



Community Update

Reference: 101; 102; 103/6
Report Author: Interim Administrator

The Minister for Local Government, The Hon. Shelley Hancock MP, announced on 27 May 2021 that my appointment as Interim Administrator would be extended for three months and the Order to further suspend Wingecarribee Shire Council was gazetted on Friday 4 June 2021. I have attached a copy of the Order under Section 438M and 438O of the *Local Government Act* to this Minute.

The reasons the Minister outlined for extending the suspension include:

- To provide additional time for a new General Manager to embed improvements to the organisation.
- Work on the restructure of the organisation under a new General Manager to assist residents in communicating with Council.
- Work that needs to be undertaken to improve the work, health and safety conditions of Council's workforce.
- To continue the work being undertaken to restore the community's confidence in the Council.
- Improve Council's exercise of statutory functions.

Residents may be assured that I will continue in the role with enthusiasm and commitment.

Congratulations to Berrima on winning the *Best Town Destination in NSW for population under 5,000* category. It was an honour to present the award to Steve Horton during the Berrima launch of Pie Time and a big well done to all involved.

Today is *Thank a First Responder Day*. During recent times with bushfires, floods and the pandemic the Shire has witnessed the commitment from our first responders in doing all they can to protect us. The paramedics, police, firefighters and emergency services make personal sacrifices every day for the wellbeing and safety of our community. On behalf of Council and the community I would like to sincerely thank all first responders in the Southern Highlands for the incredible work they undertake.

Community outreach visits have allowed me to see first-hand and obtain a better appreciation of the unique environment of Wingecarribee and I thank and acknowledge the openness of the over 200 individual community members, 37 community groups and associations, who I have met and the generosity of welcome.

I will continue to meet with community members on request but the community outreach visits have been completed.

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The discussions have been wide and varied and have provided me with an important tool to gain a better understanding of the community's view of Council. They have provided a base to work with the Acting General Manager to develop solutions to fix areas that have been raised as reoccurring themes and this contribution has been needed and is valued.

I understand that report will be presented to Council in its next meeting following the resolution of Council on 12 May 2021 in relation to the Southern Highlands Regional Animal Shelter and thank the staff for arranging a visit to the site yesterday. I now better understand the issues and urgency of addressing what I consider to be unacceptable working conditions of staff. I am also concerned that Council is meeting its statutory obligations and whether they are being confused by the Memorandum of Understanding with the Friends of Wingecarribee Animal Shelter. These matters must and will be addressed during the administration period and I have asked the Acting General Manager to expand the scope of the report to address same and if necessary to obtain independent professional assistance on some of the policies of the shelter.

The work of the Rural Fire Service and the State Emergency Service at both a voluntary and professional level cannot be underestimated by any community and the recent fires and floods only underscore their importance in the Wingecarribee Shire Council area.

One-to-one meetings have been held with the RFS and SES leadership in the Shire and decisions taken in relation to the water tanks at Balmoral, Penrose and Wingello. In addition, there is a need for water tanks at Canyonleigh, Bullio and High Range/Joadja and possibly east of the railway track at Penrose. The staff are preparing a report for the July Council meeting to fund these projects without further delay.

The reallocation of \$100,000 from bushfire grants resulted in a number of very good proposals costing far in excess of the funds available. In consultation with the staff the following has been agreed:

- Bundanoon – Glow Worm Glen reconstruction of pedestrian bridges; \$12,000
- Wingello – Bill O'Riley Park furniture; \$20,000
- Penrose, Penrose Park equipment; \$18,000
- Balmoral Village Hall external lights; \$10,000
- Hill Top entry signs; \$5,200
- Balmoral entry signs; \$12,000
- Wombeyan Caves signage, guideposts and reflectors along Wombeyan Caves Road – noting there is a substantial Commonwealth Grant for major works; \$17,800
- Balmoral Village Hall sanding and polishing; \$5,000

Council's relationship with the SES has not been good in recent years and in my view has under-valued the role they play in the community.

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In the Shire SES is the primary rescue unit for all incidents. While their facilities in Mittagong are adequate, Moss Vale leaves a lot to be desired and negotiations for improvements have been protracted. The Taylor Street facility is not operating satisfactorily and impacts on local leadership and the provision by the NSW Government of the latest equipment including an important heavy rescue vehicle.

The Bowman Road, Moss Vale site purchased by Council for the new animal shelter has its challenges but in my view would be an ideal location to also house the SES. Council will need to fund the major proportion of any new facility and I have asked the Acting General Manager to report on the matter in conjunction with the Animal Shelter report.

To be very clear I am not suggesting that one be short changed for the other, but that both be provided to cater for the Shire's needs while respecting the Council's statutory obligations.

Destination Southern Highlands is the tourism and economic development organisation for the Southern Highlands and is a so called business unit of Wingecarribee Shire Council. However, as an arm of Council it is essential that it operates within the requirements of the *Local Government Act 1993*.

It has come to my attention that a number of fees have been charged unlawfully by Destination Southern Highlands. These fees have not been adopted as a part of Council's annual fees and charges, as required under Section 377 of the Act. While these fees may be necessary for the operation of this business they have not been legally applied.

To rectify this situation, it is my view that fees paid over the previous 12 months should be refunded. The fees relate to Partnership Membership Fee; Product Consignment; Tickets; and Accommodation and Accommodation Site Inspection fees and total in the order of \$150,000.

The Acting General Manager supports my view and is having a report on charges and fees prepared and has also initiated an independent audit of some expenditure. The future operation of the Destination Southern Highlands will also be addressed in the Council restructure which will hopefully come to Council at the July meeting.

As a part of my Community Update at the meeting held on the 12 May 2021, I requested staff prepare a "warts and all" report on Council's response and recovery efforts to the 2019/20 Black Summer Bushfires. Following further consideration and the substance and potential conflict of the matters already being raised, staff have recommended an independent review be undertaken for this report.

Mr Dave Owens from Risk-e Business Consultants has been engaged to undertake this independent review. Mr Owens is a former Deputy Commissioner of the NSW Police Force with 30 years of service. He has also been a State and Regional Recovery Coordinator for the NSW Government and as such has extensive knowledge as to the establishment and running of Recovery Committees, funding applications and Mayoral Relief funds. Mr Owens has

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worked with many Local Governments to review their emergency management/recovery procedures and most recently he co-led the NSW Governments Independent Bushfire Inquiry which resulted in 76 recommendations.

I have previously noted that the consultants report relating to the development issues is still being prepared by virtue of the large number of residents who have requested an independent hearing.

Earnest Consulting (Malcolm Ryan – Director) has now provided an interim issues report to me and a confidential operating report to the Acting General Manager. I table the interim report dated 7 June 2021.

The report is damning and while it makes a number of recommendations in my view they are best left until the final report so a holistic approach can be taken. Having said that I acknowledge and endorse the swift action of the Acting General Manager in addressing some priority issues.

One housekeeping matter that needs to be addressed is in relation to the appointment of the General Manger. In adopting the motion on the appointment of Ms Lisa Miscamble, I failed to include a recommendation that the common seal be affixed to the contract and the following addresses that oversight.

I move that the Minute be received and noted and that Council's common seal be placed on the contract of employment between Ms Lisa Miscamble and Council.

Viv May PSM

Interim Administrator