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Sent: Wednesday, November 16, 2022 9:04:28 AM
To: Administrator Office <AdministratorOffice@wsc.nsw.gov.au>; Administrator Office <AdministratorOffice@wsc.nsw.gov.au>
Cc: Lisa Miscamble <Lisa.Miscamble@wsc.nsw.gov.au>
Subject: Please read before Council meeting if possible

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Dear Mr May

I am writing to you to flag some concerns that I have regarding the council Delivery Program Progress Report included with the agenda for today's council meeting. I work as a civil engineering consultant in Bowral and am involved in a large number of projects at various stages of completion within the Wingecarribee Shire Council area. I have some concerns regarding particular comments made in the report regarding the development function of council and the delivery of infrastructure and wish to flag two matters with you :

Item 1 - DP018 in the report -OPO42 - Implement strategies to improve development assessment outcomes

I note that this is listed as "on track" - I find this troublesome based on my experiences and every other person I talk to who is making applications to council.

The comment by council is as follows:

The number of development applications lodged between July and September 2022 continued to fall to 178 from the peak of 408 in Q1 a year ago. The ratio of applications completed compared to lodged continued to improve to 83% and measures are being rolled out to improve processes and expand Councils assessment capacity.

If I am interpreting this correctly then the ratio of completed to lodged is 83% which means that the back log of applications is still rising even though the number of applications is falling and therefore the rate of determinations could actually be dropping. IE -If the ratio of determinations in Q1 a year ago was say 70% to what was lodged but the number of application was 408 then they would have determined 286 applications. If 83% of applications were determined on 178 applications then this is only 148 Applications.

There is no way for an outsider to be able to prove or disprove this as council's DA tracker doesn't allow this sort of interrogation to be made however to me it seems to be a misleading representation of what is happening. Either way the backlog is still increasing not decreasing if my interpretation is correct - performance is not improving.

As someone who is lodging a number of applications I have personally found the process and timeframes are continuing to get worse. The problem is not simply a staffing matter but relates to continual process changes and bottlenecks with various internal and consultant referrals. The process of external referrals is also failing with people in council not taking responsibility for making the necessary referrals at the appropriate times.

I also note council's website still has the advice that still states:

Unfortunately, we are experiencing unprecedented demand in development services. Staffing reductions due to the prevalence of the Omicron Virus, COVID-19 workplace changes and the growth in Development Applications (DAs), is impacting on our assessment timeframes

I would appreciate it if you could at least ask the question about the quoted figures and how this can be claimed to be "On track".

Item 2 - DP060 - Review and implement Sewage Treatment Plant Upgrade Strategy - OP110 - Plan for the upgrade of Moss Vale, Bowral and Mittagong Sewage Treatment Plants - listed as "On track"

Comments as follows:

Bowral STP Upgrade: Evaluation of the tender for the construction of the proposed upgrade works reported to Council meeting 19/10/22. Council resolved to decline all tenders, and enter into negotiations. Negotiations (with the view of entering into a contract for the works) expected to be completed by the end of 2022, which would allow works to commence early 2023. Moss Vale STP Upgrade: Detailed design at 75% completed - to be finalised following Bowral STP Upgrade negotiations outcomes (as above) - say March 2023. Effluent Discharge Assessment report complete. This will allow liaising with EPA on suggested variations to the discharge licence conditions, and for the final draft REF to be completed. Mittagong STP Upgrade: Concept Design completed. This will allow the detailed design to be progressed, which will be undertaken in a staggered approach in conjunction with the Moss Vale STP Upgrade design. Mittagong STP Upgrade design expected completed in mid 2023 (together with the draft REF).

The delivery of the sewer treatment plant upgrades has been consistently pushed back and continues to be pushed back. The tender for the Bowral STP resulted in no contract being awarded and negotiations to be completed by the GM

I am not sure if you are aware of what is happening with recent development consents however Water NSW concurrence conditions are including the following condition:

No Subdivision Certificate shall be issued unless the appointed Principal Certifying Authority (PCA) has received written certification from Wingecarribee Shire Council's Water & Sewer Services that the upgraded Bowral Sewage Treatment Plant (STP) has been commissioned and/or has sufficient hydraulic capacity to accommodate and treat the additional wastewater load generated by the development.

The same condition will be applied to Moss Vale and Mittagong

What this means is that developers will be unable to register a subdivision or obtain an occupation certificate for a development without the upgrades having been commissioned. This time-frame is unknown and based on council continually pushing back dates could be extended by years. This issue will also cause any rezoning approval proposed in the housing strategy to be delayed until the upgrades are complete thus completely stalling the release of land for new housing for years. Water NSW will not support even a rezoning application without the plants being completed

You should note that in the delivery report prepared for June 22 and presented at the August 17 meeting the Moss Vale STP design was apparently at 90% complete - now it is for some reason 75% complete so it has gone backwards

I have been looking at council documentation and the necessity for upgrading the plants was well known and documented in the IWCM dated Sept 2018. In this report the documented Capital Works schedule had the bowral and moss vale plants being upgraded in 2019 through to 2021. Based on my review of council reports the tender for the moss vale and mittagong detailed design was let in 20/21 FY and they are still working on Moss Vale and only at concept design for Mittagong

I appreciate that these are complex projects (being an engineer) however these sewer upgrades have to be given priority and council must be accountable for meeting timeframes for this as it is critical to the shire for these to be completed - it will soon have a dramatic impact on many local businesses and residents who rely on development for income such as builders, lawyers, engineers, real estate agents, etc etc as well as buyers who cannot settle properties and prevention of the planned population growth which needs to happen. It is also a critical infrastructure upgrade required to protect the environment due to the current poor performance of the plants.

It is not reasonable to say this is "on track"

I would greatly appreciate it you could consider my comments and perhaps raise the question with staff regarding the reported progress status updates

Regards
Richard Anderson

[Redacted signature block]