

18 May 2018

Dear Councillor,

You are kindly requested to attend the **Ordinary Meeting** of Wingecarribee Shire Council to be held in **Council Chambers, Civic Centre, Elizabeth Street, Moss Vale** on **Wednesday 23 May 2018** commencing at **3.30 pm**.

Yours faithfully

Barry W Paull
Acting General Manager

SCHEDULE

3.30pm	Council Meeting begins
5.30pm	Questions from the Public to be read out
7.40pm	Closed Council

RUNNING SHEET

ORDINARY MEETING OF COUNCIL

held in the Council Chambers, Civic Centre, Elizabeth Street, Moss Vale

on Wednesday, 23 May 2018 at 3.30 pm.

Time	Item
3.30pm	Opening of meeting – please remind all present that mobile phones must be switched off before the meeting and that the meeting is tape recorded and the Council Chamber now has 24 Hour Video Surveillance.
	Acknowledgement of Country - Cllr L A C Whipper
3.32pm	Opening Prayer – Chaplain John Wheeler, Transport for Christ
3.35pm	<ul style="list-style-type: none"> • Apologies (<i>if any</i>) • Adoption of Previous Minutes – Wednesday, 9 May 2018 • Business Arising (<i>if any</i>) • Declarations of Interest (<i>if any</i>) • Mayoral Minute (<i>if any</i>) • Public Forum (<i>if any</i>) • Motion to move into Committee of the Whole – Cllr G McLaughlin • Visitor Item – <ul style="list-style-type: none"> Item 10.1 DA 17/1144 Three Lot Subdivision at 43 Valetta Street, Moss Vale Item 10.2 DA17/1826 - Conversion of Existing Dwelling and Construction of New Building to Create a Single Storey 6 Room Boarding House - 26 Leopold Street, Mittagong • Council Reports
5.30pm	Motion to move into Council and the Mayor resumes the Chair
5.30pm	Questions from the Public - <i>to be read</i> Continuation of Council Reports General Business Questions Questions with Notice Notices of Motion
7.40pm	Closed Council
8.00pm	Meeting Closed

Barry W Paull
Acting General Manager



Business

1. OPENING OF THE MEETING
2. ACKNOWLEDGEMENT OF COUNTRY
3. PRAYER
4. APOLOGIES
5. ADOPTION OF MINUTES OF PREVIOUS MEETING
Ordinary Meeting of Council held on 9 May 2018
6. BUSINESS ARISING FROM THE MINUTES
7. DECLARATIONS OF INTEREST 1
8. MAYORAL MINUTES
9. PUBLIC FORUM

COMMITTEE OF THE WHOLE

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Mayor to resume chair at 5.30 pm

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15. DELEGATE REPORTS

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Nil

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Nil

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19. QUESTIONS WITH NOTICE

Nil

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21. GENERAL BUSINESS

Nil

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22.1 Legal Report - Closed Council

This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(a) as it contains personnel matters concerning particular individuals (other than councillors), under clause 10A(2)(e) as it contains information that would, if disclosed, prejudice the maintenance of law and under clause 10A(2)(g) as it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.

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23. RESUMPTION OF OPEN COUNCIL

Resumption of Open Council

Adoption of Closed Session

24. ADOPTION OF COMMITTEE OF THE WHOLE

25. MEETING CLOSURE

Our Mission, Our Vision, Our Values

OUR MISSION

To create and nurture a vibrant and diverse community growing and working in harmony with our urban, agricultural and natural environments

OUR VISION

Leadership: *'An innovative and effective organisation with strong leadership'*

People: *'A vibrant and diverse community living harmoniously, supported by innovative services and effective communication with Council'*

Places: *'Places that are safe, maintained, accessible, sympathetic to the built and natural environment, that supports the needs of the community'*

Environment: *'A community that values and protects the natural environment enhancing its health and diversity'*

Economy: *'A strong local economy that encourages and provides employment, business opportunities and tourism'*

OUR VALUES

Integrity, trust and respect

Responsibility and accountability

Communication and teamwork

Service quality

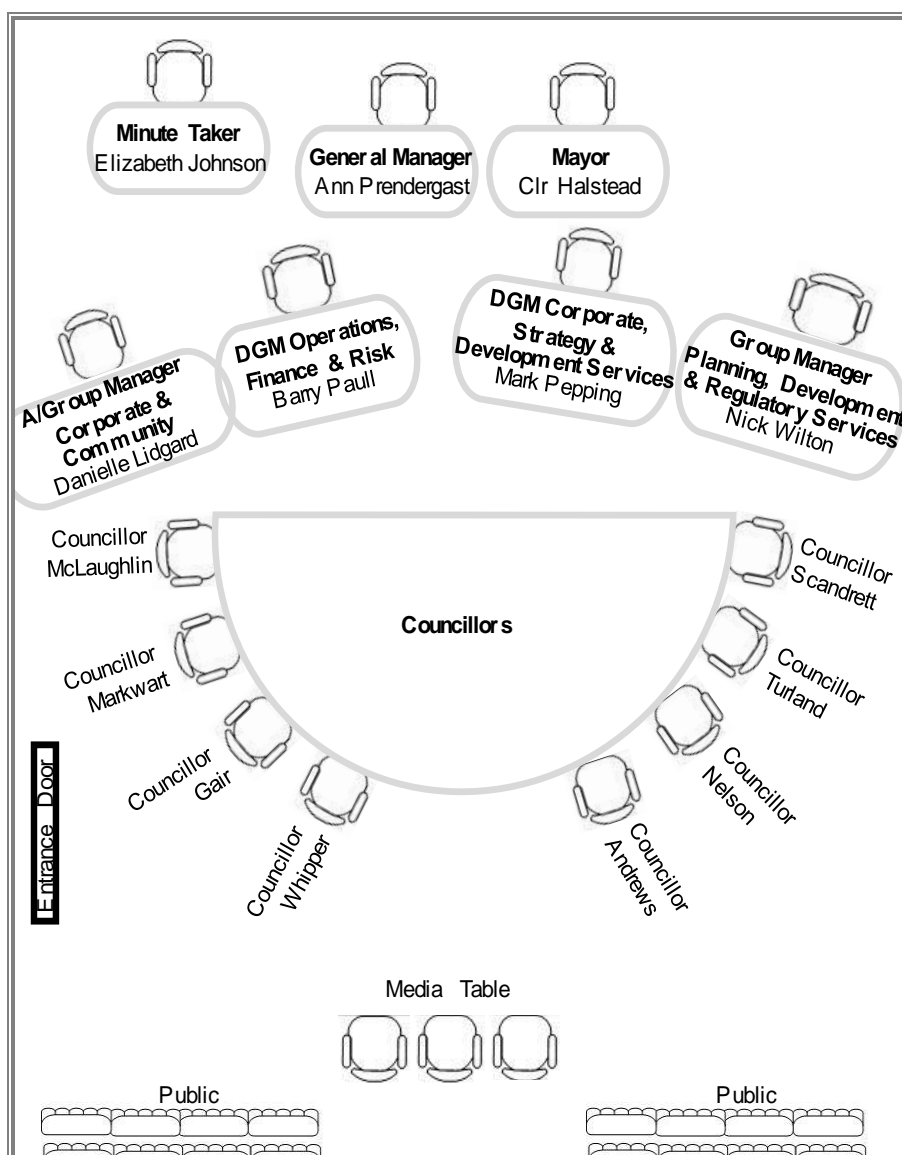
Council Chambers

Recording of Ordinary and Extraordinary Meetings of Council

As authorised by the *Local Government Act 1993*, Wingecarribee Shire Council records the proceedings of the Ordinary and Extraordinary Meetings of Council to ensure accurate transcription of resolutions.

Recording of meetings by members of the media is permitted only for the purpose of verifying the accuracy of any report concerning such meeting. Broadcasting of any sound recording is not permitted. Video recording is also not permitted. No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of Council without prior permission of the Council.

The Council Chamber now has 24 Hour Video Surveillance.



ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

APOLOGIES

Nil at time of print.

DECLARATIONS OF INTEREST

101/3, 101/3.1

The provisions of Chapter 14 of the *Local Government Act 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.



COMMITTEE OF THE WHOLE

10 VISITOR MATTERS

CORPORATE STRATEGY AND DEVELOPMENT SERVICES

10.1 DA 17/1144 Three Lot Subdivision at 43 Valetta Street, Moss Vale

Reference:	DA17/1144
Report Author:	Town Planner
Authoriser:	Group Manager Planning, Development and Regulatory Services
Applicant:	NM and PM CORMIE C/- BUREAUCRACY BUSTERS TOWN PLANNING CONSULTANTS
Owner:	NM and PM CORMIE
Link to Community Strategic Plan:	Identify and protect the unique characteristics of towns and villages to retain a sense of place

PURPOSE

The application has been requested to be determined by full Council and accordingly this report is to provide Council with an assessment of the development application and a recommendation for its determination. The recommendation is for APPROVAL as a Deferred Commencement consent.

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

RECOMMENDATION

THAT development application DA 17/1144 for a proposed three (3) lot subdivision at Lot 105 DP 1189592, No 43 Valetta Street, Moss Vale be APPROVED by way of Deferred Commencement in accordance with section 4.16 (3) subject to the conditions set out in Attachment 1 to the report.

REPORT

Subject Site and Locality

The site is located at 43 Valetta Street, Moss Vale and has a total area of 1.233 ha. The lot is irregular, with a frontage to Valetta Street of 33m. Along the northern boundary of the rear section of the site is an easement 5m in width which contains a Council water main.

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A new dwelling has recently been erected in the central part of the lot, as shown on the aerial photograph at Figure 3. To the west of the new dwelling the land slopes steeply before flattening out as it reaches its western boundary with Council's Community Oval.

This steeper part of the site is the location where indicative building envelopes have been identified by the applicant for the future erection of dwellings on proposed Lots 2 and 3. A geotechnical report submitted with the application considers that the proposed dwelling sites are suitable for development subject to compliance with the report's recommendations.

Apart from a few isolated ornamental trees the site is largely devoid of vegetation and contains no native vegetation.

The site is located within the Valetta Street Heritage Conservation Area and directly adjoins Heritage Item No I405 ('Redbraes' House and Garden at 47 Valetta Street) in close proximity to Heritage Item No I1657 ('Cherry Hinton' at 35 Valetta Street).

A site inspection was undertaken on 15 March 2018.



Figure 1: Locality Plan (reproduced as Attachment 5)

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Figure 2: Aerial Image (reproduced as Attachment 6)

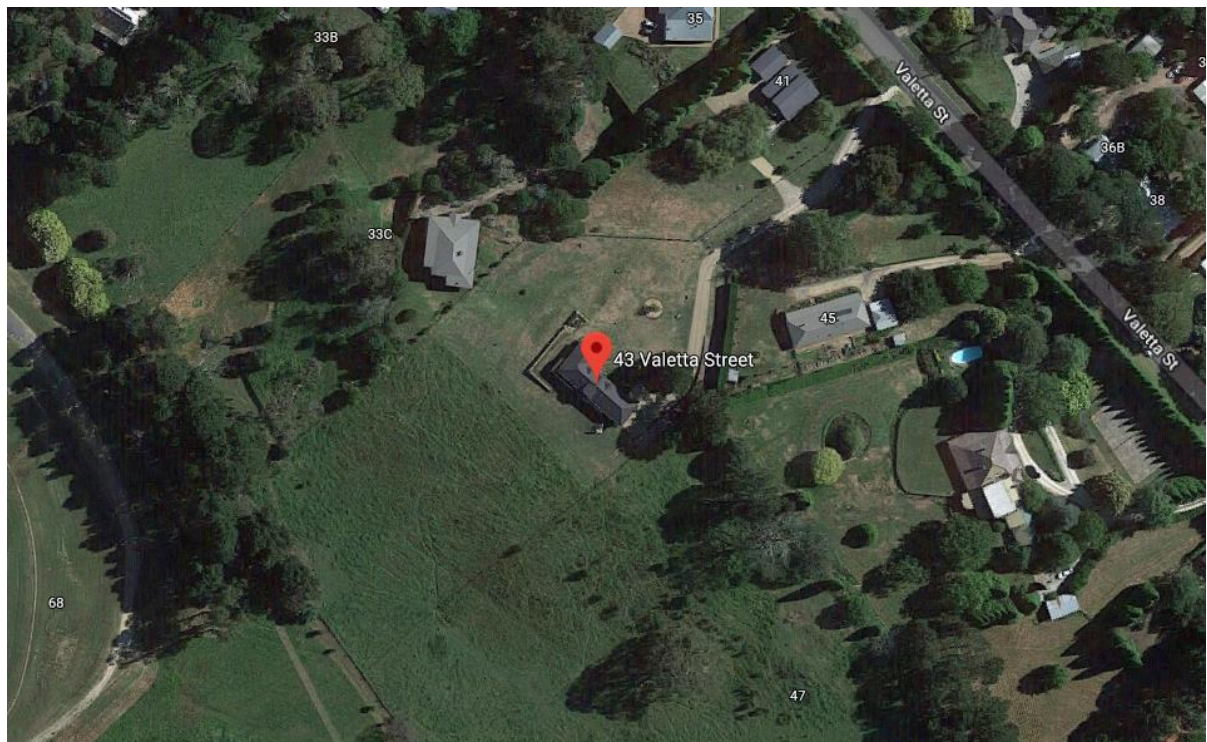


Figure 3 – More recent aerial image (Google Maps) showing new house at No 43 (reproduced as Attachment 7)

Background

The site (Lot 105) is the result of a two lot subdivision approved by LUA 12/0132 and registered on 1 October 2013. This subdivision had the effect of creating lot 104 DP 1189592 (containing the house now described as 41 Valetta Street) and Lot 105 DP 1189592 which is the subject of the current DA and which now contains a single dwelling described as 43 Valetta Street.

Previous to the above subdivision, there was an earlier subdivision approved under LUA 0492/01 and LUA 1011/01 registered on 3 December 2001 which had the effect of creating lot 101 (containing the house now known as 45 Valetta Street), Lot 103 (comprising the current development site of 43 Valetta Street and the existing house known as 41 Valetta Street) and lot 102 which is now the residue of the 'Redbraes' property (47 Valetta Street).

A much earlier development application (612/1995) was supported by a geotechnical assessment prepared in 1996 by Davies Geotechnical Pty Ltd. It recommended against development occurring on the steeply sloping part of the site, where the building envelopes are proposed in the current application. The relevance of the earlier report has been considered, and the findings of the more recent, specific and relevant report by Southern Geotechnics Pty Ltd (November 2017) submitted with the current application are to be preferred.

Proposed Development

On 21 August 2017, a development application was lodged seeking consent for a 3 Lot Subdivision.

The subdivision if approved would result in the following lots:

1. Lot 1 of approximately 4470 sq m, which contains the existing house;
2. Lot 2 of approximately 3250 sq m;
3. Lot 3 of approximately 4600 sq m (which includes the area of the water supply easement and of the right of carriageway).

A sketch plan of the proposed subdivision is shown at Figure 4 below.

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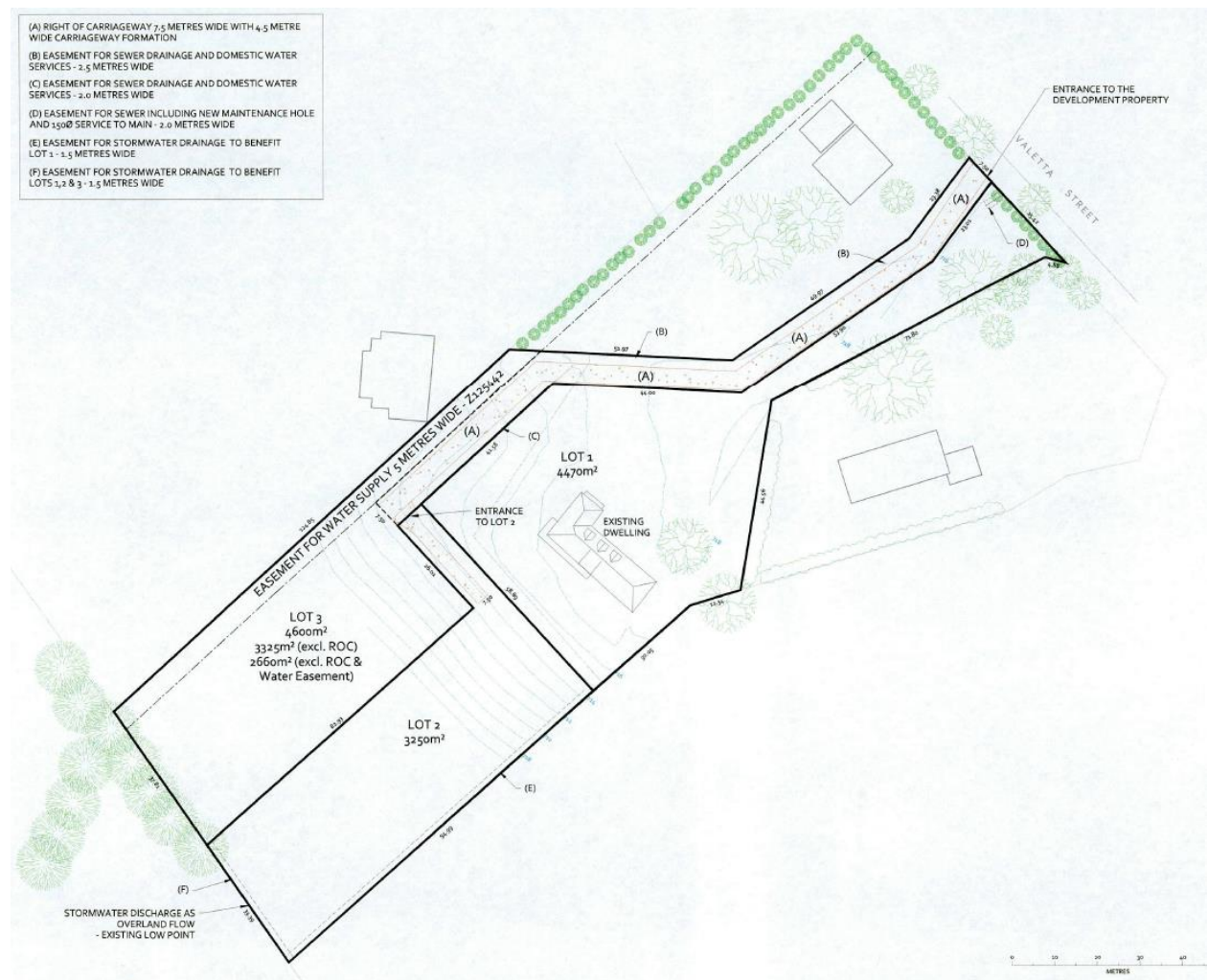


Figure 4 – Sketch plan of proposed subdivision (reproduced as Attachment 8)

The subdivision plan submitted at the time of DA lodgement provided for a more intense use of the existing driveway within Lot 105. This currently provides access to the house located on Lot 105 (43 Valetta Street) and has a right of carriageway in favour of the house at 41 Valetta Street, which has no vehicular access directly to Valetta Street. (Refer to **Figure 3**).

The applicant acknowledged that the subdivision would result in four dwellings gaining access over the right of carriageway, which exceeds the desirable maximum of three as expressed in Council's DCP.

Following neighbour notification, which resulted in objections including some related to the abovementioned non-compliance, the applicant provided an amended site plan which provided for a new access driveway for the existing dwelling at 43 Valetta Street leaving the existing driveway available for access by the existing house at 41 Valetta Street and future dwellings on proposed Lots 2 and 3.

For reasons outlined later in this report, it is considered that the original proposal (one driveway serving four dwellings) is to be preferred.

STATUTORY PROVISIONS

State Environmental Planning Policies

State Environmental Planning Policy No 55 – Remediation of Land

Clause 7 of SEPP 55 requires the consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land, and to be satisfied that the land is suitable for the proposed use. After undertaking a desktop search using Council's Property and Rating database, Council is satisfied the land is not a site of possible contamination and therefore no further assessment is required.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The site is located within the Wingecarribee River Sub-catchment. Compliance with the provisions of the SEPP and associated guidelines is therefore required to consider water quality. The development is a Module 1 under the NorBE Guidelines and therefore Council has assumed concurrence to consider water quality. The online NorBE Tool was used to determine that the development can achieve a neutral or beneficial effect on water quality.

Local Environmental Plans

Wingecarribee Local Environmental Plan 2010

The relevant provisions of the LEP are discussed as follows.

Clause 2.3 Zone objectives and land use table

The site is zoned R2 Low Density Residential and in this zone, subdivision is permissible with development consent. The objectives of that zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal is entirely consistent with the objectives of the zone.

Clause 4.1 (Minimum subdivision lot size): The MLS for this site is 2000 sq m, with which all lots easily comply.

Clause 5.10 (Heritage conservation): The land is identified as being within the Valetta Street Conservation Area. Additionally the land is within the vicinity of two individual heritage items:

- 'Cherry Hinton' at 35 Valetta Street (Heritage Item No I1657)
- 'Redbraes' House and Garden at 47 Valetta Street (Heritage Item No I405)

Subclause 5.10 (4) requires Council to consider the effect of the proposed development on the heritage significance of the Heritage Conservation Area or the heritage item concerned.

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No statement of heritage significance was submitted in support of the application, nor were heritage matters addressed in the Statement of Environmental Effects. However Council staff have undertaken an assessment of heritage impact as part of the assessment of the application. Assessing staff have also had the benefit of advice from Council's Heritage Advisor.

Firstly, regard was had to the listing for the Valetta Street Conservation Area (VSCA) in the Local Heritage Register (see copy at **Attachment 4** to this report).

The essential relevance of the VSCA is given by the Character Statement and Management Threats and Opportunities in the Local Heritage Register listing (see **Attachment 4**).

As this development is a subdivision with no buildings directly resulting from it, the landscaping and spatial relationships of the VSCA are of most relevance to this application. From the Character Statement:

"Landscaping plays a major role and its dramatic and varying scales are pivotal to the precinct. The massive, high and mature remnant wind break trees provide a majesty of scale counterpoised to the cottages within their garden setting. These are also historical evidence of the earlier pastoral layer and now a focal point within the greater visual catchment of Moss Vale township. Other contributory landscape elements are the mid height evergreen and deciduous hedges, and mature specimen trees. Front fences are simple and low, and thus allow views into the gardens beyond and for these to become merged with the public domain."

From the Management Threats and Opportunities section:

"The management threats for the precinct are:

- corner lot and intra-lot subdivisions;*
- loss of garden setting, and erection of higher fences preventing views into gardens and to individual houses;*
- loss of former wind break trees and rows of rows (sic – should be "trees"?) now straddling separate lots and loss of the merging of private gardens with the public domain."*

The main items of relevance of the above to the current proposal are:

- supporting the retention of use of the existing driveway and avoiding the creation of an additional access point to Valetta Street with the consequent loss of major windbreak trees along that frontage;
- control of the height of interlot fences and hedges to maintain views across boundaries.

Elsewhere in this report it is recommended that the single driveway concept be preferred. Control of fence and hedge height is recommended to be the subject of a condition of consent, if approved. (**Condition DC3**)

The advice from Council's Heritage Advisor is focused on providing suitable architectural restrictions for future buildings on the site and addresses the issues identified in the Local Heritage Register listing.

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Clause 7.10 (Public utility infrastructure): The site cannot be serviced by gravity sewer and currently has no access to a legal stormwater disposal location. The applicant proposes to address the former issue by providing a pressure sewer unit for proposed lots 2 and 3. This is an acceptable solution. Provision of a legal stormwater disposal location would require Council to grant an easement of up to 3m in width for a stormwater drainage pipeline in the north eastern corner of Moss Vale Community Oval. While the granting of an easement appears to be feasible, this would be subject to Council's agreement at a meeting, which cannot be assumed. Accordingly this aspect of the proposal is recommended to be the subject of a Deferred Commencement condition, if the application is to be approved. **(Condition DC1)**

Development Control Plans

Moss Vale Development Control Plan

The applicable sections of the Moss Vale DCP are addressed below:

DCP Control	Assessment
<u>Part A – All land</u>	
Section 2 – General objectives	Consistent with these objectives.
A2.2.3 Heritage conservation	Objectives: <i>(a) Preserve and protect buildings of heritage and cultural value.</i> <i>(b) Ensure that redevelopment immediately adjacent to buildings of heritage or cultural value in no way detracts from the visual quality or amenity of heritage buildings.</i> <i>(c) Ensure that redevelopment within or immediately adjacent to Conservation Areas reflects the high heritage value of the Area and contributes to that value.</i> Comment: Proposal will comply with these objectives subject to retention of one driveway to serve all lots to minimise disruption to streetscape, and subject to appropriate conditions of consent to ensure that future development is consistent with heritage character and significance.
A 2.2.4 Residential amenity	Consistent with these objectives.
A2.2.6 Visual amenity	Consistent with these objectives.
A2.2.7 Public views and vistas	<i>“Key public views and vistas, whether along streets, or angled across properties or corner blocks, collectively contribute to the quality of the built environment. This is particularly the case in Wingecarribee Shire where towns are located within significant landscape environments. Council believes it is important to protect those views which are of public benefit</i>

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DCP Control	Assessment
	<p><i>In assessing a land use application, Council will consider the extent to which the proposal contributes to the protection of public views and vistas."</i></p> <p>Comment: The site is not generally visible from most of Moss Vale Community Oval due to an extensive screen planting of mature evergreen and deciduous trees on the Oval's eastern boundary. Given the level of screening it is considered that development on the site resulting from the subdivision will not be inconsistent with these objectives</p> <p>Consistent with these objectives.</p>
A2.2.8 Environmental sustainability	
A2.2.9 Public domain	Retention of one driveway to serve all lots will ensure minimal impact to the public domain of the Valetta Street streetscape.
Section 4 – Water management	
A43.3 Sydney Drinking Water Catchments	The application has undergone an online NorBE assessment with a satisfactory outcome.
Section 7 – Subdivision, demolition, siting and design	
A7.1.1 Minimum lot sizes	All lots exceed the 2000 sq m minimum lot size under WLEP 2010.
A7.1.2 Building envelopes	The submitted plans show building envelopes for both the vacant lots. Each building envelope has an area of 350 sq m which appears to be of a satisfactory size for a dwelling.
A7.1.4 Landscape embellishment	The application includes proposals to establish landscape screening between the driveway and adjoining dwellings at 33C and 41 Valetta Street. This should be reinforced by a condition of consent, if approved. (Condition 23)
A7.1.5 Street trees	Given the existing landscape screen of cypress along Valetta Street, and existing mature eucalypt street trees, no additional street tree planting is required or justified.
A7.10 New development within the vicinity of heritage items	This consideration is addressed under the section of this report addressing the Heritage Clause in WLEP 2010.
Section 8 – Safer by Design	The nature of this subdivision adequately addresses the four components of Safer by Design, ie space and activity management, territorial reinforcement, surveillance, and access control

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DCP Control	Assessment
<i>Section 9 – Construction standards and procedures</i>	
<i>A9.2.1 Geotechnically sensitive areas</i>	<p>A geotechnical report was submitted with the application. The report was prepared by Southern Geotechnics NSW Pty Ltd and found that:</p> <ul style="list-style-type: none">• the sites have a very low to low risk of slope instability;• residential development is considered to be appropriate, subject to compliance with geotechnical recommendations.

Part B – Residential zoned land

<i>Section 20 – Conservation Precinct</i>	<p>The site is located within the Valetta Street Conservation Area. Heritage considerations have been addressed in the section of this report (above) relating to the Heritage clause in WLEP 2010.</p>
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Section 4.15 Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

It has been demonstrated the DA complies with the *Wingecarribee Local Environmental Plan 2010*.

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

Not applicable.

(iii) any development control plan, and

It has been demonstrated the development satisfactorily complies with the relevant controls.

(iiia) any planning agreement that has been entered into under section 7.4 or any draft planning agreement that a developer has offered to enter into under section 7.4, and

Not applicable.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and



Not applicable.

- (v) *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*

Not applicable.

- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

Apart from those issues covered in LEP and DCP sections of this report, other impacts are:

- *need for a legal disposal location for stormwater discharging from the site:* the applicant proposes to discharge stormwater to the Moss Vale Community Oval property. While this is physically feasible, there is no legal entitlement to do so; however this appears to be achievable. It is suggested that this can be accommodated by way of Deferred Commencement conditions. **(Condition DC1)**
- *impact on residential properties adjoining the driveway, in terms of privacy, intrusive light from vehicle headlights, noise and dust:* there is particular concern about the impact on the existing house at 33C Valetta Street, which lies almost on the boundary with the subject site. The 5m water supply easement within the subject site provides some distance between the proposed driveway and the house at 33C Valetta Street, while the proposed vegetation screening will further minimise the impact on this property. In terms of headlight glare, the section of the driveway heading due west from the internal gates at the end of the existing driveway, as shown in **Figures 5 and 6** below. The proposed vegetation screening (and temporary fixed screening or fencing while the vegetation attains its mature height) should be capable of mitigating this impact. A suitable condition of consent is recommended. **(Condition DC3)**



Figure 5 – View from internal gates along the line of proposed driveway, showing the existing house at 33C Valetta Street towards the top right of the photo. House on the subject site (43 Valetta Street) is visible at top left corner.



Figure 6 – line of proposed driveway with existing house at 33C Valetta Street

(c) *the suitability of the site for the development,*

The site is generally suitable for the proposal, subject to the following qualifications:

- Proposed lots 2 and 3 will require servicing by way of individual pressure sewer units due to the lack of fall to a suitable Council sewer main;
- The lack of a legal point of discharge of stormwater can be addressed by a Deferred Commencement condition to allow the developer the opportunity to acquire an easement to drain water over Council's Moss Vale Community Oval;
- The geotechnical report demonstrates that the site can accommodate the proposed development;
- Due to the steepness of parts of the site, construction of the proposed driveways will require substantial cut and fill and/or retaining walls. No plans providing details of cross or long sections have been provided. This detail is considered to be appropriate to be provided in response to a Deferred Commencement condition. (**Condition DC2**)

(d) *any submissions made in accordance with this Act or the regulations,*

Refer to the Consultation section of this report.

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(e) *the public interest.*

There are no specific public interest issues around this proposal apart from potential impact on the Valetta Street Conservation Area, which has been addressed in the LEP clauses section of this report.

Relevant State Legislation

None of specific relevance apart from that detailed above.

Relevant Commonwealth Legislation

None of specific relevance to this proposal.

CONSULTATION

Pre-lodgement Meeting

No detailed pre-lodgement meeting was held. The applicant's engineering consultant enquired in June 2017 about the possibility of connecting to Council's existing sewer mains by constructing a sewer main extension to the north in the Community Oval property. Council's Parks Assets Coordinator and Property Coordinator expressed no support for this proposal due to the likelihood that it may inhibit future development of Community Oval and would damage existing trees. Consequently the applicant has proposed servicing by pressure sewer to discharge to the sewer main in Valetta Street.

External Referrals

Nil

Internal Referrals

Referrals	Advice/Response/Conditions
Development Engineer	Recommended conditions have been provided. Approval as a Deferred Commencement consent recommended.
Heritage Advisor	Provided examples of conditions that could be imposed to ensure that future buildings, fencing and landscaping complement the character of the Valetta Street Conservation Area. (Condition 54)

Neighbour Notification (or Advertising)/Public Participation

The application was notified between 1 and 18 September 2017. Four (4) submissions were received in response to that notification.

Further submissions were received in response to the lodgement of an amended subdivision plan which sought to respond to some issues raised in the earlier submissions by providing for an additional driveway and entrance to Valetta Street. These later submissions (2) have also been considered in the assessment of the application.

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Submissions lodged in formal submission period (1 – 18 September 2017)

Issue raised in submissions	Comments
Geotechnical report needed to determine site suitability	A geotechnical report by Southern Geotechnics has been submitted which found that the sites have a very low to low risk of slope instability. Discussed further in report.
Proposal seriously understates the difficult nature of the site and fails to give adequate consideration to the likely impact of the development of the proposal on adjoining properties	The assessment of the application has been comprehensive and has addressed a range of impacts on adjoining properties.
Request that the access road be run down the other side of the block.	There is limited room between the existing house at 43 Valetta Street and the land's south eastern boundary. It is considered that the access road can be acceptable in its proposed location subject to appropriate conditions of consent to reduce adverse impact on the adjoining properties.
The alignment of the new driveway has important safety and loss of amenity impacts on 33C and 41 Valetta Street which in turn will diminish market appeal and hence the value of these properties.	Subject to appropriate conditions of consent, it is considered that the access road can be acceptable in its proposed general location.
This access relies upon a variation to allow only three lots to be accessed via a right of carriageway.	The initial plan provides for four properties to gain access to Valetta Street via the right of carriageway: the existing house at No. 43 (proposed Lot 1), the existing house at No 41 (not part of the development site) and proposed vacant Lots 2 and 3. An amended plan submitted in response to these concerns reduced the number of lots gaining access to three, by providing a new separate driveway for the existing house on proposed Lot 1. However it is considered, as detailed elsewhere in this report, that a single driveway servicing four properties is preferred.
The dwelling on 33C would be in the direct line of all passing traffic and in particular would have headlights shining into their house.	The house at No. 33C will be in the direct line of headlights of vehicles entering the site. The proposed vegetation screening and other conditions of consent will satisfactorily address this concern.
The driveway would not be of the same gravel 'country lane' appeal as the existing driveway as engineering requirements would necessitate hard surface i.e. bitumen due to the topography of the site.	The Development Engineer has recommended that the driveway will be of a suitable character. Stabilisation of the surface will be required in the steeper sections but the character will be suitable to the heritage context.
The driveway would also abut the entertainment and quiet relaxation area of 41 Valetta Street. The submission suggests flipping the driveway putting it	There is limited room between the existing house at 43 Valetta Street and the land's south eastern boundary. It is considered that the access road can be acceptable in its proposed location subject to

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Issue raised in submissions	Comments
on the eastern side of the existing house to avoid visual and amenity impacts on 33C.	appropriate conditions of consent to reduce adverse impact on the adjoining properties.
The future dwelling houses on Lots 2 and 3 should be controlled by way of 88B restrictions to reduce their height and sit them below the ridge line/view lines of 33C.	In a response to this submission, the applicant has indicated that this approach would be acceptable and assessment of the application also supports this approach. A suitable condition of consent is recommended. (Condition 54)
A submission raised the request to ensure the right of carriageway has a 1 in 4 shared responsibility for maintenance, not just 1 in 2 as is current.	While this is predominantly a civil matter, Council can impose a suitable condition for maintenance schedule on the section 88B instrument, if the DA is approved. (Condition 53)
33A was told not to construct on the lower slopes of the hill off Valetta Street towards the old Throsby Estate stock route.	This is thought to relate to the 1996 geotechnical report prepared by Davies Geotechnical Pty Ltd. While the geotechnical issue is covered elsewhere in this report, the findings of the more recent, specific and relevant report by Southern Geotechnics Pty Ltd (Nov 2017) are to be preferred.

Submissions lodged in response to amended subdivision plan

Issue raised in submissions	Comments
Objection is not raised to the subdivision of the land but approval should only be granted if significant issues of concern can be properly addressed	Noted
Proposed second driveway is an unfortunate attempt to achieve numerical compliance at the expense of an attractive streetscape in the Valetta Street Conservation Area. Loss of established trees should not be supported. Submitter is willing to support a single access driveway	Noted. Assessment elsewhere in this report in relation to heritage impact supports this view. Conditions are recommended to require a single access driveway. Applicant is not opposed to retaining a single driveway. (Condition DC2)
Earlier suggestion to locate driveway between existing house at No. 43 and south eastern boundary is conceded as having a major impact on that dwelling and is withdrawn.	Noted
Concerns remain about amenity and safety impacts of proposed driveway on house at No. 33C. Additional screen landscaping is not seen as a satisfactory solution. A slight relocation and realignment of the driveway is suggested to improve outcomes for No. 33C.	The driveway issue is considered elsewhere in this report. Suitable conditions can be imposed to achieve an acceptable result.

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Issue raised in submissions	Comments
Concerns about need for shared maintenance responsibility of driveway (raised in earlier submission) are reiterated.	Concern noted, and can be addressed by a condition of consent. (Condition 55)
To ensure no loss of expansive views, a condition of consent should be imposed providing for a specific building envelope and ridge height for future buildings.	Noted and agreed.
Proposed second driveway is opposed as it will, by fragmenting the row of Bhutan Cypressess, have a wholly negative impact on the environment and amenity of the Valetta Street Conservation Area. Council is urged to allow the applicant to revert to the original proposal for a single entrance.	Retention of a single driveway entrance is supported for the reasons outlined in the submission.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are minimal environmental impacts in relation to this report and recommended conditions of consent will ensure that environmental impacts are minimised.

- **Social**

The proposal will have minimal impact on social issues.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no known Aboriginal cultural issues in relation to this report. Non-Aboriginal heritage has been considered in the body of the report.

- **Governance**

The development application has been considered in accordance with the *Wingecarribee Local Environmental Plan 2010*, section 4.15 of the *Environmental Planning and Assessment Act 1979* and any other matters relevant to the development.

The application has been called in to Council for determination in accordance with Council's Policy.

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RELATIONSHIP TO CORPORATE PLANS

Operational Plan 2017 – 2018: OP:179 Assess and certify applications related to development.

COUNCIL BUDGET IMPLICATIONS

The financial implications of Council's decision in this matter are directly related to the legal implications. The possibilities are detailed as follows:

- Should the applicant choose to appeal a refusal, or pursue a deemed refusal, by Council through the Land and Environment Court and lose, the question of cost with regard to Council's legal representation would be determined by the extent of the reasons for refusal;
- Should the applicant choose to appeal a refusal, or pursue a deemed refusal, by Council through the Land and Environment Court and win, the question of cost would be dependent upon the extent of the reasons for refusal;
- Should any person choose to take out Class 4 proceedings against Council to the Land and Environment Court and lose, the question of cost with regard to Council's legal representation would be calculated at the appropriate time;
- Should any person choose to take out Class 4 proceedings against Council to the Land and Environment Court and win, the question of cost would still be calculated at the appropriate time;
- Should the applicant make no appeal, or proceedings not be taken out by another party, to the Land and Environment Court regardless of the determination, the application would result in no further financial implication to Council.

RELATED COUNCIL POLICY

An assessment of the proposal has been made against the *Wingecarribee Local Environmental Plan 2010*, State Environmental Planning Policy No 55 (Remediation of Land), State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 and the Moss Vale Town Development Control Plan.

OPTIONS

The options available to Council are:

Option 1

Determine the application by way of a Deferred Commencement consent with the grant of an easement over the adjoining Council-owned Community Oval as one of the Deferred Commencement conditions. This will allow for the applicant to obtain Council's consent as landowner while being otherwise assured of the nature of the conditions that will apply to the development.

Option 2

Determine the application by way of a standard consent (ie not Deferred Commencement). Implications of this option are:

- Difficulty in providing the applicant with certainty and clarity in terms of conditions as issues remain to be considered and determined;
- Difficulty in ensuring that issues raised in submissions and assessment can be properly resolved and implemented in the development.

Option 3

Determine the application by way of refusal. Councillors would need to specify reasons for refusal.

Option 1 is the recommended option to this report.

CONCLUSION

This application for a residential subdivision of three lots is generally compliant with council's LEP and DCP, with the exception of the number of lots to be served by the proposed single driveway. It is recommended that the single driveway be supported subject to it being of adequate width to cater for the volume of traffic and to provide a safe passing place. This recommended approach provides a better outcome in terms of the streetscape values of the Valetta Street Conservation Area.

Other issues such as impact on adjoining properties and control of the height, scale and character of future buildings, fences and landscaping will be addressed by the recommended conditions of consent.

A Deferred Commencement consent is recommended as this will:

- allow the applicant to seek formal agreement from Council for the granting of an easement for stormwater over part of Moss Vale Community Oval;
- allow for the applicant to submit more detailed plans for the proposed driveway to ensure that its design can be improved in terms of its impact on adjoining properties and that it integrates acceptably with the existing landform and character of the area.

ATTACHMENTS

1. Draft Conditions - *circulated under separate cover*
2. Locality Plan - *circulated under separate cover*
3. Subdivision plans - first submission - *circulated under separate cover*
4. State Heritage Register Listing for Valetta Street Conservation Area - *circulated under separate cover*
5. Figure 1: Locality Plan - *circulated under separate cover*
6. Figure 2: Aerial Image - *circulated under separate cover*
7. Figure 3: More recent aerial image (Google Maps) showing new house at No 43 - *circulated under separate cover*
8. Figure 4: Sketch plan of proposed subdivision - *circulated under separate cover*



10.2 DA17/1826 - Conversion of Existing Dwelling and Construction of New Building to Create a Single Storey 6 Room Boarding House - 26 Leopold Street, Mittagong

Reference:	17/1826
Report Author:	Senior Town Planner
Authoriser:	Group Manager Planning, Development and Regulatory Services
Applicant:	John R Webb & Associates
Owner:	Harrob2 Pty Ltd
Link to Community Strategic Plan:	Identify and protect the unique characteristics of towns and villages to retain a sense of place

PURPOSE

The purpose of this report is to consider Development Application 17/1826 which seeks approval for the conversion of the existing dwelling and construction of a new building to create a single storey 6 room boarding house at Lot 2 DP 859143, 26 Leopold Street, Mittagong. This report is prepared for determination, and recommends **APPROVAL**, subject to attached conditions of consent.

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

RECOMMENDATION

THAT Development Application 17/1826 which seeks approval for the conversion of the existing dwelling and construction of a new detached single-storey building to create a six (6) room boarding house development at Lot 2 DP 859143, 26 Leopold Street, Mittagong be **APPROVED**, subject to attached conditions of consent as described in Attachment 1 to the report.

REPORT

Subject Site and Locality

The subject site, Lot 2 DP 859143 being 26 Leopold Street, Mittagong is located on the southern side of Leopold Street, between Helena Street and Alice Street. The 1105 square metre site has frontage to both Leopold Street and Leopold Lane (**Attachment 2: Site Location**). The property contains an existing dwelling in the centre of the property and a 45 square metre detached dual occupancy at the rear of the property fronting Leopold Lane. The site slopes down in a southerly direction from Leopold Street to Leopold Lane at the rear, being approximately a 4 metre crossfall. The surrounding locality is characterised by detached dwellings on 1000 square metre lots, within the Mittagong Heritage Conservation Area.

Proposed Development

Development Application 17/1826 seeks approval for the conversion of the existing dwelling and construction of a new detached single-storey building to create a six (6) room boarding house at Lot 2 DP 859143, 26 Leopold Street, Mittagong. Amended plans submitted March 2018, deleting proposed carports within the front setback area, and increasing roof pitch to 30 degrees to better complement the Mittagong Heritage Conservation Area are the plans assessed in this report.

The proposed development includes:

- Conversion of existing dwelling to contain 3 boarding house rooms ;
- Construction of a detached building with a 9 metre setback to Leopold Street, to the north of the existing dwelling, to contain 3 boarding house rooms;
- Provision of 3 additional on-site car parking spaces within the 9 metre front setback area to Leopold Street; and retention of 3 existing car parking spaces at the rear of the property, resulting in a total of 6 on site spaces for the proposed boarding house
- Retention of existing 45 square metre detached dual occupancy dwelling and its one car space fronting Leopold Lane at the rear of the property; and
- Retention of existing 3 carparking spaces within the rear yard.

Each of the six proposed boarding house rooms will contain a combined bedroom and living area, with small kitchenette and bathroom. Each room will have access to a communal living, kitchen, laundry and open space area. The site plan of the proposed development can be found at **Attachment 4**. The elevations of the proposed development can be found at **Attachment 5**.

STATUTORY PROVISIONS

State Environmental Planning Policies

State Environmental Planning Policy No 55 – Remediation of Land

Clause 7 of SEPP 55 requires the consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land, and to be satisfied that the land is suitable for the proposed use. There is no evidence that the site is contaminated land.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The site is located within the Wingecarribee River Sub-catchment. Compliance with the provisions of the SEPP and associated guidelines is therefore required to consider water quality. Water NSW advises that the proposed development satisfies the requirements of State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011, subject to conditions of consent including conditions addressing stormwater management measures, rainwater tanks, and erosion and sediment control measures as contained within attached conditions of consent (**Attachment 1**).



Local Environmental Plans

Wingecarribee Local Environmental Plan 2010

Clause 2.3 Zone objectives and land use table

The site is zoned R2 Low Density Residential under the *Wingecarribee Local Environmental Plan 2010 (Attachment 3)* and in this zone, a Boarding House is permissible with development consent. The site is also located within the Mittagong Heritage Conservation Area under *Wingecarribee Local Environmental Plan 2010*.

The objectives of the R2 Low Density Residential zone, and their consideration, are discussed below:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed boarding house development provides a greater variety of housing choice for the community, and is considered consistent with these zone objectives. The proposed boarding house relies upon Wingecarribee Local Environmental Plan 2010 for its permissibility, as SEPP (Affordable Rental Housing) 2009 is not applicable to the development as the site is approximately 433 metres from the closest business zone, which exceeds the 400 metre maximum under Clause 27 of the SEPP.

Development Control Plans

Mittagong Town Plan Development Control Plan

Mittagong Town Plan Development Control Plan expands upon the reasoning behind the permissibility of boarding houses within R2 Low Density Residential and R3 Medium Density Residential zones, as Council seeks to achieve particular outcomes including:

- To provide a range of housing types throughout Mittagong
- To provide a greater range of affordable housing options
- To ensure the location of affordable accommodation is close to transport, shops and services
- To integrate new development into established areas by maintaining streetscape and building quality

The proposed development is in accordance with these objectives.

The proposed development complies with relevant provisions of the Mittagong Town Plan Development Control Plan, including compliance with front, side and rear setback requirements.

Mittagong Town Plan Development Control Plan is silent on car parking requirements for boarding houses. While SEPP (Affordable Rental Housing) 2009 is not applicable to the proposed development, the car parking rate of 0.4 spaces per boarding room contained within the SEPP is a useful guide. The provision of 6 car spaces for the proposed 6 room boarding house exceeds the 2.4 car space requirement under SEPP (Affordable Rental Housing) 2009.

Section 4.15 Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

The proposed boarding house development is permissible within the R2 Low Density Residential zone under *Wingecarribee Local Environmental Plan 2010*, and satisfies the R2 Low Density Residential zone objectives. The amended plans submitted for the proposed boarding house within the Mittagong Heritage Conservation Area, are not considered to adversely impact upon the heritage significance of the Mittagong Heritage Conservation Area, and are supported by Council's Heritage Adviser, subject to conditions (**conditions 17, 18 and 26**).

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

Not applicable in this instance (no relevant draft plans).

(iii) any development control plan, and

The proposed boarding house development meets the relevant provisions of the Mittagong Town Plan DCP, including setback requirements.

(iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

Not applicable to Development Application 17/1826.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

Not applicable to Development Application 17/1826.

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

Not applicable.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

Amended plans submitted March 2018, deleting proposed carports within the front setback area, increasing roof pitch to 30 degrees, and introducing a gable roof element to address Leopold Street, better complements the Mittagong Heritage Conservation Area and improves the architectural quality of the proposed development to the satisfaction of Council's Heritage Adviser, subject

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to conditions of consent (**conditions 17, 18 & 26**). In terms of social impacts, the proposed boarding house development is consistent with the following social outcomes, as listed within the Mittagong Town Plan Development Control Plan, that Council is seeking to achieve including:

- To provide a range of housing types throughout Mittagong
- To provide a greater range of affordable housing options
- To ensure the location of affordable accommodation is close to transport, shops and services
- To integrate new development into established areas by maintaining streetscape and building quality

(c) *the suitability of the site for the development,*

The site is considered suitable for the proposed boarding house development as discussed in the Discussions of Key issues section of this report.

(d) *any submissions made in accordance with this Act or the regulations,*

Refer to the Consultation section of this report.

(e) *the public interest.*

The proposed boarding house development is consistent with the objectives of Wingecarribee Local Environmental Plan 2010 and Mittagong Town Plan Development Control, and is considered to be in the public interest.

CONSULTATION

Internal Referrals

The required conditions are incorporated throughout the Draft Conditions of Consent (**Attachment 1**).

Referrals	Advice/Response/Conditions
Development Engineer	Council's Development Engineer has provided conditions of consent, including conditions addressing car parking and stormwater.
Accredited Certifier	Council's Accredited Certifier raises no objection to the proposed boarding house development and has provided conditions of consent.
Heritage Adviser	Council's Heritage Adviser raises no objection to the proposed boarding house development, subject to conditions of consent: <ul style="list-style-type: none">• Architectural treatment of northern gable to be weatherboard cladding with a 500 wide x 1900 high louvred roof vent.• Driveway finish to be asphalt or concrete with 10% black oxide.• External colour scheme to be provided for heritage adviser comment. One acceptable scheme is Colorbond Woodland Grey (Roofs and roof drainage), walls Colorbond Cove (walls), Colorbond Gully (framing).

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Referrals	Advice/Response/Conditions
	<ul style="list-style-type: none">Plant perimeter hedge, <i>Murraya paniculata</i> at 1.5m centres, or provide alternative details of proposed hedge plant for heritage adviser comment. <p>Conditions 17, 18 and 26 address these heritage matters.</p>

External Referrals

Referrals/Notice	Advice/Response/Conditions
Water NSW	Water NSW supports the proposed boarding house development, subject to conditions of consent addressing stormwater management and construction activities. (Condition 72)
Rural Fire Service	Rural Fire Service has provided concurrence to the proposed boarding house development, subject to conditions addressing asset protection zones, water and utilities, and design and construction. (Condition 71)

Neighbour Notification (or Advertising)/Public Participation

The proposed boarding house development was neighbour notified to surrounding properties. One submission has been received, raising concerns that the proposal will increase the number of residents on the site impacting upon the availability of street parking, and that the proposed building is architecturally unappealing.

Mittagong Town Plan Development Control Plan is silent on car parking requirements for boarding houses. While SEPP (Affordable Rental Housing) 2009 is not applicable to the proposed development, the car parking rate of 0.4 spaces per boarding room contained within the SEPP is a useful guide. The provision of 6 car spaces for the proposed 6 room boarding house exceeds the 2.4 car space requirement under SEPP (Affordable Rental Housing) 2009. It is considered that the provision of 6 car spaces for the proposed 6 room boarding house, and provision of 1 existing car space for the rear existing 45 square metre detached dual occupancy dwelling, will minimise impact upon availability of on street parking.

Amended plans submitted March 2018, deleting proposed carports within the front setback area, increasing roof pitch to 30 degrees, and introducing a gable roof element to address Leopold Street better complements the Mittagong Heritage Conservation Area and improves the architectural quality of the proposed development to the satisfaction of Council's Heritage Adviser, subject to conditions of consent (**Conditions 17, 18 and 26**).

DISCUSSION OF KEY ISSUES

Streetscape / heritage impact

Amended plans submitted March 2018, deleting proposed carports within the front setback area, increasing roof pitch to 30 degrees, and introducing a gable roof element to address Leopold Street, better complements the Mittagong Heritage Conservation Area and improves the architectural quality of the proposed development to the satisfaction of Council's Heritage Adviser, subject to conditions of consent (**Conditions 17, 18 and 26**).

The proposed 9 metre building setback to Leopold Street is consistent with the setback of adjoining properties.

The provision of 3 additional on-site car parking spaces within the 9 metre front setback area to Leopold Street (and retention of 3 existing car parking spaces at the rear of the property, resulting in a total of 6 on site spaces for the proposed boarding house), exceeds the minimum 2.4 car space requirement for a six room boarding house under SEPP (Affordable Rental Housing) 2009. While these additional 3 spaces could be deleted, it is considered that as these car spaces would be set below the Leopold Street street level, with screen hedging, these spaces are not considered to be visually obtrusive or to adversely impact upon the heritage significance of the Mittagong Heritage Conservation Area, and are therefore considered acceptable in this instance.

SUSTAINABILITY ASSESSMENT

• Environment

Any perceived environmental issues have been discussed within the body of this report.

• Social

The proposed boarding house development is consistent with the following social outcomes, as listed within the Mittagong Town Plan Development Control Plan, that Council is seeking to achieve including:

- To provide a range of housing types throughout Mittagong
- To provide a greater range of affordable housing options
- To ensure the location of affordable accommodation is close to transport, shops and services
- To integrate new development into established areas by maintaining streetscape and building quality

• Broader Economic Implications

The proposed boarding house development is not considered to have broad economic implications for the Shire.

• Culture

The development has been assessed in the context of the Mittagong Heritage Conservation Area and conditioned by the Heritage Adviser.

- **Governance**

The development application has been considered in accordance with the *Wingecarribee Local Environmental Plan 2010*, section 4.15 of the *Environmental Planning and Assessment Act 1979* and any other matters relevant to the development.

RELATIONSHIP TO CORPORATE PLANS

Operational Plan 2017 – 2018: OP:179 Assess and certify applications related to development.

COUNCIL BUDGET IMPLICATIONS

The financial implications of Council's decision in this matter are directly related to the legal implications. The possibilities are detailed as follows:

- Should the applicant choose to appeal a refusal, or pursue a deemed refusal, by Council through the Land and Environment Court and lose, the question of cost with regard to Council's legal representation would be determined by the extent of the reasons for refusal;
- Should the applicant choose to appeal a refusal, or pursue a deemed refusal, by Council through the Land and Environment Court and win, the question of cost would be dependent upon the extent of the reasons for refusal;
- Should any person choose to take out Class 4 proceedings against Council to the Land and Environment Court and lose, the question of cost with regard to Council's legal representation would be calculated at the appropriate time;
- Should any person choose to take out Class 4 proceedings against Council to the Land and Environment Court and win, the question of cost would still be calculated at the appropriate time;
- Should the applicant make no appeal, or proceedings not be taken out by another party, to the Land and Environment Court regardless of the determination, the application would result in no further financial implication to Council.

RELATED COUNCIL POLICY

An assessment of the proposed development has been made against the *Wingecarribee Local Environmental Plan 2010*, *SEPP (Sydney Drinking Water Catchment) 2011* and the *Mittagong Town Plan Development Control Plan*.

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OPTIONS

The options available to Council are:

Option 1

Approve the development application subject to the attached conditions of consent; or

Option 2

Determine the application by way of refusal. Councillors would need to specify reasons for refusal.

Option 1 is recommended.

CONCLUSION

It is considered that Development Application 17/1826 which seeks approval for the conversion of the existing dwelling and construction of a new detached single-storey six (6) room boarding house development at Lot 2 DP 859143, 26 Leopold Street, Mittagong, be supported subject to conditions.

The proposal is considered satisfactory in terms of s.4.15 EPA Act 1979, therefore it is recommended that the development application be approved, subject to the attached draft conditions of consent nominated in **Attachment 1**.

ATTACHMENTS

1. Draft Conditions of Consent - *circulated under separate cover*
2. Site Location - *circulated under separate cover*
3. Zoning - *circulated under separate cover*
4. Site Plan - *circulated under separate cover*
5. Elevations - *circulated under separate cover*

Mark Pepping

Deputy General Manager Corporate, Strategy and Development Services

Friday 18 May 2018

12 OPERATIONS FINANCE AND RISK

12.1 Investment Report - April 2018

Reference:	2104
Report Author:	Deputy Chief Financial Officer
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to present Council's Investment Portfolio held at 30 April 2018.

RECOMMENDATION

THAT the information on Council's Investments as at 30 April 2018 be received and noted.

REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulations 2005*, the Responsible Accounting Officer must provide Council with a written report setting out details of all money that Council has invested under section 625 of the *Local Government Act 1993*.

This report provides details of Council's Investment Portfolio as at 30 April 2018.

Attachment 1 to this report provides Council's Investment Portfolio, detailing investments held and, a summary of the portfolio by the institution invested with and their credit rating.

In accordance with Paragraph 212(1)(b) of the *Local Government (General) Regulations*, the investments listed in **Attachment 1** have been made in accordance with:

- The *Local Government Act, 1993*,
- The *Local Government (General) Regulation 2005*,
- The Ministerial Investment Order 2011,
- Council's Investment Policy.

Interest earned from investments totalled \$2,948,811 for the ten (10) months to 30 April 2018.

ATTACHMENTS

1. Investment Report Summary for April 2018

12.1 Investment Report - April 2018

ATTACHMENT 1

Investment Report Summary for April 2018



ATTACHMENT 1

Wingecarribee Shire Council

Investment Report Summary

For the period ending 30 April 2018

List of Investments

Council's investment portfolio as at 30 April 2018 consists of the following investments:

INVESTMENT PORTFOLIO AS AT APRIL 2018						
Institution	Type	Amount	Interest Rate	Maturity Date	Investment Term - Days	% Investment Portfolio
Bendigo	Term Deposit	2,500,000	2.67%	3/05/2018	365	1.74%
Auswide	Term Deposit	2,000,000	2.90%	24/05/2018	365	1.39%
BOQ	Term Deposit	2,500,000	2.66%	13/06/2018	364	1.74%
Bendigo	Term Deposit	2,500,000	2.70%	19/06/2018	370	1.74%
CBA	Term Deposit	5,000,000	2.60%	27/06/2018	177	3.48%
CBA	Term Deposit	5,000,000	2.61%	11/07/2018	191	3.48%
Bendigo	Term Deposit	3,000,000	2.65%	18/07/2018	357	2.09%
BOQ	Term Deposit	5,000,000	2.65%	25/07/2018	364	3.48%
Bendigo	Term Deposit	5,000,000	2.70%	2/08/2018	365	3.48%
IMB	Term Deposit	3,000,000	2.60%	8/08/2018	364	2.09%
ME	Term Deposit	5,000,000	2.60%	23/08/2018	365	3.48%
ME	Term Deposit	5,000,000	2.59%	27/08/2018	272	3.48%
NAB	Term Deposit	5,000,000	2.56%	28/08/2018	365	3.48%
NAB	Term Deposit	5,000,000	2.60%	31/08/2018	365	3.48%
ME	Term Deposit	5,000,000	2.55%	6/09/2018	365	3.48%
MyState	Term Deposit	5,000,000	2.65%	12/09/2018	365	3.48%
BDCU	Term Deposit	2,500,000	2.75%	20/09/2018	365	1.74%
NAB	Term Deposit	5,000,000	2.62%	27/09/2018	365	3.48%
Auswide	Term Deposit	5,000,000	2.65%	28/09/2018	365	3.48%
ME	Term Deposit	5,000,000	2.62%	11/10/2018	365	3.48%
ING	Term Deposit	4,000,000	2.57%	24/10/2018	365	2.79%
MyState	Term Deposit	5,000,000	2.65%	30/10/2018	365	3.48%
BDCU	Term Deposit	3,000,000	2.62%	9/11/2018	365	2.09%
AMP	Term Deposit	5,000,000	2.65%	26/11/2018	272	3.48%
WBC	Term Deposit	4,000,000	2.57%	5/12/2018	365	2.79%
WBC	Term Deposit	4,000,000	2.58%	14/12/2018	365	2.79%
CUA	Term Deposit	3,000,000	2.65%	20/12/2018	365	2.09%
CUA	Term Deposit	6,000,000	2.69%	24/01/2019	365	4.18%
WBC	Term Deposit	2,000,000	2.64%	31/01/2019	365	1.39%
CBA	Term Deposit	3,500,000	2.66%	7/02/2019	365	2.44%
CUA	Term Deposit	3,000,000	2.67%	21/02/2019	365	2.09%
CBA	Term Deposit	5,000,000	2.63%	2/03/2019	365	3.48%
BDCU	Term Deposit	3,000,000	2.65%	8/03/2019	365	2.09%
CUA	Term Deposit	2,000,000	2.71%	22/03/2019	365	1.39%
CBA	Term Deposit	3,000,000	2.78%	18/04/2019	365	2.09%
CBA	Term Deposit	2,000,000	2.78%	19/04/2019	365	1.39%
NAB	Call Account	3,051,000	1.40%	NA		2.13%
Total Investments		\$143,551,000				100.00%

Institution Legend		
AMP = AMP Limited	CBA = Commonwealth Bank of Australia	NAB = National Australia Bank
ANZ = Australia & New Zealand Banking Group	CUA = Credit Union Australia	Newcastle = Newcastle Permanent
Auswide = Auswide Bank	IMB = IMB Bank	St George = St George Bank
BOQ = Bank of Queensland	ING = ING Direct	WBC = Westpac Banking Corporation
BDCU = Berrima District Credit Union	ME = Members Equity Bank	
Bendigo = Bendigo & Adelaide Bank	MyState = MyState Bank	



Wingecarribee Shire Council Investment Report Summary

For the period ending 30 April 2018

Policy Compliance

Council's Investment Policy provides clear direction for the diversification of Council's investment portfolio. This ensures credit and diversification risk is managed in accordance with the adopted risk management framework, as outlined in Council's Policy.

Individual Institution Limits

A summary of investments placed by institution is as follows:

Institution	S&P Short Term Rating	Maximum %	Actual %	Invested \$	Supports Fossil Fuels	Policy Compliance
NAB	A1+	40%	12.57%	18,051,000	YES	YES
CBA	A1+	40%	16.37%	23,500,000	YES	YES
WBC	A1+	40%	6.97%	10,000,000	YES	YES
AMP	A1	25%	3.48%	5,000,000	YES	YES
ING	A1	25%	2.79%	4,000,000	YES	YES
BDCU	A2	15%	5.92%	8,500,000	NO	YES
Bendigo	A2	15%	9.06%	13,000,000	NO	YES
CUA	A2	15%	9.75%	14,000,000	NO	YES
ME	A2	15%	13.93%	20,000,000	NO	YES
IMB	A2	15%	2.09%	3,000,000	NO	YES
BOQ	A2	15%	5.22%	7,500,000	NO	YES
MyState	A2	15%	6.97%	10,000,000	NO	YES
Auswide	A3	10%	4.88%	7,000,000	NO	YES
Total			100.00%	143,551,000		

Portfolio Credit Limits

A summary of investments placed by credit limit is as follows:

S&P Short Term Rating	Maximum %	Actual %	Invested \$	Policy Compliance
A1+	100%	35.91%	51,551,000	YES
A1	80%	6.27%	9,000,000	YES
A2	60%	52.94%	76,000,000	YES
A3	20%	4.88%	7,000,000	YES
Govt	25%	0.00%	0	YES
Total		100.00%	143,551,000	



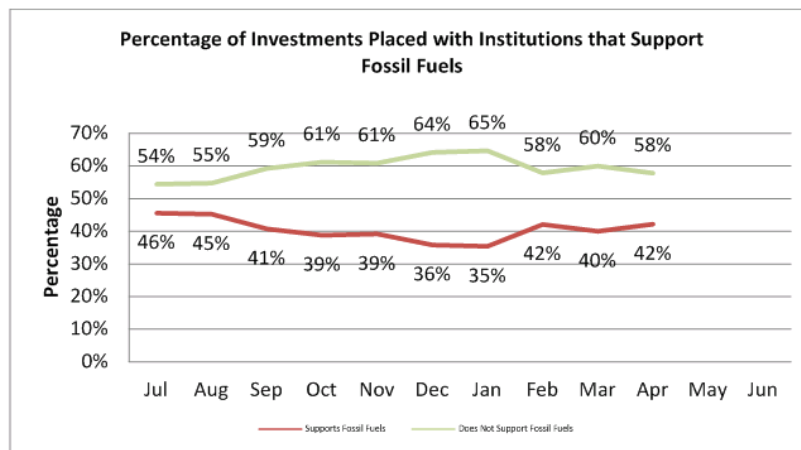
Wingecarribee Shire Council Investment Report Summary

For the period ending 30 April 2018

Non-Fossil Fuel Investment Preferencing

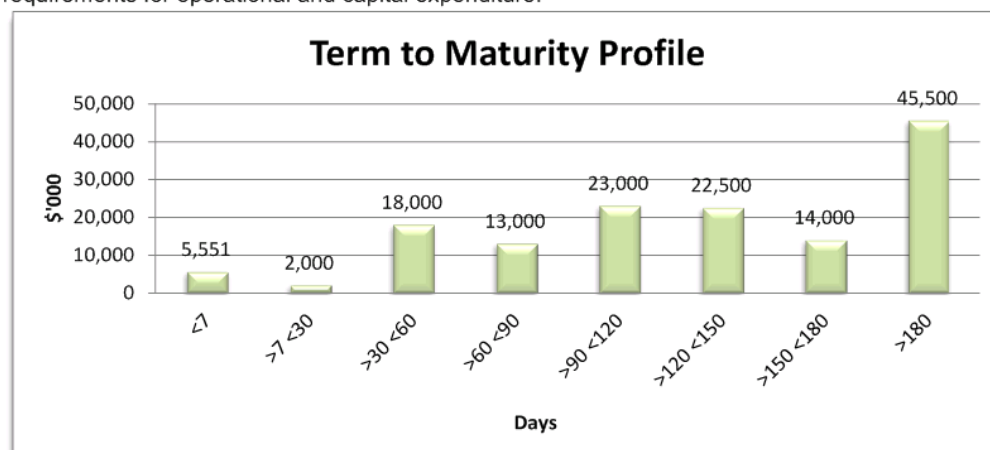
Council's adopted Investment Policy states a preference for placing funds with institutions that do not support the fossil fuel industry. The chart below identifies Council's percentage of investments placed with institutions that do not support the fossil fuel industry.

As investments mature Council will actively seek investments with institutions that do not support the fossil fuel industry, on the basis that they offer equivalent returns and are compliant with legislation and the objectives and parameters of the Investment Policy.



Term to Maturity

Investments have been placed giving due consideration to Council's liquidity requirements. Sufficient Working Capital is available to ensure Council continues to meet its ongoing cash flow requirements for operational and capital expenditure.



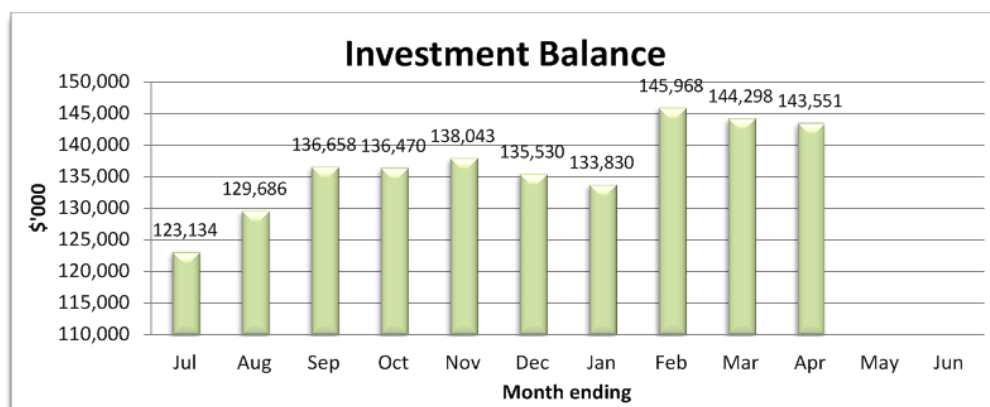


Wingecarribee Shire Council Investment Report Summary

For the period ending 30 April 2018

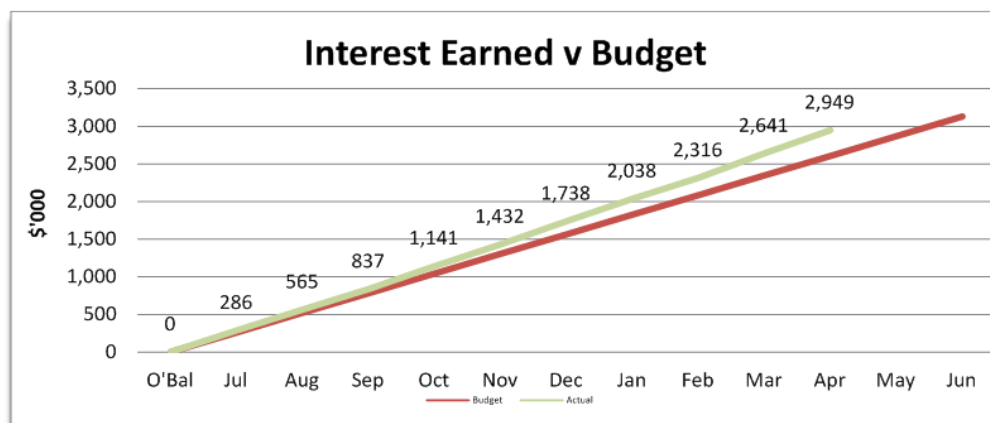
Portfolio Performance

Council's investment balance at the end of April 2018 was \$143.551 million. This has decreased by \$747,000 since the end of March 2018. The decrease in investments is a result of operational and capital expenditure payments during the April period.



Interest Revenue

Council is currently exceeding budget expectations. Council's investment portfolio is performing above budget due to Council actively seeking the best interest rates available and high levels of surplus funds to invest.





Wingecarribee Shire Council Investment Report Summary

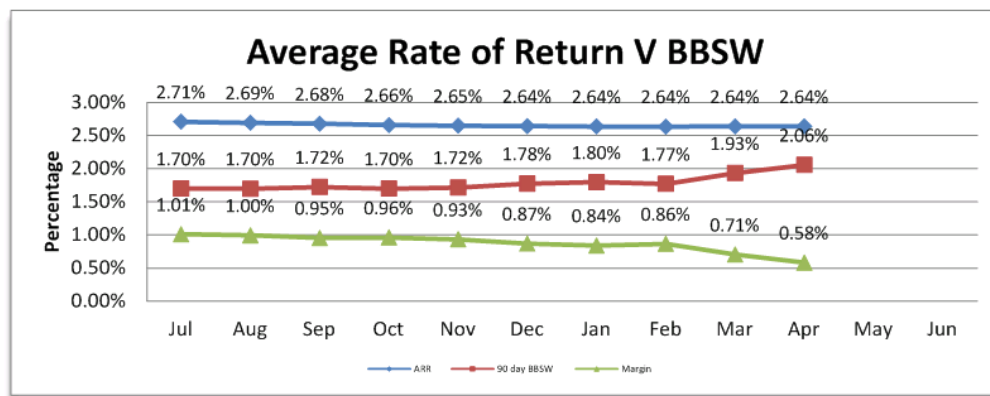
For the period ending 30 April 2018

Performance against Benchmark

Council's investment portfolio is benchmarked against the 90 day Bank Bill Swap Rate (BBSW).

The average rate of return (ARR) achieved for April 2018 was 2.64% which is the same as March 2018. There was an increase in the BBSW to 2.06%

The margin above BBSW has decreased in April 2018 by 0.13% as rates available in the fixed interest market remain relatively stable.



12.2 Post Exhibition Report - Urban Tree Policy

Reference:	900/2
Report Author:	Tree and Vegetation Management Officer
Authoriser:	Manager Open Space, Recreation and Building Maintenance
Link to Community	
Strategic Plan:	Work collaboratively to improve and revitalise town and village centres throughout the Shire

PURPOSE

This report provides a detailed summary of the draft Urban Tree Policy (the draft Policy) public exhibition period.

RECOMMENDATION

THAT the draft Urban Tree Policy as at Attachment 1 be adopted.

REPORT

BACKGROUND

The following resolutions were passed at the Council meeting held 28 February 2018.

1. ***THAT** the draft Urban Tree Policy be placed on public exhibition for a period of twenty eight (28) days and submissions be invited from the public.*
2. ***THAT** all local tree nurseries and service agencies, including Endeavour Energy, be forwarded a copy of the draft Urban Tree Policy with a request that they make comment.*
3. ***THAT** a further report be submitted to Council following conclusion of the public exhibition period.*

The provisions of the draft Policy are applicable to all Council controlled trees located on urban roads, streets and across the public open space network in towns and villages, with the exception of bushland reserves.

REPORT

During the exhibition period, 198 people visited the Your Say Wingecarribee website. The policy was downloaded 136 times and the report to Council was downloaded 37 times.

A total of 20 submissions were received. Submission comments and responses are summarised in **Attachment 2**.



Changes include minor grammar changes and, amendments to the order of the draft Policy objectives. In addition sections were removed due to duplication across the related documents - Street Tree Master Plan 2016 (STMP), Street Tree Implementation Plan 2016 and Tree Risk Management Plan 2018.

SUBMISSIONS

A total of 20 submissions were received on the draft Policy. The submissions received addressed a range of issues and a number of prominent themes emerged from the submissions, those related to:

- Concerns regarding Council development activities (7 related submissions)
- The STMP (5 related submission)
- Tree management works of Council (4 related submissions)
- Environment (3 related submissions)
- Climate change (2 related submissions)

All submissions received during the public exhibition period have been reviewed and given due consideration. Based on this feedback, changes have been recommended to the draft Policy, as outlined in Attachment 1 of this report.

Council Development Activities

Seven submissions were concerned about the impact of infrastructure activities and their delivery, such as road development on trees. Council development activities are managed and assessed under provisions of Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Vegetation or tree removal applications are assessed through either Part 5 of the EP&A Act, NSW Government's *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*, or the *Local Land Services Amendment Act 2017*.

Council's participation in the NSW Government's Biodiversity Offsets Scheme through the *Biodiversity Conservation Act 2016*, is not a mandatory requirement.

The STMP

Five submissions relate to the STMP, including a range of comments related to support, tree species and the environment. The comments received have been reviewed and will be given due consideration when reviewing the STMP.

Tree Management Works

Four submissions related to customer requests that were received. Trees on public land are risk assessed as outlined within Council's Tree Risk Management Plan 2018. Tree works are scheduled based on the level of risk to public and property within the available operational budgets and resources.

Environment

Three submissions raised concerns with habitat protection and biodiversity values. The intent of the draft Policy is not to address biodiversity and habitat values. The provision of biodiversity and habitat management is addressed through Council's Environment Strategy

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



2012-2017. The Street Tree Master Plan 2018 advocates for native tree plantings as part of the urban forest.

Climate Change

Two submissions raised concerns with climate change and the related urban heat island effects. The Street Tree Master Plan 2018 communicates Council's strategic intent to address climate change and urban heat island effects through planting trees in roads and streets with appropriate spacing's and species.

PROPOSED AMENDMENTS

Based on feedback received from submissions Council proposes the following amendments:

- Inclusion of dates within the Related Documents section
- Prioritisation to the order of the draft Policy Objectives
- Removal of heading 'Why Council Values Trees'
- Minor grammatical changes throughout the document
- Removal of duplication across the related documents relating to; tree planting and selection, tree pruning, removal and replacement and community notification.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

There is no direct impact on Council's *Fit for the Future* Improvement Plan.

COMMUNICATION AND CONSULTATION

Community Engagement

Following Council approval to place the draft Policy on public exhibition, copies of the draft Policy were made available for the community through:

- Hard copies available at the Customer Service front counter and at Council libraries;
- Your Say Wingecarribee;
- Council's website.

The draft Policy was extended on public exhibition for a period of 34 days from 1 March to 3 April 2018 to allow for the Easter long weekend. The exhibition period was advertised in local newspapers, media release and through Council's Your Say Wingecarribee website.

Notification was sent to 2190 registered members of Your Say Wingecarribee 1 March 2018. Further notification was issued 5 March to 1268 Council e-newsletter subscribers.

Internal Communication and Consultation

Council staff were invited to be part of the community engagement process through completing the online survey or written submissions on the draft Policy. The draft Policy was also circulated to Environment & Sustainability, Strategic and Assets, Development and Regulatory Services, Corporate and Community, Organisational Development and Infrastructure Service Group for comment.

One Councillor briefing session was held for the draft Policy 28 February 2018.

Council's insurer *Statewide Mutual* has received the draft Policy as at Attachment 1 and is supportive of the draft Policy.

External Communication and Consultation

Local tree nurseries and utility service agencies, including Endeavour Energy were sent notification of the draft Policy on 5 March 2018. No responses were received.

The policy was peer reviewed by similar sized regional Council's.

SUSTAINABILITY ASSESSMENT

- **Environment**

The draft Policy addresses the Environment theme of the Community Strategic Plan, Wingecarribee 2031, particularly in relation to maintaining the natural and urban environment. Street trees provide numerous environmental benefits to urban areas by carbon sequestration, shading of pavement, removing pollution from the air, and reducing storm water runoff. Street trees can also help to reduce energy consumption, through shading and reductions in the 'urban heat island effect'.

- **Social**

The draft Policy addresses the People theme of the Community Strategic Plan, Wingecarribee 2031. The planning and protection for street trees creates a 'sense of place' in urban areas, promotes social interaction, and creates inspiring places where people want to be.

- **Broader Economic Implications**

The draft Policy addresses the Economy theme of the Community Strategic Plan, Wingecarribee 2031, by recognising the contribution street trees can have on stimulating the local economy, supporting tourism, improving amenity and encouraging visitation to the area.

- **Culture**

The draft Policy will help to promote, celebrate and protect culturally significant public trees across the Shire.



- **Governance**

The draft Policy will ensure greater accountability for Council decision-making and assist with the allocation of budgets and resources for public tree maintenance and management projects.

COUNCIL BUDGET IMPLICATIONS

The adoption of the draft Policy does not have a direct impact on Council's budget.

RELATED COUNCIL POLICY

Nil

OPTIONS

The options available to Council are:

Option 1

Adopt the draft Urban Tree Policy (**Attachment 1**)

Option 1 is the recommended option to this report.

CONCLUSION

In response to submissions received the revised draft Policy is attached for Council adoption.

Adoption of the draft Policy supersedes the Management of Trees on Public Land Policy 2009 and the WSC Roadside Management Plan and Procedure Manual 2009.

The draft Policy will provide Council with an overarching policy for the management and protection of urban tree assets across the Shire.

ATTACHMENTS

1. Draft Urban Tree Policy
2. Submission and Responses Table



Urban Tree Policy

ATTACHMENT 1

PLACES

3.3 OUR BUILT ENVIRONMENT CREATES VIBRANT AND INVITING PUBLIC SPACES

Adoption Date:	(Governance to insert)
Council Reference:	(Governance to insert)
Policy Owner:	Manager Infrastructure Services
Next review date:	June 2020
File Reference:	900/2
Related Policies/Legislation:	<p>Development Control Plans</p> <p>Civil Liability Act 2002</p> <p>Biodiversity Conservation Act 2016</p> <p>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</p>
Related Documents:	<p>Wingecarribee Street Tree Master Plan 2016 (STMP)</p> <p>Wingecarribee Street Tree Implementation Plan 2016 (STIP)</p> <p>Wingecarribee Tree Risk Management Plan 2018 (TRMP)</p> <p>Wingecarribee Parks Strategy 2016</p> <p>Council Environmental Assessment Procedure, under Part 5 of the EP&A Act.</p> <p>Council Standard drawings for roadside vegetation pruning</p>
Superseded Policy:	<p>Management of trees on Public Land Policy 2009</p> <p>WSC Road Side Management Plan and Procedure Manual 2009</p>





Urban Tree Policy

OBJECTIVES

The objectives of this policy are:

- Promote and recognise the value of the urban forest as fundamental and intrinsic landscape elements amongst the community, developers and Council staff;
- Protect trees which contribute to the historical, social, and environmental value of the region;
- Maintain and increase the species, age diversity and canopy cover and function of the urban forest and streetscapes to moderate or reduce urban heat island effects;
- Improve local streetscapes by introducing trees appropriate to the local environment and urban services present;
- Determine the strategic direction and a balanced approach to tree management;
- Prioritise the systematic management, maintenance, and consistent protection of Council controlled trees;
- Mitigate property, infrastructure, and community risks in accordance with the provisions of Council's Tree Risk Management Plan.

SCOPE

The provisions of the Urban Tree Policy are applicable to all Council controlled trees located on urban roads, streets and across the public open space network in towns and villages, with the exception of bushland reserves. The open space network is outlined within the Street Tree Master Plan 2016 and the Tree Risk Management Plan.

POLICY STATEMENT

Council is committed to providing an appealing, livable region with a diverse and healthy tree population that promotes and delivers economic, ecological, and social benefits to the community. The urban forest is viewed by Council as a significant piece of public infrastructure.

COUNCIL TREE MANAGEMENT

Why Council Values Trees

Trees are an important natural asset that improve the amenity of our local streets and increase the value and character of the open space network. The Urban Tree Policy aims to protect, enhance and maintain the existing landscape character provided by trees across the Wingecarribee Shire.





Urban Tree Policy

The retention and protection of Council controlled trees shall be given a high priority when performing routine maintenance activities, delivery of infrastructure and during the assessment of development applications.

Disclaimer

A tree is a dynamic living organism which provides numerous environmental, economic, aesthetic and social benefits to the region and community. Unpredictable events can cause significant damage to trees which will require prioritisation over programmed works.

Wingecarribee Shire Council endeavours to meet the community's expectations to provide tree management works (as outlined below). Council acknowledges that works to be undertaken are subject to available financial and other resources.

Asset Management

Council appreciates that trees are living assets, subject to growth and decay. As assets, they will be managed by adopting a holistic approach that plans for maintenance and renewal, within designated resources and levels of service.

Council will conduct routine maintenance tasks in accordance with *Australian Standard 4373-2007 - Pruning of amenity trees*. Maintenance tasks will consist of tree pruning and related activities, aimed at risk mitigation, improving tree health, structure, and maintaining clearance zones for buildings and for pedestrian and vehicular traffic as per STMP.

All routine maintenance tasks will be conducted in line with the *Environmental Assessment Procedure*, under Part 5 of the ~~EP&A Act~~ *Environmental Planning and Assessment Act 1979* and other relevant State and Federal legislation.

Council will keep up-to-date with new technology relating to tree management, with the aim of incorporating new industry standards into Council's management and maintenance approach within its financial means and resources.

Whilst Council will seek to promote habitat creation where appropriate when performing tree removal or pruning works within the open space network. Priority will be given to safety and amenity.

Illegal Tree Removal, Modification and Poisoning

Council will investigate and if appropriate, pursue legal action, where sufficient evidence can be collected, against any person(s) or corporation(s) that removes, damages or modifies a Council controlled tree without prior approval from Council. Council will consider, when appropriate, installing signs identifying vandalised trees.

Tree Risk Management Plan

Council's TRMP outlines the procedure for assessing risk through inspecting, recording and addressing tree related issues. The plan aims to reduce future infrastructure problems by planting suitable tree species, as per the STMP.





Urban Tree Policy

Council will develop and maintain an inventory of urban trees, to provide strategic and long-term tree management options, risk management solutions, resource/~~works~~ prioritisation and archival record keeping of maintenance.

Tree Planting and Selection

Tree selection and planting will be in accordance with the STMP, the STIP and the WSC Parks Strategy 2016.

~~Council will from time to time review the recommended tree species and locations as required, to ensure the successful establishment and survival of trees. Any increase in the number of appropriate plantings on Council land will occur in line with the availability of resources and the capacity to maintain all trees planted to acceptable standards.~~

~~Council will use only quality nursery stock according to latest best practice and standards. All trees supplied will conform to the NATSPEC guide "Specifying Trees – a guide to assessment of tree quality".~~

Council will require street tree plantings in all new sub divisions as part of the development application process and associated approval. Trees planted in all new subdivisions shall be in accordance with the STMP and STIP, or a negotiated outcome between Council and the applicant. The minimum provision requirement for new street trees is to be one (1) new tree per newly created lot.

Tree Pruning, Removal and Replacement

~~For situations covered by this policy, Council will assess all trees proposed or requested for pruning or removal on Council controlled land in line with the STMP by an experienced and qualified Consulting Arborist.~~

~~Council will explore all possibilities for retention and preservation as removing, a healthy, structurally sound, and functioning tree is the least desirable outcome and an outcome of last resort. Replacement programs will be developed based on the impacts to canopy cover of the urban forest as per the STMP.~~

~~Council will not support removal of a Council controlled tree that is considered a source of habitat or shelter for wildlife or to remove a threatened or endangered species as defined by the State Environment Planning Policy (Vegetation in Non-Rural Areas) 2017 and or the Biodiversity Conservation Act 2016. Unless the tree is determined by Council's Consulting Arborist to be presenting a hazard or unacceptable risk to person or property, which cannot be mitigated through elimination or isolation works, or addressed through the Environmental Assessment Procedure, under Part 5 of the EP&A Act.~~

All tree pruning or removal on Council controlled land will be completed in accordance with the STMP and TRMP.





Urban Tree Policy

Community Engagement Notification

Wingecarribee Shire Council values the local community's input and undertakes consultation and communication about tree management and the urban forest activities in accordance with the STMP.

Tree management staff will engage with Council's Heritage Officer, Heritage Advisor and Heritage Committee, where appropriate, on tree removal and management decisions related to heritage items and tree management works planned within "Heritage Conservation areas".

Community consultation actions:

- Council will endeavour to establish 28 days notice ahead of tree planting works that are to occur directly in front of their property;
- Council will endeavour to establish 14 days notice prior to tree removal or pruning works that are to occur directly in front of their property including the reason for removal;
- Council will encourage community involvement in planting projects, to promote ownership of tree assets amongst the community;
- Council will consider and review tree planting requests in line with Council's Street Tree Master Plan or other relevant documents;
- Council will provide information on the benefits provided by trees in urban areas, through its website and related community engagement strategies.

At times Due to the unpredictable nature of trees, Council will be required to undertake risk mitigation actions without engaging with the community and internal stakeholders, such as during storm events or other such emergencies, when managing unacceptable tree risks, such as during storm events.

DEFINITIONS

Term	Definition
Tree	As defined in Council's relevant DCPs.
Open Space Network	Means the land that is publicly accessible for general recreation use including, urban roads, streets, parks and reserves which are defined in the STMP and TRMP as part of the public open space network.
Consulting Arborist	Means a specialist in the cultivation and care of trees, including tree surgery, diagnosis, treatment, prevention and management of tree diseases. Council considers a Consulting Arborist to be an individual who has obtained a minimum of AQF level 5 in Arboriculture.
Council Controlled Land	Means land under Council ownership or Crown Land managed by Council.
Delegated	Means a person delegated by the General Manager to provide approval





Urban Tree Policy

Person	on behalf of Wingecarribee Shire Council.
Council Controlled Tree	Means any tree managed by Council which is located on urban roads, streets and across the open space network (excluding bushland reserves).
Urban Forest	Means for the purpose of this document the sum of all trees and associated vegetation in and around towns and villages which are managed by Council for the purpose of improving the urban environment.
Tree Structure	Reference to the whole tree including the root system, trunk and canopy.

RESPONSIBILITIES

Responsibilities for implementing this policy are shared between Councillors, Executive and staff as follows:

Position	Responsibilities
Councillors	<ul style="list-style-type: none"> To lead the community in understanding this policy.
Executive	<ul style="list-style-type: none"> To lead staff (either directly or through delegated authority) in their understanding of and compliance with this Policy. To communicate, implement and comply with this Policy. To approve resources to develop, implement and review this Policy.
Manager of Open Spaces, Recreation and Building Maintenance	<ul style="list-style-type: none"> Updating the Policy. Allocating appropriate resources to comply with the Policy. Leadership of staff to follow policy.
Coordinator Open Spaces, Recreation and Building Maintenance	<ul style="list-style-type: none"> Coordinating and undertaking reviews of the Policy.
Tree and Vegetation Management Officer	<ul style="list-style-type: none"> Monitoring implementation and adherence to this Policy. Assisting the Coordinator of Open Spaces, Recreation & Building Maintenance to maintain the Policy.
Tree and Vegetation Maintenance Officer	<ul style="list-style-type: none"> Overseeing daily operational duties or tasks as delegated.
All Staff	<ul style="list-style-type: none"> To comply with this Policy and related plans.





Urban Tree Policy

PERFORMANCE MEASURES

The success of this policy will be measured by the following:

- Council conformance with the overall policy objectives
- Delivery of the Street Tree Implementation Plan

APPROVED BY:

WINGECARRIBEE SHIRE COUNCIL

(Insert Date)

REVIEW:

Revision History:

Policy Version	Revision Date	Approval Date
Version 1 Draft	9/05/2018	28/02/2018
Version 2 Draft for Adoption	1/05/2020	





ATTACHMENT 2

SUBMISSIONS AND RESPONSES

Table below provides a summary of the subjects raised within the submissions and the Policy response to the subject:

Submission Number	Main Subject of the Submission	Policy Response	Amendment to Policy
1	This submission did not comment on the Policy specifically. The submission focused on concerns about impacts from infrastructure activities. The submission supported Council action to plant street trees as per STMP and its Implementation Plan.	Trees are considered as part of the planning process for infrastructure delivery. The policy notes: "The retention and protection of Council controlled trees shall be given a high priority when performing routine maintenance activities, delivery of infrastructure and during the assessment of development applications."	Not within the scope or intent of the Policy
2	This submission did not comment on the Policy specifically. This submission related to State legislation requirements for biodiversity assessment development reports for private development, not Council works.	Response provided to resident about this subject raised. No policy response required.	Not within the scope or intent of the Policy
3	The submission provided information on how Street trees have a positive effect on reducing the impacts of climate change and the heat island effect.	The Policy has an objective to "Maintain and increase the species, age diversity and canopy cover..." and the STMP discusses heat island effect/ climate change in more detail. Council has a climate adaptation plan which is reviewed regularly and includes consideration of the impacts on biodiversity.	Not within the scope or intent of the Policy
4	This submission did not comment on the Policy specifically. The submission contained a customer request that was responded to at the time the request was raised.	Council has already provided a response to this request and the request is included in the Tree Maintenance Schedule for a future date.	Not within the scope or intent of the Policy

12.2 Post Exhibition Report - Urban Tree Policy

ATTACHMENT 2 Submission and Responses Table



5	This submission did not comment on the Policy specifically. The submission contained a customer request that was responded to at the time the request was raised.	Council has already provided a response to this request and the request is included in the Tree Maintenance Schedule for a future date.	Not within the scope or intent of the Policy
6	Did not support the policy, based on Councils impact of current infrastructure activities on street trees.	Trees are considered as part of the planning process for infrastructure delivery. The policy notes: "The retention and protection of Council controlled trees shall be given a high priority when performing routine maintenance activities, delivery of infrastructure and during the assessment of development applications."	Not within the scope or intent of the Policy
7	This submission did not comment on the Policy specifically. Raised concerns about large trees being planted and prefers small trees to be planted.	STMP detail different trees for different situations. The STMP takes into account urban services. The Tree Risk Management Plan accounts for the risk associated with large size of trees and their maintenance.	Not within the scope or intent of the Policy
8	This submission provided support for the Urban Tree Policy and the details in the STMP about heritage items and specific planting locations at Berrima.	Noted.	Not within the scope or intent of the Policy
9	Did not support the policy, based on the impact of private development and infrastructure activities on trees.	Private development is dealt with under the SEPP instruments and LEP rather than the Urban Tree Policy. For Council works, the Urban Tree Policy has a statement – see response for number 1.	Not within the scope or intent of the Policy
10	This submission preferred to see more trees to be planted and maintained appropriately. Did not want avenue plantings of singular species. Concerned about the pest and disease potential of street trees. Would like to see more variety in trees planted. Impact of urban design to assist with management of trees during environmental extremes.	The Policy has an objective to "Maintain and increase the species, age diversity and canopy cover..." and the STMP discusses heat island effect/ climate change in more detail. STMP addresses monoculture as only certain streets are allowed avenue plantings and the rest of the shire has a varied planting choice. The urban design issue has been forwarded to the relevant section of council for consideration.	Addressed by the policy. Not within the scope or intent of the Policy.

12.2 Post Exhibition Report - Urban Tree Policy
ATTACHMENT 2 Submission and Responses Table



11	This submission did not comment on the Policy specifically. The submission contained a customer request that was responded to at the time the request was raised.	This customer request has been responded to.	Not within the scope or intent of the Policy.
12	Submission raised some grammatical edits to the content.	All edits were included or modified appropriately.	Policy amendments were made.
13	This submission did not comment on the Policy specifically. This submission requested tree preservation orders for trees in a specific area of Bowral.	All trees within the Shire are protected within the Wingecarribbee Shire Council LEP.	Not within the scope or intent of the Policy.
14	This submission did not comment on the Policy specifically. The submission focused on concerns about impacts from infrastructure activities.	Trees are considered as part of the planning process for infrastructure delivery. The policy notes: "The retention and protection of Council controlled trees shall be given a high priority when performing routine maintenance activities, delivery of infrastructure and during the assessment of development applications."	Not within the scope or intent of the Policy.
15	This submission provided support for the Urban Tree Policy. This submission provided preferences to alternatives to species in the STMP and STIP and not monocultures.	STMP addresses monoculture as only certain streets are allowed avenue plantings and the rest of the shire has a varied planting choice.	Not within the scope or intent of the Policy.
16	Inclusion of Aboriginal Scar Trees in the Policy	Aboriginal Cultural Heritage Items (scar trees) are assessed through Part 5 of the <i>Environmental Planning and Assessment Act 1979</i> .	Not within the scope or intent of the Policy.
17	This submission did not comment on the Policy specifically. The submission focused on concerns about overhanging trees on footpaths and concern about low hanging trees preventing street sweeping.	Council's STMP addresses roadside clearances and pathway maintenance. Tree Risk Management Plan will identify and audit public spaces and tree risks. A customer request should be lodged for further concerns of low hanging branches preventing vehicle access.	Not within the scope or intent of the Policy.

12.2 Post Exhibition Report - Urban Tree Policy
ATTACHMENT 2 Submission and Responses Table



18	<p>This submission provided support for the Urban Tree Policy.</p> <p>More emphasis on protection and a preference for more native trees and habitat trees in parks and streets. Establishment of native corridors.</p> <p>This submission provided support for private development plantings at a minimum of 1 tree per lot.</p>	<p>Objective on protection was modified in line with this submission.</p> <p>STMP consultation process identified the use of evergreen and deciduous trees.</p>	<p>Policy amendments were made.</p> <p>Not within the scope or intent of the Policy.</p>
19	<p>This submission wanted the policy to cover private trees and Council's role in developing partnerships and other measures, with all landholders, developers and the community.</p>	<p>The policy only deals with public trees as other legislation protects and manages private trees.</p>	<p>Not within the scope or intent of the Policy.</p>
20	<p>This submission provided support for the Urban Tree Policy.</p> <p>The submission focused on concerns about impacts from infrastructure activities and impacts from utility providers.</p>	<p>Trees are considered as part of the planning process for infrastructure delivery. The policy notes: "The retention and protection of Council controlled trees shall be given a high priority when performing routine maintenance activities, delivery of infrastructure and during the assessment of development applications."</p> <p>The Electricity Supply Act governs the maintenance practices undertaken by utility companies.</p>	<p>Not within the scope or intent of the Policy.</p>

12.3 Post Exhibition Report - Draft Procurement Policy

Reference: 104/7
Report Author: Chief Financial Officer
Authoriser: Deputy General Manager Operations, Finance and Risk
Link to Delivery Program: Effective financial and asset management ensure Council's long term sustainability

PURPOSE

This report seeks the adoption of the draft Procurement Policy (the policy).

RECOMMENDATION

THAT the draft Procurement Policy included as Attachment 1 be adopted by Council.

REPORT

BACKGROUND

On 28 March 2018, Council passed the following resolution (MN 101/18):

1. *THAT the draft Procurement Policy be placed on public exhibition for a period of twenty eight (28) days and submissions be invited from the public.*
2. *THAT a further report be submitted to Council following the conclusion of the public exhibition period.*

Council placed the draft policy on public exhibition from 29 March to 4 May 2018. During this period the policy was made available on Council's website and advertised in a local newspaper on the 5 April, 12 April, 19 April and 26 April 2017. One submission was received during the public notification period.

REPORT

Council has undertaken a full and complete review of its procurement practices and procedures over the past 12 months. The need for this review was highlighted through a number of internal audits and was also identified within Council's *Fit for the Future* Improvement Plan.

The policy provides the governance framework which ensures Council is at all times compliant with the *Local Government Act 1993*, *Local Government (General) Regulations 2005*, tendering guidelines for NSW Local Government and Council's Code of Conduct Policy in relation to the procurement of goods and services.

In addition to full legislative compliance, the policy highlights Council's commitment to achieving best practice through its procurement activities. All procurement activities will:

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- Demonstrate best value for money;
- Consider long-term financial, environmental and social outcomes; and
- Be conducted in a transparent, fair and ethical manner.

The primary objectives of the policy are as follows:

1. Comprehensive and Transparent Governance Framework
2. Value for Money
3. Industry Engagement and Collaboration
4. Sustainable & Social Procurement
5. Local and Australian Made Procurement

The policy is supported by a General Managers Practice Note (Procurement Guidelines) that provides clear direction to staff on how to undertake procurement activities. As this is an operational document, it does not require endorsement by Council. The guidelines have been endorsed by the Executive for operational purposes.

Public Submissions

One submission was received during the public notification period. A summary of this submission is provided below:

Issue: Local Procurement	
Comments:	<p>Submission was generally supportive of the draft policy position.</p> <p>An issue was raised with respect to the mandatory non-price weighted criterion for local submissions/content of 10%.</p> <p>As there is no indication of what percentage the overall non-pricing category represented within the Policy, this weighting could be diluted. Submission supported a higher percentage weighting for local content.</p>
Officer Response:	<p>Formal procurement evaluations will be based on a combination of both non-pricing and pricing factors.</p> <p>Council's procurement guidelines prescribe that the non-pricing component should represent between 40%-60% of the overall weighting of the tender score. This will vary depending on the complexity and nature of the procurement activity.</p> <p>Non-pricing criteria consist of a number of important factors such as capability & experience, specifications and service reliability, procurement risk, quality assurance and WHS / Environmental compliance.</p> <p>The proposed weighting for local procurement of 10% is considered appropriate. Any increase may potentially compromise the non-pricing considerations listed above.</p>

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Council's detailed Improvement Plan included the following action: *Revision and enhancement of procurement practices to ensure best value is achieved.*

This policy and the operational guidelines have been developed to provide the governance framework which will ensure that Council achieves best value through its procurement practices.

CONSULTATION

Community Engagement

Council placed the draft policy on public exhibition from 29 March to 4 May 2018. During this period the policy was made available on Council's website and advertised in a local newspaper on 5 April, 12 April, 19 April and 26 April 2017. One submission was received during the public notification period.

Internal Consultation

The Policy and Guidelines were placed on exhibition for staff comment and feedback for a period of four weeks during 2017. Both documents have been updated to take into account internal feedback, where appropriate.

External Consultation

Nil

SUSTAINABILITY ASSESSMENT

- **Environment**

The policy contains a formal position on sustainable procurement.

- **Social**

The policy contains a formal position on social procurement.

- **Broader Economic Implications**

The policy contains a preference for local suppliers and for the use of local and Australian made and manufactured products.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

The policy has been developed in strict accordance with *Local Government Act 1993*, s55, the *Local Government Regulations 2005* and the *Office of Local Government, Tendering Guidelines 2010*.

COUNCIL BUDGET IMPLICATIONS

While there are no direct financial implications of implementing this Policy, it would be expected that Council would realise savings and greater value for money through its improved procurement framework.

RELATED COUNCIL POLICY

Local Purchasing Preference Policy

OPTIONS

The options available to Council are:

Option 1

Adopt the Procurement Policy as presented in Attachment 1.

Option 2

Reject or request changes to the Procurement Policy

Option 1 is the recommended option to this report.

CONCLUSION

The Procurement Policy has been developed to ensure full compliance with Council's legislative requirements, while also clearly articulating the importance of achieving value for money, taking a responsible path with respect to sustainability and supporting both local suppliers and Australian made products.

ATTACHMENTS

1. Procurement Policy



Procurement Policy

ATTACHMENT 1

LEADERSHIP

1.1 OUR COUNCIL HAS THE TRUST OF THE COMMUNITY AND WELL INFORMED DECISIONS ARE MADE TO ENSURE LONG TERM SUSTAINABILITY OF OUR SHIRE

Adoption Date:	(Governance to insert)
Council Reference:	(Governance to insert)
Policy Owner:	Chief Financial Officer
Next review date:	2 years
File Reference:	2100/9
Related Policies/Legislation:	Local Government Act 1993 Local Government (General) Regulations 2005 Tendering Guidelines for NSW Local Government Government Information (Public Access) Act
Related Documents:	GM Practice Note: Procurement Guidelines Council's Code of Conduct Council's Code of Conduct Procedure Statement of Business Ethics Gifts and Benefits Policy
Superseded Policy/GM Practice Note:	N/A

PURPOSE/OBJECTIVES

Wingecarribee Shire Council has a commitment to delivering a range of quality services to the community which relies on the efficient use of Council resources through its procurement processes.

This policy provides the platform for a procurement governance framework which ensures transparent guidelines, procedures and reporting are in place. The Policy sets out the principles and framework to ensure Council is at all times compliant with the *Local Government Act 1993*, *Local Government (General) Regulations 2005*, *Tendering Guidelines for NSW Local Government* and Council's Code of Conduct in relation to the procurement of goods and services.

Council is responsible for achieving value for money which results in the best economic, social, and environmental outcomes for the Community. Council will demonstrate its legal and ethical practices through its procurement and purchasing activities ensuring consistency, transparency, probity and accountability.





Procurement Policy

This Policy and related documentation provides the necessary guidance to ensure Council's procurement and purchasing activities meet all legislative, statutory, probity and ethical requirements.

POLICY STATEMENT

Council is committed to achieving best practice in its procurement activities in preparation for the challenges facing procurement in Local Government; particularly Council's need to continue to demonstrate organisational sustainability.

All procurement activities shall:

- Comply with legislation;
- Demonstrate best value for money;
- Consider long-term financial, environmental and social outcomes; and
- Be conducted in a transparent, fair and ethical manner.

In addition to this Policy, the procurement guidelines and other procurement procedures will provide clear direction on how to undertake procurement activities within Council.

SCOPE

This Policy applies to all Council Officers, including Councillors, permanent employees, temporary or casual employees, contractors and consultants of Council who are involved in Council's procurement activities.

The Policy applies to the following activities undertaken by Council for the procurement of products, goods, works and services:

- Quotations;
- Tenders;
- Petty Cash;
- Direct Engagement procurement activities; and
- Emergency procurement activities.

Prescriptive purchasing procedures for each type of procurement activity are located in Council's procurement guidelines documentation.

PROCUREMENT OBJECTIVES

Comprehensive and Transparent Governance Framework

Council will adopt a clear policy position, guidelines and procedures which provides direction to Council Officers, complies with all relevant legislation, meets industry best practice guidelines, and most importantly meets the following community expectations:





Procurement Policy

o Ensuring Probity and Accountability for Procurement Outcomes

Council will conduct its procurement activities in a transparent manner which demonstrates probity and accountability. Procurement activities involving Council Officers must be:

- Performed ethically, transparently and with fairness to all participants.
- Carried out in accordance with the applicable legislation, guidelines, codes, policies and procedures.
- Undertaken by Council Officers that have the appropriate delegated authority and are trained to perform their assigned procurement role.
- Be conducted on a Commercial-in-Confidence basis to ensure confidentiality.

o Ensuring Fair and Ethical Dealings

Council will ensure all procurement activities are conducted honestly, transparently and in a manner that is fair and equitable to all parties. Therefore, procurement activities must:

- Be undertaken with consistent and appropriate documentation and processes to ensure equitable treatment throughout the process.
- Be free from any conflict of interest that may result in any unfavourable or preferential treatment.
- Ensure impartiality throughout the process.

Council Officers must disclose any potential or actual conflict of interest (whether pecuniary or non-pecuniary) in order to protect the public interest and prevent breaches of public trust.

Value for Money

Council will implement procedures and processes which will be regularly monitored, analysed and acted upon to target Council's procurement spend in relation to achieving best value for money.

Value for money is: "the best economic, social and environmental outcome for the community".

Council will achieve this using a combination of factors when assessing quotations and tenders.

- o Mandatory Criteria: This includes insurances, accreditations, qualification & licences.
- o Non-Cost Criteria: This includes capability, experience, specifications, service, support, fit for purpose, procurement risk, quality, innovation, community, social, work health & safety, environment, sustainability, physical requirements.
- o Cost Criteria: Lump sum, unit, whole-of-life costs and transaction costs associated with the acquisition, maintenance & disposal.

Industry Engagement and Collaboration

Council will enter into industry engagement and collaboration to:

- o Investigate procurement aggregation opportunities with neighbouring councils;
- o Utilise any relevant existing Prescribed Organisation (LG Act 1993, S55a) Contracts;
- o Utilise any relevant existing State and appropriate Federal contracts;





Procurement Policy

- Implement procurement practices that makes 'doing business with Council' a user friendly experience; and
- Investigate Procurement related initiatives from the Small Business Friendly Councils (SBFC) Program.

Sustainable & Social Procurement

Wingecarribee Shire Council can play a significant role in procuring sustainable products and services. To achieve sustainable procurement, Council employees and contractors will endeavour to adhere to the following objectives wherever reasonably possible:

- Minimise unnecessary purchasing – only purchase when a product or service is necessary.
- Minimise waste – purchase in accordance with avoid, reduce, reuse and recycle strategies.
- Save water and energy – purchase products that save energy and/or water.
- Minimise pollution – avoid purchasing products that pollute soils, air or waterways.
- Non-Toxic – avoid purchasing hazardous chemicals that may be harmful to human health or ecosystems.
- Greenhouse benefits – purchase products that reduce greenhouse gas emissions.
- Biodiversity & habitat protection – purchase in accordance with biodiversity and conservation objectives.

Wingecarribee Shire Council understands the importance of social procurement. Where suitable and practicable, Council will investigate and procure goods and/or services from suppliers such as the following:

- Indigenous Contractors & Suppliers; and
- Australian Disability Enterprises (ADEs).

Local & Australian Made Procurement

Wingecarribee Shire Council recognises that through its procurement activities, it plays a large role in the local economy. For all formally evaluated quotations and tenders, there will be a requirement for a mandatory non-price weighted criterion for local submissions/content of 10%.

Wingecarribee Shire Council preferences the purchase and use of Australian made and manufactured products, including steel, where practicable.

ACHIEVING COUNCIL'S PROCUREMENT OBJECTIVES

Council will achieve its procurement objectives through regular monitoring and review of its procurement guidelines and procedures to ensure processes are streamlined and transparent.

Council will develop and implement effective procurement training programs to ensure staff are equipped with the appropriate skills and knowledge to undertake their procurement duties.





Procurement Policy

DELEGATED AUTHORITY

In order for a Council Officer to purchase goods and services on behalf of Council, a delegated authority is required from the General Manager. Employees may only procure goods and/or services applicable to their delegated authority.

Financial delegations define the financial limitations within which a Council Officer may approve a purchase, quotation and contractual process. Employees may only procure goods and/or services in accordance with these delegations.

RESPONSIBILITIES

Responsibilities for implementing this policy are shared between Councillors, Executive, Management, staff, contractors and suppliers as follows:

Position	Responsibility
Councillors	Provide leadership in policy setting which complies with legislative requirements, having regard to principles of transparency, probity, accountability, consistency and sustainability.
Executive	Set financial delegations for the purchasing and procurement of goods, works and services. Implement this Policy through appropriate delegations, procurement guidelines, and procedures across Council management and staff. Ensure transparent, accountable, consistent and sustainable procurement practices are adhered to by all staff.
Deputy General Managers	Adhere to this policy, procurement guidelines and procedures within each of their business unit's operational activities. Ensure transparent, accountable, consistent and sustainable procurement practices are adhered to by staff within reporting lines.
Chief Financial Officer	Oversee the management and compliance of Council's Procurement Policy and guidelines and report on non-compliance. Regularly review the procurement guidelines and procedures in accordance with this policy. Provide sound, reliable advice to the Council and Executive on procurement matters.
Management	Adhere to this policy, procurement guidelines and procedures within each of their business unit's operational activities. Encourage transparent, accountable, consistent and sustainable procurement practices to staff.





Procurement Policy

Position	Responsibility
Staff	<p>Only purchase and procure goods, works and services applicable to their delegated authority.</p> <p>Comply with Council's Procurement Policy, procurement guidelines and procedures.</p> <p>Act in good faith and ethically in accordance with Council's Code of Conduct when procuring and purchasing goods, works and services of behalf of Council.</p>
Contractors and Suppliers	<p>Act in good faith and ethically in accordance with Council's Code of Conduct when procuring and purchasing goods, works and services of behalf of Council.</p>

PERFORMANCE MEASURES

Appropriate performance measures will be established and reporting systems will be used to monitor performance and compliance with this policy and the associated guidelines.

The performance measures developed will be used to:

- Ensure ongoing compliance with legislative requirements and guidelines issued by the Office of Local Government and other bodies;
- Ensure staff adherence to this Policy, procurement guidelines and associated documents;
- Improve the internal efficiency of the procurement process and where relevant the performance of suppliers; and
- Facilitate relevant programs to drive improvement in procurement to eliminate waste and inefficiencies across key expenditure categories.

COMPLAINTS MANAGEMENT

When a possible breach of this policy has been identified, the matter will be referred to the General Manager. This includes cases of maladministration, corrupt conduct, serious and substantial waste, violation of government information or criminal activity. These matters will be dealt with in line with Council's [Public Interest Disclosures Policy](#).

Any complaints or grievances about Council's Procurement Policy or guidelines from internal or external sources need to be in submitted writing and addressed to the General Manager. The complaint/grievance will be reviewed and responded to in line with Council's [Complaint Handling Policy and Procedure](#).





Procurement Policy

BREACHES OF THE POLICY

A breach of this policy by a Council Officer will be dealt with in accordance with Council's Code of Conduct Policy. The Code of Conduct Policy articulates the standards of ethical behaviour expected of Council officials and external service providers in their dealings with Wingecarribee Shire Council.

Evidence of corrupt and/or unethical conduct by a Council official could lead to:

- Disciplinary action;
- Dismissal;
- Investigation for corruption, inappropriate or unethical conduct; and
- Referral of the matter for criminal investigation.

Evidence of corrupt and/or unethical conduct by an external service provider could lead to:

- Tender disqualification;
- Contract termination;
- Loss of future work with Council;
- Investigation for corruption, inappropriate or unethical conduct; and
- Referral of the matter for criminal investigation.

APPROVED BY:

WINGECARRIBEE SHIRE COUNCIL

(Insert Date)



12.4 Post Exhibition - Draft Backflow Prevention Policy

Reference:	7790/17
Report Author:	Coordinator Sewer
Authoriser:	Manager Water & Sewer
Link to Community Strategic Plan:	Manage and plan for future water, sewer and stormwater infrastructure needs

PURPOSE

This report seeks the adoption of the Backflow Prevention Policy (the policy).

RECOMMENDATION

THAT the draft Backflow Prevention Policy included as Attachment 1 be adopted by Council.

REPORT

BACKGROUND

On the 28 February 2018, Council passed the following resolution (MN 48/18):

1. *THAT the draft Backflow Prevention Policy be placed on public exhibition for a period of twenty eight (28) days.*
2. *THAT a further report be submitted to Council following conclusion of the public exhibition period.*

Council placed the draft policy on public exhibition from Monday 12 March 2018 until Monday 23 April 2018. During this period the policy was made available on Council's website and advertised in a local newspaper on 14, 21 and 28 of March 2018. No submissions were received by Council.

REPORT

The draft policy was on public exhibition and open for submission for 42 days. There were no submissions from the public during this time. The final draft now requires adoption from Council.

ABOUT THE POLICY

To meet the requirements under relevant legislation, standards, guidelines and codes it is an operational requirement for the Council to implement a Backflow Prevention Policy to protect the Shire's water supply from possible cross contamination. The policy is required to enforce that backflow prevention is installed and registered and to apply the registration and later registration fees.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Nil

COMMUNICATION AND CONSULTATION

Community Engagement

The Policy was on public exhibition and open for submissions for 42 days.

Internal Communication and Consultation

Manager Water & Sewer

Sewer Coordinator

Water Coordinator

Coordinator Certification and Compliance

Trade Waste Officer

Operations Technical Officer - Projects and Quality

External Communication and Consultation

Council gained advice and reviewed policies from other NSW Councils and Water Authorities in development of the draft Policy.

SUSTAINABILITY ASSESSMENT

- **Environment**

Backflow prevention protects the Shire's water supply from cross contamination

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

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- **Governance**

The Policy allows Council to enforce backflow prevention in the Shire in line with relevant legislation, and to recover costs from regulating backflow prevention as per the Fees and Charges.

COUNCIL BUDGET IMPLICATIONS

Nil

RELATED COUNCIL POLICY

Nil

OPTIONS

The options available to Council are:

Option 1

THAT the draft Backflow Prevention Policy included as Attachment 1 be adopted by Council.

Option 2

THAT further amendments are made of the draft Backflow Prevention Policy included as Attachment 1 and a further report be submitted to Council.

Option 1 is the recommended option to this report.

CONCLUSION

By adoption of the policy Council will comply with the *Local Government Act 1993*.

ATTACHMENTS

1. Backflow Prevention Policy

Barry W Paull
Acting General Manager

Friday 18 May 2018



Backflow Prevention Policy

ATTACHMENT 1

PLACES

WE HAVE SAFE, MAINTAINED AND EFFECTIVE ASSETS AND INFRASTRUCTURE

Adoption Date:	<i>(Governance to insert)</i>
Council Reference:	<i>(Governance to insert)</i>
Policy Owner:	Manager of Water & Sewer
Next review date:	2020
File Reference:	7790/17
Related Policies/Legislation:	<i>Local Government Act 1993</i> <i>Public Health Act 2010</i> National Construction Code Series – Volume 3 The Plumbing Code of Australia Australian /New Zealand Standard AS/NZS AS3500.1 Australian Standard AS2845.(1,2&3) <i>Plumbing & Drainage Act 2011</i> <i>Plumbing & Drainage Regulation 2012</i> <i>Australian Drinking Water Guidelines 2011</i>
Related Documents:	
Superseded Policy/GM Practice Note:	Nil

OBJECTIVES

The objectives of this policy are:

- To minimise public health risk
- To protect the drinking water quality within Council's water reticulation system
- To ensure compliance with relevant legislation

POLICY STATEMENT

To reduce the risk of contamination of the Shire's drinking water supply by ensuring backflow prevention is implemented and maintained.





Backflow Prevention Policy

POLICY IN DETAIL

- All customers with a connection to Councils drinking water supply must have a boundary containment backflow prevention device installed appropriate to the property hazard rating.
- Property hazard ratings are determined based on the level of hazard of activities or processes carried out within a property. Where more than one activity or process occurs on the site, the property hazard rating will be equal to, or greater than, the highest identified hazard. The three degrees of hazard and their definitions are detailed in Section 4 of AS/NZS AS3500.1.
- Where the hazards are unknown for commercial, industrial or mixed development, the hazard rating will default to high, requiring the installation of backflow prevention devices appropriate for that hazard rating.
- The installation and maintenance of all required backflow prevention devices are the responsibility of the property owner.
- Council will maintain a register of all testable backflow prevention device installations and the related annual testing/maintenance reports.
- If a property owner fails to install, repair, maintain, replace or test a backflow prevention device as required by a notice issued by Council, Council may disconnect (in the case of a non-residential property) or restrict (in the case of a residential property or mixed development) the customer from the drinking water supply system until such time as the customer has complied with the notice. Disconnection and reconnection fees will apply.

PROPERTIES WITH BOTH DRINKING WATER AND NON-DRINKING WATER SERVICES ONSITE (NOT INCLUDING RAINWATER)

Non-drinking water services mean all water that is not intended, or not likely to be used for human consumption, or for purposes connected with human consumption. Non-drinking services may include, but are not limited to:

- a) Bore water
- b) Grey water storage and reuse
- c) Dam water
- d) Bio-cycle, reclaimed effluent

The risks to health from non-drinking water supplies will depend on the type and concentration of contaminants present. Some non-drinking water supplies such as dam water or groundwater may look and smell perfectly fine however many activities in urban areas may contaminate non-drinking water sources making it unsafe and its use may lead to adverse health effects.





Backflow Prevention Policy

- Non-drinking water installations must comply with all requirements of Section 9 of AS/NZS AS3500.1.
- The minimum containment protection required for a single residential dwelling with a non-drinking water service that complies with the requirements of Section 9 of AS/NZS AS3500.1 is a non-testable dual check valve with atmospheric port.
- The minimum containment protection required for a single residential dwelling with a non-drinking water service that does not comply with the requirements of Section 9 of AS/NZS AS3500.1 and or compliance with Section 9 of AS/NZS AS3500.1 cannot be verified is a Reduced Pressure Zone Device.
- The minimum containment protection required for properties other than a single residential dwelling with a non-drinking water service that complies with the requirements of Section 9 of AS/NZS AS3500.1 is a Reduced Pressure Zone Device.

BACKFLOW PREVENTION REQUIREMENTS FOR PROPERTIES WITH RAINWATER TANKS

Where provision is made for augmentation of the rainwater supply by either top-up of the rainwater tank with water from Councils drinking water supply or by connection of Councils drinking water supply to any point downstream of the rainwater tank outlet, the installation shall comply with all requirements of Section 16 of AS/NZS AS3500.1.

- The minimum containment protection required for a single residential dwelling with an above ground rainwater tank installation is a non-testable dual check valve.
- The minimum containment protection required for a single residential dwelling with a buried or partially buried rainwater tank installation is a non-testable dual check valve with atmospheric port.
- The minimum containment protection required for properties other than single residential dwellings with above ground rainwater tank installations is a non-testable dual check valve.
- The minimum containment protection required for properties other than single residential dwellings with buried or partially buried rainwater tank installations with a top up provision is an Reduce Pressure Zone (RPZ) device.

EXEMPTIONS

Exemptions for existing premises in the Shires town centres with restricted drainage access

It is recognised that it may be impractical to install testable devices for boundary containment in some existing properties in the town centres due to the water meter being located in the footpath or inside in cupboards etc. with restricted access to drainage. In these instances Council will assess the backflow hazards on the property and will consider the installation of a non-testable device as boundary containment subject to the following:





Backflow Prevention Policy

- The water meter must be located in a position which prevents the installation of a testable device without major structural modification to the property.
- The only high backflow hazard on the property is a hose connection used for cleaning of a grease arrestor and or oil separator.
- The hose connection used for cleaning the grease arrestor or oil separator must be provided with individual or zone protection by an RPZ.
- The exemption from the requirement to install an RPZ as boundary containment will apply to the existing property owner only.
- If the property is to be sold and or renovated in any way modifications to the meter location will be required and the non-testable device being used for boundary containment must be removed and replaced with a testable device appropriate for the hazard rating of the property.

INSTALLATION AND MAINTENANCE REQUIREMENTS FOR BACKFLOW PREVENTION DEVICES

- A list of device types and their suitability for different hazard ratings can be found in AS 3500.1.
- The site containment hazard rating of all properties connected to the Shires reticulated drinking water supply must be determined by a approved Council Officer or backflow prevention accredited plumber.
- The boundary containment device must be installed immediately downstream of the properties water meter.
- The boundary containment device for a fire service must be installed as close as possible to where the water service crosses property boundary and upstream of any fire hydrant take off points or booster sets.

INSTALLATION OF A NEW BACKFLOW DEVICE

- Prior to the installation of any backflow prevention device, Council must be provided with a NSW Department of Fair Trading *Notice of Work* for each device to be installed.
- Within 5 working days of the installation of any backflow prevention device, Council must be provided with a NSW Department of Fair Trading *Certificate of Compliance*, together with the initial maintenance and test report for each device installed and pay the appropriated registration fees.





Backflow Prevention Policy

ANNUAL TESTING

- A backflow prevention device must be maintained and tested annually by an accredited backflow prevention plumber. The plumber will complete and submit the maintenance and test reports for each device installed and pay the appropriated registration fees.
- A late registration will apply to customers if the annual maintenance/test report is not received by Council 30 days after the due date.

THE PROPERTIES INTERNAL WATER SUPPLY SYSTEM

- To fulfil the property owner(s) Work, Health and Safety requirements regarding backflow prevention protection on their internal water supply system (downstream of the water meter), Council recommends that the property owner consult with a backflow prevention accredited plumber.

SCOPE

- This policy applies to all new and existing customers connected to Wingecarribee Shires Council's reticulated drinking water supply.

DEFINITIONS

Term	Definition
Accredited Plumber	A licensed plumber who holds accreditation from a Registered Training Organisation for backflow prevention device commissioning, testing and certification.
AS/NZ 3500.1	Australian/New Zealand Standard 3500.1 Water Services
Backflow	Backflow is the unintended reverse flow of water from any domestic, commercial or industrial premises back into a drinking water supply system.
Backflow Prevention Device	A device to prevent the reverse flow of water from a potential contaminated source back into the drinking water supply.
Cross Connection	It is any connection between the water supply and a source of potential contamination, such as a fixture, storage tank or equipment, through which used, unclean, polluted or contaminated water or any other substance that might enter the drinking water supply.
Customer	The property owner within the Wingecarribee Shire Council area of operations that is connected to a water main.
Drinking Water Supply	The supply system into which Wingecarribee Shire Council delivers drinking water (reticulated drinking water supply system)





Backflow Prevention Policy

Term	Definition
Site Containment	The installation of a backflow prevention device on the drinking water supply system at the property boundary to prevent backflow from the property entering the Shires drinking water supply system.
High Hazard	Any condition, device or practice, which in connection with the water supply system has the potential to cause death.
Medium Hazard	Any condition, device or practice, which in connection with the water supply system could endanger health.
Low Hazard	Any condition, device or practice, which in connection with the water supply system would constitute a nuisance but not endanger health.
Initial Test	When the backflow device has been installed an initial test is performed to check the device is performing correctly.
Annual Test	A test that is performed every year to confirm the device is in working order.
Initial registration fee	A fee paid to council when a backflow prevention device is initially installed and registered with Council.
Annual registration fee	The annual fee paid to Council for the registration of a backflow device that is must be accompanied by the annual maintenance and test report.
Late registration fee	Will be applied when the annual registration fee and backflow device annual test results are not received by Council within a month of the due date.
RPZ	(Reduced Pressure Zone) Is a device that protects against backflow by either back-pressure or back-siphonage from a cross-connection between drinking water systems and substances in 'high hazard' conditions

RESPONSIBILITIES

Position	Responsibility
Mayor	To lead Councillors in their understanding of, and compliance with, this Policy.
General Manager	To lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this Policy. To approve resources to develop, implement and review this Policy.
Deputy General Manager Operations, Finance and Risk	To lead staff in their understanding of, and compliance with, this Policy. To ensure (directly or through delegation) the approved Policy are available in hard copy and electronically on Council's website.
Manager Water & Sewer	To implement this Policy. To lead staff in their understanding of, and compliance with, this Policy





Backflow Prevention Policy

PERFORMANCE MEASURES

- The Shires drinking water supply has not been compromised
- Customer Satisfaction
- Complies with AS/NZS Standard 3500.1 Water Services and the Plumbing Code of Australia
- Complies with Australian Drinking Water Guidelines
- Complies with Council's Drinking Water Management Plan

BREACHES OF THE POLICY

Breaches of this policy may result in disconnection and reconnection fees and charges and/or late registration fees. Compromise of the Shire's drinking water supply may result in prosecution.

APPROVED BY:

WINGECARRIBEE SHIRE COUNCIL

(Insert Date)



13 CORPORATE STRATEGY AND DEVELOPMENT SERVICES

13.1 Update of the Asbestos Management Policy

Reference:	5450/28.3
Report Author:	Environmental Policy Officer
Authoriser:	Environment and Health Systems Coordinator
Link to Community	
Strategic Plan:	Work collaboratively to reduce pollution and its impact on our environment

PURPOSE

Council's Asbestos Management Policy has been reviewed. This report seeks readoption of the updated Policy at **Attachment 1**.

RECOMMENDATION

THAT the Asbestos Management Policy at Attachment 1 be adopted **AND THAT** the Asbestos Guide at Attachment 2 be noted.

REPORT

BACKGROUND

Council's Asbestos Management Policy is based on the Office of Local Government *Model Asbestos Policy for NSW Councils* (2015) (the Model Policy). The Model Policy largely provides publically available information for the community on asbestos and outlines the role of different agencies. In this way the Policy differs from most other policies which are shorter and more targeted.

Council's Asbestos Management Policy was adopted in 2013. The Policy has been reviewed for currency.

Council also has an internal Asbestos Removal Procedure and specific Safe Work Method Statements which describe work procedures for particular activities. Updates of the internal procedure, and the systems and processes that support the procedure will be undertaken over the coming months. This work will enable continuous improvement of Council systems to manage asbestos in the workplace and throughout Council operations. Following this work, the Policy could be updated and brought back to Council if needed.

REPORT

The review of Council's Asbestos Management Policy identified some minor updates and a change in format to make the information easier to use. A summary of the main changes is found in Table 1.

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Minor changes were made to several sections so to reflect more clearly Council's current operations and procedures. These changes are shown in **Attachment 1** and **Attachment 2**. Updates to the Office of Local Government's Model Policy from 2015 were also included, along with updating website links and legislation references.

Secondly, the format of the policy has been changed, splitting the current lengthy policy in two. The Asbestos Management Policy now contains a position statement and outlines Council's responsibilities. The rest of the information has been moved to the Asbestos Guide. The Guide now provides general, publically available information about asbestos, such as what sorts of building materials may contain asbestos, removing asbestos, and the development planning process.

The minor updates and format changes have not substantially changed the content. The Policy and Guide together still reflect the Model Policy. As the overall changes are not substantial public consultation is not required.

Table 1. Summary of the main updates to the Asbestos Management Policy and Asbestos Guide	
Format change	<p>The information has been divided in two. The Policy now contains a position statement and an outline of Council's responsibilities.</p> <p>The Asbestos Guide contains information to assist the community in managing asbestos, such as types of asbestos, where asbestos is commonly found and removing asbestos.</p> <p>This change makes clearer Council's roles and responsibilities and makes the community information more accessible.</p>
Planning certificates	<p>In the Policy and Guide, more specific information is included about providing information on planning certificates.</p>
Council's asbestos register	<p>In the Policy, minor changes to Council systems for recording asbestos at Council workplaces, to provide more specific information that reflects current practices.</p>
Asbestos waste	<p>The Guide includes information about packaging asbestos waste for the Resource Recovery Centre.</p>
Asbestos disposal	<p>In the Guide, information on disposing of asbestos onsite has been removed as this does not generally occur in our area. This is more suited to large industrial areas. Disposal methods would still be considered as part of development consent.</p>

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

The updates to the Asbestos Management Policy do not affect Council's Fit for the Future Improvement Plan.

COMMUNICATION AND CONSULTATION

Community Engagement

No community engagement has been undertaken for this review. As there are no substantial changes from the existing policy, public consultation on the updated policy is not required.

Internal Communication and Consultation

The review of the Asbestos Management Policy involved staff from relevant areas including the Group Manager Planning, Development and Regulatory Services, Assets Manager and Coordinator, Business Services Coordinator, Property Services Coordinator, Workplace Systems Coordinator, Corporate Strategy and Governance Coordinator, and Water and Sewer Group Manager.

External Communication and Consultation

No external consultation was needed as part of the policy review.

SUSTAINABILITY ASSESSMENT

- **Environment**

The Asbestos Management Policy and Asbestos Guide provide information for the community to assist in managing asbestos and may have a positive impact on the environment.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The updated policy does not have any additional budget implications.

RELATED COUNCIL POLICY

Not applicable.

OPTIONS

The options available to Council are:

Option 1

THAT the Asbestos Management Policy at **Attachment 1** is adopted AND THAT the Asbestos Guide at **Attachment 2** is noted.

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



Option 2

THAT further changes are made to the Asbestos Management Policy and Asbestos Guide before adoption.

Option 1 is the recommended option to this report.

CONCLUSION

The Asbestos Management Policy has been reviewed. Minor content changes and a format change have been made. The Asbestos Management Policy and the related Asbestos Guide are based on the Office of Local Government's Model Asbestos Policy for NSW Councils. It is recommended that the updated Policy at **Attachment 1** is adopted and the Asbestos Guide at **Attachment 2** is noted.

ATTACHMENTS

1. Draft Asbestos Management Policy - *circulated under separate cover*
2. Draft Asbestos Guide - Information for the Community - *circulated under separate cover*



13.2 Fees Payable to Mayor and Councillors 2018/19

Reference: 101/6
Report Author: Acting Group Manager Corporate and Community
Authoriser: Deputy General Manager Corporate, Strategy and
Development Services
Link to Delivery Program: Ensure systems and processes are in place to achieve
mutual trust and collaboration

PURPOSE

To advise of the Local Government Tribunal's determination under Section 241 of the *Local Government Act 1993* in respect of the annual fees payable to Mayor and Councillors for the 2018/19 financial year.

RECOMMENDATION

THAT Council determine the fees payable to the Mayor and Councillors for the period 1 July 2018 to 30 June 2019

REPORT

BACKGROUND

The *Local Government Act 1993* (the Act) provides for the Local Government Remuneration Tribunal to determine categories for councils, together with the annual fees payable to Mayors and Councillors. The Tribunal, in accordance with Section 241 of the Act, must determine no later than 1 May each year the minimum/maximum fees payable for Councillors and Mayors for each category.

Council is required under the Act to determine the fee to be paid to the Mayor and Councillors. Section 248 of the Act stipulates that a council must pay each Councillor an annual fee in accordance with the Tribunal's determinations, the annual fee is to be the same for each Councillor and Council is able to pay that fee having regard to the category established by the Tribunal.

In setting the fee Council may fix a fee that is equal to or greater than the minimum but not greater than the maximum for the appropriate category. When Council declines to fix a fee, it must pay the appropriate minimum fees as determined by the Tribunal.

REPORT

The Tribunal has reviewed key economic indicators, including the Consumer Price Index and Wage Price Index, and had regard to budgetary limitations imposed by the Government's policy of rate pegging and concluded that the full increase of 2.5% in minimum and maximum fees for mayors and councillors is appropriate.

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In accordance with Section 239 of the *Local Government Act 1993* the Tribunal is required to determine the categories of councils and mayoral offices at least every three years. The last review was undertaken in 2017 and the following categories were determined:

Metropolitan

- Principal CBD (formerly Principal City)
- Major CBD (formerly Major City)
- Metropolitan Large (formerly Metropolitan Major)
- Metropolitan Medium (formerly Metropolitan Centre)
- Metropolitan Small (formerly Metropolitan)

Non Metropolitan

- Regional City (new)
- Regional Strategic Area (new)
- Regional Rural
- Rural

Wingecarribee Shire Council is classified as Regional Rural council. Pursuant to Section 241 of the Act, the annual fees to be paid to Councillors and the Mayor, effective on and from 1 July 2018 are determined as follows:

- Councillors to be within the range of \$8,970 to \$19,790 per annum and must be the same for each Councillor.
- Mayor to be an additional fee above that applicable to Councillor and to be within the range of \$19,100 to \$43,170 per annum.

The 2017/18 Councillor fees were set at the maximum amount of \$19,310 per annum for Councillors and \$42,120 per annum for the Mayor. Based on the current fees a 2.5% increase would amount to \$482.75 increase for Councillors and \$1,053 increase for the Mayor.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

There is no impact on Council's *Fit for the Future* Improvement Plan.

CONSULTATION

Community Engagement

Nil

Internal Consultation

Nil

External Consultation

This report has been prepared on the basis of advice received from the Local Government Remuneration Tribunal and in accordance with the *Local Government Act 1993*.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

Pursuant to Section 241 of the *Local Government Act 1993* the Remuneration Tribunal must not later than 1 May in each year determine in each of the categories determined under Section 239 the maximum and minimum amounts of fees to be paid during the following financial year to councillors and mayors.

COUNCIL BUDGET IMPLICATIONS

An increase in Councillor Fees has been factored into the draft 2018/19 budget.

The draft 2018/19 budget includes an estimate of \$221,400 for Councillor Payments (Including the Mayoral Allowance).

If approved, the proposed increase of 2.50% would result in total payments for the 2018/19 financial year of \$221,308.

This would leave a minor discrepancy compared to budget of \$92 which would be addressed at the first quarterly review of the 2018/19 Budget.

RELATED COUNCIL POLICY

Nil

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



OPTIONS

The options available to Council are:

Option 1

Increase fees paid by Councillors by 2.5% in line with the Tribunal's findings.

Option 2

Increase fees by another amount less than the 2.5% increase.

CONCLUSION

The *Local Government Act 1993* established the Local Government Remuneration Tribunal to set a range of fees payable to mayors and councillors each year.

The range of fees for the 2018/19 financial year has been determined by the Tribunal and Council is required to set the appropriate level of fees applicable for the Mayor and Councillors for the period 1 July 2018 to 30 June 2019.

ATTACHMENTS

1. Local Government Remuneration Tribunal: Annual Report and Determination -
circulated under separate cover

Mark Pepping

Deputy General Manager Corporate, Strategy and Development Services

Friday 18 May 2018

COUNCIL MATTERS

14 GENERAL MANAGER

14.1 Legal Report

Reference:	107/22
Report Author:	General Counsel
Authoriser:	Acting Group Manager Corporate and Community
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

Updating the report on the status of legal proceedings reported to Council at the meeting on 24 April 2018.

RECOMMENDATION

1. **THAT** the information relating to ongoing legal costs in Attachment 1 to the report be noted.
2. **THAT** the status of the legal proceedings involving Council be considered in Closed Council – Item 22.1.

Note: In accordance with Council's Code of Meeting Practice, immediately after a motion to close part of a meeting to the public has been moved and seconded, debate on the motion should be suspended to allow the public to make representations to Council as to why the item should not be considered in Closed Council.

REPORT

BACKGROUND

This report updates the current status and costs paid during April 2018 for legal proceedings involving Council, including those matters completed since the last report to Council. Legal proceedings involving Council and legal advice obtained by Council are confidential and attract legal professional privilege. Therefore, their status is reported in a closed report.

REPORT

On 17 April 2013, Council resolved: *THAT the legal costs as detailed in the Legal Affairs Report be made public in the Business Paper on an ongoing basis.*

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REPORT GENERAL MANAGER



The report on the status of legal affairs involving Council contains information and advice that is privileged on the ground of legal professional privilege and contains information that, if disclosed, could confer a commercial advantage on parties with whom Council is conducting business (including opposing parties in litigation). Therefore, it is recommended that the report be considered by Council in Closed Committee pursuant to sections 10A(2)(c) and 10A(2)(g) of the *Local Government Act 1993*.

For the purpose of preserving privacy, some matters in **Attachment 1** may be described in general terms. If a Councillor has a specific enquiry regarding the costs reported, they should raise it in Closed Council.

Consultants Fees

At the Council meeting on 8 March 2017, Council resolved that the Legal Affairs Report include a separate column for fees paid to consultants in legal proceedings.

Consultants are engaged in all cases concerning development consents in the Land & Environment Court as the Court requires the parties to provide expert evidence to assist in the determination of the issues in the case.

These consultants prepare reports for the Court and give evidence if the matter goes to hearing on such matters as site density, building layout, traffic, drainage, noise, light and any other relevant issue.

The consultants are always engaged by the external law firm acting for Council.

Usually, their fees are paid by the law firm and recouped from Council through an invoice from the law firm. In that case, the consultants' fees have been included in the monthly Legal Affairs report to Council.

There were consultants' fees for legal proceedings paid in the month of April 2018 – refer **Attachment 1**.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

There is no impact on Council's *Fit for the Future* Improvement Plan.

CONSULTATION

Community Engagement

Nil

Internal Consultation

Staff and management provide information, as required, to assist the progress of the matters reported.

External Consultation

Solicitors from Council's Legal Panel provide advice and conduct legal proceedings on Council's behalf.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report. However, some legal proceedings may deal with unauthorised works or activities which have had or could have an environmental impact.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There is a strong community expectation in relation to enforcement and compliance actions by Council. Actions taken are in line with Council's Compliance and Enforcement Policy.

COUNCIL BUDGET IMPLICATIONS

There are ongoing legal expenses incurred by Council relating to legal proceedings involving Council and legal advice obtained by Council.

RELATED COUNCIL POLICY

Council's Compliance and Enforcement Policy.

ATTACHMENTS

1. Legal Costs April 2018

Barry W Paull
Acting General Manager

Friday 18 May 2018

14.1 Legal Report

ATTACHMENT 1

Legal Costs April 2018



ATTACHMENT 1

Legal Costs – April 2018

Legal Matter	Consultant Expenditure April 2018 \$	Consultant Expenditure YTD \$	Legal Expenditure April 2018 \$	Legal Expenditure YTD \$	Total Expenditure Life to Date \$
B Robertson (Montrose Berry Farm)	-	3,738.64	-	53,594.04	67,315.18
Village Lane Holdings (Seniors Living Development in Robertson)	-	-	-	22,114.89	34,920.84
Tipglen (Wembly Road Moss Vale)	-	-	-	23,425.92	30,808.06
Willow Ptys	-	-	-	25,791.35	36,132.25
Oxley College	-	-	-	11,238.50	16,806.68
Oporto Mittagong	-	5,011.36	-	23,801.00	28,812.36
Moss Vale Projects (Woolworths)	-	26,361.59	-	75,821.10	78,360.10
Centennial	-	-	-	134,920.10	177,678.20
Fenwick	-	1,600.00	-	-	25,486.45
RG Capital Erith St, Bundanoon	-	-	-	7,334.50	7,334.50
O'Shanassy	-	-	-	5,952.66	427,016.58
Lema & Mitchell Huxley St, Mittagong	-	4,454.55	-	4,987.00	9,441.55
Sarah King East St, Moss Vale	-	-	-	9,925.00	9,925.00
Blackbrook, Building Work Order	-	-	-	21,534.10	21,534.10
Tuxworth, Seniors Living 605 Argyle St, Moss Vale	-	6,045.45	-	10,894.07	16,939.52
Evoke Corporation (Aldi Moss Vale)	-	-	-	21,268.46	21,268.46
Tujilo Pty Ltd s96 Modification at Milton Park, Bowral	-	-	-	5,579.95	5,579.95

14.1 Legal Report

ATTACHMENT 1

Legal Costs April 2018



Turland Mittagong Rd, Bowral	-	-	-	10,215.97	10,215.97
Malcolm Holdings Exeter Rd, Exeter	-	-	-	3,066.50	3,066.50
Deluxe Projects Seniors Living Development in East Bowral	-	-	-	9,554.00	9,554.00
Baron Corp P/L Construction Cert refusal for s/d Farnborough Dr, MV	-	-	-	28,131.00	28,131.00

Notes:

- Total Legal costs paid 1 April 2018 to 1 April 2018 – nil
- Total Consultants paid 1 April 2018 to 1 April 2018 – nil
- Total Legal and Consultant costs paid 1 July 2017 to 30 April 2018 - \$575,597.95

Fees Recovered – April 2018

Legal Matter	Fees Recovered April 2018 \$	Fees Recovered YTD \$	Fees Recovered Life to Date \$
Gadeley	1,100	9,350	17,700.00
O'Shanassy	1,250	5,750	6,268.00
Nielsen	250	1,068	1,068.00
Oporto	10,000	10,000	10,000.00
MV Projects	3,500	3,500	3,500.00
Sarah King	5,000	5,000	5,000.00

Notes:

Defendants ordered to pay penalty and Council's costs – recovery action underway by the Office of State Revenue (OSR) or Council:

- Gadeley - \$20,000 penalty plus \$4,000 costs (both OSR Recovery)
- O'Shanassy - \$93,500 penalty (OSR recovery) plus Council has been awarded by the Supreme Court of NSW a costs order of \$379,000 plus \$4,999.23 being Council's costs in order to undertake the costs assessment.
- Nielsen – \$1,727.00 penalty for development not in accord with consent (OSR recovery)
- Oporto Mittagong – s97B EPA Act 1979 costs order – paid in full
- M.V. Projects – s97B EPA Act 1979 costs order – paid in full
- Sarah King – Council's costs as ordered by LEC – paid in full

18 COMMITTEE REPORTS

18.1 Minutes of the Joadja Conservation Management Community Reference Group held on Friday, 2 March 2018

Reference:	107/16.2
Report Author:	Strategic Land Use Planner - Heritage
Authoriser:	Coordinator Strategic Land Use Planning
Link to Community Strategic Plan:	Identify and protect the unique characteristics of towns and villages to retain a sense of place

PURPOSE

This report provides the Minutes of the Joadja Conservation Management Community Reference Group Meeting held on Friday, 2 March 2018.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 6.1 Joadja Conservation Management Plan Update

JOA 9/18

1. THAT the information about the Joadja Conservation Management Plan Update be noted.
2. THAT the brief for the Joadja Conservation Management Plan be received.
3. THAT suitable consultants for the Joadja Conservation Management Plan be short-listed for the request for the quotation procurement process.
4. THAT the procurement process for the Joadja Conservation Management Plan commence in March 2018.
5. THAT the Reference Group be briefed on the submissions to the request for quotation.

RECOMMENDATION

THAT recommendation No JOA 9/18 - detailed in the Minutes of the Joadja Conservation Management Community Reference Group Meeting held on Friday, 2 March 2018 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

ATTACHMENTS

1. Minutes of the Joadja Conservation Management Community Reference Group Meeting held on Friday, 2 March 2018



ATTACHMENT 1



MINUTES

of the Joadja Conservation Management Community Reference Group

held in

Gibraltar Room

Civic Centre, Elizabeth Street, Moss Vale

on

Friday 2 March 2018

The meeting commenced at 2.05pm

File No. 107/16.2

18.1 Minutes of the Joadja Conservation Management Community Reference Group held on Friday, 2 March 2018

ATTACHMENT 1 Minutes of the Joadja Conservation Management Community Reference Group Meeting held on Friday, 2 March 2018



MINUTES OF THE JOADJA CONSERVATION MANAGEMENT COMMUNITY REFERENCE GROUP

Friday 2 March 2018



1. **WELCOME AND APOLOGIES**
2. **ACKNOWLEDGEMENT OF COUNTRY**
3. **ADOPTION OF MINUTES OF PREVIOUS MEETING**
4. **BUSINESS ARISING FROM THE MINUTES**
Joadja Conservation Management Community Reference Group held on 2 March 2018
5. **DECLARATIONS OF INTEREST**

6. AGENDA REPORTS	3
6.1 Joadja Conservation Management Plan Update	3
7. DATE OF NEXT MEETING	5
8. MEETING CLOSURE	5

18.1 Minutes of the Joadja Conservation Management Community Reference Group held on Friday, 2 March 2018

ATTACHMENT 1 Minutes of the Joadja Conservation Management Community Reference Group Meeting held on Friday, 2 March 2018



MINUTES OF THE JOADJA CONSERVATION MANAGEMENT COMMUNITY REFERENCE GROUP

Friday 2 March 2018



MINUTES OF THE JOADJA CONSERVATION MANAGEMENT COMMUNITY REFERENCE GROUP OF WINGECARRIBEE SHIRE COUNCIL HELD IN GIBRALTAR ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON FRIDAY 2 MARCH 2018 COMMENCING AT 2.00PM.

Present

Councillors: Cllr Graham McLaughlin *Chair*

Heritage Advisory

Committee Representatives: Ms Laurel Cheetham
Mr Dennis McManus

Joadja Heritage

Site Representatives: Ms Elisa Jimenez
Mr Valero Jimenez

In Attendance: Ms Fiona Mann *Strategic Land Use Planner - Heritage*

1. WELCOME AND APOLOGIES

There were no apologies received.

2. ACKNOWLEDGEMENT OF COUNTRY

Cllr Graham McLaughlin acknowledged country:

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE JOADJA CONSERVATION MANAGEMENT COMMUNITY REFERENCE GROUP HELD ON FRIDAY, 25 AUGUST 2017 WERE NOT TABLED AT THE MEETING DUE TO AN OVERSIGHT AND WILL BE TABLED AT THE NEXT MEETING.

4. BUSINESS ARISING

There was no business arising from the last meeting held on Friday, 25 August, 2017.

**18.1 Minutes of the Joadja Conservation Management Community
Reference Group held on Friday, 2 March 2018**

**ATTACHMENT 1 Minutes of the Joadja Conservation Management
Community Reference Group Meeting held on Friday, 2 March
2018**



**MINUTES OF THE JOADJA CONSERVATION MANAGEMENT
COMMUNITY REFERENCE GROUP**

Friday 2 March 2018



5. DECLARATIONS OF INTEREST

There was no Declarations of Interest.

18.1 Minutes of the Joadja Conservation Management Community Reference Group held on Friday, 2 March 2018

ATTACHMENT 1 Minutes of the Joadja Conservation Management Community Reference Group Meeting held on Friday, 2 March 2018



MINUTES OF THE JOADJA CONSERVATION MANAGEMENT COMMUNITY REFERENCE GROUP

Friday 2 March 2018



6. AGENDA REPORTS

6.1 Joadja Conservation Management Plan Update

Reference: 107/16
Report Author: Strategic Land Use Planner - Heritage

PURPOSE

The purpose of this report is to consider the brief prepared for the proposed Conservation Management Plan (CMP) for Joadja, which would be funded from the Joadja Conservation Management Trust.

The Reference Group discussed the item generally with comments being:

- Mr D McManus disappointed with approach
- Strategic Land User Planner - Heritage advising a suitable consultant for the CMP must be assessed via Council's procurement process and be supported by the Joadja Trust parties.
- Mr V Jimenez requested that guidance from Office of Environment and Heritage (OEH) be obtained on the CMP content.
- Strategic Land User Planner - Heritage to liaise with OEH and the Reference Group on identifying heritage practitioner with industrial heritage experience that could respond to the request for quotation.
- Strategic Land User Planner - Heritage to liaise with the Reference Group on finalising the brief before the request for quotation process.

18.1 Minutes of the Joadja Conservation Management Community
Reference Group held on Friday, 2 March 2018

ATTACHMENT 1 Minutes of the Joadja Conservation Management
Community Reference Group Meeting held on Friday, 2 March
2018



MINUTES OF THE JOADJA CONSERVATION MANAGEMENT
COMMUNITY REFERENCE GROUP

Friday 2 March 2018



JOA 9/18

MOTION moved by Ms L Cheetham and seconded by Mr V Jimenez

1. ***THAT the information about the Joadja Conservation Management Plan Update be noted.***
2. ***THAT the brief for the Joadja Conservation Management Plan be received.***
3. ***THAT suitable consultants for the Joadja Conservation Management Plan be short-listed for the request for the quotation procurement process.***
4. ***THAT the procurement process for the Joadja Conservation Management Plan commence in March 2018.***
5. ***THAT the Reference Group be briefed on the submissions to the request for quotation.***

PASSED

**18.1 Minutes of the Joadja Conservation Management Community
Reference Group held on Friday, 2 March 2018**

**ATTACHMENT 1 Minutes of the Joadja Conservation Management
Community Reference Group Meeting held on Friday, 2 March
2018**



**MINUTES OF THE JOADJA CONSERVATION MANAGEMENT
COMMUNITY REFERENCE GROUP**

Friday 2 March 2018



7. DATE OF NEXT MEETING

The next meeting will be held on Friday 1 June 2018 in Gibraltar Room, Civic Centre, Elizabeth Street, Moss Vale commencing at 2.00pm.

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3.00 PM

18.2 Minutes of the Heritage Advisory Committee Meeting held on Friday, 2 March 2018

Reference:	107/16
Report Author:	Strategic Land Use Planner - Heritage
Authoriser:	Coordinator Strategic Land Use Planning
Link to Community Strategic Plan:	Conserve the key natural resources of the Shire and minimise the impact from development

PURPOSE

This report provides the Minutes of the Heritage Advisory Committee Meeting held on Friday, 2 March 2017.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 1 Welcome and Apologies

HAC 35/18

THAT the apologies of Councillor G Turland, Ms L Emery and Mr I Stapleton be accepted and leave of absence granted.

Item 3 Adoption of Minutes of Previous Meeting

HAC 36/18

THAT the minutes of the Heritage Advisory Committee Meeting held on Friday 08 December 2017 MN HAC 27/17 to MN HAC 34/17 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting, with the exception of recommendation No 4 of HAC 29/17 – Item 6.1 Discussion of Recent Development Applications and other Heritage Matters.

Item 6.1 Joadja Conservation Management Community Reference Group Update

HAC 37/18

THAT the information about the Joadja Conservation Management Community Reference Group meeting be noted.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

COMMITTEE REPORTS



Item 6.2 Heritage Program Update

HAC 38/18

1. THAT the information on the Heritage Program Update be noted.
2. THAT the 2018 Heritage Assistance Grants be undertaken in the first half of the 2018-19 delivery year, with promotion to start as soon as possible from May 2018.
3. THAT a request for additional funds for the heritage grants program in future budget processes, being \$5,000 in next available budget process and \$2,000 in subsequent budgets over a four year period, given that the program budget has not changed for some years.

Item 6.3 Heritage Strategic - Projects and related matters

HAC 39/18

THAT the information on the Heritage Strategic Update be noted.

Item 6.4 Heritage Matter- Radiata Pines in Burradoo

HAC 40/18

1. THAT the information in the report and the project presentation by Ms L Cheetham on the project be noted.
2. THAT Ms L Cheetham and Mr D McManus undertake further work on the project and report back to the Committee.
3. THAT the Committee explore making a submission to the draft Urban Tree Policy on exhibition during March 2018.

Item 6.5 Heritage Development Update - Development Applications and related matters

HAC 41/18

THAT the information on development applications involving heritage be noted.

RECOMMENDATION

THAT recommendations Nos HAC 35/18 to HAC 41/18 – as detailed in the Minutes of the Heritage Advisory Committee Meeting held on Friday, 2 March 2018 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

ATTACHMENTS

1. Minutes of the Heritage Committee Meeting held on Friday, 2 March 2018



ATTACHMENT 1



MINUTES

of the Heritage Advisory Committee Meeting

held in

Gibraltar Room

Civic Centre, Elizabeth Street, Moss Vale

on

Friday 2 March 2018

The meeting commenced at 3.00pm

File No. 107/16.2

18.2 Minutes of the Heritage Advisory Committee Meeting held on Friday, 2 March 2018

ATTACHMENT 1 Minutes of the Heritage Committee Meeting held on Friday, 2 March 2018



MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING
Friday 2 March 2018



- 1. WELCOME AND APOLOGIES**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
- 3. ADOPTION OF MINUTES OF PREVIOUS MEETING**
- 4. BUSINESS ARISING FROM THE MINUTES**
Heritage Advisory Committee Meeting held on 8 December 2017
- 5. DECLARATIONS OF INTEREST**

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Friday 2 March 2018



MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN GIBRALTAR ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON FRIDAY 2 MARCH 2018 COMMENCING AT 3.00PM.

Present:

Councillors: Cllr Graham McLaughlin *Chair*
Cllr G M Turland *Alternate Chair*

Community Mr Dennis McManus
Representatives: Ms Charlotte Webb

Agency
Representatives: Ms Laurel Cheetham *Australian Garden History Society*
Ms Sarah Farnese *National Trust of Australia (NSW)*

In Attendance: Ms Fiona Mann *Heritage Land Use Planner*

1. WELCOME AND APOLOGIES

It was noted that apologies were received from Councillor Garry Turland, Ms Linda Emery and Mr Ian Stapleton

HAC 35/18

MOTION moved by Cllr G McLaughlin and seconded by Ms C Webb

THAT the apologies of Councillor G Turland, Ms L Emery and Mr I Stapleton be accepted and leave of absence granted.

PASSED

2. ACKNOWLEDGEMENT OF COUNTRY

Cllr Graham McLaughlin acknowledged country:

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

18.2 Minutes of the Heritage Advisory Committee Meeting held on Friday, 2 March 2018

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MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING
Friday 2 March 2018



3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING HELD ON FRIDAY 8 DECEMBER 2017

HAC 36/18

MOTION moved by Ms C Webb and seconded by Mrs S Farnese

THAT the minutes of the Heritage Advisory Committee Meeting held on Friday 08 December 2017 MN HAC 27/17 to MN HAC 34/17 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting, with the exception of recommendation No 4 of HAC 29/17 – Item 6.1 Discussion of Recent Development Applications and other Heritage Matters.

PASSED

4. BUSINESS ARISING

The Strategic Land Use Planner - Heritage noted that at the Council Meeting held on Wednesday, 14 February 2018 Council did not adopt No 4 of HAC 29/17 – Item 6.1 Discussion of Recent Development Applications and other Heritage Matters.

Ms L Cheetham and Mr D McManus expressed their disappointment that the Committee Chairperson did not support the Committee recommendation on the Station Street, Bowral Upgrade project being undertaken by Council within Item 6.1.

5. DECLARATIONS OF INTEREST

There was no Declarations of Interest.

18.2 Minutes of the Heritage Advisory Committee Meeting held on
Friday, 2 March 2018

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on Friday, 2 March 2018



MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING
Friday 2 March 2018



6. AGENDA REPORTS

6.1 Joadja Conservation Management Community
Reference Group Update

Reference: 107/16
Report Author: Strategic Land Use Planner - Heritage

PURPOSE

The purpose of this report is to provide the Heritage Advisory Committee with an update of matters discussed at the Joadja Conservation Management Community Reference Group (Joadja CMCRG) meeting held prior to the Heritage Advisory Committee meeting.

HAC 37/18

MOTION moved by Ms L Cheetham and seconded by Cllr G McLaughlin

THAT the information about the Joadja Conservation Management Community Reference Group meeting be noted.

PASSED

18.2 Minutes of the Heritage Advisory Committee Meeting held on Friday, 2 March 2018**ATTACHMENT 1 Minutes of the Heritage Committee Meeting held on Friday, 2 March 2018****MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING**
Friday 2 March 2018**6.2 Heritage Program Update**

Reference: 107/16
Report Author: Strategic Land Use Planner - Heritage

PURPOSE

The purpose of this report is to inform and update the Committee on Council's Heritage Program, which the Committee assists Council with. The Heritage Program forms part of the Wingecarribee Shire Community Strategic Plan 2031.

The Heritage Program includes a number of items and updates are provided on the following items in the report,

- (a) Wingecarribee Heritage Assistance Grants program
- (b) Wingecarribee Heritage Awards program
- (c) Local Heritage Strategy
- (d) Heritage Near Me Program

In regard to the Heritage Assistance Grants program, it was noted that:

- the 2017-18 grants were undertaken in a tight timeframe with limited council staff resources,
- the 2018-19 grants ideally should be conducted early in the new financial year,
- there had been no change in Council's budgetary contribution to the program for some years, and building cost have increased which would have an impact on heritage costs.

In regard to the Local Heritage Strategy, it was noted that:

- The OEH's local heritage strategy and annual reporting template are rigid and likely reflect its heritage program and work with local government when it was first established.
- Council officer will check the relevance of the OEH local heritage strategy template to Wingecarribee Shire and when the matter needs to be reported to OEH and Council. Committee to be further advised.

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MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING
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HAC 38/18

MOTION moved by Mr D McManus and seconded by Ms L Cheetham

1. ***THAT the information on the Heritage Program Update be noted.***
2. ***THAT the 2018 Heritage Assistance Grants be undertaken in the first half of the 2018-19 delivery year, with promotion to start as soon as possible from May 2018.***
3. ***THAT a request for additional funds for the heritage grants program in future budget processes, being \$5,000 in next available budget process and \$2,000 in subsequent budgets over a four year period, given that the program budget has not changed for some years.***

PASSED

**18.2 Minutes of the Heritage Advisory Committee Meeting held on
Friday, 2 March 2018**

**ATTACHMENT 1 Minutes of the Heritage Committee Meeting held
on Friday, 2 March 2018**



MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING
Friday 2 March 2018



6.3 Heritage Strategic - Projects and related matters

Reference: 107/16
Report Author: Strategic Land Use Planner - Heritage

PURPOSE

The purpose of this report is to inform and update the Committee on strategic planning matters of relevance to heritage, which the Committee has an interest in.

HAC 39/18

MOTION moved by Ms C Webb and seconded by Ms L Cheetham

THAT the information on the Heritage Strategic Update be noted.

PASSED

18.2 Minutes of the Heritage Advisory Committee Meeting held on Friday, 2 March 2018

ATTACHMENT 1 Minutes of the Heritage Committee Meeting held on Friday, 2 March 2018



MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING
Friday 2 March 2018



6.4 Heritage Matter- Radiata Pines in Burradoo

Reference: 107/16
Report Author: Strategic Land Use Planner - Heritage

PURPOSE

This report provides the Committee with the opportunity to discuss this heritage matter it has raised.

The matter refers to the incremental loss of Radiata Pines (*Pinus radiata*) in Burradoo and other areas (particularly those not protected by heritage conservation areas) and whether the Committee can suggest a proposed management approach to protect the heritage values of areas which are characterised by these trees which are nearing end-of-life and which have been declared an environmental weed.

Ms L Cheetham spoke on the item, indicating:

- There are more pines in the study area than thought
- The pines form a backdrop in the landscape setting, with larger Eucalyptus species
- The pines are worth keeping as they contribute to character and setting, provided shade and act as windbreaks
- The pines are better maintained on private lands than on Council lands
- The next step will be for Mr D McManus and herself to do more work, including liaising with Council officers on any parks and gardens plans and street tree plantings.

Ms Cheetham tabled a report on work undertaken to date entitled, "Pinus Radiata in Burradoo – Some Observations by Laurel Cheetham and Dennis McManus for discussion at the Heritage Advisory Committee Meeting March 2 2018 and a study area plan plotting the pines.

Clr G McLaughlin advised Councillors were briefed on the draft Urban Tree Policy.

Ms C Webb, advised the pines should be managed, as they can drop limbs when their canopy is rounded at the top (when pointed canopy, still growing).

The Committee noted the changing nature of the Burradoo and other towns with increasing housing development and its impact on the landscape setting.

18.2 Minutes of the Heritage Advisory Committee Meeting held on Friday, 2 March 2018

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MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING

Friday 2 March 2018



HAC 40/18

MOTION moved by Ms L Cheetham and seconded by Mr D McManus

1. ***THAT the information in the report and the project presentation by Ms L Cheetham on the project be noted.***
2. ***THAT Ms L Cheetham and Mr D McManus undertake further work on the project and report back to the Committee.***
3. ***THAT the Committee explore making a submission to the draft Urban Tree Policy on exhibition during March 2018.***

PASSED

18.2 Minutes of the Heritage Advisory Committee Meeting held on
Friday, 2 March 2018

ATTACHMENT 1 Minutes of the Heritage Committee Meeting held
on Friday, 2 March 2018



MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING
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**6.5 Heritage Development Update - Development
Applications and related matters**

Reference: 107/16
Report Author: Strategic Land Use Planner - Heritage

PURPOSE

The report provides an opportunity to discuss and update the Committee on development applications (DAs) before Council that involve heritage matters and other heritage development enquiries, being:

- (a) DAs notified to the Committee for comment
- (b) DAs received by Council
- (c) Heritage development and works enquiries.

HAC 41/18

MOTION moved by Mr D McManus and seconded by Mrs S Farnese

THAT the information on development applications involving heritage be noted.

PASSED

**18.2 Minutes of the Heritage Advisory Committee Meeting held on
Friday, 2 March 2018**

**ATTACHMENT 1 Minutes of the Heritage Committee Meeting held
on Friday, 2 March 2018**



MINUTES OF THE HERITAGE ADVISORY COMMITTEE MEETING
Friday 2 March 2018



7. DATE OF NEXT MEETING

The next meeting will be held on Friday 1 June 2018 in Gibraltar Room, Civic Centre, Elizabeth Street, Moss Vale commencing at 3.00pm.

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.10 PM

18.3 Minutes of the Traffic Committee held on Thursday 3 May 2018

Reference: 107/6
Report Author: Administration Officer

PURPOSE

This report provides the Minutes of the Traffic Committee meeting held on Thursday, 3 May 2018.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 3 Adoption of Previous Minutes

THAT the minutes of the Traffic Committee Meeting held on Thursday 1 March 2018 TC1/18 to 18/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

Item 6.1 Police report on recent road crashes in the Shire

TC20/18

THAT the information be received and noted.

Item 6.2 Tulip Time parking and signage

TC21/18

THAT the following parking and signage changes be implemented by 4pm Monday 17 September 2018 and be removed from Tuesday 2 October 2018:

- 1. Two accessible parking spaces to be signposted on the northern side of Wingecarribee Street immediately west from Bendooley Street;*
- 2. A bus zone for coaches to pick up and set down only on the western side of Bendooley Street from Wingecarribee Street to Merrigang Street beside Corbett Gardens.*

Item 6.3 Tulip Time Mile

TC22/18

- 1. THAT permission be granted for the Tulip Time Mile Race to be held on Saturday 22 September 2018 from 1.30pm to 2.30pm subject to the satisfactory completion of all requirements of the Guide to Traffic and Transport for Special Events for a Class 2 Event;*
- 2. THAT the event organiser advertises the road closures and changes to traffic and parking arrangements for the event.*

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

COMMITTEE REPORTS



Item 6.4 Tulip Time Street Parade

TC23/18

1. *THAT permission be granted for the Tulip Time Street Parade to be held on Saturday 22 September 2018 from 2.30pm to 3.30pm subject to the satisfactory completion of all requirements of the Guide to Traffic and Transport for Special Events for a Class 2 Event;*
2. *THAT the event organiser advertises the road closures and changes to traffic and parking arrangements for the event.*

Item 6.5 Hostile Vehicle Mitigation for Special Events

TC24/18

1. *THAT the Traffic Committee considered the various aspects of Hostile Vehicle Mitigation for Special Events and determined that no action be taken at this time.*
2. *The Traffic Committee recommended that this item be referred to the Audit, Risk and Improvement Committee.*
3. *THAT the Police provide further advice on this matter.*

Item 6.6 Safety on Mack Street, Moss Vale

TC25/18

1. *THAT the centreline be marked in Mack Street, Moss Vale;*
2. *THAT the construction of a pedestrian refuge on Mack Street, Moss Vale at the Roy Baker Walkway be added to the Roads and Drainage Capital Works list and funding for the works be considered with all other competing priorities when determining the future annual Capital Works program;*
3. *THAT Council apply for RMS grant funding for installation of a pedestrian refuge on Mack Street, Moss Vale at the Roy Baker Walkway;*
4. *THAT it be noted that the installation of traffic calming on Mack Street, Moss Vale is not supported;*
5. *THAT the Police continue to carry out surveillance in Mack Street, Moss Vale.*

Item 6.7 Safety in Albert Lane, Mittagong

TC26/18

THAT the traffic volumes and speed profile for Albert Lane, Mittagong be noted and that the matter be kept under review.

Item 6.8 Safety in Morts Lane, Mittagong

TC27/18

1. *THAT existing traffic control devices at the intersection of Morts Lane and Oxley Drive be maintained/renewed as required.*
2. *THAT verge vegetation be trimmed to ensure adequate visibility of signage and sight lines in each direction on Oxley Drive from Morts Lane.*

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

COMMITTEE REPORTS



Item 6.9 Safety in Old Kangaloon Road, Robertson

TC28/18

THAT traffic classifiers be installed on Old Kangaloon Road, Robertson for a minimum period of one week to attain data on vehicle speed, vehicle class and vehicle volume to be submitted at the next Traffic Committee Meeting for further consideration.

Item 6.10 Safety at the rock tunnel on Wombeyan Caves Road, High Range

TC29/18

THAT the rock tunnel on Wombeyan Caves Road be inspected and the matter reported to the next Traffic Committee meeting.

Item 6.11 Parking restrictions in Alice Street, Mittagong

TC30/18

1. *THAT the installation of "No Stopping" signs on Alice Street, Mittagong in the vicinity of St Michael's Catholic Primary School is not supported;*
2. *THAT Council Rangers carry out surveillance in Alice Street, Mittagong in the vicinity of St Michaels Catholic Primary School as resources permit.*

Item 6.12 Parking restrictions on Kangaloon Road, Bowral

TC31/18

THAT No Parking zones be signposted on the southern side of Kangaloon Road, Bowral covering the driveways to Fairways.

Item 6.13 Parking restrictions in Old Hume Highway, Mittagong west of Helena Street

TC32/18

1. *THAT a 15 m long No Parking zone be signposted on the northern side of the Old Hume Highway, Mittagong west from Helena Street;*
2. *THAT the owners and occupiers of the adjacent property be consulted prior to installation.*

Item 6.14 Parking restrictions on Banyette Street, Bowral

TC33/18

THAT a No Parking zone be signposted on the southern side of Banyette Street, Bowral between the trees either side of the driveway to 31 Banyette Street.

Item 6.15 Parking restrictions on the Old Hume Highway, Mittagong east of Cavendish Street

TC34/18

THAT a 30m long No Stopping zone be signposted on the southern side of the Old Hume Highway, Mittagong east from Cavendish Street.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

COMMITTEE REPORTS



Item 6.16 Parking restrictions outside Moss Vale Public School

TC35/18

1. *THAT the bus zone on the western side of Browley Street, Moss Vale just south of the children's crossing be extended north to the driveway of 17 Browley Street to cater for two buses;*
2. *THAT the bus zone on the western side of Browley Street, Moss Vale just north of the children's crossing be changed to a No Parking zone (pick up and drop off area).*

Item 6.17 Pedestrian refuges on Bowral Street at Bendooley Street, Bowral

TC36/18

1. *THAT the installation of a pedestrian refuge on Bowral Street, Bowral just east of Bendooley Street is supported;*
2. *THAT the construction of a pedestrian refuge on Bowral Street, Bowral just east of Bendooley Street be added to the Roads and Drainage Capital Works list and funding for the works be considered with all other competing priorities when determining the future annual Capital Works program.*
3. *THAT Council apply for RMS grant funding for installation of a pedestrian refuge on Bowral Street, Bowral just east of Bendooley Street.*

Item 6.18 Pedestrian safety at causeway on Ellsmore Road, Exeter

TC37/18

1. *THAT a "Give Way to pedestrians" sign is not supported;*
2. *THAT a "Give Way" sign and associated line marking be installed on the north bound approach to the causeway on Ellsmore Road, Exeter;*
3. *THAT the Ellsmore Road, Exeter causeway be replaced by a culvert structure, and associated approach road works, to improve geometry and width to accommodate two way traffic plus a separated from traffic pedestrian path. That the culvert and associated road works, and funding for the works, be considered with all other competing priorities when determining the future annual Capital Works program.*

Item 6.19 Pedestrian crossing over Lamond Lane at Wingecarribee Street, Bowral

TC38/18

THAT it be noted that a pedestrian crossing over Lamond Lane at Wingecarribee Street in Bowral is not warranted and that pedestrians have right of way on footpaths.

Item 6.20 Pedestrian Facilities in Bundanoon

TC39/18

THAT the site be inspected and reported to the next Traffic Committee meeting

Item 6.21 Linemarking of Drapers Road, Colo Vale

TC40/18

THAT linemarking be installed on the curve on Drapers Road, Colo Vale.3km north of Gantry Place.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

COMMITTEE REPORTS



Item 6.22 Traffic calming on Aitken Road, Bowral

TC41/18

1. *THAT it be noted that the installation of traffic calming on Aitken Road, Bowral is not supported and that the correspondent be advised in terms of the report;*
2. *THAT the Police carry out surveillance in Aitken Road, Bowral as resources permit.*

Item 6.23 Local Traffic Only sign on Jensens Lane, Exeter

TC42/18

THAT the installation of a "Local Traffic Only" sign on Jensens Lane, Exeter is not supported.

Item 6.24 Junction of Mt Broughton Road and Yarrawa Road, Werai

TC43/18

1. *THAT stop signs not replace the existing give way signs at the intersection of Nowra Road, Yarrawa Road and Mt Broughton Road, Werai;*
2. *THAT the line marking of the intersection of Nowra Road, Yarrawa Road and Mt Broughton Road, Werai be reassessed, redesigned and modified as required to conform to current Austroads guidelines;*
3. *THAT the Nowra Road double barrier line approach to the intersection be modified, as part of the reassessment as per Recommendation 2, to reinforce the priority to the Yarrawa Road to Mt Broughton Road through traffic movement;*
4. *THAT vegetation be trimmed to provide required sighting of existing signage on all approaches to the intersection of Nowra Road, Yarrawa Road and Mt Broughton Road, Werai.*

Item 6.25 Taxi Zone outside Bowral High School

TC44/18

1. *THAT the existing Taxi Zone located on Aitken Road, Bowral, located on the western side of Aitken Road and south of Park Road be removed.*
2. *THAT the existing 5 minute parking zone, 3 spaces, on Aitken Road, Bowral, located adjacent to the entry of Bowral High School, on the western side of Aitken Road be reduced to 2 spaces.*
3. *THAT a 2 space Taxi Zone be installed on Aitken Road adjacent to the entry of Bowral High School, on the western side of Aitken Road.*

Item 6.26 Intersection of Spencer Street and Yarrawa Road, Moss Vale

TC45/18

1. *THAT stop signs replace the existing give way signs at the intersection of Spencer Street, Yarrawa Road and Darran Road, Moss Vale;*
2. *THAT the hold lines be remarked and the vegetation obscuring the give way signs be trimmed.*

Item 6.27 Stop sign on Linden Way at Emily Circuit, Bowral

TC46/18

THAT a stop sign and markings is not considered to be warranted on Linden Way at its junction with Emily Circuit, Bowral.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

COMMITTEE REPORTS



Item 6.28 Give way sign on Spencer Street and Devon Street, Mittagong

TC47/18

1. *THAT a Give way sign and associated line marking on Spencer Street and Devon Street, Mittagong be installed;*
2. *THAT vegetation on Devon Street, Mittagong be trimmed to provide adequate sight lines at the intersection with Spencer Street.*

Item 6.29 Pick up and drop off zone at Bowral Railway Station

TC48/18

THAT the No Parking zone on the eastern side of Kirkham Road at the access to Bowral Railway Station be changed to a "5 Minute Parking" zone to cater for people with mobility difficulties.

Item 6.30 Various matters in Moss Vale

TC49/18

1. *THAT a 11m long centreline be marked at the entrance to the Elizabeth Street Car Park in Moss Vale just north of the Police Station;*
2. *THAT the construction of an additional southbound left turn only traffic lane in Clarence Street on approach to Kirkham Street (built over the Kirkham Street Car Park) is supported in principle AND THAT the project be added to the Roads and Drainage Capital Works list and funding for the works be considered with all other competing priorities when determining the future annual Capital Works program.*

Item 6.31 Date of next Traffic Committee meeting

TC50/18

THAT the date of the next Traffic Committee meeting is Thursday 30 August 2018.

Item 6.32 Traffic Committee Action Sheet

TC51/18

THAT the information be received and noted

RECOMMENDATION

THAT recommendation Nos TC19/18 to TC51/18 - as detailed in the Minutes of the Traffic Committee meeting held on Thursday, 3 May 2018 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

ATTACHMENTS

1. Minutes of the Traffic Committee Meeting held on 3 May 2018



ATTACHMENT 1



MINUTES

of the Traffic Committee Meeting

held in

Council Chambers

Civic Centre, Elizabeth Street, Moss Vale

on

Thursday 3 May 2018

The meeting commenced at 9:30am

File No.107/6



MINUTES OF THE TRAFFIC COMMITTEE MEETING
Thursday 3 May 2018



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18.3 Minutes of the Traffic Committee held on Thursday 3 May 2018
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MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



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18.3 Minutes of the Traffic Committee held on Thursday 3 May 2018
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MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



MINUTES OF THE TRAFFIC COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON THURSDAY 3 MAY 2018 COMMENCING AT 9:30AM.

Present:

Councillors:

Clr Ian Scandrett

Mrs Jayd Marsh

Sergeant Matt Hoffman

Sergeant Christopher Upton

Mrs Katherine Wood

Mr Marcus Hewitt

Chair

Roads and Maritime Services

Representing NSW Police Force

Representing NSW Police Force

Representing Member for Goulburn

Representing Member for Wollondilly

In attendance:

Clr Graham Andrews

Agency

Representatives:

Mr Chris Moule

Berrima Buslines

Council Staff:

Mr Frank Perger

Traffic Engineer

Mr Frank Iacono

Transportation Planning Engineer

Minutes:

Mrs Liz de Graaf

Administration Assistant

1. WELCOME AND APOLOGIES

Nil

2. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 1 MARCH 2018

RECOMMENDATION

THAT the minutes of the Traffic Committee Meeting held on Thursday 1 March 2018 TC 1/18 to TC 18/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

4. BUSINESS ARISING

Nil



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



5. DECLARATIONS OF INTEREST

Nil

EN BLOC MOTION

The Chairman, Cllr Scandrett moved a motion to adopt En Bloc agenda items 6.1 to 6.4, 6.6 to 6.9, 6.11 to 6.15, 6.17 to 6.25, 6.27 to 6.32.

TC19/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING
Thursday 3 May 2018



6. AGENDA REPORTS

6.1 Police report on recent road crashes in the Shire

Reference: 7410
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Provide safe and efficient road, cycle and where appropriate, walking paths between and within town and villages, and conveniently located parking areas for cars and bicycles. Ideally, all road reserves to include provision for safe walking and cycling

PURPOSE

Reporting on recent road crashes in the Shire recorded by Police

RECOMMENDATION

THAT the information be received and noted

TC20/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.2 Tulip Time parking and signage

Reference: 1671/8, 7420/3
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Reporting on the parking and signage for 2018 Tulip Time near Corbett Gardens. Tulip Time dates in Corbett Gardens are from 18 September to 1 October, with the gardens being closed on Monday 17 September for set-up.

RECOMMENDATION

THAT the following parking and signage changes be implemented by 4pm Monday 17 September 2018 and be removed from Tuesday 2 October 2018:

- 1. Two accessible parking spaces to be signposted on the northern side of Wingecarribee Street immediately west from Bendooley Street;***
- 2. A bus zone for coaches to pick up and set down only on the western side of Bendooley Street from Wingecarribee Street to Merrigang Street beside Corbett Gardens.***

TC21/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.3 Tulip Time Mile

Reference: 1671/8, 7420/3
Report Author: Traffic Engineer
Authoriser: Deputy General Manager Operations, Finance and Risk
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Reporting on traffic arrangements for the 2018 Tulip Time Mile

RECOMMENDATION

1. *THAT permission be granted for the Tulip Time Mile Race to be held on Saturday 22 September 2018 from 1.30pm to 2.30pm subject to the satisfactory completion of all requirements of the Guide to Traffic and Transport for Special Events for a Class 2 Event;*
2. *THAT the event organiser advertises the road closures and changes to traffic and parking arrangements for the event.*

TC22/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.4 Tulip Time Street Parade

Reference: 1671/8, 7420/3
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Reporting on traffic arrangements for the 2018 Tulip Time Street Parade

RECOMMENDATION

1. *THAT permission be granted for the Tulip Time Street Parade to be held on Saturday 22 September 2018 from 2.30pm to 3.30pm subject to the satisfactory completion of all requirements of the Guide to Traffic and Transport for Special Events for a Class 2 Event;*
2. *THAT the event organiser advertises the road closures and changes to traffic and parking arrangements for the event.*

TC23/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.5 Hostile Vehicle Mitigation for Special Events

Reference: 7420/3
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Reporting on hostile vehicle mitigation for special events

RECOMMENDATION

1. *THAT the Traffic Committee considered the various aspects of Hostile Vehicle Mitigation for Special Events and determined that no action be taken at this time.*
2. *The Traffic Committee recommended that this item be referred to the Audit, Risk and Improvement Committee.*
3. *THAT the Police provide further advice on this matter.*

TC24/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.6 Safety on Mack Street, Moss Vale

Reference: 7460/26
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting improvements to safety on Mack Street in Moss Vale

RECOMMENDATION

1. *THAT the centreline be marked in Mack Street, Moss Vale;*
2. *THAT the construction of a pedestrian refuge on Mack Street, Moss Vale at the Roy Baker Walkway be added to the Roads and Drainage Capital Works list and funding for the works be considered with all other competing priorities when determining the future annual Capital Works program;*
3. *THAT Council apply for RMS grant funding for installation of a pedestrian refuge on Mack Street, Moss Vale at the Roy Baker Walkway;*
4. *THAT it be noted that the installation of traffic calming on Mack Street, Moss Vale is not supported;*
5. *THAT the Police continue to carry out surveillance in Mack Street, Moss Vale.*

TC25/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.7 Safety in Albert Lane, Mittagong

Reference: 7460/25
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Provide safe and efficient road, cycle and where appropriate, walking paths between and within town and villages, and conveniently located parking areas for cars and bicycles. Ideally, all road reserves to include provision for safe walking and cycling

PURPOSE

Requesting improvements to safety in Albert Lane, Mittagong

RECOMMENDATION

THAT the traffic volumes and speed profile for Albert Lane, Mittagong be noted and that the matter be kept under review.

TC26/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.8 Safety in Morts Lane, Mittagong

Reference: 7460/25
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting improvements to safety in Morts Lane, Mittagong

RECOMMENDATION

1. *THAT existing traffic control devices at the intersection of Morts Lane and Oxley Drive be maintained/renewed as required.*
2. *THAT verge vegetation be trimmed to ensure adequate visibility of signage and sight lines in each direction on Oxley Drive from Morts Lane.*

TC27/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.9 Safety in Old Kangaloon Road, Robertson

Reference: 7460/25
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting improvements to safety in Old Kangaloon Road, Robertson

RECOMMENDATION

THAT traffic classifiers be installed on Old Kangaloon Road, Robertson for a minimum period of one week to attain data on vehicle speed, vehicle class and vehicle volume to be submitted at the next Traffic Committee Meeting for further consideration.

TC28/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.10 Safety at the rock tunnel on Wombeyan Caves Road, High Range

Reference: 7460/19
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Reporting on safety at the rock tunnel on Wombeyan Caves Road, High Range

RECOMMENDATION

THAT the rock tunnel on Wombeyan Caves Road be inspected and the matter reported to the next Traffic Committee meeting.

TC29/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.11 Parking restrictions in Alice Street, Mittagong

Reference: 7460/25
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting parking restrictions in Alice Street, Mittagong

RECOMMENDATION

1. *THAT the installation of "No Stopping" signs on Alice Street, Mittagong in the vicinity of St Michael's Catholic Primary School is not supported;*
2. *THAT Council Rangers carry out surveillance in Alice Street, Mittagong in the vicinity of St Michaels Catholic Primary School as resources permit.*

TC30/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.12 Parking restrictions on Kangaloon Road, Bowral

Reference: 7460/8

Report Author: Traffic Engineer

Authoriser: Manager Assets

Link to Delivery Program: Work in partnership to ensure a safe road network

PURPOSE

Requesting on parking restrictions on Kangaloon Road, Bowral

RECOMMENDATION

THAT No Parking zones be signposted on the southern side of Kangaloon Road, Bowral covering the driveways to Fairways.

TC31/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.13 Parking restrictions in Old Hume Highway, Mittagong west of Helena Street

Reference: 7460/25
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting parking restrictions in Old Hume Highway, Mittagong west of Helena Street

RECOMMENDATION

1. *THAT a 15 m long No Parking zone be signposted on the northern side of the Old Hume Highway, Mittagong west from Helena Street;*
2. *THAT the owners and occupiers of the adjacent property be consulted prior to installation.*

TC32/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.14 Parking restrictions on Banyette Street, Bowral

Reference: 7460/8
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Delivery Program: Work in partnership to ensure a safe road network

PURPOSE

Requesting on parking restrictions on Banyette Street, Bowral

RECOMMENDATION

THAT a No Parking zone be signposted on the southern side of Banyette Street, Bowral between the trees either side of the driveway to 31 Banyette Street.

TC33/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



**6.15 Parking restrictions on the Old Hume Highway,
Mittagong east of Cavendish Street**

Reference: 7460/25
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting parking restrictions on the Old Hume Highway, Mittagong

RECOMMENDATION

THAT a 30m long No Stopping zone be signposted on the southern side of the Old Hume Highway, Mittagong east from Cavendish Street.

TC34/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.16 Parking restrictions outside Moss Vale Public School

Reference: 7460/26
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Delivery Program: Work in partnership to ensure a safe road network

PURPOSE

Requesting changes to the parking arrangements in Browley Street outside Moss Vale Public School

RECOMMENDATION

1. *THAT the bus zone on the western side of Browley Street, Moss Vale just south of the children's crossing be extended north to the driveway of 17 Browley Street to cater for two buses;*
2. *THAT the bus zone on the western side of Browley Street, Moss Vale just north of the children's crossing be changed to a No Parking zone (pick up and drop off area).*

TC35/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.17 Pedestrian refuges on Bowral Street at Bendooley Street, Bowral

Reference: 7460/8
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting pedestrian refuges on Bowral Street on each side of Bendooley Street in Bowral

RECOMMENDATION

1. *THAT the installation of a pedestrian refuge on Bowral Street, Bowral just east of Bendooley Street is supported;*
2. *THAT the construction of a pedestrian refuge on Bowral Street, Bowral just east of Bendooley Street be added to the Roads and Drainage Capital Works list and funding for the works be considered with all other competing priorities when determining the future annual Capital Works program.*
3. *THAT Council apply for RMS grant funding for installation of a pedestrian refuge on Bowral Street, Bowral just east of Bendooley Street.*

TC36/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.18 Pedestrian safety at causeway on Ellsmore Road, Exeter

Reference: 7460/16
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting improvement to pedestrian safety at the causeway on Ellsmore Road, Exeter

RECOMMENDATION

1. *THAT a "Give Way to pedestrians" sign is not supported;*
2. *THAT a "Give Way" sign and associated line marking be installed on the north bound approach to the causeway on Ellsmore Road, Exeter;*
3. *THAT the Ellsmore Road, Exeter causeway be replaced by a culvert structure, and associated approach road works, to improve geometry and width to accommodate two way traffic plus a separated from traffic pedestrian path. That the culvert and associated road works, and funding for the works, be considered with all other competing priorities when determining the future annual Capital Works program.*

TC37/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.19 Pedestrian crossing over Lamond Lane at Wingecarribee Street, Bowral

Reference: 7460/8
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting a pedestrian crossing over Lamond Lane at Wingecarribee Street in Bowral

RECOMMENDATION

THAT it be noted that a pedestrian crossing over Lamond Lane at Wingecarribee Street in Bowral is not warranted and that pedestrians have right of way on footpaths.

TC38/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.20 Pedestrian Facilities in Bundanoon

Reference: 7460/10
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting pedestrian facilities in Bundanoon

RECOMMENDATION

THAT the site be inspected and reported to the next Traffic Committee meeting

TC39/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.21 Linemarking of Drapers Road, Colo Vale

Reference: 7460/12
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Provide safe and efficient road, cycle and where appropriate, walking paths between and within town and villages, and conveniently located parking areas for cars and bicycles. Ideally, all road reserves to include provision for safe walking and cycling

PURPOSE

Requesting linemarking on Drapers Road, Colo Vale

RECOMMENDATION

THAT linemarking be installed on the curve on Drapers Road, Colo Vale.3km north of Gantry Place.

TC40/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.22 Traffic calming on Aitken Road, Bowral

Reference: 7460/8
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Delivery Program: Work in partnership to ensure a safe road network

PURPOSE

Requesting traffic calming on Aitken Road, Bowral

RECOMMENDATION

1. *THAT it be noted that the installation of traffic calming on Aitken Road, Bowral is not supported and that the correspondent be advised in terms of the report;*
2. *THAT the Police carry out surveillance in Aitken Road, Bowral as resources permit.*

TC41/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.23 Local Traffic Only sign on Jensens Lane, Exeter

Reference: 7460/12
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Delivery Program: Work in partnership to ensure a safe road network

PURPOSE

Requesting a local traffic only sign on Jensens Lane at Exeter

RECOMMENDATION

THAT the installation of a "Local Traffic Only" sign on Jensens Lane, Exeter is not supported.

TC42/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.24 Junction of Mt Broughton Road and Yarrawa Road, Weraï

Reference: 7460/38
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Provide safe and efficient road, cycle and where appropriate, walking paths between and within town and villages, and conveniently located parking areas for cars and bicycles. Ideally, all road reserves to include provision for safe walking and cycling

PURPOSE

Requesting improved safety at the junction of Mt Broughton Road and Yarrawa Road, Weraï

RECOMMENDATION

1. *THAT stop signs not replace the existing give way signs at the intersection of Nowra Road, Yarrawa Road and Mt Broughton Road, Weraï;*
2. *THAT the line marking of the intersection of Nowra Road, Yarrawa Road and Mt Broughton Road, Weraï be reassessed, redesigned and modified as required to conform to current Austroads guidelines;*
3. *THAT the Nowra Road double barrier line approach to the intersection be modified, as part of the reassessment as per Recommendation 2, to reinforce the priority to the Yarrawa Road to Mt Broughton Road through traffic movement;*
4. *THAT vegetation be trimmed to provide required sighting of existing signage on all approaches to the intersection of Nowra Road, Yarrawa Road and Mt Broughton Road, Weraï.*

TC43/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.25 Taxi Zone outside Bowral High School

Reference: 7460/8

Report Author: Traffic Engineer

Authoriser: Manager Assets

Link to Delivery Program: Work in partnership to ensure a safe road network

PURPOSE

Requesting a taxi zone outside Bowral High School

RECOMMENDATION

1. *THAT the existing Taxi Zone located on Aitken Road, Bowral, located on the western side of Aitken Road and south of Park Road be removed.*
2. *THAT the existing 5 minute parking zone, 3 spaces, on Aitken Road, Bowral, located adjacent to the entry of Bowral High School, on the western side of Aitken Road be reduced to 2 spaces.*
3. *THAT a 2 space Taxi Zone be installed on Aitken Road adjacent to the entry of Bowral High School, on the western side of Aitken Road.*

TC44/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.26 Intersection of Spencer Street and Yarrawa Road, Moss Vale

Reference: 7460/26
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Provide safe and efficient road, cycle and where appropriate, walking paths between and within town and villages, and conveniently located parking areas for cars and bicycles. Ideally, all road reserves to include provision for safe walking and cycling

PURPOSE

Requesting improved safety at the intersection of Spencer Street and Yarrawa Road, Moss Vale

RECOMMENDATION

1. *THAT stop signs replace the existing give way signs at the intersection of Spencer Street, Yarrawa Road and Darran Road, Moss Vale;*
2. *THAT the hold lines be remarked and the vegetation obscuring the give way signs be trimmed.*

TC45/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.27 Stop sign on Linden Way at Emily Circuit, Bowral.

Reference: 7460/8
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting a stop sign on Linden Way at its junction with Emily Circuit, Bowral.

RECOMMENDATION

THAT a stop sign and markings is not considered to be warranted on Linden Way at its junction with Emily Circuit, Bowral.

TC46/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.28 Give way sign on Spencer Street and Devon Street, Mittagong

Reference: 7460/25
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting a Give Way sign on Spencer Street and Devon Street, Mittagong

RECOMMENDATION

1. *THAT a Give way sign and associated line marking on Spencer Street and Devon Street, Mittagong be installed;*
2. *THAT vegetation on Devon Street, Mittagong be trimmed to provide adequate sight lines at the intersection with Spencer Street.*

TC47/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.29 Pick up and drop off zone at Bowral Railway Station

Reference: 7460/8
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting a pick up and drop off zone at the access to Bowral Railway Station

RECOMMENDATION

THAT the No Parking zone on the eastern side of Kirkham Road at the access to Bowral Railway Station be changed to a "5 Minute Parking" zone to cater for people with mobility difficulties.

TC48/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.30 Various matters in Moss Vale

Reference: 7460/26
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Requesting improvements at two locations in Moss Vale

RECOMMENDATION

1. *THAT a 11m long centreline be marked at the entrance to the Elizabeth Street Car Park in Moss Vale just north of the Police Station;*
2. *THAT the construction of an additional southbound left turn only traffic lane in Clarence Street on approach to Kirkham Street (built over the Kirkham Street Car Park) is supported in principle AND THAT the project be added to the Roads and Drainage Capital Works list and funding for the works be considered with all other competing priorities when determining the future annual Capital Works program.*

TC49/18

Unanimous support

18.3 Minutes of the Traffic Committee held on Thursday 3 May 2018
ATTACHMENT 1 Minutes of the Traffic Committee Meeting held
on 3 May 2018



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



6.31 Date of the next Traffic Committee meeting

Reference: 107/6
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Reporting on the date of the next Traffic Committee meeting.

RECOMMENDATION

THAT the date of the next Traffic Committee meeting is Thursday 30 August 2018.

TC50/18

Unanimous support



MINUTES OF THE TRAFFIC COMMITTEE MEETING
Thursday 3 May 2018



6.32 Traffic Committee Action Sheet

Reference: 107/6
Report Author: Traffic Engineer
Authoriser: Manager Assets
Link to Corporate Plan: Work in partnership to ensure a safe road network

PURPOSE

Reporting on the Traffic Committee Action Sheet

RECOMMENDATION

THAT the information be received and noted

TC51/18

Unanimous support

7. GENERAL BUSINESS

SPEEDING IN KANGALOON VILLAGE

7460/22

Correspondence was tabled at the meeting regarding speeding and safety issues in Kangaloon Village and a report to come back to the next meeting.

RESIGNATION FROM MARCUS HEWITT, Representative for Wollondilly, Jai Rowell MP.

Marcus Hewitt advised he was stepping down from his position as representing Member for Wollondilly. The Committee thanked Marcus for his time and input.



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 3 May 2018



8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 10:56 AM

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

Reference: 107/40
Report Author: Organisational Support Officer
Authoriser: Deputy General Manager Operations, Finance and Risk
Link to Community
Strategic Plan: Develop and implement initiatives which allow rural industries to innovate, adapt and prosper

PURPOSE

This report provides the Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 3 Adoption of Minutes of Previous Meeting

SOU 7/17

THAT the minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday 16 March 2018 MN SOU 1/18 to MN SOU 6/18 inclusive, copies of which were forwarded to Committee Members, be adopted as a correct record of the proceedings of the meeting.

Item 6.1 Interim Financial Performance Report - March 2018

Sou 8/18

THAT the financial performance report for the period ending 31 March 2018 be received and noted.

Item 6.2 SRLX Draft 2018/19 Budget

SOU 9/18

THAT the draft 2018/19 Budget for the Southern Regional Livestock Exchange (SRLX) be received and noted.

Item 6.3 Draft Fees and Charges

SOU 10/18

1. *THAT the proposed 2018/19 Fees and Charges report be noted.*
2. *THAT a report be presented to the Committee responding to the concerns raised in the unsigned document circulated at the SRLX on Wednesday 2 May 2018.*
3. *THAT the responses be furnished in conjunction with the minutes and distributed to the SRLX Advisory Committee.*
4. *THAT the structure of fees be reviewed in future years in conjunction with the Advisory Committee.*

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

COMMITTEE REPORTS



Item 6.4 Throughput

SOU 11/18

1. THAT the report be noted.
2. THAT the Agents be requested to reinstate the monthly Store Sale when numbers require it.
3. THAT management take appropriate action to bring to the attention of the Agents its concern relating to overcrowding in the yards at recent sales, resulting in concerns for animal welfare, work health and safety and risk management and that it be discussed at the monthly Agents meeting.

General Business

SOU 12/18

THAT the verbal report on the Service Delivery Review presented by staff be noted.

RECOMMENDATION

THAT recommendations Nos SOU 7/18 to SOU 12/18 – as detailed in the Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

ATTACHMENTS

1. Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



ATTACHMENT 1



MINUTES

of the Southern Regional Livestock Exchange Advisory Committee Meeting

held in

Nattai Room, Civic Centre, Elizabeth Street, Moss Vale

on

Friday 4 May 2018

The meeting commenced at 9.00 am

File No. 107/40

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING

Friday 4 May 2018



1. **WELCOME AND APOLOGIES**
2. **ACKNOWLEDGEMENT OF COUNTRY**
3. **ADOPTION OF MINUTES OF PREVIOUS MEETING**
4. **BUSINESS ARISING FROM THE MINUTES**
Southern Regional Livestock Exchange Advisory Committee Meeting held on 16 March 2018
5. **DECLARATIONS OF INTEREST**
6. **AGENDA REPORTS 3**
 - 6.1 Interim Financial Performance Report - March 2018..... 3
 - 6.2 SRLX Draft 2018/19 Budget 4
 - 6.3 Draft Fees And Charges 5
 - 6.4 Throughput 6
- GENERAL BUSINESS: 7**
7. **DATE OF NEXT MEETING 8**
8. **MEETING CLOSURE 8**

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING

Friday 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON FRIDAY 4 MAY 2018 COMMENCING AT 9.00 AM.

Present:

Councillors:	Clr T D Gair	<i>Chair</i>
	Clr G M Turland	<i>Alternate Chair</i>
	Mayor K J Halstead	
	Clr Graeme Andrews	

Community Representatives:	Mr Geoff Byrne
	Mr Anthony Guinness
	Mr Carl Peterson
	Mr Grahame Tooth

In Attendance:	Ms Ann Prendergast	<i>General Manager</i>
	Mr Barry Paull	<i>Deputy General Manager Operations, Finance & Risk</i>
	Ms Danielle Lidgard	<i>Acting Group Manager Corporate & Community</i>
	Mr Neil Townsend	<i>Manager Business Services</i>
	Mr Chris Murphy	<i>Coordinator Business Services</i>
	Ms Amanda Lawrence	<i>Organisational Support Officer</i>

1. WELCOME AND APOLOGIES

Clr T D Gair welcomed Committee Members and staff.

2. ACKNOWLEDGEMENT OF COUNTRY

Clr Duncan Gair acknowledged country:

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING

Friday 4 May 2018



3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING HELD ON FRIDAY 16 MARCH 2018

SOU 7/18

MOTION moved by Cllr G M Turland and seconded by Mr G Byrne

THAT the minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday 16 March 2018 MN SOU 1/18 to MN SOU 6/18 inclusive, copies of which were forwarded to Committee Members, be adopted as a correct record of the proceedings of the meeting.

PASSED

4. BUSINESS ARISING

Nil.

5. DECLARATIONS OF INTEREST

Nil.

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING

Friday 4 May 2018



6. AGENDA REPORTS

6.1 Interim Financial Performance Report - March 2018

Reference: 107/40
Report Author: Chief Financial Officer

PURPOSE

The purpose of this report is to present to the Advisory Committee the interim financial performance report of the Southern Regional Livestock Exchange (SRLX) for the period ending 31 March 2018.

The Deputy General Manager Operations, Finance & Risk and the Manager Business Services addressed the Committee in relation to the Interim Financial Performance Report, the Gate Upgrade, the Lighting Upgrade and the Power Upgrade.

SOU 8/18

MOTION moved by Mayor K J Halstead and seconded by Mr C Peterson

THAT the financial performance report for the period ending 31 March 2018 be received and noted.

PASSED

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING

Friday 4 May 2018



6.2 SRLX Draft 2018/19 Budget

Reference:	107/40
Report Author:	Chief Financial Officer
Authoriser:	Deputy General Manager Operations, Finance and Risk
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to present to the Advisory Committee the draft 2018/19 Budget for the Southern Regional Livestock Exchange (SRLX) which has been included in Council's Draft 2018/19 Operational Plan and Budget.

SOU 9/18

MOTION moved by Cllr G M Turland and seconded by Mayor K J Halstead

THAT the draft 2018/19 Budget for the Southern Regional Livestock Exchange (SRLX) be received and noted.

PASSED

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING

Friday 4 May 2018



6.3 Draft Fees And Charges

Reference: 7170
Report Author: Organisational Support Officer

PURPOSE

The purpose of this report is to present to the Committee the 2018/19 Draft Fees and Charges

SOU 10/18

MOTION moved by Cllr T D Gair and seconded by Cllr G M Turland

1. **THAT** the proposed 2018/19 Fees and Charges report be noted.
2. **THAT** a report be presented to the Committee responding to the concerns raised in the unsigned document circulated at the SRLX on Wednesday 2 May 2018.
3. **THAT** the responses be furnished in conjunction with the minutes and distributed to the SRLX Advisory Committee
4. **THAT** the structure of fees be reviewed in future years in conjunction with the Advisory Committee.

PASSED

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING

Friday 4 May 2018



6.4 Throughput

Reference: 7170
Report Author: Organisational Support Officer

PURPOSE

The purpose of this report is to present to the Committee the Q3 throughput figures and an overall market update.

SOU 11/18

MOTION moved by Mr G Tooth and seconded by Cllr G M Turland

1. **THAT** the report be noted.
2. **THAT** the Agents be requested to reinstate the monthly Store Sale when numbers require it.
3. **THAT** management take appropriate action to bring to the attention of the Agents its concern relating to overcrowding in the yards at recent sales, resulting in concerns for animal welfare, work health and safety and risk management and that it be discussed at the monthly Agents meeting.

PASSED

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE MEETING

Friday 4 May 2018



GENERAL BUSINESS:

The Acting Group Manager Corporate and Community addressed the committee on a Confidential matter relating to the independent service level review of the SRLX operations.

MOTION

SOU 12/18

MOTION moved by Mayor K J Halstead and seconded by Mr G Byrne

THAT the verbal report on the Service Delivery Review presented by staff be noted.

PASSED

18.4 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018

ATTACHMENT 1 Minutes of the Southern Regional Livestock Exchange Advisory Committee Meeting held on Friday, 4 May 2018



**MINUTES OF THE SOUTHERN REGIONAL LIVESTOCK EXCHANGE
ADVISORY COMMITTEE MEETING**

Friday 4 May 2018



7. DATE OF NEXT MEETING

The next meeting will be held on Friday 3 August 2018 in Nattai Room, Civic Centre, Elizabeth Street, Moss Vale commencing at 9.00 am.

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 11.00 AM

18.5 Minutes of the Wingecarribee Community Safety Committee Meeting held on Monday, 7 May 2018

Reference:	107/35
Report Author:	Coordinator Community Development
Authoriser:	Acting Group Manager Corporate and Community
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

This report provides the Minutes of the Wingecarribee Community Safety Committee Meeting held on Monday, 7 May 2017.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 1 Welcome and Apologies

WCSC 10/18

THAT the apologies of the Hon Pru Goward, MP, Mr Jai Rowell, MP, Ms Catherine Hughes, Superintendent Chris Schilt, Inspector John Klepczarek, Chief Inspector Johnson and Detective Inspector Chad Gillies be accepted and leave of absence granted.

Item 4 Adoption of Minutes of Previous Meeting

WCSC 11/18

THAT the minutes of the Wingecarribee Community Safety Committee Meeting held on Monday 05 February 2018 MN 1/18 to MN 9/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

Item 6.1 Update on the Community Safety Plan 2015-2020

WCSC 12/18

THAT the report in relation to the update on the Community Safety Plan be noted.

Item 6.2 Crime Report for Wingecarribee

WCSC 13/18

THAT the local crime report presented by District Inspector Brendan Bernie of the Hume Police District be noted.



RECOMMENDATION

THAT recommendations Nos WCSC 10/18 to WCSC 13/18 – as detailed in the Minutes of the Wingecarribee Community Safety Committee Meeting held on Monday, 7 May 2018 be noted.

ATTACHMENTS

1. Minutes of the Wingecarribee Community Safety Committee Meeting held on Monday, 7 May 2018



ATTACHMENT 1

MINUTES

of the Wingecarribee Community Safety Committee Meeting

held in

Nattai Room, Civic Centre, Elizabeth Street, Moss Vale

on

Monday 7 May 2018

The meeting commenced at 9.00 AM

File No. 107/35

**18.5 Minutes of the Wingecarribee Community Safety Committee
Meeting held on Monday, 7 May 2018**

**ATTACHMENT 1 Minutes of the Wingecarribee Community Safety
Committee Meeting held on Monday, 7 May 2018**



**MINUTES OF THE WINGECARRIBEE COMMUNITY SAFETY
COMMITTEE MEETING**

Monday 7 May 2018



1. WELCOME AND APOLOGIES

2. ACKNOWLEDGEMENT OF COUNTRY

UPDATE ON THE RESTRUCTURE OF THE POLICE

3. DECLARATIONS OF INTEREST

4. ADOPTION OF MINUTES OF PREVIOUS MEETING

Wingecarribee Community Safety Committee Meeting held on 5 February 2018

5. BUSINESS ARISING

6. AGENDA REPORTS	5
6.1 Update on the Community Safety Plan 2015 - 2020	5
6.2 Crime Report for Wingecarribee	6

TRAFFIC UPDATE	6
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7. DATE OF NEXT MEETING	7
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8. MEETING CLOSURE	7
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18.5 Minutes of the Wingecarribbee Community Safety Committee Meeting held on Monday, 7 May 2018

ATTACHMENT 1 Minutes of the Wingecarribbee Community Safety Committee Meeting held on Monday, 7 May 2018



MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY COMMITTEE MEETING

Monday 7 May 2018



MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY COMMITTEE MEETING OF WINGECARRIBBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON MONDAY 7 MAY 2018 COMMENCING AT 9.00 AM.

Present:

Mayor Cllr Ken Halstead	<i>Chair</i>
District Inspector Brendan Bernie	<i>Hume Police District</i>
Ms Kathy Barnsley	<i>Southern Highlands Chamber of Commerce and Industry Inc</i>
Mr Tom Porter	<i>Southern Highlands Liquor Accord</i>
Mr Laurie Stewart	<i>Community Representative</i>
Mr Rob Westaway	<i>Community Representative</i>

In Attendance:

Mr Mark Pepping	<i>Deputy General Manager Corporate, Strategy and Development Services</i>
Ms Danielle Lidgard	<i>Acting Group Manager Corporate and Community</i>
Ms Cath Brennan	<i>Coordinator Community Development</i>
Ms Liz Johnson	<i>Administration Officer</i>
Ms Corinne Buxton (in part)	<i>Branch Support Officer</i>

1. WELCOME AND APOLOGIES

It was noted that apologies were received from the Hon Pru Goward, MP, Mr Jai Rowell, MP, Ms Catherine Hughes from Argyle Housing, Superintendent Chris Schilt, Inspector John Klepczarek, Chief Inspector Johnson and Detective Inspector Chad Gillies.

WCSC 10/18

MOTION moved by Ms K Barnsley and seconded by Mr L Stewart

THAT the apologies of the Hon Pru Goward, MP, Mr Jai Rowell, MP, Ms Catherine Hughes, Superintendent Chris Schilt, Inspector John Klepczarek, Chief Inspector Johnson and Detective Inspector Chad Gillies be accepted and leave of absence granted.

PASSED

**18.5 Minutes of the Wingecarribbee Community Safety Committee
Meeting held on Monday, 7 May 2018**

**ATTACHMENT 1 Minutes of the Wingecarribbee Community Safety
Committee Meeting held on Monday, 7 May 2018**



**MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY
COMMITTEE MEETING**

Monday 7 May 2018



2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor Cllr K J Halstead acknowledged country:

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

UPDATE ON THE RESTRUCTURE OF THE POLICE

District Inspector Brendan Bernie provided an update on the new structure of the Police area which is now known as the Hume Police District, and advised that the area now includes Young. He advised that Superintendent Chris Schilt is Commander of the Hume Police District, that Inspector John Klepczarek is now in charge of the Southern Highlands area and that he [Brendan] is now District Inspector based in Bowral.

**18.5 Minutes of the Wingecarribbee Community Safety Committee
Meeting held on Monday, 7 May 2018**

**ATTACHMENT 1 Minutes of the Wingecarribbee Community Safety
Committee Meeting held on Monday, 7 May 2018**



**MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY
COMMITTEE MEETING**

Monday 7 May 2018



3. DECLARATIONS OF INTEREST

There were no Declarations of Interest at this Meeting.

4. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY COMMITTEE MEETING
HELD ON MONDAY 5 FEBRUARY 2018

WCSC 11/18

MOTION moved by Ms K Barnsley and seconded by Mr L Stewart

THAT the minutes of the Wingecarribbee Community Safety Committee Meeting held on Monday 05 February 2018 MN 1/18 to MN 9/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

5. BUSINESS ARISING

1. "LOVE BITES" PROGRAM

The Coordinator Community Development provided an update on the participation of the local High Schools in the "Love Bites" Program, which has had great results. She advised the Program was run at Bowral High School, and that the Hon Pru Goward, MP, is looking at how the Program can be implemented into State High Schools. The Coordinator Community Development advised that there is commitment to run the Program twice yearly.

The Coordinator Community Development advised that the coasters developed by students at Moss Vale High School would be going into all the hotels in the Wingecarribbee Shire, and that Mr Tom Porter was assisting through the Liquor Accord and Hotels Association to launch the coasters and support their distribution.

2. WHITE RIBBON DAY

The Coordinator Community Development advised that White Ribbon Day is proceeding in November, with the Golf Day to be held at the Highlands Golf Club, Mittagong. She advised that it is a team event, and that it is being coordinated by the Southern Highlands Domestic Violence Forum.

**18.5 Minutes of the Wingecarribbee Community Safety Committee
Meeting held on Monday, 7 May 2018****ATTACHMENT 1 Minutes of the Wingecarribbee Community Safety
Committee Meeting held on Monday, 7 May 2018****MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY
COMMITTEE MEETING**

Monday 7 May 2018

**3. VANDALISM AT LAKE ALEXANDRA, MITTAGONG**

The Coordinator Community Development updated the Committee on the concerns of residents about the anti-social behaviour at Lake Alexandra. She advised that the response was around providing the Police Hot Line for reporting of incidents, and that the Police are now regularly patrolling the area on Friday and Saturday nights. She advised that residents want Council to take up the problem, and that Council's Manager Open Space, Recreation and Building Maintenance has advised that signs will be erected that will provide information such as the Police Assistance Line and other relevant information. The Coordinator Community Development advised that sensor lights have been considered, but this can make it a more accessible place to go to.

District Inspector Brendan Bernie advised that it is a popular area for teenagers to congregate on Friday and Saturday nights, but since the introduction of the Police patrols the incidents of crime, particularly malicious damage, have reduced. He advised that there are arguments for and against installation of sensor lights.

The Coordinator Community Development advised that Council has also noticed the reduction in the anti-social behaviour.

4. ROTARACT PARK, MOSS VALE

District Inspector Brendan Bernie advised that this is still an outstanding issue but he will ensure that their Community Safety Officer attends to the safety audit of the park as matter of priority.

The Coordinator Community Development advised that the matter of erecting Alcohol Free Zone signs has to be considered by the Traffic Committee and at this stage it has been listed for the Traffic Committee at its August Meeting.

The Mayor Cllr K J Halstead advised that this is an important issue and that Council needs to work on the signage to ensure that it is an alcohol restricted area.

**18.5 Minutes of the Wingecarribbee Community Safety Committee
Meeting held on Monday, 7 May 2018**

**ATTACHMENT 1 Minutes of the Wingecarribbee Community Safety
Committee Meeting held on Monday, 7 May 2018**



**MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY
COMMITTEE MEETING**

Monday 7 May 2018



6. AGENDA REPORTS

6.1 Update on the Community Safety Plan 2015 - 2020

Reference: 107/35
Report Author: Coordinator Community Development

PURPOSE

To review the Community Safety Plan.

The Coordinator Community Development, the Deputy General Manager Corporate, Strategy and Development Services and Chief Inspector Brendan Bernie addressed the Committee on this matter.

The Coordinator Community Development advised that there is funding for Crime Prevention available and it may be appropriate for Council to work in association with the Police to identify areas of crime that can be included in an application for funding, and that maybe graffiti would be an area for inclusion.

Mr Laurie Stewart asked if the CCTV cameras inclusion in the Community Safety Plan had progressed as yet.

The Coordinator Community Development advised that Council approval needs to be obtained for the inclusion of CCTV cameras into the Community Safety Plan, and that would require a report to Council. She advised that this had not been considered a priority by the community during consultation for the Community Safety Plan.

The Mayor Cllr K J Halstead asked for this to be a priority.

WCSC 12/18

MOTION moved by Mr T Porter and seconded by District Inspector Bernie

THAT the report in relation to the update on the Community Safety Plan be noted.

PASSED

18.5 Minutes of the Wingecarribbee Community Safety Committee
Meeting held on Monday, 7 May 2018

ATTACHMENT 1 Minutes of the Wingecarribbee Community Safety
Committee Meeting held on Monday, 7 May 2018



MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY
COMMITTEE MEETING

Monday 7 May 2018



6.2 Crime Report for Wingecarribbee

Reference: 107/35
Report Author: Coordinator Community Development

PURPOSE

A report will be presented to the meeting by a representative of the Hume Police District on the crime trends and issues in the Wingecarribbee LGA.

District Inspector Brendan Bernie and the Coordinator Community Development addressed the Committee on this matter.

WCSC 13/18

MOTION moved by District Inspector Bernie and seconded by Ms K Barnsley

THAT the local crime report presented by District Inspector Brendan Bernie of the Hume Police District be noted.

PASSED

TRAFFIC UPDATE

District Inspector Brendan Bernie updated the Committee providing on traffic matters.

He advised as follows:

- Operation Merit is running until 21 May 2018 – which targets driver behaviour and drink driving.
 - Operation Chrome is also running – and particularly drink driving and rural roads.
 - Speeding is becoming an issue for Police.
 - Commander Chris Schilt is the region corporate spokesperson and wants this region to be the best.
-

**18.5 Minutes of the Wingecarribbee Community Safety Committee
Meeting held on Monday, 7 May 2018**

**ATTACHMENT 1 Minutes of the Wingecarribbee Community Safety
Committee Meeting held on Monday, 7 May 2018**



**MINUTES OF THE WINGECARRIBBEE COMMUNITY SAFETY
COMMITTEE MEETING**

Monday 7 May 2018



7. DATE OF NEXT MEETING

The next meeting will be held on Monday 6 August 2018 in Nattai Room, Civic Centre, Elizabeth Street, Moss Vale commencing at 9.00 am.

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 10.22 AM



18.6 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 8 May 2018

Reference: 1880/58
Report Author: Administration Officer
Authoriser: Acting Group Manager Corporate and Community
Link to Community
Strategic Plan: Work collaboratively to address social disadvantage

PURPOSE

This report provides the Minutes of the Community Development Advisory Committee Meeting held on 8 May 2018.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 6.1 Assessment of the Community Development related Applications to the 2018 Wingecarribee Community Assistance Scheme

CD 11/18

THAT the Committee's recommendations regarding funding of Community Development related applications to the Wingecarribee Community Assistance Scheme 2018/2019 be referred to the Community Assistance Scheme Advisory Committee.

RECOMMENDATION

THAT recommendation No. CD 11/18 as detailed in the Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 8 May 2018 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

ATTACHMENTS

1. Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 8 May 2018



ATTACHMENT 1



MINUTES

of the Community Development Advisory Committee Meeting

held in

Gibraltar Room

Civic Centre, Elizabeth Street, Moss Vale

on

Tuesday 8 May 2018

The meeting commenced at 4.35pm

File No. 1800/58

**18.6 Minutes of the Community Development Advisory Committee
Meeting held on Tuesday, 8 May 2018**

**ATTACHMENT 1 Minutes of the Community Development
Advisory Committee Meeting held on Tuesday, 8 May 2018**



**MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY
COMMITTEE MEETING**

Tuesday 8 May 2018



1. **WELCOME AND APOLOGIES**
2. **ACKNOWLEDGEMENT OF COUNTRY**
3. **ADOPTION OF MINUTES OF PREVIOUS MEETING**
4. **BUSINESS ARISING FROM THE MINUTES**
5. **DECLARATIONS OF INTEREST**

6. AGENDA REPORTS	3
6.1 Assessment of the Community Development related Applications to the 2018 Wingecarribee Community Assistance Scheme	3
7. DATE OF NEXT MEETING	4
8. MEETING CLOSURE	4

18.6 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 8 May 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 8 May 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 8 May 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN GIBRALTAR ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON TUESDAY 8 MAY 2018 COMMENCING AT 4.35PM.

Present:

Councillors:

Clr L A C Whipper
Clr G McLaughlin
Clr G J Andrews
Clr G Markwart

Chair (arrived at 4.40pm)

Alternate Chair

Community

Representatives:

Ms Deborah Barnes
Ms Lynne Burgoyne
Mr Bruce Mumford
Ms Rebecca Reidy
Mr Dylan Whitelaw

In Attendance:

Ms Danielle Lidgard,
Ms Cath Brennan,
Ms Helen Stokes,

*Acting Group Manager Corporate & Community
Community Development Coordinator
Administration Officer*

1. WELCOME AND APOLOGIES

There were no apologies received.

2. ACKNOWLEDGEMENT OF COUNTRY

Clr Gordon Markwart acknowledged "Country".

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING HELD ON TUESDAY 13 MARCH 2018

The adoption of the previous minutes will be deferred to the next ordinary meeting of the Community Development Advisory Committee Meeting to be held on the 10 July 2018.

4. BUSINESS ARISING

There was no Business Arising at this meeting

18.6 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 8 May 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 8 May 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 8 May 2018



5. DECLARATIONS OF INTEREST

Mrs Deborah Barnes declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20180057 as her husband is a member of the NSW Southern Highlands Justice of the Peace organisation. She did not leave the meeting and did not take part in any debate or voting thereof.

Ms Cath Brennan declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20180043 as she is a member of the Southern Highlands Association of Women and Member of the Wellbeing Group on the Argyle Housing submission. She did not leave the meeting and did not take part in any debate or voting thereof.

Mr Bruce Mumford declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20180081 as he is a client of Interchange Australia, Bowral. He did not leave the meeting and did not take part in any debate or voting thereof.

Clr Grahame Andrews declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20180005 as he is a member of WHAM (Wingecarribee Health Association for Men Inc). He did not leave the meeting and did not take part in any debate or voting thereof.

Mr Dylan Whitelaw declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20180102 as he had previously been a presenter on 92.5FM Youth Radio. He did not leave the meeting and did not take part in any debate or voting thereof.

18.6 Minutes of the Community Development Advisory Committee
Meeting held on Tuesday, 8 May 2018

ATTACHMENT 1 Minutes of the Community Development
Advisory Committee Meeting held on Tuesday, 8 May 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY
COMMITTEE MEETING

Tuesday 8 May 2018



6. AGENDA REPORTS

6.1 Assessment of the Community Development related Applications to the 2018 Wingecarribee Community Assistance Scheme

Reference: 1800/58
Report Author: Coordinator Community Development

PURPOSE

To present the Community Development related applications to the Wingecarribee Community Assistance Scheme 2018/19 for assessment by the Committee

CD 11/18

MOTION moved by Mr Dylan Whitelaw and seconded by Cllr Grahame Andrews

THAT the Committee's recommendations regarding funding of Community Development related applications to the Wingecarribee Community Assistance Scheme 2018/19 be referred to the Community Assistance Scheme Advisory Committee.

PASSED

**18.6 Minutes of the Community Development Advisory Committee
Meeting held on Tuesday, 8 May 2018**

**ATTACHMENT 1 Minutes of the Community Development
Advisory Committee Meeting held on Tuesday, 8 May 2018**



**MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY
COMMITTEE MEETING**

Tuesday 8 May 2018



7. DATE OF NEXT MEETING

The next meeting will be held on Tuesday 10 July 2018 in Gibraltar Room
Civic Centre, Elizabeth Street, Moss Vale commencing at 4.30pm.

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6 PM

18.7 Minutes of the Finance Committee Meeting held on Wednesday, 16 May 2018

Reference:	107/21
Report Author:	Administration Officer
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

This report provides the Minutes of the Finance Committee Meeting held on Wednesday, 16 May 2018.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 3 Apologies

FC 7/18

THAT the apologies of the Mayor, Cllr K J Halstead, Cllr P W Nelson and Cllr G J Andrews be accepted and leave of absence granted.

Item 4 Confirmation of Minutes

FC 8/18

THAT the minutes of the Finance Committee Meeting held on Wednesday 21 February 2018 MN FC 1/18 to MN FC 6/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

Item 7.1 Budget Review to 31 March 2018

MN 9/18

1. *THAT Council approve the budget variations reported at the March Quarterly Review as listed in Attachment 1 to the report.*
2. *THAT Council approve the reallocation of \$631,000 from the General Waste Reserve to the Welby Hockey Field Reserve.*
3. *THAT Council note the projected position for the 2017/18 Financial Year remains a balanced budget.*

Item 7.2 Quarterly Operational Plan 2017-18 Exception Report, January to March 2018

FC 10/18

THAT the Quarterly Operational Plan 2017-18 Exception Report, January to March 2018, be noted.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 23 May 2018

COMMITTEE REPORTS



Item 7.3 Loan Borrowings Policy Review

FC 11/18

THAT Council adopt the revised Loan Borrowings Policy.

Item 7.4 Moss Vale & District Basketball Association - Request for Variation to Terms of Loan

FC 12/18

THAT the Request for Variation to terms of loan from the Moss Vale & District Basketball Association be deferred, subject to an invitation being extended to members of the Moss Vale & District Basketball Association to address Councillors in relation to the future re-development of the stadium site located at 15 Parkes Road, Moss Vale.

Item 7.5 Stronger Country Communities Fund - Round 1 Successful Projects

FC 13/18

THAT the draft 2018/19 Operational Plan and Budget be updated to include the following projects:

Project	Budget Allocation
Construction of Second Synthetic Hockey & All-Weather Sporting Field Stage One (Welby Oval)	\$1,192,000
Wingello Hall Accessibility Upgrade	\$114,732
The Carribee Centre Upgrade and Extension	\$443,809
Total Expenditure Budget	\$1,750,541

RECOMMENDATION

THAT recommendations Nos FC 7/18 to FC 13/18 – as detailed in the Minutes of the Finance Meeting held on Wednesday, 16 May 2018 be adopted.

ATTACHMENTS

1. Minutes of Finance Committee Meeting held on Wednesday, 16 May 2018



ATTACHMENT 1



MINUTES

of the Finance Committee Meeting

held in

Council Chambers, Civic Centre, Elizabeth Street, Moss
Vale

on

Wednesday 16 May 2018

The meeting commenced at 9.00 am

File No. 107/21

**18.7 Minutes of the Finance Committee Meeting held on Wednesday,
16 May 2018**

**ATTACHMENT 1 Minutes of Finance Committee Meeting held on
Wednesday, 16 May 2018**



MINUTES OF THE FINANCE COMMITTEE MEETING

Wednesday 16 May 2018



- 1. OPENING OF THE MEETING**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
- 3. APOLOGIES**
- 4. ADOPTION OF MINUTES OF PREVIOUS MEETING**
Finance Committee Meeting held on 21 February 2018
- 5. BUSINESS ARISING..... 2**
- 6. DECLARATIONS OF INTEREST 3**
- 7. AGENDA REPORTS 4**
 - 7.1 Budget Review to 31 March 2018..... 4
 - 7.2 Quarterly Operational Plan 2017-18 Exception Report, January to March 2018..... 5
 - 7.3 Loan Borrowings Policy Review 6
 - 7.4 Moss Vale & District Basketball Association - Request for Variation to Terms of Loan..... 7
 - 7.5 Stronger Country Communities Fund - Round 1 Successful Projects..... 9
- 8. DATE OF NEXT MEETING10**
- 9. MEETING CLOSURE10**

18.7 Minutes of the Finance Committee Meeting held on Wednesday, 16 May 2018

ATTACHMENT 1 Minutes of Finance Committee Meeting held on Wednesday, 16 May 2018



MINUTES OF THE FINANCE COMMITTEE MEETING

Wednesday 16 May 2018



MINUTES OF THE FINANCE COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 16 MAY 2018 COMMENCING AT 9.00 AM

Present:

Clr I M Scandrett (Chair)
Clr T D Gair
Clr G McLaughlin (arrived at 9.10 am)
Clr G Markwart
Clr G M Turland
Clr L A C Whipper

In Attendance:

Acting General Manager	Mr Barry Paul
Deputy General Manager Corporate, Strategy and Development Services	Mr Mark Pepping
Chief Financial Officer	Mr Richard Mooney
A/Group Manager Corporate and Community	Ms Danielle Lidgard
Group Manager Infrastructure Services (in part)	Mr Dominic Lucas
Manager Design, Construction and Maintenance (in part)	Mr Peter Smith
Deputy Chief Financial Officer	Mr Damien Jenkins
Management Accountant	Mr Peter Dunn
Administration Officer	Ms Liz Johnson

1. OPENING OF THE MEETING

The Deputy Mayor Clr I M Scandrett opened the meeting and welcomed Councillors and staff.

2. ACKNOWLEDGEMENT OF COUNTRY

Clr L A C Whipper acknowledged country:

"I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today."

18.7 Minutes of the Finance Committee Meeting held on Wednesday, 16 May 2018

ATTACHMENT 1 Minutes of Finance Committee Meeting held on Wednesday, 16 May 2018



MINUTES OF THE FINANCE COMMITTEE MEETING

Wednesday 16 May 2018



3. APOLOGY

It was noted that apologies were received from the Mayor, Clr K J Halstead, Clr P W Nelson and Clr G J Andrews. It was further noted that an apology was received from the General Manager.

PERS

FC 7/18

MOTION moved by Clr T D Gair and seconded by Clr L A C Whipper

THAT the apologies of the Mayor, Clr K J Halstead, Clr P W Nelson and Clr G J Andrews be accepted and leave of absence granted.

PASSED

4. CONFIRMATION OF MINUTES

MINUTES OF THE FINANCE COMMITTEE MEETING HELD ON WEDNESDAY 21 FEBRUARY 2018

FC 8/18

MOTION moved by Clr L A C Whipper and seconded by Clr G Markwart

THAT the minutes of the Finance Committee Meeting held on Wednesday 21 February 2018 MN FC 1/18 to MN FC 6/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

5. BUSINESS ARISING

There was no business arising from the Minutes of the Meeting held on Wednesday, 21 February 2018.

**18.7 Minutes of the Finance Committee Meeting held on Wednesday,
16 May 2018**

**ATTACHMENT 1 Minutes of Finance Committee Meeting held on
Wednesday, 16 May 2018**



MINUTES OF THE FINANCE COMMITTEE MEETING

Wednesday 16 May 2018



6. DECLARATIONS OF INTEREST

101/3, 101/3.1

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this Meeting and to complete the appropriate form to be handed up at the Meeting.

There were no Declarations of Interest at this Meeting.



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7. AGENDA REPORTS

7.1 Budget Review to 31 March 2018

Reference:	2120/17
Report Author:	Management Accountant
Authoriser:	Chief Financial Officer
Link to Community	
Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to inform Council of the results of the budget review undertaken for the period ending 31 March 2018 and to seek approval to make the necessary adjustments to the 2017/18 budget.

The Quarterly Review of the Budget is reported to Council at the end of each quarter in accordance with Section 203 of the *Local Government (General) Regulation 2005*.

The Chief Financial Officer and Acting General Manager addressed the Committee on this matter.

FC 9/18

MOTION moved by Cllr T D Gair and seconded by Cllr L A C Whipper

1. **THAT** Council approve the budget variations reported at the March Quarterly Review as listed in Attachment 1 to the report.
2. **THAT** Council approve the reallocation of \$631,000 from the General Waste Reserve to the Welby Hockey Field Reserve.
3. **THAT** Council note the projected position for the 2017/18 Financial Year remains a balanced budget.

PASSED

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7.2 Quarterly Operational Plan 2017-18 Exception Report, January to March 2018

Reference:	501/2018
Report Author:	Acting Group Manager Corporate and Community
Authoriser:	Deputy General Manager Corporate, Strategy and Development Services
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

This exception report provides an overview of Council's progress towards delivering its annual Operational Plan 2017/18.

The Acting Group Manager Corporate and Community addressed the Committee on this matter.

FC 10/18

MOTION moved by Cllr T D Gair and seconded by Cllr G Markwart

THAT the Quarterly Operational Plan 2017-18 Exception Report, January to March 2018, be noted.

PASSED



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7.3 Loan Borrowings Policy Review

Reference:	2130
Report Author:	Chief Financial Officer
Authoriser:	Deputy General Manager Operations, Finance and Risk
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is for Council to consider the adoption of the revised Loan Borrowings Policy.

The Chief Financial Officer and Acting General Manager addressed the Committee on this matter.

FC 11/18

MOTION moved by Cllr T D Gair and seconded by Cllr G McLaughlin

THAT Council adopt the revised Loan Borrowings Policy.

PASSED



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7.4 Moss Vale & District Basketball Association - Request for Variation to Terms of Loan

Reference: 6605/3
Report Author: Chief Financial Officer
Authoriser: Deputy General Manager Operations, Finance and Risk
Link to Community
Strategic Plan: Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is for Council to consider a request made by the Moss Vale & District Basketball Association to vary the terms of the approved loan which was provided to fund stage 1 of the centre improvement strategy.

The Chief Financial Officer, Acting General Manager and Deputy General Manager Corporate, Strategy and Development Services addressed the Committee on this matter.

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MOTION moved by Clr T D Gair and seconded by Clr G McLaughlin

1. THAT Council gives in principal support for the redraw of \$116,667 from the approved loan with the Moss Vale & District Basketball Association, to be sourced from the Property Development Reserve, subject to members of the Moss Vale & District Basketball Association addressing Councillors in relation to the future re-development of the site.
2. THAT subject to resolution 1 above, Council vary the approved loan agreement to reflect the extension of the loan maturity date to the 25 October 2032.
3. THAT subject to resolution 1 above, the Mayor and General Manager be authorised to sign and affix the common seal of Council to the documents required to vary the terms of the approved loan.

IT WAS NOTED THAT CLR T D GAIR WITHDREW HIS MOTION IN SUPPORT OF THE AMENDMENT MOVED BY CLR L A C WHIPPER AND THEREFORE THE AMENDMENT BECAME THE MOTION

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FC 12/18

MOTION moved by Cllr L A C Whipper and seconded by Cllr G Markwart

THAT the Request for Variation to terms of loan from the Moss Vale & District Basketball Association be deferred, subject to an invitation being extended to members of the Moss Vale & District Basketball Association to address Councillors in relation to the future re-development of the stadium site located at 15 Parkes Road, Moss Vale.

PASSED

Dissenting vote: Cllr I M Scandrett requested that his dissenting vote be recorded in respect of this motion.

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7.5 Stronger Country Communities Fund - Round 1 Successful Projects

Reference: 2151/10
 Report Author: Senior Assets Officer
 Authoriser: Deputy General Manager Operations, Finance and Risk
 Link to Community
 Strategic Plan: Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to advise the Finance Committee of the successful projects approved by the NSW State Government under the NSW Stronger Country Communities Fund – Round 1.

The Chief Financial Officer and Acting General Manager addressed the Committee on this matter.

FC 13/18

MOTION moved by Cllr G McLaughlin and seconded by Cllr L A C Whipper

THAT the draft 2018/19 Operational Plan and Budget be updated to include the following projects:

Project	Budget Allocation
Construction of Second Synthetic Hockey & All-Weather Sporting Field Stage One (Welby Oval)	\$1,192,000
Wingello Hall Accessibility Upgrade	\$114,732
The Carribee Centre Upgrade and Extension	\$443,809
Total Expenditure Budget	\$1,750,541

PASSED

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8. DATE OF NEXT MEETING

The next meeting will be held on Wednesday 15 August 2018 in Council Chambers, Civic Centre, Elizabeth Street, Moss Vale commencing at 9.00 am.

9. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 10.10 AM

20 NOTICES OF MOTION

20.1 Notice of Motion 14/2018 - Election of Mayor and Deputy Mayor

Reference:	100/4
Report Author:	Administration Officer
Authoriser:	Acting Group Manager Corporate and Community
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

Councillor Graham McLaughlin has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 23 May 2018:

1. **THAT** there be no Extraordinary Meeting of Council to elect the Mayor and Deputy Mayor on Wednesday, 19 September 2018.
2. **THAT** the election of the Mayor and Deputy Mayor take place at the following Ordinary Meeting of Council on Wednesday, 26 September 2018.

RECOMMENDATION

Submitted for determination.

Preamble

This is a carry-over from the last Council, which is an unnecessary expense and a waste of valuable staff time. We should return to the previous practise of Council to have the election then move on to the business of Council at the Ordinary Council Meeting.

22. CLOSED COUNCIL

MOVING INTO CLOSED SESSION

Section 10A of the *Local Government Act 1993*, empowers Council and Committees of which all the members are Councillors to close a part of a meeting in certain circumstances in accordance with the requirements of the Act, and relevant Regulations and Guidelines.

Subject to the provisions of Section 10 of the Act, so much of a meeting may be closed as comprises certain information as outlined in Section 10A(2).

However, the Act also contains the following provisions qualifying the use of Section 10A(2).

Section 10B

1. *[Time spent closed to be minimised]* A meeting is not to remain closed during the discussion of anything referred to in section 10A(2):
 - a. Except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - b. If the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
2. *[Qualification of 10A(2)(g)]* A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A(2)(g) unless the advice concerns legal matters that:
 - a. are substantial issues relating to a matter in which the council or committee is involved, and
 - b. are clearly identified in the advice, and
 - d. are fully discussed in that advice.
3. *[Qualification of 10A(3)]* If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3)), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2)).
4. *[Irrelevant matters]* For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
 - a. a person may misinterpret or misunderstand the discussion, or
 - b. the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to Councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Attention is also drawn to provisions contained in Part 7 of Council's Code of Meeting Practice.

Director General's Guidelines

The Director General of the Department of Local Government has issued guidelines concerning the use of Section 10 of the Act. A copy of the Director General's guidelines has been sent to all Councillors. Section 10B(5) of the Act requires that council have regard to these guidelines when considering resolving into Closed Session.

RECOMMENDATION

1. **THAT** Council moves into Closed Council in accordance with the requirements of Section 10A(2) of the *Local Government Act 1993* as addressed below to consider the following reports that are confidential for the reasons specified below:

22.1 **Legal Report - Closed Council**

Relevant Legal Provisions

This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(a) as it contains personnel matters concerning particular individuals (other than councillors), under clause 10A(2)(e) as it contains information that would, if disclosed, prejudice the maintenance of law and under clause 10A(2)(g) as it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.

Brief description

Updating the report on the status of legal proceedings reported to Council at the meeting on 28 March 2018.

2. **THAT** the minutes of the Closed Council part of the meeting (being the Council's resolution) be made public.

Barry W Paull
Acting General Manager

Friday 18 May 2018