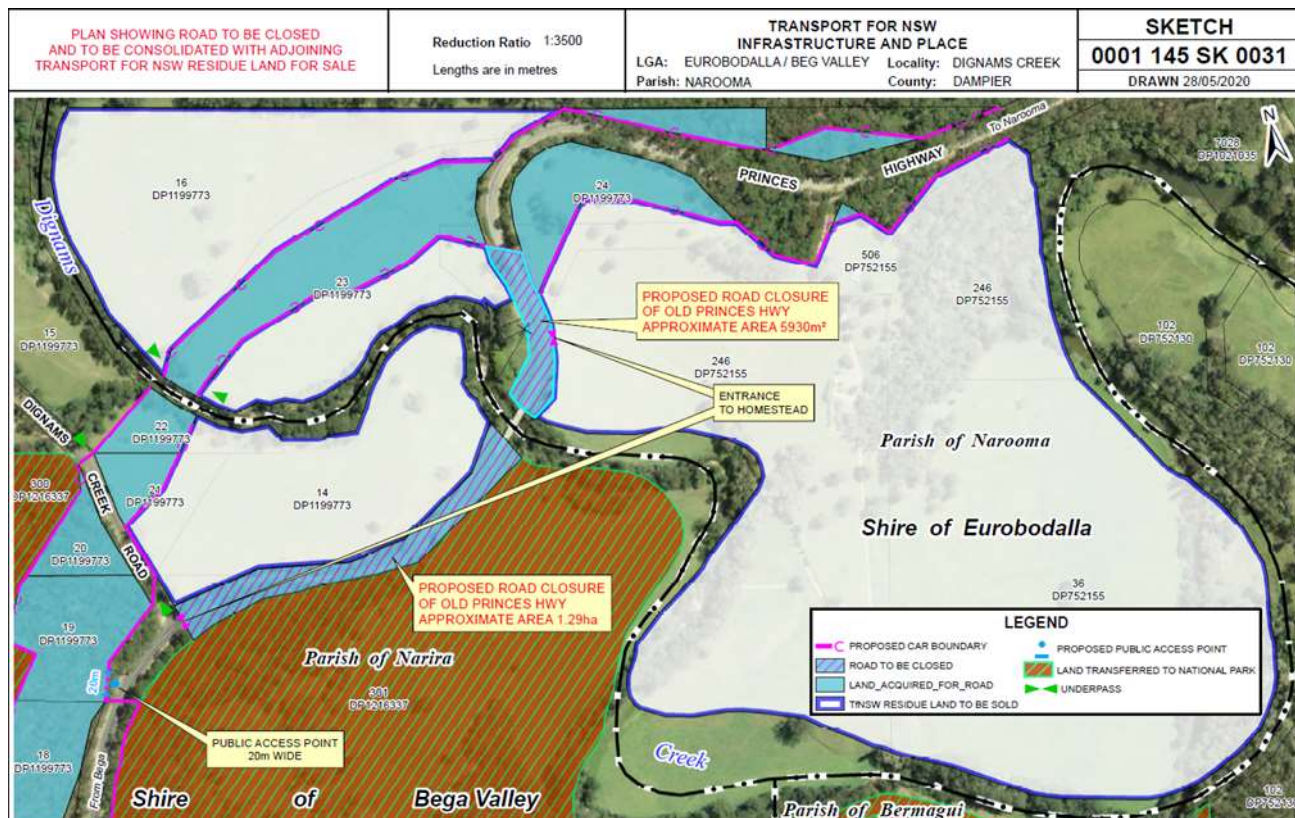


**CCS20/036 ACQUISITION OF UNNECESSARY ROAD TO TRANSPORT NSW  
PRINCES HIGHWAY DIGNAMS CREEK**

**S023-T00023**

section of highway is within the Eurobodalla Shire. The southern area shown is in Bega Valley Shire.

**CONSIDERATIONS**



5930m<sup>2</sup> of Northern section of highway to be acquired (blue hatch)

(Southern area (blue hatch) is in Bega Valley Shire)

**Legal**

Transport NSW can compulsorily acquire road reserve in accordance with the *Roads Act 1993* and the acquisition will be finalised in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.

[http://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/nsw/consol\\_act/latca1991442/s6.html](http://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/nsw/consol_act/latca1991442/s6.html)

**Policy**

The dedication of the road reserve to Transport NSW will be in accordance with Council's *Land Acquisition and Disposal Policy*.

[www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Land-Acquisition-and-Disposal-Policy.pdf](http://www.esc.nsw.gov.au/inside-council/council/council-policies/policies/Land-Acquisition-and-Disposal-Policy.pdf)

**Asset**

The upgrade and realignment of the road by Transport NSW enabled it to become safer for the community.

---

**CCS20/036 ACQUISITION OF UNNECESSARY ROAD TO TRANSPORT NSW  
PRINCES HIGHWAY DIGNAMS CREEK**

**S023-T00023**

**Financial**

All survey and associated costs will be borne by Transport NSW. The unnecessary road is part of a highway that was originally constructed by Transport NSW.

In accordance with s206 of the *Roads Act 1993* compensation is not applicable where Council did not originally construct the road and Council does not have to construct a new road. Accordingly, nil compensation will be paid by Transport NSW.

[http://www8.austlii.edu.au/cgi-bin/viewdoc/au/legis/nsw/consol\\_act/ra199373/s206.html](http://www8.austlii.edu.au/cgi-bin/viewdoc/au/legis/nsw/consol_act/ra199373/s206.html)

**Community and Stakeholder Engagement**

The Princes Highway upgrade at Dignams Creek is complete and the community were consulted throughout the process.

**CONCLUSION**

This report is presented to Council regarding the dedication of unnecessary road reserve to Transport for NSW from Council to finalise the Princes Highway upgrade project at Dignams Creek.

---

**CAR20/015 LIBRARY STRATEGIC PLAN**

**S003-T00017**

Responsible Officer: Kathy Arthur - Director Community, Arts and Recreation Services  
Attachments: 1. Under Separate Cover – Draft Library Strategic Plan  
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: 2.2.2.3 Implement the Library Strategic Plan

**EXECUTIVE SUMMARY**

The draft Library Strategic Plan 2020-2025 currently outlines our vision for Eurobodalla Library Services and how we will meet the anticipated needs in infrastructure, programming and audiences over the next 5 years.

In accordance with the Local Government Act 1993 the draft strategic plan was placed on public exhibition for 28 days. During that time, no submissions were received.

The development of the strategy has been informed by national, state and regional frameworks, industry trends and directions, Council's corporate documents and research and stakeholder consultation.

The vision for Library Services is 'our communities are informed, creative and connected'.

In response to what our community told us, our demographic analysis, and research into best practice in libraries, four key strategic priorities have emerged which will guide our Library Services over the next five years. They are:

- **Connecting:** We actively connect with our community and promote creativity, learning, participation and engagement in a contemporary library environment. Our Libraries are a place where everyone feels welcome.
- **Collecting:** We provide current and relevant collections and resources to support literacy, education and digital engagement.
- **Creativity and Learning:** We provide pathways for creativity, literacy, and lifelong learning for all age groups.
- **Culture:** We build a culture of capability, professionalism and innovation in customer service, and adapt to new and changing needs of our community.

**RECOMMENDATION**

THAT Council adopt the Library Strategic Plan 2020-25.

**BACKGROUND**

Over the next five years we will continue to offer our core services. However, under this strategy we will build on the strengths and attributes that our community value, and offer a wider range of services and facilities to meet the diverse and growing needs of our community.

---

**CAR20/015 LIBRARY STRATEGIC PLAN**

**S003-T00017**

Our Libraries are well placed to assist our community to build the resilience needed to meet the challenges of the future. Communities that have the capacity to continuously learn, adapt and innovate are resilient and more likely to thrive. Lifelong learning and the ability to acquire new skills and literacies is essential in an era of change and uncertainty. Lifelong learning underpins all of our library service elements.

This Library Strategic Plan is evidence based and innovative, drawing on state and national visions for libraries, and informed by local community engagement. The strategy develops a vision for a community and customer focused library service that provides a wider range of relevant, flexible and interesting services and learning activities, as well as welcoming, accessible library facilities for our community to enjoy.

**CONSIDERATIONS**

The Library Service plays a vital role in the learning, creativity and connectivity of our communities and operates at three locations: Moruya, Batemans Bay and Narooma as well as providing a range of outreach and online services.

Over the next five years each library will continue to respond to the key characteristics of their local catchment communities and develop a unique place and approach to providing services, with each branch complementing and supporting the whole service.

We will continue to update existing facilities, and plan for improvements in accordance with infrastructure requirements and industry best practice. We will look to the future and address the need for improved and evolving technology capabilities to ensure a vibrant and contemporary library service.

**Legal**

In accordance with 610F of the *Local Government Act 1993*, Council placed the draft strategy on public exhibition for 28 days, during which time no submissions were received.

**Social Impact**

Our libraries continue to broaden the role they play as community hubs, providing the spaces and places for people to read and research, come together to engage and connect, and access the technology, resources and information to learn and create.

Our libraries continue to offer core services, however, under this strategy we will continue to build on our strengths and the attributes our community value, ensuring we offer a wider range of services and contemporary facilities to support growing and diversifying community needs.

Our Libraries are well placed to assist our community to assist in building the resilience they will need to meet our current and future challenges.

**Economic Development Employment Potential**

The library provides places and spaces for training and connection to the broader community and world via its public computer network and training/meeting room spaces. With a focus on technology the library vision will seek to support locals to connect with others and provide infrastructure and activities to assist with work opportunities.

---

**CAR20/015 LIBRARY STRATEGIC PLAN**

**S003-T00017**

**Financial**

The Library Strategic Plan 2020-2025 will be implemented with funding from Council's annual operational and capital allocations, as well as external grants.

**Community and Stakeholder Engagement**

We have consulted with the community in the development of the draft strategy, as well as by seeking feedback through a 28-day public exhibition period where the draft Library Strategic Plan 2020-25 was available on Council's website and at the Batemans Bay, Moruya and Narooma libraries.

**CONCLUSION**

The draft Library Strategic Plan 2020-2025 will guide and support staff in the delivery of excellence in library services with a focus on our people both in the community and the service. The Eurobodalla Library Strategic Plan 2020-2025 has received no submissions during the exhibition period and, therefore, it is recommended the draft strategy to be adopted for implementation.

---

## 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.



<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.

---

<b>Acronym</b>	<b>Meaning</b>	<b>Description</b>
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.